

# *The* **Docket**

PROUDLY PUBLISHED BY THE DENVER BAR ASSOCIATION | DECEMBER/JANUARY 2019-20



— IN THIS ISSUE —

TRAVEL  
Mexico City

HEALTH  
Wellness Through Your Work Week

FEATURE  
Implicit Bias In and Out of the Courtroom

**The untried may know the rules, but**



**24 Judges Achieving  
Resolution Through  
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**the experienced know the exceptions.\***

*\*Derived from Oliver Wendell Holmes Sr.*

FEATURES



## 8 Wellness Through Your Work Week

From belly breathing on Day 1 all the way to creating mental containers on Day 5, tips on how to bring calm to a stressful job. **BY DR. KRISTY ELDRIDGE**

## 12 Sin Nieve: A Long Weekend in Mexico City

Our Docket editor travels to where the Aztecs considered to be the center of the universe and finds that they may have been on to something. **BY CHARLES MCGARVEY**

## 20 In Search of a Statesman

James Madison, John McCain, and the Spectre of Reason. **BY RANDALL PETERSON**

DEPARTMENTS

### 2 From the Editor

An old song for new beginnings. Will you be singing it this New Year's Eve?

### 4 President's Letter

Kevin McReynolds interviews Jessica Yates, Attorney Regulation Counsel for the Colorado Supreme Court

### 6 Rage Against the Machine

Laszlo has bones to pick with CLEs, chip readers, and pumpkin spice nonsense

### 7 Briefly

Put on some red underwear and eat some grapes – New Year traditions from around the world

### 16 Beards Uncool? Hip to Shave

Have beards jumped the shark? A Texas politician may have heralded the end of the trend

### 18 A Legacy of Giving People a Chance & Metro Volunteer Lawyers

### 22 It's True. Everyone's A Little Bit Biased... Implicit Bias In and Out of the Courtroom

### 25 Legal Affairs

### 28 YLD Corner

### 29 Docket News

### 30 New Lawyer Resolution: Attend More DBA YLD Events

### 31 10 Questions with Philip Nickerson



## For Auld Lang Syne

*Should auld acquaintance be forgot,  
and never brought to mind?  
Should auld acquaintance be forgot,  
and auld lang syne?*

*For auld lang syne, my dear,  
for auld lang syne,  
we'll drink a cup o' kindness yet,  
for auld lang syne.*

I've always loved this song. Its simplicity, its familiarity, its symbolism. Sure, it's soaked with sentimentality, but it's also punctuated with a longing that we can all relate to. A longing for the good times and for old friends that have drifted into the distance. I think of it as honoring the past while trumpeting the future.

Auld Lang Syne is a Scots language poem written by Robert Burns in the late 18th Century and set to a traditional folk melody. It is one of the most recognizable songs around the world and is sung to commemorate both endings and new beginnings. Funerals, retirements, last call, and, of course, New Year's Eve. In Japan, they play the melody to alert shoppers that the store is closing.

"For auld lang syne" roughly translates as "for old time's sake." Perhaps one last song for the road. One more cup of coffee.

One more round. One more moment before time takes us along.

Happy New Year from all of us at *The Docket!* 🍷

*Charles McGarvey*

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## An Interview with Jessica Yates

**H**ello fellow Denver Bar Association members. Congratulations to those who recently passed the bar exam!

Having just participated in this year's ceremony where our newest Colorado attorneys took their oaths, I decided to continue our interview series by speaking to Jessica Yates, Attorney Regulation Counsel for the Colorado Supreme Court. The Office of Attorney Regulation Counsel (OARC) includes some 65 attorneys and staff who oversee attorney admissions, registration, continuing legal education (CEL), attorney discipline, and the broader regulation of the legal profession.

**Kevin:** Before joining the Office of Attorney Regulation, had you been involved in government service?

**Jessica:** I spent about 10 years working in public administration and public policy in Washington, D.C., before becoming a lawyer. That included a stint with the Department of Human Services in the city of Alexandria, Virginia, as well as working for the United States Department of Health and Human Services.



**Kevin:** After law school, what was your path to becoming Attorney Regulation Counsel?

**Jessica:** I started as a judicial clerk for Judge Ebel of the 10th Circuit, which was more government service. I then moved to private practice for about 11 years at Snell & Wilmer where I was a partner in the litigation department. In terms of the path, it was broader than just my job description or the lines of my

resume. I served on my firm's ethics committee where I was the Denver office lead. That involved helping resolve conflicts questions, helping colleagues with what they could and could not say to potential clients, and helping formulate firm-wide ethics policies. So, I did spend quite a lot of time with the Rules of Professional Conduct before moving to OARC.

Beyond my role at my firm, other experience important to my path included time spent on non-profit boards. This gave me a strong sense of governance and helped me learn how to engage volunteers and effectuate change through dialogue and planning. I also did some work with the Colorado Bar Association's Amicus Committee and the CBA's appellate section, which puts together the annual appellate CLE update.

So, I was involved in a number of things that led to my interest in becoming Attorney Regulation Counsel. I'd really enjoyed my prior public service, which felt like home for me and provided something I'd missed when in private practice. Also, my time doing volunteer engagement for non-profits tied into this role because OARC has seven different volunteer committees, such as the Law Committee and the Character and Fitness Committee, which provide valuable services to the Supreme Court and the profession.

**Kevin:** As part of the court system, what do you see as OARC's role in the general legal community?

**Jessica:** OARC has multiple roles. One is purely regulatory, in which everyone has to go through our admissions process, comply with annual registration and CLE requirements, and be responsive if there is ever an ethics complaint.

Another role that is just as important is educating attorneys on what it means to be an ethical lawyer, what it means to comply with the Rules of Professional Conduct, and, hopefully, to go above and beyond those standards in all their professional interactions. This goes toward helping attorneys see the profession as a higher

# The Docket

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

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# I think bar associations provide great opportunities to grow leadership skills, build relationships, and initiate change in the profession...

– Jessica Yates, Attorney Regulation Counsel for the Colorado Supreme Court

calling as opposed to only complying with the bare minimum to avoid discipline.

**Kevin:** What are some of the initiatives you're working on right now?

**Jessica:** There are projects my predecessor started that I'm adding to, such as focusing on demographics and diversity in the bar. That's something we're elevating in this office by collecting demographic information annually and talking more about the trends we're seeing in our attorney population.

I'm also working on our processes and how our committees operate to make our office easier to understand and easier to access, whether you're an attorney or a member of the public.

Our office is also engaged in attorney well-being. We have an internal well-being committee that looks out for the people who work here. We're also active in the Supreme Court's Task Force on Lawyer Well-Being, with recommendations coming out this spring that aim to positively affect the practice of law across Colorado.

**Kevin:** How has your involvement in professional groups, including bar associations, impacted your career?

**Jessica:** I think bar associations provide great opportunities to grow leadership skills, build relationships, and initiate change in the profession, whether it be small change such as a pilot program or larger change that can impact the entire legal system.

For example, when I was part of the

appellate section subcommittee in the CBA, a group within that section thought it would be great to launch a program to help assign pro bono counsel to civil cases. A number of Court of Appeals judges were very supportive. So, sure enough, the group created a committee to review pro se appellant applications and help make pro bono appointments. It has turned into a well-run program that supports the Court of Appeals here in Colorado. And that was definitely driven by volunteer attorneys in the bar association.

**Kevin:** What do you wish people knew about the Office of Attorney Regulation Counsel?

**Jessica:** One thing I would say is that we have a very empathetic and compassionate group here. Some attorneys may assume the worst about our office. They don't like to hear from us or deal with us because it feels burdensome or scary. In reality, when we sit down and talk about issues in our discipline process, what you hear is a tremendous amount of compassion and effort to understand what this attorney is going through, where they are in their career, what might have led to the issue or complaint received, and how can we get on them on the right track. That is something that happens every day in this office. 🍷

Kevin McReynolds, DBA President

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# Rage Against the Machine\*

Oh, *The Docket* duty again. Great. There is something wrong with you readers who enjoy reading the rumblings of a grumpy old man. But you must have some sense in your grey matter because I am right about most things (I'm tapping my foot impatiently for the rest of the world to catch on to that fact). So if you insist on subjecting yourself to *The Docket's* tomfoolery, be my guest. Just don't ever ask me to actually be your guest to anything, because the answer is assuredly no.

So here's something that really gets my goat. While I care very little for my fellow citizens, I care even less for behemoths subjecting their tyrannical will upon innocent curmudgeons like me. Case in point: the Continuing Legal Education, or CLE, regime.

Once upon a time, attending CLEs was voluntary rather than conscripted, I mean, required. I can hear the jaws of some of you youngins hitting the floor. Yes, there was a time when dumb lawyers had the freedom to stay dumb.

But in the 1960s and '70s, bar associations got the bright idea to promote mandatory legal education. Something

about addressing the inadequacies of legal representation and promoting competence and integrity in the profession. Hmph.

I propose we flip the CLE industrial complex on its head. Instead of us lawyers shelling out cash to learn about Cat Law or Privacy in the Age of the FaceSpace, we should get credit from the bar for putting up with all the malarkey that's going on in the world!

For example, just the other day I had a showdown with one of those newfangled chip readers merchants insist on using these days. By the time I figured out whether to insert, swipe, remove or stand on my head, I was about fit to be tied. The fact that I *didn't* snap my payment card in half and throw it at the cashier to accept as legal tender, should award me a decade's worth of ethics credits. Instead, I graciously took the opportunity to loudly educate the young man on everything that's wrong with the twenty-first century. Give him some credits, too, for the education he got that day!

And another thing! If we must be subjected to learning for the benefit of our clients, can we at least get some decent

snacks at these things? Are bologna sandwiches, black licorice and cold prune juice too much to ask for? All this pumpkin spice nonsense is for the birds!

Send questions and complaints to anyone but me. 🍷



*Laszlo Scofflaw*

\* *The youths tell me this is the name of a rock band—a terrible name, I might add, unless it's the name I'm using for a column title—that broke up a number of years ago and is now getting back together. The occurrence of which I couldn't give two hoots about. Unless the words "Glenn," "Miller" and "Orchestra" are in your band name, I don't want to hear it. Now turn that racket down!*





The beginning of a New Year is more than just an occasion to celebrate, it's the ideal time to renew your cosmic insurance policy. While the ball drops in Times Square, across the world people are ringing in the New Year with a zeal all their own, ensuring the next 365 days will be the best yet.

So, in Denmark, they'll be smashing plates. To usher in a year of good luck, Danes shatter their unwanted tableware and leave the pieces on the doorsteps of their friends. The more broken stuff at your front door in the morning, the more loved you are.

And in Japan, they're ringing bells. Beginning at 11 p.m., temples across the country begin ringing their bells to mark *Joya no Kane* (which means "New Year's Eve Night"). Each bell is rung 108 times to represent each of the 108 worldly desires. With the final ring coming right as New Year's Day begins.

Hoping 2020 is your year to be lucky in love? In Italy, all you have to do is make sure you have on red underwear when midnight arrives. Or pink underwear if you're in Argentina.

In Spain, eating twelve grapes at the stroke of midnight will bring prosperity and good health in the year to come. However, if you don't manage to get all twelve down before 12:01, it's a year of bad luck you should be expecting. So, I suggest you choose small grapes.

And in Turkey and Armenia, they're throwing fruit. A pomegranate hurled to the ground is the best way to guarantee a lucky year ahead. The more seeds that scatter, the more bountiful your year will be.

On the topic of throwing things, if you're in South Africa on New Year's Eve, watch out for falling couches. *Out with the old* gets dangerously literal as people commemorate the calendar's fresh start by throwing old furniture from their windows at midnight. Not unsurprisingly, the tradition has been outlawed in recent years for safety reasons. 🍷

Hope smiles  
from the  
threshold  
of the year  
to come,  
whispering,  
"It will be  
happier."

– Alfred Lord  
Tennyson



# Wellness Through Your Work Week

**W**ellness and *wellbeing* are terms we hear a lot these days, but they often remain elusive concepts given the non-stop nature of our schedules. Research shows that the type of stressors preventing lawyers from experiencing better health stem from mental exhaustion and strain from perpetual problem solving, focusing on worst case scenarios, and paying close attention to details while dealing with difficult people, overwhelming deadlines, and high-stakes situations. It can be hard to focus on self-care when our nervous system becomes overactive (anxiety and worry) or underactive (exhaustion and depression) in order to cope with these

stressors, giving the brain and the body little time to recuperate and recharge.

Thankfully, the quickest and easiest remedies happen to be free. Research shows that the best way to get *out* of your head is to get *in* to your body! In this article, you will find practical strategies to apply on each day of the work week — manageable moments of daily wellness will have an exponential benefit in the long run.

## Day 1: Belly Breathing

Foundational to every wellness strategy is deep breathing. What better way to begin the week than with this most fundamental

wellness practice? Deep breathing lowers blood pressure, decreases heart rate, and signals the brain and the body to relax.

Find a comfortable sitting or lying position. Place one hand on your belly and the other on your chest. Take a deep breath in through your nose, imagining moving the oxygen to your lower belly. Notice that your hand on your belly moves out as your lungs fill with air while the hand on your chest does not move. Exhale the breath through your slightly open mouth (imagine whistling). As you exhale, notice that the hand on your belly now moves in as you completely empty your lungs of air. Repeat 5-10 times.

## Day 2: Anchoring Desired States

Anchors are actual objects that can be easily touched or held that can evoke a



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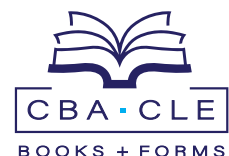
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desired emotional or physical state in times of need.

First, identify the emotional state that you would like the anchor to evoke (e.g., confidence for a court appearance or calm to deal with a difficult case). Next, select a small object that represents this state for you. For example, if the desired state is calm, you may choose a rock that reminds you of a beach.

Holding your chosen object, think about a time in your life when you have felt the desired state. Recall what you see, hear, feel, and smell in this positive memory. Spend several moments allowing yourself to feel this state while holding your chosen anchor. In the final moments of this visualization, squeeze your anchor with one or both hands, imagining sending that positive energy into the object. You are imbuing the object with the strength of the desired state by squeezing it into the object. Carry the anchor with you

throughout the day, squeezing it in times of need, evoking the desired state.

### Day 3: Grounding

By mid-week, we are immersed in the chaos of the unending tasks of work and family, as well as the unexpected issues that arise and demand our attention. When juggling these things, we can get lost in our heads, ruminating on to-do lists and obsessing about the things we have yet to accomplish. We disconnect from our bodies and from the physical world around us, not even realizing that our nervous system is activated. Grounding practices reconnect us to our physical bodies and the world around us. These activities engage the five senses of perception, reorienting us to the here and now. These practices can be especially helpful when experiencing hyperarousal, dissociation, and emotional overwhelm.

Find a moment in your day where you

can stop for around three minutes. Stop, notice what is around you, and name (out loud, when possible) the following:

- 5 things you can see in the room or space around you (name colors and items).
- 4 things you can feel (name textures, temperatures, physical sensations).
- 3 things you can hear (name the sound and the source of the sound).
- 2 things you can smell (name the smell and the source of the smell — try to use pleasant/soothing scents).
- 1 thing you can taste\* (name the taste and the source of the taste).
- \*Alternative to taste: 1 thing you appreciate about yourself.

### Day 4: Tapping and the Calm Place

By the fourth day of our work week, we are usually in need of moments of a little escape. This tapping and visualization



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activity activates both hemispheres of the brain, and signals to areas of the brain that control stress to “release,” allowing neurotransmitters associated with calm and pleasure to flood the body. Tapping our hands back and forth on alternate sides of the body has a regulating effect on the nervous system (Parnell, 2008). This technique also activates both hemispheres of the brain.

Imagine a place that evokes a sense of calm in you. When you have the place in mind, cross your arms over your body, resting each hand on the opposite arm at a comfortable height and tightness. Begin to tap your fingers, one hand at a time, back and forth from side to side (right arm, left arm). Close your eyes and, allowing 6-12 taps with every sensory detail, start by imagining the visual details of the chosen place (colors, items, brightness), adding details like sounds, what you feel, and what you smell (calm-

ing aromas). Finally, imagine a calming message that could be the motto of this place; a message that offers a reminder of this sense of calm.

### Day 5: Mental Containers

One of the biggest challenges for busy professionals is leaving work at work. Mental containment is essential when it is time to rest from work and be present in other areas of life. Mental containers help us maintain boundaries, limit intrusive thoughts, and decrease anxiety.

Using visualization, imagine your own special container in which you can store any thoughts, feelings, emotions, or memories when you do not need to actively engage with them. Imagine that this container can never be too full, no matter what size it appears to be. Create a container that feels secure (add locks, doors, lids). Take time to visualize all sensory aspects of the container — what it looks, smells,

and feels like (Parnell, 2008). At the end of the work week, identify what material can be placed in the container for later retrieval when work begins again. 🌍

**DR. KRISTY ELDREDGE** is a Licensed Professional Counselor in Denver, where she works with adult survivors of complex trauma and human trafficking and is a faculty member at the Chicago School of Professional Psychology and Regis University. She also serves as the co-chair of the Denver Anti-Trafficking Alliance Mental Health Subcommittee. Dr. Eldredge can be contacted at [kristyeldredge1@gmail.com](mailto:kristyeldredge1@gmail.com)

### Reference

Parnell, L. (2008). *Tapping in: A step by step guide to activating your healing resources through bilateral stimulation*. Boulder, CO: Sounds True, Inc.

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# Sin Nieve: A Long Weekend in Mexico City

Just before the season's first snowfall hit Denver, I escaped to Mexico City. And I do mean *just*. Big, fluffy flakes were accumulating as our flight left the runway around 6 a.m. "Sin nieve" -- in English, "without snow" -- is Mexico City's forecast year-round. Adiós, suckers!

I had never been to Mexico City. My father grew up there, so much of the furniture, art, and stories of our family have an unmistakable Mexican flavor. I've always felt a natural connection to the culture and a nagging need to see it for myself. I don't know what I was expecting, but what I got blew me away.

Cosmopolitan and hip, cultured and modern, as safe and clean as any big American city, and absolutely gorgeous – CDMX quickly became one of my favorite places I've ever been.

After a nearly one-hour Uber ride, we made it from the airport to our glamorous Airbnb in the *Barrio Mágico* ("magical neighborhood") of Roma. As we pulled up

**SOME ADVICE:** I highly recommend that you stay away from taxis as rates are "negotiable" and drivers are often unsavory. Uber is legal, convenient, and insanely affordable. Mexico City's traffic is epic and the city is massive, so give yourself plenty of time to get around.

to the curb, my friend turned her phone to me and said with a chuckle, "By the way, this Uber was only \$7."

The easy, shaded streets of Colonia Roma lounge between wide median parks dotted with fountains, sculptures, and seating areas. Roma, and the adjacent neighborhood of La Condesa, are known to house much of the city's – "¿cómo se dice?" – bohemian or hipster scene. Young, fashionable creative types hang out at the trendy bars, restaurants, coffee shops, and swingin' hotspots that pepper the area.

Roma and Condesa began in the early 20<sup>th</sup> century as neighborhoods for the elite, but declined toward the end of the 1970s and a major earthquake in 1985 left much of the area badly damaged and

ignored. Cheap rent opened the door for gentrification and rejuvenation in the 1990s which continues today.

A beautifully eclectic mix of exciting architecture abounds in Mexico City. Intricately adorned colonial stone and stucco stand next to technicolor art deco and sleek midcentury modern, all in the shadow of soaring, ultra-contemporary towers of steel and glass.

Just down from the iconic Monumento a la Independencia, commonly known as El Ángel, is Mexico City's tallest building, Torre Reforma. Standing 809 feet tall, the Torre Reforma is one of the most formidable skyscrapers in the world, built to withstand an earthquake of 8.5 on the Richter Scale. The tower's foundation



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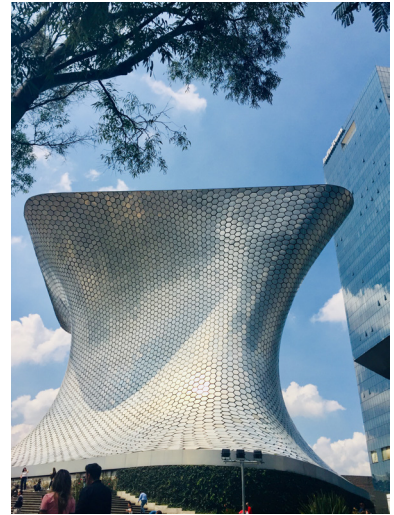
descends 196 feet below the ground to promote stability. One whole side of its triangular footprint is constructed of reinforced concrete connected by smaller elements called coupling beams to help dissipate seismic energy. But the Torre Reforma isn't just strong, it's kind. Rated LEED Platinum, the structure features rainwater and greywater recycling and uses wind power to reduce reliance on grid-based electricity.

Mexico City has more museums than any other city in the world (over 150). Friday, we made the difficult decision to forgo the jam-packed, relatively expensive Frida Kahlo house and museum, Casa Azul, and instead headed to the affluent neighborhood of Polanco to check out the Museo Soumaya. This free museum was built by Mexican billionaire Carlos Slim Helú to showcase his own private collection which includes paintings by Botticelli, Rubens, El Greco, and Dalí, mosaics by Diego Rivera, and even one of ten castings of *The Thinker* by French sculptor Auguste Rodin.

But the building is a masterpiece all its own. Designed by Mexican architect Fernando Romero, the undulating façade is armored by 16,000 hexagonal aluminum tiles that shimmer in the sun like scales on a swimming fish. The surrounding buildings feel newly polished and impossibly white. They hold upscale apartments, offices, and luxury car dealerships, so this is where you'll come to pick up your Tesla or Alfa Romeo after you pop into Prada or Dolce & Gabbana for some new looks.

I fell in love with Mexico City's culture of balconies. The mild climate allows open-air eateries and drinkeries to perch on upper floors, just above the sidewalk hustle. It's the perfect way to catch a breeze

**FUN FACT:** Mexico City's elevation is 7,382 feet, that's 2,102 feet higher than Denver's mile-high.



(Left) The Metropolitan Cathedral of the Assumption of the Most Blessed Virgin Mary into Heavens (Right) Museo Soumaya armed with 16,000 hexagonal aluminum tiles. (Previous page) Luxury apartments along Paseo de la Reforma.

and get in some quality people-watching while knocking back a few cold cervezas.

Saturday, we made our way through the narrow cobblestone streets of the Centro Histórico to the Plaza de la Constitución – the Zócalo! I'd never seen anything like it. Covering 57,600 square meters, this massive square has been a gathering place for almost a thousand years. The Zócalo is just one block southwest of the Templo Mayor which, according to Aztec mythology, is the center of the universe. It still feels very much like the center of the universe today.

The Spanish destroyed the ancient Aztec temples that once bordered this

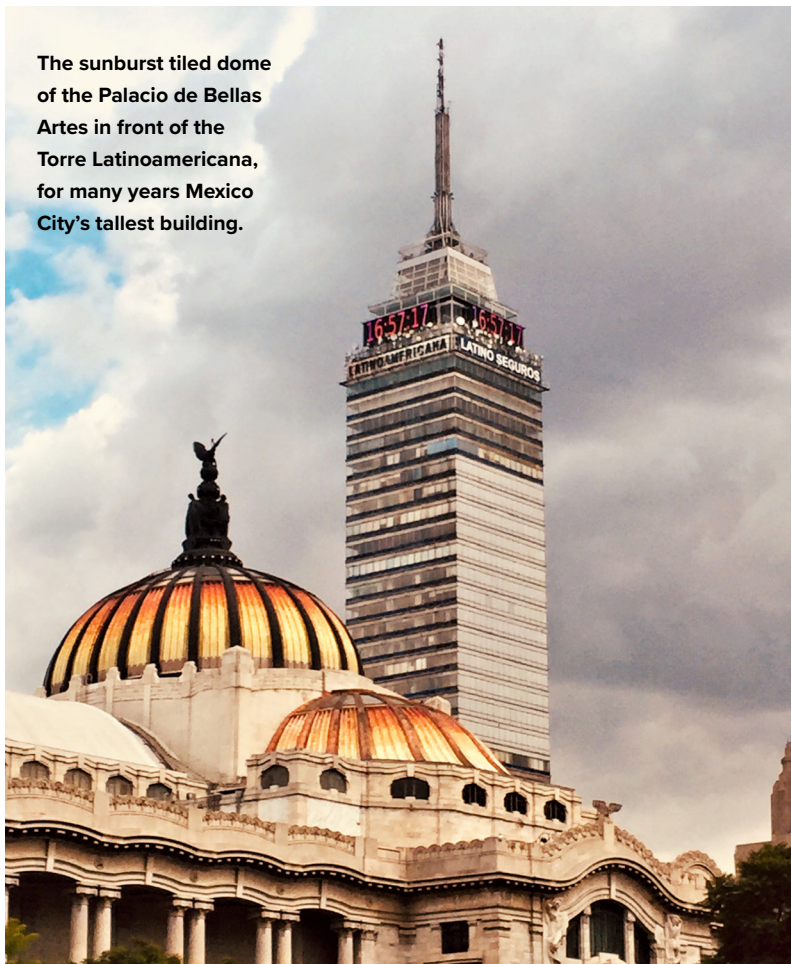
square and used the stones to construct the Metropolitan Cathedral of the Assumption of the Most Blessed Virgin Mary into Heavens (heretofore just called "the cathedral"), which was originally consecrated in 1534. The cathedral rivals anything that Europe has to offer and is definitely worth a trip inside.

Near the cathedral, we boarded the Turibus, a double-decker, hop-on hop-off sightseeing bus for a mere 160 pesos (around \$8). We settled into seats on the open-air top level and enjoyed the perfect weather while we inched amongst the traffic to take in the sites. We saw the Palacio de Bellas Artes with its massive dome tiled like a rising sun, El Ángel golden and glowing, Chapultepec Park (one of the largest city parks in the western hemisphere), Chapultepec Castel, and more museums, more monuments, more unexpected beauty. All along Paseo de la Reforma, the city's main artery, they were planting bright orange marigolds, or "cempazuchitl," in honor of the upcoming Day of the Dead. It was perfect!

**SUGGESTION:** When I was younger, I used to make fun of people who took sightseeing buses, but now I'm all about them! It's the ideal way to cover a lot of ground while getting your history. You have the option of hopping off at any or all of the dozens of stops along the route. And don't forget to ask the driver for a headset so you can hear the English version. (Or Italian or French or Japanese or whatever a polyglot could want. Dozens of languages are available.)



The sunburst tiled dome of the Palacio de Bellas Artes in front of the Torre Latinoamericana, for many years Mexico City's tallest building.



*The Thinker and The Gates of Hell* by French sculptor Auguste Rodin at the Museo Soumaya.

**A WORD OF CAUTION:** Lots of restaurants use filtered water for their ice, but some don't. My advice is to steer clear unless you can be absolutely sure. Spanish for "no ice" is "sin hielo" (pronounced "seen YAY-lo").

Around the corner from the Zócalo, near the corner of Simón Bolívar and Cinco de Mayo Boulivare, is a wonderful restaurant called El Bajío. This is the newest location of a popular chain and occupies a freshly refurbished, grand historic building complete with courtyards, stately staircases, bold artwork, and of course, balconies. This was our fanciest meal of the trip. Steak, carnitas, fresh guacamole, and tequila blanco served with traditional sangrita accompaniment. Meaning "little blood", sangrita is an acidic, spicy tomato concoction meant to complement the flavors of

the tequila. I was sold! This place was awesome, though not a lot of meatless options for my vegetarian friend. The bill for three of us came to \$60 which included a 20% tip.

On the night of Sunday, October 13<sup>th</sup>, a full, bright harvest moon swept the rooftops of La Condessa with pink. Some of my old friends and new amigos gathered, grilling carne asada and ears of corn slathered with lime juice and Cotija cheese. We enjoyed Coronas while congratulating ourselves and each other on how much our Spanish had improved

over those few short days – no doubt largely due to the gracious patience of our hosts. We took a few last group photos and promised we'd be back soon. And we definitely will.

Again, I don't know what I was expecting, but it wasn't this. And I think that's CDMX's M.O. – upending expectations. Affable people, affordable prices, resplendent with history and art, and pulsing with a contagious electricity that keeps you charged and moving. We felt so welcomed everywhere we went.

I probably shouldn't tell you this, but direct, round-trip tickets from Denver to CDMX are only around \$250 this January. If the last couple of weeks are any indication of the winter to come, I may have to head back sooner rather than later to the land of "sin nieve" (no snow).

¡Te amo, Ciudad de Mexico! 🇲🇽

**SPEAKING OF TIPS:** Mexico City loves meat. Vegetarian restaurants, or even vegetarian options at traditional restaurants, are hard to come by. So, if that's your bag, do some research before you venture out because the chances of you happening upon one are slim to none.



## Beards Uncool? Hip to Shave

There are few more freakishly uncool humans on the planet than politicians from Texas (sorry, Beto). Case closed, Q.E.D. Even professional baseball players — spewing tobacco juice, stuffing their faces with sunflower seeds, and constantly tugging at their privates — aren't as uncool as Texas politicians. And that in itself is truly pathetic.

Which is why, after years of in-depth personal research, including bearding and unbearding, I have concluded that the growth of a beard — and a sad, lame excuse for whiskers, at that — by a certain Texas pol is the official “jumping of the shark” for most beards.

There are, of course, obvious exceptions: Portland, Oregon, brewmeisters; Portland, Maine, farm-to-table, snout-to-tail butchers and chefs; bagpipers (yes, I mean you, Doug McQ); 19th century French painters, and the ghost of U.S. Grant (but not R.E. Lee, traitorous loser).

No, I do not give a pass to local hero Charley “Chuck Nazty” Blackmon. Not

only is he a baseball player but he also has a risible nickname and I am sick of his “at bat” song. I’m sure there is a little kid with a Rawlings glove somewhere on the Eastern Plains who wants his friends and family to call him Nazty which is so, so wrong. Plus, we need to move Chuck to first base so he can quit embarrassing himself in right field. But I digress.

Back to beards. Okay, admittedly, this harangue is coming from an aging hipster whose girlfriend remarked — after a tragic shaving accident left me fresh of face — that my face looked “naked.” And I didn’t take “naked” as a compliment.

But beards are so 2000s. I’m half-surprised that my 82-year-old fundamentalist preacher father doesn’t sport one. But Ted “Messiah pose” Cruz sure does. When the most abrasively uncool human in America (yes, even more so than Donald J. Trump and especially whiskey Donald J. Trump, Jr.) runs around with a beard, then that is that. Beards must go.

I remember walking by Douglas Coun-

ty First Appearance Center, gazing at suburban miscreants waiting to beg a kid deputy district attorney not to throw them in the pokey, and looking up at Fox News on the TV to see, for the first time, said Ted with facial hair. It floored me. I blinked to make sure I was awake and then looked back at the screen. Yep, Ted “Mr. Contemptible” Cruz with a beard. It was a harrowing experience. Truly the stuff of nightmares.

So shave and shave now. It’s not too much to ask. And no, that doesn’t mean you can switch to a Fu Manchu or Snidely Whiplash set of mustachios. Don’t even get me started... 🍷

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# A Legacy of Giving People a Chance & Metro Volunteer Lawyers

*Jacqueline Rowley is the Allegretti Scholar at Metro Volunteer Lawyers. While at Metro Volunteer Lawyers, she will primarily work within Adams and Broomfield counties to recruit volunteer attorneys and facilitate greater access to justice by expanding MVL programs.*

Want to learn more about your own unconscious biases? Take the Harvard Implicit Association Test constructed by Project Implicit.

[implicit.harvard.edu](http://implicit.harvard.edu)

For as long as I can remember, my father has been a criminal defense attorney.

As a young girl, I heard family friends ask how he could defend criminals. “Is your client guilty?” “Wait, so you believe your client?” I knew from listening to his stories that some of his clients had done something illegal and certainly almost all of them had done something “wrong,” even if it fell short of a crime.

Now having grown up and completed law school, I know that the accused are innocent until proven guilty. I also now realize that even when a person is innocent, any successful outcome — reduced sentences, probation instead of jail time, or staying out of jail altogether — increases dramatically with a lawyer’s representation. Even if the party is guilty, avoiding conviction of a greater crime can depend on the involvement of an attorney. My father always said that the reason he became a defense attorney was because he wanted to give folks a fighting chance.

What does this have to do with Metro Volunteer Lawyers?

While our program falls in the civil rather than criminal arena, Metro Volunteer Lawyers connects individuals in tough situations with attorneys who can help. Attorneys who can give people a fighting chance.

I’ll always remember my dad helping people when they needed assistance. I’m proud of him taking on clients who might otherwise have been overlooked by attorneys unable to see past an accusation. My dad saw people going through some of the worst circumstances of their lives. He had the expertise and ability to help and the compassion to actually do something about it.

As attorneys, we are capable of seeing legal issues in a different way than members of the public in difficult situations. Our legal training, beginning with Socratic questioning in first-year torts, prepares us to think critically about the issue before us. Law school and our bar exam preparation taught us how to come up with a myriad of solutions to the presented problem.

Individuals with limited access to justice — usually due to lack of monetary resources, family situations, or age — can greatly benefit from your help. At Metro Volunteer Lawyers, we connect volunteer-attorneys with applicants who need legal assistance. Attorneys can volunteer for limited-scope representation, such as one-on-one consultations or to take on a full-referral case. Attorneys are protected through our client agreements or our malpractice insurance for referral cases. ●

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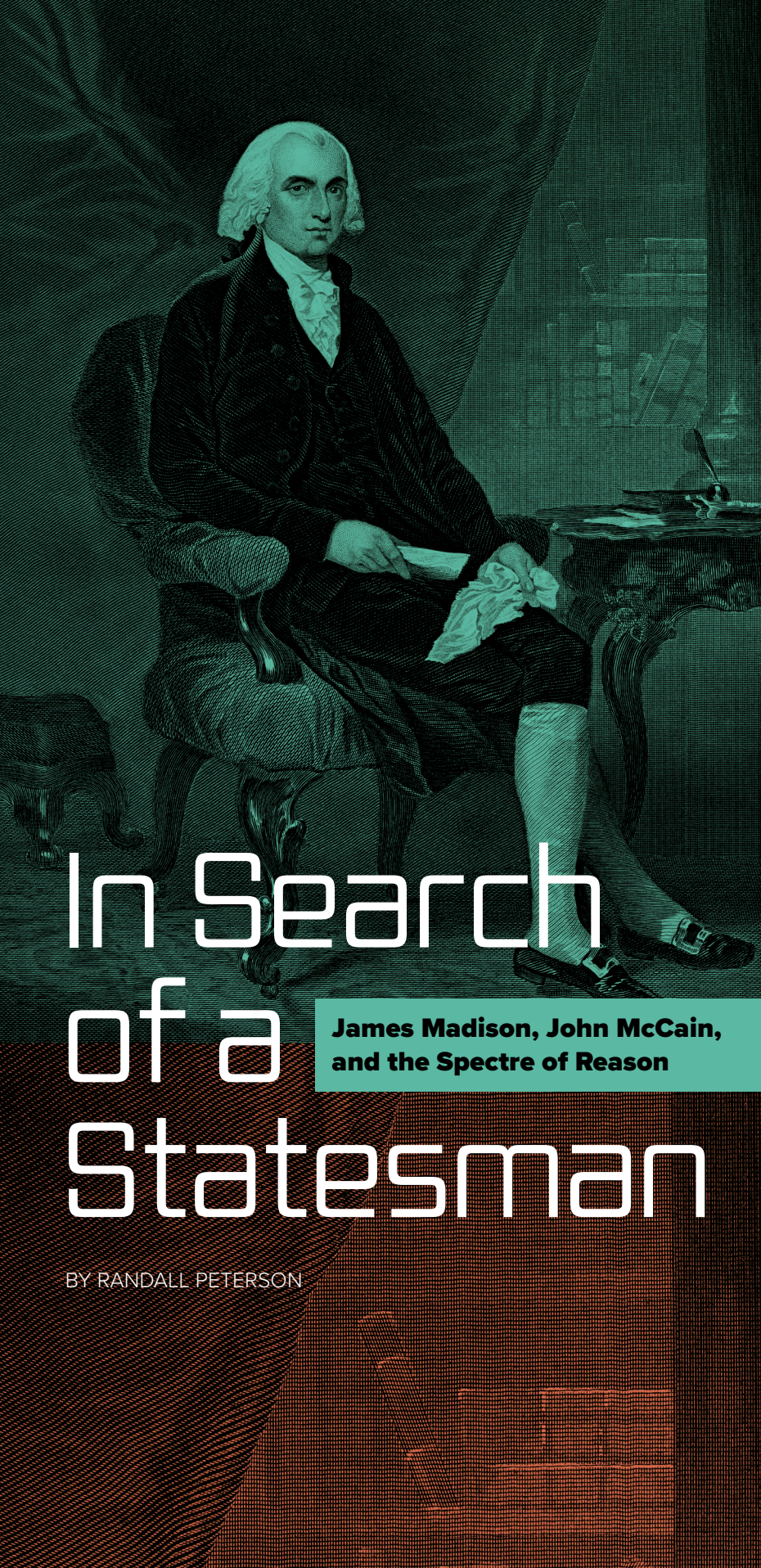


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# In Search of a Statesman

**James Madison, John McCain,  
and the Spectre of Reason**

BY RANDALL PETERSON

**W**hen John McCain died a year ago this summer, I was afraid that the last

voice of reason in an era when the national discourse has become unrecognizable, if not unfathomable, died with him. But the statesman's final acts provide a guiding light through the political abyss.

I met John McCain once back in 2000 when I was a graduate student in Washington, D.C., studying James Madison and the Constitution. I couldn't have known it then but these men, bookending over 200 years of public service — Madison at the founding and McCain through the first part of the 21st century — would advance the same message.

And that message was a warning.

For James Madison, the historic and ever-present cancer threatening liberty was factionalism, permitting the worst impulses of populism, where "passion never fails to wrest the spectre from reason." In *Federalist* No. 10, Madison described a faction as "a number of citizens who are united and actuated by some impulse, or of interest, adverse to the rights of other citizens or to the permanent and aggregate interests of the community."

He was putting it kindly.

Factions, both then and now, exhibit the basest, most visceral desires born of fiery zeal in demanding instant, if not extreme, gratification. The dangers of factions are real, Madison warned, as "the friend of popular governments never finds himself so much alarmed for their character and fate, as when he contemplates their propensity to this dangerous vice."

Not surprisingly, factions found vehicle and voice in political parties. Madison observed that factions, when encapsulated by parties, "inflamed them with mutual animosity, and rendered them much more disposed to vex and oppress each other than to co-operate for their common good."

Sound familiar? If James Madison, the Father of the Constitution, could observe the reality of a broken system and identify

its nefarious causes then so can we.

He knew what would make the republican experiment work. He knew, as much as he feared, the way a faction could devour the workings of government by shouting loud enough to drown out others and being obnoxious enough not to hear. Madison's vision of enlarging the political sphere into a federal republic would allow reason and rational discourse to be able to dilute the chants of bonfires and bullhorns. In doing so, leaders would emerge "who possess the most attractive merit and the most diffusive and established characters."

Enter the senator from Arizona. If character were to be the mark of a patriot, John McCain was such a man.

Like actors whose lifetime body of work is extraordinary, there is often a picturesque moment that captures the essence of the person's greatest strength. John McCain's came in Lakeville, Minnesota on Oct. 10, 2008. The crowd that had come to see, support, and cheer the senator turned to shrieks of disbelief and moans of disapproval when McCain told a man that his opponent was "a decent person that you do not have to be scared of as President of the United States." Later, when a woman wearing a T-shirt with McCain's name on it indicated that she can't trust Obama because "...he's an Arab," McCain took back the microphone and, with resolute character, simply stated, "No ma'am...he's not. Thank you."

It's one of the highest questions of citizenship: what to do when presented with an unquestionable wrong. Reach for the low-hanging fruit? Artfully dodge? Or stand on the bedrock of your own principle? On the most public stage, live and unscripted, McCain chose the latter. And on both occasions, McCain looked them in the eye, cut off the trajectory of the mob with the sword of dignity and truth and reason, and did the unthinkable: he wrested the spectre of reason back from passion. Extraordinary.

With less than a year to live, McCain expanded his — and in a way, Madison's — message in no uncertain terms. While accepting the Liberty Medal, not coincidentally at the National Constitution Center, McCain urged us not to abandon



our ideals "for the sake of some half-baked spurious nationalism cooked up by people who would rather find scapegoats than solve problems." I doubt McCain was thinking of Madison's recognition that "enlightened statesmen will not always be at the helm," but the admonition against the dangers of factions was McCain at his best and Madison incarnate.

John McCain would not be present for his final act. In the deep winter of his life,, McCain wrote a letter to the American people that was read two days after his death on August 25, 2018. Optimistic about America's future to the end, McCain — like Madison before him — warned that "we weaken our greatness when we confuse our patriotism with tribal rivalries."

But tribal rivalries continue among us. In the year since McCain's passing, America has endured: an anti-Semitic mass shooting that killed 11 at a Pittsburgh synagogue;; a bomber who pleaded guilty to 65 counts of using weapons of mass destruction and domestic terrorism that targeted elected officials and a former president, the longest government shut-down in American history, a populist call to "send back" American citizens, and an ongoing constitutional crisis.

We continue to be warned but are now warned by thunderous events.

Thus, simply commemorating John McCain on the anniversary of his passing is not enough. We must become citizen-statesmen emboldened by the righteousness of reason. We must honor McCain's legacy and be wise enough to recognize ignoble motives and brave enough to do something about them. 🌐

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**RANDALL PETERSON**, is a Denver attorney, educator, and James Madison fellow for constitutional scholarship. He currently teaches Business Law at Front Range Community College. [randallleepeterson@gmail.com](mailto:randallleepeterson@gmail.com)



# It's True. Everyone's A Little Bit Biased...

**Implicit Bias in and Out of the Courtroom**

BY KAREN STEINHAUSER





stereotypes that affect our understanding, actions, and decisions in an unconscious manner. The implicit associations [biases] we hold do not necessarily align with our declared beliefs.”

I started analyzing how biases affect so many aspects of our jobs and our lives when I began teaching advocacy skills as they pertain to jury selection several years ago. We identified many biases associated with stereotypes: teachers were too soft, engineers and scientists were too rigid, older people were too judgmental, younger people too immature. These were the unconscious parts of our brains at work — implicit or unconscious biases.

As I was exploring biases in the legal profession, I began asking more questions of my colleagues and friends. I learned that gender bias was endemic in many professions, including:

- Women lawyers (including myself) being mistaken for someone other than the lawyer in a case.
- Female pilots mistaken for flight attendants.
- Male nurses frequently mistaken for doctors, while women doctors are mistaken for nurses.
- Women in the construction industry are generally not presumed to be the contractors or general managers of the site.

The list goes on and on.

The issue of race and implicit bias has also been in the headlines recently, whether it is a group of African American men being asked to leave a Starbucks or, much worse, an African American man being shot for being assumed to have a weapon.

But implicit bias isn’t just about race or gender. We see implicit bias in many places, about many characteristics — age, religion, weight, appearance, disabilities, accents, gender identity, sexual orientation, single parents, stay-at-home moms and dads, kids with pink hair, people with tattoos and piercings, people with certain bumper stickers on their cars — again the list goes on and on.

It’s true. Everyone has biases. However, having a bias doesn’t make you a bad person. And not every bias is negative or hurtful. It’s the failure to recognize biases, however, that can lead to bad decisions at work, in life, and in relationships.

My first reaction to this notion that we all have biases was “Certainly not I!” After all, I grew up in a family where diversity and inclusion were part of our basic values. My father was head of the Anti-Defamation League (ADL), an organization whose mission is to secure justice

and fair treatment for all people. I was an ADL board chair and helped train others to combat prejudice and discrimination. So how in the world could I have biases?

While people have explicit and implicit biases, the implicit ones are the most concerning, because they are the ones we don’t recognize we have.

### What is Implicit Bias?

What exactly is an unconscious or *implicit* bias? The Kirwan Institute for the Study of Race and Ethnicity at Ohio State University defines these biases as “the attitudes or

### Why Should We Care About Our Biases?

So why should we care about our biases? If we are litigators, these biases can impact

how we pick juries, how we assemble our legal team, how we prepare our cases, how we deal with our clients and witnesses, and how we interact with our colleagues. As a judge, I work to ensure that the decisions I make (including credibility decisions) and the sentences I give out, are based on appropriate facts and not implicit biases I may not even be aware of possessing.

In a workplace environment, unconscious biases can affect hiring and promotion decisions, work assignments, career tracks, and can end up being part of harassment, hostile work environment, and discrimination lawsuits. These biases can also cause problems and damage relationships and affect the reputations of businesses. These implicit biases can also have deadly consequences when they affect individuals such as police officers who must assess situations quickly and make life and death decisions — decisions that may end up being the result of an implicit bias.

These biases can be incredibly painful for victims. One of my dear friends, a district court judge and former public defender, shared a story with a group of lawyers. He told them how, as an African American public defender in the courtroom, there were several occasions where judges and other lawyers and staff would ask him where his lawyer was, assuming that because he was an African American, he must be the defendant in the case. The people who made those assumptions weren't necessarily racist or prejudiced, but there was clearly an implicit bias at work. As he shared this story, tears started streaming down his face. At that moment, I truly understood the pain that these hidden biases can have on all of us.

### Is it Possible to Overcome Our Implicit Biases?

So how do we recognize and interrupt our own biases? First, we must be willing to admit we have them. One great place to start is by taking the Harvard Implicit Association Test constructed by Project Implicit ([www.implicit.harvard.edu](http://www.implicit.harvard.edu)).



Want to learn more about your own unconscious biases? Take the Harvard Implicit Association Test constructed by Project Implicit [implicit.harvard.edu](http://implicit.harvard.edu)

These are online tests that are designed to measure implicit biases in about 28 different categories.

We also must recognize that the old adage “trust your gut” may not prevent us from recognizing implicit bias. We need to focus on how we form opinions about people. Sometimes, it means asking ourselves whether our opinions would be the same if the person were a different race or gender or religion or dressed in a different manner? In other words, would our opinion be the same if the individual were part of a different group?

While we have to be willing to identify and interrupt our own biases, we also have to recognize and be willing to interrupt bias in others. This is probably the most difficult and the most uncomfortable part of overcoming bias.

The challenge with others is determining when to say something, how to say it, and to whom. I make every effort not to address another's bias in front of other people. I try to find a place to talk in private, and perhaps start the conversation with something like “I know you didn't mean to make me (or another person) feel bad, but I need to share with you the effect that those words or actions had.” I know it is easier said than done, but if someone isn't made aware that they have a particular bias, it will only continue to cause pain to another individual or group of individuals, and could lead to significant problems for the employer or organization.


Finally, in terms of specific steps we can take when interrupting bias, it is important to remember that biases develop at a very young age and are often the result of our tendencies to surround ourselves with people who are the most like us.

In fact, research indicates that we tend to perceive anyone different from us as a threat because our brain tells us to do so.

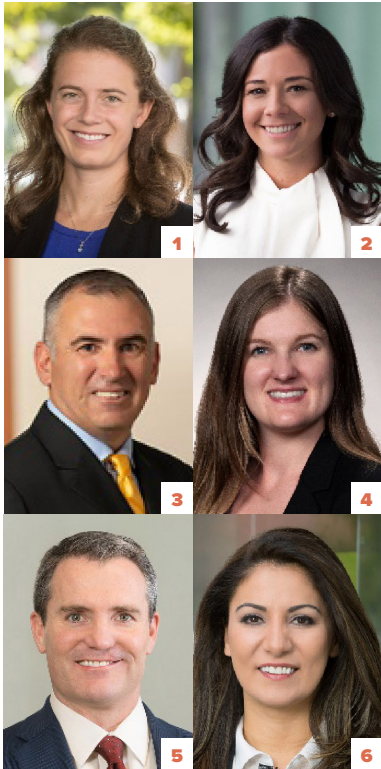
“The capacity to discern ‘us from them’ is fundamental in the human brain,” wrote David Amodio, associate professor of psychology and neural science at New York University, in his 2014 paper, “The Neuroscience of Prejudice and Stereotyping.”

That doesn't mean that we can't begin to recognize and overcome our implicit biases. Here are some suggestions:

- Be aware of your initial thoughts about people and what those thoughts are truly based upon.
- Stay attuned to people around you and notice how often you engage in conversations with people who are different from you.
- Surround yourself with a diverse mix of cultural and social situations and individuals.
- Share your own experiences of bias with others.
- Educate others about the elements of an inclusive work, school, and community environment.
- Look for commonalities that exist regardless of race, religion, gender, or culture.
- If you see something, say something in a manner that is sensitive to the feelings of everyone involved.
- Don't assume bad intent.

By challenging ourselves to identify and overcome our own implicit biases, we can begin to lay the foundation for harmonious and productive environments at work and in our personal lives. 

**KAREN STEINHAUSER** is a practicing attorney, judge, and adjunct law professor at the University of Denver Sturm College of Law in Denver, Colorado. She presents workshops and seminars to lawyers and non-lawyers, government offices and private businesses in the area of implicit/unconscious bias.



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## Changes

**1** Moyer White LLP is pleased to announce **Allison M. Hester** has joined the firm as an associate in the litigation section.

**2** Shook, Hardy & Bacon welcomes **Elisabeth A. Hutchinson** to the Denver office where she will serve the firm's health, science and technology clients with business litigation matters.

**3** **William P. Wilbar** has joined the Denver office of BakerHostetler. Mr. Wilbar focuses his patent prosecution practice on drafting and prosecuting patents for a variety of technologies.

**4** Lathrop Gage is pleased to announce one of its firm family members recently made the transition from Paralegal to Associate within the firm. **Sarah Govea** of the Denver office is a member of the firm's Energy team and her practice primarily focuses on the preparation, drafting and review of oil and gas title opinions for mineral interests.

► Coan, Payton & Payne, LLC is proud to announce **Andrew Pipes** has joined the team.

► Davis Graham & Stubbs LLP is pleased to announce that **Kate Sanford** has joined the Natural Resources Department as an associate. She is currently admitted to practice law in Colorado.

**5** Moyer White LLP is pleased to announce partner **Daniel Wennogle** has been named co-chair of the firm's Construction Section. Wennogle joins partner **Carrie Rodgers**, who has more than 30 years of experience in the construction industry.

► Colorado Legal group is thrilled to announce the addition of **Lauren Shepherd** as the newest attorney on the Colorado Legal Group team joining Hannah Clark and Paige Gleason.

**6** Moyer White LLP is pleased to announce **Diana Sada** has joined the firm as an associate in the Litigation Section.

► The Colorado Trial Lawyer Association on Wednesday announced the election of **Michael Nimmo** of Denver Trial Lawyers-Wahlberg Woodruff Nimmo & Sloane as President. As well as **Jason Jordan**

of Jordan Herington & Rowley as vice President; **Thomas Neville** of Ogborn Mihm as secretary.

► Ball Barry Uhlig added **David Uhlig** as a partner.

► Holland & Hart announced that **Kimberly Brunelle Willis** has joined the firm's commercial litigation practice as of counsel in Denver.

► Ryle Carlock & Applewhite announced Tuesday that **Sheela Stack** has been elected as the firms' new Denver office managing shareholder.

► **Lee Johnston** has returned to Haynes and Boone as a partner in the Denver office.

► Brownstein Hyatt Farber Schreck announced Thursday that **Jason Larkin** has joined the firm's corporate and business department as of counsel in its Denver Office.

► Holland & Hart announced that **Rich Kiely** has joined the Denver office.

► Faegre Baker Daniels announced Aug. 26 that **Carla Martin** has joined the Denver Office's real estate team.

► Hall Estill announced the addition of **Kendra Snyder** as an associate in the firm's Denver Office.

► Otis Bedingfield & Peters announced that **Stacey Shea** joined the firm as an associate.

► Snell & Wilmer announced Sept. 12 that **Andrea Hicks** has joined the firm's Denver office as counsel in the commercial litigation group, and **Daniel Ackerman** has joined the firm's Denver office as counsel in the intellectual property group.

► Armstrong Teasdale announced the addition of associate **Christopher Johnson** to the firm's corporate services practice in its Denver office.

► **Kate Sanford** has joined the natural resources department of Davis Graham & Stubbs as an associate.

► Davis Graham & Stubbs announced that **Sarah Rice Carlson** has joined the firm's trial department as an associate.



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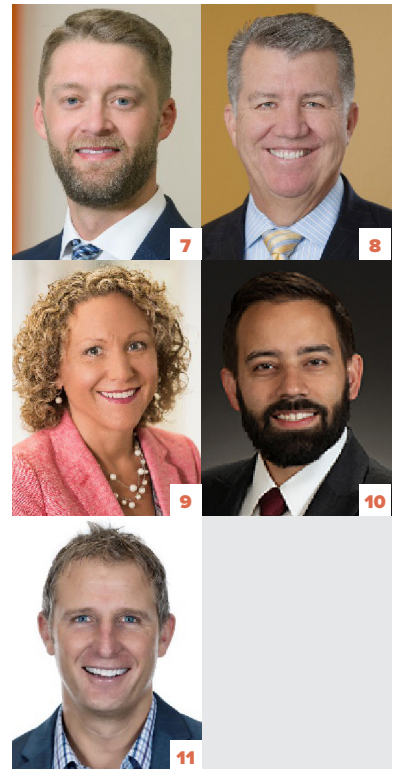
Beaver

## Good Things

- ▶ Moye White LLP is pleased to announce the launch of Moye White Start-ups, an online resource for local entrepreneurs. The website acts as a guide for entrepreneurs as they take their businesses from start to sold. The new resource is led by firm partner and Vice-Chair of the firm's Business Section, **Rose Standifer**, who has worked within the startup community for more than 15 years.
- ▶ The American Bar Association Tort Trial and Insurance Practice Section will honor Colorado attorney **Michael S. Beaver** with its James K. Carroll Leadership Award, which recognizes an attorney or judge who has demonstrated leadership qualities in service to the section.



*"My estate plan is simple. I want to leave everything, in equal shares, to all the good girls and boys in the world."*



- ▶ Coan Payton & Payne announced that attorney **Andrew Pipes** has joined the firm.
  - ▶ Somach Simmons & Dunn announced the firm has added **Leila Behnampour** as an associate in its Colorado office where she joins shareholders **Sarah Klahn** and **Ramsey Kropf**.
  - ▶ Brownstein Hyatt Farber Schreck announced that **Matthew Nyberg** a shareholder in its Denver office.
  - ▶ Global law firm Greenberg Traurig, LLP added **Christopher Thorne** in Denver as of counsel in the Energy & Natural Resources, Real Estate, and Environmental practices. Thorne, who joins the firm from Holland & Hart, and previously practiced with Gibson, Dunn & Crutcher, has more than two decades of experience in Western water law.
- 7,8** I wanted to share a quick update from Moye White. Partners **Paul R. Franke, III** and **Scott C. James** have been selected to America's Top 100 Bet-the-Company Litigators. The invitation-only list highlights the accomplishments of the nation's most recognized and skilled high-stakes business litigators.

9 Spencer Fane LLP is pleased to announce the addition of **Erica Montague** to the firm's Denver office. She will serve as an associate in the Special Districts practice group after previously working as a summer associate and legal intern for the firm.

► Davis Graham & Stubbs LLP is pleased to announce that the firm recently added four new associates who are admitted to practice law in Colorado: **Omeed M. Azmoudeh** (Trial Department); **Stephanie Block-Guedez** (Finance & Acquisitions Department); **Molly Kokesh** (Trial Department); and **Rob McCary** (Finance & Acquisitions Department).

► Davis Graham & Stubbs LLP is pleased to announce that the Colorado Chapter of the Association of Fundraising Professionals has named **Kenzo Kawanabe** as the recipient of this year's Outstanding Volunteer Award.

10 Higgins, Hopkins, McLain & Roswell is pleased to announce that **Ben Volpe** has joined the Firm as an Associate. His practice will focus on construction law and general civil litigation.

11 Collins Cockrel & Cole is pleased to announce that **Matthew P. Ruhland** became a Partner on January 1, 2020. Matt provides general counsel representation to special districts, with a particular emphasis on assisting local governments, developers and property owners in organizing and utilizing special districts to finance, construct, manage and operate essential public services, utilities and infrastructure.

## In Memoriam

**Richard T. Spriggs "Dick"**  
**March 29, 1935 – October 21, 2019**



**D**ick Spriggs took his fly rod and headed for the Big Beaver Pond in the Sky on October 21, 2019. Born on March 29, 1935 in Rome, NY, the third son of Ernest L. and Margery C. Spriggs (Brown), he was predeceased by his parents, his stepfather James S. Brown, his brothers Tom of Naples, FL and Jack of Pinehurst, NC. Dick attended Rome Free Academy and Middlesex School. He graduated from Colgate University in 1958 with a BA in English Literature and in 1961 with an LLB from Cornell Law School. He served in the Army's 82nd Airborne Division. Two days after receiving his law degree, Dick moved to Denver where he enjoyed a 50-year career at the bench and bar, primarily as an Assistant U.S. Attorney and Chief Deputy District Attorney. Appointed to the Denver District Court on 8/8/88, he retired from the bench on June 1, 1999. He then returned to the Department of Justice, retiring for the second time in 2002. Thereafter he served three years as a Senior District Judge until June 2005. 🇺🇸



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**Law Suit Days**

**1** DBA YLD hosted Law Suit Days, a drive for gently used professional clothing, shoes and accessories. The drive supports Bayaud Enterprises, an organization which provides assistance such as job training, coaching, assessment, and placement to individuals with disabilities or who face other barriers to employment.



**1**

**Observations of a Rookie Appellate Judge:**

**2** YLDers spent a lunchtime with Judge Lino Lipinsky learning tips for appellate practitioners on everything from the day-to-day operations of the Colorado Court of Appeals to persuasive and concise writing.



**2**

**Cheers to Professionalism Across the Bars**

**3** YLDers attended a panel discussion on professionalism at Prost Brewing. Topics included remaining professional while still advocating strongly for a client and the unique challenges faced by younger attorneys dealing with more experienced opposing counsel. Panel members included both plaintiffs' and defense attorneys, as well as Judge Emily Anderson.



**3**

**Swearing-In Ceremony**

**4** The newest Young Lawyers took the Oath of Admission on November 4 at Boettcher Concert Hall. Congratulations to all the newly admitted attorneys!



**4**



# Arts and Literature Contest Reception

Contest winners and participants gathered with fellow aficionados to share their creative work and artisanal cocktails at Millers & Rossi in the RiNo Art District.

## 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.



## New Lawyer Resolution: Attend More DBA YLD Events

**A**s 2020 dawns, many of us will contemplate New Year's resolutions. Rather than take up the quickly discarded goals of drinking less caffeine or flossing after every meal, the Denver Bar Association Young Lawyers Division (DBA YLD) wants to encourage a different resolution this year: attend more DBA YLD events! Whether providing free continuing legal education (CLE), networking opportunities, work-life balance events, or simply a chance to take a break from the office, the DBA YLD has something for everyone.

### CLEs

In the last few months, the DBA YLD has offered 10 free CLEs! On Sept. 24, 2019, we hosted "Observations of a Rookie Appellate Judge," where Judge Lino Lipinsky provided new lawyers with a range of tips on persuasive writing and oral advocacy. On Nov. 7, 2019, the DBA YLD partnered with the Colorado Defense Lawyers Association (CDLA), Colorado Trial Lawyers Association (CTLA), and the Colorado Bar Association-Young Lawyers Division (CBA-YLD) to bring you "Cheers to Professionalism!" where Chief Judge Emily Anderson of the Adams County District Court joined a panel of new and seasoned attorneys to discuss difficulties young lawyers face when dealing with seasoned opposing counsel. On Nov. 21, 2019, the DBA YLD

held its annual Court Orientation Program, providing eight free CLE credits to members during a day-long presentation. Presenters included Justice Monica Márquez, Justice William Hood, Justice Richard Gabriel, Magistrate Judge Kristen Mix, Denver District Judge John Madden, and Denver County Court Judge Beth Faragher, as well as long-time presenting attorneys Jack Tanner and Matthew Faga.

### Networking and Client Development

Word-of-mouth referrals remain a powerful client-development tool for attorneys, which means building broad networks is crucial for young lawyers. In the last few months, the DBA YLD has hosted a number of networking events. On Aug. 15, 2019, the DBA YLD partnered with the nonprofit Young Professionals to provide networking opportunities with nonprofit organizations, municipalities, and other organizations. In September, the DBA YLD partnered with the Asian Pacific American Bar Association of Colorado for a joint happy hour. In October the DBA YLD co-sponsored *The Docket's* Arts Contest Happy Hour to bring together a range of talented attorneys. In November, the DBA YLD held its annual Welcome to the Bar reception, which is one of the largest happy hour events of the year and a great chance for new lawyers to network with veterans of the bar.



### Work-Life Balance

Avoiding burnout is critical for all legal professionals, but especially for young attorneys starting their careers. To help with this, the DBA YLD provided a number of work-life balance events over the last few months. Movies in the park, a late summer Rockies game, a mid-week Rapids game, and a weekend hike in partnership with the CBA-YLD are just a few of the ways DBA YLD members took a break from the office.

### Community Involvement

Whether food drives, toothbrush drives, or professional attire donations, the DBA YLD offers a number of ways to get involved with the community. In November the DBA YLD finished its annual Law Suit Days, a professional clothing donation program, with donations provided to high school mock trial students and/or folks in need of professional attire for job interviews.

### Next Year

In 2020 keep your eyes peeled for more great events. Whether it's a ski-CLE where we take participants skiing while conducting a CLE on the way in the bus, a Lawyer's with Littles day at the Denver Museum of Nature and Science, or our annual golf tournament where we raise funds for Metro Volunteer Lawyers, the DBA YLD will have something for everyone. 🍷

**...free continuing legal education, networking opportunities, work-life balance events, or simply a chance to take a break from the office, the DBA YLD has something for everyone.**



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## Philip Nickerson

*Law clerk for Magistrate Judge S. Kato Crews of the United States District Court – District of Colorado*

# A Liaison Between Underrepresented Communities and the Law

**1. Where are you currently working?** I am a law clerk for Magistrate Judge S. Kato Crews of the United States District Court – District of Colorado.

**2. Why did you become a lawyer?** I pursued this profession determined to become a liaison between underrepresented communities and the law. I remember when the thought of seeking justice through the law was a laughable concept to me and those I grew up with. I hope, through my work and the efforts of the organizations I support, future generations of minorities can grow up trusting that the law protects them just as much as anyone else.

**3. What are five adjectives that you would use to describe yourself?** Easy-going, empathetic, contemplative, curious, and methodical.

**4. What's the best advice you've ever been given?** "Believe in yourself enough to follow your heart." – My mother.

**5. What made you decide to practice law?** During undergrad, I took a business law class where we studied the Enron scandal and corruption associated with foreign investments in developing countries. I became incensed by the notion that highly educated people with full knowledge of the laws would defraud and steal from those with far less. My incessant desire to help those who cannot help themselves eventually led me to pursue law school.

**6. Where are your favorite places to travel?** Istanbul is my favorite city in the world. It is an incredible mix of culture, food, and history. A close second would have to be McCall, Idaho. It is an idyllic town with an above average ski hill during the winter, fantastic huckleberry picking in the fall, and all lake activities you could ever want during the summer.

**7. Any new obsessions?** I am recently married, so definitely my wife, Laura. She has a great taste in bad television, embraces my goofiness, encourages and inspires me to chase my dreams, and keeps me focused on what matters most: family. The Four Tops put it best when they said: "Ain't no woman like the one I got!"

**8. What are your hobbies outside of the law?** I love playing, coaching, and watching sports – in that order. I also enjoy reading, hunting, playing board games, and hiking.

**9. What is your biggest pet peeve?** When I manage to forget my winter jacket at home even after checking the weather forecast that morning. I blame my forgetfulness on a childhood of mild winters in Texas.

**10. If you weren't a lawyer, you'd be a...?** Basketball coach, without a doubt. First, I love basketball and the game within the game. Second, I had tremendous coaches in my life who instilled lessons of humility, discipline, and dedication to one's craft. Adherence to those life lessons carried me beyond my wildest dreams. I love sharing my love for the sport and the lessons it taught me with the next generation. 🏀



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