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Chinese American Citizens Alliance

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National Lodge
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An Injustice Righted and a Landmark Nomination Highlight Challenge and Promise for Asian Americans in the Legal Profession and Judiciary

San Francisco, October 9, 2017—It had been a little more than two years ago Hong Yen Chang was granted a license to practice law in the State of California. But it had come 125 years too late. Mr. Chang died August 4, 1926, in Berkeley, California. In 1890, his application to practice law in California was rejected by the State Supreme Court. While the court acknowledged his legal fitness, Mr. Chang was denied admission to the California State Bar based on a provision of the Chinese Exclusion Act of 1882 that denied citizenship to Chinese immigrants.

“In granting Hong Yen Chang posthumous admission to the California Bar, we affirm his rightful place among the ranks of persons deemed qualified to serve as an attorney and counselor at law in the courts of California,” according to the unanimous ruling of the California’s Supreme Court. The significance of Hong Yen Chang’s overdue admittance is his recognition as the first Chinese immigrant licensed to practice law in the United States. Yale-educated and a graduate of Columbia Law School, Mr. Chang had been admitted to the New York State Bar, but found ineligible in California.

“The treatment of Hong Yen Chang, who nevertheless became a prominent member of the Chinese community with a distinguished career in banking and diplomacy, illustrates the exclusion of Asians from the legal profession for most of our nation’s history,” stated C.A.C.A. National President Davace Chin. “However, Asian American representation in the legal profession had grown significantly. Presently, there are more than 50,000 Asian American lawyers, compared with 10,000 in 1990.”

In a recent article authored by California Supreme Court Justice Goodwin Liu for the *Los Angeles Times*, Asian Americans have made limited progress in reaching the top ranks of the legal profession and judiciary. “Asian Americans comprise 6% of the U.S. population, but only 3% of federal judges and 2% of state judges. Three out of 94 U.S. attorneys in 2016 were Asian American; only four out of 2,437 elected district attorneys in 2014 were Asian American,” wrote Justice Liu.

The nomination of Dallas-based appellate law expert James Ho to the U.S. Court of Appeals for the Fifth Circuit in September is considered a major development for Asian Americans in the Federal judiciary. The Fifth Circuit handles appeals from federal courts in Texas, Louisiana and Mississippi. If confirmed by the U.S. Senate, Mr. Ho would be the first Asian American to serve in the Fifth Circuit.

Article III of the U.S. Constitution created the Supreme Court and gave Congress the power to create the federal courts of appeals and district courts. Since 1789, more than 3,427 judges have served on Article III



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courts. Currently, there are 29 active Article III Judges who are Asian-American and Pacific Islander. Of the current 179 judgeships in the 13 court of appeals, only seven judges are Asian Americans.

Mr. Ho emigrated as a toddler with his parents from Taiwan to California in 1974. A naturalized U.S. citizen by the age of eight, he received his bachelor's degree from Stanford University and his doctor of jurisprudence from the University of Chicago in 1999. Following a clerkship for Judge Jerry Smith of the Fifth Circuit, Mr. Ho joined the national law firm Gibson, Dunn & Crutcher as an appellate lawyer in 2000. From 2001 to 2005, he served in the Office of Legal Counsel for the U.S. Department of Justice and as chief counsel to U.S. Senator John Cornyn of Texas. In 2005, he spent one year clerking for U.S. Supreme Court Justice Clarence Thomas. For nearly three years, Mr. Ho served as the Texas Solicitor General, where he argued dozens of cases before the U.S. Supreme Court, Fifth Circuit and the Texas Supreme Court. In 2010, he rejoined Gibson Dunn in Dallas, where he co-chairs the law firm's appellate and constitutional law practice.

Advocating greater representation of Asian Americans in the country's judiciary has been an important focus for C.A.C.A., affirmed by its long history of fighting for justice on behalf of Americans of Chinese ancestry. In 2013 at the 52nd C.A.C.A. National Convention convening in Oakland, California, delegates passed "Judgeships: Appointing More Asian Pacific Americans to the Federal Bench," advocating "more nominations of qualified APA judges to the Federal bench. CACA regional chapters should educate the community about the underrepresentation of APAs in the judiciary as well as to help identify potential candidates to develop a long pipeline of APA judges at all levels of the judicial system."

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Web: www.CACAnational.org
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The Chinese American Citizens Alliance, established in 1895, is among the oldest civil rights organizations in the United States. Headquartered in San Francisco with chapter/lodges in Albuquerque (NM), Boston (MA), Chicago (IL), Greater San Gabriel Valley (CA), Greater New York (NY), Houston (TX), Las Vegas (NV), Los Angeles (CA), Mississippi, Oakland (CA), Peninsula (CA), Portland (OR), Phoenix (AZ), Salinas (CA), San Antonio (TX), San Francisco (CA), Seattle (WA) and Washington, D.C., the Alliance addresses issues regarding voter education, political participation, racial discrimination and hate crimes, and supports youth leadership training programs and equal employment opportunities for all Chinese Americans.