

Q&A with UCLA Law Women LEAD Members Hailyn Chen and Calimay Pham in Honor of AAPI Heritage Month



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How have your experiences as an Asian American and a woman touched your professional experiences and perspectives?

Calimay Pham: My experiences and perspective have very much been shaped by my family's history as refugees from the Vietnam War. The context of the Asian diaspora is varied and diverse. Like many Southeast Asian refugees, my family arrived in the United States with no networks or resources. This fundamentally affected how we've lived and what opportunities have been available to us. I was raised, along with my two older siblings, by a single father. We grew up extremely impoverished as my father was often in-and-out of work and struggled with depression and alcoholism. I grappled with my lived reality versus what I was taught in school about how society should function. The instability of my upbringing created a desire from a young age to find ways to empower myself and to use that knowledge to help families like my own. I've dedicated my career to public service and to helping families navigate complex legal systems. I empathize with my clients deeply because I've known the same feelings of helplessness and dissonance.

Hailyn Chen: Justice Goodwin Liu’s 2018 study, *A Portrait of Asian American In the Law*, found that, while Asian American lawyers make up 7 percent of the overall law firm population, they make up only 3 percent of all equity partners. Of these equity partners, most are men. When people think of a law firm partner, they do not picture in their mind someone who looks like me. This has affected my professional experience in so many ways. I’m routinely underestimated when I walk into a room. Until I started growing more grey hair, expert witnesses often would assume that the male associate accompanying me to a meeting is the person in charge and would make eye contact with him and not with me. And I’m acutely aware that in most new settings, my competence and expertise is not presumed – that I have to prove it and earn it every time. That was true even before I became Co-Managing Partner of my law firm, and it’s even more true now given the demographic representation of Asian American female leadership in law firms. As a first-generation child of immigrants – I grew up speaking Mandarin at home with my parents and grandparents – I find that my ease with code switching and navigating between cultures has helped me immensely in my ability to connect with clients, witnesses, judges, and juries. My ability to see the world through the eyes of another and to empathize with that experience makes me a better lawyer and a better leader.

What do you think is missing in the current discourse around what it means to be an Asian American?

Calimay: I rarely acknowledge the pervasive feeling of otherness that I’ve felt my entire life as an Asian American. While I was born in the United States, I’ve never been able to confidently claim either identity of being Vietnamese or American. My grasp of the Vietnamese language is minimal and I’ve never visited Vietnam. Growing up, I was constantly embarrassed at not being able to answer questions asked by my dad’s Vietnamese-speaking friends and neighbors. I couldn’t eat many types of Vietnamese cuisine and was accused of being “too American.” However, it was never an option to be viewed simply as American. My looks alone telegraphed my difference. Culturally, I could never relate to kids who’d grown up watching *Star Wars* or *Jurassic Park*; or whose parents taught them to appreciate *The Beatles*. My dad had no knowledge of these things and we didn’t have the money to seek them out. It wasn’t until I was an adult that I stopped caring that I never went to summer camp. I met other Asian Americans who helped me recognize that Asian American is an identity in itself and to appreciate the unique space we occupy. Even so, that sense of otherness has never gone away.

Hailyn: The societal current discourse has been focused on *overt* discrimination – the deplorable hate crimes and violence – and on the relative lack of Asian American and BIPOC representation in leading roles on film and TV. Far less attention has been given to the lack of our voices in leadership, in government, politics, and business. What’s missing from the current discourse is the ways in which *covert* discrimination – the biases, stereotypes, and assumptions we face – operate to make it exceedingly difficult for people of color to take up space in leadership.

Interestingly, Asian Americans are often overlooked when it comes to the discourse on covert discrimination. Because Asian Americans are perceived to have achieved relative success in school, in college admissions, and in entry into key professions, many believe that Asian Americans don't experience any barriers to success or any obstacles to their professional development. But the numbers tell a different story as shown by Justice Goodwin's study. In the legal profession we lack examples of Asian Americans in law firm leadership. The same is true for Corporate America. Recent studies by McKinsey demonstrate the representation of Asian Americans and people of color trends in a similar direction. This means that most people have never seen an Asian American give a closing argument in a major jury trial; most people have never seen an Asian American give a powerful, inspiring speech as the head of an organization, to say nothing of a statewide or national platform. The lack of Asian American representation in leadership continues to impede our ability to achieve equity and inclusion in the legal profession and in our nation.

Please share your thoughts around what it means for an Asian American to be an ally for social justice and inclusion.

Calimay: While I'm very proud of my career and the education I received from UCLA Law, I recognize that it feeds perfectly into the model minority myth. I know that there are those who view my career and accomplishments as proof that those with similar backgrounds should be able to do the same. I'm saddened by the recognition that my success perpetuates the harmful narratives that keep other members of my community from the support they need to succeed. It is therefore critical that Asian Americans actively push back against these narratives and the systemic and institutional racism they support. While I don't wish to speak for others, I will share that I strive to be an ally by speaking out against anti-Blackness and confronting the bias within the Asian American community that uplifting other minority groups harms Asian Americans. Specifically, I believe that support of affirmative action legislation and programs will ultimately benefit us all.

Hailyn: To be a true ally for social justice and inclusion, we must reject the notion that we're fighting for the same limited opportunities. The struggle for social justice and inclusion is not a zero sum game where the goal is to elbow others out as we grab a discrete number of seats at the table reserved for a select few by a white male majority. It is about removing barriers and creating more opportunity together. As Justice Ruth Bader Ginsburg said in response to the question of when will there be enough women on the Supreme Court: "When there are nine." We can achieve that only if we resist polarization. In this historical moment, as many of our white colleagues are asking Asian Americans how they can be allies, we as Asian Americans also need to be asking our BIPOC colleagues how we can be allies as we all work together toward a more just, equitable, and inclusive future.