

Why I Became A Lawyer: A Refugee's Journey Of Firsts

By **Raymond Aghaian** (February 5, 2019, 5:00 PM EST)

This article is the first in a monthly series in which attorneys recount the formative life experiences that helped lay the groundwork for their careers in the legal profession. In this installment, Raymond Aghaian of Kilpatrick Townsend LLP recounts his childhood in war-torn Iran, his subsequent years as a refugee and an immigrant to the U.S., and key moments that galvanized his interest in law.

It was an early afternoon in September 1980 as I stood in the schoolyard near the airport in Tehran, Iran, looking up at fighter jets racing through the sky. The airport had been bombed by Iraqi war planes. I could hear the explosions and smell the smoke from the bombings. The Iraqi invasion, which would lead to an eight-year war, had just begun.

The sights and sounds of that day are forever ingrained in my mind. I was 10 years old and had returned to Iran, my country of birth, a week prior, after residing in England for five years. I did not speak Farsi yet, and was unable to comprehend what I had witnessed. While I did not realize it then, the war would have a profound impact on my life, leading to my journey to the United States and to my ultimately becoming an attorney, a federal prosecutor and a partner in private practice.



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There was tremendous turmoil in Iran during the years after my return. The overthrow of the Shah a year prior had led to a new hard-line clerical regime led by Ayatollah Ruhollah Khomeini. Oppression, persecution and discrimination against ethnic minorities, not otherwise Muslim or aligned with the religious fervor, was overt and systemic. Christian Armenians, such as my family, were second-class citizens under the new regime. Many Armenian schools were closed, and students were prohibited to read texts in Armenian. The ethnic, religious and ideological tensions had created in me a rudimentary but perturbed understanding of fundamental inequality.

Mass demonstrations were frequent in the Iranian capital then, as political unrest flowed through the streets, and various factions jostled for power. Our apartment was located very close to one of the main squares where demonstrators marched. Hearing the clamor, I would slip out, without my parents' knowledge, and run up to the square to watch the demonstrations where thousands filled the streets. I was fascinated with watching demonstrators sing, shout and march in unity, and felt a surge of adrenaline from the danger of standing among them.

I was witnessing a revolution in process — I was listening to a conversation through an extraordinary

medium. For that time, this was my Facebook, Instagram and YouTube. Yet, as a spectator, I saw a dark and ragged edge to this conversation, as the demonstrations were also a violent and bloody scene. That square, on a day when I was absent, was the scene of a bombing killing nearly 100 people.

While I did not understand the intricacies of the varying ideologies or political factions, I was keenly aware that the use of force or an assassination would muffle the narrative in the conversation. The stark contrast to the life I had lived in England underscored the absence of the rule of law amid the protests in the streets of Tehran.

Conscription, including abduction prior to the eligible conscription age, was a reality of the war. As a minority approaching my early teens, I was subject to be taken to the front lines — leading to a predictable outcome of serving as a child soldier tasked to walk through minefields, or charge unarmed toward Iraqi armaments in sacrificial human wave attacks. As kids, we were told to run as fast as we could if we saw the paramilitary police approach. The war went on and casualties mounted, and as I grew taller and looked older, early conscription became an imminent certainty. After encounters with paramilitary police, incidents involving neighboring minority children and outright hostility toward ethnic minorities, I left Iran at the age of 12 to evade the inevitable.

I ultimately arrived in Germany and applied with my mother to immigrate as a refugee to the United States, where my father and sister already resided. We moved between various locations during that process, including a stay at a refugee camp. We did not speak German and had no source of income, and I was not able to attend school. The difficulties of each day required intricately balancing a dose of exaggerated optimism with the reality of abject poverty and the fear of being sent back to Iran.

The refugee life cycle left me with an immediate sense of unwelcome maturity, and a stark awareness of consequences and finality. I was transformed from a dependent child to a determined boy who was going to make it to a new life in the United States. I had grown up quickly. I had lost my childhood.

Consequently, it was not long into this journey when I came to advocate and assess my first legal issue. At a low point during the drawn-out immigration process, we were overwhelmed with the financial and emotional strain of living in a foreign land amid seedy elements. Out of desperation, we used some of our very limited resources to travel to a U.S. embassy by train, to take our chance in applying for a tourist visa. As told through the refugee grapevine, some families had purportedly traveled to the embassy and obtained such visas. Each time I heard that story, I visualized walking out of the embassy with a visa stamped in my passport and immediately boarding a plane for the United States.

However, something changed during that train ride, as I thought through the potential consequences of a failed attempt to obtain the visa. It occurred to me that the temptation to apply for the visa was outweighed by the potential complications of the rules, and the impact on the status of our existing refugee application. Moreover, a tourist visa was fundamentally inconsistent with who we were — we were not tourists, we were seeking refuge.



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I became convinced that we should not seek the visa. But I was only halfway to reversing course, as I still had to persuade my mother of the same. I understood that if I was unable to impress upon her my concerns, and if the visa application was denied, it could ultimately create a cascade of negative consequences, forcing us to return to Iran.

I sat quietly in the train readying myself for the challenge. I did not look forward to continued life as a refugee. Nor did I relish the specter of regrets for not seeking the visa that I knew would come on difficult days ahead. Yet, deep inside, I knew it was the right decision, and felt as though I was making a difference — and taking an important step toward discovering who I was.

My mother was the judge, jury and opposing counsel for this trial. Those who know my mother will attest that the choice of any other opposing counsel or judge would have left me with much more favorable odds. Once we arrived, I wrapped the sleeves of my jacket around my waist and stepped down to the bustling platform and made my case. I gave it everything I had. The verdict was favorable, and I prevailed in my first oral argument — one of my most difficult to date. We were accepted as refugees months later, and entered the United States on my birthday.

Reunited with my family in the United States, I was finally attending school, and despite continued financial hardship, exacerbated by my father's pride in refusing to accept aid from the government, life had improved. Unfortunately, less than three years after arriving, my father was diagnosed with cancer, and he died shortly thereafter. I was 15 at the time, and knew that I needed to do what was necessary to survive and assist my mother.

Working various odd jobs, I graduated high school and went on to community college. It was then that I came to understand that education would be my only avenue to a better and more fulfilling life. After transferring to a university and qualifying for student loans, I was able for the first time to focus on school.

My immigration journey ended once I became a United States citizen. I was in law school at the time, and working in the chambers of Associate Justice Marvin Baxter of the California Supreme Court. While one journey had come to an end, another was just on the horizon. At first, it was the idea of going to college, then to law school and becoming an attorney that appeared entirely out of reach. Each was a first not only among my extended family, but in my surroundings. I had never met, nor did I personally know, anyone that had done what I was trying to do.

In reaching every milestone, there was yet another first. With the resulting change in my surroundings, I began to notice that it was difficult to identify with others in my new environment. Most were very different from me and the people I knew. They did not have as many vowels in their last names, and looked different than I did. They had traveled on a different road. Their starting line in the race of life had been set much further ahead of mine.

After graduating law school, I was in private practice for three years before I was appointed as a federal prosecutor and given the opportunity to serve my new country, fulfilling a debt I felt I owed. During my time as an assistant United States attorney, I investigated and prosecuted a number of significant matters, some resonating more than others — including the case of an immigration prosecutor who used his position to accept bribes from immigrants. After seven years as an AUSA, I returned to private practice as a partner. I now focus on litigation, cybersecurity and government enforcement matters, and co-lead the firm's cybersecurity and privacy practice.

While I pushed the envelope as far as I could, my journey as an attorney has been remarkably rewarding, both personally and professionally. I have particularly enjoyed opportunities to connect with jurors, tell a story through the evidence and advocate avidly during closing arguments — a conversation in a medium different from what I witnessed as a child. The forum for advocacy is now a courtroom, rather than a platform of a train station, but at its core, whether engaging a jury or attending a meeting with a prospective client, the common thread in the practice of law remains for me what I refer to as a connection to the human element.

I have been fortunate to find purpose and meaning in what I do, and have endeavored to identify legal issues that not only inspire me, but allow my inspiration and passion to motivate and inform others. For instance, I was recently assisting a client, an electronic communications service provider, with what appeared to be a routine subpoena for information from the U.S. Department of Justice under the Stored Communications Act in relation to the government's investigation and prosecution of protesters in Washington, D.C., on Inauguration Day.

Yet, in looking at the government's demand from my standpoint, it appeared that the government was attempting to unmask the identities of political opponents that had visited a political advocacy website. From a legal position, I was alarmed that a newly elected administration could utilize an arm of the government to identify anonymous political foes. The First Amendment and privacy issues surrounding political speech were successfully litigated, and we were able to preclude the government from obtaining the data. The issue gained tremendous attention from the public, as the litigation received media attention across the United States and the world.

Now, as a father of two, I would not wish to have my children travel the road I have taken. Yet I am certain I would not be who I am today but for the journey and the distance I have traveled. I do not know if other firsts are on the horizon, but as I continue this journey, I hope to encourage and lead others, whose voices may otherwise not be heard, to pursue their own journey and attain their own firsts along the way.

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