

LETTER TO A YOUNG PUBLIC INTEREST ATTORNEY

*Betty Hung**

Growing up in a working and middle class suburb of Los Angeles, the daughter of immigrant parents from Taiwan, I was fascinated with the civil rights movement of the 1950s and 1960s. Thurgood Marshall and Martin Luther King, Jr. were my heroes. A voracious reader, I devoured every biography of them I could find at the local library. When other children taunted my siblings and me for speaking Taiwanese, or local politicians called for the passage of English-only ordinances, I drew on the history of African Americans and their courage and perseverance in the struggle against slavery and discrimination. Given the absence of Asian Americans in history books, television, and media, I looked instead to King and other civil rights icons for role models of what people of color can overcome and achieve in the United States. I longed to be part of a community and movement for equal rights and justice and, inspired by such examples, decided that I wanted to be a civil rights lawyer.

* Special Counsel at Inner City Law Center and Senior Attorney at the Legal Aid Foundation of Los Angeles.** Ms Hung serves as counsel to the Los Angeles Taxi Workers Alliance, and played a key role in reauthorization of a California law that addresses the exploitative working conditions of car wash workers. As an echoing green fellow at the Asian Pacific American Legal Center, Ms. Hung was part of the legal team that litigated the precedent setting El Monte Thai and Latino garment worker case. She also worked as a community organizer with Cambodian high school girls in Long Beach, CA, where she spearheaded a campaign that led to school safety reforms, and as a litigation associate at the law firm of O'Melveny & Myers LLP where she initiated several diversity efforts. Ms. Hung is a graduate of Harvard College and Yale Law School. (**For identification purposes only.)

© 2009 Betty Hung. The copyright in each article is owned by the respective author. Except as otherwise provided, the author of each article grants permission for copies of that article to be made for classroom use, provided that each copy is distributed at or below cost, the author and the Los Angeles Public Interest Law Journal are identified on each copy, proper notice of copyright is affixed to each copy, and the author and the Journal are notified of the use.

Mine was one of the first Asian immigrant families to move into the San Gabriel Valley, a region that experienced a demographic sea change in the 1980s and transformed from a primarily white and American-born Chicano community to one that is predominantly Latino and Asian immigrant. Initially in this context, Asian immigrants—such as my family—were at or near the bottom of the racial hierarchy, due in large part to an inability to speak fluent English and perceptions of our cultural “foreignness.” I always felt an unease about the tensions simmering under the surface and, while it infuriated me to hear ethnic slurs against Asians, I also cringed when I heard Asians say racist things about people of other races and ethnicities. While we did not talk about it much, and at that time I did not know how to put it into words, I felt that one thing we all had in common, that cut across race, was that our community of Alhambra and Monterey Park was perceived as “lower class” compared to more affluent neighboring cities like San Marino, South Pasadena, and Arcadia.

When I went on to college at Harvard, the first person from my public high school to go there as far as I knew, it was these childhood experiences that led me to become politically active and to work in coalition with other communities of color. Initially paired with roommates from upper class backgrounds who had gone to elite boarding schools and private schools, I felt completely out of place with their world of J. Crew, squash, and invitations to parties at exclusive all male finals clubs. But I felt at home when I joined the Minority Student Alliance and started helping to organize student protests for faculty diversity and ethnic studies. Once, when we picketed in front of the Science Center during Junior Parents weekend, the parents of one of my roommates saw us and commented disparagingly that what we were doing was “radical.” While taken aback at first, I shrugged it off and instead developed close friendships with a mosaic of friends from a rainbow of backgrounds, focused my studies on race, ethnicity, and politics, and worked towards my ultimate goal of becoming a civil rights lawyer.

When I first entered the doors of “the Yale Law School” in 1994, however, I left my smarts outside. Or at least that is how I felt. It did not matter that I had graduated *magna cum laude* from

Harvard. Suddenly in the midst of a small law school class where every other person seemed to be a Rhodes scholar, related to a federal circuit court judge, or an aspiring politician, I felt tongue-tied, overwhelmed, and lost. I was the first person in my family to go to law school, and growing up, I did not know any lawyers. The language, theory, and practice of the law seemed utterly foreign to me. During classes, I was intimidated by the Socratic method and even more intimidated by how other students, especially male students, seemed unfazed and confident. My progressive politics seemed out of place. I felt like overnight I had become a person who was not intelligent enough and not suited to practicing law because I did not fit the traditional mold of an aggressive, commanding, and savvy lawyer.

During much of law school, I felt voiceless and marginalized. Much literature has been written about how women and people of color experience alienation during law school. It was this literature and the discovery of critical race theory that helped me not just to survive law school, but also to draw upon the dissonances of my experience as a strength that over the years has, I believe, helped me to become a better public interest lawyer. Reading books and articles by Patricia Williams, Richard Delgado and Jean Stefancic, Harlon Dalton, Mari Matsuda, and Robert Chang, I realized that there were structural reasons for why I felt so alienated and that the dissonance I was experiencing was not uncommon. Critical race theory gave me the language and concepts to understand and articulate the truth of what I had experienced since childhood—that sociopolitical and legal institutions, structures, and norms reinforce a status quo where select groups wield power and wealth while many others are disenfranchised. As an “outsider,” I learned to analyze and dissect such systems to understand how they perpetuate inequalities, and I learned to think both within and outside these systems in order to survive and to change them to be more just and equitable.

Small acts of resistance helped me in the struggle not just to recapture my voice, but to clarify and strengthen it. For example, during my second year, I snuck into the law school in the middle of the night along with two other members of the Women of Color Collective. We put up a display on the school’s free speech wall to

illustrate the faculty's lack of diversity, creating an inverted pyramid on the wall displaying the photos of every single Yale Law School professor. The visual of 52 white men and handful of women and people of color created a stir amongst students and faculty and received coverage from the Chronicle of Higher Education.

But it was the law school clinical program where I truly felt at home. Under the mentorship of Professors Jean Koh Peters and Kathleen Sullivan, I learned to apply both my legal intellect *and* humanity to zealously advocate for the interests of our clients. They taught me to strive to be truly client centered, to honor the innate value and dignity of every client, to incorporate an analysis of the structural inequalities that affected our clients' life circumstances—and to recognize the necessity of working as hard as I could in order to be as effective as possible because our clients deserved nothing less. Professors Koh Peters and Sullivan helped me to understand that there is a role for human compassion and empathy in lawyering that strengthens, rather than dilutes, one's effectiveness as an advocate. Moreover, their kindness towards me and other law students made me feel more a member of the law school community.

While I felt most authentic and fulfilled engaging in social justice issues, I grappled with whether to pursue my lifelong dream of becoming a public interest lawyer after law school or to take a high paying job to help my family. I was riddled with guilt about the many sacrifices my parents had made: how they had immigrated to the United States from Taiwan without money or support; how they scrimped and saved to pay for my college education when they could not afford it; and how they endured racism and anti-immigrant discrimination while hoping that my siblings and I would have a better life. Ultimately, I decided that to be true to myself and to honor my parents' experiences and sacrifices, I needed to pursue the path of becoming a public interest lawyer.

With the help of an echoing green fellowship, I launched my public interest career at the Asian Pacific American Legal Center (APALC). I had a life changing experience working under the mentorship of Julie Su, a true shero who broke new ground as lead counsel in the El Monte Thai and Latino garment worker case, in which the workers obtained a multimillion dollar settlement from

some of the nation's largest garment manufacturers and retailers. It was liberating to see someone who did not fit the traditional mold of a lawyer and yet was and is one of the most effective and strategic movement lawyers in the country. Moreover, working with Julie helped me to realize that my experiences of being on the margins as a woman, person of color, and daughter of immigrants from a family that had struggled financially could enable me to be a more empathetic, effective, and creative attorney. It also liberated me to seek nontraditional ways of lawyering to add value to and support the efforts of community members to strive for social justice.

I started a project in which I partnered with Asian high school students who are the children of garment workers. Drawing on their bilingual and bicultural backgrounds, the youth assisted us in developing community education workshops, in which we informed Chinese and Latino garment workers about their legal workplace rights. Not only did the youth help us to reach out to their parents, they also mapped out locations of the garment factories near Chinatown and participated in running the workshops.

Since then, in addition to litigating cases in the areas of workers' rights and home equity fraud, I have also been a community organizer with a school safety campaign led by Cambodian high school girls to eliminate sexual harassment at school, in which the girls won significant educational reforms; worked at a corporate law firm where I initiated several diversity efforts on race, gender, and sexual orientation, including launching a Civil Rights Speaker Series; led a coalition effort to advocate that the Los Angeles City Attorney's Office criminally prosecute predatory employers; obtained a published appellate decision in a domestic worker case; been active in a coalition effort to reauthorize a statewide Car Wash Worker Law to clean up sweatshop working conditions in the car wash industry; and represented the Los Angeles Taxi Workers Alliance in drivers' efforts to stamp out corrupt taxi company practices and achieve decent working conditions. All of these were collaborative efforts with community members and colleagues, in which it was essential to think both within and outside existing systems in order to push for change.

While I do not presume to know what it is like to be in the shoes of my clients, I believe that feeling invisible and voiceless in my life experiences, and in law school specifically, has made me a more effective advocate for social justice. The challenge of trying to fit into an institution and system that historically have not equally valued the perspectives and life experiences of the communities from which I come has given me greater empathy for my clients' hardships and enabled me to understand better how structural forces can act to disempower and impoverish people. I have tried to analyze how existing laws and policies often serve to strip people of their rights and prevent them from speaking out and asserting their humanity. It has pushed me to function with a dual consciousness (with acknowledgements to W.E.B. DuBois) both within and outside the legal system in order to transform it to be more just and equitable.

Most importantly, it has taught me the importance of creating true partnerships with clients, community members, and other advocates to pool together our skills, experiences, talents, and resources in order to challenge institutions and systems that perpetuate inequality. By working harder and more creatively than the forces that we are up against, we can shift power to marginalized communities with the overarching hope that the end result will be a more fair and equal society where we learn to value the humanity of each and every person so that no one is marginalized or voiceless.

Sincerely,

Betty Hung