

# BD Voices of Excellence

*This edition of Voices of Excellence looks at Asian American and Pacific Islander (AAPI) Heritage Month, which is an annual celebration during the month of May that recognizes the important historical and cultural contributions—from science and medicine to literature and art to activism and law—of individuals and groups of Asian and Pacific Islander descent to the United States. People of Asian or Pacific Islander descent comprise about 7 percent of the total US population, according to the Pew Research Center, and this group continues to grow.*

*This year's Asian American and Pacific Islander Heritage Month theme, which is determined by the Federal Asian Pacific American Council (FAPAC), is "Advancing Leaders Through Collaboration." Throughout the month of May, the FAPAC encourages local and national governments to prioritize collaboration, development, diversity, transparency, and inclusion through leadership training of AAPI people.*

## QUOTE OF THE QUARTER

*"When you learn something from people, or from a culture, you accept it as a gift, and it is your lifelong commitment to preserve it and build on it."*

—Yo-Yo Ma,  
French-born American cellist



## Asian American and Pacific Islander Heritage Month

By [Caitlyn Ford](#), Associate

[May is AAPI Heritage Month](#), which celebrates AAPI persons in the United States. The AAPI community consists of people from all of the Asian continent's countries and the Pacific islands of Melanesia, Micronesia, and Polynesia.

AAPI Heritage Month originated in the US Congress, when New York representative Frank Horton introduced House Joint Resolution 1007, which proclaimed the first 10 days of May as Asian/Pacific American Heritage Week. The resolution was passed, then signed into law by President Jimmy Carter in 1978. In 1990, Congress expanded the observance to a month, and then, in 1992, officially designated May as Asian/Pacific American Heritage Month. In 2009, it was renamed AAPI Heritage Month.

The month of May was chosen to commemorate two important events in AAPI history: the arrival in the United States of the first Japanese immigrants on May 7, 1843, and contributions of Chinese workers to the building of the transcontinental railroad, which was completed on May 10, 1869.



## Asian American and Pacific Islander Heritage Month Holidays and Celebrations

by [Margaret Talt](#), Associate

During the month of May, many AAPI organizations commemorate and honor AAPI heritage by planning programs that celebrate AAPI history and culture and advocate for people belonging to the AAPI community facing xenophobia, prejudice, and discrimination. Educating people about AAPI art, culture, and cuisine fosters dialogue connecting people to effect change, increase activism, and emphasize racial equality. Last year, many organizations held online events, lectures, and panel discussions to discuss the many hardships the AAPI community has faced and continues to face. One of the online events, "Culinasia," explored Asian food legacies and the future of Asian food in the United States, as cuisine from Asian diasporas continues to enrich the lives of Americans. The National Asian Pacific American Women's Forum held a three-part speaking series that began on May 3 to bring visibility to AAPI women. Other local organizations sponsored free dance classes to teach traditional dances such as *Kathak*, which is one of India's main forms of classical dance-drama.

The month of May is peak travel time for Asian Americans, Pacific Islanders, and Americans to travel to Asia and vice versa. This is due to the many holidays celebrated in May throughout Asia, such as Labor Day, which is celebrated on May 1 in China, Vietnam, Hong Kong, Indonesia, Singapore, Cambodia, Malaysia, Myanmar, and Laos. In Japan, the end of April through the first week of May is known as Golden Week due to four national holidays occurring within those seven days. This year, Golden Week started on Friday, April 29, and ended on Thursday, May 5. Golden Week ends with the celebration of Children's Day, which is also called Boy's Festival, on May 5, which is when parents pray for the health and success of their sons. They hang carp-shaped streamers and display samurai dolls. In some countries, like Sri Lanka, Nepal, India, Bangladesh, and Malaysia, May is the month of Buddha's birthday. Last year, on May 26, 2021, the White House celebrated Wesak, the Buddhist New Year festival celebrating the birth, enlightenment, and death of the Buddha on the full-moon day of the lunar month Vesakha, which falls in April or May, for the first time in history.

## 2022 DIVERSITY PARTNER COMMITTEE MEMBERS



[Sheila Gaddis](#), Chair  
Rochester



[Zach Forward](#)  
Syracuse



[Jerry Mackey](#), at Large  
Rochester



[Bob Heary](#)  
Buffalo



[Jen Leonardi](#), Pro Bono at Large  
Buffalo



[Penny Mason](#)  
Major Markets



[David Cost](#)  
Albany



[Mark Whitford](#)  
Rochester

## The Rise in Anti-Asian Sentiment Since COVID-19



By [Caitlyn Ford](#), Associate

While racism against Asian Americans has deep roots in the United States, experts found the recent, significant spike in hate attacks toward people in the AAPI community is largely attributable to political rhetoric surrounding the COVID-19 pandemic and geopolitical tensions with China. However, the 10,905 hate incidents reported since March 19, 2020, have been spread across all AAPI communities. James Mulvaney, a professor at John Jay College of Criminal Justice and the former deputy commissioner of New York State's Division of Human Rights, said the use of terms such as "China Virus," "Kung Flu," and "Wuhan Flu" by elected officials "gave people license to misbehave." "[I]t's a short step from hate speech to hate crime, from targeting someone verbally to all of a sudden targeting them physically," he said. Professor Brian Levin, director of Cal State's Center for the Study of Hate and Extremism, said data repeatedly shows a direct correlation between the use of stigmatizing language and hate crimes. Please review these [allyship and educational resources](#) to help stop AAPI hate in your community.

### Anti-Asian attacks spiked during the COVID-19 pandemic

After three decades in which there was an average of 8.1 anti-Asian attacks a year in the U.S., 2020 and 2021 saw an average of 81.5 anti-Asian attacks a year. Both attacks on people and attacks on property rose considerably.

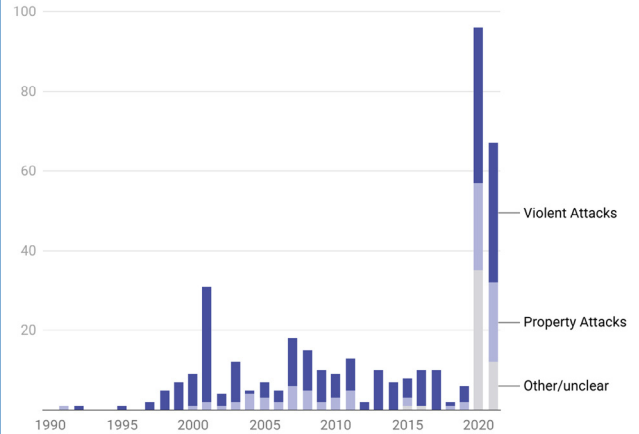
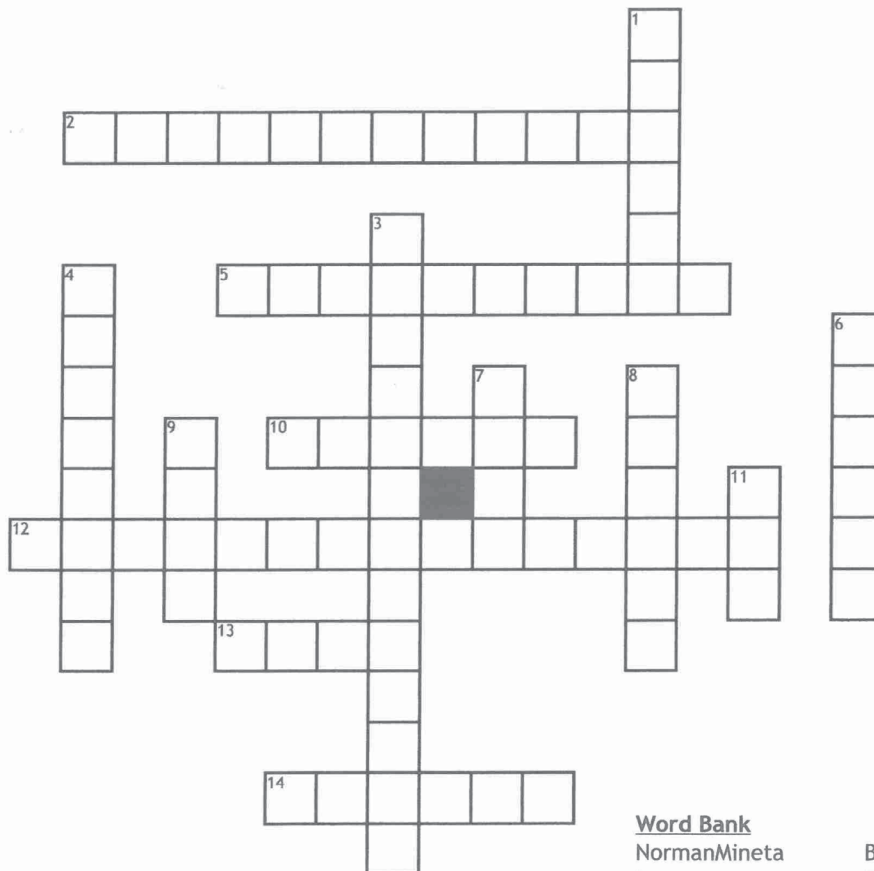


Chart: The Conversation, CC-BY-ND • Source: Development Services Group

## Asian Pacific American Heritage Month



### Across

2. The first Asian-American cabinet member. 2 words.
5. 2001-09 labor secretary who was the first female Asian-American cabinet member: 2 words.
10. Homeland of film director Ang Lee
12. Japanese-American to receive a Medal of Honor from President Dwight Eisenhower. 2 words.
13. U.S. president who signed a law to pay \$20,000 to each survivor of World War II Japanese internment camps.
14. \_\_\_\_ Chung, first Asian-American to be a nightly news anchor for a major network.

### Down

1. State in which Thelma Buchholdt was the U.S.'s first female Filipino-American legislator.
3. First Asian-American to enlist in the U.S. Navy in 1863. 3 words.
4. First Chinese student to graduate from a U.S. university (Yale, 1854): 2 words.
6. Burlingame \_\_\_\_ (1868 document that encouraged Chinese immigration to the U.S.)
7. Washington's \_\_\_\_ Locke, first Chinese-American governor.
8. Hawaii's Daniel \_\_\_\_, first Japanese-American senator.
9. One of the countries from which immigrants began to arrive in the U.S. after the Vietnam War.
11. Louisiana's Joseph \_\_\_\_, first Vietnamese-American congressman.

### Word Bank

NormanMineta  
Inouye  
YungWing  
HiroshiMiyamura

Bush  
ElaineChao  
Laos  
WilliamAhHang

Cao  
Alaska  
Treaty

Connie  
Taiwan  
Gary

## Pro Bono Corner

### ***Fee Credit Program for Approved DEI Activities***

Remember that associates, counsel, and paralegals can take advantage of the Fee Credit Program for Approved DEI Activities. The policy, which came out in summer 2020, supports and promotes Barclay Damon's commitment to diversity, equity, and inclusion; solicits engagement; and documents execution of DEI activities. Under the policy, eligible attorneys and paralegals can record up to 10 hours annually for approved DEI activities and will receive billable hour and fee credit in the same manner and as part of the existing budgeted pro bono fee credit system. Like with the shadowing and pro bono credits, year-end performance will evaluate associate, counsel, and paralegal contributions as transparent billable time (no separation or demarcation) and fee receipts. Eligible attorneys can still receive credit for a total of 75 pro bono hours or a mix of 65 pro bono hours and 10 DEI hours. Similarly, paralegals can receive credit for a total of 20 pro bono hours or a mix of 10 pro bono hours and 10 DEI hours. If you have any questions regarding the Fee Credit Program for Approved DEI Activities, please contact [Jen Leonardi](#) or your office's diversity partner.

### ***100 Percent Pro Bono Participation for the Fifth Year in a Row***

In 2021, for the fifth year in a row, every one of Barclay Damon's full-time attorneys provided pro bono legal services to low-income individuals in need of legal assistance and organizations serving those seeking access to justice. This year, for the first time ever, 100 percent of the firm's full-time paralegals participated as well. This stellar news was reported by Law360 Pulse in "Barclay Damon Boasts Pro Bono Work by All Attys, Paralegals."

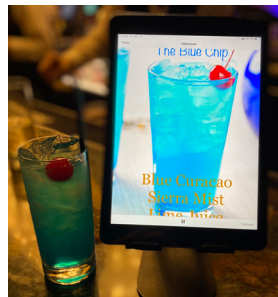
### ***New York State Bar Association Empire State Counsel® Law Firm Honoree***

Barclay Damon was named by the New York State Bar Association an Empire State Counsel® law firm honoree for the firm's pro bono work in 2021. On January 27, 2022, [Jen Leonardi](#), the firm's new pro bono partner, who took over the role from [Corey Auerbach](#), attended the New York State Bar Association's annual Justice for All ceremony to accept the award on behalf of the firm.

## Office Updates

### ***American Bar Association Well-Being Pledge***

Recognizing that substance use and mental health problems represent a significant challenge for the legal profession and acknowledging that more can and should be done to improve the health and well-being of the members of our legal community, Barclay Damon has once again reaffirmed its support for the American Bar Association's Well-Being Campaign. The campaign includes a commitment to adopt and prioritize the Well-Being Pledge, which is a [seven-point framework](#) for building a better future. As part of this commitment, Barclay Damon has taken steps to challenge the status quo of drinking by de-emphasizing the expectation of alcohol at events. At the March retreat, we worked with Turning Stone Resort Casino to create and offer a non-alcoholic drink called "The Blue Chip," which was a mix of non-alcoholic blue Curaçao, lemon-lime soda, and lime juice.



### ***New York State Bar Association Diversity Symposium and Awards Ceremony***

Barclay Damon was a sponsor of the New York State Bar Association (NYSBA) Diversity Symposium and Awards Ceremony on April 1, 2022. The NYSBA Committee on Diversity, Equity, and Inclusion presented a demonstration argument of *US v. Vaello-Madero*, which was followed by the awards ceremony and diversity reception.

### **ALBANY**

On April 29, 2022, [Dena DeFazio](#), associate, presented on a panel titled "A Primer on Gender Identity and Pronoun Usage" at the American Bankruptcy Institute (ABI) Annual Spring Meeting in Washington DC. The panel presented on current trends related to gender identity and pronoun usage, workplace liability issues, and more. The panel was presented by ABI's Diversity Working Group and was the very first diversity, equity, and inclusion panel hosted by ABI.

### **BUFFALO**

#### ***Oliver Young Named 2022 IDEA Award Winner***

[Oliver Young](#), of counsel, was named a 2022 IDEA (Inclusion Diversity Equity Awareness) Award winner by *Buffalo Business First*, joining educators, entrepreneurs, and attorneys as honorees.



Fifteen people and seven organizations were chosen from nearly 50 nominations for championing diversity and inclusion. Oliver received his award at a ceremony held on February 17, 2022.

*Continued on page 4*



## Office Updates continued

### BUFFALO continued

#### UB Law Students of Color Dinner

On April 14, 2022, [Oliver Young](#), of counsel, [Corey Auerbach](#), partner, [Ali Fatmi](#), associate, [Bob Heary](#), partner, and [Brendan Diaz](#), summer associate, attended the University at Buffalo School of Law's 31st Annual Students of Color Dinner, which celebrates the graduation and achievements of the third-year members of the Black Law Students Association, the Latin American Law Students Association, and the Native American Law Student Association. At the dinner, the Students of Color Committee awarded the Monique E. Emdin Award, which is given to a graduating law student who exemplifies the characteristics of the late Monique E. Emdin, a 2007 graduate of the law school and a former associate at Barclay Damon. This was the 13th year that the award has been given at the Students of Color Dinner.



This year's award was presented to Shakierah Smith, a native of Rochester, New York, and first-generation college student who completed her undergraduate degree at the Rochester Institute of Technology. Shakierah is the first diversity, equity, and inclusion editor for the *Buffalo Law Review* and is a founding member of the recently formed First Generation Law Students Association. Read more about the Monique E. Emdin Award [here](#).

### BOSTON, MA | NEW HAVEN, CT | NEW YORK, NY

#### University of Chicago Diversity + Inclusion Summit

On February 3, 2022, [Janice Grubin](#), partner, participated in a panel during the University of Chicago's Career Advancement Employer Panelist Event Briefing at its Diversity + Inclusion Summit. The overall theme was "Advocating for Yourself and Understanding Your Rights in the Workplace." Janice and co-panelist Amber Bennett of Mayer Brown focused on advocacy. The event was intended to provide University of Chicago students with the opportunity to learn more from employers in their fields of interest.



#### Office Inclusion Lunches

As part of our Inclusion Initiative, the New Haven office holds an all-hands lunch every Thursday at 12:30 p.m. There is no agenda; it is completely

social and participated in by everyone in the office that day. Some people who work remotely most days often come in to join. Anyone visiting from the firm's other offices is welcome to attend. This photo from February 24, 2022, shows a typical Thursday lunch.

#### Massachusetts Law Reform Institute's 2022 Catalyst for Change Event

Barclay Damon—through [Stephen Oleskey](#), of counsel and a member of the Massachusetts Law Reform Institute's (MLRI) Leadership Committee—was a sponsor of the MLRI's Catalyst for Change 2022 event. The event on April 28, 2022, raised over \$160,000 to support MLRI's Race Equity Project, which undertakes advocacy in collaboration with community partners to address and dismantle racial disparities and racialized policies and

practices that disadvantage the commonwealth's communities of color.

### ROCHESTER

#### 2022 World of Inquiry Capstone Project

As part of the Rochester office's Diversity Leadership Team's continuing Pipeline Initiative, representatives from the Rochester office participated in the World of Inquiry School (WOIS) Senior Capstone Project. Before graduation, WOIS seniors explore a topic of interest in depth and develop a related project that contributes to the community. Barclay Damon will be involved further in the Senior Capstone Project as it develops throughout the school year, culminating in a final presentation of each project in May.

#### Rock Your Socks Day

To show our support for World Down Syndrome Day on March 22, 2022, the Barclay Damon team wore bright-colored socks as part of the Rock Your Socks campaign. The #RockYourSocks slogan was chosen because chromosomes resemble socks and having three copies of chromosome 21—instead of two—is as unique as wearing mismatched socks.



### SYRACUSE

#### Wear Red Day

On February 4, 2022, attorneys and staff in the Syracuse office supported the American Heart Association by wearing red to increase women's

heart health awareness and serve as a catalyst for change to improve the lives of women globally. Barclay Damon Tower was also lit up red for the occasion.

#### Ronald McDonald House Charities of Central New York: President of the Board of Directors

[Alan Peterman](#), partner, was named president of the board of directors of the Ronald McDonald House Charities of Central New York. He has been a member of the board for five years and most recently held the position of first vice president.

#### Happy International Women's Day!

On March 7, 2022, Barclay Damon Tower was lit up purple to recognize International Women's Day on March 8 and to celebrate March as Women's History Month.

#### Barclay Damon Shines Light on Problem Gambling

On March 8, 2022, Barclay Damon Tower was lit up yellow to recognize March as Problem Gambling Awareness Month.

#### Barclay Damon Supports Ukraine

To show our support for Ukraine, Barclay Damon Tower was lit up yellow and blue on March 9, 2022. Attorneys and staff throughout Barclay Damon's offices also raised money for Ukrainian relief organizations. The heroism, strength, and passion of the Ukrainian people has been nothing short of extraordinary and an inspiration to all of us. We are unified in our desire for peace to be swiftly restored.

