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ASIAN AMERICAN BAR ASSOCIATION
of the Greater Bay Area

AABA Newsletter - November 2016

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President's Message

By Hung Chang

"Why do we fall? So we can learn to pick ourselves up." These are words made famous by one of my favorite movies, Batman Begins, uttered by Alfred to Bruce when Bruce felt that all was lost. These words ring true today as we face the unexpected upset and the uncertainties that lie ahead. If there is a silver lining in this presidential election, it is that people in our community are energized and committed to civil rights and "old-fashioned" American ideals such as equality and justice for all.

Within AABA, we see a revitalized sense of purpose and an increased level of volunteerism. Within the community, we see groups banding together to achieve common goals and defend against common threats. We are in a unique position to advise and lead our community through this challenging time.

Forty years ago, AABA was founded in an environment where people of color were treated unfairly (to put it lightly). AABA was built on the principle that lawyers must lend a voice to the voiceless in our community. Forty years later, we are entering into an environment where racist and sexist attacks are justified as a rebellion against the "political correctness culture".

In light of the adverse policies and attitudes against our community and against our value of diversity and acceptance, we must redouble our commitment to uphold and defend these American ideals as we are sworn to do. One easy way we can all make a difference is to donate our time and money to the causes that we believe in. I would encourage you to consider donating to AABA Law Foundation as we continue to stand against hatred and bias. [Donate here.](#)

What Now?

By Charles H. Jung

Late in the evening on election night, I went to bed with a pit in my stomach. I prayed for a miracle, but when I awoke on November 9 and checked the newspapers, no miracle was forthcoming. Instead, we awoke to a world where the President-elect openly campaigned on a xenophobic, anti-immigrant, and anti-Muslim platform; a man who debased women and mocked persons with disabilities; someone who cynically sought the support of white nationalists.

Since the election, many in our communities and our schools have been subjected to open expressions of hatred. The Southern Poverty Law Center reported that in the ten days following the election, there were 867 reports of harassment and intimidation across the country. Immigrants were the single largest target (280), followed by black (187), Jewish (100), LGBT (95), and Muslim (49) communities.

We cannot allow scapegoating and hatred of immigrants, ethnic minorities, the LGBT community, to become the new normal. Vulnerable communities will face serious challenges over the next four years. But I call on each of you, as my friends and colleagues, to stand united to combat bigotry and regression. Please join a committee; volunteer at our clinics; donate to our law foundation; run for the board; run for public office. Be vocal, and together let's stand up for the best expression of American values.

(Please note, this piece reflects my opinions alone, and not necessarily those of any organization I serve, including without limitation AABA, NAPABA, BASF, IAKL, or the Elections Commission.)

Pondering the Future under the Trump Administration

By Kathy Aoki

Co-Chair of AABA's Newsletter Committee

Since I became a registered voter and could vote in presidential elections, there have been three Republican and two Democratic candidates who have become the leader of the free world. Whoever won the U.S. presidential election, I supported whether I agreed with the outcome or not.

But, after a tumultuous presidential race with former Secretary of State Hillary Rodham Clinton running against businessman Donald John Trump, the outcome has left me with a feeling of trepidation. I agree that everyone deserves a chance and I can only hope for the best when Trump is sworn in next month as the 45th President

of the United States. Trump has a Republican Senate and House of Representatives but working with both sides of the aisle will be important for anyone who is President.

After the election, the country seems more divided than before despite what you hear about bringing people together or talk about healing. I worry especially about the plight of undocumented immigrants and others who are not American citizens whose futures could be in jeopardy under the Trump Administration. Also, being Asian and a woman, I will wait and see what issues arise and how Trump handles these situations.

One thing bothers me a lot is Trump's idea of having a database for Syrian refugees and possibly for Muslims. I do not like the idea of any group of people being targeted and singled out. In the 1970's when there was an oil embargo there was talk of rounding people of Iranian descent and putting them in camps like the Japanese Americans were in during World War II.

What happened to Japanese Americans was never ruled unconstitutional so it could happen again although I hope it will not.

Japanese American actor George Takei recently spoke about his family's wartime experiences in a Los Angeles Times article when Trump supporter Carl Higbie said that Trump spoke about creating a registry for immigrants of Muslim descent, Members of Trump's transition team quickly denied this claim. When Higbie was interviewed by FOX newscaster Megyn Kelly about whether he was proposed to go back to the days of the internment camps he responded "no" but said America needs to be protected first.

Although Trump has not said anything in particular on this matter, I wonder whom he will pick to replace Supreme Court Justice Antonin Scalia. This is extremely important because whomever is picked for the job serves for his/her lifetime and decisions made by this man or woman will affect all of us and the direction our country will go forth in.

Right now I am watching intently on whom Trump will have in his cabinet and inner circle, his relationships with foreign dignitaries, and working with our allies to secure not only our safety, as well as other issues including trade agreements, issues on climate change, and his family and business. As of November 29, 2016, Trump announced Elaine Chao, the wife of U.S. Senate Majority Leader Mitch McConnell, is his pick for Transportation Secretary. Nice that an Asian woman will be in Trump's cabinet, but I wonder if he will pick anyone who is a Democrat to serve with him.

Although I can understand why Trump's wife and son will stay in New York for now, I did not appreciate the next president of the United States making a comment that he rather live in his expensive penthouse in New York than in the White House. Since I have been alive, whoever is elected president moves in 1600 Pennsylvania Avenue in Washington, D.C.

Personally, I think Trump got off easy in the Trump University lawsuit and he needs to have someone on his team explain to him the importance of climate change since Trump has said global warming "is a hoax." Sure, Trump has since softened his stance on climate change but I do not think he really understands how this issue impacts all of us and the world we live in.

No, I do not think Jared Kushner, Trump's son-in-law, should be allowed to hold a position of power in his father's in-law's administration. Nepotism should not be allowed. Maybe Trump's daughter, Ivanka, will help

soften her father's stance on issues concerning women. As the Trump world turns we will all have to wait and see how much affect his children have on him.

Although there are recounts being conducted in several states I doubt the outcome will reverse who be in the oval office in January 2017. There was been no evidence of hacking or voter fraud at this time. Yes, I would be happy if something happened and Clinton would be our first woman president. I never agree or disagree on everything the president does or wants to accomplish during his term of office.

Let's hope for a more peaceful world, although with all the recent incidents involving terror attacks and shootings, it seems like a major task that we all need to continue to work together on no matter who serves as our president.

AABA Membership Spotlight: Charlene (Chuck) Shimada

Charlene (Chuck) Shimada is a partner in the San Francisco office of global firm Morgan, Lewis & Bockius LLP. Her practice concentrates on securities litigation defense, corporate governance, class actions and complex commercial litigation. Her work has been recognized by Chambers USA, Best Lawyers, Legal 500 and Super Lawyers.



A pioneer in the legal profession, Chuck was the first woman litigation partner, as well as the first woman of color partner, at McCutchen Doyle Brown & Enersen LLP, where she served as the Office Managing Partner of its San Francisco headquarters, one of the first women of color to hold that position in any major U.S. law firm. She also served as the co-office managing partner of Bingham McCutchen LLP's San Francisco office.

In addition to her legal practice, Chuck has been active in professional and civic affairs. Chuck helped found Women In Securities (WISe), a network for women securities litigators that seeks to promote their development and advancement. She serves as a Ninth Circuit Lawyer Representative, co-chairing the Lawyer Representatives Committee this year. She was appointed to the Board of Directors of the Bar Association of San Francisco (BASF), and serves as a member of the U.S.-Japan Council, the Japan Society of Northern California Board, and the Asian Americans Advancing Justice – Asian Law Caucus's Leadership Council. Chuck was a founding member of BASF's No Glass Ceiling Task Force, which since 2001 has been helping participating firms increase both the number of women partners and their leadership opportunities. She served on Boalt Hall's Alumni Association Board for a number of years and subsequently led the organization as its first woman of color president.

In 2012, she was recognized as one of The Recorder's Women Leaders in Law. The same year she received an award in honor of "25 years of vision and leadership" from the Asian American Bar Association. She was featured in Diversity & The Bar's 2015 "Rainmaker" list as a member of a select group of prominent minority outside counsel with a proven record of achieving success on behalf of their clients.

Before entering private practice, Chuck served as a law clerk to Judge Martin Pence of the U.S. District Court for the District of Hawaii.

First job: After Hawaii lowered its drinking age to 18, I was the first high school student to work as a “hukilau” waitress at the Kahala Hilton Hotel.

What annoys you the most? People who talk without anything to say.

Describe yourself: I am a devoted mother of two incredible daughters, a fanatical Soccer Mom, a fierce, hardworking litigator, a passionate advocate for diversifying the legal profession and making a difference in our community, and, when I get the chance, an incorrigible couch potato.

Favorite TV show/movie: Friends, Friday Night Lights/It's A Wonderful Life, To Kill A Mockingbird.

Hidden talent: Drawing and painting.

Favorite food: Oyako donburi.

Why did you enter law? I chose a law career to work for social change and to honor the sacrifices made by my parents, who did not have a chance to go to college, to help me succeed.

Dream job if you could do anything you wanted in this world: Someday, I hope to be a full-time artist.

AABA is: the embodiment of how far Asian American lawyers have come and of our hopes that, working together, we can go so much farther.

Margaret Fujioka Wins Election for Judgeship in Alameda County Superior Court



Margaret Fujioka, the former Piedmont mayor and Piedmont City Councilmember, won an uncontested race on November 8, 2016 to be elected as a judge in Office 14 of the Alameda County Superior Court. Fujioka worked in the Oakland City's Attorney's Office and was the former president of the Asian American Bar Association of the Greater Bay Area and National Asian Pacific Bar Association. She is someone respected for her work not only in the legal profession but also for her dedication to public service.

What was your reaction when you learned that you had won your race for a judgeship?

Relief and gratitude. Fortunately, I ran unopposed. In early 2016, I began gearing up for a contested election with multiple candidates vying for one open seat (#14) on the Alameda County Superior Court. Because the County is large--1.6 million residents in 14 cities, I knew that reaching voters from as far north as Albany, Berkeley, and Emeryville, west from Oakland and Alameda, to as far south as Fremont, Union City and Newark and east to Pleasanton, Dublin and

Livermore over an 11-month period would require a strong, mobilized, and well-funded campaign. I started early gathering key endorsements, assembling a campaign committee, raising funds, and launching my campaign website shortly before the filing deadline. When two additional seats (#1 & #2) unexpectedly opened on the Court, the candidates who initially filed to run against me, either dropped out of the race or decided to run against others. In the end, 3 candidates ran for Seat #1 and 2 candidates ran for Seat #2. Running unopposed, I was elected to Seat #14 in the June primary. I am deeply grateful to all my supporters—my family, friends from my 2008 Piedmont City Council election and 2012 re-election, Oakland colleagues, 13 of 14 Alameda County Mayors, many judges, and of course AABA and NAPABA, as well as many others who helped me launch a strong campaign from the outset.

What kept you going through all the ups and downs of a political campaign?

The support, advice, and encouragement of my husband, Cedric Chao, was indispensable. Our children, Stephen and Caroline Chao, my mother Shizuko Fujioka, brothers Robert and Tom Fujioka, sister Jan Frey and my LA relatives were very supportive. I am lucky to have a close-knit family from which I draw strength. What has, and continues to keep me going is the memory of my Uncle Ted Fujioka who volunteered from Heart Mountain “Internment” Camp to fight for the country that imprisoned our family. He was elected the first Student Body President of HM High School with dreams of becoming a lawyer and running for public office. At 19 he was killed by falling shrapnel after fighting in some of the bloodiest battles of the war, including the “Lost Battalion” where the 442nd Regimental Combat Team suffered over 800 casualties to save 200 Texas Rangers. I am inspired by his courage and sacrifice and his memory has guided my career.

For those who may aspire to run for city council, mayor or a judgeship, what advice would you give to people who would enter the political arena for the first time to help them survive this process?

Pursue career experiences that will prepare you well for the position(s) you seek. Each position you take should be a building block for the next. It wasn’t until I had five years’ experience as an Administrative Hearing Officer and 100+ hearings under my belt that I felt I was qualified to be a Judge. Presiding over hearings on a broad range of topics and listening to individuals from all walks of life gave me the experience and confidence to pursue a judgeship.

Make sure you have the full support of your family and a wide circle of loyal friends because running a campaign truly takes a village. Once you decide to run, take the time to devise a strategy that will maximize your chances of success. Then, give it your all. Win or lose, running for office is a wonderful life experience and you will grow in ways you never dreamed possible. I learned so much about Alameda County, its unique cities, and diverse citizenry. I enjoyed meeting many voters and through speaking with them one on one I learned of their hopes and concerns about our system of justice.

What are the most important things you would like to accomplish in your role as a judge?

I hope to be a fair and decisive judge who treats all who come before me with respect so that when they leave my courtroom they will feel they have been heard, regardless of whether they “win” or “lose”. As only the second APA woman on an approximately 75- member AC Superior Court, I hope more APAs and people of color, particularly women, will be encouraged to seek appointment or election to the bench.

For children who would like to follow in your footsteps, what advice would you give them to encourage them to pursue a path of public service and achieve their dreams of working in the judiciary?

Public service is a calling. Having spent my entire career in the public sector, I can say there is no greater satisfaction than knowing that your work has helped improve the lives of others. I would encourage them to follow their passion, and never give up. And once they reach their goals, to pay it forward, so that others might succeed, too.

Victor Hwang Victorious in Race to Become a San Francisco Superior Court Judge

Former Asian American Bar Association President Victor Hwang defeated Paul Henderson on November 8, 2016 with 143,341 votes to Henderson's 81,426 votes to achieve his goal of becoming the new San Francisco Superior Court Judge, Seat 7. Hwang worked in the San Francisco District Attorney's office and for Asian Pacific Islander Legal Outreach. He continues to work to make life better for everyone.

What was your reaction when you learned that you had won your race for a judgeship?

Mostly I was relieved. Our team had worked so hard over the past year that it would have been a real let-down if we had not won the race. The time the results came in around 8:45 pm on Tuesday night, I had been running on fumes for days so there wasn't any energy to have much more reaction.

Was there anything you and your campaign team noticed that was significant in voting that led to your victory?

I think a key to our strong finish was our ability to convince voters from across the political spectrum that I was the most experienced and qualified candidate in the race. Even though the political scene was so divided between "progressives" and "moderates," throughout my campaign as the "progressive" candidate, I had moderate-affiliated campaign workers and supporters come up to me and volunteer that they were voting for me in this race. Even in my core group of supporters and advisers, we had folks from every political party and affiliation dedicated to the campaign.

What kept you going through all the ups and downs of political campaign?

My family and close friends. In the second half of the campaign, I had a die-hard core of volunteers including AABA members Rita Mah and Julie Soo, longtime community activists Frank and Jeannie Mah, my mom, former court clerk Jimmy Dacasin, and a college buddy Jeff Harris. The couple of us campaigned every morning for hours on end, walked precincts during the day, and then campaigned most evenings as well. To see the amount of heart that they poured into the campaign, there's no way I could even think of doing less.

My partner Ivy Lee also enforced our family motto: "Don't be weak." She not only cancelled my ticket to the family vacation in Taiwan, but called me every morning at 4 am while travelling with the three kids to tell me to get working on the campaign.

What are the most important things you would like to accomplish in your role as a judge?

As a judge in the courtroom, I would like to continue to advocate for equal justice by reducing barriers to access caused by language, culture, race, immigration status, gender, sexual orientation or gender identity.... As a member of the Bay Area legal community, I would like to continue mentoring those who are interested in serving the community.

For children who would like to follow in your footsteps, would advice would you give them to encourage them to pursue a path of public service and achieve their dreams or working in the judiciary?

I have been very fortunate to have had the opportunity to work in public interest/public service my entire professional career and I can think of no more rewarding or interesting way to use my legal skills. I ran for judge, in part, to demonstrate to my own children that no dream is impossible if you're willing to do the hard work. They have campaigned by my side and learned to deal with rejection, with disappointment, and with realizing success through determination and sweat equity.

New Asian Americans Elected to Congress include Two Democratic Woman Senators

By Kathy Aoki

Co-Chair of AABA's Newsletter Committee

After a contentious presidential race with businessman Donald John Trump defeating former Secretary of State Hillary Rodham Clinton to become the 45th president of the United States, Asian Americans continue to be elected to serve in the United States Senate and House of Representatives.

Joining Mazie Hirono (D-Hawaii) in the U.S. Senate are Democrats Tammy Duckworth from Illinois and Kamala Harris from California. Duckworth, an Iraq war veteran and a former congresswoman, is of Thai and Chinese descent. Harris, who currently serves as California's Attorney General, becomes the first African American, Indian American and Asian American woman to be elected from California to serve in the U.S. Senate.

Rho Khanna (D-California) and Stephanie Murphy (D-Florida) will become new members of the House of Representatives after their respective victories on November 8. Khanna, who is an attorney, teacher and politician, defeated long-time California Democratic Congressman Mike Honda in California's 17th congressional district. Murphy, an educator and businesswoman who also worked as a national security specialist in the Office of the Secretary of Defense, will become the first Vietnamese American woman to serve in Congress. They join Robert C. Scott (D-Virginia), Doris Matsui (D-California), Judy Chu (D-C California), Ami Bera (D-California), Tulsi Gabbard (D-Hawaii), Grace Meng (D-New York), Mark Takano (D-California), Ted Lieu (D-California) and Raja Krishnamoorthi (D-Illinois) as Asian American members of the House of Representatives.

Photo Galleries



November 7 | Junior Attorney's Workshop



November 10 | Real GC's of SF: Navigating to the Top Spot



November 15 | Joint Diversity Mixer w/SFTLA, The Charles Houston Bar Association and AABA



November 17 | Biennial Judges Reception



November 18 | Battle of the Bar-Tenders



November 20 | Holiday Cards for Meals on Wheels Clients



**November 29 | AABA & Advancing Justice-ALC Town Hall
Post-Election Priorities for APA Attorneys**

**December 1 |
2016 AABA Holiday Party at Butterfly Restaurant**

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