



AABA Newsletter

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President's Column

By Emi Gusukuma

AABA Signs on as Amici Curiae in Three Cases of Importance to the APA Community

AABA signed on to an amicus brief challenging the Defense of Marriage Act ("DOMA") in ***Golinski v. United States Office of Personnel Management***, currently on appeal in the Ninth Circuit. Karen Golinski, a staff attorney employed by the Ninth Circuit, was denied health insurance benefits for her same-sex spouse. In an administrative order, Chief Judge Alex Kozinski ruled that the denial of benefits violates the Ninth Circuit's employment policies prohibiting discrimination based on sexual orientation, but the federal Office of Personal Management ignored the order, citing the enforcement of DOMA. In February 2012, Judge Jeffrey White held DOMA unconstitutional as applied to Ms. Golinski. The Ninth Circuit expedited briefing on appeal and has set oral argument for the week of September 10. 132 members of Congress, 70 companies, the state of California—as well as hundreds of associations (of which AABA was one), legal scholars, religious, labor and civil rights groups and others—joined 13 amicus briefs urging the Ninth Circuit to find DOMA unconstitutional.

In re ***Sergio C. Garcia***: Sergio C. Garcia is an undocumented immigrant seeking admission to the California State Bar. Garcia, whose parents first brought him to the United States from Mexico when he was 17 months old, is a law school graduate who passed the California bar exam. The State Bar's Committee of Bar Examiners has recommended him for admission, and in a matter of first impression, the state Supreme Court will decide whether his undocumented status should be a barrier to entry. Long-time AABA members and noted attorneys Don Tamaki and Minette Kwok of Minami Tamaki LLP are amongst the lawyers representing the Committee of Bar Examiners. California Supreme Court Associate Justice Carlos Moreno (ret.) and Eric Webber of Irell&Manella submitted an amicus brief on behalf of number of bar associations, including the Los Angeles County Bar Association and AABA, which outlines the harms resulting from the unwarranted intrusion of federal law into State Bar admission policies, as well as the State interests served by an attorney admissions policy that does not screen or exclude applicants on the basis of immigration status.

AABA agreed to sign on to an amicus brief and position statement in connection with ***Fisher v. University of Texas at Austin***. This fall, the U.S. Supreme Court will hear arguments in *Fisher v. University of Texas at Austin* (UT Austin) to determine whether UT Austin's use of race as one of many factors in its undergraduate admissions policy is constitutional. *Fisher* is a potentially landmark case, in which the Court could end or significantly curtail race-based affirmative action programs in higher education. The Asian American Center for Advancing Justice plans on filing an amicus brief in support of UT Austin's race-conscious admissions program. The members of Advancing Justice are the Asian Law Caucus, the Asian Pacific American Legal Center in Los Angeles, the Asian American Institute in Chicago and the Asian American Justice Center in Washington, D.C. We are proud to stand with our brothers and sisters on this issue of vital importance to Asian American, Native Hawaiian and Pacific Islander communities.

The Rise of Asian Americans

As I mentioned last month, the Pew Research Center released a report entitled, "The Rise of Asian Americans," that found that Asian Americans are the highest-income, best-educated and fastest-growing racial group in the United States.

The Asian American Pacific Islander Policy and Research Consortium, a national organization of four university-based Asian American research centers, took issue with the report.

While the Consortium acknowledged there were merits to the Pew report, they argue that "the selection of what information to present and highlight is highly biased, and the framing and interpretation of the analysis are incomplete and implicitly misleading and damaging for Asian American communities." The response went on to say: "We believe it is important to acknowledge the many accomplishments made by Asian Americans, but not at the expense of a fuller understanding of the diverse, complex and nuanced reality. The publication presents overly generalized descriptive and aggregate statistics, fails to critically explain the causes and limitations of observed outcomes, and falls short of examining tremendous and critical differences among Asian ethnic groups. We echo the comments by many Asian American scholars, advocates and lawmakers who point out how the study could lead policymakers, the media and the public to draw conclusions that reflect inaccurate stereotypes about Asian Americans being only a community with high levels of achievement and few challenges. There are many educational, economic, and health disparities, among others, facing our diverse communities. The selection of included populations leaves out some of the most distressed groups; consequently, the studied subjects are not representative."

Please e-mail me if you wish to see the full text of the response.

Wow, I Heard From You!

A shout out to Chris Noma for responding to my query posed in last month's column as to whether folks called or considered themselves Asian American – thanks, Chris! I'd love to hear from you too: egusukuma@yahoo.com.

Until next time...

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Building a Successful Solo Practice in 2012

By: Jennifer Shih, AABA Education Committee Member

R-L: John Hamasaki, Jenny Huang, Soyeun Choi, Billy Chan



Photo credit: Janet Li and Jennifer Shih



Above: AABA Solo Committee Co-Chairs-John Hamasaki, Panelists, Jenny Huang, Soyeun Choi, and Billy Chan. Right: AABA Board members David Sohn and Rhean Fajardo



On July 10, 2012 over 60 attendees gathered in a classroom at Golden Gate University (GGU) to learn about how to build a successful solo practice. The event was hosted by AABA's Education, and Solo and Small Firm Committees and GGU School of Law.

Panelists included Billy Chan, Principal Attorney of the Law Offices of Billy Chan, serving clients in corporate, IP, and entertainment matters; Soyeun Choi, a solo practitioner in the field of business transactions and intellectual property; and Jenny Huang, Co-founder and Partner of Justice First, LLP, a partnership dedicated to public interest law.

Jenny Huang addressed effective methods of marketing. In order to keep the practice financially viable, Ms. Huang stressed the need to keep overhead low and have a steady source of income by balancing paid work with unpaid work. Types of marketing that are recommended include by word of mouth and maintaining good relationships. Ms. Huang emphasized the importance of building good relationships and reputation by participating in community service activities and speaking engagements.

Soyeun Choi spoke on the importance of networking and referrals. Ms. Choi suggested joining an interest group and finding your "tribe" where both the topic and people are interesting. It is not necessary to focus only on attorney networking groups. Ms. Choi recommended meeting people with common interests, whether it is within the local parent-teachers association or a dog rescue group. If a person is shy, he or she should limit the amount of time spent at a networking event and focus more on quality connections rather than the quantity. Lawyers are the best source of referrals and a listserve is a great way to network and share resources among attorneys in a similar practice area.

Billy Chan gave an overview of running an office. Mr. Chan recommended having a physical dedicated office to convey to clients the sense of establishment. Business cards and a good firm website are vital as well. The absolute minimum equipment to run an office is a phone, computer, and printer. Furniture and office equipment can be purchased from Craigslist at a discounted price.

Solo practitioners often have to wear multiple hats as an accountant and information technology specialist. A recommended accounting system is Quickbooks, which costs about \$10 per month. Hiring a bookkeeper is an alternative; however the attorney still needs to have the basic accounting background information. It is equally important to have information technology skills. SugarSync and Dropbox are systems that provide online backups by keeping documents in the "cloud" system. Google is also a great resource for technology questions as chances are someone has had the exact same problem.

The co-chairs of the Education Committee, Stella Kim and Melissa Lor, are currently planning the next CLE seminar focusing on intellectual property to take place in the fall.



1. Attendees **2.** AABA Solo Committee Co-Chair-John Hamasaki, Panelist, Soyeun Choi, Panelist, Billy Chan, and AABA Solo Committee Co-Chair Emily Yip **3.** R-L: AABA Education Committee Member, Jennifer Shih, and Shannon Clawson **4.** Emily Yip



Poll Monitoring Training

Tuesday, October 23rd

The AABA Civil Rights Committee, together with the Asian Law Caucus, will be conducting poll monitoring for the November elections to ensure that Bay Area polls provide adequate language access pursuant to Section 203 of the federal Voting Rights Act. Language access has been an ongoing problem in the Bay Area, and, as recently as the 2010 elections, the Department of Justice stepped in to file a complaint to enforce Section 203.

To prepare for the upcoming election, AABA (with ALC) will offer a free training (1 hour of MCLE credit) for lawyers (and law students) who are interested in poll monitoring. The training will be held on the evening of October 23rd at Pillsbury Winthrop in San Francisco. We ask that participants who attend agree to spend three hours on the morning of November 6th to monitor language access at a Bay Area polling site. If you are interested in participating, please email Lin Chan (lchan@gdblegal.com) with your name and contact information.

Lin, Sean & Sophia
AABA Civil Rights Committee Co-Chairs

AABA Disability Rights California *Pro Bono help wanted*

Disability Rights California is seeking pro bono attorneys to help with administrative hearings appealing CBAS/ADHC (basically, community based day healthcare services) termination of hundreds of low-income elderly Asians in Oakland. These hearings come out of our recently settled federal litigation against the California Department of Healthcare Services (<http://www.disabilityrightsca.org/advocacy/Darling-v-Douglas/index.html>). The state's terminations have all been in violation of the terms of the federal settlement.

Pro bono attorneys will have access to training, template briefs, sample files, and many other documents that will make the process smoother. The hearing's themselves will be evidentiary hearings turning on the health conditions of the terminated participant.

The organization providing the services to terminated clients is in downtown Oakland and continues to provide valuable assistance to our efforts

Please let me know if you have any questions or interest in participating.

Jung Pham, Staff Attorney
510 . 267 . 1266
1330 Broadway, Ste.500. Oakland, CA 94612
Jung.pham@disabilityrightsca.org



The Asian American Bar Association is hosting

AABA Billiards Night

Wednesday, August 22, 2012 from 6-9 p.m.

**Jillian's Billiards
175 Fourth Street in San Francisco**



AABA has reserved our own section of pool tables so please come by and join us for a game of pool, for a cocktail, or to mingle with other AABA members.

Complimentary appetizers will be served throughout the night.

If you are interested in playing a game of pool, there is no charge to participate, but space is limited so please RSVP to Emily Tam at emilymtam@sbcglobal.net.

We look forward to seeing you at Jillian's!



AABA Giants Game

By David Y. Yoshida, Social Committee Co-Chair

It's that time of the year again to come out and support your World Champion San Francisco Giants during AABA's Annual Oktoberfest Baseball Game on **September 26, 2012 at 7:15 PM!**

Each ticket is only **\$30.00** and includes a souvenir SF Giants beer stein with a pour of frosty cold beer. Our seats will be located in the center field view reserve section. The Giants are currently ranked #1 in the National League West and are clearly in playoff contention. Don't miss this exciting opportunity to grab these high-in-demand seats at a reasonable price!

We will also be throwing an awesome pre-game tailgate party at Pete's Tavern's private Wine Room with plenty of food and beer, compliments of Esquire Deposition Solutions and DiscoverReady. If you haven't been to Pete's Tavern, it's San Francisco's premier sports bar that is conveniently located directly across the street from the Ballpark. The tailgate

festivities will begin at 5:00 PM and end at 7:00 PM. Everyone is invited to attend our pre-game festivities whether you buy a ticket or not!

This event consistently sells out every year and tickets are limited so you better grab them fast! Please RSVP to David Yoshida at dyoshida@clappmoroney.com as soon as possible to reserve your seats and to obtain payment information. Tickets will be distributed in person at the tailgate party.

AABA thanks Gina Tsai of Esquire Deposition Solutions and Heather Barenchi of DiscoverReady for sponsoring the pre-game festivities and securing the great venue. They worked extra hard to help us organize this event and we truly appreciate their support.



discover ready

LET'S GO GIANTS!

Call for Volunteer Attorneys!

What: Volunteer Legal Services Program's Legal Advice and Referral Clinic

When: Saturday, September 29, 2012. 11:30 a.m. -- 3:00 p.m.

Where: Providence Baptist Church. 1601 McKinnon Avenue (at Mendall one block east of 3rd Street), San Francisco, 94124

Details: The Asian American Bar Association has committed to assist the wonderful LARC of VLSP by harnessing our most awesome resources: YOU! VLSP is looking for volunteers to conduct intake interviews and volunteer attorneys with more than 5 years of substantive experience in each of the following areas:

Bankruptcy	Immigration
Civil	Landlord Tenant
Collection Defense	Personal Injury
Criminal	Probate
Employment/Labor	Real Estate
Family	SSI
General Consumer	Workers Comp

If you would like to volunteer to conduct intakes or if you fit the qualifications as a volunteer attorney (especially in the areas of Family, Probate, Consumer and Landlord Tenant Law) and would like to participate in this program please contact James Lee at james.june.lee@gmail.com by September 10, 2012 at 5:00 p.m. Please contact James Lee if you have any questions as well. For more information about VLSP, please visit: <http://www.sfbar.org/volunteer/index.aspx>.

Please note that the VLSP clinic originally scheduled for August 11, which was advertised on the June issue, has been canceled.

HOW YOU CAN GET INVOLVED WITH AABA

1 Join a committee!

We have 13 committees that would love your help! Please contact one of our committee chairs to learn more.

CIVIL RIGHTS/PUBLIC INTEREST

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Kristy Young, kyoung@sheppardmullin.com

2 Co-host a CLE with AABA!

AABA is a certified Continuing Legal Education (CLE) provider. If you want to join AABA to put on a CLE class, please contact our Education Committee!

3 Advertise with AABA!

Advertise in AABA's newsletter to reach out to our large membership base. Our newsletter is sent out to over 2,000 people each month.

Calendar of Upcoming Events

AUGUST

Wednesdays with Women! **August 8**, 12 p.m. – 1 p.m. Minami Tamaki LLP, 360 Post Street, 8th Floor, San Francisco. RSVP required

APILO / AABA Pro Bono Legal Clinic. **August 15**, 5:30pm - 8:00pm. Asian Pacific Islander Legal Outreach (APILO), 1305 Franklin Street, Suite 410, Oakland.

AABA Career Day. **August 18**, 8:30am-1:00pm. Golden Gate University, 536 Mission Street, San Francisco.

AABA Billiards Night. **August 22**, 6:00 - 9:00pm. Jillian's Billiards, 175 Fourth Street, San Francisco

APILO / AABA Pro Bono Legal Clinic. **August 27**, 5:45pm - 8:00pm. UC Hastings Civil Justice Clinic, 100 McAllister Street, Suite 300, San Francisco.

SEPTEMBER

AABA In-House Mixer. September 6. TBD

Wednesdays with Women! - Professional Branding. **September 19**, 6pm – 8pm. Sheppard Mullin, Four Embarcadero Center, 17th Floor, San Francisco.

Burnham Brown's Fifth Annual Advancing Diversity. **September 20**, 5:00-7:30 p.m. The Waterfront Hotel, 10 Washington Street, Oakland.

AABA Giants Ballgame. **September 26**. AT&T Park, 24 Willie Mays Plaza, San Francisco.

OCTOBER

AABA/ALC Voter Protection Training. **October 23**, 6:30 to 8 p.m. Pillsbury Winthrop Shaw Pittman, 50 Fremont Street, San Francisco.

AABA Idol Karaoke Competition. **October 24**. Risque Lounge, 45 Maiden Ln, (between Kearny St & Grant Ave), San Francisco.

DECEMBER

AABA Holiday Party. **December 6**. TBD

Renew Your Membership



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