



News Release

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Asian Pacific American Bar Association of South Florida Joins 62 APA Bar Associations in Supreme Court Amicus Brief Challenging President's Third Muslim and Refugee Ban

MIAMI, FLORIDA — The Asian Pacific American Bar Association of South Florida (APABA) joined the National Asian Pacific American Bar Association (NAPABA) and 61 affiliated national and local Asian Pacific American bar associations in filing an [amicus brief](#) in *Trump v. State of Hawai'i (No. 17-965)*, to be argued before the U.S. Supreme Court on April 25, 2018. Together these Asian Pacific American bar associations urged the Court to support the injunction of President Trump's Sept. 24, 2017, revised executive order barring refugees and individuals from six Muslim-majority countries from entering the United States.

The Trump Administration's appeals in this case, *State of Hawaii v. Trump*, arises from the legal challenges to the third revised executive order, which was announced in Sept. 2017 and set to take effect Oct. 18, 2017. On Oct. 17, 2017, Judge Derrick K. Watson of the U.S. District Court for the District of Hawaii granted the temporary restraining order. The Ninth Circuit upheld the injunction on Dec. 22, 2017. NAPABA, whom APABA is an affiliate of, filed [amicus briefs](#) in both courts.

The amicus brief describes decades of statutory exclusion of citizens of Asian and Pacific Island countries under early U.S. immigration law, including the Chinese Exclusion Act of 1882 — the first federal law to ban a group of people on the basis of their race. The Civil Rights Era marked a dramatic turning point that saw Congress dismantle nationality-based discrimination with the Immigration and Nationality Act of 1965. The brief explains that presidential discretion in the area of immigration and refugee admission, while broad, is limited by statute. The bar associations argue that President Trump's revised order, with its anti-Muslim underpinnings, violates the unambiguous prohibition on discrimination established by Congress.

A related challenge exists in *International Refugee Assistance Project v. Trump*. Judge Theodore K. Chuang of the U.S. District Court of Maryland enjoined the visa ban on Oct. 17, 2017. The Fourth Circuit upheld his ruling on Feb. 15, 2018. NAPABA filed [amicus briefs](#) in support of the injunction in both courts.

NAPABA opposed earlier iterations of the executive order, including submitting [amicus briefs](#) at the District, Circuit, and Supreme Court level.

APABA recognizes lead pro bono counsel, James W. Kim, a NAPABA member and partner at McDermott Will & Emery LLP, in Washington, D.C.; Mr. Kim's team (including Cathy Zeman Scheineson, Matthew M. Girgenti, and Llewelyn M. Engel); NAPABA Amicus Committee co-

chairs, Professor Radha Pathak of Whittier Law School and Albert Giang, a partner at Boies Schiller Flexner LLP in Los Angeles; and NAPABA Civil Rights Committee Co-Chair Meredith Higashi for their leadership drafting the brief, as well as recognizes the NAPABA staff for their efforts.

APABA was joined on this Supreme Court amicus brief by 62 affiliated Asian Pacific American bar associations. A full listing of signatories includes:

- National Asian Pacific American Bar Association
- Arizona Asian American Bar Association
- Asian American Bar Association of Greater Chicago
- Asian American Bar Association of Houston
- Asian American Bar Association of Kansas City
- Asian American Bar Association of New York
- Asian American Bar Association of Ohio
- Asian American Bar Association of the Greater Bay Area
- Asian American Criminal Trial Lawyers Association
- Asian American Lawyers Association of Massachusetts
- Asian Bar Association of Washington
- Asian Pacific American Bar Association of Central Ohio
- Asian Pacific American Bar Association of Colorado
- Asian Pacific American Bar Association of Los Angeles County
- Asian Pacific American Bar Association of Maryland
- Asian Pacific American Bar Association of Pennsylvania
- Asian Pacific American Bar Association of Silicon Valley
- Asian Pacific American Bar Association of Solano County
- Asian Pacific American Bar Association of South Florida
- Asian Pacific American Bar Association of Tampa Bay
- Asian Pacific American Lawyers Association of New Jersey
- Asian Pacific American Lawyers of the Inland Empire
- Asian/Pacific Bar Association of Sacramento
- California Asian Pacific American Bar Association
- Charlotte Asian Pacific American Bar Association
- Chinese American Bar Association of Greater Chicago
- Connecticut Asian Pacific American Bar Association
- Federation of Asian Canadians – Ontario
- Filipino American Lawyers Association of Chicago
- Filipino American Lawyers Association of New York
- Filipino American Lawyers of San Diego
- Filipino Bar Association of Northern California
- Filipino Lawyers of Washington
- Greater Orlando Asian American Bar Association
- Japanese American Bar Association
- Korean American Bar Association of Chicago
- Korean American Bar Association of DC
- Korean American Bar Association of Northern California
- Korean American Bar Association of San Diego
- Korean American Bar Association of Southern California
- Korean American Bar Association of Washington
- Korean American Lawyers Association of Greater New York
- Minnesota Asian Pacific American Bar Association

- Missouri Asian-American Bar Association
- NAPABA Hawaii Chapter
- National Conference of Vietnamese American Attorneys
- National Filipino American Lawyers Association
- Orange County Asian American Bar Association
- Oregon Asian Pacific American Bar Association
- Oregon Filipino American Lawyers Association
- Pan Asian Lawyers of San Diego
- Philippine American Bar Association
- Sacramento Filipino American Lawyers Association
- South Asian Bar Association - Southern California
- South Asian Bar Association of Chicago
- South Asian Bar Association of Northern California
- South Asian Bar Association of San Diego
- South Asian Bar Association of Washington
- Southern California Chinese Lawyers Association
- Taiwanese American Lawyers Association
- Thai American Bar Association
- Vietnamese American Bar Association of Northern California
- Vietnamese American Bar Association of Southern California

Read the amicus briefs in this series of cases [here](#).

Incorporated in 2004, the Asian Pacific American Bar Association of South Florida is a nonprofit, voluntary bar organization that serves Asian Pacific American attorneys and communities in Miami-Dade, Broward, and Palm Beach counties. The overriding mission of APABA is to combat discrimination against all minorities and to promote diversity in the legal profession

The NAPABA is the national association of Asian Pacific American attorneys, judges, law professors, and law students. NAPABA represents the interests of almost 50,000 attorneys and over 80 national, state, and local Asian Pacific American bar associations. Its members include solo practitioners, large firm lawyers, corporate counsel, legal services and non-profit attorneys, and lawyers serving at all levels of government.

To learn more about APABA, visit www.apabasfla.org.