Beautiful surroundings, distinguished speakers and time-honored traditions marked the College's Spring Meeting in Key Biscayne, Florida.
Following the induction of new Fellows, Doris Cheng of San Francisco, California responded on their behalf. In her speech, Cheng spoke on being proud to be with her people, “trial lawyers,” how family has shaped her legal career and Vince Lombardi.

I thought, as I looked around, what a true privilege it would be to carry your bags. This is truly an August, an amazing group of individuals who all believe in the same thing that I believe. I am so proud and so elated to be with my people: trial lawyers.

WORK IS LOVE MADE VISIBLE

I am mindful that this invitation and membership in the College means that we now have a heightened responsibility to protect two important parts of this concept. The first is the right to a jury trial, whether it’s criminal or civil; and the second is equality by diversity. When I became a trial lawyer, there was probably no one more disappointed than my mother.

She was from the small island of Hainan, and it is a very large farming community. Her family owned the land that they farmed. She was born in 1932 and by 1958 the entire country was in upheaval because of communism and the great famine of China. They no longer owned their land, it became communist land, and they left for Hong Kong. Because of that experience she had a very, very deep distrust and mistrust of the government; and by that extension, lawyers.

I got to experience that firsthand much later when I was in my second year of practice. We went back to Hong Kong and visited some of her family members. They were absolutely acidic to me. It was a shock. They were incredibly disgusted and said, “How can you be a lawyer? All you do is talk. You don’t make anything happen, you don’t invent anything. Why aren’t you studying math?”

I saw over time my mother’s view changed. It was something very powerful. Kahlil Gibran said, “Work is love made visible.” That was the definition of my mother. She was work. Everything that she ever did was for the love of us, the love of her family.

When we were growing up both of my parents were immigrants and we relied heavily initially on a lot of welfare support. Because she couldn’t afford new clothes for us, she would stay up very late sewing a new wardrobe for us because she was a seamstress by trade. That was one of the things that she did when she left China and went to Hong Kong. That was my mother’s definition of work, those things that you could see, something very concrete. The concept of being an attorney was not only foreign but frivolous. Over time that really did change because she saw that what we do as trial lawyers is work and she saw me work. She became very proud watching the process happen.

I do plaintiff’s side injury cases and it is such a privilege to represent individuals. It was a privilege for me to share that with my mother, to let her see that there is
a process that happens that is fair; and that when I go to trial, I am standing up for somebody and I am their spokesperson for when nobody else will be.

CONVICTION OF BEING RIGHT

That view of my relatives in Hong Kong stayed with me because, frankly, we see that same view of attorneys reflected in our own community, in our own country. We have seen in the last decade the diminishing value of jury trials. I know in California our jury trial rate is currently about three percent on civil cases. The criminal cases are a little bit higher, but, frankly, not a whole lot higher. In the federal courts they are quite low. We have had legislative cuts to our court system, diminishing what should be a co-equal branch. About seven months ago I saw a business magazine article about the need to do away with jury trials because they’re inconvenient to jurors both in time and money. I’m preaching to the choir here. We all know the value of this system.

I had the pleasure of spending some time in Kosovo and Macedonia, working with the judges and prosecutors there to work on their adversarial system because they were interested in mirroring the United States. Their goal was to eradicate the corruption that they saw in their own countries because it wasn’t decided by a body of their peers. I find sometimes how hypocritical it is that while we champion civil rights, many of the people in our own soil are ready to forego them.

I had the wonderful joy of arbitrating a case this last summer and it was a single neutral arbitrator. My biggest worry was having to channel the entire closing argument to fit one person’s biases. There would be no playback or brainstorming. That’s exactly what we had worked on in Kosovo, Macedonia, Albania and Bulgaria. I thought, “What a tragedy.”

I am encouraged by this class that we proceed to trial because we have the conviction of being right; otherwise, we would counsel our clients very differently. If our conviction is wrong, we would rather be told by twelve people, or at least six, rather than a single individual with unbridled power in a singular world view. One of the benefits with a jury is there is a collective wisdom. I respect the fact that the person who is twenty-years-old to the person who is eight-years-old years old, that among twelve people, or at least six in federal court, that there is at least one-hundred years of life experience there.

I am proud to be part of this organization that will stand up for democracy and the right to a jury trial in criminal and civil cases, because I want to say to all of you, trial lawyers are relevant. Trial judges are relevant. It matters to this process that it is done fairly.

Let me say to the appellate judges, to make sure that there is a check and balance below you. This process matters.

Let’s take a lesson from one of my inspirations, Vince Lombardi. I coached girls’ basketball for about twenty years, and so inspirational speeches come from great coaches. After all the cheers have died down and the stadium is empty, after headlines have been written and you are back in the quiet of your room and the championship ring has been placed on the dresser and after all the pomp and fanfare have faded, the enduring theme that is left is the dedication to doing with our lives the very best that we can to make the world a better place in which to live.
TRUSTING THE JUDICIAL PROCESS

On the issue of equality by diversity, my father is a very interesting man. He left the same island my mom came from, in 1939, twenty years earlier. He left because of the Japanese invasion. Many of you are probably not familiar with, but Hainan is on the same latitude as Hawaii, so we get beautiful tropical weather there. It’s a great place now for resort living and vacations. You may want to think about our next trip there. But it was a very difficult time because Japan occupied Hainan Island for about six years.

My father left and he made his way to New York. He worked as a merchant seaman for the U.S. Coast Guard for probably more than a decade, up to the point where the Korean War ended.

Tonight is a very poignant night for me. It is the eve of the five-year anniversary of his death. Before he passed away, we were looking through his papers. I saw these papers from 1954, when he was frequently contacting an attorney. Most of my family tries to stay away from lawyers. They’re allergic to them. I thought, “What is this about?” He laughed and said, “Every six months somebody would come around and threaten to deport me, so I had to hire a lawyer every six months.” My father had to trust people who were not his people to ensure that the process was going to be just for him. Part of the confidence that we have in our judicial system is the continued ambition that the process is managed by people who reflect our own community.

We still have quite a journey. The percentage of women judges in state final appellate courts is about thirty-two percent; in the intermediate appellate courts, about thirty-two percent; and in the state level, general trial courts, it’s twenty-five percent. For minority judges, it’s much lower. In the circuit court, fourteen percent; county court, thirty-eight; and in district courts, twenty-three percent. I violated the rule of trial, which is that if you have statistics you should have a chart or an exhibit. I don’t. Don’t punish me for it; it’s not that exciting. If you just close your eyes, you can imagine it.

I think about what Ruth Bader Ginsburg said: ‘When I’m sometimes asked when will there be enough women on the Supreme Court and I say when there are nine, people are shocked. But there have been nine men and nobody’s ever raised a question about that.’

ripples of hope

Let me close with a few thoughts about where we can go. I harken to Robert F. Kennedy in his speech in 1966. ‘Few will have the greatness to bend history itself, but each of us can work to change a small portion of events, and in the total of all those acts will be written the history of this generation.’ He went on to say: ‘It is from numberless diverse acts of courage and belief that human history is shaped. Each time a man stands up for an ideal or acts to improve the lot of others or strikes out against injustice, he sends forth a tiny ripple of hope and crossing each other from a million different centers of energy and daring, those ripples build a current from which can sweep down the mightiest walls of oppression and resistance.’

On behalf of this inductee class of 2015, we thank you, Fellows of the College. By this invitation the College acknowledges my class, our past accomplishments, but more importantly our future potential. Our work does not end with this prestigious induction. It is a continuation of a journey.

If you will please indulge me because I do miss my father, I have a collection of his poetry that I translated from Chinese to English. He wrote this in 1997 when he had been diagnosed with cancer. We were visiting China in Gualing, and he wrote: “The weary sun looks down humorously at the sycamore tree. Sweet Agmonitis burst open in greeting. Behold the mountains and river and climb the crooked path. Without realizing it you have reached the cliff of the immortals.”

That is what I wish for all of us, that we shall reach that cliff to change history, to right all the wrongs in the world, and immortalize it for the people who come behind us. Thank you for the opportunity to speak on behalf of this class. As you look to your left and you look to your right, you must see what I see: a ripple of hope that the strength of this organization will never surrender the fight to protect the right to a just, equal and democratic society.