



AALAM NEWS

The Newsletter of the Asian American Lawyers Association of Massachusetts
Volume XIX, No. 2, June 2004

AALAM Celebrates 19th Anniversary



Choate Partner John Nadas, Former AALAM President Theo Chuang, AALAM President Myong Joun, Keynote Speaker Chief Justice Margaret Marshall, AALAM Director Eunice Chapon, and AALAM Director Lena Wong.



AALAM Scholarship winner Heather Chang, Chief Justice Margaret Marshall, AALAM Director Jeffrey Hsi, and AALAM Director Stephen Chow.

AAALAM's Anniversary Banquet was held on Thursday, [April 29, 2004](#) at The Boston Harbour Hotel in Rowes Wharf. Over 150 AALAM members, distinguished guests, supporters and volunteers attended the Banquet which featured a keynote address by Massachusetts Supreme Judicial Court **Chief Justice Margaret Marshall**. AALAM Director and Co-Chair of AALAM's Student Outreach Committee, **Jeffrey Hsi**, presented the annual AALAM Scholarship to **Heather Chang**. Thanks to the hard work and dedication of AALAM's Banquet Committee, chaired by **Eunice Kim Chapon** and including **Quan Le, Kalun Lee, Lena Wong**, and the ever-dedicated **Carolyn Hunt**, the evening was declared a success by all who attended. Many thanks to all who contributed towards the event and to those who volunteered their time and efforts on behalf of AALAM.



Chief Justice Marshall with AALAM members and banquet guests.

More stories and photos on page 3

Inside this Issue:

Announcements	2
AALAM in the News.....	3-6
Calendar of Events.....	7
Year in Review	7
Professional Opportunities.....	8



Chief Justice Margaret Marshall with Honorable Fernande Duffley



AALAM

Asian American Lawyers
Association of Massachusetts

P.O. Box 5655
Boston, MA 02114

www.aalam.org
aalamass@hotmail.com

President

Myong J. Joun

Vice President

Eunice Kim Chapon

Secretary

Quan Le

Treasurer

Chinh H. Pham

Board of Directors

Flora W.L. Chan
Stephen Y. Chow
F. James Coe
Jeffrey D. Hsi
Kalun Lee
Jan-Yung Lin
Tina Matsuoka
Thanh Nga Nguyen
Ingrid C. Schroffner
Geoffrey G. Why
Lena M. Wong
G. Perry Wu
Onyen Yong

Newsletter Editors

Ingrid C. Schroffner
Onyen Yong

Webmaster

PlexCom Online Services

Announcements

AALAM signs onto amicus brief in support of voluntary school integration

The brief argues that the Lynn school assignment plan, which considers race when determining whether to permit students to transfer to another school within the district, and the MA Racial Imbalance Act, which provides supplemental funds for enactment of such plans, are (1) permissible under the 14th Amendment and the MA Declaration of Rights and (2) necessary to fulfill the promise of equal protection for all people. Details will follow in a future issue of the newsletter. For more information about AALAM signing onto this amicus brief, please contact our Advocacy Committee Chairperson, **Tina Matsuoka**, at Tina.Matsuoka@ago.state.ma.us. To view the amicus brief, visit:

<http://www.bostonbar.org/prs/comfortamicus.pdf>

NAPABA Northeast Regional Conference

The **2004 National Asian Pacific American Bar Association (NAPABA) Northeast Regional Conference**, entitled "Becoming a well integrated Asian Pacific American Lawyer," will take place on **Saturday, June 26, 2004** at the New Jersey Law Center in New Brunswick, New Jersey. The Conference, which will be hosted by the **Asian Pacific American Lawyers Association of New Jersey** (www.apalanj.com) will bring together members of affiliated Asian American bar associations from Massachusetts, Connecticut, New York, New Jersey, and Pennsylvania. The Conference will feature keynote speaker **Robert Grey**, the incoming president of the American Bar Association. For more information, and to register online, visit:

www.apalanj.com/UpcomingEvents/2004_NE_CONF/tp2004_NE_Conf.html

AALAM Members to be Honored

Judge **Fernande R.V. Duffly**, the first Asian American to be appointed to the Massachusetts Appeals Court, will be honored as a Distinguished Jurist by the **Massachusetts Association of Women Attorneys** at its 2004 Anniversary Banquet on **Thursday, June 10, 2004**. Congratulations, Judge Duffly!

Carwina Weng, a clinical professor at Boston College Law School, was recently elected Treasurer of the **Women's Bar Association**. Prior to teaching at BC, Carwina served as senior attorney for Greater Boston Legal Services, staff attorney for New York's Legal Aid Society and chairwoman of the New York Asian Women's Center Board of Directors. She has also been a faculty member at the Florida Coastal School of Law, where she taught contracts, civil procedure and legal research and writing. She is a graduate of Yale University and received her law degree from New York University. Congratulations, Carwina!

Tour of the Yin Yu Tang at the Peabody Essex Museum

Date: **Saturday, July 10, 2004**

Place: Peabody Essex Museum in Salem, MA.

Take a tour of the **Yin Yu Tang**, a late Qing Dynasty merchant's house that was originally located in southeastern China, and now relocated at the Peabody Essex Museum. This event is sponsored by the **Boston Chinatown Neighborhood Center (BCNC)**, www.bcnc.net, and AALAM. More information, and invitations, will follow in the future.

AALAM BANQUET A HUGE SUCCESS



Meet AALAM Scholarship Recipient Heather Chang

Heather Chang, pictured above between AALAM Director Ingrid Schroffner and AALAM President Myong Joun, received her B.A. from Harvard University and currently attends Northeastern University School of Law, where she is a first-year law student. Heather has amassed a record of service including as an intern at the U.S. Department of Education, Office for Civil Rights; as a Judicial Fellow in the Superior Court of Alameda County, State of California; as a Legal Aide at the East Bay Law Center (Berkeley, CA) where she worked on low-income housing and HIV/AIDS projects; and as an aide at the U.S. Department of the Treasury and to Congressman George Miller (CA, 7th District). She currently serves on the Governing Council, the Asian Pacific American Law Students Association and the Committee Against Institutional Racism at Northeastern Law School.

Heather had this to say about receiving the award, "I feel very honored and privileged to receive the AALAM Scholarship this year. Improving the Asian community and addressing the problems it faces is a responsibility I gladly embrace and do not take lightly. Through the various perspectives I have gained from work and school, I know there is much to be done, but organizations like AALAM and key individuals are paving the way to a better outcome for all."

"This Scholarship will be a key reminder to me to continue my efforts to aid the Asian community. I hope to one day be a role model for other Asians, as my Asian mentors have been for me. Thank you again for the recognition and encouragement."



AALAM HOSTS SECOND LEGAL WORKSHOP IN CHINATOWN

On **December 3, 2003**, AALAM's Community Service subcommittee hosted an education legal workshop in Chinatown at the **Asian American Civic Association (AACA)**. This was the second workshop AALAM has hosted at AACA in the past year. This program was co-sponsored by AACA and the **Lawyers' Committee for Civil Rights**. AALAM member **Vincent Lau**, who practices immigration law at Flynn & Clark, P.C., conducted the first workshop which covered the basics of immigration law. Vincent, who speaks Cantonese fluently, conducted the workshop in Cantonese.

The second workshop, "**How to Start a Business**," was conducted by an attorney from the Lawyers' Committee for Civil Rights, **Jill Feldman**. Jill discussed (1) the different types of legal entities and the liabilities connected to those entities, (2) registration of a corporation with the Commonwealth, and (3) employment issues. Jill was assisted by her legal intern, Linda Johnson. This workshop was conducted in English, Cantonese, and Mandarin. **Emily Daminano** from AACA did the translations.

Both workshops were very well-attended with over 30 persons in each session. AALAM board members **Geoff Why** and **Flora Chan** organized this event with assistance from Emily Daminano of AACA and Jill Feldman from the Lawyers' Committee.

AALAM TO HOLD THIRD LEGAL WORKSHOP IN LOWELL

On **Saturday June 5, 2004 from 9:00am – 12:00 noon**, at the **Lowell Community Charter School, 206 Jackson St., Lowell**, AALAM joins with the **Asian American Civic Association, Greater Boston Legal Services, Lawyers Committee for Civil Rights Under Law, and the Merrimack Valley Legal Services in Lowell, MA** to serve its **Cambodian residents**. We are **planning workshops in immigration, public assistance, landlord-tenant, civil rights, and employment**. You can help by **volunteering to organize**. For more information, please contact **Flora Chan** at **(617) 872-9979** or **caymuscs@yahoo.com**.

AALAM Kick-Off Program

On **Wednesday, September 24, 2003**, AALAM kicked off a new [program] year with a kick-off reception followed by a panel discussion entitled "**Career Paths and Insights in Practicing Law in Massachusetts**." This **Goodwin Procter LLP** sponsored event attracted more than seventy participants, many of which signed up at the event as new AALAM members. **Stephen Y. Chow**, a partner of Perkins, Smith & Cohen LLP and a director of AALAM, put together the career panel in response to AALAM directors' desire to see AALAM play an active role in fostering its members' career developments.

The career panel featured eight prominent Asian American lawyers from various sectors. They were **Honorable Fernande R.V. Duffly**, an Associate Justice of Massachusetts Appeals Court, **Theodore D. Chuang**, at the time an Assistant U.S. Attorney in the District of Massachusetts and now a partner of Wilmer, Cutler & Pickering, **Paul W. Lee**, a partner of Goodwin Procter LLP, **Sharyn Sooho**, a partner of Sooho & Frolin, **Vivian S.Y. Tseng**, General Counsel of Welch Foods, Inc., **Professor Margaret Y.K. Woo** of Northeastern University School of Law, and **Diane Young-Spitzer**, Associate Director and General Counsel of Massachusetts Securities Division.

Flora W.L. Chan, solo practitioner and also an AALAM director, and Stephen Y. Chow moderated the panel discussions. The panelists provided insights and tips in practicing law and developing legal careers as well as how to balance a legal career with commitments outside workplace, such as family commitments.

Demystifying the Judicial Applications Process

AALAM and the **Massachusetts Association of Hispanic Attorneys** jointly hosted at Suffolk University Law School on **December 4, 2003** a discussion of **Governor Mitt Romney's** Judicial Nominating Commission (JNC) appointed in the Spring of 2003 Executive Order 445. Former judge **Daniel Winslow**, the Governor's Chief Legal Counsel, presented a message that diversity was a goal of the nominating process. Attorney **Elissa Flynn-Poppey**, Executive Director of the JNC discussed the mechanics and preparation for judicial candidacy, which valued trial experience relevant to specific courts, but also valued broader experience. Attorney **Stephen Chow**, AALAM director and member of the JNC, in response to questions, described the nominating process as deliberately political, with political support appropriate only at the gubernatorial appointment and Governor's Council (not appointed by the governor) advise and consent stages. **Judge John Lu**, Justice of the Boston Municipal Court and AALAM member

discussed his candidacy before a prior judicial nominating committee and expressed support for Governor Romney's new approach. The thirty-odd attendees appeared to include an equal proportion of Asian- and Hispanic-Americans.

Dow Fund Dinner

On December 5, 2003, AALAM members gathered once again for the **Harry H. Dow Memorial Legal Assistance Fund annual dinner** celebration at the Chau Chow City Restaurant. The Dow Fund, an AALAM affiliate, was established in 1985 in the memory of **Harry H. Dow**, the first Asian-American lawyer admitted to the Massachusetts Bar, with the mission of increasing the Asian-American communities' access to the legal system.



Everyone enjoyed the traditional Dow Fund dinner including twin lobsters with scallions and gingers while listening to **Stewart Kwoh**, president and executive director of the **Asian Pacific American Legal Center of Southern California (APALC)** and the keynote speaker of the evening. Under Kwoh's leadership, APALC has become the largest Asian-American legal services and civil rights organization in the United States. APALC provides services for over 15,000 individuals per year including those who seek U.S. citizenship and who seek relief from domestic violence or cutoffs from government benefits. On this night, he focused on their work on behalf of victims of sweatshop exploitation. Not only was APALC able to free the workers from the slavery but also sued major clothing labels to properly compensate these workers. APALC also helped them gain legal immigration status. Kwoh credited their successful work to an alliance with other minority groups that was forged based on "common ground." He urged the attendees to seek common ground in all of our works in order to form similar alliances.

As it happened, this year, both AALAM and the Dow Fund selected the same honoree for their respective awards. As his final official act as president of AALAM, **Theodore Chuang** pictured at right, presented AALAM's 2003 Community Service Award to **Long Nguyen**, the co-founder and Executive Director of Vietnamese-American Initiative for Development. In leading Viet-AID for eight years, Nguyen successfully raised \$5 million to develop the nation's first Vietnamese Community Center which houses a daycare, after-school programs, a Vietnamese language school, a library, and a community room for senior day programs and cultural and social



functions. Nguyen also built the first Vietnamese Family Day Care System that helps low-income women start and operate family day care businesses, launched a commercial cleaning marketing cooperative that helps community members build and run commercial cleaning businesses, and built affordable housing projects for low-income families in the Fields Corner area.

AALAM Community Service Award

Long H. Nguyen is the recipient of this year's AALAM Community Service Award. AALAM wishes to recognize Long for his long-term commitment and dedication to providing community and legal services to the Asian-American community of Boston.

Long, a native of Vietnam, received his undergraduate and law degree from Boston University. After law school, Long worked at the **Greater Boston Legal Services (GBLS)** Asian Outreach Program as a Staff Attorney. In this position, he represented low-income Vietnamese clients in court and before administrative agencies on housing, benefits and immigration issues. He also assisted community groups on community control and civil rights issues through legal action and legislative and administrative advocacy. In addition, Long developed and implemented the first Greater Boston Vietnamese legal services program, for which Long was awarded the national Equal Justice Fellowship.

In 1995, Long co-founded and became the Executive Director of, the **Vietnamese American Initiative for Development (Viet-AID)**. Viet-AID is the nation's first and only grassroots community development corporation founded and operated by Vietnamese refugees and immigrants. Viet-AID's mission is to build a strong Vietnamese-American community and a vibrant Fields Corner neighborhood. Fields Corner is a racially and ethnically diverse non-profit organization that fosters commercial district improvement through economic restructuring strategies. With Long's legal knowledge and community service background, he has been able to help low income community members start and operate family child care and cleaning enterprises, real estate and other business ventures, and develop affordable housing projects. Moreover, Long successfully led the development of the nation's first Vietnamese Community Center which opened in November 2002. The \$5 million Center houses bilingual programs in childcare, youth and elder care, a library, office space, and a function room for cultural, social and community activities.

At the end of December 2003, Long left Viet-AID to form a new non-profit agency that aims to transform international development work by partnering with Vietnamese people worldwide to foster equitable and sustainable development in Vietnam. The focus of this

partnership is to organize annual remittances to Vietnam, which will increase bank usage and financial literacy in Vietnamese families in the U.S. and Vietnam, facilitate use of remittances for investment, economic development and asset-building, and create innovative social purpose enterprises to promote systemic change and shape public policy.

Long's extensive list of accomplishments and, most notably, his legal work and commitment to community service, makes him a most worthy recipient of the AALAM Community Service Award.

AALAM JOINS AMICUS BRIEF ON SAME-SEX MARRIAGE ISSUE

On **January 12, 2003**, AALAM – along with the **Asian American Legal Defense and Education Fund**, the **National Asian Pacific American Legal Consortium**, and other civil rights and advocacy groups – joined an amicus curie brief submitted to the Supreme Judicial Court that argues that permitting same-sex couples to enter civil unions, while barring them from marriage, would create a constitutionally impermissible “separate but equal” classification. The brief states that the government's creation of a separate status for a specific group of people is unconstitutional because such a status is inherently unequal and the government has no legitimate reason to do so. The brief also asserts that unjustified governmental discrimination is itself an independent harm and presents, as examples of the detrimental effects of government-endorsed “separate but equal” institutions, the stigmatization and damage caused by racial segregation in schools and in public accommodations.

On **November 18, 2003**, the SJC issued its ruling in **Goodridge v. Department of Public Health**, 440 Mass. 309 (2003), a case in which seven same-sex couples challenged Massachusetts laws that denied them to right to marry. The SJC held that “barring an individual from the protections, benefits, and obligations of civil marriage solely because that person would marry a person of the same sex violates the Massachusetts Constitution” and then stayed entry of judgment for 180 days to permit the state legislature to take appropriate action in light of their opinion. The following month, the Massachusetts Senate requested an advisory opinion from the SJC on whether Senate Bill No. 2175, which would prohibit same-sex couples from entering into marriage but would permit them to form civil unions, complies with the equal protection and due process requirements of the Massachusetts Constitution and Articles 1, 6, 7, 10, 12, and 16 of the Declaration of Rights. The SJC then invited amicus briefs addressing the Senate's request.

AALAM's Advocacy Committee carefully reviewed the request that AALAM join as amicus curiae and then

recommended to the AALAM Executive Board of Directors that AALAM sign onto the brief. The Advocacy Committee concluded that the central issue in the brief was not whether AALAM supports the state's recognition of same-sex marriage. That matter was resolve by *Goodridge*, which held that the exclusion of same-sex couple from marriage is unconstitutional. The Advocacy Committee argued that the key issue was whether the government should be allowed to remedy discriminatory exclusion from a legal institution by creating an allegedly “separate, but equal” system while continuing to deny a group access to the existing institution. Given that the SJC had declared in *Goodridge* that exclusion of same-sex couples from marriage is constitutionally impermissible, the Advocacy Committee strongly believed that AALAM had an important interest in challenging attempts to restrict access to this legal institution and in opposing the idea that creation of a separate institution is a permissible response to a court's finding of discriminatory exclusion.

Following discussion and debate among the AALAM Executive Board Members, the Board voted to join the brief as amicus curiae with a two-thirds majority vote, as required by AALAM's policy on amicus briefs. Twelve members voted in favor; four voted against; and one abstained (which was counted as a vote against). Other Massachusetts bar associations joining the brief as amici curiae were the Boston Bar Association, the Massachusetts Association of Hispanic Attorneys, the Massachusetts Black Women Attorneys, and the Women's Bar Association of Massachusetts.

If you are interested in joining the Advocacy Committee or would like to get a copy of the brief, please contact Tina Matsuoka at: tina.matsuoka@ago.state.ma.us.

NAPABA Seeks Nominations

The **National Asian Pacific American Bar Association** is seeking nominations for officer positions from June 1, 2004 through July 9, 2004. You can find more information regarding the positions and duties at:

www.napaba.org/napaba/showpage.asp?code=announcements

For further information please contact Michael Chu, Chair of the Nominations and Elections Committee at (312) 321-4284 or mchu@brinkshofer.com.

NAPABA is the only national association of APA attorneys, judges, law professors, and law students, providing a national network for its members and affiliates. Formed in 1988 by representatives of 23 APA bar associations from around the country, NAPABA advocates for the legal needs and interests of the APA community. NAPABA represents over 40,000 attorneys in 45 local APA bar associations. As an AALAM member, you are already a member of NAPABA. For more information, visit www.napaba.org.

Calendar of Events

Please check our website www.aalam.org for updates on events and other current AALAM information.

June 26, 2004	NAPABA Northeast Regional Conference New Brunswick, New Jersey For more Information: www.apalanj.com/UpcomingEvents/2004_NE_CONF/tp2004_NE_Conf.html
July 2004 TBA	Summer Associates Luncheon TBA
August 2004 TBA	AALAM Summer Picnic TBA.

Asian American Lawyers Association of Massachusetts Year in Review: 2003-2004

- April 2003 AALAM Anniversary Banquet.**
Scholarship Award Recipient: Allyson Mangalonzo, Boston College Law School.
Panel Discussion: Cultural Considerations in Divorce and Child Custody Matters.¹
Asian American Legal Workshop.²
AALAM votes to oppose the passage of House Bill 4840, "An Initiative Amendment to the Constitution Relative to the Protection of Marriage" and issues statement to the Joint Committee of the Judiciary.
- May 2003 NAPABA Northeast Regional Conference in Hartford, Connecticut.**
- June 2003 Executive Board Retreat.**
- July 2003 Summer Luncheon for Summer Associates, Clerks, and Interns.**
- August 2003 Summer Picnic at Hopkinton State Park.**
- September 2003 Fall Kick-Off Reception and Panel Discussion: Professional Development for Law Students, New, Re-Directing and Re-Energizing Lawyers.**
- October 2003 Minority Bar Association Student Reception.³**
- November 2003 Mentor/Mentee Kick-Off.**
- December 2003 De-Mystifying the Judicial Application Process.⁴**
Harry H. Dow Memorial Legal Assistance Fund Annual Dinner.
AALAM Community Service Award Recipient: Long Nguyen.
- January 2004 AALAM signs onto the civil rights amicus curiae brief to the Massachusetts Supreme Judicial Court in Goodrich II regarding the state Senate's request for an advisory opinion on a bill restricting marriage but providing civil unions to same-sex couples.**
- February 2004 Evening for Attorney Mentors and Law Student Mentees.**
AALAM votes to oppose the passage of House Bill 3190, "A Proposal for a Legislative Amendment to the Constitution Relative to the Affirmation of Marriage," issues a statement to the House Speaker and Senate President and participates in press conference the day before the Constitutional Convention convened.
- March 2004 Walk to the Hill for Civil Legal Aid.**
- April 2004 AALAM Anniversary Banquet.**
Scholarship Award Recipient: Heather Chang, Northeastern School of Law

¹ Co-sponsored with the Boston Bar Association (BBA) Family Law Section

² Co-sponsored with the Asian American Civic Association, Greater Boston Legal Services, and the Lawyers Committee for Civil Rights Under Law of the BBA

³ Co-sponsored with the Massachusetts Black Lawyers Association (MBLA) and the Massachusetts Association of Hispanic Attorneys (MAHA).

⁴ Co-sponsored with MAHA, JNC and Suffolk University School of Law.

AALAM NEWS

June 2004

CONTRIBUTE TO THE AALAM NEWS

If you have an announcement or article for inclusion in the AALAM News, or would like to write articles or otherwise assist with the production of the newsletter, contact any of the following:

Ingrid C. Schroffner: (617) 345-3235, ischroffner@b-l.com

Onyen Yong: (617) 619-4042, onyen.yong@suf.state.ma.us

Professional Opportunities

For employment and professional opportunity announcements, visit the AALAM website, www.aalam.org, under "Professional Opportunities".

If you have a job announcement you would like posted on the AALAM website, send the announcement, preferably by e-mail, to: Myong Joun at mjjoun@civil-rights-law.com



AALAM

Asian American Lawyers
Association of Massachusetts
P.O. Box 5655
Boston, MA 02114

Membership Reminder!!!

Have you forgotten about your membership dues?? You must be a dues-paying member in order to continue receiving this newsletter and future e-mail announcements from

AALAM. Go to www.aalam.org

for information.

Thank you!