

THE FRIDAY EVENING POST

VIETNAMESE AMERICAN BAR ASSOCIATION (VABA) NEWSLETTER November 2011

President's Message To my fellow VABA attorneys

It is exciting to hear of events that are taking place in the legal community across the country. A glance across the calendar for VABA activities and NCVAA would give one a good idea of how active VABA members across the nation are. VABA-Louisiana is slowly emerging as a driving force in the movement of Vietnamese American attorneys across the Southeast.

It seems to be timely that the NCVAA second annual meeting will take place in Houston, Texas on May 18-19, 2012. The NCVAA meeting in Houston will be an opportunity for VABA-L to sit up and take notice. In that spirit, I encourage members of VABA-L to attend the NCVAA meeting in Houston.

It is also important to note that VABA-L is making waves at home. Already, there is a request for political endorsement. It is not note that Bernadette D'Souza is a candidate for the position of Civil District Court Judge, Domestic Section 1, Orleans Parish. VABA-L's endorsement of Bernadette D'Souza would be one of many opportunities that members of VABA-L can get involved in the political process. I look forward to hearing opinions from all members in regard to the VABA-Louisiana's endorsement of Bernadette D'Souza.

On a lighter note, please stop by the CNN center in Atlanta, Georgia on Friday, November 18, 2011 at 12 noon to catch up with fellow VABA members from other parts of the country. After the luncheon meeting in Atlanta, please stop by Sake Café on Magazine Street in New Orleans on Saturday, December 3, 2011 at 12 noon for the VABA-L's Christmas party.

The Christmas party on December 3, 2011 will mark the end of the first year of VABA-L. 2012 will be an exciting year with new members in the leadership positions. It will also be the year for VABA-L to appear on the national stage at the NCVAA meeting in Houston on May 18-19, 2012.

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Meetings of Interest

GEORGIA

NCVAA at NAPABA November 18, 2011, 12:00noon

For those attending Napaba's Annual Conference in Atlanta, Georgia, NCVAA will be gathering for an informal lunch meeting.

Come out and catch up with your Vietnamese American attorneys. Please bring your business cards for a chance to win a door prize!

NCVAA Lunch Meeting, Friday, November 18, 2011 @ 12noon
CNN Center- [McCormick & Schmick's](#)

News from NCVAA
Mai Phan, NCVAA President

Welcoming from
Andrew Vu, NAPABA Board Member at Large

Save the Date-- 6th Annual NCVAA- Houston, Texas
Catherine Than, NCVAA BOG and 2012 Conference Chair

RSVP by 11/16/11
Mai Phan: mai@pnallp.com

LOUISIANA

December 3, 2011, 12:00 pm – Christmas party

RSVP by 12/3/11
Jim Tran: jamestran@yahoo.com

TEXAS

May 18-19, 2012 - NCVAA (National Conference of Vietnamese American Attorneys) will hold its 2d annual meeting in Houston on May 18-19, 2012. There will be opportunities to serve as volunteers, panelists, speakers for the NCVAA conference. Please email James Tran at jamestran@yahoo.com if you have questions.

Perspectives in Law: Passengers Rights

James T. Tran, Associate Editor

It had been the case that a passenger in a vehicle stopped by the police had the right to refuse to answer a police officer's questions and even to leave the vehicle. The Court's ruling in *Brendlin v. California* changed the status of passengers of a vehicle in a traffic stop. A passenger is seized upon a traffic stop. This is a Fourth Amendment seizure. The passenger then has the constitutional right to challenge the stop. If the challenge is adequate with factual support, then the state has the burden to prove the reasonableness of law enforcement's action.

A reasonableness evaluation requires a court to examine facts leading to a stop, and use the totality of the circumstances test to evaluate the constitutionality of a stop and its subsequent scope. The constitutionality of a stop requires assessment of the interconnection of the purpose of a stop and its subsequent scope. A subsequent scope could be an officer asking passengers for names and dates of birth or a warrantless search of a vehicle for weapons. A scope could be unlawful if a court found that circumstances gave an officer no articulable, reasonable suspicion that weapons might have been present or to ask passengers for names.

Please send rebuttals to Perspectives on Law, and editorials to jamestran@yahoo.com.

From the Editors

We need writers for The Friday Evening Post (FEP) newsletter. If you have written articles as a student, intern or as an attorney, please consider sharing them with others by submitting them to the FEP editors at jamestran@yahoo.com. We hope to have contributors and readership nationwide.

Meet Your Officers

President: James T. Tran

President-Elect: Brenda Nguyen

Secretary: Kim Nguyen

Past President: James T. Tran

Executive Director: James T. Tran
985-507-4826

Office Space for Lease

1200 sq ft free standing office building (new) available on _____ (easy access). Four offices and reception area around central atrium, kitchen and bathroom. Available triple net lease \$1,200.00 per month. Contact _____.

Law Position

Any VABA member who is looking for a new associate/partner or who is looking for a position is free to submit a summary of a position available or of one’s qualifications for a **two-month posting** in this newsletter. Submit your text to me by E-mail (jamestran@yahoo.com).

Comments can be sent to the editor, _____, at jamestran@yahoo.com . Past newsletter issues are available on the VABA website at _____.

ATTN Vendors: To place a newsletter ad, contact the executive office for complete price list and details.

The newsletter is a mix of fact, rumor and opinion. The facts are hopefully clearly stated. The rest is open to interpretation. The opinions are those of the authors and editors. The assistance of James T. Tran in the preparation of this newsletter is acknowledged and appreciated. If you do not wish to receive this newsletter in the future, please E-mail James Tran at jamestran@yahoo.com, with the word “unsubscribe” in the subject line.

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Editorial Committee:

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- Associate Editor: **James T. Tran**
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- President: **James T. Tran**
- Editorial Assistant: _____

Join us for a Legal Round-Up NCVAA 2012

Houston, Texas, May 18 -19, 2012



For more information go to www.ncvaa.org.