

INTERVIEW WITH IRENE ORIA, PRESIDENT OF THE HISPANIC NATIONAL BAR ASSOCIATION

Irene Oria was born in New Jersey to Cuban-immigrant parents. She has undertaken many different roles in her long legal career, including clerking for Judge Cecilia Altonaga of the U.S. District Court for the Southern District of Florida, serving as an Assistant United States Attorney in the United States Attorney's Office for the Southern District of Florida in Miami, and working at several large law firms in Miami and the New York area. She is currently a partner at FisherBroyles in Miami, focusing on commercial business litigation.

You noted in a recent interview that your grandparents were Cuban immigrants. How did growing up in an immigrant household influence you as a young lawyer at Cornell Law School, and early on in your career?

My parents and my grandmothers—I never met my grandfathers as they passed away in Cuba before I was born and before my parents migrated—are Cuban immigrants, so I grew up in an immigrant household. I think that formed my identity in a very important way, particularly as my parents had left for political reasons and could not go back to their country. As such, as an immigrant family, for me there was a huge emphasis on education and on taking advantage of everything this country has to offer. It was very much about making sure that we were successful in this country and to do so by working hard. My parents worked very hard—I saw them work several jobs—growing up, my mom worked first as a bank teller for many years and then later on as an administrative assistant at a high school, and my dad was always a businessman, starting out as a salesman in New York City. Little by little, they saved up enough money between all their jobs to start their own small businesses in New Jersey, mostly restaurants, grocery stores, and bakeries. Eventually, they were able to reap the financial rewards of their businesses, as they were ultimately successful through things such as small business loans and the money they had saved.

Growing up, I spent most of my time with my grandmothers, as my parents were working around the clock, especially once they started their small businesses. For me, it was an emphasis on school, and making sure that I did well so that I could get a college education and become a professional. This is something that immigrants, not just Hispanic immigrants, but immigrants from all over the world who move to the US have—they come to this country with dreams, primarily the American dream, and my family is one of those that was able to achieve our dreams through hard work and persistence

and emphasis on education, as well as religious and moral values, which were important to us, and which for many Hispanic immigrants help guide their path. All of this molded me into who I am today, and more than anything, having this background forces you to always have your eye on the ball and work harder. It really affects your work ethic—it's pounded into you that you have to work harder than everybody else because everyone else has a history here, and we are making our own path.

As a woman of color navigating very elite spaces—you attended both Columbia University and Cornell Law School—how did your identity impact your trajectory to law school and, eventually, your role at the HNBA?

It definitely impacted my college and law school career. Being a woman of color at these elite institutions, there weren't that many people like me around me while I was in school. In fact, when I was at Columbia University (1992-96), there were some other Hispanics there, but it was not a large community of Hispanics. When I was at Cornell for law school (1996-99), there were only three Hispanics the whole time I was there—there were 180 people in my class, so Cornell is not a huge school, but still, we had approximately 180 people each year, and yet only three people of Hispanic descent during the three-year period I was there.

When that happens, you gravitate to people with similar backgrounds and experiences, so the three of us really bonded, even though we were not all in the same class. The three of us became fast friends, and we were all presidents of LALSA (Latin American Law Students Association). We bonded and gravitated towards each other based on our experiences as a Cuban-American, a Peruvian-American, and a Salvadorian-American—even though we all came from different backgrounds and different parts of the country, our experiences were very similar, and we were facing the same challenges in coming to such an elite law school.

At the HNBA we are here to help all Latino law students, or those interested in becoming lawyers or applying to law school, and that means helping kids at a community college, but it also means helping kids at a school like Harvard or Columbia. People think mostly about the kids that are low-income and may be attending a community college or state school, and they forget about kids at elite institutions that need our help just as much, because they are having to assimilate into a world that is filled with people who are so different from them in many ways, such as in things as simple as how they interact with their families. I spoke to my parents every day when I was in college, and my friends thought it was the weirdest thing ever, even though that is something that is common in our community, and that's just an example—there are so many ways that we just stand out and are different. We like to be surrounded by people like us, not only in our classmates, but

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also with regards to faculty such as Latinx professors, which is another problem. The lack of representation of Latinos in academia, not just law school, but academia generally, and especially at elite institutions, is also a major problem.

All of this together definitely impacted my career and educational experiences, and it is one of the reasons why I am involved in the HNBA. We need to help all of our kids and our young lawyers excel, and the HNBA provides a network to lift each other up. I have spoken at some of the elite institutions I attended, and it is meaningful for me to reach out to kids who are in the same boat I was in when I was there. The HNBA helps everybody, but I can especially relate to what they are going through as I was there. When I read the book *Becoming* by First Lady Michelle Obama, it totally resonated with me, as she talks about the same experiences when she attended Princeton. We can't forget this community of kids that were able to get into these elite institutions—it is important to get them there, but it's also important to make sure they survive and do well there.

I want to talk about class as well, largely because the class-component is sometimes missing from discussions of diversity. You noted in an interview that as a low-income student, you felt different from your peers at these elite institutions. How so? How, if at all, has class impacted your approach to the law, and how did it affect your future career path?

Being a low-income student obviously affects your experience in college and law school. First of all, before you even get there, other students that go to elite high schools are better prepared for what they will face in college and law school than the low-income kid that went to public high schools, although preparation also depends on where you are from and where you went to school, as not all public schools are the same. For me, I lived in a low-income community in New Jersey, predominantly Hispanic at the time, and went to public school through elementary and middle school, and then attended a very small Catholic high school that my parents struggled to pay for. I did very well on all my standardized testing, but I didn't have the preparation that some other students have when they enter elite institutions, such as AP (Advanced Placement) classes, which already puts low-income kids like me at a disadvantage.

In terms of my career, unlike some other young lawyers, I had to make decisions early in my career based on finances. For example, through law school, and even before law school—since I knew I wanted to be a lawyer when I started college—I had thought about being a judge and had wanted to clerk, knowing how important a clerkship would be later if I wanted to become a judge. But I knew I couldn't afford a clerkship coming out of law school due to the salary, so I didn't even bother applying, even though it was always in my head that I would have loved to do that. Ultimately, I did end

up clerking after I moved to Miami and after I had been in private practice for three years. At that point I was financially independent enough, having worked at large law firms, to take a significant pay cut and leave my firm to go clerk, which ended up being one of the best experiences I've ever had, and likely the best job I've had.

When you're a low-income student or lawyer, there are certain decisions you have to make and things you focus on. For me, I knew early on in my career that I couldn't go into the government or go clerk right after graduation, and I knew I had to go to a large law firm. I love what I do and love litigation, so I didn't mind, but there were options that were just not realistic for me because my resources were limited and so were my family's. Even though by the time I graduated from law school, my family was doing much better financially due to the small businesses my parents had started, I didn't want to depend on them. There's a strong immigrant mentality that you have to contribute, and I had a goal of establishing financial independence. It was more important for me to contribute to my family and help them than to help myself.

In that same interview, you mentioned that your family “emphasized the importance of law and the dangers of a lawless society.” How do you view the role of the law and lawyers in our society?

Being raised by Cuban parents, I heard a lot about how Cuba was before, as well as the reasons they left and the problems they saw in the Cuban system of government and society at the time. They especially highlighted the differences in the US, where the law is important because it provides the norms and guidelines by which we all have to live and coexist. It's also essential to checks and balances and the three branches of government, which was something that went very wrong in Cuba. I was an only child, so I also watched a lot of TV and read a lot when I was a kid, and lawyers are everywhere. I have wanted to be a lawyer since I was about five years old, because all these mediums gave me the vision that a lawyer is someone that is instrumental in our society because not only do they help shape the laws that we live by, but they also help people. This includes both helping individuals in the criminal or immigration concept, for example, as well as large corporations, many of which I have represented in my career. At the end of the day, lawyers are helping people solve problems, and our society does not function if you don't have people who do that every day.

You have worked on a number of different cases during your legal career—from malpractice to class action, white collar to big pharma. What would you say was your proudest moment or outcome in a legal case? Why?

It's so hard to pick just one! I do a lot of class action defense work, so a lot of the victories that I see are in motion practice. In my current practice, we

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don't tend to go to trial very often. For me, any case where I have been able to successfully represent my client, whether they are a bank, an insurance company, or some other Fortune 500/1000 company in a meritless class action, is a significant victory. Class actions have gotten out of control in this country. Obviously, there are merits to some of them, and you need good lawyers on both sides because they are complex and high exposure cases. It never gets old to work on these cases which really do change business practices. If clients get hit with a large judgment stemming from a class action suit, they change their practices, which can have a huge influence. I recently had two big class action cases where my clients as a matter of principle don't believe they are doing anything wrong, and as such they didn't want to settle and were prepared to go to trial, which as I said, we normally don't see often in class action cases. In one of these in particular, we were on the steps of the federal courthouse, ready to go in for trial in a huge, multi-billion dollar class action, and at the last minute, the judge entered summary judgment in my client's favor and decertified the class. The timing of the court's decision was so dramatic and so momentous that it really made me proud.

You are now, not only National President of the HNBA, but also a partner at FisherBroyles. What advice would you give to young Latinx students, especially Latinx women, who want to have a strong leadership role in their careers?

I think that you need mentors. Sometimes they come to you—often, they will just be there, because they'll be wherever you are, such as a partner you work for or a judge that you clerk for. But sometimes, you have to seek them out, and you never know which mentors will be the ones who truly impact you and are the most significant influence on your career. So, I definitely think finding and working with mentors is very important.

We also need to encourage Latinas to support each other. Sometimes, women are not as good as men in lifting each other up, and we need to get better at it. This is really for all women, not just Latinas. We all suffer and have obstacles in the legal profession as women, and everyone is trying very hard to break the glass ceiling and do well. We are so busy that sometimes we forget we have to lift as we climb, and make a path for those that are coming behind us. I try to never forget. I want to help Latinas and other talented women do well. It is important for us to stick together and encourage each other—men are really good at it, and we are just not as good, so this is something we all need to focus on in order to have more women leaders in our profession.

What drove you to join the HNBA as a student at Cornell Law School, and why did you decide to build your career at HNBA?

I joined the HNBA in law school—it's free to join when you're in law school!—and I attended the moot court competition at a conference, where

my team won the best brief award. I remember being very impressed by the organization, even back then, when it was a *very* different organization than it is today. Back then, there were a lot more males in both membership and leadership positions at the HNBA, with not nearly as many women. This stayed true even through the early 2000s. Today, we have so many Latina members and leaders, especially after the creation of a Latina Commission that studies the particular obstacles that women face. But even back then, it was a very welcoming organization. Seeing other people like you achieve great success, despite all of the obstacles, which are similar to the ones you have dealt with, and getting advice from them on how to navigate your legal career was really powerful.

I stayed involved with the HNBA, even as life got complicated when I got married and had kids. I primarily stayed connected by being a member and attending conferences when I could when my kids were young. Once my kids were about 7 or 8 years old, a friend of mine was the President at the time, and told me there was a vacancy in Florida for regional president, and he encouraged me to run for it. It was really the perfect timing, since I was able to take on a bit more as my kids were older. I got involved in leadership then, and here I am, five years later as national president. I spent one year as regional president, which is normally a two-year term, but one year in I was asked by the President-Elect to be the Finance Director of the organization, which elevated me to the Executive Committee of the organization. I spent two years in that role, which no one had ever done before because it is such a grueling position to be responsible for fundraising for the entire organization. I had no idea I was that good at asking people for money, but I guess at its core it is similar to asking for business in our profession, and lots of the same principles apply. Finance director is really such a high visibility role, right after President and President-elect, so it's a given that people are telling you all the time while you are in that role that you should run for President.

I'm really glad I did it [run for President]. I really think that when I eventually retire I will look back on my career and see this as one of the most rewarding experiences. This position isn't about me, it's about our community and about helping other Latinos achieve their goals in our profession, which is not an easy profession to navigate, especially as a woman. I am extremely proud and honored that I'm serving in this role—it's really a second full-time job that I don't get paid for and keeps me very busy, but it's definitely worth it.

What do you see as the primary benefits that the HNBA can provide to Latinx law students and prospective law students preparing to enter the profession?

There are so many benefits for law students and young lawyers that the HNBA can provide—I could go on and on and on about the benefits of

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HNBA on your professional development and on your career. I think the primary benefit to note would be the opportunities for mentorship and building a network. In our organization, you can find mentors; whether you are a law student or a young legal professional, you will find people who will be genuinely interested in helping you advance in your career, in whatever sector you want to be in. We have people from public interest positions and solo practitioners to federal government lawyers to judges, as well as of course, large and medium law firms. Our membership really runs the gamut, and you will find someone to help you navigate your career. Another big reason to join is the job opportunities that can open up from this network. Among the things a mentor can do for you is to bring you job opportunities they have themselves or that they know of. This can also be helpful for business development opportunities.

HNBA can also be helpful in the exposure it provides both to you and your firm or employer. We have speaking and networking opportunities at our conferences, both regional and national, that can provide you with exposure at many levels—as well as CLEs! For example, we are very active in Miami where I live and where we have regular events and speaking opportunities. But we are also nationwide, with meetings and conferences. We have a national publication, *Noticias*, where our attorney members can publish articles.

HNBA can also provide leadership opportunities for young lawyers. I was not seeking out HNBA leadership opportunities, they really came to me, but the past five years have really made me a better lawyer and a better leader, and it has provided me with a platform to grow. I've seen this happen at the national level, but also at the state and local levels.

There are so many programs and things we do—one of our flaws is the HNBA is still not good at marketing and telling people everything that we do, because we do so much! Yet, we only have four full-time staff members, and the rest are all volunteers helping out in our 19 regions across the country, including in our territories like Puerto Rico. It's really overwhelming, which is why we're not good at telling people everything that we do.

Another new program that we just started this year is an initiative to increase the number of Hispanic and Latinx judicial clerks at both the state and federal court level. The HNBA has been involved for a long time in endorsing qualified candidates for federal judicial office, as well as for executive level positions in the federal system. Sometimes we also work on state level initiatives, but not often, as there is an unmanageable number of seats and positions. Recently, we noticed we are not getting as many Hispanics into judicial office as we would like, and one way to get people early and get them into position to be qualified for federal or state judicial office later on is to have more Hispanic clerks. This is right up my alley, and I am very

excited, since, as I mentioned, one of the best experiences I have ever had was my federal clerkship.

For this project, we are working with our Law Student Division, including creating a position of Law School Liaison to help us increase our connections to accredited law schools. We have always had significant law student involvement at the moot court competitions, but the focus of the Law School Liaison will be to make sure that the HNBA name and moot court competition are on every law schools' radar and to increase the number of Hispanic law students applying for clerkships. I know it's hard for many reasons, including financial ones, which is also why the HNBA has created scholarships that can help law students and young lawyers when clerking. We want to make sure that the pipeline is there for Hispanic judicial law clerks. We have seen a downturn in the number of Hispanic judges appointed—for example, in Miami, the judge I clerked for (Judge Cecilia Altonaga of the Southern District of Florida) was appointed in 2003 and, until this year, was the last Latino federal judge to be appointed in Southern Florida. We need to make sure we are working hard to increase these numbers and help law students and young lawyers when they are considering these career paths.

You have commented in the past that you're hoping the HNBA can be more supportive to public-interest lawyers. Why is the organization making this shift? What changes can public interest lawyers expect to see in the future?

One of my focus areas this year is to really work with public sector lawyers. Over 75% of Hispanic attorneys in the US are either solo practitioners or public sector lawyers, whether this is in the state or federal government, non-governmental organizations, or other non-profit organizations. However, the people we have coming to our conferences and our active membership does not accurately reflect this and represent all of these people. We are a non-profit, but we have to make money in order to run our programs, which forces us to charge registration fees at conferences and events. Even though we do have discounts for public sector lawyers, just like we have for judges, law students, and young lawyers, we have found that despite these discounts, we don't have nearly as many public sector lawyers participate on the regional or national level in considerable numbers, which is what we should be seeing since there are so many of us in those spheres. As such, one of my focus areas during my term is studying where we are as Hispanic public sector lawyers, what are the obstacles that we face in this sector, and what the HNBA can do to help advance these attorneys. This study, the HNBA Public Sector Lawyers Initiative, is similar to the study that was undertaken for the Latina Commission. The next level of this initiative will be providing training and resources designed to help Hispanic public sector lawyers get to the next level. As part of this initiative, among other things, we are studying our fee structure for programs and conferences registrations

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to see what if any changes we can feasibly make in order to get increase public sector lawyer participation, even while recognizing that we do have to raise some money in order to continue our programming.

How does HNBA plan to be engaged in the 2020 election process, if at all?

I commissioned a 2020 election special committee that is charged with spearheading our election initiatives. Obviously, all of our efforts are non-partisan—we are not involved in any partisan efforts, such as endorsing campaigns or candidates on either side. However, we will be doing everything that we can as lawyers. For example, we are planning to be involved in working the polls. At our most recent board meeting in Miami, we had a presentation on the basics of poll working and monitoring and assigning us to different places in our regions and cities for November. People don't realize how important it is to have good poll workers that know the law of the state they are working in, and also having poll workers that are bilingual, particularly Spanish speakers. Not all of our members are bilingual, but many of us are. We are working on a campaign where we aim to have all 19 of our regions across the country sign up at least ten people in each region to do poll working. We want to make sure that people are not being wrongfully denied their right to vote. We are also involved in voter registration drives and other initiatives.

Our aim is that each time the board convenes, at both the national and regional level, as well as during our two national conferences each year, we will be having some election-related effort and programming. Right now, we are working on setting up election-related events for our next conference in Phoenix in March. We are working with the American Bar Association (ABA) and Unidos US, as well as our sister bar associations, such as the National Asian Pacific American Bar Association (NAPABA), Native American Bar Association (NNABA), and the National Bar Association (NBA), on all of our election initiatives. It is about getting everyone out to vote and making sure that we do all the things that we can do as lawyers to ensure the integrity of the election. Lastly, we have been involved in some voting rights litigation, which is an ongoing process.

