



## You Can't Box Him In — A Profile of Justice Peter Tom

By Albert Wan

To meet Justice Tom is itself a paradoxical experience. After all, here is a man who stands no taller than five feet six inches and bears an understated demeanor but battled his way – literally – to Madison Square Garden for a boxing championship (he won). Here is a man who confesses to have never planned on becoming a judge but within the span of 10 years ascended to the top rungs of New York's judicial system, appointed by Governor Cuomo in 1994 as associate justice of the First Department, Appellate Division, the first Asian-American to assume such a position.

In mulling over this latter achievement, Justice Tom joked that "three" was now his "lucky number" since it was only a three-year interval that separated him from each successive judgeship – there were three – during his meteoric rise to the appellate court; in the meantime, setting all sorts of "firsts" for New York's Asian-American community.

I met Justice Tom in his chambers located in Manhattan's Flatiron District. When I got there, Justice Tom was in his private office, engaged in a serious discussion with a colleague perhaps. After twenty minutes the woman left, without, it seemed, having resolved whatever it was that initially prompted the talk.

After introductions and handshakes, Justice Tom was obviously still bothered by the meeting with the woman. "Albert, there are always problems," he said, his voice

trailing off as if to emphasize the vexing nature of the observation. But, just as spontaneously as the remark came about, the topic of conversation has changed this time to lunch.

We ended up at a nearby Cajun-inspired eatery aptly named, "Live Bait." Over the din of clanking silverware and competing conversations, Justice Tom began his life story. He was born in Canton, China, and came to the United States at age eight. He lived in the Bronx until he was nine, then moved to Chinatown in Manhattan, where he still resides. Justice Tom's father was active in the Chinatown community and upon his death, at age 69, a New York Times obituary described him as "a leader of the Chinatown community." After graduating from City College, Justice Tom went to Brooklyn Law School, where he obtained his law degree. He was, as Justice Tom himself described it, "a real city guy."



Photo courtesy of Justice Peter Tom

As for becoming a judge, Justice Tom said it was never really a goal of his, having wanted, instead, to set up an office in the Chinatown community, influenced perhaps by the legacy of public service his father left behind. He was, however, to assume a different calling.

Shortly after graduating from Brooklyn Law, Justice Tom worked for nine years as a law clerk in civil court – the only other long-term position he would hold aside from the judgeships. In 1985, Justice Tom was ap-

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## Commemorating Asian Pacific American Heritage

By Hon. Marilyn D. Go, U.S.M.J. (Adopted from comments delivered 4-25-06)

Asian Pacific Heritage month was first established as Asian American Heritage week by act of Congress in 1978 and subsequently expanded to one month. May was chosen as a month marking two important milestones in Asian American history: the arrival of the first Japanese immigrants in May 1843 and the completion of the transcontinental railroad on May 10, 1869, a feat that could not be accomplished but for the contributions of the Chinese workers hired by the Central Pacific Railroad.

However, May is a month that marks a number of less auspicious events in Asian American legal history. After construction of the railroad, the presence of Chinese spawned fear in many, resulting in protests, riots and ulti-

mately, the passage of the first of several discriminatory and exclusionary federal laws directed towards persons of Asian descent. On May 6, 1882, Congress enacted the law commonly known as the Chinese Exclusion Act. In May 1889, the Supreme Ct. upheld the constitutionality of this Act in Chae Chan Ping v. U.S., 130 U. S. 581 (1889).

Congress then renewed and extended the Chinese Exclusion Act for another ten years in May 1892. A year later, again in May, the Supreme Court upheld the enforcement of the Act, affirming dismissal of the petition for a writ of habeas corpus of Fong Yue Ting, who had entered the U.S. to reside permanently and had been unceremoniously arrested fourteen years later by a marshal from the Southern District of New York.

Congress subsequently extended the Exclusion Act twice, but did not repeal

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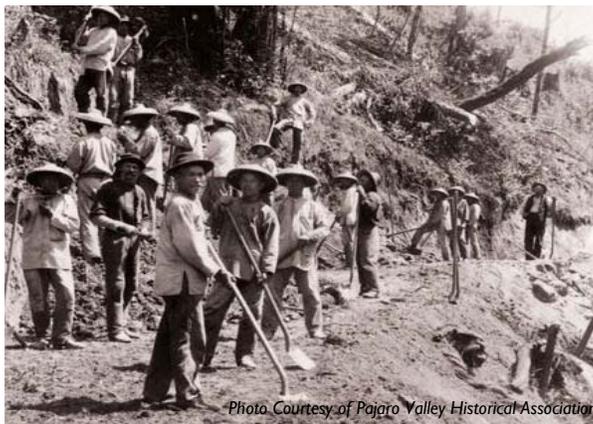


Photo Courtesy of Pajaro Valley Historical Association

Chinese workers building the Loma Prieta Lumber Co.'s railroad, California, about 1885



## President's Message

Thank you to our members for contributing to the success of our organization. Our goal is to make AABANY your bar association of choice. AABANY increases its membership in the Asian legal community daily. We have many exciting projects and events planned for this year and hope you will join us for many of them.

I am pleased to say that this year has been a good year for the Asian American community. Judges Peter Tom, Randall Eng, John Lansden, Jaya Madhavan were all elevated to become interim or permanent presiding judges in their respective courts. In addition, AABANY's immediate past president Lai Sun Yee has been appointed Assistant Deputy Secretary for Criminal Justice, State of New York. She is the highest



ranking Asian-American ever to serve in New York State government.

Why join AABANY? First, AABANY is the largest bar association in New York that represents the interests of Asian American lawyers. Also, AABANY is a highly active organization. During 2007, AABANY has sponsored twenty-five events and

participated in at least a dozen others. Some of these events are described at length in this newsletter, others are briefly mentioned or summarized. AABANY includes a diverse array of interesting and enthusiastic committees where you can get involved in a field you enjoy.

AABANY is an ever evolving organization and we want to know how we can better serve our membership. We hope to get to know all of you soon and to see you at our events. If you have any suggestions about our events, please contact us at [main@aabany.org](mailto:main@aabany.org) or contact the board members or committee chairs listed on AABANY's website ([www.aabany.org](http://www.aabany.org)). Thanks and enjoy the revival of AABANY's quarterly newsletter.

- V.T.C.

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## 2007 AABANY Annual Banquet

By Yang Chen

AABANY's Annual Banquet took place this year on Thursday, February 8, 2007. To accommodate the continued growth of this event, the AABANY Banquet Committee decided to move to a larger venue. After only two years at the Waldorf-Astoria, the AABANY Banquet was ready to fill larger quarters. The New York Hilton, in midtown Manhattan, became the new venue of choice, and it turned out to be an excellent location.

The event kicked off with a cocktail reception, at which numerous attendees, from firms and companies large and small, from the public and private sectors, mingled and chatted. Old friends caught up with each

other, new friendships and contacts were made. Many judges and dignitaries were present, including Former Secretary of Transportation, Norm Mineta, who was the evening's keynote speaker.

### "Secretary Mineta asked the attendees: 'Are you where you need to be?'"

From the cocktail hour, the attendees moved into the main ballroom for dinner and the evening's main events. First, the incoming Board of Directors and officers were inducted. Then followed the presentation of proclamations from state and city officials. AABANY was honored to receive proclamations from the office of Adolfo

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Photo courtesy of AABANY

Honorees, judges, distinguished guests, AABANY officers and directors gather at the AABANY annual dinner.

(from left to right): Hon. Margaret Chan, Michael Oliva, Hon. Fern A. Fisher, Grace Meng, Hon. Robert L. Nahman, Hon. Doris Ling-Cohan, Hon. Leslie J. Purification, Vincent T. Chang, Hon. George Bundy Smith, Lai Sun Yee, Barry M. Kamins, Mrs. Mineta, Hon. Norman Mineta, Assemblywoman Ellen Young, Hon. Peter Tom, Hon. Karen Lin, Alex Ru (Councilman John Liu's Office), Christopher W. Chan, Yang Chen, James Yan, and Sandra Ung.

The AABANY newsletter endeavors to share in a non-partisan fashion information of concern to the Asian American legal community of New York. The officers and directors of AABANY do not necessarily share or endorse any particular view expressed in articles published in this newsletter. Statements published herein are those of persons concerned about the Asian American legal community and willing to share their concerns with their colleagues. Proposed articles or letters to the editor should be sent to AABANY Newsletter, Asian American Bar Association, Grand Central Station, P.O. Box 3656, New York, NY 10163-3656 or e-mail: [aabany.secretary@gmail.com](mailto:aabany.secretary@gmail.com); submissions may be excluded or edited by virtue of space or other reasons. Private individuals may publish notices and advertisements, which the editors feel are of interest to members on a space available basis at the following rates: 3.75" x 1" - \$25.00; 3.75" x 1" - \$40.00; 3.75" x 4.5" (quarter page) - \$70.00; half page - \$120.00; full page - \$220.00. For advertising information call William Wang at 212-336-2204 or e-mail [wwang@pbwt.com](mailto:wwang@pbwt.com).

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# “O Brother Brennan Where Art Thou?”

## A Response to Chief Justice Roberts’ Campaign for Judicial Unanimity

By Albert Wan

Ever since his appointment as Chief Justice of the United States Supreme Court, John Roberts has been advocating, both in the public realm as well as behind chamber doors, for a more consensus-minded approach to resolving disputes before the high court. As Roberts recently told legal pundit Jeffrey Rosen, “I think that every justice [on the Supreme Court] should be worried about the Court acting as a Court and functioning as a Court, and they should all be worried, when they’re writing separately, about the effect on the Court as an institution.” To that end, Roberts, in his newly minted-role of Chief Justice, will try to dissuade his brethren from issuing separate opinions. In other words, Roberts is the manager who, with the score tied and precious few outs remaining, yells to his player at the plate, “Take one for the team!”

One would be hard-pressed to disagree with Roberts’ new initiative. After all, who doesn’t want to see all nine of the country’s most astute legal minds join hands, sing “Kumbaya,” and hand down unanimous decision after unanimous decision. Not only would efforts toward fostering judicial unanimity help reverse the recent tide of unfavorable public opinion that the Court is an increasingly partisan institution plagued by internal dissension capable of debacles like *Bush v. Gore*, the potential increase in collegiality would also take a load off the already beleaguered psyches of the justices.

Yet, for all its potentially salutary effects, Roberts’ feel-good campaign is just as likely to have pernicious effects upon the Court as well. For one, Roberts’ approach to fostering institutional unanimity seems to suggest that judging is a process performed in a vacuum and not one that involves real issues, real problems, and yes, real people. It is certainly easier for judges to agree with each other when the case is viewed as an abstract proposition and, as Roberts has advocated, decided on procedural rather than substantive grounds. That, however, will only delay the inevitable since those issues left undecided will eventually find their way before the high court in due time, meanwhile leaving practitioners and the citizens they serve in legal limbo. What’s more, by actively encouraging the sublimation of individual viewpoints to that of the majority, a real risk exists that much-needed dissent will be stifled. The significance of this point is best illustrated by an anecdote of rather recent vintage.



The Justices of the Supreme Court of the United States as of 2007. Top row (left to right): Stephen G. Breyer, Clarence Thomas, Ruth Bader Ginsburg, and Samuel A. Alito. Bottom row (left to right): Anthony M. Kennedy, John Paul Stevens, Chief Justice John G. Roberts, Antonin G. Scalia, and David H. Souter.

As any lawyer knows, when you’re not sleeping or eating in law school, you’re reading. Having gone through the experience myself, one particular episode, or rather, a series of such episodes, sticks out in my mind here. I remember poring over my Constitutional Law casebook in the library stacks as a “first year” and coming across dissent-after-dissent by one of the Court’s most venerated, and, not coincidentally, most liberal justices, William Brennan.

With each cry of distress by the Court’s lonely liberal falling under my gaze, I couldn’t help but wonder whether Brennan was engaging in an exercise of futility. He obviously couldn’t garner enough support for the positions he took on the many cases in which he was relegated to the minority. So, in a Roberts team-spirit moment, I thought to myself, why didn’t Brennan just sign on with the majority? Surely, a unanimous or less- fractured opinion would be more persuasive and less vulnerable to erosion by the forces of history than one whose reasoning is attacked, sometimes unflinchingly, by a colleague as unsound, unwise, or worse.

**“To Brennan, it was his contribution to the law and the ultimate effect it would have on liberating the public from injustice and inequity, instead of perhaps ephemeral notions of institutional legitimacy, that really mattered.”**

I eventually realized why Brennan insisted on being the lone voice on so many occasions. It was not because he harbored contemptuous views of the Court or shunned it as an illegitimate enterprise. According to a recent account of Brennan’s personal memos in *Slate Magazine*, when President Nixon refused to obey a subpoena requiring that he turn over what would later be the infamous Watergate tapes, and instead decided to take his fight to the Supreme Court, it was Brennan who sought out each colleague individually in a campaign – ultimately proved successful – to have the Court rule in a unanimous voice against Nixon. Nor was Brennan a cantankerous narrow-minded ideologue who reflexively disagreed with his more conservative-minded colleagues; his reputation was quite to the contrary. Rather, it was Brennan’s conviction that law should be a tool for progress rather than a symbol of abstinence which led him to register his dissent time and again. To Brennan, it was his contribution to the law and the ultimate effect it would have on liberating

the public from injustice and inequity, instead of perhaps ephemeral notions of institutional legitimacy, that really mattered.”



Courtesy of the United States

The Supreme Court of the United States

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## Law Day Reflections — Gold Mountain

By Acting Presiding Justice Peter Tom (Article reprinted from *New York Law Journal*, 5/11/2007)

This year's Law Day theme connects liberty, democracy and our nation's youth which, collectively, form the cornerstone of our national identity. When I first saw the American Bar Association's announcement of the Law Day theme, it resonated with me on a deeply personal level. Although, perhaps, my circumstances are unique, I think that each of us can probably identify a moment when the force of these values first struck us, whether as young people or even as young lawyers.

I came to this country from Hong Kong with my siblings at the age of eight to join our parents in New York City. In the tradition of so many immigrant groups, my parents had gone on ahead of us in order to start gathering together the pieces of what would be a totally new life for us. We arrived with very little except a sense of hope and tradition, an ethos of hard work, and the recognition of the need to make a better life. We were young and, with these values, found our place in the perpetually youthful American democracy.

I remember having mixed feelings of excitement and trepidation coming to America. While there was the fear of the unknown, I was anxious to see the landscape of the New World. The literal translation of "America" in Chinese is "gold mountain," and, as a youngster growing up in Hong Kong, I often visualized small mountains of gold lining the streets of America. Upon our arrival, I remember peering excitedly through the

window of the car looking for those gold mountains as we coasted into New York City. Like a Dickens' character arriving in London, to my disappointment I saw no gold but only cobblestones, asphalt and concrete - some cracked and broken. We were thrust into the confusing, if often exciting, dynamism of New York City, where we had to find our own place. Instead of clambering up gold mountains, we were given an opportunity to get educated, work, and be a part of my immigrant community, yet to take its place in the larger world of a perpetually changing America. Thus, I came to learn the true meaning of the "gold mountain" metaphor — that the real treasure in America was not in the mere arrival, or the anticipation of easy riches but, rather, in the vast opportunities in this diverse country and where the road of opportunities could lead. As I matured, I came to realize that my family and I had, indeed, found the

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***"If we, as a society, do not encourage family stability and ensure an adequate educational system, then we are failing our youth and placing the future of our democracy at risk."***

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golden mountain.

I relate these personal experiences to convey my individual perspective on today's Law Day theme. I had the advantage, growing up in New York, of being educated not only *in* America, but also *about* America, through the eyes of someone who, by reason of language and culture, was in some respects still an outsider.

To perpetuate the liberty and democracy that engenders the vast opportunities this nation

offers requires that we nurture and educate our youth. I believe that the foundation of civic society in the United States, as elsewhere, is built in the home. The values that a child brings to society are formed in the family environment and guide the child throughout life. The distinction between right and wrong is learned at an early age in the family setting. Parental guidance instills the respect for law and the rights of others that are vital to a peaceful society and essential to the comprehension and appreciation of democracy. I believe the evidence to be indisputable that an investment in keeping families together, and in helping families to help themselves, is an investment in stability. It is doubtful that school could replace a stable family environment, but only supplement and expand upon values instilled at an early age.

Education makes its own important contribution to our society. A sound education encourages critical thinking and, thus, provides the means for students to learn how democracy operates to produce order out of diversity. Successful schooling is essential to provide students with the necessary skills to assume leadership roles required to keep our social and political systems functioning. At the most fundamental level, education enables students to develop the marketable skills necessary to participate in the economy and, for many students, such skills will be acquired through training programs rather, than higher education. The importance of combining both a stable family foundation and a

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## Law Day Reflections -- When Cash is King, Justice is Not

By Vincent Chang (Article reprinted from *New York Law Journal*, 5/11/2007)

We can forgive New York state judges if they are in a less than festive mood on Law Day 2007. The state judiciary is facing major affronts to its independence which should concern all New Yorkers who care about the rule of law in New York. The pay for New York state judges continues to deteriorate, as it has for eight years, and the Governor and the Legislature have utterly failed to take any steps to correct the situation. To add insult to injury, a recent federal court ruling threatens to force state Supreme Court justices into open primaries, meaning that these public servants would have to raise hundreds of thousands of dollars to fight for their jobs in political campaigns.

In order to safeguard the integrity of the judiciary and the quality of justice for minority group members and all New Yorkers, the Asian American Bar Association of New York supports judicial pay increases and opposes the imposition of an open primary system for the election of state Supreme Court justices.

The judicial pay situation is bleak. The Governor and the New York state legislature have once again refused to grant beleaguered state judges a pay increase. State judges make as little as \$115,000 per year in one of the regions of the country with the highest cost of living. Even some senior law clerks in New York State can earn more than this \$115,000 figure. New York state judges have not had a raise (or any salary adjustment such as a cost of living increase) in over eight years even though the cost of living has increased 26% during that time. No

other group of judges in the United States has gone longer without a pay raise. In fact, it is hard to think of any group of workers in the entire economy that has suffered for so long with no increase in compensation. Since 1978, New York state judicial salaries have declined 40% in real terms.

On another front, last year a federal district court invalidated the selection process for New York state Supreme Court justices, raising the prospect that each Supreme Court justice will now have to stand for re-election in open primaries. If not reversed by the United States Supreme Court, this decision threatens to turn Supreme Court justices into politicians, forcing them to raise hundreds of thousands of dollars to bankroll political campaigns to save their seats. As it has done in other states, the spectre of electoral politics would corrode the independence of the state judiciary. When cash is king, justice is not. The convention system that is in place now is far from perfect, but as the Asian American Bar Association of New York wrote in its amicus brief in opposition to an open primary system, the "cure" of an open primary system is far worse than the "disease."

The Asian American Bar Association of New York is particularly concerned about these issues because their effect on minorities is particularly acute. Minority group members do not possess the wealth necessary to run expensive political campaigns or to forego law firm salaries in favor of the depressed judicial pay scale. Judicial salaries and judicial independence are not just problems for judges to worry about. The Asian Bar's concern about these issues should be shared by anyone who cares about the integrity of the state judiciary.

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Student Outreach Committee

## Dishing Out The Dirt - Job Hunting and Interviewing Skills

By Hon. Marilyn D. Go & Judy Kim

AABANY's Student Outreach Committee (SOC), with the assistance of the Litigation and Young Lawyer's Committees, sponsored an interview and career workshop for first year law students on January 20, 2007. Approximately 60 attorneys and law students braved frigid winds early that Saturday morning to participate in the three hour workshop held at the offices of Hughes Hubbard & Reed LLP, which hosted the event.

After a cordial breakfast among students and attorneys, there was a panel discussion on interviewing skills moderated by Judy Kim, co-chair of the Student Outreach Committee. The panel featured speakers Yang Chen, a partner involved with recruiting at Constantine Cannon LLP, a 40 lawyer firm specializing in antitrust litigation; Judge Marilyn Go, U.S. Magistrate Judge for the Eastern District of New York; Chia Kang, Deputy Director of Legal Recruitment of the New York City Law Department; and Yasu Saito, co-chair of the SOC and Counsel, Leader of the Japan-related Litigation Practice Group at Hughes Hubbard & Reed LLP. Judge Go led off the discussion by giving general advice on interviewing and distributing a one page list of interviewing tips that has been distilled from advice given at the many interview workshops previously offered by AABANY.

Besides adding their insights on interviewing, the attorney panelists gave their perspectives on what their firm or institution look for in potential law student candidates and shared candid comments about good and bad interviewing techniques they have observed.

Following the panel, every student had an opportunity to have one or two mock interviews with practicing attorneys and received a critique from the attorney afterwards. The organizers attempted, where possible, to match attorneys with students having interests in the practice areas of the interviewing attorney. Several students attending the workshop later reported that the workshop was extremely helpful and informative in helping them prepare for interviews and in providing information on career paths.

Other AABANY members who helped with the workshop and assisted in giving mock interviews included John Bajit, Vincent Chang, P.C. Cheng, Frances Chin, Anna Chu, Neil Dennis, Ben Hsing, Joy Huibonhua, Ameet Kabrawala, Caroline Kretz, Brian Lee, Tong Li, Linda Lin, Charlie Liu, Judge Kiyoo Matsumoto, Jean Hee Park, Jean Soo Park, Richard Tsai, Conray Tseng, Michael Yim and William Wang.

To learn more about the Student Outreach Committee, contact Judy Kim (co-chair) at [jkim@skhmlaw.com](mailto:jkim@skhmlaw.com).



Photo by Francis Chin

Students eagerly listen as panelists (from left to right: Yasuhiro Saito, Chia Kang, Hon. Marilyn D. Go, and Yang Chen) dish out job hunting and interviewing advice.

Young Lawyers Committee

## The Young Lawyers Committee Makes Its Debut... with Style!

By Lara Corchado

The Young Lawyers Committee of the Asian American Bar Association of New York ("AABANY") organized two fabulous events hosted by Theory. Fortunately, I was able to attend both. For those of you who don't know, Theory clothing is a line of sleek, tailored, classy clothing that's not too conservative (read: boring) for today's professionals. Unfortunately, the clothes come with a rather hefty price tag, especially for those of us working in the public sector, which is what makes the Young Lawyers Committee's events so great.

The first event took place on October 19, 2006 at the Theory store located at 151 Spring Street in the trendy SoHo area of NYC and was co-hosted by the Young Lawyers Committee and the Women's Committee. Theory closed its store to the public and held a private sale just for AABANY members and guests. Theory was generous in providing great music, fine wines, delicious hors d'oeuvres, and, the best part - 15% off all items in the store. A discount big enough to justify splurging on the great dress I had been eyeing! While Theory generated over \$8,000 in sales at this event, the Young Lawyers Committee and the Women's Committee were able to provide its members and guests with an opportunity to socialize and network.

As there was such a great turnout for the first event, the Young Lawyers Committee teamed up with Theory to host an even bigger and better second event on February 22, 2007. This time the event was held at Theory's flagship store on Gansevoort Street in the Meatpacking District - which meant a wider selection of clothing including menswear (the Spring Street store does not carry menswear). Again, AABANY members and their guests were invited to shop at a private sale while sipping wine and munching on light snacks. Theory upped the ante by offering a 20% discount this time and generated almost \$13,000 in sales in just two hours!

Psst...I heard through the grapevine that AABANY will be kicking off a summer internship program and that Theory plans to donate 10% of the proceeds from the next event, which will take place in the Fall of 2007.

To learn more about the Young Lawyers Committee, contact, Linda Lin or Jeannie Park at [aabany.ylc@gmail.com](mailto:aabany.ylc@gmail.com).



Photo by Linda Lin

AABANY members and guests gather at Theory for a night of networking and discount shopping.



## “ALL IN” AT NAPABA NORTHEAST REGIONAL CONFERENCE

By John P. Bajit

Aptly entitled “All In,” this year’s National Asian Pacific American Bar Association (“NAPABA”) Northeast Regional Conference, hosted by the Asian Pacific American Lawyers Association of New Jersey (“APALA/NJ”), took place at the Sheraton Convention Center Hotel in Atlantic City, New Jersey. The conference lived up to its “do or die” theme, referring to a bet in poker where all chips are wagered on the strength of a hand, as the keynote speakers and panelists encouraged us, as Asian Americans, to take risks to reap immeasurable rewards in politics, in our profession, and in life.

With a gunshot kick off, 30-40 stalwarts braved the cold and windy weather for a golf outing at Harbor Pines Golf Club. Closing out his year in office, outgoing APALA/NJ President, Eugene Huang won most of the competitions, including longest drive. Brian Eng, a member of the Asian American Lawyers Association of Massachusetts, won the closest to the pin contest. AABANY Member Charles Yoon quipped that he won the prize for the



Photo by Francis Chin

AABANY Members at NAPABA Northeast Regional Conference (from left to right: Francis H. Chin, Yvette Y. Chan, Parkin Lee, P.C. Cheng, Councilman John Liu, Katherine Hung, Vincent T. Chang, Tristan Loanzan, and Mai Hua Ru)

“most fun.”

On the second day of the conference, attendees, including many AABANY officers, directors and co-chairs, participated in and attended various discussion panels. The first two morning panels were entitled: “How to Make Rain (That Stays Mainly on Your Plain)” and “Patriot Act: Criminal Implications in Immigration Law.” The former panel featured seasoned attorneys who discussed practical tips on the methods and tools they have tested and used in their quest for developing and

retaining clients. During the latter session, the panelists discussed the new changes brought about by the Patriot Act and its effect on the immigration law practice, including downgrading or vacating criminal convictions, possibility of waiver, possibility of relief, violation of status and removal proceedings.

The conference offered additional morning panels. The third morning panel was entitled “Election ‘07: Strategic Overview of Campaign Organizing and Election Law.” James Yan, Counsel to Manhattan Borough

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## The Women’s Committee

### An Enlightening Soiree

By Anne Behk

From the sugar canes of the islands to the skyscrapers in the cities, “An Enchanting and Enlightening Tropical Soiree”, co-sponsored by the Taipei Economic and Cultural Office (“TECO”) and the Women’s Committee of the Asian American Bar Association of New York (“AABANY”), displayed the array of dimensions within Taiwanese culture. Hosted by TECO, the soiree was held on April 26, 2007 at TECO on 42<sup>nd</sup> Street and 5<sup>th</sup> Avenue from 7:00 p.m. to 11:00 p.m. The event was also a great networking opportunity, as over 100 guests and friends from AABANY, minority bar associations, and U.S. law firms and companies, mingled with various dignitaries while dining on authentic Taiwanese cuisine.

The event featured remarks by Ambassador Andrew Hsia, Director General of TECO, on international trade between the U.S. and Taiwan. He discussed the promotion of Taiwanese economy and tourism. Ms. Conlyn Chan, Co-chair of the AABANY Women’s Committee, thanked the honored guests and volunteers who contributed their time and effort to organizing this successful event. Architects, graphic designers and florists created an aesthetically pleasing environment, decorated with Taiwanese handicrafts and artwork.

Food and conversation were in abundance as the guests feasted on Taiwanese culinary specialties. Among the cuisine were Taiwanese noodles, meatballs, sausages, and bubble tea. Many of the invitees had enthusiastic praise for the evening’s program:

- Ben Shao, TECO: “I am so proud to have an elite group here at this lovely night. We hope our relationship can be sustained in the future with AABANY.”

- Vince Chang, President AABANY, Wollmuth Maher & Deutsch LLP: “Thanks to all of you for a really great event. The food and program were flawless and the turnout was the best we’ve had since the annual dinner. It was also a great balance of socializing and substance - I felt that I learned a great deal about Taiwan and the issues it is confronting.”
- Lai Sun Yee, past President AABANY, N.Y. Assistant Deputy Secretary for Criminal Justice: “The TECO event was a great success. AABANY has worked hard to create new partnerships with the Asian community to provide networking opportunities for AABANY members.”
- Judy H. Kim, Board Member AABANY, Snitow Kanfer Holtzer & Millus, LLP: “I really enjoyed meeting the many Asian American fe-

(Continued on page 8)



Photo by Francis Chin

Ambassador Andrew Hsia, Director General of TECO (“TECO”), discusses Taiwanese economy and tourism promotion at the Taipei Economic and Cultural Office



# Moot Court in Sin City?

By Anna Mercado

Most people hope that what happens in Vegas stays in Vegas. Later this year, however, law students from around the country will seek the opposite effect: to be widely known as the best litigators their generation has to offer, and to make this all happen in Vegas.

The National Asian Pacific American Bar Association (NAPABA) Law Foundation and the NAPABA Judicial Council will host the Thomas Tang National Moot Court Competition during the NAPABA National Convention in Las Vegas, NV, in November, 2007. The competition is an annual event, which has been held in locations such as Honolulu, HI, Philadelphia, PA and Dallas, TX. The Asian Pacific American Law Student's Association of South Texas College of Law (Houston, TX) initiated this competition in 1993 to honor the late Judge Thomas Tang, who became the first Asian American federal court judge in 1977 when he was appointed to the Ninth Circuit Court of Appeals. It is designed to promote his legacy of supporting the advancement of minority attorneys, the NAPABA organization, and the tradition of moot court competition.

The Thomas Tang Moot Court Competition has both written and oral argument components. Law students, in teams of two, first compete in one of the six regional divisions. Each team prepares a brief espousing only one side of the issues, but must equally articulate both sides of these issues during the oral argument portion. The top seeded teams from each region proceed to the national rounds, where they compete for up to \$10,000 in scholarship funds generously provided by Anheuser-Busch Companies, Inc. Prizes are awarded to the First Place Team, the Second Place Team, overall Best Brief, and overall Best Oralist.

Last year, 14 of the 71 teams who participated nationwide advanced to the Nationals held in Philadelphia, PA. Two of these teams were comprised of the Northeast Region's very own Shannon Ashford and Richard Anh of Syracuse University School of Law, and Gail Montemayor and David Liao of Brooklyn Law School. Competitors from Loyola University of Chicago emerged in First Place (Joy Park and Nick Lee) after defeating a team from the same school (Lynda Lao and Zafreen Husain) in the final round where they argued before the Honor-

able Denny Chin (U.S. District Court for the Southern District of New York), the Honorable Marilyn D. Go (U.S. District Court for the Eastern District of New York), and the Honorable Ida Chen (Pennsylvania Court of Common Pleas, First Judicial District).

Each year, the hypothetical fact pattern and lower court opinions, which constitute the competition problem, is drafted by volunteer members of NAPABA. This year, the Asian American Bar Association of New York (AABANY) Litigation Committee has been entrusted with this task, an honor it was previously bestowed in 2003 and 2005. The Sub-committee, led by Co-Chairs Theodore Cheng and Judy Kim, includes Francis Chin, Melissa Lee, Linda Lin, and Maria Park as members. Theodore Cheng served as Co-Chair of the same committee in 2003, has coached and mooted competitors in the past, and has repeatedly given the brief-writing presentation at the Litigation Committee's annual Thomas Tang Moot Court Workshop. Judy Kim was a member of the 2003 Sub-committee, and has also coached, mooted, and judged the competition in previous years. The Sub-committee began drafting in November 2006, and the problem release is set for Spring 2007, well in advance of the Fall 2007 competition schedule. According to Mr. Cheng, one of the main issues asks whether a hostile work environment can constitute a retaliatory adverse employment action. Another issue is whether a plaintiff must prove that he/she suffered more than a de minimis injury in order to prevail on an excessive force claim.

The Northeast Region has a tradition of strong representation in this competition, in part due to the active involvement of the Litigation Committee in preparing teams for the national rounds. AABANY members are also usually the first to volunteer their services as judges in both the regional preliminary rounds, as well as the national final rounds. For those who would like to participate, please use the following contact data:

Should you wish to participate as a judge or competitor, you can obtain more information on [www.napaba.org](http://www.napaba.org), or by contacting National Coordinator Andy Le at [thomastangmootcourt@gmail.com](mailto:thomastangmootcourt@gmail.com). Should you wish to attend the annual Thomas Tang Moot Court Workshop scheduled for Fall 2007, please contact Anna Mercado at [anna.mercado@gmail.com](mailto:anna.mercado@gmail.com). For those interested in preparing the Northeast Region competitors for the Nationals, please contact AABANY at: [main@aabany.org](mailto:main@aabany.org)

## Upcoming Events

For more information on upcoming events, visit [www.aabany.org/calendar.cfm](http://www.aabany.org/calendar.cfm)

### CLE: Making Assertive and Civil Courtroom Presentations

May 3, 2007, 7-9 p.m. @ Brooklyn Bar Association, 123 Remsen Street, Brooklyn, NY 11201

AABANY and Brooklyn Bar Association co-sponsor this CLE program with guest speaker Joyce Rubin. Ms. Rubin will cover how to present your case and advocate for your client while staying courteous and civil to other attorneys in the courtroom and how to come out with a win-win negotiation with effective advocacy.

### The 28th Annual Asian Pacific American Festival hosted by CAPA

May 6, 2007, 12-6 p.m. @ Union Square North

For more information visit [www.capaonline.org/fesitval.htm](http://www.capaonline.org/fesitval.htm)

### AABANY Board Meeting

May 8, 2007, 7-9 p.m. @ Mayer Brown Rowe & Maw, 1675 Broadway NY NY 10019

### City Bar: NY Minority Attorney Networking Series

May 7, 2007, 6-8 p.m. @ The Association of the Bar of the City of New York, 42 W 44th Street, NY NY 10036

New York Minority Attorney Networking Series featuring guest speaker Michele Coleman Mayes, Senior Vice President & General Counsel of Pitney Bowes. RSVP to [nymminorityseries@aporter.com](mailto:nymminorityseries@aporter.com) or 212-715-1384

### CLE: Small Claims Arbitration Training (2 credits)

May 15, 2007, 6-8 p.m. @ Civil Court, NY County, 111 Centre St, 12th fl, NY, NY

AABANY co-sponsors CLE program on Small Claims Arbitrator Training and Induction. Trainees must be admitted in NY for five years or be a court attorney with two years admission.

### CLE: Small Claims Arbitration Training - Queens (2 credits)

May 21, 2007, 6-8 p.m. @ TBA

### NY Supreme Court - Asian American Heritage Month Celebration

May 24, 2007, 5:30-8 p.m. @ 60 Centre Street, NY, NY

Volunteers needed - please contact Justice Doris Ling-Cohan @ [dlingcohan@courts.state.ny.us](mailto:dlingcohan@courts.state.ny.us)

### AABANY's Young Lawyers Committee Meeting

May 29, 2007, 7:30 p.m. @ Patterson Belknap Webb & Tyler LLP, 1133 Avenue of the Americas. RSVP to [aabany.ylc@gmail.com](mailto:aabany.ylc@gmail.com)

### AABANY's Corporate Counsel Committee Meeting

May 31, 2007, 7p.m. @ TBA

### AABANY Board Meeting

June 5, 2007, 7-9 p.m. @ TBA

### AABANY's Young Lawyers Committee hosts Picnic in Central Park

June 23, 2007, exact time and location TBA.



## Judge Tom Profile Cont'd

(Continued from page 1)

pointed a judge in New York's housing court – a first for an Asian-American. As a housing court judge, Justice Tom recalled, he often worked seven-day weeks, sometimes staying in chambers till midnight to finish an opinion. It was this dedication, Justice Tom said, that propelled many of his opinions to the front page of the New York Law Journal, including one that caught the attention of Robert Morgenthau, Manhattan's venerable and seemingly immortal district attorney. In that opinion, written at the height of New York's crack epidemic, Justice Tom was confronted with the question of whether New York's age-old "Bawdy House" Law could be used by private parties to evict residents from their homes who engaged in illegal drug activities. That law was directed, initially, at brothels, and up until then, had not been used in the drug context despite its rather loose standard that eviction was possible for, among other things, "any illegal trade." Justice Tom ultimately agreed that eviction was allowed under the Law, noting at one point that "to effectively remove a cancer, it must be completely cut out." Aside from garnering widespread media attention, the opinion resulted in the creation of a city-wide program that focused on evictions for drug-related activity and a special part of the housing court to

***"Justice Tom has demonstrated the same desire 'to do the right thing' that has been his judicial lodestar."***

deal with such cases, which Justice Tom would preside over.

In his last year as a housing court judge, Justice Tom started campaigning for a civil court judgeship in New York City. He recalled during the lunch how friends and colleagues told him he was "out of his mind" – that no Asian could ever win an election in a city dominated mostly by Caucasians. Justice Tom refused to heed these calls of restraint and campaigned hard day and night. He attributed his ultimate success to "hard work" and having "everything blend together." For example, Justice Tom recalled with equal parts anger and fondness the refusal of the New York Times to endorse him, almost always fatal to a candidate seeking political office in New York City. There was little question, however, that Justice Tom had a record that was superior to all those running against him at that time. The Times editorial board recognized this but used it against Justice Tom, saying that since he was doing such a good job as a housing court judge he should finish out his term instead of being promoted to another judgeship – an act Justice Tom described, in an unusual display of emotion, as "outrageous." Apparently, the voters agreed and began sending him checks in an expression of anger at the Times editorial.

Justice Tom would go on to win that election, and another, in 1990, to a Supreme Court judgeship, the first Asian-American to accomplish such feats. In 1994, Governor Cuomo, whom Justice Tom spoke fondly of as having "pushed for diversity in the courts," appointed the New York native to his current position as associate justice of the Appellate Division, First Department (He was recently named Acting Presiding

Justice, and is in the running to make this a permanent title).

As an appellate judge, Justice Tom has demonstrated the same desire "to do the right thing" that has been his judicial lodestar. This, however, has occasionally made Justice Tom the odd-man out on the five-judge panels that decide cases on appeal. For instance, Justice Tom disagreed with his colleagues when they decided to reverse a murder conviction because of the trial judge's refusal to charge the jury with an extreme emotional disturbance defense. As the sole dissenter, Justice Tom recounted in detail the lack of evidence to support such a defense – the defendant killed his girlfriend after the two got into a heated argument and she asked him to run several errands – and took issue with the majority's legal analysis. Not only would Justice Tom receive the support of New York Times columnist Bob Herbert, who called the majority's decision "wrong-headed and dangerous," the Court of Appeals would agree as well and reinstate the conviction. Recently, Justice Tom took it upon himself, again as a sole dissenter, to point out the inconsistencies of the court's sentencing decisions, prompting front-page coverage by the New York Law Journal with the headline, "Justice's Dissent Sparks Unusual Discussion on Sentencing Reduction."

At one point in the interview, I asked Justice Tom why, despite all the economic, professional, and academic success of Asian-Americans, they did not carry similar influence in the public sector. "It's only a matter of time," Justice Tom said. He noted that the prior generation devoted most of their time to work and considered politics a "luxury." But as successive generations "assimilated," he added, they would eventually "appreciate the importance of politics." He predicted that Asians, whom he described as "hard working" and "industrious," would become a "powerful force" in America.

As someone who has, in his own right, become a "powerful force" in the Asian-American community, I wondered aloud whether this was due partly to luck, considering the more inhospitable environment Justice Tom faced when he began his career in the judiciary. Not surprisingly, Justice Tom refused to take the bait.

He drew a parallel to his brief stint as an amateur boxer. When he first arrived in the States, Justice Tom described himself as a "skinny kid who didn't speak English." Add to that the fact that he went to school in the Bronx and it should be of no surprise that Justice Tom was, as he recalled, "bullied a lot." Like any caring first-generation parent would do in such a situation, Justice Tom's father took him to a martial arts school in Chinatown. After his master died, a friend of Justice Tom's persuaded him to join a boxing tournament. He trained fiercely, running four to six miles a day, spending hours in the gym to perfect his technique. Justice Tom would go on to capture the Golden Gloves boxing title at age 18. However, he would not accept any movie offers or a career in sports, opting instead for the more tranquil confines of a college campus.

To Justice Tom, his success in the judicial and boxing arenas was as much a product of his "drive and discipline" as it was to luck. "You're not going to get ahead unless you work harder than your competitor," he said. "Nothing comes easy in life."

## Enlightening Soiree Cont'd (Continued from page 6)

male attorneys that were present at this first time event between AABANY and TECO. The theme and location certainly lent itself very well to this and it was planned and executed beautifully by all the co-chairs of the Women's Committee! The gift bag containing promotional information about Taiwan was also a nice way of learning more about Taiwan and its economy."

- Nadine Johnson, President Metropolitan Black Bar: "It was a fabulous and great place to think out of the box from the normal traditional places by mixing culture and law. To see cultural treasures in an event was soothing and overall wonderful."
- Moly Hung, APALA NJ: "As part of APALA NJ, I am more than happy to support our fellow colleagues across the Hudson and NYC at such a fabulous event."

- Nick A. Bosco, Principal & Creative Director of Bosco Design Group, LLC: "I am honored to be present at this well attended event and I'm excited about the unity among all the Asian American community that is present here today."

- Jaclyn Rothenberg & Pam Beelitz, Shaklee Corporation (as seen on Oprah): "This event reinforced the hospitality of the Taiwanese people. It was a wonderful experience. We cannot wait to go back to help the Taiwanese people become healthier and wealthier."

The evening came to a close with the presentation of a Taiwanese movie entitled *Fishing Luck*, which displayed the scenery of the Taiwanese landscape, an apt finale to an enlightening soiree. It was a wonderful evening of networking and cultural festivities for all the attendees.

To learn more about the Women's Committee, contact Yvette Chang at [yvette.chang@aabany.org](mailto:yvette.chang@aabany.org) or Conlyn Chan at [conlynchan@yahoo.com](mailto:conlynchan@yahoo.com).



## Annual Banquet cont'd

(Continued from page 2)

Carrión, Bronx Borough President, and the office of Congressman Gary Ackerman. City Council member John Liu was on hand to present a proclamation from the City Council's office. State Assemblywoman Ellen Young delivered a speech on her experiences as an Asian American woman who overcame significant obstacles on her path to success.

Next, Vincent Chang, as incoming president, delivered a speech recalling where AABANY has been and extolling its achievements but ultimately remind-

**"AABANY was honored to count among the Banquet's attendees representatives from some of the top firms and corporations (large and small) in New York City and the country (if not the world)."**

ing us that our work is not yet done, and we have a long way to go. Lai Sun Yee, as outgoing president, spoke next, detailing AABANY's significant accomplishments in the past year, including AABANY's involvement in the hot-button topic of judicial selection in the state Supreme Court system and AABANY's hosting a very successful NAPABA Northeast Regional Conference in May 2006.

Following a short break, United States Magistrate Judge for the Eastern District of New York, Kiyoo Matsumoto took to the podium to introduce the evening's keynote speaker, Norm Mineta. Judge Matsumoto related Secretary Mineta's formidable achievements as a public servant, who came to serve in the Cabinet of two Presidents, first as Secretary of Commerce for President Bill Clinton and then as Secretary of Transportation for President George W. Bush.

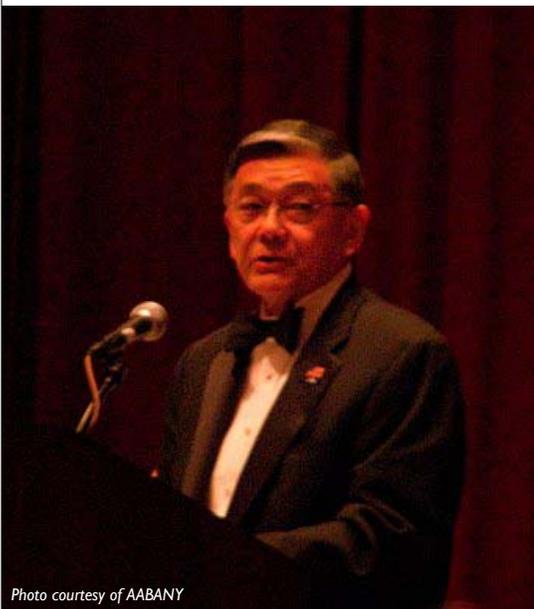


Photo courtesy of AABANY

Hon. Norman Mineta addresses guests at 2007 AABANY Annual Dinner.

Secretary Mineta then addressed the audience. Delivering his speech in a deliberate yet accessible tone, Secretary Mineta asked the attendees: "Are you where you need to be?" Secretary Mineta exhorted everyone to get involved, in the bar association and in their communities, to make a difference in the lives of others. The attentive audience received the message with enthusiasm, and no doubt they were all inspired by Secretary Mineta's forceful words.

The evening then turned to the honoring of distinguished jurists. Lai Sun Yee, in one of her last official acts, presented the President's Award to United States District Judge for the Eastern District of New York, Dora L. Irizarry. The award was presented in recognition of Judge Irizarry's active involvement in improving AABANY and furthering its mission. In receiving the award, Judge Irizarry delivered a stirring speech about the need for increased diversity on the bench.

Next, Judge Peter Tom, Acting Presiding Justice of the Appellate Division, First Department, presented an award to Judge George Bundy Smith, recently retired from the New York Court of Appeals, in recognition for his stellar legal career and trailblazing accomplishments. Judge Smith graciously accepted the award and praised AABANY for its contributions to the legal community.

Hon. Fern Fisher, Chief Administrative Judge for the Civil Court of the City of New York, then took the podium to present the awards to our newly inducted Asian American judges: Hon. Margaret Chan, Hon. Leslie Purificación and Hon. Karen Lin. AABANY is proud that these fine jurists are now part of the justice system, helping to improve the delivery of justice to the public while doing their part to making the courts more representative of the people they are meant to serve.

The evening's program drew to a close, first with the presentation of an award to Lai Sun Yee for her exemplary leadership and service to AABANY, followed by remarks from Les Jin, Executive Director of NAPABA.

The evening's after-party took place in the lavish penthouse at the Hilton. Many attendees made their way up some forty stories to the top of the Hilton, for more drinks, food, good company and conversation.

AABANY was honored to count among the Banquet's attendees representatives from some of the top firms and corporations (large and small) in New York City and the country (if not the world). AABANY also received the support of other bar groups and associations who AABANY is fortunate to include among its friends.

Thanks to all who came out for the Annual Banquet; we hope everyone had a great time, and we look forward to holding another great banquet next year!

## Special Thanks to our 2007 AABANY Annual Banquet Sponsors

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## APA Heritage Month cont'd

(Continued from page 1)

the Act until 1943. See Act of Dec. 17, 1943, Pub. L. No. 199, ch. 344, 57 Stat. 600 (1943). The repeal of the Exclusion Act was ostensibly taken as a wartime measure, a measure overshadowed by the heinous actions taken on May 9, 1942. On that date, General John DeWitt, the

### **“Asian Pacific American Heritage Month is also a time for reflection as well as celebration”**

Commanding General of the Western Command of the U.S. Army, issued Civilian Exclusion Order No. 34 directing persons of Japanese ancestry to report to Civilian Control Stations for the purpose of what would be the unprecedented forced relocation of American citizens in the name of military necessity.

## Editorial: The Brennan Court cont'd

(Continued from page 3)

the public from injustice and inequity, instead of perhaps ephemeral notions of institutional legitimacy, that really mattered. When noted First Amendment scholar and journalist Nat Hentoff asked Brennan whether he was growing “discouraged” over what seemed to be the increasing number of dissents he issued as a member of the Rehnquist court, he said, “Look, pal, we’ve always known -- the Framers knew -- that liberty is a fragile thing. You can’t give up.” In Brennan’s characteristically optimistic mind, it was only a matter of time when the Court would reap what he had sown.

I have since become a convert to the Brennan school of hope and dissent. Like Brennan, I too believe that one justice’s courage to cry foul is another man’s call to freedom. I would go one step further, however, and suggest that those who seek an end to such hallowed acts of democracy may very well end up damaging the institution they tried so hard to protect.

## Golden Mountain cont'd

(Continued from page 4)

good education in order to empower youth to pursue a wide range of available career opportunities cannot be understated. If the educational system is to meet these goals certain key ingredients are essential. One of the most important is the availability of qualified and experienced teachers. Inspired teaching motivates students to become inspirational teachers for future generations. Without effective teachers, many students will become disenchanting and even enthusiastic students will be placed at a disadvantage.

In an ever more competitive global economy, if our society does not actively promote teaching as a respected profession and make the financial investment necessary to train and retain educational professionals, our youth will be severely disadvantaged. Educational success depends on a positive school environment that provides comprehensive and relevant training programs. If we make the proper investment in our educational system we stand a much better chance of mobilizing future generations to succeed in an increasingly demanding job market and to actively participate in the democratic process.

If we, as a society, do not encourage family stability and ensure an adequate educational system, then we are failing our youth and placing the future of our democracy at risk. We know that all too often these failings do occur, infecting entire communities. In the court system, we see the results of such shortcomings on a daily basis and it becomes no small part of our task, as lawyers and as judges, to provide a belated remedy for these failings.

After a half century of governmental aid to families, too many families in too many communities are still under social and economic stress. Too many families are fragmented, and too often the family unit itself is non-existent. Too many children end up in the foster care system that is often a better alternative to the environment the children left behind. All too many of these lost children continue to live in an emotional limbo in which strong family bonds are never developed or, if bonds are formed with adult role models, they are too often splintered as the children are moved from place to place.

If a firm emotional foundation is missing, a child’s ethical foundation is likely to be undermined. The allure of the street and of crime is often too great. Youths who have lost their childhood too often gravitate to the fringes of society because they have no emotional or moral center to ground them. When judges examine pre-sentence reports and

So Asian Pacific American Heritage Month is also a time for reflection as well as celebration. We celebrate the growing number of Asian Pacific American attorneys throughout the country and their contributions to the legal profession. During the time I served as an Assistant United States Attorney in the Eastern District of New York over 25 years ago, I saw almost no Asian American attorneys in Court, even though I was in court almost daily. Now the appearance of Asian Pacific American attorneys is no longer unusual.

We also celebrate the commitment of the courts to promoting diversity. We support a commitment to insure that the appearance of lawyers of color in every court in this country will become a commonplace occurrence. We hope all of you will join us in this goal. We also hope some of you will take up the challenge to make sure that exclusion orders will remain events of the past and to insure that the rights of Asian Pacific Americans or other groups will not be abridged under the unthinking guise of governmental necessity.

review the documentation of the many individuals that are drawn into the criminal justice system, sometimes for horrible crimes, it comes as little surprise to discover that many came from horrible backgrounds.

The social problems that result from family breakdown and inadequate alternatives for children thus placed at risk are compounded when educational opportunities are lacking or when the benefits of education are forced to compete with the allure of the street. The goal of education is to provide our young people — in all their diversity of backgrounds, interests and abilities — with a way to become productive members of society. It stands to reason that when schools fail in that responsibility, a statistically significant number of youths will wander down dangerous paths. If children in failing schools have already been deprived of the stability provided by a healthy home environment, we can certainly anticipate the likelihood that they will either become involved with the criminal justice system or engage in other forms of antisocial behavior detrimental to the future of a sound democracy.

In the New York court system, judges and lawyers have assumed the burden of trying to manage the consequences of the social pathologies that erode our communities and, over the years, their efforts have met with some success. Chief Judge Kaye, in particular, has made creative use of the court system to address many social problems proactively, in contrast to a long history during which the courts could only respond when violence wreaked its foreseeable havoc. Several experimental courts have become models for the nation, and, in view of their apparent success, can no longer be considered merely experimental. While our society has its problems, as it always has, it also presents many opportunities for solutions. If we continue to make the appropriate social and educational investments, we can be confident that succeeding generations, when their turn comes, will be able to step up and make their own contributions.

As we cast our eyes around the wider world today and see its many and seemingly intractable problems, I think that we can take heart that we sit on a golden mountain. Our country remains a place of unparalleled opportunity, with historically unparalleled liberties. But we should never lose sight of the challenges that command our attention. And we should never forget that if we want to perpetuate, and perpetually improve, our democracy, we must ensure that we give our youth the tools necessary to accomplish that goal.

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## NAPABA Conference Cont'd

(Continued from page 6)

President Scott Stringer, served as moderator, while New York City Council member John Liu served as a panelist, exploring the fundamentals and nuances of running a campaign, electoral issues Asian American communities encounter, compliance with election law during and after a campaign, successfully getting on the ballot, campaign finance law, poll monitoring, and language assistance at the polls. The final morning panel was entitled "Online Gambling: Pleasure or Sin?" Attendees of all four morning panels spoke positively of them. Personally, I found the immigration law panel eye-opening and informative.

The conference also offered two afternoon panels entitled: "Overcoming the Potential Perils and Pitfalls of Being a General Counsel," and "Advice From Seasoned Litigators." AABANY President Vincent Chang and AABANY member Robert Chung served on the litigation panel, which was moderated by AABANY Litigation Committee Co-Chair Tristan Loanzon. AABANY Director Yvette Y. Chang and Parkin Lee served on both the general counsel panel and the morning panel on rainmaking. These panels were often inspirational.

The conference also featured a luncheon and gala dinner. Mayor Jun H. Choi, Mayor of Edison, New Jersey, the first directly elected mayor of Korean descent in the United States, and Councilmember John Liu, the first Asian American elected to the City Council of New York City, participated in the campaign/election panel, and served as the keynote speakers. Emphasizing the conference theme, both Mayor Choi and Councilmember Liu stressed that success in politics lies in taking risks. Mayor Choi described one facet to risk taking as standing up for a belief "fairly, equitably, but firmly." Another facet, according to Councilmember Liu, is growth out of "our safe harbor approach."

Mayor Choi, the luncheon keynote speaker, addressed the eighty or so attendees and expanded on the themes he broached in the campaign/election panel. He feels that Asian Americans are part of silent majority



Photo by Francis Chin

NAPABA Northeast Regional Conference Keynote Speaker Councilman John Liu

that eschews political debate and reflects apathy and indifference about policy at all governmental levels. Mayor Choi noted that we, as Asian Americans, have played a tremendous role in contributing to America's growth, but have not learned to leave our "comfort zones" to become "full Americans" by participating in debates affecting all of us. Quoting Martin Luther King Jr., Mayor Choi encouraged us to have "majestic scorn for risk and danger to establish a reign of freedom and a rule of justice."

Addressing about one hundred twenty at the gala dinner, keynote speaker Councilmember Liu relayed that, during his first few days in office, he created - and constituted - the Council's Asian caucus. Noting that Asians make up ten percent of New York City's population and that he is the only Asian American councilmember of a 51-member body, Councilmember Liu stated that going "all in" was necessary to correcting that deficiency in representation. The Asian American caucus eventually joined the Latin and the African American caucuses, despite some resistance from the belief that Asians are not minorities, and quipped that he recommended that the newly unified caucus should list its groups alphabetically. Noting that free speech requires responsibility, particularly by the media, and hailing several of our recent victories in that area, Liu emphasized that we must continue to stand against hate speech, which is not merely "sticks and stones," as such speech invariably escalates to violence.

The gala dinner also served as APALA/NJ's annual dinner, where New Jersey Superior Court Judge Patricia Medina Talbert conducting the swearing in of APALA/NJ's incoming officers. A pioneer herself, Judge Medina Talbert joked about how she and New Jersey Superior Court Judge Randolph Subrayan constitute the New Jersey Asian Pacific American Judges Association. APALA/NJ also conferred achievement awards on several notable New Jersey attorneys from various practice backgrounds, including solo practitioners, partners in large firms, and public service agency and government attorneys. In addition, APALA/NJ gave \$5,000.00 to the Asian American Legal Defense and Education Fund for its New Jersey Asian American Legal Project, which was undertaken to assist the 600,000 Asian Americans living in the state. With the concluding remarks of APALA/NJ's new president, Michael Angullo, the 2007 NAPABA Northeast Regional Conference came to an end.

APALA/NJ graciously hosted the conference after party at the Tun Tavern which had live music and offered its own brand of beers and ales. At the end of day, the fellowship of our colleagues from miles away created new personal and professional friendships and nurtured old ones. As the Nor'easter rolled into the area on Sunday, many of the conference attendees were still at the hotel many miles away from home and dreaded the heavy rain and harsh winds that would inevitably delay their trip home. Perhaps, facing a storm together, standing side by side in some small measure shows we collectively possess the courage and determination needed to be "all in."



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Graduation Year: \_\_\_\_\_

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