Filipinos on the Bench: Challenges and Solutions for Today and Tomorrow's Generations*

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In the U.S., Asian ethnic groups tend to be lumped together despite wide variances in their histories, cultures, and challenges. Here, we examine the particular challenges faced by one Asian ethnic group—Filipino Americans—as it pertains to representation on the bench.

Introduction

In order to cultivate a set of leaders with legitimacy in the eyes of the citizenry, it is necessary that the path to leadership be visibly open to talented and qualified individuals of every race and ethnicity. All members of our heterogeneous society must have confidence in the openness and integrity of the educational institutions that provide this training. . . . Access to legal education (and thus the legal profession) must be inclusive of talented and qualified individuals of every race and ethnicity, so that all members of our heterogeneous society may participate in the educational institutions that provide the training and education necessary to succeed in America.[1]

Justice Sandra Day O'Connor, writing for the majority in the landmark case *Grutter v. Bollinger*, highlighted the importance of diversity in higher education and the legal profession. While the legal landscape is much more diverse today, there is still significant room for growth.

On May 27, 1981—just a little over twenty years before *Grutter* was decided—California Governor Jerry Brown appointed the only Filipino judge in the entire western hemisphere, Judge Mel Red Recana.[2] On June 31, 1981, Governor Brown swore in Judge Recana at a crowded MacArthur Park in front of the

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1. Grutter v. Bollinger, 539 U.S. 306, 332–33, 123 S. Ct. 2325, 2341 (2003).

2. E-mail from Judge Mel Red Recana, to Serafin Tagarao (Dec. 30, 2015, 09:53 PST) (on file with author) [hereinafter Recana].

Filipino Americans celebrating Philippine Independence Day.[3] Over thirty years since Judge Recana was first appointed, and over ten years after the decision in *Grutter*, Filipino Americans have made tremendous strides in the judiciary. Important milestones include: the appointment of the first Filipina Chief Justice of the California Supreme Court, Chief Justice Tani Gorre Cantil-Sakauye;[4] the appointment of the first Filipina judge to a federal court, Judge Lorna G. Schofield, U.S. District Court, Southern District of New York in 2012;[5] the appointment of Judge Rob B. Villeza in 2014;[6] the election of Judge Teresa P. Magno in 2014;[7] and the 2015 appointment of Judge Julian Recana to the Los Angeles Superior Court by the very same Governor Brown who appointed his father thirty-four years earlier.[8]

But while Filipinos have made great strides, there remains much room for growth. This article calls for increased diversity on the bench, examines the challenges faced by Filipino Americans in achieving positions as judges, and suggests possible solutions the legal profession can implement to increase the number of qualified diverse candidates to the bench.

I. The Current State of Asian Americans and Filipino Americans in the United States

Since 2000, the Asian[9] population has experienced explosive growth, increasing more than four times faster than the total U.S. population, from 10.2 million in 2000 to 14.7 million in 2010.[10] The Filipino population grew to 3,416,840 residents, representing the second largest Asian group behind the Chinese at 4,010,114 residents.[11] Of all the states, California experienced the highest growth in the Asian population, growing from 4.2 million in 2000 to 5.6 million in 2010.[12] Filipinos

3. *Id.*

4. *About the Chief Justice*, Cal. Cts.: The Jud. Branch of Cal., http;//www.courts.ca.gov/13338.htm (last visited Sept. 1, 2016).

5. *History of the Federal Judiciary: Biographic Directory of Federal Judges Schofield: Lorna Gail*, Fed. Jud. Ctr., http://www. fjc.gov/servlet/nGetInfo?jid=3451&cid=999&ctype=na&instate=na (last visited Sept. 1, 2016).

6. *Governor Brown Appoints Six to Los Angeles County Superior Court*, Office of Governor Edmund G. Brown Jr. (Nov. 12, 2014), https://www.gov.ca.gov/news.php?id=18782.

7. *Los Angeles County Election Results: June 03, 2014—Statewide Direct Primary Election: Final Official Election Returns,* L.a. County Registrar-Recorder/County Clerk (June 25, 2014, 1:20 PM), http://rrcc.co.la.ca.us/elect/14062043 rr2043p17.htm.

8. *Governor Brown Appoints Eight to Los Angeles County Superior Court,* Office of Governor Edmund G. Brown Jr. (July 16, 2015), https://www.gov.ca.gov/news.php?id=19040.

9. *Census Bureau Statement on Classifying Filipinos,* U.S. Census Bureau (Nov. 9, 2015), https://www.census.gov/news-room/press-releases/2015/cb15-rtq26.html (stating that "Asian" is broadly defined as a "person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand and Vietnam.") [hereinafter *Classifying Filipinos*].

10. Elizabeth M. Hoeffel, Sonya Rastogi, Myoung Ouk Kim, & Hasan Shahid, *The Asian Population: 2010: 2010 Census Briefs*, U.S. Census Bureau 3 (Mar. 2012), https://www.census.gov/prod/cen2010/briefs/c2010br-11.pdf.

11. *Id.* at 15.

12. *Id* at 8.

made up the highest percentage of California's Asian population, comprising 43 percent,[13] or nearly 1.5 million residents.[14] As of July 1, 2014, the U.S. Census Bureau estimates a total number of 17,339,053 Asian residents in the United States.[15] In California, Asians represent 14.4 percent of the total population, making them the second largest minority population in the state behind black or African American residents.[16]

Despite the large number of Filipinos both nationally and in California, Filipinos are not well-represented among judicial officers. At the federal level, as of March 7, 2014, there were approximately 673 district court judgeships and 179 circuit court judgeships for a total of 852 total seats.[17] Four of the 162 active circuit court judges were Asian American and one of the senior[18] circuit court judges is Asian American.[19] Out of 603 active U.S. district court judges, seventeen are Asian American.[20] Finally, out of 438 senior U.S. district court judges, only two are Asian American.[21] This amounts to a grand total of twenty-four Asian Americans at the federal level representing only 2.8 percent of the total seats available. A Filipino American occupies only one of those seats.

While more Filipino Americans hold seats on the bench in California than ever before, they are still severely underrepresented. As of December 31, 2014,[22] there were one hundred Asian[23] members of the California judiciary representing 6 pecent of the 1,655 total available positions: two at the Supreme Court level, one at the Court of Appeals level, and ninety-seven at the trial court level.[24] While 6 percent may not seem disproportionately low, Filipino judges hold fewer than one

13. *Id.* at 18.

14. *A Community of Contrasts: Asian Americans, Native Hawaiians and Pacific Islanders in California*, Asian Am. Ctr. for Advancing Just.—Asian L. Caucus 9 (2013), http://www.advancingjustice-alc.org/wp-content/uploads/2013/03 Communities_of_Contrast_California_2013-1.pdf.

15. Annual Estimates of the Resident Population by Sex, Age, Race, and Hispanic Origin for the United States and States: April 1, 2010 to July 1, 2014, U.S. Census Bureau (June 2015), https://www.census.gov/popest/data/state/asrh/2014/index.html.

16. *Id.*

17. Barry J. McMillion, *U.S. Circuit and District Court Judges: Profile of Select Characteristics*, Cong. Res. Serv. 1 (Mar. 19, 2014), https://www.fas.org/sgp/crs/misc/R43426.pdf.

18. *Id.* at 4 (stating that "Senior status judges are those judges who have retired from full-time service but continue, on a part-time basis, to hear cases or perform other duties related to judicial administration.").

19. *Id.* at 14 n.54.

20. *Id.* at 22 n.83.

21. *Id.* at 22 n.84.

22. The data reflect the number of justices and judges on the bench as of December 31, 2014. For the Courts of Appeal, the data does not include justices who have been appointed, but not yet confirmed. For the trial courts, the data reflects those judges who have taken their oaths of office as of December 31, 2014. *Demographic Data Provided by Justices and Judges Relative to Gender, Race/Ethnicity, and Gender Identity/Sexual Orientation (Gov. Code, § 12011.5(n)) As of December 31, 2014*, Jud. Council of Cal. 1 n.1 (2015), http://www.courts.ca.gov/documents/2015-Demographic-Report.pdf [hereinafter *Demographic Data*].

23. *Id.* at 1.

24. *Id.*

percent of the total available seats—approximately eleven of the 1,655 positions.[25] With such a large percentage of Filipinos in the population, why are they represented so poorly on the bench? Part III explores some of the unique challenges facing Filipino Americans.

II. The Need for Diversity

A. What We Mean by "Diversity"

The aim of this article is not simply putting judges into seats to match the proportion of minority groups at the state or federal level. Indeed, the U.S. Supreme Court has summarily rejected such an approach since "[a]ttaining diversity for its own sake is a nonstarter."[26] It would equate to "nothing more than impermissible 'racial balancing.'"[27] One scholar has rejected such an approach, which he calls "checkbox diversity."[28] Instead, he advocates "contextual diversity." "Contextual diversity" means looking at the experiences of the individual instead of assuming a different perspective than others simply based on the checking of a box.[29] It means looking at an individual's life experiences.[30] "[T]he personal qualities of the applicant should be what matter most—not a checkbox identity that may have no relation to the applicant's actual perspective."[31] "Such qualities could include exceptional personal talents, unique work or service experience, leadership potential, maturity, demonstrated compassion, a history of overcoming disadvantage, ability to communicate with the poor, or other qualifications deemed important."[32] In other words, "diversity is about bringing together collective knowledge, born from an array of experiences, in order to ensure the judiciary and its decisions are respected and followed."[33]

25. E-mail from Judge Tomson T. Ong, to Serafin Tagarao (Jan. 26, 2016, 11:47 PST) (on file with author). Although there is no official tracking of subcategories of Asians done by the California court system, Judge Ong has been keeping track of all Filipinos in the California judiciary. The following are/were the Filipino judges on the Los Angeles Superior Court: Mel Red Recana, Cesar Sarmiento (retired), Raphael Ongkeko, Lisa M. Chung, Bernie LaForteza, Ricardo R. Ocampo, Rob B. Villeza, Teresa P. Magno, Julian Recana. Outside of Los Angeles, Judge Dino Inumerable serves in Ventura County Superior Court, Judge Ronald Quidachay serves in San Francisco Superior Court, and Chief Justice Tani Cantil-Sakauye serves in the California Supreme Court.

26. Fisher v. Univ. of Tex., 133 S. Ct. 2411, 2424 (2013).

27. *Id.* (quoting Grutter, *supra* note 1, at 329–30.

28. *See* Philip Lee, *On Checkbox Diversity*, 27 J. Civ. Rights & Econ. Dev., 203, 209 (2013) (under "checkbox diversity," a self-identified racial minority is presumed to have a different perspective simply by checking off a certain racial category on a form such as in an education setting).

29. *Id.* at 212.

30. *Id.*

31. *Id.* at 214.

32. Regents of the Univ. of Cal. v. Bakke, 438 U.S. 265, 317 (1978).

33. Deanell Reece Tacha, Diversity in the Judiciary: A Conversation with Deanell Tacha, 59 U. Kan. L. Rev. 1037, 1038 (2011).

B. Why Diversity at the Judicial Level Is So Vital

Over thirty years ago, the U.S. Supreme Court held that the arbitrary exclusion from jury service based on race denies a criminal defendant due process of law.[34] In holding such a practice unconstitutional, Justice Thurgood Marshall noted, "when any large and identifiable segment of the community is excluded from jury service, the effect is to remove from the jury room qualities of human nature and varieties of human experience, the range of which is unknown and perhaps unknowable."[35] Thirty years later, the Supreme Court again addressed the importance of diversity in the context of law school admissions in *Grutter v. Bollinger*.[36] There, the Court held that a law school's narrowly tailored use of race in admissions decisions to further a compelling interest in obtaining the educational benefits of a diverse student body did not violate the Equal Protection Clause of the Fourteenth Amendment.[37] Writing for the majority, Justice Sandra Day O'Connor emphasized the "overriding importance of preparing students for work and citizenship, describing education as pivotal to 'sustaining our political and cultural heritage' with a fundamental role in maintaining the fabric of society."[38] Recognizing that education is "the very foundation of good citizenship," the Court reasoned "the diffusion of knowledge and opportunity through public institutions of higher education must be accessible to all individuals regardless of race or ethnicity."[39]

These principles justify promoting diversity at the judicial level as well. As Judge Rob B. Villeza put it:

> You do not want the bench to be one dimensional because you get one-dimensional rulings from one class or category of people. It does not make for a successful judicial system nor does it garner the respect from the people who come to court. You need people with different points of interest.[40]

Judge Teresa P. Magno shared the same sentiments:

> Diversity is important in every facet of life. The number of Filipinos in our population is not commensurate with the number of Filipinos on the bench. People look to the court system for justice to remedy a wrong. When people do not see people like them in the court, it can foster a feeling of a non-inclusiveness, which can discourage people from turning to the court system to remedy a wrong.[41]

34. Peters v. Kiff, 407 U.S. 493, 504 (1972).
35. *Id.* at 503.
36. Grutter v. Bollinger, 539 U.S. 306 (2003).
37. *Id.* at 343.
38. *Id.* at 331 (quoting Plyler v. Doe, 457 U.S. 202, 221 (1982)).
39. *Grutter*, 539 U.S. at 331.
40. Telephone Interview with Rob Villeza, Judge, Superior Court of L.A. County, in L.A., Cal. (Dec. 25, 2015) [hereinafter Villeza].
41. Interview with Teresa P. Magno, Judge, Superior Court of L.A. County, in L.A., Cal. (Dec. 23, 2015) [hereinafter Magno].

According to Judge Ricardo R. Ocampo, with a diverse bench, people "will see that justice is dispensed by people like them who can understand their own background."[42]

Scholars agree that diversity promotes public confidence in the legitimacy of the justice system.[43] Not only does it lend legitimacy to the courts, but diversity among judicial officers also leads to better decision-making by incorporating different perspectives.[44] By considering minority viewpoints, judges can avoid simply adhering to the majoritarian ideology.[45] This promotes one of the most fundamental ideas of our democratic society: equal consideration of all ideas, even the non-popular ones.[46]

III. Challenges Facing Filipino Americans and Their Path to the Bench

A. Labels Matter

One of the biggest problems with promoting diversity on the bench is a lack of awareness of the problem. While we have population data for Asian Americans and, to a lesser extent, Filipino Americans, we lack data identifying subcategories of Asian Americans at the judicial level. Furthermore, although Filipinos represent one of the largest Asian groups in the country, and specifically the state of California, as of 2015 the Census Bureau "has no plans to classify Filipinos outside of the Asian race category."[47] When Asian Americans are all lumped together for purposes of data collection, the problem does not look nearly as bad for representation. As indicated in Part I, Asian Americans represent about 2.8 percent of the federal judiciary and 6 percent of the California judiciary.[48] However, Filipinos make up approximately 0.1 percent of the total federal judiciary and only 0.7 percent of the California judiciary.[49]

B. The Numbers

"Diversity on the bench is dependent on the diversity of the bar. We cannot have many Filipino judges if we do not have Filipino lawyers."[50] Judge Ocampo's words reflect the most basic problem behind the lack of Filipino judges in the

42. Telephone Interview with Ricardo R. Ocampo, Judge, Superior Court of L.A. County, in L.A., Cal. (Jan. 12, 2016) [hereinafter Ocampo].

43. Sherrilyn A. Ifill, *Judicial Diversity*, 13 Green Bag 45, 48 (2009).

44. See Joy Milligan, Pluralism in America: Why Judicial Diversity Improves Legal Decisions About Political Morality, 81 N.Y.U. L. Rev. 1206, 1229–30 (2006); see also Broadening the Bench: Professional Diversity and Judicial Nominations, Alliance for Justice 5–6 (July 10, 2015), http://www.afj.org/wp-content/uploads/2014/11/Professional-Diversity-Report.pdf (stating that "when judges come from all corners of the legal profession—and particular when they've work in the public interest, representing those whose views are otherwise rarely heard—they are equipped to understand the views of each litigant before them, and to render more informed, thorough decisions."); Ifill, supra note 43, at 48.

45. *Milligan, supra* note 44, at 1242.

46. *Id.*

47. Classifying Filipinos, supra note 9.

48. See McMillion, supra note 17; Demographic Data, supra note 22.

49. *See supra* notes 17–25.

50. Ocampo, *supra* note 42.

courts. While Filipinos outnumber many other Asian groups, not enough have chosen a career in the law. On average, over the combined years of 2008 to 2010, there were approximately 1,894,000 Filipinos age sixteen and older.[51] Among Filipinos age twenty-five and older, only 3.1 percent (or approximately 50,610) Filipinos achieved a professional or doctoral degree.[52] It follows that substantially fewer are seeking law degrees. Indeed, according to Judge Ocampo, "[t]he lack of Filipino-Americans on the bench as compared to other Asian Americans results from our past immigrant culture of passive integration."[53] While "[t]his is definitely changing with the upcoming generations and will hopefully continue to improve,"[54] progress has been slow.

Judge Magno recalls growing up and receiving brochures to community colleges about nursing programs from her high school counselor who did not know much about her.[55] Judge Magno wanted to go to a four-year university but was told, "it's good to have dreams, but you should do what's practical."[56] What was "practical" seemed be perpetuating stereotypes about Filipino culture.[57] Judge Magno's experience is not much different from other Filipino Americans. In fact, compared to other Asian groups, Filipinos were more than three times as likely as non-Asian to work in the healthcare practitioners and technical occupations category—18 percent versus 5 percent.[58] More than half of Filipino workers in this group were registered nurses.[59]

Of the few who do decide to pursue the law, not enough are applying for positions on the bench either through the appointment process or the election process. Furthermore, many of the Filipino attorneys work in public service or non-profit sectors, which typically have not been a source of new judges. Recognizing the lack of minority judges, Justice Sonia Sotomayor, in a 2013 speech made to students at American University Washington College of Law, stated that the lack of diversity in race, gender, and background poses a "huge danger" to both the state and federal judiciary.[60] She further criticized the legal profession for perpetuating a glass ceiling for minorities, asserting that the number of minority partners in law firms is "dismally small."[61] Indeed, while judicial seats typically go to attorneys who have worked as prosecutors for several years or have significant trial experience as a prestigious

51. Mary Dorinda Allard, *Asians in the U.S. labor force: profile of a diverse population*, Monthly Lab. Rev. 5 (Nov. 2011), http://www.bls.gov/opub/mlr/2011/11/art1full.pdf.

52. *Id.*

53. Ocampo, *supra* note 42.

54. *Id.*

55. Magno, *supra* note 41.

56. *Id.*

57. *Id.*

58. Allard, *supra* note 51, at 11–13.

59. *Id.*

60. Tony Mauro, *Sotomayor Says Lack of Diversity is 'Huge Danger' for Judiciary*, The BLT: The Blog of Legal Times (Nov. 20, 2013), http://legaltimes.typepad.com/blt/2013/11/sotomayor-says-lack-of-diversity-is-huge-danger-for-judiciary.html.

61. *Id.*

firms, there simply are not enough Filipino attorneys in either of these positions, and the ones that are in such a position are not applying to judicial office.

IV. How to Get More Diverse Candidates to the Bench

Below are some of the proposed solutions to the barriers outlined above. While we have focused mostly on Asian Americans, specifically Filipino Americans, these solutions should apply to other minorities as well.

A. Identifying the Problem

Getting a more diverse bench starts with recognizing the absence of such candidates in the first place. Such recognition can be advanced at both the federal and state levels by more precisely tracking the statistical makeup of judges. Rather than have a broad category of Asian Americans, the survey should invite judges to select a further subcategory, such as Filipino. Instead of being seen as just another Asian American, Filipinos can begin to be recognized by their specific unique backgrounds. Further, by identifying these subcategories, the federal and state courts can better assess which minority groups are not adequately represented.

B. Encouraging the Next Generation

Filipino American parents should encourage their children to pursue a career in the law. As reported above, most Filipinos are concentrated in the healthcare industry or in technical occupations. According to Judge Villeza, Filipinos need to encourage their children at the grassroots level.[62] This means that existing Filipino lawyers need to participate in "career days," go out to schools, talk to the students, and get them excited about a career in the law.[63] Judge Ocampo supported this idea as well, stating that minority bar associations should "not only reach out to law students, but to the younger communities including high schools and elementary schools."[64] Minority bar associations should also get more involved in the media and social media, whether it is portraying a Filipino lawyer on television or educating students about what it means to be a lawyer on social networks. This needs to happen all the way from elementary school to the university level. After all, "[i]ncreasing the Filipinos in the legal profession is the best way to increase the number of Filipino American judges."[65]

Minority bar associations can also help promote qualified candidates for judgeships. Judge Villeza suggested a "judicial mentorship program."[66] Through such a program, a minority bar association could help introduce potential judicial candidates to current judicial officers or other people with experience in the judicial process, in order to help candidates develop necessary skills and experience. Such professional development would help candidates feel confident that all the bases of their application were covered. Minority bar associations should also work to

62. Villeza, *supra* note 40.
63. *Id.*
64. Ocampo, *supra* note 42.
65. *Id.*
66. Villeza, *supra* note 40.

demystify the application process for their membership. Judge Villeza advocates presenting the issue to the existing membership and indicating that it is a priority to make qualified attorneys judicial officers. These organizations need to get potential candidates involved in the discussion so that these attorneys can start thinking "Who do I know? Who would make a good candidate?"—or asking themselves if they should consider the bench. By spearheading this discussion, attorneys who may not yet be qualified can start asking themselves, What do I have to do to make myself a desirable candidate in the next five to ten years?[67] This should be a key initiative for every minority bar association. As Judge Ocampo stated, "[i]t is the responsibility of the minority group to encourage from within."[68]

Minority bar associations should also push potential candidates to try the much-overlooked election route, urges Judge Magno, who found success through such a method herself.[69] Judges seeking election must interact with their constituents in order to elicit votes. The process can helps garner respect for the potential judge's constituents. In addition, a judge seeking election can develop strong political connections and raise his or her profile in the community. Judge Magno believes this can lead to fewer challenges down the road for elected judges.[70] Running for election can be difficult, however, because of the high costs of running a campaign, and the need for self-promotion, which Judge Magno admits pushed her outside of her regular comfort zone.[71]

Finally, existing Filipino judges need to set an example for future judges to follow. "The visible success of [members of a disadvantaged group] can . . . encourage group members to strive for success."[72] For instance, as Judge Magno observed, many California judges have a prosecution background. In fact, the most recent Filipino judges appointed by the California governor had a prosecution background. These prosecutors need to continue to lead by example. Having effective leaders on the bench will encourage more Filipino Americans to become attorneys and obtain positions as judicial officers. As Justice Ming W. Chin stated:

> the best thing we could do for diversity on the bench would start with each of our courtrooms. If we judge well, and if we are respected by our colleagues and our communities, then the stature of minority judges will improve, and the opportunities for future judicial appointees from a qualified pool of ethnic minority candidates will be greater. Those of us on the bench must lead by example.[73]

67. Some minority bar associations, such as the Philippine American Bar Association and the Japanese American Bar Association, already have a judicial advocacy program. *See Committees,* Philippine Am. B. Assoc., http://pabala.org/officers-and-board-of-governors/committees (last visited Sept. 1, 2016); *Officers/Committees*, Japanese Am. B. Assoc., http://www.jabaonline.org/about/officerscommittees (last visited Sept. 1, 2016).

68. Ocampo, *supra* note 42.

69. Magno, *supra* note 41.

70. *Id.*

71. *Id.*

72. Paul Brest & Miranda Oshige, Symposium: Race and Remedy in a Multicultural Society:Affirmative Action for Whom?, 47 Stan. L. Rev. 855, 869 (1995).

73. Justice Ming W. Chin, Keynote Address: "Fairness or Bias?: A Symposium on Racial and

C. What Attorneys Can Do to be Considered for Judicial Seats in the Future

While minority bar associations should be encouraging the next generation of attorneys to apply to the bench, would-be judges should be honing their own experience and skills now. Judge Mel Red Recana of the Los Angeles Superior Court offered the following advice to those attorneys considering the bench: "You should not be a wallflower. You must be active professionally, politically and socially. To ask favors, you have to give them first. Networking should be a daily activity. You will be surprised with the unexpected help that you will get."[74]

When it comes to co-counsel and judges, "[b]e a true professional. The test should be: do the judges and your peers—particularly your opposing counsel—respect you? Never lose your temper because that is the sign that you have lost."[75] He warns that counsel need to be mindful of their conduct both inside and outside the courtroom. "Cultivate an unimpeachable reputation. A DUI or any criminal conviction could ruin the best strategy."[76] Judge Ocampo echoed these sentiments stating, "reputation is everything. No matter what case you handle, never sell yourself. Always be fair. Always be aware of the relationships you have with the people that sit across from you at the table. As long as you are fair, treat everyone with respect, you will increase your chance of being appointed."[77]

For trial attorneys, Judge Recana offers the following advice: "Be really good at being a trial lawyer. Always be prepared. At least you should have ten jury trials, whether they are felony or unlimited jurisdiction civil cases, under your belt."[78] He further cautions that the position is not about your ego:

> You will never make millions being a judge. Judicial ethics will restrict your conduct in and out of the courtroom. You will not savor the excitement of destroying a hostile witness on cross-examination à la Clarence Darrow or receiving a multi-million dollar verdict. Instead as a judge you will be a public servant. You cannot dominate the litigants but treat them with respect day after day no matter how obnoxious some of them may be. You will spend hours studying the law so you can do justice to the parties. Justice will be your most important commodity not money or victory. Your life will be dedicated to public service not self-aggrandizement.[79]

Despite the challenges of being a judge today, Judge Recana states, "[a] judicial appointment will completely change your life. I am thankful to God I made the right decision thirty-four years ago."[80]

Ethnic Composition and Attitudes in the Judiciary", 4 Asian L.J. 181, 191 (1997).

74. Recana, *supra* note 2.
75. *Id.*
76. *Id.*
77. Ocampo, *supra* note 42.
78. Recana, *supra* note 2.
79. *Id.*
80. *Id.*

Conclusion

Judge Villeza shared the story of visiting a high school during a student government class. The class of thirty-five, like many other high school classes in the Los Angeles area, was comprised of mostly minority students. Judge Villeza asked how many were interested in becoming lawyers. Only two students raised their hands.[81] Yet this lack of interest in the law is not unique to Filipino Americans. All minorities should be educating their children about a possible career in the law. Existing attorneys should take the laboring oar by highlighting the problem of a lack of minority judicial officers, educating younger generations about the law, and encouraging qualified attorneys (or helping attorneys become qualified) to seek judicial positions. Justice Chin, in speaking on a symposium on racial and ethnic composition and attitudes in the judiciary had this to say:

> I encourage you actively to seek judicial positions. Your efforts are increasingly important because, frankly, the people of California want their judges to reflect more closely the diversity they see every day in the general population. And so the quest for diversity on the bench begins with you. Keep in mind that the opportunities are there.[82]

By encouraging diversity on the bench, we can ensure that when we ask future generations whether they want to pursue a career in the law, minority students can answer with a resounding "yes."

81. Villeza, *supra* note 40.
82. Chin, *supra* note 73, at 191.