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*State Bar of Georgia Young Lawyers Division*

# THE YLD REVIEW

Volume 62, Issue 4, September 2021

*Working for the Profession and the Public*



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## From the President

# A Year of #PurposeThroughService: The YLD's Leadership in a Time of Turmoil



**Bert Hummel**

In his often quoted statement about lawyers' duties, Thomas Jefferson said, "The study of law qualifies a man to be useful to himself, to his neighbors and to the public." In a nation now recovering from the most deadly and economically destructive health crisis of our lifetimes—while remaining in the grip of political, racial and social division—perhaps this is a time for those of us in the legal profession to heed the call for serving others, more than ever.

"Some believe our nation has never been more complex, polarized and siloed than now," writes Leah Teague, associate dean and professor of law at Baylor Law. "We need leaders who have vision, values, integrity and the ability to see beyond the narrow perspectives of one side. We need lawyers to step up and play more active roles in their communities."

For many Bar members—including judges, prosecutors, public defenders, office holders, city, county and state agency attorneys and others involved in government—public service is a daily, year-round endeavor. Some of us also devote an appreciable number of hours to pro bono legal service, which is an absolute must for low-income Georgians to receive legal presentation and have a fair shake in our justice system.

But those are by no means the only ways that lawyers can serve the public—as well as derive rewarding benefits from that service. Shayda Zaerpoor Le, writing for *Law Practice Today*, contends, "Even if you are engaging in community service that has absolutely nothing to do with legal representation at all, every hour that you spend out in your town or your city helps expand your relationship with the local community."

For the past year, the Young Lawyers Division of the State Bar of Georgia has kept our focus on doing just that. Under the social media hashtag #PurposeThroughService, our members have made the importance of public service, professionalism and leading by example a special emphasis during these trying times. At a time when our communities, profession and world needed leadership, young lawyers stepped up in a time it mattered most.

I want to take this opportunity to celebrate some of our achievements over the past 12 months to better serve the state and our local communities.

## Poll Worker Program

The YLD was able to recruit hundreds of attorneys to serve as much-needed poll workers and deputy registrars during the November 2020 General Election and January 2021 Senate Runoff. These Bar members risked their own health to ensure the ability of our democratic process to continue during

► SEE PRESIDENT, PAGE 6

The YLD Review seeks to provide a forum for the discussion of subjects pertaining to the regulation of the legal profession and improving the quality of legal services, as well as other matters of general interest to Georgia lawyers. The statements, views and opinions expressed herein are those of the authors and do not necessarily reflect those of State Bar of Georgia, its officers, Board of Governors, sections, committees or staff.

From the Editors

# Nine Tips for Attorneys During the Early Years of Practice



**Ashley  
Akins**

With the fortitude to complete law school and pass the bar exam, you're likely under no illusion that the hard work is behind you. To help fast-track your success, we've compiled our top tips for young lawyers, even in the remote environment:

## 1 Intentionally forge relationships.

## 2 Learn from those around you.

Your firm or organization undoubtedly has great lawyers, experienced paralegals and partners who know more than you do—maximize your access to their diverse approaches. Purposefully watch how different people attack the same task as you find or improve your style.

## 3 Ardently protect your well-being.

While everything seems important, it is as important to rest and restore yourself as it is to do “the important stuff.” Burnout impacts your ability to do the “important stuff” well.

## 4 Sometimes the best answer is the one someone else thought of.

Acknowledge that and give him, her or they credit. Do not tarnish your reputation or burn bridges for the short-term recognition.

## 5 You are responsible for your personal or professional development.

While it is wonderful to be supported by your firm or organization, remember this is *your* career.

## 6 Be a resource; offer to help.



**LaKeisha R.  
Randall**



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## 7 Ask for feedback and embrace constructive criticism.

Do not wait until your bi-annual or annual review. Routinely ask for feedback and improve—nothing worse than redlining an assignment and seeing the same mistakes again. Also, even if the criticism stings, try to avoid internalizing it.

## 8 It's never too soon to begin working on your business development skills.

## 9 Be kind to yourself.

Work hard, yes, but also give yourself grace to learn, explore your interests and pivot when needed. YLD

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From the Executive Director

# I Owe the YLD



**Damon E.  
Elmore**

Without question, one of the greatest honors of my professional career was to serve as president of the Young Lawyers Division in 2005-06. That service led to job opportunities, friendships that have endured to this day, growth in my full awareness of the practice and an opportunity to become conscious of more things Georgia.

That involvement and role as a YLD officer also allowed me to understand the value of the organization and the concrete contributions it makes to the Bar. One could say I owe the YLD. In my still-new role as the Bar's executive director, the officers and leaders of the division have been kind enough to allow space for me to share some thoughts with you, which I consider an effort to repay my debt to the YLD. In future editions, we will do three things.

First, we will be sure that you are aware of what is happening with the State Bar at large. There is a place for you to make contributions and be a significant part of the future of Georgia's legal community.

Second, we will highlight opportunities and share guidance designed to grow your career. As I looked back at past editions of *The YLD Review* and its previous iterations, that type of advice came from lessons learned and stories that were the perspective of many kind enough to make time to share their stories.

Finally, we will continue to tell the story of all Bar departments or programs that are available and provide value to members like you. For example, our Transition Into Law Practice Program is invaluable for brand-new Bar members. Through the mentoring program and continuing legal education requirement, TILPP helps ensure a smooth entry from law school and into the profession. Especially if you are in a solo practice or starting a small firm, our Law Practice

► SEE EXECUTIVE DIRECTOR, PAGE 19

# Hands Off My Cookies: U.S. Privacy Legislation and Financial Institution Compliance



**Earl R.  
King Jr.**

**As technology continues to advance and more transactions take place digitally, there is an ever-growing anticipation of consumer privacy.** In the United States, California led the way with passing the California Consumer Privacy Act of 2018<sup>1</sup> (CCPA). The CCPA created additional rights for consumers to protect their personal information. At a high level, the CCPA creates a duty for businesses to disclose what information they collect on consumers and how the business will use that information, to delete information about a consumer upon request, to give consumers the opportunity to “opt out” of their information being sold to third parties, and to not discriminate against consumers for exercising their new rights under the CCPA.

Just as consumers and businesses adapted to the changes of CCPA, which became effective on Jan. 1, 2020, a California ballot initiative proposed more restrictive guidance on consumer privacy which ultimately was passed in the California Privacy Right Act<sup>2</sup> (CPRA). The CPRA will become effective on Jan. 1, 2023. This article explores the similarities between the CCPA and other recently passed state privacy legislation, and how financial institutions must be careful when navigating the nuances of these new laws in light of pre-existing regulatory requirements.

Virginia Gov. Ralph Northam signed the Virginia Consumer Data Protection Act on March 2, 2021,<sup>3</sup> (VDCPA). The law goes into effect on Jan. 1, 2023. Much like the CCPA, the law regulates how companies access, use, store, share, disclose, or otherwise control or process their clients’ personal information. While this article focuses on privacy legislation in the United States, the



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VDCPA models much of its terminology after the European Union General Data Protection Regulation (GDPR). Colorado quickly enacted its own privacy legislation on July 7, 2021, the Colorado Privacy Act<sup>4</sup> (CPA). The Colorado privacy law goes into effect July 1, 2023.

While all of these laws differ, there are some similar main tenets within each. Consumers want to know what information you are collecting about them, why you are collecting that information and if you are sharing that information with third parties. With the added responsibilities placed on businesses, compliance with these new privacy laws and with regulations already in place may be a challenge.

Financial institutions are in a unique position because these entities must comply with federal laws, primarily the Gramm-Leach-Bliley Act of 1999<sup>5</sup> (GLBA), and a host of other state privacy regulations. A solace for entities that are required to comply with the VDCPA, CPA and CCPA, the soon to be CPRA, is that these privacy laws either exempt certain data, or

the financial institution in its entirety, subject to the GLBA.

The VDCPA and CPA both provide for entity level exemptions for financial institutions regulated by the GLBA.<sup>6</sup> Therefore, financial institutions, as defined by and subject to the GLBA, are exempt from complying with the VDCPA and the CPA. The CCPA does not provide for an entity level exemption for financial institutions or businesses that provide financial products or services as defined by the GLBA. The CCPA does exempt, however, certain types of information that are subject to the GLBA. Specifically, the CCPA does not apply to personal information “collected, processed, sold, or disclosed pursuant to the federal Gramm-Leach-Bliley Act, and implementing regulations . . . [.]”<sup>7</sup>

The plain reading of the statutes indicate CCPA’s protections apply to a broader set of personal information than the GLBA. The CCPA defines personal information to include any data that relates to, describes, could be reasonably linked, or is capable of being associated with an individual or

household.<sup>8</sup> The GLBA, in contrast, only applies to “personally identifiable financial information”—i.e., information that a consumer provides to obtain a financial product or service, that results from a consumer transaction, or is otherwise obtained in connection with providing a financial product or service.<sup>9</sup>

To determine what information is exempt under the CCPA, a financial institution will have to determine how and why they are collecting certain information. For example, the GLBA definition of personally identifiable financial information would not encompass information collected prior to a consumer’s application for a financial product or service, such as that collected through marketing campaigns and promotions, because such information is obtained while promoting, not providing, a financial product or service.

The GLBA explicitly applies to IP addresses and information collected through cookies when such information is obtained in connection with providing a financial product or service.<sup>10</sup> Accordingly, such information collected through webpages or mobile apps that allow consumers to access

their accounts or use financial products or services is exempt. However, the CCPA also applies to personal information that a business collects passively, such as IP addresses. This passively collected information is not subject to GLBA because it is collected outside of the context of applying for or providing a financial product or service. Accordingly, personal information collected by a financial services provider’s general webpages or through marketing promotions is not exempt from the CCPA.

As with most privacy and financial services regulations, application of the CCPA depends on the context in which the information is collected and shared. It is best practice that financial institutions perform a data mapping exercise to understand how information is being collected, why the information is being collected, where the information is being stored and with whom the information is shared. As you can see from the examples above, the same information (e.g., an IP address) may be exempt in one scenario, and not in another. It is fair to say, in some situations, consumers have the right to tell businesses, get your hands off my cookies! YLD

*Earl King is associate vice president and associate general counsel at Lendmark Financial Services in Lawrenceville and a graduate of the 2020 YLD Leadership Academy.*

## Endnotes

1. Cal. Civ. Code §§ 1798.100–.192 (West 2018).
2. Cal. Civ. Code §§ 1798.100 (2020).
3. The Virginia House of Delegates adopted the VCDPA, H.B. 2307, on January 29, 2021, and the Virginia Senate approved an identical companion bill, S.B. 1392, on February 5, 2021.
4. The Colorado Privacy Act was passed by the Colorado House of Representatives on June 7, 2021, and on June 8, 2021, S.B. 21-190 was re-passed (as amended by the House) by the Colorado State Senate.
5. Gramm-Leach-Bliley Act of 1999, Pub. L. No. 106-102, 113 Stat. 1338 (1999).
6. Virginia S.B. 1392 § 59.1-572(B); Colorado S.B. 21-190 § 6-1-1304(q).
7. CCPA § 1798.145(e).
8. *Id.* at 1798.140(o).
9. GLBA 12 C.F.R. §1016.3(q)(1).
10. *Id.* at §1016.3(q)(2).



## What is the Leadership Academy?

Founded in 2006, the Young Lawyers Division Leadership Academy of the State Bar of Georgia is a program for young lawyers who are interested in developing their leadership skills as well as learning more about their profession, their communities and their state.

## Who Should Apply?

YLD members who have a history of involvement and leadership in their communities, offices and/or profession; who want to become more involved in the YLD and State Bar; and, who want to network with state and national leaders and hear their perspectives on effective lawyering and leadership should apply.

**The deadline to apply for the 2022 Leadership Academy is Friday, Oct. 15.**

## ► PRESIDENT, FROM PAGE 2

a time when COVID-19 numbers were rising to their highest levels. Each Bar member who volunteered with their county's Board of Elections, completed poll worker training, worked at their local polling place on Election Day and donated their reimbursement check was eligible to receive six hours of CLE credit. This program has garnered praise from numerous groups including leaders in our state and across the country including the American Bar Association who named this program the top single program of any YLD Affiliate in the country.

### Public Interest Internship Program

Poll workers were asked to donate their poll worker salary to the YLD's Public Interest Internship Program (PIIP) to help continue to furnish grants to law students who complete an internship with a public interest organization. The PIIP Committee solicited applications for the summer 2021 PIIP grant from Georgia law students and recent graduates. This year, PIIP was able to award four grants, an increase over prior years due to the impact of the YLD Poll Worker Program. The additional grant will ensure that young lawyers or law students who dedicate their time to public service will earn a grant for their time and dedication.

### Wills Clinics

The YLD's Women in the Profession Committee hosted two separate month-long virtual Wills Clinic for teachers, nurses, first responders and other frontline workers in the fight against COVID. The committee teamed with Atlanta Legal Aid to prepare estate-planning documents for these professionals. All YLD volunteers met virtually with their clients. Around 100 volunteer attorneys drafted and executed estate-planning documents, each for at least one client.

### Legal Food Frenzy

The 10th annual Georgia Legal Food Frenzy ran for two weeks in April and was completely virtual again this year. The online fundraising total was more than \$934,000. Food banks can turn \$1 into four meals.

That translates into at 3.73 million meals for the 1.7 million Georgians that are food insecure. More teams than ever competed this year, a new fundraising record was reached and the competition proved once again that the Georgia legal community is committed to helping the public all across our state.

### Saturday Lawyer Program

The YLD sponsored the Atlanta Volunteer Lawyers Foundation's Saturday Lawyer Program. YLD members were recruited to assist low-income tenants facing eviction, poor housing conditions and other landlord-tenant issues via video or teleconference. Volunteers signed up for multiple clients during the program hours and were able to provide impactful results for a number of Georgians during their time of need.

### Record Removal Program

The YLD Community Service Projects Committee recruited attorneys to provide low bono services at the Record Restitution Clinic. During the clinic, attorneys assisted clients with criminal records in the Chatham County Judicial Circuit to expunge their records. The clinic was a partnership between Access to Justice, Georgia Justice Project, Georgia Legal Services Program and the State Bar. The impact of this program cannot be overstated, despite the minimal time commitment, as it removes obstacles for housing, loans, employment and access to a better future.

### Landlord-Tenant Law Week

The YLD Real Estate Law Committee observed Landlord-Tenant Law Week by hosting two virtual events. Erin Willoughby of Atlanta Legal Aid and Michael Dunham of Dunham Legal spoke about landlord-tenant law, landlord and tenant representation and the CDC-ordered continuance of evictions in Georgia. As we continue to navigate through the COVID-19 pandemic, we will see strained relationships between landlords and tenants as Georgians struggle to pay rent due to tense economic conditions. The YLD is committed to ensuring that the

process is fair for both landlords and tenants as novel legal issues arise in the midst and aftermath of this pandemic.

### Disaster Relief

The YLD Disaster Legal Assistance Committee also expanded its reach to meet the needs of those potentially affected by natural disasters. The committee established new contacts with the Georgia Emergency Management Agency (GEMA) and identified regional contacts to assist in delivering legal services to the communities in the event that a disaster struck. Perhaps more importantly, the YLD worked with the American Bar Association's Disaster Relief Committee to update our game plan, programming and procedures to better equip our citizens with information prior to a disaster hitting Georgia. We look forward to building the relationships with the state of Georgia and the American Bar Association to bring our citizens fast-acting relief in the event of a natural disaster.

### Moot Court and Mock Trial

The YLD has also worked with law schools across Georgia and the southeast to meet the need for virtual programming for advocacy programs such as moot court and mock trial. The YLD co-hosted the Region V National Moot Court Competition put on by the New York City Bar Association and the American College of Trial Lawyers. This nationally recognized program brings out the best competitors from law schools across the country in oral advocacy. The program was entirely virtual this year, and the YLD was able to recruit judges for every round to oversee the competition.

### Secret Santa & Holiday Giving

In December, the YLD held several charitable efforts to raise money and provide resources to those in our communities affected most by the pandemic. The YLD Community Service Projects Committee encouraged YLD members to be a "Secret Santa" for some of the 8,000 children and youth in foster care in Georgia through the Georgia

Division of Family & Children Services toy drive. Volunteers had the opportunity to give money online or purchase specific toys via a virtual shopping website. The YLD Leadership Academy Alumni Committee hosted a virtual trivia and reunion in March to raise money for “No Kids Hungry Georgia” in an effort to ensure Georgia children receive meals and nutrition during the pandemic.

### Pandemic Experiences

In March, the new YLD Speakers Bureau presented “Persevering the Pandemic: Young Lawyers’ Experiences with Life During COVID-19.” Members of the YLD Board of Directors discussed their personal experiences during the past year related to COVID-19, the election, social and racial injustice and quarantine, followed by small group break out rooms to foster further discussion. Participants had the option to listen to the experiences of their fellow young lawyers and were encouraged to share their own experiences to join in on the cathartic feeling of expressing themselves and discussing their own challenges.

### Judicial Bias CLE

In March, Dr. Ansley Booker, director of diversity and inclusion initiatives at Mercer

University, conducted a CLE on Bias in Judicial Proceedings. All YLD officers, directors, representatives and affiliate leaders were asked to attend to benefit from the implicit bias training and to enhance their consciousness of bias in judicial proceedings in an effort to better serve clients, communities and the profession. Several hundred young lawyers attended the session. After the CLE, the YLD Inclusion in the Profession Committee hosted breakout sessions that built upon the lessons from Booker’s presentation. Several leaders from the YLD served as breakout room facilitators to help foster positive and constructive conversations. The committee is also working on establishing a network of mentors for their members who can assist in their professional development.

### Attorney Wellness

The YLD continues to promote wellness at each of our general sessions and committee meetings. Not only have we encouraged participation in physical activities, the YLD has hosted speakers on wellness topics at a number of our meetings. Our programming is designed to remove the stigma associated with discussing mental health issues and to encourage participation in State Bar programs such as the #UseYourSix campaign, the Attorney Wellness Com-

mittee and other resources within the Lawyers Living Well program. Additionally, we offer monthly opportunities for wellness activities and *The YLD Review* has at least one article dedicated to wellness.

I would like to thank our YLD officers, directors, committee chairs and all young lawyers who stepped up in #PurposeThroughService to strengthen our communities, our organization, the legal profession and justice system. The Young Lawyers Division is filled with enthusiastic, capable and persevering lawyers who rose to the challenges presented by the past Bar year and allowed the YLD to reach new heights.

I also appreciate all of the support the YLD received this year from the bench and bar, as lawyers and judges alike lent their expertise to the benefit of our YLD members. That encouragement and mentorship is appreciated beyond measure and I hope that it continues in the years to come. It has been my distinct honor and privilege to serve with each of you. *YLD*

*Bert Hummel is a partner at Lewis Brisbois in Atlanta and president of the Young Lawyers Division of the State Bar of Georgia.*

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Bar of Georgia



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## Adulting 101

# How to Become Involved in an Organization



**Jena G.  
Emory**

**Many attorneys—especially young attorneys—are completely devoted to their job.** This is not necessarily a bad thing, and it is sometimes required of you as a young associate. If you are like me, however, you also want to live your life beyond your job. This can take many forms. Of course, having a family and friends are a given. No life is complete without them. But you should also join organizations, either professional, religious, or charitable, to expand your knowledge base and expose you to different people.

Obviously, I would highly recommend becoming involved in the YLD because I have loved being involved with and serving this organization. There are many benefits to joining an organization, such as the YLD, but it can also be daunting and overwhelming to begin with. This article is meant to provide you with a simple guide for becoming involved in a new organization.

## 1 Do Your Research.

Modern organizations should all have a website. Go to the website and research the organization. Find out its structure, who the current leaders are and what its goals are. For example, if you visit the YLD website it states on the front page that the YLD is “working for the profession and the public.” It also clearly lists the officers, executive council and the various committees. Each committee includes a paragraph summary of the committee’s goals. Simply, reading the website will tell you how the organization is structured and what it cares about. If you are lucky, the organization will include a section on its website discussing how to become involved. Check out the YLD website for an example of this. Once you have researched an organization online, you should be able to figure out what in-person or virtual events the organization puts on.



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## 2 Show Up.

Once you find an event you want to attend, show up. I normally attend events alone. It forces me to talk to new people and keeps me from becoming distracted from my goals. Some people prefer attending events with a friend, but it really depends on your personal preference. When you attend your first event, pay attention to what is happening at the event. Who appears to be in charge? What is the purpose of the event? Does the event appear to be well planned? Does the event seem to meet the espoused goals of the organization? Interact with the attendees of the event. Tell them that you are new to the organization and ask questions.

Every organization needs new members to grow. When you show up to an event as a new potential member of the organization, someone at that event is extremely excited that you are there and wants to meet you. Find that person and talk to them about the organization and ways you can become involved.

## 3 Talk to People.

During your first event, hopefully you had the opportunity to meet multiple people in the organization who can help you become involved. Take the initiative to ask those people to coffee or lunch. Let them know that you are interested in becoming involved in the organization and that you want to learn more. With these conversations, you should be able to learn not only the basics of the organization, but also how the organization works practically. Determine whether this organization appears to work together well or whether it is more adversarial.

## 4 Volunteer.

Just like every organization wants new members, every organization also wants volunteers. If you have decided that this is an organization you want to be a part of, volunteer for something. This could mean working as a volunteer at an event handing out pamphlets, being a speaker at a CLE, writing an article for a publication or helping plan events. Try to volunteer for positions where you can really serve the

organization with your strengths. There is immense value in simply showing up and doing what you say you are going to do.

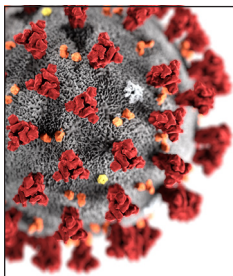
## 5 Commit.

After you have volunteered for the organization a few times, you should be able to determine whether it is an organization

you want to commit to. Do you feel this organization aligns with your personal beliefs or goals? Do you feel like the organization has welcomed you and appreciates your contributions? Do you want to attend this organization's events? If so, commit to the organization. Continue your relationship by talking to people, attending events, and volunteering. Over time, you should notice the

benefits and begin to enjoy the life that you have built for yourself outside of work. *YLD*

*Jena Emory is an associate at Copeland, Stair Kingma & Lovell, LLP, in Atlanta and serves on the YLD Board of Directors. She is a graduate of the 2020 YLD Leadership Academy.*



# COVID-19 UPDATES

The State Bar of Georgia and the YLD have resources available to you during the pandemic. Please visit [www.gabar.org](http://www.gabar.org) for more information or email any of the YLD officers.



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## AND THE WINNER IS . . .

The Young Lawyers Division of the State Bar of Georgia brought home TWO 2021 ABA YLD Awards of Achievement.

**Newsletter**  
(State—Division A)  
for *The YLD Review*

**Single Project: Service to the Public**  
(State—Division A)  
for the Poll Worker Program



# Congratulations, 2021 YLD Awards of Achievement Recipients!

The 2021 YLD Awards of Achievement were presented by YLD President Bert Hummel on Friday, June 11, at the State Bar of Georgia Annual Meeting in Charleston, South Carolina. The members of the YLD Board of Directors were also recognized for their service during the 2020-21 Bar year, and the 2020 YLD Leadership Academy *finally* received their graduation plaques after COVID-19 caused a delay in their schedule. YLD

## YLD Award of Achievement for Service to the Bar



Ashley Akins



Autumn Cole



Donavan Eason



LaKeisha R. Randall

## YLD Award of Achievement for Service to the Public



LaToya Bell



Jena Emory



Greenberg Traurig, LLP



Joe Habachy



Morgan Lyndall



Lindsey Macon



Veronica Rogusky



Jamie Rush

## YLD Award of Achievement for Service to the Profession



Audrey Bergeson



Chanel Chauvet



Carlos Fernández



Matthew Gettinger



Michelle Gettinger



Alexis Hamilton



Michelle Najm



Andy Navratil



Pam Peynado Stewart



Kate Reddy

## YLD Award of Achievement for Service to the YLD



Chris Bruce



Daniel Cole



Harry Dixon



Chase Elleby



Matthew Gettinger



Taylor Hanks



Hon. Margaret Head



Hon. Amanda Heath



JonVieve Hill



Sarah Jett



Chinny Law



Luke Moses



ShaMiracle Rankin



Mark Weaver

### Outstanding YLD Affiliate

Cobb County YLD  
Nicole McArthur, *president*Houston County YLD  
Brittany Bennett, *president*

### YLD Award of Excellence for Dedication to the YLD



Win Cook



Michael Geoffroy



Ana María Martínez



Henry Walker

### 17th Annual YLD Ethics & Professionalism Award



Pam Peynado Stewart

### Joe Dent Hospitality Award



Zack Howard

### Bert Hummel Profile in Courage Award



Will Davis



Lynn Garson



Ryan Germany



Javoyne Hicks



Kelsey Kicklighter



Jamie McDowell



Hon. Shondeana Morris



Hon. Wesley B. Taylor



Erica Taylor

### Griffin Bell Triumph in Leadership Award



Chief Justice Harold Melton



Dawn Jones



Darrell Sutton

### Ross Adams Award



Sharri Edenfield

### Distinguished Judicial Service Award



Hon. Keith Blackwell



Hon. Verda Colvin



Hon. Robert Leonard

### 2020 Leadership Academy Graduates

Nabila Abdulhafiz  
Austin Alexander  
Jana

Anandaragam  
James Banter

Alex Chan

Pat Darcey

Kyle Davis

Chase Elleby

Jena Emory

Carlos Fernández

Jackie Fortier

Megan

Glimmerveen

Donna-Marie Hayle

JonVieve Hill

Matthew

Hollingsworth

Virginia Josey

Earl King

Morgan Lyndall

Lindsey Macon

Michael Mannino

Samantha Mullis

Ashley Powell

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# 2021 Annual Meeting Photos

1. LaToya Bell, YLD Board of Directors, (left) received a Local and Voluntary Bar Activities Award from 2020-21 State Bar President Dawn M. Jones (right) for her work as president of the Houston County Bar Association.
2. 2020-21 YLD President Bert Hummel holds his youngest daughter, Harper, at the Opening Night Festival.
3. (L-R) Samantha Mullis, Justin Mullis, 2021-22 YLD President Elissa Haynes and Charlie Haynes stop for a photo at the Opening Night Festival.
4. Tawny Mack and Zack Howard are all smiles at the Presidential Inaugural Gala. Zack served on the YLD Board of Directors.
5. Justice Verda Colvin was the recipient of a Distinguished Judicial Service Award presented by 2020-21 YLD President Bert Hummel.
6. 2020 YLD Leadership Academy (L-R): Samantha Mullis, Autumn Cole (co-chair), Megan Wyss, Jena Emory, Riane Sharp, Jackie Fortier, Na'Tasha Webb-Prather, Austin Alexander, Virginia Josey, Morgan Lyndall, Megan Glimmerveen, Earl King, Megan Tuttle, Chase Elleby, Case Smartt, Kyle Davis, James Banter, Nicole McArthur (co-chair), Taylor Hanks (co-chair) and 2019-20 YLD President Will Davis.
7. Jamie McDowell and Morgan Lyndall at the Presidential Inaugural Gala. Both served on the YLD Board of Directors.
8. YLD Past Presidents (L-R): Sharri Edenfield, Will Davis, Hon. Rizza O'Connor, Jennifer Mock, Bert Hummel, Darrell Sutton, Donna Barwick, Bill Barwick, Jim Pannell, Nicole Leet and Damon Elmore.
9. The 2021-22 YLD officers are sworn in by Court of Appeals of Georgia Judge Sara Doyle (at podium). (L-R) Secretary Kenneth Mitchell Jr., Treasurer Brittanie Browning, President-Elect Ron Daniels, Newsletter Co-Editor LaKeisha Randall, Newsletter Co-Editor Ashley Akins, YLD President Elissa Haynes and YLD Immediate Past President Bert Hummel holding daughter, Mary Olivia "Mo."
10. 2019-20 YLD President Will Davis (left) received an inaugural Bert Hummel Profile in Courage Award from 2020-21 YLD President Bert Hummel (right).





# GABWA and the GABWA Foundation, Inc.'s, 2021 Virtual Glitter Gala and Auction: A Royal Affair



**Randi M.  
Warren**

On Saturday, Sep. 25, the Georgia Association of Black Women Attorneys (GABWA) and the Georgia Association of Black Women Attorneys Foundation, Inc. (GABWA Foundation) celebrated their 2021 Virtual Glitter Gala and Auction: A Royal Affair, while also recognizing GABWA's 40th Anniversary. The Glitter Gala and Auction is the signature fundraiser to support the important charitable work of the GABWA Foundation, a 501(c)(3) organization. All proceeds from the Glitter Gala & Auction benefit the GABWA Foundation's community programs. During the Glitter Gala and Auction, GABWA recognized outstanding individuals and organizations serving Georgia communities with the GABWA Founders Awards.

Forty years ago, in 1981, a group of visionaries founded GABWA to focus on issues that are pertinent to women and children, to increase Black female representation in the judiciary and public offices, and to take a proactive stance on political issues. GABWA has united hundreds of judges, politicians, lawyers and students alike who believe in GABWA's mission: to nurture, support and galvanize the power of Black women attorneys, advocate for women and children, and empower our communities.

Moreover, since 1983, the GABWA Foundation has financially supported philanthropic initiatives that impact the community. More specifically, the funds raised have allowed the GABWA Foundation to award more than \$470,000 in GABWA Foundation scholarships to deserving Georgia minority female law students since 2002. These scholarships provide resources



GABWA President ShaMiracle Johnson Rankin (center) and Glitter Gala Co-Chairs Tiffany Watkins (right) and Randi Warren (left).

to deserving law students during a time of need. GABWA Foundation scholarship recipients have gone on to become GABWA presidents, law firm partners, judges, community leaders and high achievers in the legal field.

In line with GABWA's legacy, President ShaMiracle Johnson Rankin has boldly proclaimed "GABWA is Q.U.E.E.N." for our 2021 theme and call to action. GABWA is Quintessential, Undaunted, Excellent, Empowered and Necessary. Certainly, GABWA earned each jewel in her storied crown from her founders, founding members and past presidents whose shoulders we stand upon as we embark on formidable paths illuminated by a legacy of greatness that we continue to build upon.

GABWA and the GABWA Foundation put the health and safety of our members, our supporters, and their families first. Due to the COVID-19 pandemic, we were unfortunately unable to host an in-person event this year. We planned a wonderful virtual program that kept attendees engaged with incredible musical performances and a stirring tribute to our dear GABWA and our beloved founder, Hon. Barbara A. Harris.

All proceeds raised for the 2021 Glitter Gala and Auction: A Royal Affair support the important initiatives of the GABWA Foundation, such as awarding GABWA Foundation scholarships to deserving minority female law students attending law school in Georgia; funding the Sister2Sister Mentoring Program®, an award-winning academy for at-risk teen girls in Fulton and DeKalb counties; providing wills at no cost to Georgia residents suffering from life-threatening illnesses and senior citizens through its Civil Pro Bono Wills Project; and the Community Health Fair in which the GABWA Foundation partners with the Center for Black Women's Wellness to provide health services to Atlanta's Mechanicsville community. We cannot continue such important efforts without your support and encourage you to make plans to attend the 2022 Glitter Gala & Auction and donate to the GABWA Foundation. *YLD*

*Randi Warren is the corporate transactions associate counsel with Aflac in Columbus and a 2017 graduate of the YLD Leadership Academy. She has also served on the YLD Board of Directors and on the YLD Representative Council.*

# The Future Looks Bright . . . and Virtual



**Erika  
Voreh**

**Throughout the COVID-19 pandemic, we have all had our worlds turned upside down.** While the COVID-19 pandemic is not over, there have been signs of hope for things returning to “normal.” The option of in-person events or meetings, with precautions, are an option once again. It feels like the grip of COVID-19, in which every day was filled with fear, uncertainty and grief, is finally starting to loosen. In the past few months, after I was vaccinated, I remembered what hope felt like again.

With these new feelings of hope, in the coming months the legal landscape will once again begin to shift. While we will see some things go back to “normal,” I believe COVID-19 will have a lasting change on the legal landscape.

I am a staff attorney in the Safe Families Office in the Fulton County Courthouse. Before COVID-19, our office acted primarily as a walk-in clinic to assist intimate partner abuse survivors file for temporary protective orders (TPOs). In Georgia, the TPO process has two steps: (1) ex parte tpo hearing and (2) evidentiary “twelve month” hearing.

Before COVID-19, in Fulton County, the entire ex parte TPO process would take place in-person. There was not widespread use of video conferencing technology to assist clients remotely. When the ex parte process was in person, it would typically take approximately three to four hours. The evidentiary twelve month hearing had similar circumstances. Twelve month hearings would take place in person, typically beginning at 9 a.m. with a massive calendar of about 30-40 cases. It was common for the hearings to continue into the late afternoon. Therefore, for either hearing, clients would essentially need to forfeit their entire day to be at the courthouse.

Spending several hours or an entire day at the courthouse for a legal proceeding is



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not unusual for clients or attorneys. I know we always talk about how expensive just showing up to legal proceedings can be for indigent clients, but I think we frequently fail to put a dollar amount to this issue. A conservative estimate for how much participating in the in-person TPO process costs survivors is approximately \$135. This is strictly the cost for survivors to drive and park at the courthouse, pay for childcare, miss a day of work and buy something to eat as they wait hours to complete this process.

However, the previous process was not just time consuming and costly, it also severely limited the clients we were able to help. Many Safe Families Office clients may have physical disabilities that make it extremely difficult or near impossible to physically come to the courthouse. Other clients may have different limitations such as lack of transportation, lack of childcare, inability to take time off work or reservations about coming into the courthouse or any area with a large law enforcement presence.

In the midst of COVID-19, the entire ex parte TPO process went fully remote. In lieu of coming to the courthouse, survi-

vors begin the process over the phone. A bulk of what Safe Families Office advocates performed in the office is now handled via phone calls and emails. The ex parte and twelve month hearings occur over Zoom. This process took a great deal of organization and patience. Our office has already seen the difference this process has had in increasing access to services and other benefits for indigent clients participating in legal proceedings.

One particularly powerful example of the benefit of remote services was helping a survivor obtain an ex parte TPO while she was trapped in the same house as her abuser. This survivor was able to barricade herself in different rooms of the house, but was unable to leave the home. With the in-person process, this survivor would have been completely at the mercy of her abuser until he allowed her to leave or until she was safely able to escape. The remote TPO process allowed the survivor to safely reach out to our office and appear, locked within her bathroom, for her ex parte TPO hearing. After her order was granted, the survivor

► SEE FUTURE, PAGE 19

# What Law Firms and Lawyers Can Do to Address the Rising Violence Against the Asian American Pacific Islander Community



**Raymond L. Tran**

It's been five months since a series of senseless mass shootings claimed the lives of eight members of our community. In May, the district attorney for Fulton County declared the attacks to be hate crimes based on the race and gender of the victims: Soon Chung Park, 74; Suncha Kim, 69; Yong Ae Yue, 63; Hyun Jung Grant, 51; Xiaojie Tan, 49; Daoyou Feng, 44; Paul Andre Michels, 54; and Delaina Ashley Yaun, 33. For AAPI attorneys, particularly in Atlanta in the aftermath of the shootings, the burden of balancing grief with an innate helplessness was immeasurable. Grief, for the loss of members of our community, in whom we saw our own mothers, aunts, and grandmothers. Helplessness, in knowing that there was nothing we could do but mourn and wait for the next tragedy, as anti-Asian hate crimes reach a historic peak in our nation. And guilt, for being able to carry on with our lives, and continue to measure the day by the billable hour as if nothing had changed. It was a painful duality to live in the wake of a tragedy, one that our Black colleagues knew all too well.

Diverse attorneys are used to crafting an air-tight, precise, faultless professional personality in order to avoid the varied combinations of racism, sexism and administrative violence within the workplace. It's an advanced form of code-switching, where our linguistics, demeanor, hair, tastes and even our laughs are crafted to suit what is expected in the workplace rather than who we really are. Our professional capacities are so practiced that they are second nature, and though exhausting, it's what we've had to do to survive. However, the narrative that Asian American Pacific Islander (AAPI) lawyers are deferential and "don't cause trouble"



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is a tough pill to swallow when our people are being beaten, brutalized and murdered in the streets. The trauma of our community naturally, and inevitably, bleeds into our professional selves. Our Black brothers and sisters have suffered the same. And if our law firms do not create a space for us to accommodate this new reality, if our employers do not provide the resources we need to protect ourselves, then we remain bare and vulnerable to the next attack in more ways than one.

For law firms and lawyers, the decision is no longer a moral obligation to "speak out" in the wake of tragedy. It is an investment in the survival of their employees, because all choices moving forward are decisions that will impact someone's life or someone's death.

In recognition of that truth, here are five action items for law firms to address the rising violence against the AAPI community.

## 1 Create Educational Opportunities and Resources

Pandemic-related violence has played a significant role in the recent surge of anti-Asian hate crimes. However, targeted attacks against the AAPI community are not a recent development. There is a long and nefarious history of systemic racism and violence against the AAPI community in this country. These histories are often overlooked or disregarded in how American history is taught across the nation.

Do you know the history of "cooliesm," how in the main text of *Webster's Dictionary* in 1848, cooly or coolie was an "Indian or Chinese laborer, hired locally or shipped abroad;" [and] coolieism was defined as the "importation of coolies as labourers into foreign countries...[i.e.] the systematic shipment and employment of Asian laborers on sugar plantations formerly worked by enslaved Africans."<sup>1</sup>

Do you know about the Chinese Massacre of 1871, where 17 members of the Los Angeles Asian community were lynched, but none of the perpetrators were convicted for their crimes? This event was considered to have killed 10 percent of the Chinese community at the time and was only one of numerous hate crimes against the AAPI community in the 19th century.

Did you know that the variants of the Chinese Exclusion Acts were in effect for 68 years, from 1875 to 1943, effectively barring immigration from all parts of the Asian sub-continent?

How much do you know about the Japanese Internment during World War II?

Do you know who Yuri Kochiyama is? How about Bhagat Singh Thind? Have you ever learned about Fred Korematsu?

All that to say, there is a *lot* to learn when it comes to AAPI histories. Law firms have the resources to create opportunities and spread awareness about the history of anti-Asian violence and AAPI activism in the United States. How can firms do this well?

- Collaborate with local, state or national Asian Pacific American bar associations to sponsor engaging and educational programs. For example:
  - In May 2021, in honor of Asian Pacific American Heritage Month, the Association of Corporate Counsel (ACC) and the Georgia Asian Pacific American Bar Association (GAPABA) teamed up to host “Racism & Bias: A Discussion of Asian Hate & Anti-Asian Violence.”
  - In July 2020, The National Asian Pacific American Bar Association (NAPABA) and Georgia Asian Pacific American Bar Association (GAPABA) partnered with Stop Repeating History to host “Asian Americans: From Allies to Accomplices, In Solidarity with Black Lives.”
- Provide access to existing resources for members of the firm. For example: share the NAPABA resource to Report a Hate Crime, which also serves as a pro bono legal assistance request. NAPABA also offers Com-

bat Hate Crimes Toolkits. Circulate the registration links for the COVID-19 Anti-Asian Violence Trainings, which include opportunities to sign up for “Bystander Training” or to enroll in IMPACT self-defense online courses.

- Make sure that non-AAPI members of the firm understand the gravity of the recent increase in Anti-Asian hate crimes. Not everyone in the world is plugged into the news or current events. An uninformed teammate could initiate situations that could be unintentionally triggering or traumatic for an AAPI colleague. Make available press releases and resources that could help employees understand the danger that AAPI peers face outside the office. Examples include:
  - A Rising Tide of Hate and Violence against Asian Americans in New York During COVID-19: Impact, Causes, Solutions
  - Report to the Nation: Anti-Asian Prejudice & Hate Crime
- Listen to your AAPI co-workers if they are comfortable sharing their experiences. Understand that when AAPI members of the firm are reaching out for help, and when they ask for support, the firm should do what it can to offer it. For example: creating a support group within the firm to talk about the rise of anti-AAPI violence, negotiating benefits to support family members of employees who may be victims of a hate crime, expanding benefits to include medical care or funeral expenses for a victim of a hate crime, etc.

## 2 Provide AAPI Attorneys the Opportunity to Represent the Community (In the Way That They Choose)

In April 2021, in response to the rising surge of hate crimes against the AAPI community, more than 45 law firms and 17 General Counsels from Fortune 500 companies announced the launch of the Alliance for Asian

American Justice. By joining this national coalition, allies commit to having their pro bono programs provide legal representation and advocacy to AAPI community members and victims of hate crimes. The first step big law firms can take is to join this national pro bono initiative as an ally.

For AAPI attorneys who are grieving the loss to their community, pro bono practices could be an opportunity to quell a sense of helplessness, while also serving as a call to action. Byung “BJay” Pak, partner at Alston & Bird, and former U.S. attorney for the Northern District of Georgia, shared how it was important to him personally to be able to represent the families of Suncha Kim and Yong Ae Yue in the aftermath of the Atlanta shootings.

“When the tragic events took place in our city, I knew it would be a media circus. But when the news broke that the victims were AAPI, I felt like I had to offer myself as a resource to these families. When you represent a client, you get close to them, you understand their pain and the impact life has had on them. Cultural representation is very important to offer that extra level of comfort along with advocacy. The families of the victims were of Korean descent, and so am I, and I wanted to be there for them.”

But beyond representing just hate crime victims, there may be other matters AAPI lawyers want to get involved in to support the community. AAPI lawyers should not be limited to providing legal support only in the wake of a tragedy or violence. Law firms, through their pro bono partners and diversity and inclusion chairs, should be open to dialogue when an attorney says: “I’d like to support my community by doing x.”

“Law firms should allow us AAPI lawyers to develop our own pro bono legal matters. We should be able to redefine what pro bono looks like to us,” BJay Pak said. “For our mental health in these trying times, and also for life satisfaction, AAPI lawyers should be able to do something that adds value to their practice. Pro bono could be a tool that goes towards retention and happiness of lawyers. So, AAPI lawyers have to ask for what we want, we need to look at ourselves—is there anything we could be

However, the narrative that Asian American Pacific Islander lawyers are deferential and “don’t cause trouble” is a tough pill to swallow when our people are being beaten, brutalized and murdered in the streets. The trauma of our community naturally, and inevitably, bleeds into our professional selves.

doing? Is there a way that we, as a community, can raise each other up?”

And when attorneys are ready to make that ask, firms should be willing to listen and support.

### 3 Invest Money in Funds and Programs Established to Combat Anti-AAPI Violence and Hate Crimes

This one is easy. Here is a list of funds to which law firms may contribute.

- AAPI Crime Victims & Education Fund, by The Georgia Asian Pacific American Bar Association (GAPABA) Law Foundation
- Asian American Action Fund
- Stand with Asian Americans, in partnership with Asian Pacific Fund
- Alliance for Asian American Justice
- Stop AAPI Hate
- Asian Americans Advancing Justice

Bonnie Youn, a GAPABA Law Foundation Board Member, was active in establishing the AAPI Crime Victims & Education Fund (Fund) and shares why it is important to invest in these resources. “Although we have seen a huge spike in anti-Asian hate crimes and violence, a substantial percentage remain under-reported, and past incidents especially have not received as much media coverage. Many AAPI victims, for a myriad of reasons, are reluctant to come forward publicly about their stories and suffering. This Fund is a way for us to financially assist victims and their families confidentially when access to traditional victim compensation resources run out. Moreover, harmful stereotypes and perceptions of the AAPI community continue to fuel these attacks. The Fund’s purpose is also to support education and training programs aimed at disrupting problematic nar-

ratives to prevent anti-Asian violence and bias incidents.”

BJay Pak currently serves as co-chair for the Fund.

### 4 Re-Evaluate the Perceptions and Stereotypes That Your AAPI Colleagues May Be Battling on Their Own. Help Change the Narrative.

When I was a kid, report card after report card listed me as the most hard-working, obedient student in class but “quiet” in class, “introverted” by nature. But the way I remember fifth grade, my biggest accomplishment was that I raised my hand to answer all but three questions my teacher asked *in the entire year*. One year, my parents complained that I invited the entire grade to my birthday party. The stark contrast between how the world saw me and how I saw myself is now a narrative that many AAPI comedians use to sell their dark humor on Netflix.

The narrative did not change decades later, when big law firms I worked for began to describe me as “diligent” and “having a pleasant personality” in reviews. Once when I, in an effort to be efficient and mindful of people’s time, provided feedback during a one-on-one coffee instead, I was told: “you give the impression that you are a wallflower during meetings. You should speak up more.” As a summer associate, despite participating in all the same social engagements as my peers, I was the only one asked to explain the rumor that “I was never in my office and always socializing.” The stereotype that I am expected to be quieter and more introverted than my peers continues to pervade the sort of feedback I receive as a rising attorney.

In truth, AAPI attorneys have previously reported that “being perceived as hardworking, responsible, logical, careful,

quiet, introverted, passive, and awkward . . . [are] stereotypes [that] permeate their experiences as lawyers.”<sup>2</sup> In the wake of rising violence brutalizing the AAPI community, law firms need to reevaluate the narratives that AAPI attorneys are forced to confront within the firm’s own hallowed halls. How can firms do this effectively?

- Conduct an anonymous survey to assess and address the types of stereotypes attorneys have been forced to navigate within the office
- Share articles and resources from reliable sources that may help firm leaders engage in constructive conversations with their colleagues and mentees. For example: A Guide to Combating Anti-Asian Racism—From Relationships to the Workplace.
- Firm leaders, if they can create a safe space for mentees to share feedback openly, should ask AAPI co-workers about their experiences. Do AAPI associates feel sufficiently mentored in comparison to their peers? Do they have the proper tools accessible to them to aspire for their chosen career trajectory? Do AAPI partners feel properly supported to effectively build business for the firm? Ensuring that the path to partnership or career growth for an AAPI attorney is free of subtle roadblocks is an effective way to combat pervasive stereotypes in the workplace.

### 5 Check In With Members of Your Team.

Call your colleagues, ask them how they are doing. Offer to take a teammate out to lunch or coffee. Give your AAPI co-workers the opportunity to take time off, if possible. Offer to take some pressing matters off their

plate temporarily, if it means they can spend a few extra hours with their loved ones. If it is not pressing, tell them it is okay to wait until after the weekend to respond to that client email. Your AAPI colleagues need to hear that you care and that you will support them in these trying times. Whether or not they take you up on these kind offers, even the smallest gesture from you will be appreciated. Your kindness could help them battle the darkness and rekindle a hope for humanity and community that has been lost to recent violence. YLD

*Raymond Tran is an associate in the Atlanta office of Seyfarth Shaw LLP and a graduate of the 2020 YLD Leadership Academy.*

## Endnotes

1. Moon-Ho Jung. Outlawing “Coolies”: Race, Nation, and Empire in the Age of Emancipation, 679.
2. A Portrait of Asian Americans in the Law, The Practice, Center on the Legal Profession, Harvard Law School, <https://thepractice.law.harvard.edu/article/a-portrait-of-asian-americans-in-the-law/>.

## ► EXECUTIVE DIRECTOR, FROM PAGE 3

Management Program aims to help all Georgia lawyers with guidance on office management, technology, finances, organization, library materials and more. And I encourage all Bar members to check out Georgia Lawyers Living Well, our attorney wellness initiative designed to help meet the mental, physical and social well-being challenges of the busy lives that come with a demanding profession.

I encourage you to go to [gabar.org](http://gabar.org) and check out all of our many member programs,

services and benefits. They are there to help you at any stage of your career. At the same time, the Bar staff is at your service when you have a question or need assistance.

I look forward to seeing you at a future event. I have been in your shoes and am eager to know your thoughts, needs, suggestions and feedback. Never hesitate to reach out to me at [damone@gabar.org](mailto:damone@gabar.org). YLD

*Damon Elmore is the executive director of the State Bar of Georgia and served as the 2005-06 YLD president.*

## ► FUTURE, FROM PAGE 15

was able to have police serve and evict the abuser that same day. This inspiring story was able to happen solely because of remote proceedings (and the hard work of courthouse staff, the judge and advocates).

Remote proceedings not only allow access to legal services in dangerous, life-threatening situations they also increase access to all those in the community who would otherwise be unable to participate. The cost to participate and time commitment for attorneys and clients decreases significantly. With remote proceedings, there is no paying \$20 for parking downtown or waiting hours for your case to be before the court. Remote proceedings have allowed courts to operate in a much more time efficient manner. For survivors, other clients and even witnesses, the hurdle for participation has lowered significantly. A proceeding that previously would have required a

survivor to afford childcare and missing a whole day off work now allows the survivor to take care of their child during court and request less time off work.

Remote proceedings are not perfect. Concerns have been raised about various aspects of presenting a case over Zoom and safety concerns for survivors—like the abuser being in the same location during the hearing—cannot be ignored. However, I envision the best plan of action moving forward would be to incorporate a hybrid model combining both in-person and remote elements into the process. As we shift back to “normal,” we must keep in mind all the benefits of virtual hearings and services and incorporate these elements into the new, improved normal. YLD

*Erika Voreh is a staff attorney at the Safe Families Office with the Atlanta Volunteer Lawyers Foundation.*



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