

STATEMENT OF GOALS

The Board of Directors of the Georgia Asian Pacific American Bar Association (“GAPABA”) adopts the following policy regarding selection and endorsement of individuals seeking judicial, prosecutorial or other positions, whether by election or nomination, and the encouragement and facilitation of political appointments. This policy does not include endorsements for candidates in partisan elections or for other political offices, though nothing prohibits the Board of Directors from considering such endorsements on a case-by-case basis.

The Board of Directors (“Board”) of GAPABA finds that its mission as a 501(c)(6) primarily includes representing and advocating for the interests of Asian Pacific American (“APA”) lawyers and the legal profession, encouraging and promoting the professional growth of APA lawyers, broadening professional opportunities for APA lawyers, supporting the advancement of APA lawyers within the legal profession, and providing a vehicle and forum for the unified expression of opinions and positions by legal professionals upon matters or events of concern to the legal community. The Board further finds that the participation in political campaigns and lobbying is not GAPABA’s primary purpose, and therefore the activities described under this policy are permitted under applicable tax regulations.

The Board of Directors finds that studies show the APA community is the fastest growing diverse group in the South¹ and that the APA community in the Atlanta Metropolitan Statistical Area has a buying power of nearly \$9.5 billion, with APA businesses generating over \$11 billion in revenue.² Yet, Georgia ranks 40 out of 50 for diversity on the bench,³ and overall, law continues to be the least diverse profession in the country.⁴

Therefore, the Board of Directors states that endorsing candidates for judicial, prosecutorial or other positions, whether by election or nomination, and encouraging and facilitating the appointment of qualified APA lawyers is consistent with GAPABA’s mission.

Endorsements made and actions taken under this policy are on behalf of GAPABA only and not its individual members, officers, directors, sponsors, or affiliated employers. This policy shall be publicly available on GAPABA’s website at all times.

¹ Jake Grovum, *How Asian-Americans are Changing the South*, THE PEW CHARITABLE TRUSTS, Oct. 3, 2014, available at <http://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2014/10/03/how-asian-americans-are-changing-the-south>.

² U.S. CENSUS BUREAU, *2007 Survey Business Owners*, at Table SB0700CSA01; Jeffrey M. Humphreys, *THE MULTICULTURAL ECONOMY 2010*, UNIVERSITY OF GEORGIA, SELIG CENTER FOR ECONOMIC GROWTH (2010).

³ Tracey E. Georgia and Albert H. Yoon, *THE GAVEL GAP: WHO SITS IN JUDGMENT ON STATE COURTS?*, AMERICAN CONSTITUTION SOCIETY, June. 23, 2016, available at <http://gavelgap.org/pdf/gavel-gap-report.pdf>.

⁴ Deborah L. Rhode, *Law is the least diverse profession in the nation. And lawyers aren’t doing enough to change that*, THE WASHINGTON POST, May 27, 2015, available at https://www.washingtonpost.com/posteverything/wp/2015/05/27/law-is-the-least-diverse-profession-in-the-nation-and-lawyers-arent-doing-enough-to-change-that/?utm_term=.9e656f8f951e.

POLICY ON ENDORSEMENT FOR JUDICIAL, PROSECUTORIAL, AND OTHER POSITIONS

I. Scope

- a. This section shall cover endorsements for judicial, prosecutorial, and other positions for which a license to practice laws is required, whether that appointment is by election or nomination.
- b. Positions under this section include, but are not limited to:
 - i. Nominations to the federal bench or state bench
 - ii. Georgia state judicial elections and appointments at all levels
 - iii. Bar association officers or positions
 - iv. Nominations for positions as a U.S. Attorney in the State of Georgia
 - v. Elections and nominations for positions as a District Attorney or similar prosecutorial position in the State of Georgia
 - vi. Elections and nominations for other positions for which a license to practice law is required such as Attorney General of the State of Georgia
- c. This section shall not include endorsements for candidates in partisan elections or for other political offices, though nothing prohibits the Board of Directors from considering such endorsements on a case-by-case basis.

II. Procedures

- a. Designation of the Public Service Committee. The Public Service Committee of GAPABA shall be primarily responsible for providing recommendations for actions related to this policy to be voted upon by the Board. No endorsements shall be final without the Board's approval and vote. Pursuant to Article III, Section 3.10 of the By-Laws of GAPABA, a committee designated by the Board can provide recommendations for actions to be voted upon by the Board, and to the extent provided, have the powers of the Board as provided by the Board. Consistent with the By-Laws, the President has appointed chairpersons of the Public Service Committee with the approval of the Board.
- b. Applications by Candidates. Every candidate seeking an endorsement under this policy shall complete the application for endorsement attached as Appendix A to this policy. Unless the Board grants a waiver, every candidate seeking an endorsement under this policy shall endeavor to submit a completed application to the Public Service Committee no less than 14 days before the endorsement is due or sought. The request shall be emailed to PubServ@gapaba.org with a copy e-

mailed to the office of each chairperson or co-chairperson, as listed in the Georgia State Bar Directory.

- c. Procedures. Upon receipt of a completed application, the chairperson or co-chairpersons of the Public Service Committee, or their designee(s), (hereinafter referred to collectively as the “Sub-committee”) shall take the following actions:
 - i. The Sub-committee shall notify the candidate that the application is complete and acknowledge receipt, or notify the candidate that the application is incomplete and that it will not be considered until it is complete.
 - ii. If the application is complete, the Sub-committee shall forward the application to all members of the Public Service Committee, with a copy by email to the President.
 - iii. The Sub-committee shall conduct an initial review and due diligence of the candidate, including but not limited to calling references and bar members for views on the candidate, conducting independent research on the candidate, and reviewing materials in the completed application. Committee members shall review materials in the completed application and consider information and research obtained from the Sub-committee’s initial review.
 - iv. Whenever possible, the Sub-committee shall endeavor to arrange for a personal interview of the candidate. When time limitations prohibit a face-to-face interview, the Public Service Committee chairperson or co-chairperson may permit a telephone interview or waiver of an interview altogether. The Sub-committee shall endeavor to schedule the interview at a time convenient to all committee members, but he or she shall have the authority to make a final decision as to the interview time and place, so long as at least the chairperson or one co-chairperson can attend. The Sub-committee shall notify all committee members of the final date and time of the interview, if scheduled. In interviewing each candidate, the Public Service Committee shall devise a series of questions which reflect the criteria for endorsement discussed in Section III below.
 - v. The Public Service Committee members who interview the candidate shall discuss the merits of each candidate immediately after all scheduled interviews, or as soon thereafter as practical and prepare a written recommendation for each candidate to the Board for its consideration. In the event that the Public Service Committee does not reach a majority vote on its recommendation, the Public Service Committee shall report its efforts and findings to the Board, along with a notation that it was unable to reach a majority decision. Regardless of whether the Public Service Committee reaches a decision, it shall forward the complete application materials to the Board for each candidate considered.

- d. Board Voting and Approval. The Board shall consider the Public Service Committee's recommendation at the next Board meeting. A majority vote of a quorum of the Board is needed to make a final endorsement decision. If time limitations prohibit waiting until the next Board meeting, the President at his or her sole discretion may permit the Board to be polled by telephone or email.
- e. Notification. Upon the Board's endorsement of a candidate, the chairperson or co-chairperson of the Public Service Committee, or the President, shall notify the candidate in writing. The candidate shall also be notified if the Board declines to endorse a candidate. All endorsements or non-endorsements shall be reviewed by the President before being made public. The President shall be responsible for either responding to public inquiries regarding this endorsement policy or endorsements made under this policy, or designate a person to do so.
- f. Conflicts of Interests. Any Public Service Committee member who has a strong personal interest in the candidate under consideration, whether positive or negative, shall advise the Public Service Committee and the Board of his or her personal interest. It shall be considered a conflict of interest to vote on any candidate under consideration without first declaring the nature of the personal interest.
- g. Professionalism and Confidentiality. The Public Service Committee members shall conduct all business under this policy with professionalism and in the best interests of the organization. All internal deliberations by the Public Service Committee shall remain confidential and not be disclosed to anyone other than the Public Service Committee members or the Board.
- h. Publication. This policy on endorsements shall be made publicly available.

III. Selection Criteria and Policies

- a. Selection Criteria. In considering candidates for endorsement under this policy, the Public Service Committee shall consider the following criteria:
 - i. Demonstrated professional qualifications including job experience and background, scholarship and other professional experience, and professional experience including previous outcomes and cases.
 - ii. Demonstrated personal integrity and character including standing in the legal community, character and professional reputation, and criminal or professional disciplinary records or absence thereof.
 - iii. Demonstrated personal traits including communication and interpersonal skills, temperament, administrative and organizational skills, and analytical and problem-solving skills.
 - iv. Demonstrated commitment to mission of GAPABA, including commitment to the concept of equal opportunity and equal justice under

law, the extent to which a candidate has been involved in and supportive of and responsive to Asian-American needs and concerns, and membership in GAPABA or other diverse bars or community service organizations serving the needs of Asian-Americans or other diverse communities.

- b. Totality to be Considered. In weighing these factors, a decision will be made based on the totality of the qualifications factors.
- c. Statutory Criteria. GAPABA will endorse only those candidates who demonstrate that they satisfy the statutory requirements for the position they seek.
- d. Levels of Ratings. There will be no levels of ratings of candidates (e.g., qualified, very qualified, etc.). GAPABA may endorse a candidate that meets any of all of the above criteria and whom it believes will be an excellent candidate. Generally, GAPABA will take no position regarding a candidate if it chooses not to endorse that candidate and will not oppose a candidate. However, exceptions to this policy shall be considered on a case-by-case basis and upon the majority vote of the Board.
- e. Number of Endorsements. GAPABA may endorse as many candidates for a given judgeship as it deems deserving of endorsement.

POLICY ON SELECTION AND FACILITATION OF POLITICAL APPOINTMENTS

I. Scope and Purpose

- a. This section shall cover appointments to state, local and municipal boards and committees for which a law license is not necessarily required. This policy shall cover positions which are generally open to qualified members of the public relating to matters or local or state concern, and are appointed typically by the legislature, Governor of Georgia, Mayor, Board of Commissioners, or similar person or entity.
- b. The purpose of this policy is to encourage the participation in civic engagement by GAPABA members, and to encourage the selection and provision of qualified GAPABA members for appointment.
- c. Positions under this policy include those on zoning, health, code enforcement, public policy, ethics, housing, legislative, recreation, tax assessor, and other regulatory or community boards, commissions, or committees at the state, local and municipal levels.
- d. This section shall not include endorsements for candidates in partisan elections or for other political offices. This policy does not include positions which are elected but may be filled by appointment on a temporary basis.

II. Procedures

- a. Designation of the Public Service Committee. GAPABA shall be primarily responsible for providing recommendations for the appointment to political positions, as voted upon by the Board. No recommendation shall be final without the Board's approval and vote. Pursuant to Article III, Section 3.10 of the By-Laws of GAPABA, a committee designated by the Board can provide recommendations for actions to be voted upon by the Board, and to the extent provided, have the powers of the Board as provided by the Board. Consistent with the By-Laws, the President has appointed chairpersons of the Public Service Committee with the approval of the Board.
- b. Identification of Stakeholders. Each year, the Public Service Committee shall endeavor to identify key stakeholders who are responsible for the appointment of positions under this policy. At minimum, the stakeholders shall include the President of the State Bar of Georgia, the Governor of the State of Georgia, the leader of the state Senate and House of Representatives of the State of Georgia, the Mayors of Atlanta, Decatur, Lawrenceville and Duluth, and the Chairpersons of the Board of Commissioners of Fulton, DeKalb, Gwinnett, and Cobb County. The list of stakeholders shall be submitted to the Board for its approval.
- c. Request for Consideration. The chairperson or co-chairperson of the Public Service Committee may draft a letter to each stakeholder whom it identifies, as

approved by the Board. The letter shall positively state the availability of GAPABA to assist in identifying and recommending GAPABA members for appointment, and explain the benefit and reasons for considering a member from GAPABA for appointment to public boards. The letter may, but need not, refer to specific boards, committees, or commissions on which seats are available for appointment. The form and substance of the letter shall be submitted to the Board for approval prior to being sent to each stakeholder, provided that the Public Service Committee may make non-substantive changes to each letter, such as the name of the addressee and reference to available positions, without Board approval.

- d. Encouragement of Appointments from GAPABA. Besides the afore-mentioned letters, the Public Service Committee may take reasonable steps to encourage the utilization of GAPABA in identifying and recommending GAPABA members for appointment, including follow-up communications with stakeholders or the staff or offices of stakeholders. This may include in-person meetings or follow-up communications by email, phone, or in writing. The Public Service Committee shall also field inquiries from stakeholders about the types of positions available, and the type of candidates being sought.
- e. Fielding of GAPABA Members Interested in Appointment. Upon receiving a request for candidates from any stakeholder, and even without receiving a request for a candidate, the Public Service Commission shall be responsible for fielding GAPABA members interested in appointment. Such members shall be General Members only, as defined in the By-Laws, and shall not include law student members. The notification for the fielding of interested GAPABA members shall be made by communication available to all members generally, whether by Facebook, email, or otherwise, and shall include the name of the position, a due-by date, and the application procedures. In other words, no communication made for the purpose fielding interested GAPABA members under this policy shall be made in secret to specific persons, unless a general communication has also been made.
- f. Procedures for Recommendation of GAPABA Members. Every candidate seeking a recommendation under this policy shall complete the application for endorsement attached as Appendix B to this policy. The application shall be emailed to PubServ@gapaba.org with a hard copy mailed to the office of each chairperson or co-chairperson, as listed in the Georgia State Bar Directory.
- g. Procedures. Upon receipt of a completed application, the chairperson or co-chairperson of the Public Service Committee, or their designee(s), (hereinafter collectively referred to as “Sub-committee”) shall take the following actions:
 - i. The Sub-committee shall notify the applicant that the application is complete and acknowledge receipt, or notify the applicant that the application is incomplete and that it will not be considered until it is complete.

- ii. If the application is complete, the chairperson or co-chairperson shall forward the application to all members of the Public Service Committee, with a copy by email to the President.
- iii. The Sub-committee shall conduct an initial review and due diligence of the applicant, including but not limited to calling references and bar members for views on the applicant, conducting independent research on the applicant, and reviewing materials in the completed application. Committee members shall review materials in the completed application and consider information and research obtained from the chairperson's or co-chairperson's initial review.
- iv. Whenever possible, the Sub-committee shall endeavor to arrange for a personal interview of the applicant. When time limitations prohibit a face-to-face interview, the Sub-committee may permit a telephone interview or waiver of an interview altogether. The Sub-committee shall endeavor to schedule the interview at a time convenient to all committee members, but he or she shall have the authority to make a final decision as to the interview time and place, so long as at least the chairperson or one co-chairperson can attend. The Sub-committee shall notify all committee members of the final date and time of the interview, if scheduled. In interviewing each candidate, the Public Service Committee shall devise a series of questions which reflect the criteria for endorsement discussed in Section III below.
- v. The Public Service Committee members who interview the applicant shall discuss the merits of each applicant immediately after all scheduled interviews, or as soon thereafter as practical and prepare a written recommendation for each applicant to the Board for its consideration.
- h. Board Voting and Approval. The Board shall consider the Public Service Committee's recommendation at the next Board meeting. A majority vote of a quorum of the Board is needed to make a final recommendation decision. If time limitations prohibit waiting until the next Board meeting, the President at his or her sole discretion may permit the Board to be polled by telephone or email.
- i. Notification. Upon the Board's recommendation of an applicant, the chairperson of co-chairperson of the Public Service Committee, or the President, shall notify the applicant in writing and confirm that the applicant accepts the recommendation. All recommendations shall be reviewed by the President before being made public. Upon confirmation that the applicant accepts the recommendation and is willing and able to serve, the chairperson of co-chairperson of the Public Service Committee, or the President, shall forward the recommendation in writing to the stakeholder who sought the recommendation or who appoints the position. The President shall be responsible for either responding to public inquiries regarding this recommendation policy or recommendations made under this policy, or designate a person to do so.

- j. Professionalism and Confidentiality. The Public Service Committee members shall conduct all business under this policy with professionalism and in the best interests of the organization. All internal deliberations by the Public Service Committee shall remain confidential and not be disclosed to anyone other than the Public Service Committee members or the Board.
- k. Publication. This policy on recommendation shall be made publicly available.

III. Selection Criteria and Policies

- a. Selection Criteria. In considering applicants for recommendation under this policy, the Public Service Committee shall consider the following criteria:
 - i. Demonstrated professional qualifications including job experience and background.
 - ii. Demonstrated personal characteristics including standing in the community, commitment, availability and interest to serve, character and professional reputation, and criminal or professional disciplinary records or absence thereof.
 - iii. Demonstrated personal traits including communication and interpersonal skills, temperament, administrative and organizational skills, and analytical and problem-solving skills.
 - iv. Qualifications for the position, including if applicable, place or county of residence.
 - v. The Public Service Committee shall carefully consider the fact that the recommended applicant will represent the APA community and the organization of GAPABA, and could affect GAPABA's ability to make credible recommendations for positions in the future.
- b. Totality to be Considered. In weighing these factors, a decision will be made based on the totality of the qualifications factors. When questions exist as to the applicant's ability or qualifications to serve, the Public Service Commission shall err on the side of not making a recommendation.
- c. Statutory Criteria. GAPABA will recommend only those applicants who demonstrate that they satisfy the statutory requirements for the position they seek.
- d. Levels of Ratings. There will be no levels of ratings of candidates (e.g., qualified, very qualified, etc.). GAPABA may recommend an applicant that meets any of all of the above criteria and whom it believes will be an excellent recommendation.
- e. Number of Endorsements. GAPABA may recommend as many applicants for a given position as it deems deserving of recommendation.

Appendix A – Application Materials to be Completed by Candidate Seeking GAPABA Endorsement for Judicial, Prosecutorial, or Other Positions

The following materials must be included in your application to GAPABA. Completed applications shall be sent by email to PubServ@gapaba.org with a copy e-mailed to the office of each co-chairperson of the Public Service Committee, as listed in the Georgia State Bar Directory. The Public Service Committee co-chairs for 2018 are Angela Hsu and Sara Hamilton. GAPABA's endorsement policy and the procedures and criteria is publicly available at gapaba.org. By submitting your application for endorsement, you acknowledge and consent to GAPABA contacting your references and conducting research of other publicly-available sources related to your candidacy, including legal databases, news services, and persons with personal knowledge about your candidacy. All submissions are property of GAPABA.

1. Current Resume or Curriculum Vitae (must include name, professional background, education, telephone and email address, and business address)
2. Application materials or statement of candidacy that you have submitted or intend to submit to the election authorities (if applicable).
3. Completed Candidate Questionnaire (below)

Candidate Questionnaire

1. Title of position being sought.
2. Statutory requirement for position being sought with citation to authority(if applicable).
3. Date by which you seek GAPABA's endorsement.
4. Name, title and address of the person to whom the endorsement letter should be sent.
5. Name, title, email address, and position of three references relevant to the candidate's qualifications.
6. Please describe your involvement in or with activities or issues relevant to the APA community or other historically disadvantaged groups.
7. Please describe your involvement in civic and community activities, and provide examples of the nature and degree of your involvement.
8. Please describe why you are seeking appointment or election, and describe the main goals that you intend to accomplish.
9. Describe your most meaningful or relevant professional qualifications and personal characteristics which you believe demonstrate your qualifications for the position.

Appendix B – Application Materials to be Completed by Applicant Seeking GAPABA Recommendation for Political Appointment

The following materials must be included in your application to GAPABA. Completed applications shall be sent by email to PubServ@gapaba.org with a copy e-mailed to the office of each co-chairperson of the Public Service Committee, as listed in the Georgia State Bar Directory. The Public Service Committee co-chairs for 2018 are Angela Hsu and Sara Hamilton. GAPABA's recommendation policy and the procedures and criteria is publicly available at gapaba.org. By submitting your application for recommendation, you acknowledge and consent to GAPABA contacting your references and conducting research of other publicly-available sources related to your application, including legal databases, news services, and persons with personal knowledge about your candidacy. All submissions are property of GAPABA.

1. Current Resume or Curriculum Vitae (must include name, professional background, education, telephone and email address, and business address)
2. Completed Candidate Questionnaire (below)

Candidate Questionnaire

1. County and city of residence.
2. Do you have interest in a specific type of commission, board, or committee? Please describe.
3. Name, title, email address, and position of three references relevant to your application.
4. Please describe your involvement in civic and community activities, and provide examples of the nature and degree of your involvement.
5. Describe whether you have the ability to commit to service in a public capacity by describing your other personal and professional commitments.
6. Please describe why you are seeking a political appointment.
7. Describe your most meaningful or relevant professional qualifications and personal characteristics which you believe demonstrate your qualifications for the position.