

## Why Asian Bar Associations Matter



By Sailesh K. "Sal" Patel

September 1999 seems like it was just yesterday. That was when I began my legal career as a patent attorney in Chicago. I started at a very large intellectual property boutique firm at a time when Indian-American lawyers were a rare species. The few of us who could be found were mostly patent attorneys. Even today, Indian-American lawyers and Asian-American lawyers, in general, are overrepresented in patent law compared to other fields. Nevertheless, in the late 1990s there were no more than 30 attorneys of South Asian origin in Chicago, even though this is the second largest legal market in the nation. Like many of my colleagues, I felt like a pioneer treading new ground. Almost all of us were the first American lawyers in our family, if not the first lawyer period.

Perhaps it was our awareness that we were pioneers that drove us to found the Indian-American Bar Association in 2001. The bar association was an oasis for us, and it allowed me to develop mentoring relation-

ships, friendships and learn significant leadership skills that have greatly benefited me. Meeting other lawyers who had similar experiences when they decided to pursue a legal career provided us with the motivation to continue striving to do our best and to represent our community well. Although it is hard to believe, the one characteristic we had in common was that we were all rebels (especially the trial lawyers), the black sheep in our families.

To understand why this is the case, one first has to understand the context and background from which our immigrant families arrived in the United States. The first major wave of immigration from South Asia occurred in the 1970s, and my parents arrived with this wave in 1978. I distinctly remember the look of horror on my father's face when I told him I wanted to be a lawyer after winning a debate tournament in high school. My father had harbored different dreams for me, imagining that I would become a doctor.

Almost all of the Indian parents of the time wanted their kids to become doctors or engineers. When it came time for college, my father wanted me to major in engineering. His reasoning was very practical. He wanted to make sure I was able to land a good job in case I could

not go, or decided not to go, to law school. Fortunately, I also had a strong interest in science, so I majored in chemical engineering. My father was delighted. I think he hoped I would forget all about becoming a lawyer after getting a chemical engineering degree.

However, during my junior year of college I interned at a major chemical company and was doing research on fuel cell technology. Our team came up with a unique design, and we were instructed to meet with the company's patent attorney. This was my first exposure to the field of patent law. I was fascinated by the prospect of combining my interest in science and the law. When I spoke to my father about it, I saw that same look of horror again. I was perplexed. Most Americans, at least prior to the 2008 recession, would be pleased if their son or daughter wanted to go to law school.

There were two primary reasons my father opposed law school. The first had a racial component. Indian-Americans were a very small minority within U.S. minorities. In his mind, all U.S. lawyers litigated in court in front of juries. He said to me, "No matter how good you are, who is going to hire an Indian to represent them before an American jury?" Fortunately, America has come a long way on race

and many clients are willing to trust major patent litigation to Asian attorneys.

The second reason was he honestly thought becoming a lawyer was beneath me. This view is common in Asian societies and also in India. Unlike America, where even the brightest students at Harvard may decide to major in art history, in India, college-bound students choose their majors based largely upon their standardized test scores. Thus, if you have the highest score, an A+, you would go to medical school. If you were an A student, you went into engineering. If you got an A-, you could pursue the hard sciences (chemistry, physics, biology). B students went into business majors. Only C students went into the arts and the law.

Fortunately, affinity bar associations such as the Indian-American Bar Association (IABA) and the Asian-American Bar Association (AABA) were lifeboats for some of us in the uncharted waters of the legal profession. Today, many Asian-American and South Asian American attorneys have very successful careers as lawyers and serve as role models for younger people who aspire to become attorneys. These bar associations have played a crucial role in their successes and continue to play that role for younger lawyers and

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law students by providing fellowship and highlighting the achievements of members of our community.

Most of us are committed to diversity in the profession. Bar associations such as IABA and AABA are relatively young and lack the large endowments that other associations that have existed for the last 50 years or more tend to have. These bar associations rely heavily on support from law firms and corporations to survive but, unfortunately, that support has dropped tremendously after the Great Recession.

I understand there are only so many “diversity dollars” available, but it would be a mistake to assume these bar associations no longer need significant support. Although the legal industry has come a long way since I first began practicing law, we still have a tremendous need for diversity in the highest ranks of the profession. South Asians are under-represented in the judiciary and as big law firm partners, for example. Moreover, the growing ranks of South Asian American attorneys has led to an incredible growth in our bar association’s activities. Today, the Indian American Bar Association of Chicago offers a summer stipend to law students committed to public interest work and provides monthly pro bono services in the South Asian community. IABA has played a key role in supporting many

candidates for the judiciary from the South Asian American community, and some of these candidates have successfully won primaries or been shortlisted for appointment to the county bench. We continue to provide mentorship to young attorneys who struggle with the choices they have made and the parental pressures that they face. All of these activities require considerable support. In view of the value such associations provide to young diverse lawyers and minority communities, it is imperative we continue to support them and their efforts.

Moreover, today there is a business case as well. As a 39-year-old lawyer (not 40 yet!), I am considered one of the “old timers” as far as Indian-American lawyers are concerned. Many of our “old timer” colleagues have progressed to high positions in corporations and government. Today, affinity bar associations also provide significant opportunities to network with potential clients. Although the population of Asian-American attorneys has grown significantly over the last decade, the need for affinity bar associations remains greater than ever.

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