Op-Eds

The Young Lawyers Division: My Growth as a New Lawyer

By: Michael Nguyen, Esq.

On the fence about getting involved with YLD? Take the leap! Joining the YLD has enriched my career as a new lawyer, and I would highly recommend it to anyone who is interested. As a recently-admitted attorney to the California State Bar, I was eager to learn about ways to become involved in the ABA and knew that joining YLD would help me to become an effective leader in my field and community. Growing up in the Bay Area -- one of the most diverse communities in the United States -- diversity has always been very important to me. I currently serve as a regional representative of the Asian American Prosecutor’s Association where I mentor high school students and lead trainings on improving public speaking skills. And as a board member of the Vietnamese American Bar Association of Northern California, I organize career workshops that bring together a diverse panel of lawyers to share with students career advice, interview techniques, and resume writing tips. Empowering others and building a community of active student leaders have been an important part of my extracurricular work throughout college and law school. My involvement in YLD has enabled me to build upon this work.
Since my selection as a YLD Scholar, I have embarked on experiences that have been both meaningful and nothing short of amazing. From traveling from Little Rock to San Diego, and from moderating a panel that celebrated the ADA’s 25th Anniversary to visiting a middle school to help implement the public service initiative that taught kids about the dangers of social media, each project has opened doors to meeting diverse and talented attorneys from all over the country. The chance to interact, learn, and network with other motivated young attorneys have been the best part the experience. I return from each experience energized and excited to expand upon my work in my hometown. Although the application deadline for leadership positions have passed, I encourage anyone who is interested in taking on a leadership role to look for opportunities to get more involved now! You won’t regret it!

Michael Nguyen is a current YLD Scholar with the MIPC. He can be reached at michael.nguyen11@gmail.com.

Whose Bathroom Is It Anyway?
By: Chisa Putnam, Esq.

Pat is 5’9, brown eyes, long brown hair, fair, skin, and looks like a picture from a magazine. Pat has an alluring personality and has never met a stranger. If you see a group of people laughing, Pat is usually in the center of it all telling jokes. If you hear someone yell for “help”, Pat is the first person to the rescue. Pat is intelligent, has a great sense of humor, loves giving back to the community, and should would be a worthy recipient of the Philanthropist of the year award. Pat is truly an awesome person. Pat has it all, or at least it seems. Pat finishes a cup of coffee and has to run to the restroom before the next scheduled meeting. Pat, in a hurry, darts into the women’s restroom and is met by Becky with the good hair. Becky yells out in horror, “Get out of here, you don’t belong in here, you’re a man!” Pat has it all, except the right to use the restroom of the gender with which she identifies.

Pat was born, Patrick, a male with male genitalia, but over the last ten (10) years, Pat has started to alter his outer appearance to be more in line with his inner appearance. Pat looks like a female, speaks like a female, but still has some noticeable male features, specifically a large Adam’s apple and very large hands. Despite these differences, Pat identifies as a female and anyone who meets Pat is aware of this identity, but Pat’s government is not as accepting as Pat’s friends and the majority of his co-workers. Pat’s state government has stated that despite your gender identity, you should use the restroom of the gender with which you were born.

The HB2 Bathroom Bill has been the talk of several conversations lately, specifically in North Carolina, South Carolina, and Virginia. The law was signed into effect in North Carolina in March of 2016 and the state immediately started to feel the repercussions to its economy. Multi-billion dollar businesses started to withdraw intentions to relocate to the state, national organizations began to change plans for hosting events, and even celebrities began to cancel shows or refuse to perform, steadily creating a negative impact on the state’s economy. A similar bill was introduced in South Carolina and was quickly put on hold. The most notable court case thus far involving the matter is in Virginia where a sixteen year-old transgender boy named Gavin Grimm asked the court to allow him to use the male restroom at school. On April 26th media outlets exploded with the news that the U.S. Court of Appeals for the 4th Circuit in Richmond ruled that Mr. Grimm can move forward with a discrimination suit against the school board in southeastern Virginia for denying his ability to use the restroom. A new era of law is evolving and we will have to sit back and see what happens next.
YLD 2016 SPRING CONFERENCE

The YLD will be convening in St. Louis, MO, from May 5-7, 2016. The Minorities in the Profession Committee will be co-sponsoring a panel on how attorneys can help address social unrest. Join us for “What Happened in Ferguson and What Can Lawyer’s Do?” on Saturday, May 7, 2016 from 10:00 AM – 12:00 PM. Join us for an in-depth discussion on what led to social unrest in communities like Ferguson, MO and why attorneys should focus on the grand jury process. Our distinguished panel will include subject matter experts that were directly involved with the drafting of the Ferguson Commission Report and individuals that are playing an instrumental role in proposed solutions for community building and future legislative means within the state of Missouri. You do not want to miss this one-of-a-kind event offering perspectives from nationally recognized leaders in law, politics, and community organizing.

Other sessions of interest to MIPC members include:
- Gateway to Success: A Young Lawyer’s Guide to Successfully Navigating Your Organization
- Hit the Ground Running: Tackling The First Year Whether as an Associate or Hanging Your Own Shingle
- Could You Be a Jedi Judge? Chart Your Path Now, You Must

http://www.americanbar.org/groups/young_lawyers/events_cle/2016_spring_conference.html

NEWS AND ANNOUNCEMENTS

Understanding the Impact of Secondary Trauma on Lawyers Working with Children and Families

May 4, 2016. Many clients experience trauma, particularly children and families in the child welfare or juvenile justice systems. Secondary trauma, also called vicarious trauma or compassion fatigue, mimics the symptoms of post traumatic stress disorder and is caused by exposure another person’s trauma. Many legal professionals are unaware secondary trauma might be affecting them or their colleagues. Anyone whose clients have trauma histories benefits from understanding secondary trauma and engaging in self-care individually and within an organization.


Words Matter: The U.S. Debate over Immigration, the Media, and the 2016 Election

May 6, 2016. During this program, panelists will discuss the recent political debates around immigration, including responses to the influx in Central American immigration, the political response to the Syrian refugee crisis, President Obama’s executive orders on immigration reform, and questions about the legitimacy of birthright citizenship, among other issues. To

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attend at the National Press Club in Washington, DC, or to watch the live web stream, please see http://www.americanbar.org/groups/public_services/immigration/events_cle.html.

**Latest Developments at the MSPB**

**May 9, 2016.** The ABA Section of Administrative Law and Regulatory Practice Government Personnel Committee Presents Latest Developments at the Merit Systems Protection Board CY 2015 Year In Review. Please join us and learn about the latest developments at the Merit Systems Protection Board, including changes in statutes and regulations and a review of significant cases decided in the last year. http://www.americanbar.org/content/dam/aba/events/administrative_law/2016/05/brochure_may_9.authcheckdam.pdf.

**Working Effectively With Experts**

**May 11, 2016.** This Roundtable will feature expert witnesses and attorney practitioners who will discuss how to work effectively with experts. Topics will include preparing expert reports, depositions, and preparing for and testifying at trial. For more, see https://form.jotform.com/60664524480961.

**Latest Federal Sector Developments in the EEOC**

**May 16, 2016.** The ABA Section of Administrative Law and Regulatory Practice Government Personnel Committee Presents Latest Federal Sector Developments at the Equal Employment Opportunity Commission Office of Federal Operations. Please join us and learn about the latest developments at the EEOC Office of Federal Operations, including a review of significant cases decided in the last year. Open to ABA Members and the General Public In-Person or Teleconference. Deadline for Registration is Friday, May 13, 2016. For more, see http://www.americanbar.org/content/dam/aba/events/administrative_law/2016/05/brochure_may_16.authcheckdam.pdf.

**Ferguson’s Fault Lines: The Race Quake That Rocked A Nation**

**May 16, 2016.** Ferguson's Fault Lines: The Race Quake That Rocked a Nation by Kimberly Jade Norwood explores the various facets of legal and social machinery that informed the explosion in Ferguson. The book explores many of the larger social ills affecting black and impoverished communities: inadequate and segregated housing, inadequate and segregated public schools, un (and under)employment, a criminal justice system that seems to put a greater premium on police and prosecutorial power than it does on black lives, fragmented and manifold municipalities and the price paid by some to sustain them, the role of the media, public and mental health and more. In this month's ABA Free CLE Series we will address a few of the issues discussed at length in the Ferguson’s Fault Lines book including the following: implicit bias, race and policing; the efficacy of police use of body cameras; the criminal justice system's handling of police killings, particularly killings of black men and boys; the excessive fining and ticketing of black and poor people to generate revenue for municipalities, and the failed public education systems that young black men like Michael Brown attended. For more, see http://shop.americanbar.org/ebus/ABAEventsCalendar/EventDetails.aspx?productId=214717269.

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Empowering the Next Generation of Pro Bono Lawyers: Connecting Vulnerable Youth and New Lawyers Through Innovative Technologies

May 18, 2016. This program empowers young lawyers to close the access gap to serve vulnerable youth through pro bono projects using innovative technology. The next generation of lawyers is accustomed to connecting via technology, both personally and professionally. These new lawyers also value and look for ways to participate in pro bono legal projects. Fortunately, technological innovation now provides the opportunity to engage younger lawyers in pro bono work in ways that were not available even five years back. Empowering this new population of lawyer volunteers will help to close the access gap, but it needs to be a guided and thoughtful effort to ensure that vulnerable and often overlooked populations, like children and indigent clients in rural areas, will benefit from an expanded and connected pro bono volunteer force. This webinar will discuss examples of innovations that have been developed or supported by the Section of Litigation and the ABA to demonstrate the opportunity to engage pro bono volunteers and serve clients through technology, cover online resources that are used to connect pro bono volunteers and clients, and online resources that are used to provide training and support to volunteers, highlight a Yammer (social media) tool to support pro bono volunteers on immigration cases, provide links to online platforms for individuals who wish to get involved, and discuss the new national pro bono website launching in August 2016. For more, see http://shop.americanbar.org/ebus/ABAEEventsCalendar/EventDetails.aspx?productId=240735507.

Legal Marketing Toolkit: Taking Your Personal Brand to the Next Level

May 25, 2016. This Roundtable program includes a panel of four experienced legal professionals, including a professional business development coach, an in-house general counsel, a chief client officer, and a Gen Why podcaster and branding expert who will discuss strategies and provide useful tips for successful marketing efforts by lawyers. The panel members will share first-hand insights regarding the following topics: (a) the importance for a lawyer to establish a personal brand, (b) the key elements of a successful marketing plan, (c) common characteristics for successful business developers, and (d) the effective use of social media in marketing and business development. The panelists will also share best practices for increasing success in your client development efforts. For more, see https://form.jotform.com/60344297944968.

Legal Research: Top Tips That Will Turbocharge Your Skills (Webinar & E-Book)

May 25, 2016. If you're a practicing lawyer, you're already familiar with the major legal research services which you can access from any computer or mobile device. But there are more options today than ever before with a lot of free or low cost resources as well. You'll hear from the authors of the ABA book Internet Legal Research on a Budget as they share the top websites, apps, blogs, Twitter feeds, and other resources for today's diligent (but cost-conscious) lawyer. You'll learn about the most effective sources for the legal research you need to stay competent about the changes in the law including case law databases, legislative materials, and background information. This webinar includes the eBook Internet Legal Research on a Budget.
Forum on Affordable Housing and Community Development Law Meeting

May 25-27, 2016. This year’s Conference builds on the Forum's long-standing tradition of providing a venue for the discussing the latest developments in affordable housing and community development law. Sessions will explore rules, strategies and policies related to tax credit equity, ethics and technology, high development costs, fair housing, and innovations in the housing and community development field. The Conference will be an excellent opportunity for networking, including through the following activities (open to all Conference registrants): First Timers and Young Lawyers Reception on Wednesday evening; a Thursday breakfast opportunity for law students and attendees interested in exploring Forum membership, an evening networking reception and Forum practice committee meetings. For more, see http://www.americanbar.org/groups/affordable_housing.html.

Can You Follow the Rules? Understanding How The Federal Rule Amendments Impact E-Discovery

June 8, 2016. Congress approved significant amendments to the Federal Rules of Civil Procedure in 2006 in recognition of the pervasiveness of electronically stored information in litigation and the growing discipline of electronic discovery. Most of those amendments trickled their way down to the State Rules, as well. We learned a lot since 2006 and those lessons were integrated into another set of amendments that were approved on December 1, 2015. A practical focus of the 2015 FRCP amendments ensures discovery moves along fluidly and costs are kept under control. The amendments also place a major emphasis on the need for proportionality and cooperation between parties. Christine Chalstrom and Brett Burney walk you through the FRCP changes and supply you with the details on how they affect your litigation practice today. For more, see http://shop.americanbar.org/eBus/Default.aspx?TabID=1538&productId=242003462.

ABA OPPORTUNITIES

ABA Partnership Awards

May 5, 2016. The ABA Partnership Awards Program salutes bar association projects directed at increasing the participation and advancement of lawyers of color as well as other underrepresented constituents: attorneys with disabilities, women attorneys and those who are lesbian, gay, bisexual or transgender. The awards are presented annually by the ABA Standing Committee on Bar Activities and Services in co-sponsorship with the Hispanic National Bar Association, National Asian Pacific American Bar Association, National Native American Bar Association and the National Bar Association. For more, see http://www.americanbar.org/groups/bar_services/awards/partnership/home.html.

Robert B. Yegge Award

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May 9, 2016. The Robert B. Yegge Award is presented to a current or former member of the American Bar Association who has made an outstanding contribution to the field of judicial administration. Nominations are due by May 9. For more, see http://www.americanbar.org/groups/judicial/conferences/lawyers_conference/awards.html.

Judicial Awards

May 13, 2016. The ABA Judicial Division is accepting nominations for three judicial awards. Nominate a judge for the Franklin N. Flaschner, William R. McMahon, and Judicial Education Awards. For more, see http://www.americanbar.org/groups/judicial/conferences/specialized_court_judges/awards.html.

2016 Meritorious Service Award

May 27, 2016. The ABA Commission on Lawyers Assistance Programs seeks nominations for its 2016 CoLAP Meritorious Service Award on behalf of its Law School Assistance Committee. This award will be presented to a law student, law school, staff or faculty member who has made a significant contribution to law student assistance. The award encourages individuals within the LAPs, local bar associations, and law schools to initiate creative approaches to help students in becoming healthy and successful lawyers. For more, see http://www.americanbar.org/groups/lawyer_assistance/initiatives_awards.html.

Law Student First Amendment and Media Law Diversity Moot Court Competition

June 6, 2016. This annual competition, now in its ninth year, is designed to introduce minority law students to the practice of media law and to many of the lawyers who are active in the media law bar. The moot court Hypothetical Case involves timely issues of national significance in the field of media law. The Hypothetical Case for the 2015-16 Competition focused on whether a statute making it illegal to eavesdrop is unconstitutionally overbroad when applied to a citizen’s surreptitious recording of a police officer conducting a traffic stop. Past competitions have posed issues relating to whether journalists have a privilege under the First Amendment or federal common law not to reveal sources in response to a government subpoena and whether or not the public and the press have a qualified First Amendment right of access to attend an internal employee disciplinary proceeding at a public university. For more, see http://www.americanbar.org/groups/communications_law/initiatives_awards/moot_court_competition.html.

ABA Stonewall Award Call for Nominations

June 17, 2016. Achieving greater diversity in the legal profession depends upon recognition of the contributions of individuals from many different backgrounds, including those people of varying sexual orientations and gender identities. The purpose of the Award is to recognize those lawyers, members of the judiciary and legal academia who have effected real change to remove barriers on the basis of sexual orientation, gender identity or gender expression in the legal profession and the world, nation, state and/or locale, and to recognize those who have championed diversity for the LGBT community, both within the legal profession and impacting the greater human universe. For more, see http://www.americanbar.org/groups/sexual_orientation/stonewall_award.html.
K. William Kolbe Writing Competition

June 30, 2016. The section seeks entries for its writing competition from all law students who are enrolled in ABA-approved law schools and are members of the ABA Law Student Division. The prize is $2,500, plus a free Section membership, and airfare and hotel accommodations to attend the Section’s Fall Council Meeting. Entries are due June 30, 2016. For more, see http://www.americanbar.org/groups/public_utility/awards.html.

RPTE Fellows Program

June 30, 2016. The ABA Section of Real Property, Trust and Estate Law Fellows Program encourages the active involvement and participation of young lawyers in Section activities. The goal of the program is to give young lawyers an opportunity to become involved in the substantive work of the RPTE Section, while developing into future leaders. The Fellowship appointment is for two years. To be considered for selection, a person must (1) have practiced in the trusts and estates or real property area for at least one year, (2) be younger than 36 years of age or have been admitted to the bar less than 10 years, and (3) have demonstrated leadership at the state or local bar level or in the ABA Young Lawyers Division. Applicants need not be ABA or RPTE members, yet we require accepted Fellows to become dues paying members of both the ABA and RPTE. All Fellows will receive reimbursement of up to $2,750 annually to attend Section meetings. For more, see http://www.americanbar.org/groups/real_property_trust_estate/fellowships_and_awards/fellows_program.html.

ABA Section of Environment, Energy, and Resources

The Section of Environment, Energy, and Resources is accepting nominations for several awards. By May 9, 2016, submit nominations for the Law Student Environment, Energy, and Resources Program of the Year, State or Local Bar Environment, Energy, and Resources Program of the Year, Environment, Energy, and Resources Government Attorney of the Year, Environment, Energy, and Resources Dedication to Diversity and Justice, or the ABA Distinguished Achievement in Environmental Law and Policy Awards. By July 8, 2016, submit nominations for the ABA Award for Excellence in Environmental, Energy, and Resources Stewardship. For more, see http://www.americanbar.org/groups/environment_energy_resources/awards.html.

FROM THE ARCHIVES

Navigating a Professional Career Path: When Hard Work Isn’t Enough

Miss MIPC’s last teleconference? It is now online! To advance in the legal profession requires more than just hard work. With insight from leaders in the educational and professional world, this teleconference will focus on helping young attorneys navigate and advance their career paths through networking, board membership, and community involvement. For more, see http://www.americanbar.org/groups/young_lawyers/events_cle/teleconferences/navigating_a_professional_career_path.html.

The Role of Mentoring in the Civil Rights Field

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Civil rights attorneys Jasmyn Richardson of the Advancement Project and Karen Short of the NAACP describe the importance of mentoring in their career development, both as a mentor and as a mentee. Check out the recording at http://www.americanbar.org/content/dam/aba/multimedia/migrated/litigation/soundadvice/mp3/j-richardson-k-short-mentoring-civil-rights-final.authcheckdam.mp3.

**Ferguson’s Fault Lines: The Race Quake that Rocked A Nation**

This new book chronicles the outburst in Ferguson, MO, and the tensions that made the city a powder keg. ABA President Paulette Brown interviewed author Kimberly Jade Norwood. Listen to the interview at http://stream.americanbar.org/services/player/bcpid2088329878001?bckey=AQ~~AAABsp7SiCE~,aEBLYbQyvvDfIAC2wSmNncgPJCGafVv&bctid=4706904889001.

**GET INVOLVED**

**Call for Programming Ideas**

Got an idea for a live program, teleconference, or webinar? We want to hear it! The MIPC is accepting programming ideas on an ongoing basis. Please send suggestions for programming to Jasmine Robinson, jrobinson@whitewiggins.com.

**Writing Opportunities**

The Minorities in the Profession Committee is accepting, on an ongoing basis, submissions to be considered for publication in the newsletter or as 101/201 articles. Articles should be from 150 to 600 words and report new, exciting events of interest to racial and ethnic minority lawyers, lawyers with disabilities, LGBT lawyers, or young lawyers in general. Topics may encompass recent events, case decisions, diversity news, emerging trends, or general topics of interest to young lawyers. Please send submissions or inquiries to Janet Tacoronte, janet@jclawmiami.com, and Stuart Lott, spl56@cornell.edu.