

Promoting Diversity in the Courts: Mindy Jeng

John Caher: Welcome to Amici, News and Insight from the New York Courts. I'm John Caher.

In this Diversity Dialogue segment, we're joined by Mindy Jeng, who was born in Taiwan and came into the Court System as law clerk to then Chief Judge Jonathan Lippman. She now serves as special counsel to Justin Barry, Executive Director of the Court System. Mindy's roots are actually in China, but her grandparents fled around the time of the Communist Revolution and her parents emigrated to the United States when Mindy was two in search of better opportunities.

A graduate of Princeton University and Stanford Law School, Mindy continues to spearhead one of Chief Judge Lippman's signature initiatives, the Pro Bono Scholars program, which we'll discuss a bit later. But first, I'd like to go back in time.

Mindy, set the scene for me, if you would. So, your grandparents are in China during a very volatile period, really throughout Asia. Why did they leave and why did they go to Taiwan rather than elsewhere?

Mindy Jeng: So, my grandparents were born in China. My grandfathers both fought in the Nationalist Army. And after the end of World War II, there was a civil war going on in China for political control. And my grandparents, along with many other people at the time, fled China for Taiwan as the communists took over the country. They saw Taiwan as a place where they could have more freedom and opportunity.

And my maternal grandmother was only a teenager at the time she left China. She told us that her uncle basically took her and her brother in the middle of the night and her mother stayed behind in China. So, it was basically a family separation and she never saw her mother again after that. And I think during the wartimes, a lot of families were separated that way.

John Caher: Did you know your grandfathers?

Mindy Jeng: My maternal grandfather passed away when I was very young, but my paternal grandfather, yes, he eventually came to live in the US after being in Taiwan for many years.

John Caher: Did he talk about the war at all?

Mindy Jeng: Not that much. He didn't say that much of what happened, but we all knew it was a very difficult experience. They went through a lot during that time.

John Caher: Now, I think you told me offline that one of your grandmothers is still in Taiwan.

Mindy Jeng: Yes. I really have much admiration, respect for both of my grandmothers. My maternal grandmother is still in Taiwan. She was very young when she got married, and she was essentially in an arranged marriage with my grandfather, who's 10 years her senior. She was a seamstress, and they had seven children. So, my mother grew up in a family that was very poor.

They did not have indoor plumbing when my mom was young. They often didn't have enough food to eat. She and her four sisters would share a room and one bed. But even though they were very poor, my mother always said to me that she had a very happy childhood. She said that she'd play with her siblings and play with all the neighborhood kids, and they would just run wild in the neighborhood with very little adult supervision.

John Caher: Now, how did your parents meet?

Mindy Jeng: My parents met in college. They both attended National Taiwan University. So, she was able to attend by getting scholarships and paying very reasonable tuition fees. Luckily my mom was able to attend a really great college even though her family was not well off.

John Caher: What about your father? You say your mother grew up basically impoverished. How about your father?

Mindy Jeng: My father was definitely more well off.

My paternal grandmother is also a very strong role model for me. She was the breadwinner in the family, and my grandfather's businesses were not successful. My grandmother basically supported the family by working as a government employee. And so, she earned enough to put my dad and his brother in private school. And it was always something that she was very proud of.

John Caher: And she ought to be. So, what made your parents want to leave?

Mindy Jeng: After they finished college, they came to the United States to study for their master's degrees. They came to the states to look for work and for more opportunities, just like many other immigrants. I know it was hard on my mom though, because she had a big family and she was very close to them, but they felt like there was a better future in America.

John Caher: Do you know how difficult the immigration process was from getting permission to come here in the first place to obtaining citizenship?

Mindy Jeng: Yeah. So, I would say my family was very lucky. My mom got a job offer after she finished her master's degree at RIT in Rochester and her employer was willing to sponsor her immigration papers, even though she wasn't a US citizen. And both of my parents were able to secure status through their employment.

And I myself was able to get a green card by virtue of my parents' status, and we eventually became naturalized US citizens. I think about that a lot, how it's really not anything that we did to earn or to deserve, but it was the good fortune of having an employer that would sponsor them.

John Caher: Do I recall correctly that as a toddler, you stayed with your grandparents for a while before your parents got settled in America?

Mindy Jeng: Yes. So, when my parents were starting grad school in the States, I was very young, and they knew it would be difficult and expensive to find childcare in the States. So, I stayed with my paternal grandparents in Taiwan. I myself don't remember any of it, but it does make me sad for my parents that they missed out on that time period when I was a young baby, but it was a sacrifice they made as an immigrant family.

John Caher: So, then they come over and where are they living?

Mindy Jeng: They first lived in Rochester, New York. That's where they attended grad school at University of Rochester and RIT. Then we moved to the suburbs outside of Philadelphia and then later we moved to Columbus, Ohio. And then later on, my parents moved to New Jersey. So, we moved around a little bit.

John Caher: I think you told me that while your parents spoke a little English when they came over, they were really not fluent. Did you have a sense that they felt isolated or marginalized in their adoptive country living in all these places where there probably weren't a whole lot of people who spoke their language?

Mindy Jeng: My parents both had to very quickly improve their English to survive in their work environments. My dad was an actuary. He worked for insurance companies. My mom was a computer systems engineer, and she worked for telecommunications companies. So, they both worked in very technical fields. Adapting to a new culture was challenging for them, but they had a lot of wonderful friends and colleagues wherever they went.

My dad is a huge football fan now, and he didn't have any of that growing up. So, he learned to adapt to the culture. Both my parents did experience some discrimination. So as an example, my dad, as an actuary, had to pass 10 of these very difficult exams until you can become an actuarial fellow. And usually once you pass those exams, you're promoted in your workplace. And he noticed that

he was not promoted after he passed his exams while his peers were. And it wasn't until he had filed a complaint that that situation was fixed. So, there are instances where they notice that they're treated a little differently.

John Caher: What about you as a little girl growing up in an immigrant household? Did you feel different from your classmates? Did you endure any discrimination yourself?

Mindy Jeng: Yeah, I would say that I did feel different growing up, and it did make me feel a little self-conscious because I just wanted to fit in and be like everyone else. There's a few experiences that stick out in my mind. And this wasn't discrimination or anything, but I just remember in first grade we had an assignment, and it was to bring in construction paper for our homework. And since it was a pre-Google era and the teacher didn't explain it, I had no idea what construction paper was, and I thought it was something that you build houses with.

So, like some of those small things that you wouldn't expect, you do feel like, "Oh, okay, I'm a little bit different than others." And then I think there were insensitive comments, which people hear all the time. I think now it's much, much better. There's so much more awareness of different cultures and different backgrounds. But yeah, I remember one of my very good friends in elementary school said to me, "Oh, I thought all Chinese people smelled like fish."

And she was surprised that I didn't, and I didn't really know what to say to that. I guess I was just happy that I didn't smell bad to her. But yeah, I think there's examples like that. But overall, I also had a lot of great friends and a lot of strong supportive community, too.

John Caher: Did you find people have a tendency to lump all Asian people together, like Chinese, Japanese, Vietnamese, Taiwanese?

Mindy Jeng: Yeah, I think that can happen, especially in places, in neighborhoods where people don't have a lot of exposure, so they just make assumptions about what you're like.

John Caher: What language was primarily spoken in your house when you were a kid?

Mindy Jeng: We mainly spoke Mandarin Chinese, but I would say definitely English is my mother language. I'm much more comfortable in English than in Chinese. As my brother and I got older, there was definitely more and more English in our house as well.

John Caher: Are there any lessons that your parents have passed down to you that maybe were passed down by their parents and maybe are being passed down by you to your children?

Mindy Jeng: My parents have always had a very strong work ethic. They've ingrained in me the ideas of never giving up, persevering, even though you're going through a hard time, the importance of academics. And I'm very lucky my parents actually live with me now. We are in a multi-generational household, so my kids still learn lessons from my parents every day.

John Caher: You mentioned the emphasis on education, and it's kind of obvious with you. You have degrees from some pretty prestigious schools, including Princeton and Stanford. What did you take at Princeton?

Mindy Jeng: I studied public policy. I'm really glad that I was able to take my public policy degree and use it now because I'm working in government, so it's very relevant to what I do now. I had a really great experience in college. I worked on really interesting policy issues. I studied abroad in South Africa for a semester. I worked on a senior thesis my senior year, so I really have very positive memories of Princeton.

John Caher: At that time, were you thinking of maybe becoming an attorney?

Mindy Jeng: No, I wasn't sure. I knew I enjoyed writing, and I wanted a job where I could help people, but I think I didn't know much about the law at that point, so I didn't know yet.

John Caher: I've interviewed a number of people, a number of immigrants on this program, and a consistent theme is they want to help people. Is that a coincidence?

Mindy Jeng: No, no. I think because you realize how fortunate you are to be here, and I think you just want to pass on or give to the next group what you can, because you know it's important and you don't take for granted what you have and the ability to be here.

John Caher: That's another very consistent theme I hear with immigrants: gratitude.

Do you recall when it was you decided to go to law school and why?

Mindy Jeng: So, when I was young, when we lived in Ohio, we had a next-door neighbor who was an attorney. She was also a city council person, and I remember I shadowed her for a school project in middle school, and it made a really big impression on me. I really enjoyed seeing the work that she did and learning more about the legal profession. And since I had no lawyers in my family, it was really my first

exposure to the legal system. And that was when I first became interested in law school, but I didn't decide for sure until after college.

John Caher: And then when you were at Stanford, did you know what type of law you were likely to practice or wanted to practice?

Mindy Jeng: I didn't know for sure. What I decided to focus on at Stanford was clinical work because I wanted to get hands-on experience. I spent two semesters working in the Immigrants' Rights clinic, again, because I know the importance of immigrants' rights. And I knew I wanted to come back east after law school because that was where my family was and where most of my friends were. So that was my main focus in law school and getting where I needed to be so I could find a job on the East Coast.

John Caher: Which you did do. You came back and you landed a job with a very, very prestigious Manhattan firm, Simpson Thacher. What sort of work were you doing for them?

Mindy Jeng: So, I worked in the litigation department. I ended up working on insurance defense cases on behalf of insurance companies. There was also some securities, litigation work and white collar defense work. And I also got to work on some pro bono cases as well.

John Caher: And then how did you become one of Chief Judge Lippman's clerks?

Mindy Jeng: So Roy Reardon is a partner at Simpson Thacher, and he also happened to know Judge Lippman. Roy asked the young associates at Simpson if they were interested in applying for clerkship with Judge Lippman. And so, I jumped at the opportunity, and I interviewed and I got the position. I'm very thankful to Roy and Simpson for that opportunity.

John Caher: I've been told that there are a few greater learning opportunities for a young lawyer than the clerk at the highest court in the state. Would you agree with that?

Mindy Jeng: Yes. It was a wonderful experience. It was great getting to know the other law clerks in our chambers and also the staff of Judge Ciparick, law clerks and Judge Jones and Judge Smith who were in the City at the time. And I have very fond memories of working at the Court of Appeals and the Court of Appeals staff.

John Caher: Judge Lippman is a very much a public figure, but you saw him in chambers, you saw him in conference, you saw him in private. What's this guy like?

Mindy Jeng: He's so persuasive. He has such a strong will, and it was amazing to see how he was able to get things done. He's a very inspiring leader. He would come up with these ideas and really put them into action and make them a reality. I definitely learned a lot from him, and he is a very inspiring mentor and leader.

John Caher: I always thought of him as kind of like the happy warrior.

Mindy Jeng: Yeah, definitely.

John Caher: What did you learn working for Judge Lippman?

Mindy Jeng: One thing I learned was to always volunteer to speak up and be willing to step up to do more work if it's asked of you. So, the reason I was able to get a full-time position with the courts is because I took on an additional project. In addition to my law clerk duties, I worked on a law review article for Judge Lippman. And I think when he saw that I was willing to do that, he had more confidence in me. And so he offered me a speech writer position after my clerkship ended. And that's really how I came to stay with the Court System, and I'm really happy I did.

John Caher: What was the article on? The law review article?

Mindy Jeng: It was about domestic violence victims and the history of how the law has changed, and in the past how a lot of the courts didn't believe women when they would say that they were abused and it was seen as a private matter, but how that law has evolved and changed.

John Caher: One of Judge Lippman's signature achievements, I think, would be access to justice. And I know you were involved in that to a considerable extent, but can you talk about that and particularly your involvement with a Pro Bono Scholars program?

Mindy Jeng: Access to justice really was the overarching theme of Judge Lippman's tenure. And he was the one who began putting the money for civil legal services in the judiciary budget. And now there's over \$100 million every year going towards that. We worked on a lot of speeches, emphasizing the need for more funding for legal services for low-income people in New York. And he also thought that legal education was very important, and he wanted young lawyers to know the value of pro bono work and the importance of pro bono work very early on in their legal careers.

So, he came up with the Pro Bono Scholars program to do just that. He worked with Matthew Diller, who was the dean of Cardozo and then later Fordham to come up with the program. So, third year law students spend the last semester of their law school dedicated to pro bono service. And then in exchange, they are

able to take the bar exam a few months earlier in February before the rest of their 3L peers.

And it's a way for students to get a jumpstart on their legal careers. It's a way for them to get hands-on training in an office setting or in a court setting, and it allows more low-income litigants to receive the legal help they need. And it also helps legal service providers to recruit new talent.

John Caher: And it's going on probably close to 10 years now, isn't it? And going strong?

Mindy Jeng: Yeah. It's over 10 years, and we've had very positive feedback from the students and from the legal service providers and public defenders who host the students for the experience as well. And I know a lot of them have had recruitment issues and they see the program as a pipeline, as a way to get young lawyers interested in that field of work.

John Caher: Now, Justin Barry is a man that makes sure our lights stay on, and our trains run on time, and you are now, I believe, his special counsel. What do you do in that capacity?

Mindy Jeng: I work on a variety of different projects for Justin. A lot of them involve the different OCA divisions. I assist when the need arises in e-filing. And very recently, I worked a lot in court facilities when there was a vacancy there.

I also just work on various one-off projects like updating the court officer's manual, updating our discrimination and sexual harassment policies, assisting and planning the student aide program. And I just do whatever legal or policy research that Justin and the judicial leadership team requests.

John Caher: Seems like a heavy load.

Mindy Jeng: Yeah, but it's really great because I get to speak to so many people throughout the Court System. So, I really enjoy my work, and Justin is a great colleague and supervisor, and I really enjoy my job right now.

John Caher: Actually, he reminds me a little bit of Judge Lippman - even keeled, quick to make a decision, decisive.

Mindy Jeng: Very decisive, yes.

John Caher: Now how do you manage all of that while having an 11-year-old and eight-year-old twins at home?

Mindy Jeng: I have an amazing partner, my husband, David. He does a lot of the pickups and drop-offs when I'm in the office. And my parents also live with me, so they help out so much with childcare. When my kids were younger, we had a nanny. It definitely takes a village. Also just a lot of carpooling, relying on friends and everyone. Sometimes you can't do it by yourself because it's too hard.

John Caher: I don't know if they yet realize it, but I suspect your children are benefiting immeasurably from the contact with their grandparents.

Mindy Jeng: Yeah, I think so. It is very precious. I think it is unique in a lot of immigrant families that we live in more multi-generational households. It's more common, I think. But yeah, I found it to be a really great thing. And for us, it was a remnant of COVID. It just happened that my parents sold their house, and we needed the help. So, they moved in and they've just stayed with us and it's been really great.

John Caher: Where do you live?

Mindy Jeng: I live in Glen Rock, New Jersey.

John Caher: So, turning back to your heritage, do you identify more as Chinese or Taiwanese?

Mindy Jeng: It's a complicated question. I would say both because I know I have roots in China, but my family is in Taiwan and a lot of the traditions and cultural heritage aspects of my life are rooted in Taiwan. So, I would say both, but probably more in Taiwan now.

John Caher: You mentioned traditions. What are some of those traditions that you carry on or celebrate?

Mindy Jeng: So, for Lunar New Year, we do have a big family dinner with noodles and fish, a lot of the traditional foods. We give red envelopes, which are basically money packets, to the kids. So, they definitely enjoy it as well.

John Caher: When is the Lunar New Year?

Mindy Jeng: It is generally in February. Because it's a lunar calendar, it's different every year. It can be earlier in February or later in February or sometimes even in early March. It's also called the Spring Festival and in China, it's when everyone is traveling, so it's a good time not to go to China because the trains are all full and everyone's going home. They have a lot of migrant workers, so sometimes the only time that people go home to visit their family is during the Lunar New Year or the Spring Festival.

John Caher: And in China going home could be a really long, long, long trip.

Mindy Jeng: Oh yeah. It can be like three days.

John Caher: So why is that such a big thing?

Mindy Jeng: In the past, Chinese people went by the lunar calendar, so it's like their new year. It's like their big celebration every year. I guess in the Western world, it's generally Christmas and New Year's when a lot of people travel to see their extended family, right? So, it's similar in China and in other parts of Asia, but the Lunar New Year is the time when they do that.

John Caher: And then what do you do when you get together? So, the people gather during that holiday era, and then what? What do you do?

Mindy Jeng: Yeah. People wear new clothes, you have a lot of food together. They set off fireworks. We don't do that because I'm terrified of fire and burning things down! But yeah, I think in China during that time it's just constant fireworks going off outside. You just hear it. It's like a constant "da-da-da-da-da-da" outside. People like to celebrate with that.

John Caher: I love that sort of thing, and those sorts of traditions that immigrant communities have brought to us. Some of them have been adopted into the main culture.

Mindy Jeng: It's really great that OCA also has a lot. They have Lunar New Year celebrations now in some of the courthouses. So, I think it really increases awareness and more cultural understanding and knowledge across different people.

John Caher: Why does diversity matter in a court system, or does it?

Mindy Jeng: It's so important because our world is diverse, and New York is diverse and we need to be able to relate to all different types of people. And it's when we get to know different people with different backgrounds and experiences that we will have a better understanding of the world and our work, and I think it really enriches all of our lives. I think diversity is very important.

John Caher: And that is a wonderful place to close. And so, Mindy, thank you so much for your time and all you contribute to the Court System all these years.

Mindy Jeng: Thank you so much, John.