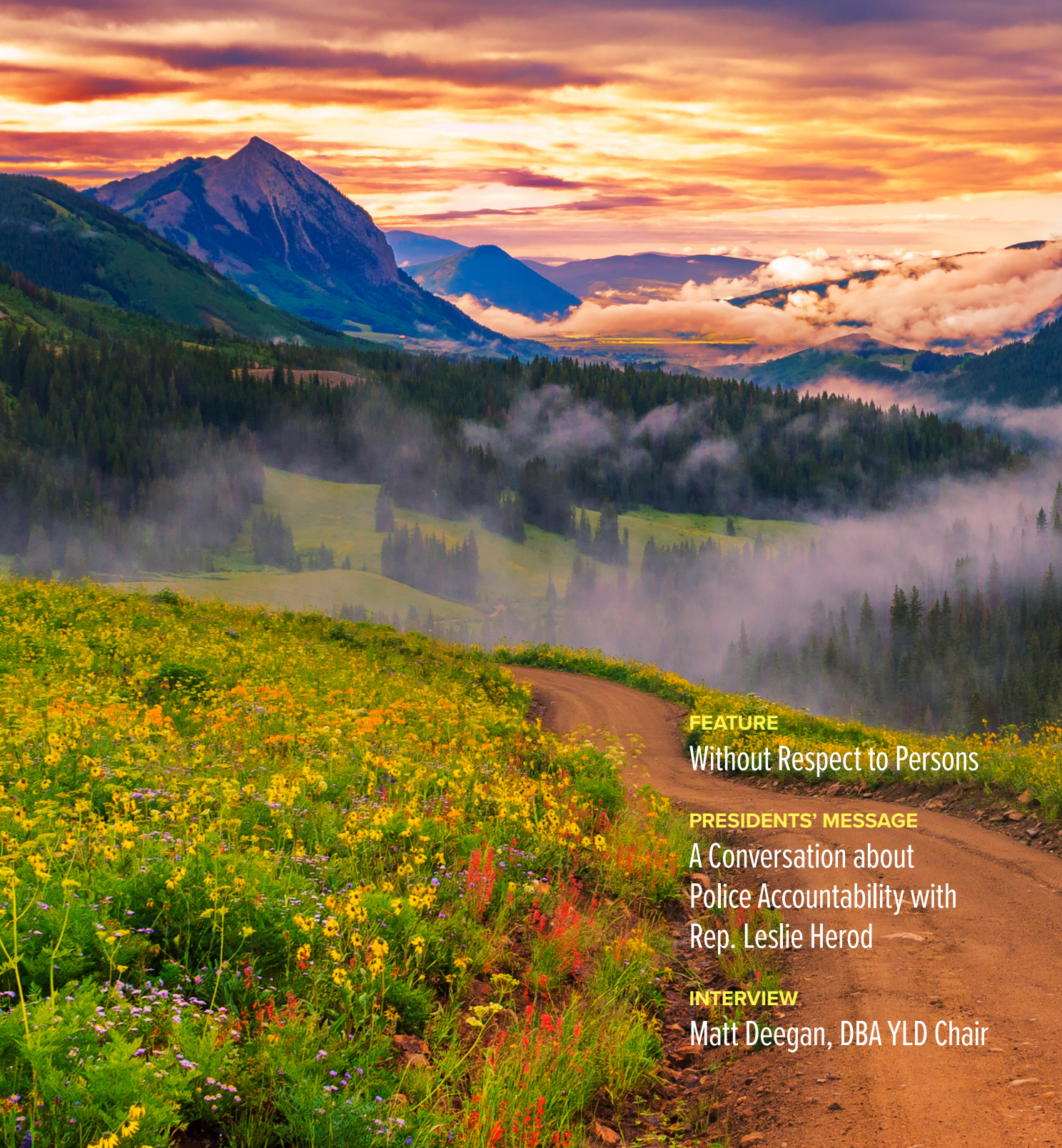


# *The* **Docket**

PROUDLY PUBLISHED BY THE DENVER BAR ASSOCIATION | AUGUST/SEPTEMBER 2020



## **FEATURE**

Without Respect to Persons

## **PRESIDENTS' MESSAGE**

A Conversation about  
Police Accountability with  
Rep. Leslie Herod

## **INTERVIEW**

Matt Deegan, DBA YLD Chair

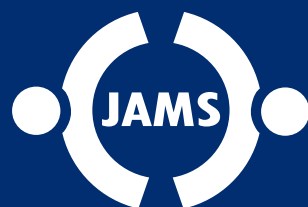
**EXPERIENCED  
NEUTRALS**

**EXPERIENCED  
VIDEO CONFERENCING**

---

As always, we are assisting people  
to resolve their disputes.

From all of us at JAMS please  
stay safe and healthy!



**Dispute  
Resolution  
Systems**

[jamsdenver.com](http://jamsdenver.com) | 303.534.1254

FEATURES



## 4. If a Car Falls in the Creek But No One is Around to Hear It...

With watering holes shuttered and concerts on pause, the Cherry Creek Trail has found itself quite the popular destination these past several months.

BY JENNIFER O'CONNELL

## 14. Without Respect to Persons

"I do solemnly swear that I will administer justice without respect to persons..."

BY HON. S. KATO CREWS

## 30. Matt Deegan, DBA YLD Chair

Increasing awareness of the DBA YLD is one of Deegan's top priorities as chair. "I believe increasing our presence among law students will help get more people aware of, and potentially involved with, the DBA YLD."

BY HALEY HEMEN

DEPARTMENTS

### 2. Presidents' Message

A Conversation about Police Accountability with Rep. Leslie Herod

### 6. Travel

Road-Tripping Around Colorado During the Pandemic

### 10. Book Review

The Plot Against America

### 12. COLAP Wellbeing Corner

Wellness and Professionalism Go Hand-in-Hand

### 16. Physical Fitness

Our Spin on the Peloton: More than Just a Stationary Bicycle

### 18. Metro Volunteer Lawyers

Challenges, Expected and Otherwise

### 20. Law School Chronicles

As It Turns Out, The Journey Really IS More Important Than The Destination

### 22. Picture This

### 24. Introducing Your 2020–21 Board of Trustees

### 26. Young Lawyers 2020–21 DBA Young Lawyers Division

New Executive Council Members

### 27. Pro Bono

DBA Access to Justice Committee Names 2020 Pro Bono Stars

### 28. Legal Affairs

### 32. 10 Questions with Cierra J. Garso



## A Conversation About Police Accountability with Rep. Leslie Herod

**H**ouse Representative Leslie Herod has become a household name as she has risen to be a fierce advocate for marginalized communities and an especially effective lawmaker for criminal justice reform. Originally from Colorado Springs, Rep. Herod represents Colorado's 8<sup>th</sup> District which encompasses Northeast-Central Denver including Colorado's Historic Five-Points neighborhood. A true pioneer in Colorado politics, Rep. Herod is the first Black LGBTQ person to hold office in the State legislature. She led the charge this Spring to pass what is currently the nation's leading police reform bill. Representative Herod took a moment out of her busy schedule to sit down with DBA President Kevin McReynolds and President-Elect Tyrone Glover to discuss her past victories and current challenges at the state capitol.

**Colorado's police accountability bill (SB217) has gotten a lot of national attention. Could you tell us the story of how this bill came together?**

I had been working on a smaller bill immediately after the deaths of Elijah McClain and De'Von Bailey regarding chokeholds and the creation of an independent investigation's unit. But when

COVID hit, I was told there would not be the political will to support a bill like this which some considered "controversial."

But everything changed when the protests started. Denver had its first protests on a Thursday. I went out into the protests and in that moment, I was determined to bring back the bill and have a strong police accountability bill going forward. Over the next couple of days I had conversations with my colleagues who agreed to support a broad police reform bill.

It took a lot of negotiation, a lot of public debate and conversation, and definitely meeting with law enforcement and with other stakeholders every day. Ultimately, we were able to get this bill that I think is the strongest bill in the country.

As you know, the bill passed with no organized law enforcement opposition. Additionally, it had the support of Republicans — and not just one or two. We had broad-based support. That was because of the conversations we had and most importantly, the protestors.

The protestors were out in front of the capitol every day and also sent emails and letters from across the state. There were protests also all around the state, including those in Pueblo and Eagle. That

really made a difference. Grand Junction for instance, the Western Slope took a position of support on the bill.

That is the reason we were able to get this bill passed. It was all hands on deck. Almost every member was part of the conversation at some point, offering amendments and clarifications, and building support in their home districts. It was really amazing to see — but really because it was the time to get it done.

**Could you highlight what you see as the key pieces of this reform bill?**

I want to be clear that this bill is just a start and we're not done working on these issues. There is more reform that needs to be done and I still want to address the independent investigation idea and a few other issues regarding police reform that I am discussing with my colleagues now.

But SB-217 is substantial in that we ended qualified immunity for law enforcement. We're the first state to do so by statute. Additionally, I think the important pieces are that we outlawed any kind of choke hold or carotid hold. We also created a duty to intervene — which is unique and something that will help to change culture in law enforcement.

# The Docket

A Denver Bar Association publication. Views expressed in articles are those of the author and not the views of the author's employers, the Docket Committee or the Denver Bar Association, unless expressly stated.

## OUR MISSION

To educate and entertain the Denver legal community *without being sued!*

## EDITOR

Charles McGarvey, [cmcgarvey@cobar.org](mailto:cmcgarvey@cobar.org)

## GRAPHIC DESIGN

THOR Design Studio [thor.design](http://thor.design)

## ADVERTISING

Jessica Espinoza, [advertising@cobar.org](mailto:advertising@cobar.org)

## DOCKET COMMITTEE

Kali Backer, Brendan Baker, Ainsley Bochniak, Marion Brewer, Becky Bye, Martin Champagne, Klaralee Charlton, Craig Eley, David Erickson, Joshua Fitch, Laurinda Frederick, Emma Garrison, James Garts, Otto Hilbert, Ryan Jardine, Ezra Kramer, Karl Kumli, Richard Lionberger, Colleen McCoy, Douglas McQuiston, Corinne Miller, Blain Myhre, Jennifer O'Connell, Robert Petrowsky, Liz Pope, Gregory Rawlings, Jonathan Shamis, Dana Showalter, Marshall Snider, Dianne Van Voorhees, William Wenzel, Rachel Young

**2020-21 CHAIR:** Julie Stermasi

**2020-21 DBA OFFICERS:** Kevin E. McReynolds, President; Mo Watson, Immediate Past President; A. Tyrone Glover, President-elect; Ruchi Kapoor, First Vice President; Nicoal Sperrazza, Second Vice President; Klaralee Charlton, Treasurer

**2019-20 BOARD OF TRUSTEES:** Katy Dunn, April Jones, Christine Kroupa, Joseph Mark, Noah Patterson, Sara Sharp, Mario Trimble, Wendy Weigler, Lara Zarzecki, Matt Deegan *Young Lawyers Division*, Christine Hernandez, *Diversity Bars Representative*

**WRITE FOR THE DOCKET:** DBA members are encouraged to send story ideas, photos, tips, and articles for the *Docket* Committee's consideration. We are looking for content by Denver attorneys for Denver attorneys, focusing on trends, courts and practice management, in addition to opinion and satire pieces. Please send ideas and member announcements to Editor Charles McGarvey at [cmcgarvey@cobar.org](mailto:cmcgarvey@cobar.org).

The editor has the right to accept and reject submissions at his discretion.

303-860-1115 • [denbar.org/members/the-docket](http://denbar.org/members/the-docket)



DENVER BAR  
ASSOCIATION

Copyright 2020. The Docket (ISSN 1084-7820) is published six times a year by the Denver Bar Association, 1290 Broadway, Suite 1700, Denver, CO 80203. All rights reserved.

The price of an annual subscription to members of the DBA (\$15) is included in their dues as part of their membership. Periodicals postage paid at Denver, CO and additional mailing offices.

POSTMASTER send address corrections to the Docket, Denver Bar Association, 1290 Broadway, Suite 1700, Denver, CO 80203.

You as attorneys may be interested in the provision placing the authority for investigation pattern and practice issues with the Attorney General's Office. Placing that investigation authority at the state level is something that I think is very important. We rarely see the federal authorities intervene when there is a pattern and practice of abuse issue and it was time for Colorado to take that into the state in our own hands.

### Has there been any pushback now that this bill is the law in Colorado?

From legislators, no. We have seen counties come out opposed to this bill and are trying to write regulations to get around it. We're working with those counties. You know there's always some backlash with important new laws. When we passed red flag laws there were counties that said they would never respect those laws. We also saw that with marriage equality where we had counties declaring that they would not recognize an LGBT couple's marriage.

I do anticipate some pushback on this police reform law and I think that is a sign that we're moving in the right direction.

I haven't spoken to everyone but I have gotten some very strong reports from colleagues about helping respond to objections from local sheriffs or other groups. So far, I've continued to hear strong support and no indication of anyone looking to change this important new law in a negative way.

### Does the broad support for SB-217 give you hope in the future for further reforms in this area?

Yeah, it definitely does. And again, just the bipartisan support was important and gives us more momentum to move things forward. One of the issues that continues to come up is the need for ongoing psychological evaluation of law enforcement officers. Another ongoing concern is accreditation. Those are both things people I've spoken to are very open to addressing.

A more challenging issue in this area is the idea of an independent investigation process and that is something that requires a lot more thought. There are a lot of models to consider and we need to

get together with our friends in the Attorney General's Office and the Governor's Office and some stakeholders to craft an appropriate bill addressing this issue. This may be very tough because we have some stakeholders who are not able to be as supportive of this potential legislation as they could be for the reforms in SB-217.

### How do you see this bill fitting into the larger conversations about issues of racial justice and structural racism?

This bill is one piece of the puzzle while being a big bold step forward. People are calling for racial justice and there is a lot more we need to do. I think that law enforcement is one very glaring piece when someone does not feel that they can be safe in their own communities because of the color of their skin. But there is also a lot more that we talk about. Education, health care, the lack of diversity in board rooms — there are a lot of things we talk about as getting towards true equality. It depends on where you are. I'm a legislator so I can pass laws. Other folks are having these conversations in their places of business, or with their kids at home. All of those conversations are important.

We need to keep talking about racial equality, we need to keep talking about privilege, and we need to keep talking about what we can each do to make our countries and our communities better.

### What's next on the horizon to keep on our radar as a legal community?

That may be a question for you and your members. What is the role of the bar associations in the fight for racial equality and justice? The legal system has a lot of problems and needs to reflect the community and address the overrepresentation of people of color in the justice system. I think it needs to start with an acknowledgment that the system is stacked against low income people and people of color and that we need to address it very step of the way. 🌍

*Kevin McReynolds*

Kevin E. McReynolds, DBA President

*A. Tyrone Glover, Jr.*

Tyrone Glover, DBA President-Elect



## If a Car Falls in the Creek But No One is Around to Hear It...

**W**ith watering holes shuttered and concerts on pause, the Cherry Creek Trail has found itself quite the popular destination these past several months. Traffic is high on the greenway, but it has not been limited to in-liners and moto-scooters. Nor has it been limited to the days of quarantine.

That's right — long ago in the twenty-teens, when twenty-twenty was merely a measurement of vision, flying objects began soaring over the banks of the Cherry Creek Trail. These objects weren't the kind produced in other worlds, released from government classification. Nay, they were produced by companies like Subaru and Nissan, and they landed with quite the thud.

Half a dozen of these less-than-graceful landings have occurred on or around the trail, a paved pedestrian and bike path, most with very little explanation. David Sachs and his comrades at the website Denverite have covered several of the events, and time after time the

auto-aerial acrobats have been mum as to the catalyst for their venture from road to river. Some have teetered on the edge, some have soared off ravines, and others... well, they probably wished they'd brought their waders to work.

Denverite quoted the Denver Fire Captain calling these sub-terrestrial visits a "frequent occurrence. It doesn't take much with the amount of energy that the traffic is flowing... to create a significant mishap where a car could be pushed over the edge."


With the regularity of these obviously envious motorists yearning for a more scenic commute, of course one would think the city and county of Denver have acted to protect the safety of those two-wheeled, in-lined, or on-foot below. However, the construct of guardrails, steeper curves, or even enhanced lighting have failed to materialize. Perhaps this is due, in part, to the fact that most of these events are miraculously — albeit inexplicably — devoid of serious injury.

In some cases, the vehicles themselves were repairable and road worthy.

I'd hate to think we were awaiting a more serious outcome before taking action. There would certainly be no precedent for that, now would there?

For now, before checking the pressure in your tires or tightening the Velcro on your elbow pads, check your helmet rating for "vehicle-on-cranium impact." You never know when that might come in handy and failure to plan is planning to fail. 🍷

**JENNIFER K. O'CONNELL** hails from the Great Smoky Mountains of Knoxville, Tennessee. In 2018, Jennifer laid down roots in Colorado opening the Denver office of Queener Law where she is Managing Partner. There, she focuses on personal injury, premises liability, and commercial trucking collision. Jennifer is a member of the Board of the Colorado Trial Lawyers Association, a member of DBA, CBA, and AAJ.



# Your online solution for forms, documents, and checklists

Accessible at any time, on any device from your CLE Dashboard

Not your average fill-and-go forms, each one is crafted, reviewed, and continually updated by a group of Colorado lawyers and legal professionals. Streamline your workflow with a single source for your document needs.



## Six Different Libraries

- Civil Procedure
- Domestic Relations
- Leases & Rentals
- Mechanics' Liens
- Probate/Trust & Estate
- Real Estate



Subscriptions available for single or multiple libraries.

Visit [COFillableForms.org](https://COFillableForms.org)

**This subscription-based service** combines convenience and accuracy, while saving you time and effort.

- Regular updates
- One convenient accessible location
- Downloadable
- Easy to update and complete

[www.cle.cobar.org](https://www.cle.cobar.org) • Call (303) 860-0608 • Toll-free (888) 860-2531

*The nonprofit educational arm of the Colorado Bar Association and the Denver Bar Association*



## Road-Tripping Around Colorado During the Pandemic

Recently my friend Dottie and I spent several weeks road-tripping around Colorado. We started in Steamboat Springs, then went to Grand Junction, Ouray, Durango, Creede, and Salida. We experienced the full range of precautions against the pandemic, from those that made us comfortable to some that were a little scary.

We planned to spend the first week to 10 days in a condominium that we had access to in Steamboat. It wasn't ready the first night due to the prior occupant holding over so we stayed one night in a Fairfield by Marriot. It happened that the hotel had only been open a few days and was still working out the kinks. Everyone was fully masked when we checked in and we were advised that, in lieu of a breakfast buffet, breakfast would be available to take to our room the next morning. The room was bare bones. All unnecessary items had been removed, such as the usual pens and paper, magazines, et

cetera. The only items in the bathroom were some towels and washcloths and two bars of soap. There was shampoo and body wash in dispensers in the shower. For breakfast there were prepackaged items that you picked up to take away. Under the circumstances, that was perfect. The precautions at this hotel made us feel that they were taking the pandemic seriously.

There's little to report while staying at the condominium in Steamboat because we usually ate meals there and were only out and about for hiking or bike riding. We did visit an outdoor brewery and ate breakfast outside at a restaurant once. The brewery took the precautions that we've now become accustomed to: taking our name and phone number before we entered and requiring the wearing of masks until we got to our table. The waitstaff were always wearing masks.

We then traveled to Grand Junction with the goal of locating some wild horses at

**ABOVE:** Desert Bighorn Sheep at Colorado National Monument, Grand Junction. **RIGHT:** Hoist House at the Yankee Girl Mine, a vertical shaft mine and one of the great silver and gold producers in the Red Mountain Mining District near Silverton.

the Little Book Cliffs Wild Horse Area. We stayed at a TRU by Hilton in Grand Junction. The room was not quite as barren as the room at the Fairfield. It was adequately appointed for the TRU concept, which is using the room for sleeping and otherwise being in the lobby for work. The lobby was set up with a pool table and other amenities. We liked that concept. We stayed a couple of nights and the room was not entered by the cleaning staff at all until our departure. Everyone in the lobby was fully masked and it was apparent that the hotel was serious about taking precautions. Seating at the local brewery was outdoors and we felt safe there too.



“Apparently both Dottie and I need some more experience reading maps since we got lost time after time that morning.”



The morning we went to look for the horses was a little different. We drove east out of Grand Junction to the small town of De Beque and drove north west from there. We made note of a roadhouse we passed that looked like a lunchtime possibility. Apparently both Dottie and I need some more experience reading maps since we got lost time after time that morning. Finally, I made what turned out to be a wrong turn onto a two-track, four-wheel drive road that I thought would take us to the horse area. Judging by the tracks in the dirt, there might have been one other vehicle on that road since the snow melted. We were slowly rolling along through heavy brush when a huge brown bear sort of rolled out onto the road and took off running. I guess he'd been asleep and we disturbed him. Dottie's solution was to yell, "Close the sunroof!" After all, most bears would immediately try to jump in the sunroof, wouldn't they? After hours, we emerged onto the county road where we started and gave up for the morning.

We decided to go back to that roadhouse in De Beque, have lunch and a beer, and then start over. There didn't seem to be any social distancing or other precautions. We managed to stay at a distance but didn't really notice others trying to. It was also interesting when I glanced over to the bar and realized a guy sitting there was wearing an ankle monitor.

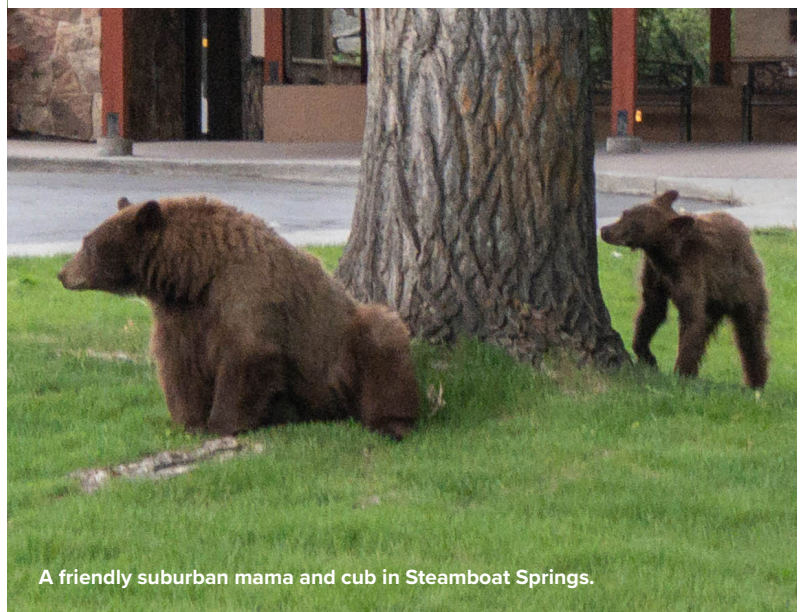
The Colorado National Monument appeared to be operating as usual, without timed entry or other restrictions.

From Grand Junction we went south to Ouray and stayed in a motel that was not part of a chain — the woman at the front desk was also the owner. We were there for a few days and we requested no housekeeping until we left. The room seemed to have the same items in it as before the pandemic. We felt comfortable there.

One of the best experiences was at the Ouray Brewery. We understood that, unfortunately, one of the owners had contracted the virus and fell seriously ill but had recovered by the time we



Steamboat Springs Gondolas



A friendly suburban mama and cub in Steamboat Springs.



**ABOVE:** Ouray Brewery with outdoor seating on top. **UPPER RIGHT:** One of many enjoyable beverages on the trip. **LOWER RIGHT:** Three cooperative and photogenic wild horses at Little Book Cliffs Wild Horse Area.

visited. Maybe because of his illness the brewery was particularly diligent. Their system worked so well we could see it continuing even after the pandemic. When we walked up to the brewery on the sidewalk there was someone standing there to greet us. That person took our name and contact information and then described the entire process from then until leaving the brewery. That was a nice touch in these uncertain times because often going in you don't know what the process will be. Someone else then showed us to a socially-distanced, numbered seating area. Another person took our initial drink order and credit card to open a tab. After getting our first drink, we masked up and went to the bar if we wanted to order another drink or food. We took the drinks back to our table and the food was delivered when it was ready. We've been there before and it seemed to us the system was safe and even more efficient than the system before the pandemic.

We stopped next in Durango. The train was not yet operating. There was ample



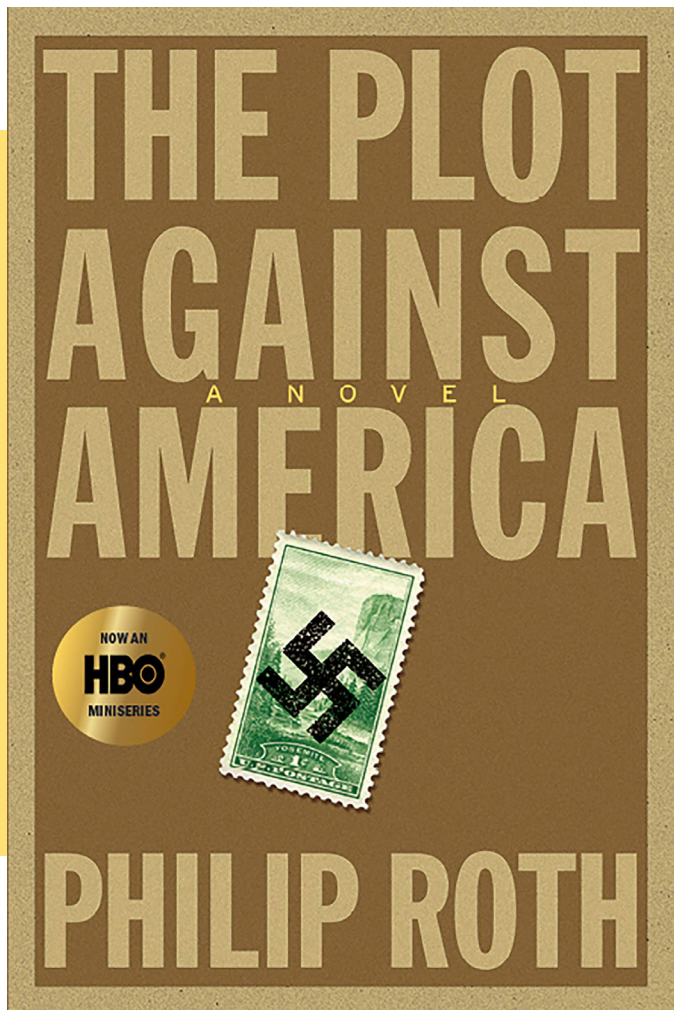
seating for restaurants, coffee shops, and such along the streets.

We stopped for lunch in Creede on our way to Salida, taking the scenic route. The brewpub where we went for lunch was a little lax. I don't remember many masks. There was outdoor seating and little contact with anyone other than the person behind the bar that you ordered from, so we weren't uncomfortable.

Probably the worst lapse of judgment was deciding to stay in a hostel in Salida. We had a private room with a private bath, so we weren't too worried when we made the reservation. But we forgot about the communal kitchen and sitting area. When I went into the kitchen I found a guy without a mask who was sneezing. That was uncomfortable and we stayed out of the

communal areas after that. Unfortunately because of this, we managed to forget two six-packs of beer from a local brewery we'd put into the fridge to keep cold.

So, all in all, we found most places to be taking the pandemic seriously, but also learned a few lessons — lessons about Dottie and I using better judgment in some situations. The roads were not particularly crowded although we did see a lot of out-of-state license plates. We felt that there was a heightened level of service at most places that were glad to be open with employees who were glad to be working. We've had other road adventures since this one and are now planning the next, so we've become comfortable with the precautions. We're lucky to live in a state where being outdoors is so pleasant. 🍷



**The Plot Against America**

By Philip Roth  
400 pp, \$14.16 on Amazon

Imagine a United States in which a divisive political structure struggles with whether to adopt an “America First” policy or to engage with the wider world. No, not today, but in 1940. Philip Roth’s 2004 novel *The Plot Against America* contains eerie similarities to the America of 2020. Roth’s novel conjures up an alternative history of the United States in 1940, in which Charles Lindbergh runs against Franklin Delano Roosevelt for the presidency on a platform based on keeping the United States out of World War II. As Lindbergh puts it, this is not a contest between Lindbergh and FDR, it is a contest “between Lindbergh and war.”

This book takes on even more currency since HBO turned it into a mini-series that aired this past spring.

Charles Lindbergh was, of course, an American hero, the first person to fly an airplane solo across the Atlantic Ocean. He was also a notorious anti-Semite, a fan of Nazi Germany who was awarded a medal by Hermann Goering, one of Hitler’s top henchmen.

Lindbergh’s election is opposed by most Jews, but is championed by a prominent rabbi, Lionel Bengelsdorf, who believes that Lindbergh’s policies will help bring Jews into the mainstream of American life. Based on his popularity as an aviator, sympathy over the kidnapping and murder of his child in 1932, and the wish of many Americans to stay out of Europe’s war, Lindbergh is

elected. His first official act is to enter into a non-aggression pact with Hitler.

Once elected, Lindbergh brings Rabbi Bengelsdorf into the administration, to head the Office of American Absorption (the OAA). OAA’s programs are ostensibly adopted in order to integrate Jews into American life (which had already occurred, of course). In reality, these programs were designed to break up what the anti-Semites in the administration saw as an unacceptable level of Jewish political, media, and economic influence, particularly in the northeastern United States (in the real world of 1941, in an infamous speech in Des Moines, Iowa, Lindbergh claimed that the “Jewish race,” among others, was responsible for pushing the United States into war). Although Bengelsdorf’s motives are pure, he unwittingly becomes a foil for Lindbergh’s anti-Semitic policies.

One of the OAA’s first initiatives is the “Just Folks” program, in which Jewish children spend a summer with rural families. This is followed by the “Homestead 42” program, in which large companies are encouraged to have their Jewish employees “voluntarily” transfer to locations in the south and west.

The most significant voice raised against the administration’s anti-Semitic and “America First” policies is that of Walter Winchell, the noted radio commentator. In the novel Winchell, who was Jewish, decides to run against Lindbergh in 1944. Winchell is attacked by anti-Semitic and neo-Nazi thugs at all of his campaign stops, which evolves into a wave of anti-Jewish riots throughout the country, reminiscent of Nazi Germany in the 1930s. Winchell is eventually killed at a campaign stop in Louisville, Kentucky.

After a brief speech a few days later in Louisville, in which Lindbergh does not mention Winchell’s assassination or the riots, the president flies off, never to be seen again. Lindbergh’s plane goes missing, leading to a conspiracy theory that Jews were responsible for his disappearance in order to take control of the U.S. government. These events set off more anti-Jewish riots. The conspiracy theories are fueled by Vice President Burton Wheeler and Secretary of the Interior Henry Ford (also known for

his strong anti-Semitic stances), eventually resulting in the imposition of martial law by Wheeler and the arrest of prominent Jewish citizens (including Rabbi Bengelsdorf and Supreme Court Justice Felix Frankfurter).

Without spoiling the ending by revealing the fascinating details, the country's democratic institutions then take over, order is restored, and the next election rights the ship of state.

The story of *The Plot Against America* is told from the perspective of the Levin family, a second-generation Jewish family living in a predominantly Jewish neighborhood in northern New Jersey. The members of the Levin family each react in their own way to the Lindbergh ascendancy. The head of the family, Herman Levin, is adamant that his family is as American as anyone else and he rails against the reality that he is being treated as a second-class citizen in his own country. He won't allow himself to be scared off by Lindbergh or his followers. Herman's wife Bess, on the other hand, becomes increasingly concerned and wants to emigrate to Canada despite Herman's

strong opposition. Their teenaged son Sandy wants to live on a farm in Kentucky under the "Just Folks" program and considers his dad to be closed-minded about the changes happening in America. Nephew Alvin maintains that Jewish people should take action and not act like victims. Alvin goes to Canada to enlist in the war effort, which is a violation of America's neutrality laws. In Lindbergh's America, this brings Alvin and the rest of the Levin family under unwanted scrutiny by the FBI. Bess's sister Evelyn marries Rabbi Bengelsdorf, thus alienating herself from her family.

*The Plot Against America* brilliantly weaves together actual historic events with a compelling fictional narrative. The novel provides a warning that America's democracy is both more fragile than we like to think but also more resilient than we like to fear. 🍷

**MARSHALL SNIDER** is a former chief judge for Colorado's Office of Administrative Courts and can be reached at [msniderarb@comcast.net](mailto:msniderarb@comcast.net).

The novel provides a warning that America's democracy is both more fragile than we like to think but also more resilient than we like to fear.

**ZH** | ZANER HARDEN LAW  
YOUR STORY WILL BE TOLD



Attorneys pictured in the second row: Yerin Cho, Sarah McEahern, Britt Holtz, Kurt Zaner (partner), Marc Harden (partner), Steven Winegar, Joseph Woelkers, Robbie Landis, Mara Essick.

We have recovered millions for our co-counseling partners.

We invite you to reach out for all of your co-counseling needs in personal injury, premises liability, and bad faith cases.

Secured two of the top 20 largest verdicts in Colorado - 2017  
#6 and #16 across all practice areas

**\$15.9 million record breaking verdict - October 2018**  
ZHL secures the largest premises liability verdict in the history of Colorado for client with CRPS.

**Recent high profile co-counseling cases include:**  
\$2.5 million verdict for victim killed by drunk driver and seen on the front page of the Denver Post  
Confidential Products Liability Settlement from Car Manufacturer for mother of four trapped in her car for 6 days as seen on Good Morning America & World News Tonight

Contact Us  
phone | (303) 563-5354

1610 Wynkoop St., Suite 120  
Denver, CO 80202



Super Lawyers

# Wellness and Professionalism Go Hand-in-Hand

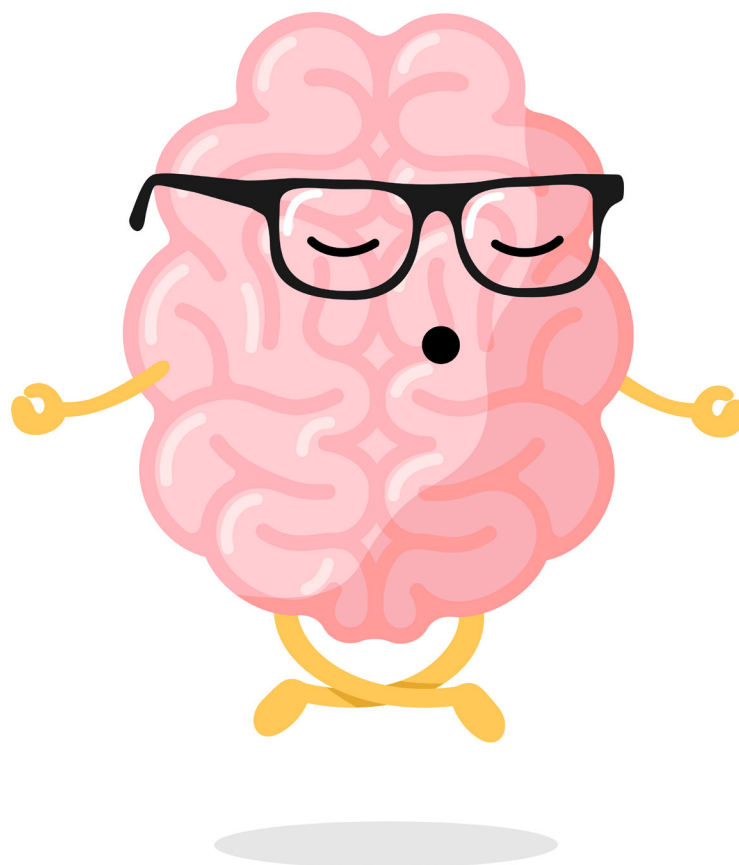
I've been practicing law for more than 45 years, marking all the attendant missteps and picking up valuable life lessons along the way about how wellness and professionalism go together. This article offers my personal view of the value of wellness. Surely one size does not fit all. Each person must find his or her own path.

## Wellness as an Essential Ingredient of Professionalism

Wellness is the quality or state of being healthy in body and mind, especially as the result of deliberate effort. According to the CBA, professionalism is "conduct reflecting the values embodied in the Colorado Attorney Oath of Admission, the Colorado Principles of Professionalism, and the Colorado Rules of Professional Conduct. These values require attorneys always to act competently, civilly, and with integrity and to commit themselves to the public good and to furthering the interests of justice."

Wellness is an essential ingredient of professionalism — we need it to act competently, civilly, and with integrity. The legal profession is one of the most difficult and sophisticated callings. It entails multiple stressors, including duties to clients, family, courts, and the community. A deliberate and proactive approach to wellness allows us to keep stressors at bay so that we have the potential to achieve our values.

I have spent a significant part of my career as a volunteer for the Colorado Supreme Court and the Colorado Bar Association, including the Colorado Task Force on Lawyer Well-Being. I have been involved in the Colorado Attorney Regulation System and with various professionalism committees. Through those experiences, I have come to understand the need for a proactive approach to attorney regulation that focuses less on



complaints and discipline and more on prevention and risk management, including a proactive approach that places greater emphasis on attorney wellness and health.

## Keeping it Professional

A lawyer is fundamentally a small business owner and entrepreneur. This is true whether you work as a solo, in a firm, as a government lawyer, or in-house. You are therefore responsible for your career and your health and, like all aspects of your practice, it is up to you to take charge of them. Waiting for others to tell you how to manage your career, fill your plate with interesting work, and give you the secret to health and happiness will get you nowhere.

Two of the most important keys to professional wellness are saying "no" to multitasking and learning to slow down. When you multitask, you move from doing one thing well to doing two things half as well. Many of us know this from firsthand experience. Some practical alternatives that will optimize your focus and minimize the risk of a mistake include chunking your day into segments, creating a to-do list, putting your phone away in meetings, and turning away from your computer screen when on a phone call. Planning ahead and negotiating your schedule with other members of your household is all the more important during extended periods of remote work.

By slowing down and narrowing your focus, you give yourself the opportunity to do your best and most creative work. We have all become slaves to the clock, selling ourselves in six-minute intervals. You will remember and be proud of the work you did when you took your time. You will always regret the instances when you threw something together just to get it finished.

### Emotional Health

A lawyer's days and nights are filled with distractions, demands, and worries. For me, meditation came late in my career. It is an excellent tool for staying centered and rooted in the moment. As Lao Tzu put it, "If you are depressed, you are living in the past. If you are anxious, you are living in the future. If you are at peace, you are living in the present."

I strive for being at peace and being in the present. Set aside some "me time" each day. Put it on your calendar and guard it jealously. Ideally, it involves quiet meditation, but I often combine it with running. Take yourself to another place and don't think about anything. Work toward accepting that you cannot control other people or things. We can only control ourselves and that is our only obligation. In addition, many of us assume that who we are is not good enough. We're constantly trying to fix ourselves or to act like others who we think are better than us. However, as the famous 19th-century author and poet Oscar Wilde so brilliantly stated, "Be yourself; everyone else is already taken."

The truth is that no one has a perfect life or practice and wishing you were different does not work. Make the most of your strengths and dreams. A rewarding and fulfilling practice takes on many forms and winning the billable hours derby does not equate to success. How do you want to be remembered? Would you like your tombstone to read, "She always billed more than anyone else," or, "He was a person of integrity"? I will take the latter, although many might say it took me a long time to come to that realization.

### The Physical Element

This leg of the metaphorical stool has three parts of its own: sleep, nutrition, and exercise. We know that a sleep-deprived individual performs like an intoxicated driver. It is a serious handicap and leads to mistakes, anger, and frustration. Sleep deprivation affects cognitive performance as well. If you stay awake more than 18 consecutive hours, your reaction speed, short term and long-term memory, ability to focus, decision-making capacity, math processing, cognitive speed, and spatial orientation all start to suffer.

After a serious cancer scare, I resolved to be a survivor and chose a diet high in fruits and vegetables. Eating good food with little or no processing and found near the perimeter of the grocery store works for me. Again, it took me many years and many more double cheeseburgers and Twinkies before I got with the program.

Exercise is the third, and in my opinion, the most important piece. This is a lifestyle choice. Mine is running. It wasn't always like this. I was a two-pack-a-day smoker until I turned 40. I decided to start running, a little at a time. Eventually this led to 21 marathons and the sport became part of who I am. For others, exercise may be ballroom dancing, hiking, or gardening. It doesn't matter what it is, so long as you get out there and do it and enjoy it. A wise old trial lawyer once told me that trying cases is a marathon not a sprint. You must be in good shape to do your best work and to let your creative juices flow.

### Conclusion

Each leg of wellness — professional, emotional, and physical — contributes to professionalism. True professionals value wellness because it is essential to their long-term happiness and successes. The CBA/DBA Professionalism Coordinating Council's definition has been endorsed by our Supreme Court and wellness promotes each element of that definition: competence, civility, integrity, and commitment to the public good.

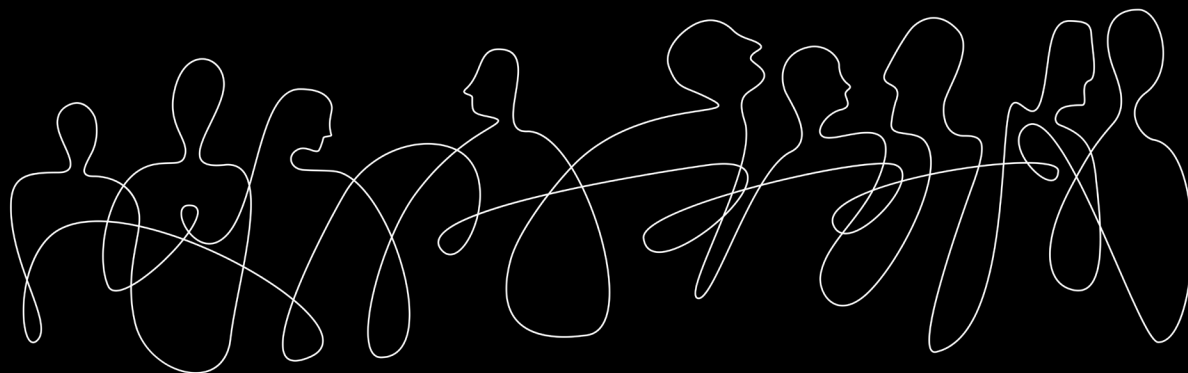
The law is a difficult profession and wellness is essential to a lawyer's sat-

No one has a perfect life or practice and wishing you were different does not work.

isfaction, fulfillment, and happiness. We are all fiduciaries to our clients and to our system of justice. As fiduciaries, we owe duties of integrity, loyalty, and competence. This is a small, round world we practice in and our only real assets are our integrity and reputation. Wellness is an indispensable element that will help to achieve our goals, protect those assets, and satisfy those duties. ●

**DAVID W. STARK** is a Senior Counsel at Faegre Drinker Biddle & Reath in Denver. He serves as Professional Responsibility Counsel and Claims Counsel for the firm. He is the chair of the Supreme Court Attorney Regulation Advisory Committee and is a member of the Supreme Court Standing Committee on the Rules of Professional Conduct, the Colorado Access to Justice Commission, the CBA/DBA Professionalism Coordinating Counsel, the Executive Committee of the Colorado Lawyers Committee and the Supreme Court Task Force on Lawyer Well-Being.

**SARAH MYERS**, executive director of the Colorado Lawyer Assistance Program, is the coordinating editor of this wellness series. Contact COLAP for free and confidential assistance at 303-986-3345 and [info@coloradolap.org](mailto:info@coloradolap.org).



# Without Respect to Persons

BY S. KATO CREWS

---

“I do solemnly swear that I  
will administer justice without  
respect to persons...”



**T**hese are the first 13 words of the Judicial Oath, which I took on August 3, 2018. This phrase, “without respect to persons,” struck me upon taking the oath and continues to occupy my mind — in part because I find these words cumbersome in their combination, but also due to their tie to the administration of justice. The current racial polarity in our country has thrust this quirky phrase to the forefront of my mind. The judicial oath, 28 U.S. Code § 453, was established 231 years ago in 1789 with the passage of the Judiciary Act. This country’s abhorrent history of slavery existed from 1619 to 1865. The Judicial Oath, therefore, was established in the middle of the slave trade. This means the ideal of administering justice “without respect to persons” did not originally contemplate all of humanity because Black people were considered property, not persons, then. So, what does this phrase mean over two centuries later?

In his book, *Disrobed*, Senior District Judge Frederic Block from the U.S. District Court for the Eastern District of New York wrote: “The job of being a trial judge in the federal court is to serve as the human face of the law — to see and deal with the real people, in all of their enormous diversity.” The diversity judges see today in our courtrooms is exponentially different from the persons who appeared before the courts in 1789, when the definition of “persons” was imperfect. And the different scenes in which these persons appear in our courtrooms is important to understanding that diversity.

As magistrate judges on the federal bench, we are often the first judge parties see in a civil case. Over 98% of civil cases settle, so we may be the only judge parties see over the life of their case because we preside over various pretrial proceedings. Our civil caseloads are heavy with matters involving *pro se* litigants, both prisoners and non-prisoners. These parties present additional considerations for judges. We

must ensure they have a fair opportunity to pursue and present their claims, while being mindful that they are still held to the same standards and rules as lawyers.

In felony criminal cases, magistrate judges preside over pretrial proceedings. We make critical decisions on the release or detention of defendants pending trial, where statistics say those who are detained suffer higher conviction rates and other ills associated with pretrial detention. We see criminal defendants the day of or after an arrest when they are brought to our courtrooms in restraints and fear. We have a significant responsibility to ensure these individuals’ rights are preserved and honored, that they receive fair and due process, and that the presumption of innocence pervades every step.

We also have the honor of presiding over naturalization ceremonies. This is an opportunity to share in a historic moment in the lives of immigrant families, to administer the oath of allegiance to the United States, and to welcome our newest citizens with open arms.

In practice, the “enormous diversity” that Judge Block refers to is wide-ranging. It transcends race, ethnicity, disability, national origin, gender, gender identity, political affiliation, sexual orientation, and socio-economic status. It encompasses non-U.S. citizens, non-English speakers, sovereign citizens, racists, and others. And we take these persons as they come because the courthouse *is* the people’s house. Here’s what I’ve learned during my short time on the bench:

“Without respect to persons” means *with respect* to the enormous diversity of the real people who come before the court.

- It means *with respect* to the personal dignity of each person.
- It means *with respect* to the rule of law, and without respect to fear or favor.
- It means *with respect* to the ideal of equal justice under law — the notion that our individual differences will not deter justice being done.
- It means *with respect* to access to justice for those of little means.

■ It means *with respect* to equity and equitable treatment.

■ It means *with respect* to empathy and our own humility as public servants.

■ It means *with respect* to impartiality and neutrality no matter a person’s station in life.

But why should the responsibility of comporting oneself “without respect to persons” be a judicial function alone? As Supreme Court Justice Thurgood Marshall noted: “The very first truth which we declared self-evident in the Declaration of Independence was that ‘all men are created equal.’ Every person has the same ‘unalienable rights’ of liberty, liberty and the pursuit of happiness, and all persons are to be treated with respect and decency which those inalienable rights demand.”

Our inalienable rights *demand* nothing less than that we all take an oath to administer our daily lives “without respect to persons.” But is this a mere aspiration, or a mandate? History suggests the latter — first *decreed* in 1776 and later *codified* as a solemn promise of the judiciary in 1789 — all birthed over two centuries ago.

Considering these pronouncements were at the forefront of the founders’ minds when establishing this nation and its judiciary, it is evident that these should not be solely judicial responsibilities. They should be societal and universal truths. They should be societal and universal guarantees. If we all conducted ourselves in our daily lives “without respect to persons,” as Justice Marshall said, “[s]uch a society will be just, for every member will be treated with equal respect and dignity.”

S. Kato Crews is a U.S. Magistrate Judge in the District of Colorado. The views expressed above are the author’s alone and do not represent the views of the United States District Court for the District of Colorado or any other court. ☯

---

**HONORABLE S. KATO CREWS** is a Magistrate Judge with the U.S. District Court for the District of Colorado, appointed by the District Judges in August 2018.

# Our *Spin* on the Peloton: More than Just a Stationary Bicycle



James and Becky with their tandem bicycle after a 100 kilometer fundraiser bike ride in September 2017.

## BECKY BYE

While 2020 will remain an unforgettable year, for me, 2018 is just as memorable. It was the year I became a mother. It was the year that I became a doctor. And it was the year that we welcomed our Peloton bike, lovingly named “Brufus”, to our family.

On its surface, Peloton appears to be a company that sells stationary bikes and treadmills, which allow users to exercise alongside live or previously recorded classes. The Peloton monthly subscription also includes access to other live and on-demand content, such as yoga, strength, and meditation classes.

Before becoming parents, my husband and I spent significant time together on our tandem road bicycle. It symbolized the devotedness and cooperation of our relationship. We shared many great moments on it together...and just a handful of unfortunate falls.

When we had our baby boy, we bid adieu to long tandem rides and joint trips to the gym. I also faced an unexpected recovery from an emergency c-section. I yearned for the time and modality to feel like myself again, both physically and mentally. This bike provided a vehicle (pun intended) for that necessary healing.

I initially took the Peloton for granted. I saw the bike as just that—a bike, an inanimate object that provided a healthy workout. Soon, I started appreciating the community that embodies Peloton’s essence, and Peloton solidified itself as a fixture in my life.

I found groups of riders with whom I relate, professionally and personally. When you “see” the leaderboard names of those you follow, you can give virtual “high fives”, race them, and even video-chat during the ride! The virtual engagement

with other Peloton riders elevates the workout experience.

To further connect its members, Peloton initiated a hashtag feature which enables users to search for others who share a hashtag phrase. Out of the panoply of hashtags, some that might appeal to fellow Colorado lawyers include #PelotonLawyers, #ColoradoPelotonRider, and #PeloLawMoms. You can even create your own. (Hint: For fellow University of Denver Sturm College of Law graduates, I am the only member of #DUlaw!)

This past January, when pandemic was merely a distant concern, I traveled to New York City for a meeting related to my alma mater, Colgate University. A fellow Peloton enthusiast also organized a group Colgate ride for a live class in the Peloton studio, and I jumped at the opportunity to join.

Participating in a live class reinforced my admiration for Peloton. Kendall, our instructor, sensed our group’s collective energy and enthusiasm; she commented on it several times throughout our ride, which is now permanently archived in the Peloton on-demand library. The experience brought our alumni community together in a unique way.

Soon after my visit to the Peloton studios, an invisible virus changed our reality. Now, more than ever, people appreciate their own communities and the luxuries they took for granted.

And more than ever, I appreciate my Peloton. Despite the physical and social constraints caused by this pandemic, I have never felt better. The workouts remind us that we are all in this together as “one peloton”, striving to be better versions of ourselves in a difficult world.

Merriam-Webster’s dictionary defines “peloton” as “the main body of riders on a bicycle race.” Bike enthusiasts will tell you that while the peloton comprises of

individual riders, the collective effort becomes a singular, synergistic entity that propels everyone to their maximum potential. This holds true with our Peloton bike.

I would be remiss to talk about Peloton's magic without mentioning its instructors, an inherent component of Peloton. They each convey their own personal and fitness backgrounds to keep you motivated. One instructor, Robin, is a former attorney and brings that experience to her rides.

Some instructors emphasize mental wellness and inspiration, others focus on entertainment and laughter, and others on true athletic improvement and metrics. Some offer a visceral rawness and innate ability to allow us to be vulnerable on the bike; others provide comedic relief and giggles. All provide a killer workout. I find them all necessary for whatever medicine I need that day.

Peloton users affectionately joke that it is "a bike that goes nowhere." This bike that goes nowhere will empower you to go anywhere you need to go.

### JAMES RUFUS GARTS, III

Becky and I are both lawyers, and married, with a child, and she has a dental degree. We ride a Peloton bike in our basement. In the "time of COVID" the Peloton rides have become a treasure in every sense of the word. It is an investment that brings joy.

I came to Colorado in the 1990's to ride mountain bikes in the woods. While here, I was lured by the purity of road biking; that too became a healthy habit to add to my gym membership and stable of mountain bikes. Then we had Benjamin. Well, Becky had Benjamin, but we have Benjamin. He is the best I tell you, pure gold, but let me tell you about him another time.

Upon becoming parents, we attempted to alternate trips to our favorite gym, where we used to go together. I could no longer just leave at 6 a.m. for all-day outdoor bicycle rides. It is more than worth it because Benjamin is great, but my fitness suffered.

As a family law litigator, fitness is crucial. Not only does maintaining physical



James on his Peloton bicycle and wearing his Peloton century shirt. Once members complete 100 rides, Peloton sends them a complimentary century ride t-shirt.

fitness keep me sane, it also helps maintain workplace stamina.

Back to the Peloton: it is the smoothest stationary bike I have used...otherworldly smooth with a magnetic resistance mechanism and drive-belt instead of a chain. The smoothness and ease of use add to the pure pleasure of riding it.

Peloton's vigorous and energetic online community contribute to its greatness. The rides are guided on screen, and you can take either live or recorded classes while actually communicating with other riders in real time, collectively sweating in thousands upon thousands of basements, living rooms and bedrooms across the world. All at the same time.

Lawyers enjoy healthy, professional competition — so do many Peloton riders. I find it fun to challenge myself against the other riders who, for the most part, allow their statistics to be projected to the

world. You can keep your fitness a secret, but why? There are plenty of people who will outright tell you that they stay fit so they can enjoy their wine with less guilt. Be proud of your accomplishments. It's all a matter of scale.

So, if I have advice for you, it is to make space in your home and exercise budget for a Peloton bike, then follow Becky and I. We can all go on rides together and high-five one another, albeit virtually. #ColoradoLawyer 🍷

**DR. BECKY BYE** is an attorney and general dentist. Her handle on Peloton is GoodHairBecky.

**JAMES GARTS** is a family law attorney and mediator based in Denver but with a practice that at times spans the state. His handle on Peloton is MtbikeRufus.

# Challenges, Expected and Otherwise

Reflections on My Year as Chair of the MVL Advisory Board

**T**hink back, if you can, to July 1, 2019. What were your expectations for the next year of your life and career? Your plans? What were you excited about? Nervous about? Worried about? Think about how you imagined the next twelve months unfolding.

So, how did all that work out?

On July 1, 2019, I began my one-year term as Chair of the Advisory Board of Metro Volunteer Lawyers. To say that the past year did not unfold as I had expected would be an understatement. But thanks to the dedication and leadership of the MVL Board, the DBA, the Denver legal community, and above all the heroic MVL staff, MVL is weathering the storm that 2020 has brought, and expanding its offerings in a time of unexpected need.

I want to take this opportunity to reflect on some of the changes and challenges that MVL has navigated during my year at the helm and share some thoughts regarding the year ahead.

## Launching a New Program

MVL's most exciting development of 2019-2020 has nothing to do with viruses or lockdowns — instead it's a brand-new program designed to fill a longstanding gap in MVL's provision of services in family law.

The Family Law Court Program (FLCP) has long been one of the central pillars of MVL's services. Through this program, clients who need a divorce or an allocation of parental responsibilities attend two in-person clinics. In the first meeting, they are paired with a volunteer attorney or other professional to assist them with filling out the court forms and other paperwork necessary to initiate their case. Then MVL staff handle the filing of the case and service on the opposing party. Finally, the clients join another MVL volunteer attorney for

their Permanent Orders Hearing before a judge or magistrate, and the volunteer represents the client for that proceeding.

Through the FLCP, MVL provides high-quality pro bono representation to hundreds of low-income Coloradans every year. However, there have always been inherent limitations on the scope of the program. Eligibility is limited to those cases in which both sides are unrepresented, and in which there are no significant contested issues. And MVL has only been able to accept cases that have not yet been filed, so if a client has already filed their petition, they are not eligible for the program. These clients are not without recourse, but in cases with contested issues or counsel on the other side, clients have typically been placed in MVL's full representation referral program, which can result in a long wait by the client for a volunteer attorney willing to represent them in full.

**Family Law Unbundled** — MVL's newest program, supported by a generous grant from the Conover Foundation — is designed to fill that gap and serve clients with a broader range of issues. Clients in this new program are still provided services in a clinic setting, but the volunteer attorneys in the Unbundled program provide limited-scope representation under Colorado Rule of Professional Conduct 1.2(c). This allows them to assist clients in already-filed matters, in matters involving contested issues, and in matters in which the other side is represented.

Unbundled volunteers are given their clients' files beforehand, and prepare in advance for hour-long, one-on-one meetings with their attorneys. The attorneys provide legal advice and guidance and, under C.R.C.P. 11(b), can even draft pleadings for the clients. This provides a

fuller-service model for those clients with more complex issues, while still limiting the amount of in-person time required of the volunteers to less than that required for a full representation case.

Since the Unbundled program launched in the November 2019, more than 50 clients have already taken advantage of the program to obtain high-quality, essential legal services through MVL. This has also reduced the burden on MVL's full representation referral program, allowing the volunteers in that program to focus on the most complex cases.

We are truly excited to watch the Family Law Unbundled program continue to grow in the coming years.

## Learning to Serve Clients Remotely in the Age of COVID

Along with the rest of the world, MVL went remote in mid-March 2020, due to the stay-at-home orders imposed to stem the spread of the COVID-19 pandemic. The remote model has changed the way MVL provides services in many ways, but it has not changed MVL's commitment to serving its client population.

Once the stay-at-home orders were issued, MVL moved all activities for the FLCP, the Unbundled program, the Post-Decree Clinic, and the Denver Indian Center clinic to a virtual model. This includes providing representation in telephonic court hearings and in client meetings via videoconference platforms. For these programs, the move to a remote model has proven successful and clients in these programs are still able to access the same level of services as in the pre-COVID world.

Moving to a virtual model has proven to be a greater challenge for the Power of Attorney Clinic. In this program, MVL volunteers provide clinical consultations with seniors to prepare power of attorney and other advance-planning documents. For these clinics, MVL volunteers go into senior centers for in-person sessions. Given the disproportionately high COVID risk faced by seniors, these centers have by necessity closed their doors to outside visitors, including MVL volunteers.

Few senior centers have the necessary technological infrastructure (computers, webcams, scanners, fast internet) in place to enable virtual consultations. MVL is working to try to bridge this gap, including purchasing several laptops that can travel to senior centers in the hopes that consultations will be able to resume via a remote platform.

Overall, even amid the chaos of COVID, the dedicated and intrepid MVL staff has kept its programs going strong, even innovating to find new ways to serve our community.

### Virtual BBB

Even as MVL worked to transform its procedures to continue serving its client population, COVID-19 had one more curveball to throw, as it required can-

celing the in-person Barrister's Benefit Ball. This annual event is MVL's largest fundraiser and was originally scheduled for the beginning of May, but the event has, like MVL itself, gone entirely virtual!

While we will miss seeing everyone dressed up and face-to-face this year, the DBA is working to put together a series of online events, culminating in a live video-conference party and fundraiser. Watch this space for more details and dates, and please contribute when you can!

### New At-Large MVL Board Member Positions

Finally, the first half of 2020 brought one more structural change to the MVL Board. The board has historically consisted exclusively of members chosen by each of MVL's constituent bar associations around the

metro area. This year, the board decided to tweak that structure by adding three at-large positions, with staggered three-year terms, that are not tied to any particular geographical region or bar association.

These positions offer MVL the opportunity to recruit to the board a more diverse set of viewpoints and voices that might not otherwise be heard. One of these positions is still unfilled, so if you or someone you know may be interested in serving on the MVL Board as an at-large member, please reach out!

On the whole, 2019-2020 was not the year I was expecting when I took on the chair position of the MVL Board. But it did bring opportunities for growth and change (whether sought out or forced upon us), and I hope I am leaving MVL at least as strong (if not stronger!) than I found it. 

# METRO VOLUNTEER LAWYERS MAKE A DIFFERENCE

Help low-income elderly clients throughout the Denver-Metro area complete advance planning documents like a living will or powers of attorney. No elder law/probate experience necessary, and no additional time commitment beyond the 2-3 hour clinic.

*Pro bono attorneys can make a difference.*

Volunteer with MVL's  
**POWER of ATTORNEY CLINICS**



METRO  
VOLUNTEER  
LAWYERS

a Denver Bar Association program  
in collaboration with the Adams, Broomfield, Arapahoe,  
Douglas, Elbert, and First Judicial District Bar Associations

[denbar.org/mvl](http://denbar.org/mvl)  
303-830-8210

# As It Turns Out, The Journey Really IS More Important Than The Destination

It is often said that law school does not really prepare you to be a lawyer; it teaches you to think like one. In my limited experience, this is profoundly true in more ways than one. The importance of thinking like a lawyer, not only in the practical sense, but in the moral sense of what it means to be an attorney, has been one of the most important learning experiences of my life.

For as long as I can remember, I planned on becoming an attorney. In middle and high school when people asked me what I wanted to be when I grew up, I confidently answered, “A lawyer.” After all, the law, like me, was prestigious and sophisticated. I would make so much money. I was a member of a pre-law fraternity in college (although, if we’re being honest, it was more of a club) and when people asked me about my major I’d say, “Business, but I’m pre-law.” Looking back on it now, I think it may have been a little obnoxious. I knew I was going to law school — the trouble was that I had no idea what to do once I got there.

Even as I studied for and took the LSAT and submitted my applications, I lacked a complete understanding of my future. I had defined myself as a future law student for so long that the transition to actual law student was a difficult one. I struggled at the beginning of my law school career, as many have before me and many will after me. I realized that I didn’t know everything, that I would have to apply myself to have a chance at success. And I wasn’t at all sure what kind of lawyer I wanted to be. In fact, my first semester left me so disillusioned that I withdrew from school and took a gap year.

During that gap year I considered several other career paths (after feeling sorry for myself and moping about the house for a few weeks) and came to a realization: I had spent so much time telling myself



and other people that I was going to be a lawyer that I never really examined any other options for myself and, even worse, I had begun to define myself largely by that part of me. Now that I suddenly was no longer in school, it felt like a part of me had died. A part of my identity was gone.

That was one of the best things that ever happened to me. During my time off, I was able to grow up a little bit, to reexamine my priorities and to ask myself why I wanted to be a lawyer. I thought about becoming a teacher or going to optometry school or getting my MBA but, in the end, I kept coming back to the law. And while the law is prestigious and you can certainly earn a comfortable living practicing it, those reasons no longer stood by themselves.

Not every career defines a person. Some do — doctors, nurses, teachers, and lawyers, to name a few. During my time off I kept asking myself why that was the case and why I felt such a profound sense of loss at my sudden lack of direction. And the answer, which is quite simple but was difficult for me to fully grasp, is that careers in medicine, education, and

the law provide us with the chance to better the lives of others when they need it most. When someone is fighting an illness, they seek medical attention to get better. When a teacher truly touches the life of a student and imparts knowledge and confidence, the student takes another step in the direction of becoming a happy and productive adult. And when a lawyer helps an innocent person avoid jail, gets a desperate immigrant asylum status, helps an abused spouse finally divorce his or her abuser, or eases the mind of a worried parent with a will, that lawyer too has helped make that person’s life better. And I realized that my reason for becoming a lawyer was that I could truly help people. I could give back.

As human beings, we crave that ability to help others — when we perform acts of kindness, our brains release dopamine. And when we are lucky enough to be part of a profession which has such a unique way of helping others, it is only natural that it should become a larger part of our identity. Because the job is no longer just a job, but an important aspect of our

psychological health and of our intrinsic value as people.

Many of you probably went to law school already understanding this — and I applaud you for it. I am not so sure whether I knew it deep down, but it certainly took me a substantial period of time to be able to put words to it. But once I was able to recognize why I wanted to be an attorney, I knew I was ready to actually become one.

I went back to school, humbled and ready to work hard. I went back with an appreciation for both the fact that I could be there and with an excitement for what it meant I could do for others. That was almost two years ago now and I look back on my gap year with fondness because of how it shaped me into the person I am now. I still identify as law student, but I am also a son, a brother, a friend.

I am now about to enter my last year of law school. My days as a student are waning and I find myself on the verge of

another life transition. I believe that I am better prepared for it than I was at the start of my journey. I know that I am not alone in loving the law not only for what it does for me (that is, provide a livelihood, intellectual stimulation, and contact with incredible individuals), but also what it allows me to do for others.

I know that lawyers can struggle with substance abuse, addiction, depression, and other demons as a result of how demanding this profession can be. I also acknowledge that it is probably much easier to be positive about a career when I am not currently facing those burdens. But I hope that my own journey, though only now beginning, can remind you all of why you became attorneys in the first place. I am so excited to (hopefully) join this profession fully in a year's time, and look forward to, with the guidance of so many of you, working towards a world that is ever so slightly better than it is now. 🍷

**I hope that my own journey, though only now beginning, can remind you all of why you became attorneys in the first place.**



**COHEN|BLACK**  
LAW


Nancy L. Cohen & Nicole Marie Black are excited to announce the opening of their new firm, Cohen|Black Law. With offices in downtown Denver, they offer services in Professional Liability, Ethics & Legal Advice, Commercial Litigation, Real Estate & Construction Litigation and Director & Officer Liability.

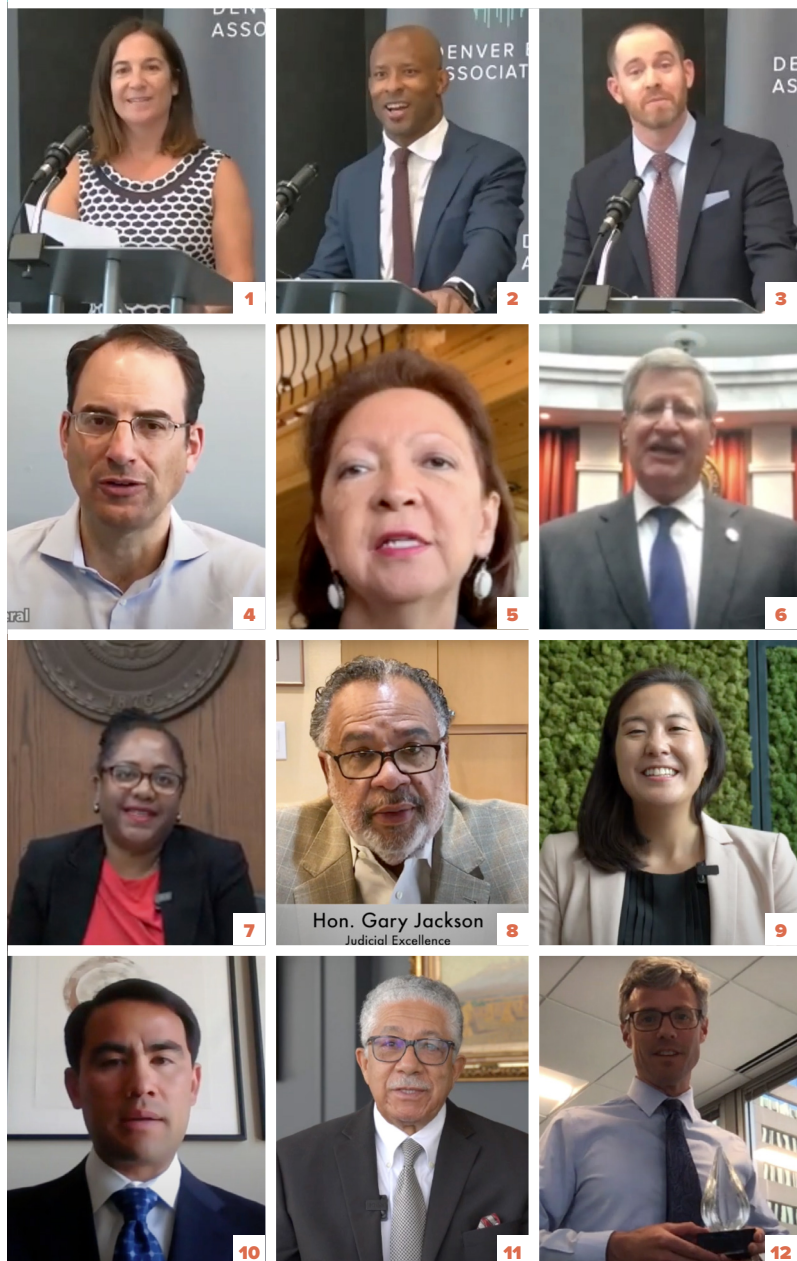
**PROTECTING YOUR REPUTATION**

**720.699.2322 | COHENBLACKLAW.COM**  
1888 N. Sherman Street - Suite 770, Denver, CO 80203

# DBA Annual Awards Goes Virtual

On July 29, 2020, the Denver Bar Association held its first ever all virtual event. DBA President Kevin McReynolds, President-Elect Tyrone Glover, and Awards Committee Chair Wendy Weigler hosted the ceremony from 1290 Broadway where all participants were able to practice social distancing.

With this new format, we were able to celebrate this year's amazing award recipients while allowing DBA members and the public to experience the program safely. Watch the entire program on the CBA YouTube Channel! 



- 1 Wendy Weigler, DBA Awards Chair**
- 2 A. Tyrone Glover, DBA President-elect**
- 3 Kevin McReynolds, DBA President**
- 4 Phil Weiser, Colorado Attorney General, presenting the Award of Merit**
- 5 Hon. Christine Arguello, Award of Merit Recipient**
- 6 Justice Richard Gabriel, Program of the Year recipient for Our Courts Colorado**
- 7 Hon. Jill Dorancy, presenting the Judicial Excellence Award**
- 8 Hon. Gary Jackson, Judicial Excellence Recipient**
- 9 Sumi Lee, presenting the Young Lawyer of the Year**
- 10 Justin Cohen, Young Lawyer of the Year Recipient**
- 11 Hon. Alfred Harrell, presenting the Volunteer of the Year Award**
- 12 James R. Garts, Volunteer of the Year Recipient**



# Colorado Judicial Institute's

2020 Judicial Excellence Awards  
Online October 7th



The Colorado Judicial Institute cordially invites you

Wednesday, October 7

Online via Zoom

5:00 p.m. to 6:30 p.m.

Event and sponsorship

information at

[www.coloradojudicialinstitute.org](http://www.coloradojudicialinstitute.org)

## In Honor of

Colorado Supreme Court Chief Justice Nathan Coats

Colorado Court of Appeals Judge Robert Hawthorne

District Court Judge Larry Schwartz

County Court Presiding Judge Theresa Spahn

Magistrate Jami Vigil

CJI will also recognize the extraordinary efforts of Colorado's court system during the COVID crisis with a special award to the Chief Judges Council.

Thank you to our Generous Diamond and Gold Sponsors

## Diamond

Nelson Mullins Riley & Scarborough LLP

Wheeler Trigg O'Donnell LLP

## Gold

Burg Simpson Eldredge Hersh & Jardine, P.C.

JAMS

Davis Graham & Stubbs LLP



# 2020–21 Board of Trustees

**Ruchi Kapoor,**  
FIRST VICE PRESIDENT



**Please tell us a little about yourself, personally and professionally.**

I was born and raised in the Denver metro area, and moved back in 2007 to attend law school at

CU. I was a pre-med student during undergrad at Creighton University and went to law school with the intention of using my science background to be a patent attorney. Since all of my career plans fell through the bottom of the economy in 2008, I ended up spending time after law school trying to figure out where I wanted to be. I ended up embracing my inner nerd and following my love for appellate work, working for a few appellate practitioners doing legal research. I also ended up clerking for the Denver Juvenile Court and, bam, found a new career trajectory as the appellate director and legislative liaison for the Office of Respondent Parents' Counsel. In my free time you can find me tooling around town on my bike, drinking a beer, or just generally being outside!

**What has been one of your most memorable DBA experiences?**

One of my most memorable DBA experiences was winning *The Docket Arts & Literature* competition in 2012. When they photographed us I assumed we'd be getting headshots only and chose to wear my Birkenstock sandals as we wandered city park (it was almost 100 degrees that day!) and was surprised to see myself pictured on the cover of *The Docket* with birks on full display. My mom will still occasionally call me to check if I am wearing proper footwear to court.

**If you weren't practicing law, what career would you have chosen?**

I would probably be a novelist, all truth be told, but I think that having to earn money by doing what you love puts too much pressure on it. I feel like I should really talk to John Grisham about it, though...

**What is the best advice you've ever received?**

This isn't really advice that someone gave me, but I always seem to come back to this quote from Elizabeth Gilbert: "I've

never seen any transformation that didn't begin with the person in question getting tired of their own nonsense." I try to keep my nonsense at bay as often as I can.

**Nicoal Sperrazza,**  
SECOND VICE PRESIDENT



**Please tell us a little about yourself, personally and professionally.**

I'm a solo practitioner with a focus on family law and civil litigation.

I'm a past president of the Asian Pacific American Bar Association and currently serve as Chair for the CBA Litigation Section in addition to my new role on the DBA Board of Governors. By way of background, I'm a first generation Korean American and I chose my name (including the spelling of my name) when I was adopted by my father at ten years old. I enjoy spending my spare time with my very independent toddler and my equally independent golden doodle, as well as cooking and baking for others.

**What has been one of your most memorable DBA experiences?**

Barristers Ball! I'm an extrovert, so large events are my favorite functions to attend. It's great to catch up with old friends and colleagues who I rarely see, and meet and greet with some new faces.

**If you weren't practicing law, what career would you have chosen?**

Either party planning or having my own bakery.

**What is the best advice you've ever received?**

The best personal and professional advice I've received is not to be nice, but to be kind.

**Matt Deegan,**  
YOUNG LAWYER DIVISION



**Please tell us a little about yourself, personally and professionally.**

I am originally from New York but moved to Colorado from Boston

in 2013. I received my undergraduate degree from Northeastern University and my law degree from the University of Denver. As an attorney for

CenturyLink, I primarily do transactional work. My wife and I welcomed our first child this past March, which has made for an interesting transition to working from home! When I am not working, I enjoy watching pretty much any sport I can find, but especially baseball and football. Outside of our home we enjoy skiing, hiking, and exploring Colorado's vibrant brewery scene.

**What has been one of your most memorable DBA experiences?**

The golf tournament that the DBA YLD organizes each summer to benefit Metro Volunteer Lawyers has provided my most memorable DBA experiences.

**If you weren't practicing law, what career would you have chosen?**

I think I would gravitate towards teaching at the college level. I also really enjoy writing fiction.

**What is the best advice you've ever received?**

Judges are people in robes.

**Christine M. Hernandez,**  
DIVERSITY BARS REPRESENTATIVE



**Please tell us a little about yourself, personally and professionally.**

I grew up in Richmond, Virginia. I was raised in a mixed-status family — my mother came to the

U.S. from Panama when she was eight and my father's family is Jewish, with family still in Russia. I am the first lawyer in the family. And, of course, I met my husband in law school, at DU. Our 13-year old firm, Hernandez & Associates, PC, is the largest immigration law firm in Colorado. We are extremely proud of our 11 diverse attorneys and are most excited that we are now the proud owners and occupants of the Smith Mansion. Feel free to pop in and say hi! We are also raising three future lawyers, ages 7, 6, and 2.5 (the youngest is definitely going to take over the law firm!)

**What has been one of your most memorable DBA experiences?**

I have really enjoyed being a part of the CBA/DBA Presidents' Diversity Council. I was President of the Colorado Hispanic

Bar Association in 2019, and they let me stick around in 2020. It has been amazing working with so many great leaders in our legal community. We get so much more done when we collaborate. I am excited for the opportunity to make some positive changes in our legal community as a member of the DBA's Board of Trustees.

**If you weren't practicing law, what career would you have chosen?**

I honestly cannot imagine myself doing anything other than being an Immigration Defense Attorney. But, I would have failed miserably as an elementary, daycare, or ballet teacher. My family's adventure through COVID has opened my eyes to the amazing role that these individuals have in my children's lives. My hats off to all the teacher/coaches in Colorado — Thank you for your creativity and love for our kids!

**What is the best advice you've ever received?**

Not only the best advice I ever received, but perhaps most "life-changing" — was to be authentic. I know we hear it all the time, but once I identified and really embraced my unique qualities, I no longer held myself back. I learned to be OK with the fact that I am quiet and reserved and that my perceived weaknesses were actually my strengths. It was so liberating, personally and professionally!

**Christine Kroupa**



**Please tell us a little about yourself, personally and professionally.**

I grew up on a farm and ranch in rural South Dakota, surrounded by two older brothers and two younger sisters. I attended college at the University of Nebraska-Lincoln and then graduated law school from Creighton University School of Law. After a few more years of harsh Midwest winters, I moved to Colorado to continue my practice at Gordon Rees Scully Mansukhani, LLP. I primarily handle complex civil litigation including the defense of professional malpractice lawsuits against lawyers and representation of insurers in first party bad faith litigation. I enjoy taking advantage of the beautiful outdoors of Colorado, ranging from camping to snowboarding to a good patio.

**What has been one of your most memorable DBA experiences?**

One of my most memorable DBA experiences is Barrister's Ball. Not only is it a fun event to commingle with other attorneys and their significant others, it supports such a worthy cause. It is a good reminder to use our resources to help the less fortunate and to give back.

**If you weren't practicing law, what career would you have chosen?**

If I were not practicing law, I would be either a FBI or CIA agent (assuming they would even take me!). I have always been fascinated with how people think and their motivations and enjoy getting into the details to unravel a plan or theory.

**What is the best advice you've ever received?**

The best advice I have received is from my parents: to work hard. The harder you work, the luckier you get.

**Joseph Mark**



**Please tell us a little about yourself, personally and professionally.**

I'm a Colorado native and love all things that Colorado has to offer, year-round. I love spending time outdoors with my family and friends. I work as a litigation associate at Moye White where I practice primarily commercial litigation. I've been involved with the DBA for a few years now as a member of the Young Lawyers Division Executive Council and am very excited to continue my DBA involvement as a member of the Board of Trustees.

**What has been one of your most memorable DBA experiences?**

The golf tournament has been some of my best times working with the DBA. I've enjoyed being involved in planning the tournament as the golf tournament has evolved over the years, a great way to support MVL.

**If you weren't practicing law, what career would you have chosen?**

Ski instructor. I taught kids' ski school lessons for a couple of years before attending law school and it was a very rewarding experience. Plus, you get paid to ski.

**What is the best advice you've ever received?**

Don't do anything stupid.

**Wendy Weigler**



**Please tell us a little about yourself, personally and professionally.**

I grew up in New York and New Jersey, and moved to Miami, Florida for law school. I was a criminal defense attorney for my first few years of practice. I actually met my future husband in a courtroom, where he was the prosecutor. He convinced me to move to Colorado in 1987 and it was just like the John Denver song, "Coming home to a place I'd never been before." We have one daughter, who is heading off to college this fall, and one dog, who is staying home. I practiced a variety of civil litigation, including insurance defense and real estate litigation, before finding my current niche representing homeowners' associations.

**What has been one of your most memorable DBA experiences?**

My most memorable experience was at the 2016 Barrister's Ball when I won the grand prize in the "heads or tails" game. The prize included gift certificates for Southwest Airlines and Hyatt Hotels, which I used to take my daughter to New York City. It was fun being a tourist in the city where I grew up.

**If you weren't practicing law, what career would you have chosen?**

I think I would have made a good guidance counselor. Plus, I would love to have summers off so I could work at a sleepaway camp.

**What is the best advice you've ever received?**

One of the best pieces of advice I've received as a lawyer was from my old boss, Joseph Murr: "Tell 'em what you're gonna tell 'em; tell 'em; then tell 'em what you told 'em.'" 🗣️

# 2020–21 Denver Bar Association Young Lawyers Division New Executive Council Members



**Name:** Dana Dobbins  
**Law School:** Boston University School of Law  
**Where are you currently working?:** Husch Blackwell  
**Bucket list:** Vacationing in New Zealand!  
**If you were not a lawyer, what career would you choose?** Teacher or 4-H agent.

I was a camp counselor for years and served two AmeriCorps terms with the 4-H youth development program. I love empowering young people to reach their goals, and still support the organization that was a huge factor in my success.

**What has been your favorite DBA YLD event or program and why?** I love the Roll Out the Barrels food drive for Metro Caring. An important part of personal and professional fulfillment is being involved in your community and giving back, and there's no better way than teaming up with a wonderful group of colleagues.



**Name:** Katharine Lum (Katy)  
**Law School:** University of California, Berkeley, School of Law  
**Where are you currently working?** Lass Moses Ramp & Cooper, LLC  
**Bucket list:**  
 • Hike the Milford and/or Routeburn Track in New Zealand

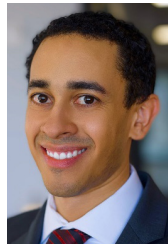
- Visit/Explore Haida Gwaii
- Dive in the coral triangle area of the Pacific
- Learn to make a perfect pain au raisin
- Read the last book in the Kingkiller Chronicles (just waiting, increasingly less patiently, for Patrick Rothfuss to finally finish it).

**How do you de-stress?**

Hike, climb, cook/bake, play the cello.

**If you were not a lawyer, what career would you choose?**

Something in the physical sciences, I think. Perhaps paleontology or geology.



**Name:** Gurney Pearsall  
**Law school:** University of Colorado School of Law  
**Where are you currently working?** Pearsall Law Firm, P.C.  
**How do you de-stress?** Playing piano, photography, chess  
**If/when you are disbarred, what would you do instead?** Pianist

**Dinner with which historical figure, and why?** I'd love to have dinner with Beethoven, to talk about his creative process and to show him how music has evolved over the last 200 years. I think he'd be a big fan of jazz.



**Name:** Noel Trujillo  
**Law School:** University of Denver – Sturm College of Law  
**Where are you currently working?** The Veterans Advocacy Project (through the law school) and law clerk at Miller & Law, P.C.

**Why did you become a lawyer?** I want to be a lawyer because I like the problem-solving aspect of law and I want to be able to help clients achieve their goals.

**Bucket list:** I would like to parasailing in a tropical, beachy location and also be able to run a ½ marathon.

**How do you de-stress?** I like to run, hike, and just get out into nature to de-stress. I also love to bake bread in the winter.

**What's the best advice you've ever been given?** Don't get so caught up in anticipating the "what-ifs" that you forget to enjoy the present.

**If you were not a lawyer, what career would you choose?** I would have probably become a nurse. 🧑‍⚕️

# DBA Access to Justice Committee Names 2020 Pro Bono Stars



**Jim Aab** has been a DBA member since 1974. Jim has been a part of the monthly ATJ Bankruptcy Clinic held at the Colorado Bankruptcy Court for more than 15 years.

He has given his expertise and other important information to individuals interested in filing their own bankruptcy. For the past several years Jim has been, with rare exception, the only attorney collaborating with bankruptcy court personnel in conducting this clinic. Jim has recently helped Metro Volunteer Lawyers with Bankruptcy applicants. Since the end of last year he has taken at least six cases. Jim is also involved in advising the Federal Pro Se Clinic on their organization of a Bankruptcy Clinic and has participated for the past several years in attending the monthly Colorado Lawyers for Colorado Veterans Clinic.



**Felipe Bohnet-Gomez** is an attorney at Rathod Mohamedbhai LLC, where he focuses on civil rights and employment cases. Felipe has been providing essential pro bono legal

services to the Denver Community over the last two years as coordinating attorney for the Mi Casa Resource Center Legal Clinic, which is sponsored by the Colorado Hispanic Bar Association. Through the Clinic as many as 40 individuals each month are provided free 30-minute legal consults with an attorney in criminal, family, employment, bankruptcy or housing law. Recently, Felipe championed Mi Casa's efforts during the COVID-19 crisis to successfully transition the clinic to a virtual platform which has provided services to people in need during this challenging time.



**Cheyenne Moore** is an associate at Nelson Mullins Riley & Scarborough LLP, where she focuses on litigation matters. In the last year alone, she has spent more than 300

hours working on pro bono matters. During the ongoing COVID-19 pandemic, Cheyenne has volunteered with the Federal Pro Se Clinic, where she advised two litigants regarding a contract dispute and defamation claims. She also volunteered through Downtown Denver Partnership's efforts to clean up the downtown area after the recent protests. Cheyenne serves as her firm's representative for the Legal Aid Foundation's Associate's Campaign.




**Sonia Ramirez Anderson** is an attorney at Husch Blackwell LLP, where she focuses on helping companies navigate various employment related issues. Recently,

Sonia served as pro bono counsel for an elderly woman in a case alleging civil rights violations and seeking to restore her client's disability accommodations. Sonia also provides pro bono counsel to Hands of the Carpenter, a nonprofit that serves single women in need. Sonia has also provided assistance to the Colorado Lawyers Committee Hate Crimes Program. She is an active member of Judge Adam Espinosa's Dream Team, which provides a platform for diverse students to meet and seek mentorship from diverse legal professionals. She is currently serving her second term as Vice President of Committees for the Colorado Hispanic Bar Association.



**Aurora Randolph** is an associate attorney at Johnson & Klein, where she primarily focuses on civil rights cases. Aurora has represented at least six prisoners on a pro bono basis

submitting clemency requests to the Governor's Office, defended protestors pro bono against criminal charges for their activism, taken several cases from the pro bono panel at the U.S. District Court of Colorado, and represented several prisoners pro bono seeking Special Needs Parole due to their medical vulnerability during the severe outbreak of COVID-19 in Colorado prisons. Aurora has also been a legal observer during recent civil rights protests and is providing pro bono representation to an individual arrested during the protests. In the past year alone, Aurora has represented 13 pro bono clients. 

## The Denver Access to Justice

**committee** meets the third Wednesday at noon at the Denver Bar offices. This committee works on projects such as monthly pro se clinics on bankruptcy and family, the Colorado Poverty Law Clinic, LawLine 9, the Denver Access to Justice Hearing, and CLE trainings. This Committee also works closely with Metro Volunteer Lawyers, Colorado Legal Services, Denver Wrap Around Project, Court Mediation Services, Denver Pro Se Center and Specialty Bar Associations. Please contact Virginia McClerkin if you want to get involved at [vmcclerkin@cobar.org](mailto:vmcclerkin@cobar.org).



## Good Things

**1** Ireland Stapleton Pryor & Pascoe is pleased to announce **Elizabeth P. Woodward** has been named a Director and Shareholder.

**2, 3** Merchant & Gould P.C., a national intellectual property (IP) law firm with clients in the Rocky Mountain region, is pleased to announce the promotion of **David D. Harrell** and **Michael S. Wagner** to partners, effective July 1, 2020.

► Davis Graham & Stubbs LLP is pleased to announce that **Mark Champoux** has rejoined the firm as a partner in the Trial Department after serving as Principal Deputy Assistant Attorney General at the U.S. Department of Justice's Office of Legal Policy since January 2018. At DGS, he will draw on his combined government and private practice experience to help clients resolve significant litigation, enforcement, and regulatory challenges.

If you are a DBA member and you've moved, been promoted, hired an associate, taken on a partner, received a promotion or award, or begun service on a new board, we'd love to hear from you. Talks, speeches, CLE presentations and political announcements, due to their sheer number, cannot be included. In addition, *the Docket* cannot print notices of honors determined by other publications (e.g., Super Lawyers, Best Lawyers, etc.) again due to volume. Notices are printed at no cost but must be submitted in writing and are subject to editing and space available. **Send all notices to Jessica Espinoza at [jespinoza@cobar.org](mailto:jespinoza@cobar.org). Announcements will be placed on a first-come, first-served basis.**

## Changes



Higgins, Hopkins, McLain & Roswell is pleased to announce that **Todd Likman** has joined the Firm as an Associate. Our practice will continue to focus on Construction Law and General Civil Litigation.



Local litigators **John M. Bowlin** and **Jason D. Schall** are proud to announce

their new firm, Bowlin & Schall LLC, a full-service Denver-area litigation practice serving clients in all kinds of commercial and personal litigation: civil, criminal and appeals.



**James Eklund** is starting his own firm to help public and private clients with environmental, public policy, regulatory and legislative matters. Eklund is forming a new firm, Eklund Hanlon LLC, after serving as counsel for Squire Patton Boggs. Partner Sara Hanlon is the new firm's chief financial officer.

► Fennemore Craig will soon be **Fennemore Craig Dowling Aaron**. The merger is slated to go live on October 1. Dowling Aaron is a 100 legal professionals from California-based law firm who will be joining the 250-plus lawyers and allied legal professionals of Fennemore Craig. The firm will continue to be known as Fennemore Craig in Arizona, Colorado, and Nevada, and it will be known as Fennemore Craig Dowling Aaron in California. The firm will have offices in 10 cities across the western United States.

# In Memoriam

## Richard Daniel Turelli May 30, 1935 – May 27, 2020



Richard Daniel Turelli was born May 30, 1935 to Nicola and Mary Turelli of Denver and died in Westminster May 27 at the age of 84. He married Rosemary DeMers

Turelli of Denver, who preceded him in death. Richard is survived by his son Paul (and Rachel) Turelli of Parker and their children Julia and Jacob; daughter Anne Marie Brouker (and Gary) of Westminster and their children Daniel and Katie; six great-grandchildren; and foster-daughter Paulette and her family of Durango. He is also survived by four younger sisters: Rita Smith, Mary Meredith, Karen Dillon and Loretta Blessinger. He was preceded in death by his sons Philip and Nicola. Richard is a graduate of Cathedral High School, Regis College, and the University of Denver Law School. He served as clerk of the state Supreme Court, district judge of the 18th judicial district, and founded The Turelli Foundation, which serves the wellbeing of children during the most complicated divorces. He was a board member on various outreaches and ministries, and with his wife Rosemary were very active at Christ Episcopal Church of Castle Rock. They were involved in the planning and performance of thousands of weddings. He spearheaded countless community projects and helped various organizations throughout the state. His loving impact on countless people is immeasurable. Most importantly, he was a wonderful and loving patriarch to his immediate and extended family. His joy, prayers, and celebration of life permeated his home and the hearts of all.

## James W. (Jim) Hubbell Feb. 14, 1955 – March 29, 2020



Longtime Denver attorney Jim Hubbell passed away on March 29 at the Balfour Senior Living Center in Stapleton after a long illness.

Born in Kansas City, Jim was a classic Midwesterner: modest, self-effacing, and quietly book-smart. A National Merit Scholar in high school, Jim graduated from the University of Kansas, where he was an English and philosophy major and earned both Phi Beta Kappa and Phi Kappa Phi honors. After graduation, Jim went to Stanford Law School, where he was known for his brilliant writing and became senior note editor of the Stanford Law Review. After moving to Denver, he worked as an associate attorney for the Arnold & Porter law firm, doing litigation and corporate work, before moving in 1983 to Kelly/Haglund/Garnsey/Kahn/Hubbell/Lass, a litigation firm known for its commitment to public service.

Jim's brilliance as a law student transferred easily into his 25 years of law practice at Kelly/Haglund, where he developed an eclectic litigation practice, leaning heavily toward clients and causes referred by the Colorado ACLU and the Colorado Lawyers Committee.

Jim did a prodigious amount of pro bono work. He was particularly involved in the early days of the Colorado Homeless Coalition. His advocacy work for the coalition included litigation, negotiation, and policy assistance to the coalition board, on which he served as a long-term member, including terms as chairperson. He also provided policy, political, and legal advice for many years to Planned Parenthood of the Rocky Mountains, representing it before both state and federal courts.

Jim's former colleagues still recall his cross-examination of a lawyer-developer, the opening witness in a lender liability case. Allegation by allegation, claim by claim, Jim's cross-exam forced the lawyer-developer to literally destroy his own case. At the end of the first day of trial, the plaintiff's lawyer called and said his client was not prepared to continue — he had checked himself into a hospital. Those who had witnessed the cross-exam were not surprised.

In 2011, the Colorado Lawyers Committee honored Jim with its Outstanding Sustained Contribution Award, awarded to an attorney who has made a significant difference in the lives of children and the underprivileged. It cited his service on the boards of Colorado Rural Legal Services and the Renaissance Housing Development Corp., as well as his work for the Coalition for the Homeless. It also cited his work on the Lawyers Committee itself (including serving as chair and vice chair), his work as a trustee for the national Lawyers' Committee for Civil Rights Under Law and his chairmanship of the Task Force on Housing.

He is survived by his two sons, Noah Hubbell and Troy Hubbell of Denver; two sisters, Dr. Gail Hubbell of Orinda, Calif., and Dr. Becky Hubbell of Warrensburg, Mo.; his stepmother, three stepsisters and four stepbrothers, all of the Kansas City area; and his longtime partner, Alison Gwinn, of Denver.

Contributions can be made in Jim's name to Oxfam America, the Zen Center of Denver, or the Colorado Coalition for the Homeless. 🌐

# Matt Deegan, DBA YLD Chair

**M**att Deegan has had an eventful year. Like everyone else, he has had to adapt to a world changed by the COVID-19 pandemic, but with the added challenges of a new job and a new baby. “Overall, we’ve been pretty lucky,” he says. He and his wife Paula, who works in corporate partnerships for the American Red Cross, have both gone back to work full time and yet have been able to enjoy much more time with their son in this brave new work-from-home world. “It really has provided us a rare opportunity to be extremely involved with raising him. Granted, we’re not getting through all the Netflix shows other people are plowing through right now. We’re basically working or taking care of the baby.”

Deegan and his wife keep on track, managing the demands of two careers and childcare with an elegantly simple solution, despite the new technology-reliant, online, remote-work paradigm: a whiteboard. “We use it to track our schedules on a rolling two-week basis, to plot out who is on baby duty, when his naps are, et cetera.”

Deegan is an attorney at CenturyLink, a role he took on in January. “It has been a great experience so far,” Deegan says. “Everyone I have interacted with is great, and they are always willing to help. I get to learn from, and work with, very talented and friendly lawyers.”

Deegan’s son was born on March first (he missed being a leap-day baby by three and a half hours), just weeks before Denver’s stay-at-home orders were issued and Deegan’s first day back to work after the birth coincided with CenturyLink transitioning its employees to working from home. “It has been a little strange working remotely so early in my time with CenturyLink,” he admits. “I was still training at the time, and still am to some extent.” Yet Deegan is quick to adapt, enjoying a fairly smooth transition to working from home. “I’m



doing all transactional work and we have great systems for staying in touch and getting our work done. In fact, our baby has probably done more to change the way I work than the quarantine has. Overall, it has really helped to push me to be more efficient with my time.”

Deegan was born in Chicago but grew up in the Northeast. “I usually say I am from the tri-state area because we lived in Westchester, New York, until halfway through fifth grade for me. We then moved to Connecticut, where we lived while I was in middle school. We then moved to Morris County, New Jersey, about a week before I started high school.” He met his wife while they were attending Northeastern University in Boston and they married in 2013.

For law school, Deegan was deciding between the University of Denver and University of Miami in Florida. “They were very different places that we really enjoyed getting to visit. But, when we thought about where we wanted to live long term, Denver was the clear answer.” Deegan counts among his favorite off-duty activities camping, golfing, skiing, and checking out the many fantastic breweries Colorado has to offer. While that particular pastime might be off the table

for now, he still has his fantasy sports leagues, primarily fantasy baseball and fantasy football. More recently, however, most of his free time has been spent with his wife and son, which “has brought a lot of fun in the midst of everything going on.”

A career in law wasn’t necessarily something Deegan had been eyeing since childhood. When it came time for college, Deegan matriculated at Northeastern, studying computer engineering. After two years, that failed to hold his interest and so he turned to his favorite subject growing up, history. He switched his major to political science and took advantage of Northeastern’s cooperative education program, which allows students to work full time for periods of six months during their academic career. His first co-op was at a firm called Todd and Weld. “It was a lot of work but introduced me to a well-functioning and collegial legal environment. I loved it.”

He was in the copy room primarily, but Deegan counts it as a formational experience in a legal environment. “I worked for Stephen Rioles, who had been at the firm for a while and was a great resource. A really great person to learn from. While there, I was able to meet a whole range of different attorneys practicing in different areas of the law. I interacted with them on a daily basis and got a taste for the personalities attorneys can have.” Upon graduation, Deegan worked as a legal assistant and then as a paralegal at a bankruptcy and foreclosure firm outside of Boston. “That experience solidified that I wanted to become a lawyer, and that I did not want to work in bankruptcy or foreclosure.”

That left him unsure of what he wanted to focus on in law school, but he really enjoyed his first year contracts and property classes. “My property class was taught by an amazing professor, Fred Cheever. From there, I decided I’d either try corporate or oil and gas law. Oil and



gas was interesting, but I really enjoyed my corporations class and decided to go down a corporate/commercial law track." He received the corporate and commercial law certificate from the University of Denver and, after passing the bar, he worked at a small firm called Brown & Kannady doing litigation and transactional work, primarily focusing in the area of franchise law, for three years before joining CenturyLink.

"When I started working at Brown & Kannady, there were two other attorneys and two paralegals. It provided a great opportunity to learn about not only franchise law, but business law as a whole. Through that experience I attended ABA conferences on franchise law, called the Forum on Franchising, and met some great people that I am still friends with."

Deegan had enjoyed attending a few Denver Bar Association Young Lawyer's Division-sponsored events, both as a law student and then as a practicing lawyer, but he finally decided to become involved on the recommendation of a coworker who was on the executive council. Deegan sees the DBA YLD's greatest strength as being a fantastic way to get to know other young attorneys and network in

a non-intimidating environment. "As a young lawyer you are really busy at work, and most people have billing requirements. I've found DBA YLD is a great way to get involved while also having fun outside of the office. You can learn a lot from other people that are going through the same experience as you are."

Increasing awareness of the DBA YLD is one of Deegan's top priorities as chair. "I believe increasing our presence among law students will help get more people aware of, and potentially involved with, the DBA YLD. I feel that can really help get more young attorneys involved in the Denver Bar Association and Colorado Bar Association. The former chairs of the DBA YLD have done a great job, and I just want to keep us on the right track and provide another great year of programming and benefits for our members."

Just as Deegan has been adapting to these strange times, so too has the DBA YLD. Their events have gone online during the pandemic, which is not necessarily a bad thing. "I think this has really gotten a lot more of our members engaged in our CLE's and other virtu-

al-friendly events that we have been able to put on over the last couple of months," Deegan says. It is one of the changes that he can see persisting beyond the quarantine, continuing to happen in addition to in-person events.

"I do think this provides a great opportunity for us to try to become more accessible to our members. I think our CLEs and other virtual-friendly events that we have been able to put on over the last couple of months have gotten a lot more of our members engaged." The online spaces created to keep people informed at a distance will also retain their usefulness, "providing a place where we can post all of our free events for future reference of our members." Deegan points to the website [www.denbar.org/members/young-lawyers](http://www.denbar.org/members/young-lawyers). "We are currently working on improving the website because I think it's something we need to make a more reliable resource."

Deegan looks forward to the year ahead, getting out the word about the DBA YLD and all they have to offer young lawyers. And, hopefully soon, that will involve actually going out to do so. 🍷

## Professionalism Matters

*Enjoy some good, bad and ugly attorney behavior and earn 1 ethics credit in the process!*

The Professionalism Coordinating Council offers entertaining and engaging vignettes that illustrate negative and positive attorney behavior. You can preview the [vignettes at cobar.org/professionalismvideos](http://cobar.org/professionalismvideos).

The Council's speaker panel is also available to discuss professionalism matters with attorneys at local and specialty bar associations, sections, committees, law firms and other attorney gatherings.



Contact Katie Null at [knull@cobar.org](mailto:knull@cobar.org) or 303-860-1115 to schedule a program.



# 10 Questions with Cierra J. Garso

**1. Where did you go to law school and where are you currently working?**

I graduated from the University of Wyoming College of Law in Laramie, Wyoming (Go Pokes!). I currently work at Robinson & Henry, P.C. as a Family Law Associate.

**2. Why did you become a lawyer?**

I became a lawyer because I love reading and writing, solving problems, and helping people.

**3. What are five adjectives that you would ascribe to yourself?**

Curious, empathetic, resourceful, adventurous, and analytical.

**4. What's the best advice you've ever been given?**

Be kind, for everyone you meet is fighting a hard battle.

**5. Where are your favorite places to travel?**

I like to travel to places with great food, great architecture, and lots of history. Some of my favorite cities to visit in the U.S. are New Orleans, San Francisco, and Austin. I'd love to go to Greece and Japan someday.

**6. Are you currently binge watching any shows?**

My husband and I are re-watching the show Parks and Recreation. The character Leslie Knope, played by the great Amy Poehler, will forever be one of my role models. She cares so deeply about her friends and is so passionate about her work!

**7. What's your favorite restaurant?**

I love trying new restaurants and I'm pretty easy to please, but my absolute favorite restaurant was Dino's Italian Food in Lakewood which recently closed after being open for about 60 years.

**8. How do you de-stress?**

I love listening to podcasts. A few of my favorites are Stuff You Should Know, Happier with Gretchen Rubin, and The Lawyerist Podcast.

**9. If you could change anything about Denver/Colorado, what would it be?**

Denver is my hometown and there's so much I love about the Mile High City. If I had to change one thing, though, I would probably add a beach. Then, we'd have it all!

**10. If you weren't a lawyer, you'd be...?**

If I wasn't a lawyer, I would probably be a journalist of some kind. My friends and family will tell you that I love asking questions. 🗣️

## Cierra J. Garso

*Denver Bar Association  
Representative to the Colorado Bar  
Board of Governors*

### EDITOR'S NOTE

Do you know a DBA member who should be featured?

.....  
Email nominations to Heather Folker at [hfolker@cobar.org](mailto:hfolker@cobar.org).

# How has COVID-19 affected your practice?

Download our on-demand CLEs

We are continually adding programs. For a full list, visit

[cle.cobar.org/  
COVID-19-Legal-Updates](https://cle.cobar.org/COVID-19-Legal-Updates)

- Are You Working from Home?
- Challenges of Remote Closings in the Era of COVID-19
- Estate & Financial Planning Update: Tax Implications of COVID-19
- The CARES Act and Paycheck Protection Program
- Parenting Plan and Other Family Law Questions ANSWERED in Light of COVID-19
- COVID-19 - Critical Employment Law Changes
- What Happens After Everyone Goes Back to Work?
- IP Protection During and After the Pandemic
- Real Estate Closings and COVID-19: Do I have to? Can I delay? Making it Happen!
- Trying a Workers' Compensation Hearing Within OAC's COVID-19 Limitations
- Doubling Down on Diversity in a Recession
- The Impact of COVID-19 on Colorado Criminal Procedure and the Constitutional Rights of Defendants
- Federal Student Loans During the Coronavirus
- Impacts of COVID-19 on Colorado's Regulated Marijuana Industry
- Representing Incarcerated Plaintiffs During the COVID-19 Pandemic
- Online Mediation: Get It Right
- COVID-19 Insurance Coverage Issues
- Law Practice and the COVID-19 Pandemic – Challenges and Best Practices

[www.cle.cobar.org](https://www.cle.cobar.org) • Call (303) 860-0608 • Toll-free (888) 860-2531

The nonprofit educational arm of the Colorado Bar Association and the Denver Bar Association

**CBA • CLE**  
COLORADO BAR ASSOCIATION CONTINUING LEGAL EDUCATION

# Judicial Arbiter Group is elated that retired Judge Elizabeth Starrs has joined the distinguished arbiters at JAG



Bill Neighbors



Lee Anderson



Larry Naves



Angela Arkin



Sandy Brook



Bob Kapelke



Cheryl Post



Steve Briggs



Liz Starrs



Steve Pelican



Boyd Boland



Maria Berkenkotter



Bill Meyer



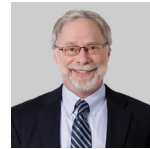
Joe Bellipanni



Richard Caschette



Ann Frick



Bob Hyatt



David Crockenberg



Pat Murphy



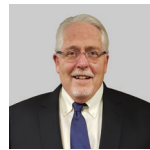
Richard Dana



Susan Macey



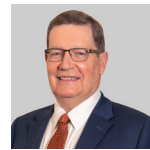
Tom Moorhead



Thomas French



Murray Richtel



Chuck Pratt



Nancy Rice

Former District Court Judge Elizabeth “Liz” Starrs retired from the bench in 2020 and joined the Judicial Arbiter Group (JAG) in October 2020. During her eight years on the bench (2012 – 2020), Judge Starrs presided over civil, domestic, and criminal dockets.

Before taking the bench, Judge Starrs was in the private practice of law for more than 30 years, handling complex civil litigation matters, including those involving professional malpractice, wrongful death, and employment discrimination.

Judge Starrs has served as President of both the Colorado Bar Association and the Denver Bar Association.

Liz Starrs is a Fellow of the American College and the International Association of Trial Lawyers, and a member of the American Board of Trial Lawyers.