



NEWSLETTER

It's Fall Issue

November 2002

AABA thanks the sustaining members of 2002!

- Kevin Chung
- Howard N. Chung
- Kevin M. Fong
- Keith Fudenna
- Naoko Fujii
- Joan Haratani
- Edith M. Ho
- Helen Y.H. Hui
- Lily Mayumi Kimura
- Jerry Lee
- Jennifer Y. Liu
- Wesley M. Lowe
- Mari Mayeda
- Christine Noma
- Bernard C. Shek
- Audrey L. Sung
- David C. Tseng
- Garrett L. Wong
- Darryl M. Woo
- Franklin H. Yap
- Stanley Young

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Serving the People, Serving as a Judge: AABA Sits Down With Judge Ken Kawaichi

By Marissa Tirona

Serving the people of California since 1975, the Honorable Ken Kawaichi will be stepping down from the bench in Alameda County. Recently, Judge Kawaichi took some time out of his busy schedule to meet with Marissa Tirona of AABA's Public Appointments Committee to share his thoughts on the benefits of serving as a judge and on why more Asian-American attorneys should apply for judicial appointments.



Judge Kawaichi at this year's AABA Dinner.

AABA (Q): What have you enjoyed the most about serving as a judge here in Alameda County?

Judge Kawaichi

(A): First and foremost, I have relished the opportunity to help people. As a judge, I have witnessed the positive and constructive ways in which people change their lives. I have presided over weddings, adoptions, successful probationary hearings and the alternative resolution of both criminal and civil cases – significant “life” events which have been transformative and positive. I have also greatly enjoyed the daily challenges and learning opportunities that this job offers. I get to meet and learn from different people every day – the attor-

neys, the court staff, the jurors and the general public. Of course, there are many challenges – I have observed the abuse and misuse of our legal system and have seen people at their worse. However, the benefits far outweigh the negative aspects of being a judge. With all of these benefits, of course, there are many responsibilities. I understand that, as a judge, I have an obligation to “give back” to society, to make life better for others and to participate in community activities. Many people regard judges as “role models” and look to us for guidance and advice. I welcome that role and hope that I have served people well.

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AABA, Coalition of Minority Bar Associations Hold Unity Reception in San Francisco

By Edith Ho

On October 17, the Coalition of Minority Bar Associations Unity Reception was held at Popolo's Restaurant in San Francisco. There was a wonderful turnout from

AABA, San Francisco La Raza, Charles Houston Bar Association, South Asian Bar Association of Northern California, Korean American Bar Association of Northern California, and Bay Area Lawyers for Individual

Freedom, which was participating in the Unity Reception for the first time. It was also the first time that the bar associations gave a joint award, the Unity Reception Award, which was given

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Schedule of Events

- **November 1** — AABA Halloween Party is CANCELLED.
- **November 2** — AABA Mentor-Mentee program kickoff brunch, Heller Ehrman, 333 Bush St., 10:30 a.m. Contact Kevin Chung at kchung@hewm.com for information.
- **November 5** — AABA Board Meeting, Heller Ehrman, 6:15 p.m.
- **November 7** — AABA is co-sponsoring the Women Lawyers of Alameda County Annual Judges Dinner, Oakland Marriott. Call (415) 641-8328 for information.
- **November 15** — Asian American Donor Program Annual Dinner and Dance, San Mateo Marriott. Call (800) 593-6667 or e-mail carol@aadp.org for information.
- **November 20-21**, CMCP's 13th Annual Business Development Conference, Pan Pacific Hotel, San Francisco. For information, call (415) 782-8990.
- **November 21** — "Ethics and the Elimination of Bias in the Legal Profession," presented by former Supreme Court Justice Cruz Reynoso. MCLE credit approved. Wells Fargo Conference Center, 1560 Van Ness Ave., 2nd Fl., San Francisco. Call (415) 255-9499 x736 or e-mail seminars@ilrc.org for information.

For the latest events, updates and schedule changes, please visit www.aaba-bay.com.

November 2002

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2 AABA Mentor-Mentee Brunch
3	4	5 AABA Board Meeting	6	7 WLAC Annual Judges Dinner	8	9
10	11	12	13	14	15 AADP Annual Dinner/Dance	16
17	18	19	20 CMCP Conference begins	21	22	23
24	25	26	27	28 Thanksgiving	29	30

AABA News and Notes

Law Foundation Announces Ocampo Scholarship

AABA is proud to announce that this year, the Law Foundation is offering a new scholarship for a deserving law student. **Raymond L. Ocampo Jr.** will be donating \$2,000 to sponsor "The Raymond L. Ocampo Jr. President's Scholarship" honoring the service, dedication, and leadership of the past AABA presidents. AABA thanks Ray Ocampo Jr. for his generosity.

In addition to "The Raymond L. Ocampo Jr. President's Scholarship," the Foundation will also award up to three monetary scholarships for a total amount of \$3,000. If you are interested in applying for these scholarships, you can obtain additional information and an application by going to www.aaba-bay.com.

October Volunteers Thanked

The ALC/AABA clinic volunteers are **Pang Ly, Teresa Hu and Jennifer Chow, Lia Arnold and Adrian Davis.**

AABA Career Day at Hastings Success

AABA's annual law student Career Day (see photo at right) was held on September 28 at the Hastings College of Law. Law students had an opportunity to engage in mock inter-

views to hone their interview skills, and to attend panels on finding a job and on different practice areas within the law. Thanks to **Felix Lee** and **Victoria Tseng** for organizing.

AABA Congratulates Recent Appointees to Bench

Congratulations are in order for **Delbert Gee** of Alameda County and **John Sugiyama** of Contra Costa County, who were just both confirmed to the bench by Gov. Gray Davis.



Back row (L to R): Felix Lee, John Yun, Liz Duong, Debbie Yang. Front row (L to R): Helena Teav, Mariko Nakanishi, Hongvilay Thongsamouth.

A Conversation with a Civil Rights Legend: Hirabayashi Speaks at Hastings School of Law

By Mie Lewis

On October 3, civil rights icon Gordon Hirabayashi made a rare Bay Area appearance at Hastings Law School in San Francisco. Before an audience of more than 100 students, media and community members, Hirabayashi spoke about his fight to protect his fundamental rights as an American of Japanese ancestry during World War II. During the war, Hirabayashi defied curfew and internment laws on the



Gordon Hirabayashi made a rare Bay Area appearance at Hastings on October 3.

grounds that they violated his constitutional rights.

In a conversation with Mie Lewis of API Legal Outreach, Hirabayashi discussed his decision to engage in civil disobedience despite the certainty of criminal prosecution and intense pressure from his family and community. "Even though my country was doing this to me," ex-

plained Hirabayashi, "I believed in the Constitution." Hirabayashi also described how he hitchhiked from Seattle to a federal prison in Tucson, Arizona, after being told that the government did not have the funds to send him there. "They were going to keep me in a county jail, and I didn't want that," said Hirabayashi, "I wracked my brain, and convinced the government that I could get to Tucson by myself."

Hirabayashi also answered questions from the audience. Asked about the relationship between the Japanese internment and the present administration's actions against Arab Americans in the War

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Report on Asian Bar of California Meeting in Sacramento

By Mark Morodomi

Every year representatives of the Asian bar associations in California gather in the State Capitol for the day to meet with state officials and to network with each other. This year was no exception.

The highlight of the day was a visit by Michael Yamaki, Governor Davis' appointments secretary. Having a history of being active in Asian-American bar associations for years, Yamaki gave a no-holds-barred assessment of the role of Asian-American bar associations in state politics. He stressed that the Asian-Pacific bar associations in California not be fragmented and the importance of building networks among the Asian-Pacific bars.

"We're all in the same boat, we need to be supportive of each other" on our respective issues, he said. "Friendship is the road to collaboration between northern and southern California." Yamaki went on to give

specific examples from the past on how cooperation between the north and south garnered appointments for Asian-American leaders.

Yamaki is in charge of nonjudicial appointments and welcomed recommendations from the Asian bars for those interested in appointment to the various state-wide boards and commissions.

Burt Pines, the Governor's judicial appointments secretary, met with the group to give us some very optimistic news about diversity on the bench. Under the Davis administration, 24 percent of Asian applicants who applied for judicial positions have been appointed, compared to a 13 percent ratio for all groups. Pines encouraged the bars to "get the word out" to get quality lawyers to apply for appointments. He noted that there are no Asian/Pacific judicial applicants in many counties, including in the Bay Area counties of Marin, Monterey, and Napa. He also gave some useful tips

for judicial applicants. Russell Hom, newly appointed Judge of the Sacramento Superior Court shared his experiences and strategies in getting his appointment.

Daniel Kim, legislative staffer, announced the recent passage of AB116 that creates the Asian Pacific Islander Commission to study and discuss issues affecting APIs. The Governor will have 13 appointments to this new state wide committee. The major statewide issue affecting APIs, predicted Kim, will be the state budget. Although the issues in the budget will not specifically target APIs, the issues encompassed by the budget will have a profound impact on our communities. Kim noted the need for low income housing (and the current bond measure to fund such housing) and the reimbursement rates for doctors who treat indigent patients as two issues having an significant affect on the API community.

Kawaichi Talks About Judicial Appointments

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Q: Why should an attorney seek a judicial appointment?

A: One of the primary benefits of serving as a judge is that it makes you a better person. It is a fulfilling job, and, as I have said already, you grow intellectually. Moreover, you get to help people solve their problems. Lawyers often perceived each other as adversaries. As a judge, you are neutral, unaffiliated and unbiased – another voice in helping to achieve solutions. There is a lot of “psychological remuneration” with the job – you get a good feeling from helping people resolve disputes, especially when you do it in a manner which brings about the best result for all parties involved. For attorneys, the win was more important than the process. I think the process is more important.

Even more important than the personal benefits are the institutional benefits of having more Asian-American attorneys on the bench. Unfortunately, the legal system has not remained untouched by anti-Asian bigotry. Many Asian-Americans have not had an equal voice in or access to the legal system. Therefore, it is incumbent on Asian-American attorneys to make “our” presence and needs known. By being involved as a judge, you can have a more significant impact not only on how the institution – the legal system - is run, but on the effects that the institution has on all communities, especially disenfranchised and underrepresented ones.

I can only speak from my own experience as a judge in Alameda County, and I can tell you that, because Alameda County is one of the most diverse counties in California, it is a rewarding place for an Asian American attorney to practice and to serve as a judge. In fact, there are many opportunities for public service; you can serve as a judge, a

judge pro tem, a commissioner or a discovery referee – there are a myriad of ways to serve the community and the court system.

Q: What are the characteristics of an ideal judicial candidate?

A: Most importantly, you need to be the best lawyer you can possibly be. You also need to

- Have integrity;
- Be knowledgeable;
- Develop and improve your trial and advocacy skills;
- Be “public minded”;
- Have solid communication

“The bench definitely needs more Asian-American judges if, for no other reason, to demonstrate to the public that the legal system is an institution of inclusion.”

- skills;
- Give back to the community – perform “pro bono” work;
- Have broad interests and memberships in different civic organizations;
- Be a leader;
- Have a good legal track record;
- Exercise a judicial temperament – fair, unbiased, neutral;
- Demonstrate commitment to public interest work;
- Have experience in resolving legal matters through alternate means, such as settlement negotiations, mediation, arbitration, etc.;
- Balance your legal research with trial practice;
- Be a mentor;
- Be known as very ethical individual;
- Know how to work with conflict and interact with jurors, oppos-

ing counsel and colleagues constructively; and

- Develop your own legal philosophy.

Q: What is the process for applying for a judicial appointment in California?

A: Suffice to say, applying for a judicial appointment is a broad-based, multi-faceted, long-term project. At the outset, you need to garner a broad base of support. You need to get a group of people together who will support you in this effort. You need to talk to your family and friends and ask them – “Do we really want to do this?” Without their support, any endeavor will be unsuccessful. You will need an ongoing commitment from them to “till the field” on your behalf.

Once you have secured support and have decided to apply, find out what the requirements are. Examine the Personal Data Questionnaire and identify your strengths and weaknesses. The process can range anywhere from 6 to 8 months or 2 to 3 years, but you should develop your own timetable. You will need to garner support from your local and state politicians – city council, assembly members, county officials, senators, congressional representatives – so you will need to account for that in your own timetable. Go to the various bar associations to which you belong and find out who makes recommendations on judicial appointments. Determine who your competition is. Remember, applying for a judicial position is a long-term process; it begins even before you throw your name in the hat. You need to garner support early – from your colleagues, law school classmates, bar associations – and you need to plan accordingly.

Q: Does the bench need more Asian-American judges? Why

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AABA Co-Sponsors Hirabayashi Event

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on Terrorism, Hirabayashi concluded, "The reason why [the government] isn't going so far as to intern Arab Americans, that very likely is because of lessons learned from the Japanese experience."

The conversation with Hirabayashi was followed by commentary from Karen Kai, attorney for Fred Korematsu in the landmark *coram nobis* challenge the Japanese exclusion order, and Grace Shimizu, chairperson of Campaign for Justice: Redress Now for Japanese Latin Americans. Kai and Shimizu addressed the legal, historical and contemporary significance of *Hirabayashi v. United States*, and the

government's continuing denial of civil liberties in the name of "national security."

Boalt Hall student Yunie Hong

"The reason why [the government] isn't going so far as to intern Arab Americans, that very likely is because of lessons learned from the Japanese experience."

said, "It was really moving to hear from Mr. Hirabayashi himself about how Japanese-Americans' civil liberties were trampled during the war."

From Victor Hwang: More than 100 law students, faculty, attorneys,

and others (Japanese consulate) showed up for our 2 1/2-hour event. Thanks go out particularly to the Board (and the Education Committee). The event was hosted by Hastings APALSA chairs Hongvilay Thongsamouth and Mariko Nakanishi, as well as API Legal Outreach, with generous assistance from AABA.

APAs Encouraged to Seek Judicial Appointments

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should AABA members apply?

A: The bench definitely needs more Asian-American judges if, for no other reason, to demonstrate to the public that the legal system is an institution of inclusion. Indeed, the fact that Alameda County has four [*Editor's note: at the time of this interview, there were four Asian-American judges in Alameda*

County. Now there are five]. Asian-American judges is a statement of inclusion. The Asian-American community has a stake in the institution and should be represented.

Author's note: It is a logical progression to move from the practice of law to the bench. There is no reason why Asian-Americans should not enjoy the same mobility

to success on the bench that the majority has. If you are the best lawyer that you can be, you will arrive at a point in your career where you will have to make a choice about where you want to go next. One of your choices will be to go to the bench. Make that choice with deliberation and seriousness. Do choose to continue to serve the community by becoming a judge.

AABA Honors Ted Wang at Unity Reception

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to the Honorable John Dearman of the San Francisco Superior Court. Following tradition, each bar association honored its own members.

AABA presented its award this year to **Ted Wang**, who is the Policy Director of Chinese for Affirmative Action (CAA). He has worked both as an attorney and legislative

advocate for Asian Americans, immigrants, and other communities of color. Prior to joining CAA, he worked as a staff attorney with the Lawyers' Committee for Civil Rights. He has developed and help draft legislation to increase minority and women-owned business participation in public contracting and to require governments to make

their services accessible to immigrants.

Finally, AABA thanks San Francisco La Raza for taking the lead in organizing the reception this year. We also thank **Norene Lew**, AABA Social Committee Co-Chair, for helping with the planning of this event.

2002-2003 Asian American Bar Association Mentorship Program

By popular demand, AABA is pleased to announce the return of its Law Student Mentorship Program.

Bay Area law school students (1L, 2L, 3L) who complete and return this form will be paired with an attorney mentor. Participants from last year must also complete the form because they will receive a new mentor for this year's program. Based on the information provided, mentors and mentees are divided into two groups: private practice and government/civil rights/public interest. We will do our best to match you with a mentor within your practice of interest.

Program Guidelines

- participants must commit to contacting their mentor/mentee at least twice during the year
- participants should meet with their mentor/mentee at least once during the year, twice if possible
- the mentee must attend the kick-off brunch held in the fall

Space was limited last year, and some students were either placed on a wait-list or simply unable to participate. Also, keep in mind that the attorney mentors have generously agreed to donate their time and effort to mentor law students. Therefore, please sign up only if you are committed to following the program guidelines and putting in the effort to make the program worthwhile for everyone.

If you would like to participate, please complete the form below and return it via U.S. mail to Kevin Chung, Heller Ehrman White & McAuliffe, 275 Middlefield Road, Menlo Park, CA 94025, or via e-mail to kchung@hewm.com. If you have any questions, please call (650) 324-7162.

PLEASE PROVIDE ALL OF THE INFORMATION REQUESTED (PRINT LEGIBLY)

Name: _____

Check One: ___ **LAW STUDENT** **1L** **2L** **3L** ___ (Circle One)

 ___ **ATTORNEY**

Years in Practice: _____

E-Mail: _____

Telephone Number: _____

Law School/Graduation Year: _____

Undergraduate School/Graduation Year/Major: _____

Area of Interest (circle one): **Private Practice** **Govt./Civil Rights/Public Interest**

Specific area(s) of interest (*e.g.*, labor/employment; corporate, litigation, IP, tax, criminal, family, consumer): _____

Tell us one interesting thing about yourself: _____

**ASIAN AMERICAN BAR ASSOCIATION OF THE GREATER BAY AREA (AABA)
MEMBERSHIP APPLICATION**

To join AABA or renew your membership, please complete and return this form, with a check for your dues, to AABA, P.O. Box 190517, San Francisco, CA 94119-0517. If your dues are current, you may use this form to update your membership information.

- Law Student Member: \$15
- Associate Member (non-lawyer, non-voting): \$25
- Government/Nonprofit Member (regardless of length of practice): \$35
- Lawyer Member (in practice less than 5 years): \$35
- Lawyer Member (in practice 5-10 years): \$45
- Lawyer Member (in practice more than 10 years): \$60
- Sustaining Member (any category above): \$150
- Previously paid current year's dues. Updating membership information only.

Enclosed is an additional \$ _____ donation (made payable to AABA Law Foundation) to be used for:

- AABA Law Foundation AABA Law Clinic AABA Scholarship Program

Name: _____

Firm/Agency/Company: _____

Address: _____

City/State/Zip: _____

Telephone: _____ Fax: _____

Email: _____

Area(s) of Practice (list up to three): _____

Language(s) (fluent, conversational or limited): _____

Please indicate which of the following AABA committees, if any, you would like to participate in (you may check as many as you want):

- | | | | |
|---------------------------------------|--|--------------------------------------|------------------------------------|
| <input type="checkbox"/> Civil Rights | <input type="checkbox"/> Community Service | <input type="checkbox"/> Membership | <input type="checkbox"/> Judiciary |
| <input type="checkbox"/> Education | <input type="checkbox"/> In-House Counsel Roundtable | <input type="checkbox"/> New Lawyers | <input type="checkbox"/> Media |
| <input type="checkbox"/> Employment | <input type="checkbox"/> Practice Development | <input type="checkbox"/> Newsletter | <input type="checkbox"/> Social |
| <input type="checkbox"/> Legislative | <input type="checkbox"/> Public Appointments | <input type="checkbox"/> Scholarship | |

If you would like to participate in AABA's law student-attorney mentoring program, please check here:

Periodically, AABA publishes a membership directory for exclusive distribution to current AABA members. If you do **not** want to be included in the directory, please check here:

From time to time, AABA will also allow mailings from candidates recommended or endorsed by the AABA Board. If you do **not** want to be included in such mailings, please check here:

**THE ASIAN AMERICAN BAR ASSOCIATION OF
THE GREATER BAY AREA**

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The AABA Newsletter Committee is Kathy Aoki, Kathy Asada (Co-Chair), Michael Cho, Elaine Chow (Newsletter Editor and Co-Chair), Wendy Kwok, Eugene Pak and Debbie Wong (Co-Chair). E-mail us at newsletter@aaba-bay.com.

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of the Greater Bay Area

We're on the Web!
www.aaba-bay.com

The Asian American Bar Association of the Greater Bay Area (AABA) was founded in 1976 to provide Asian American attorneys with a vehicle for the unified expression of opinions and positions on matters of concern to all Asian American attorneys, to encourage and to promote the professional growth of its members, and to foster the exchange of ideas and information among its members and with the legal community at large.

AABA is the largest local Asian American bar association in the country and is one of the largest minority bar associations in California, with members who are attorneys, judges, law students and others, representing the entire spectrum of political, social and legal concerns. It is active in six Bay Area counties - including San Francisco, Alameda, Contra Costa, San Mateo, Marin and Santa Clara. AABA has members throughout California and the nation, as well as overseas.