

# Appendix V

## Quotations from Public Hearing Transcripts

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### Quotations from Public Hearings

1. Peggy Rudden, *Advocates for Children*, Denver 4/29/01, Transcript p.3: “We have multiple cases in our district where the children and the families are involved in different court whether it’s the criminal court, its’ the family court, it’s juvenile court, the civil court, whatever...And oftentimes to have the same judge, I think is only, is fairly, is really beneficial to the families and to the children.”
2. Cheri Trine, *mother*, Fort Collins 7/11/01, Transcript p.3: Comments on her personal experience involving the same ongoing case being seen by four different judges.
3. Ms. Valero, Fort Collins 7/11/01, Transcript p.64: “...with your court facilitator, isn’t that someone who can help at the front end help people decide... what is appropriate for their case.”
4. Ms. Westbrook, *Magistrate*, Grand Junction 8/29/01, Transcript p.20: There should be two-tier levels for simplified mediation. Perhaps it should be a settlement judge who deals with the case until it becomes contested, but the settlement judge should never be the trial judge.
5. Dianne Peterson, *Attorney*, Fort Collins 7/11/01, Transcript p.17: “We like that principle in general, your timely, efficient, and less adversarial process...all these other things mediation, special masters, restorative justice, all of those things are kind of the front ones where you try and litigation is your last resort.”
6. Ms. Roe, *CASA Director and Special Advocate*, Grand Junction 8/29/01, Transcript p.43: D&N shouldn’t be adversarial.
7. Judge Lowenbach, Fort Collins 7/11/01, Transcript p.96: With regards to zealous advocacy: change the ethics rules to be precise about cooperation in mediation.
8. Michael Abrams, *Attorney and respondent parent counsel*, Fort Collins 7/11/01, Transcript p.20: The court should be the last resort. Collaborative divorce makes parties work out issues ahead of court, but the Rules of Professional Conduct are major stumbling block to collaborative divorce, require attorneys to zealously represent the client, thinks there are Rules modifications underway dealing specifically with family lawyers.
9. Tim Downey, *Attorney*, Fort Collins 7/11/01, Transcript p.74: “...they have some judges that obtain a lot of power and then some judicial courts they’re a minority court or a lower respect in court the don’t have the same kind of respect that regular judicial judges have. So there are advantages and disadvantages.”
10. Ms. Valero, Fort Collins 7/11/01, Transcript p.34: “I have heard judges in our district still kind of refer to it as this is our stepping stone, why are you still doing this, because you outta know better by now.”
11. Harlan Bockman, *District Court Chief Judge in Adams County*, Denver 6/29/01, Transcript p.54: no family court, don’t force the same solution on jurisdictions with different needs, judges are generalists, needs to be separate from the input, sifts information, doesn’t produce it, rules shouldn’t just apply to family law, family law is just one segment of law, if the chief judge decides which judge will hear which case, the system will break down, if a judge stays in one place too long she loses innovation, Judge Vigil and Teresa Spahn came from criminal law backgrounds, a dedicated judge

will learn criminal law, or civil law, or family law, all judges should train in juvenile and domestic, give us a chance to experiment, a judge who stays too long in one job begins to rely on the same people and same small group, need to rotate judges, agrees with idea judges should rotate around the state but doesn't think it would work, judge's specialty should be in listening, not in social work, deal with family problems now because you can't after the family is destroyed, should identify the good and bad judges, should be recognition of good judges, we've integrated other cases into D&N courts because it works, not because we were forced to.

12. Colt Simms, Denver 6/28/01, Transcript p.3: Judge was biased and didn't care and wouldn't step down when he asked her to.
13. Patricia Hall, *Attorney and former County Court Judge and Tribal Judge*, Durango 9/25/01, Transcript p.65: "I think finding judges who are suited to that practice, who enjoy it who have the patience for it, who understand the importance of these case is important."
14. Melinda Bronson, *Clinical Social Worker, Parenting Time Evaluations, Parenting Time Coordinator and S.A.*, Durango 9/25/01, Transcript p.40: Family cases don't get enough time in front of the judge. There needs to be more judges. Courts break off in the middle of cases, children in limbo and the judge forgets the points of the case. Often times the judge pushes to move more quickly. Courts don't take enough time to look at best interests of children. Cases should sometimes move more slowly, not more quickly.
15. Patricia Hall, *Attorney and former County Court Judge and Tribal Judge*, Durango 9/25/01, Transcript p.65: "...providing training, providing continual training and providing the court resources so that post-decree in particular, people can get relief without having to expend a lot of time and money to get settled."
16. Maria Subia, *Director of the East Child Care Center and Preschool*, Pueblo 10/10/01, Transcript p.52: "Perhaps the judicial profession needs to consider more child development as part of its training and service and perhaps preparation for family law. Those people making those decisions need to know these things about child development before they hand out a decision."
17. Mr. Lococo, *Attorney*, Fort Collins 7/10/01, Transcript p.2: Comments that he would like to see more judges getting involved in the community.
18. Michael Abrams, *Attorney and respondent parent counsel*, Fort Collins 7/11/01, Transcript p.23: "The rates of reimbursement pay...to be honest \$45 an hour for your time makes you feel like a fool."
19. Ms. Strewler, *Executive Director of CASA of Colorado Springs*, Pueblo 10/10/01, Transcript p.60: State pays court appointed attorneys less than \$50.00 per hour when the going rate in Pueblo is \$150.00. If you pay court appointed attorneys badly you shouldn't be surprised if they take on huge volumes of cases and don't do as good a job.
20. Julie Ridgeway, *Member of the Judicial Study Committee*, Grand Junction 8/28/01, Transcript p.37: More money for courts, social services and attorneys so that experienced attorneys and other personnel are enticed to work for the public sector.
21. Michael Abrams, *Attorney and respondent parent counsel*, Fort Collins 7/11/01, Transcript p.23: "There's never been any training ever available for the respondent parent counsel."
22. Mary Dawes, Durango 9/25/01, Transcript p.29: "Although my husband is in contempt with those orders, there is no action to defend my rights..." Use: "When I hired you as

my attorney, it was because I had been told by many people that you are aggressive, competent and one the best in town...I am under the impression that when I paid for you, you would be working for me. Instead you have given my case to someone else in the office. When this person seemed to think that my husband's settlement offer was a pretty good offer without having his financial discovery I became very wary and asked you to have this person taken off my case...you have continued to let this person be a primary attorney even after my asking for him to be taken off. You have left me with him for three weeks while you enjoyed your vacation."

23. Ms. Leland, Durango 9/25/01, Transcript p.10: Is involved in a 27 month old divorce, 24 months to first decree, with \$80-90 thousand in attorneys' fees and costs, 15 to \$20 thousand in private investigator's fees, 150 exhibits. The father has a really poor history of relationships, which should be relevant, but it's a No Fault divorce so they aren't. The courts won't enforce even repeated discovery violations so dad can stall child support, and meanwhile her mortgage is due. Recently he filed a motion that she was failing to pay the mortgage.
24. Mary Dawes, Durango 9/25/01, Transcript p.39: "It's the people who have the money that get the most rights, get their rights protected and get people on their side."
25. Mr. Vaughan, Fort Collins 7/10/01, Transcript p.11: "It's not just pro se people that need financial assistance. It's those in-betweens; they can't afford special advocates and can't afford custody evaluations.
26. Colt Simms, Denver 6/28/01, Transcript p.25: States that there has got to be a way for people to get information.
27. Catherine Cattarello, *Executive Director for the Women's Resource Center*, Durango 9/25/01, Transcript p.71: "There just simply needs to be some folks available, qualified and competent staff who have organizationally structured opportunity to offer some sort of assistance to low income and medium income folks."
28. Bev Keith, Grand Junction 8/28/01, Transcript p.11: Was arrested because boyfriend called cops first, pled guilty to get out of jail, the District Attorney told her she didn't need to see an attorney, didn't understand the District Attorney was not on her side, she got a TRO and attorney's fees totaling \$4,000 - \$5,000. The other party is fighting the TRO because now he cannot carry his gun.
29. Ms. Schure, Fort Collins 7/11/01, Transcript p.47: "I would like to suggest a minimum practice and training standards be established for special advocates as well."
30. Robert Smith, *Attorney and SCAO employee*, Fort Collins 7/11/01, Transcript p.66: Comments on the need for ongoing training for special advocates.
31. Ms. Waters, *Mediator*, Fort Collins 7/11/01, Transcript p.49: "There is no standard of conduct for a special advocate. There is no basic requirement for what a special advocate is and should know."
32. Celeste Kling, *Attorney, GAL, SA, Mediator and Teacher*, Fort Collins 7/11/01, Transcript p.55: "There needs be guidelines for them. There needs to be a place for professional ethics violations to be reported." Sites an article in the June issue of *The Colorado Lawyer* that proposes "...the chief justice directive standards that apply to all the attorneys would also apply to the non-attorney mental health people."
33. Grace Herrera, Pueblo 10/10/01, Transcript p.21: "We had one judge for the case but when the restraining order was issued, we went to a magistrate. I don't even think the judge knows about the restraining order."