

# CHIEF'S COMMISSION ON THE LEGAL PROFESSION

## MINUTES OF MEETING

September 13, 2012

101 W. Colfax Ave., 5th Floor

3:00–5:00 PM

<b>MEMBERS IN ATTENDANCE</b>	Chief Justice Michael L. Bender, John T. Baker, Chief Judge Roxanne Bailin, Gillian Bidgood, Judge Russell E. Carparelli, Roger E. Clark, Sarah M. Clark, Cynthia H. Coffman, Benjamin E. Currier, Chief Judge Wiley Daniel, A. M. Dominguez, Katayoun A. Donnelly, John A. Eckstein, Jacob Eisenstein, Mechelle Y. Faulk, Mark A. Fogg, Judge Richard L. Gabriel, Charles Garcia, Ed Gassman, John S. Gleason, Carol Haller, Dale R. Harris, Melissa Hart, Chief Judge Robert S. Hyatt, Dean Martin J. Katz, Kenzo Kawanabe, Judge John Kuenhold, David C. Little, Cynthia Mares, Jerry Marroney, James O'Connor, Judge Gilbert M. Román, David W. Stark, Judge Daniel M. Taubman, Lorenzo Trujillo, Judge Mimi E. Tsankov, Charles Turner, Kara Veitch, Dan Vigil, and Dean Phil Weiser were in attendance.
<b>ATTACHMENTS</b>	The meeting agenda, materials, and handouts are attached to these minutes.
<b>NEXT MEETING</b>	December 6, 2012 at 3:00 PM

### AGENDA ITEMS

#### WELCOME

CHIEF JUSTICE BENDER

Chief Justice Bender welcomed Cynthia H. Coffman, Colorado's Chief Deputy Attorney General, to the Commission and announced that Commission Member Elizabeth A. Starrs is now Hon. Judge Starrs of the Denver District Court. Chief Justice Bender also announced that at the October 29th Assembly of Lawyers and Swearing-In Ceremony, the ABA Section of Dispute Resolution will present Judge Russell E. Carparelli, Chair of Working Group C, with the Civility in Law Award.

Next, Chief Justice Bender commended Justice Gregory J. Hobbs, Judge Gale T. Miller, Commission Member Judge Richard L. Gabriel, and Working Group D Chair David Stark for their success in going door-to-door to obtain commitments from 14 additional law firms to the Colorado Supreme Court Pro Bono Legal Service Commitment and Recognition Program.

He emphasized the quality of the work being done by the entire Commission and the common theme of all the Commission's projects and programs as serving the needs of the community.

Chief Justice Bender then turned to the efforts being undertaken within the Judicial Branch to close the gap between what the public perceives happens in the Colorado legal system and how things actually

work. He relayed that he travelled to all 22 Colorado Judicial Districts this summer to talk with judicial officers and court and probation staff about why it's important to close the gap and how we can accomplish that goal. He then explained that justice is perceived by those who come to court—as jurors, litigants, witnesses, victims, and their family and friends—and that all of these individuals are educable. What counts most, Chief Justice Bender further explained, is generating trust and feelings of respect.

He informed the Commission that in order to accomplish this goal, the Branch is going to launch a 10-day leadership training curriculum for the Judicial District Chief Judges, as well as for the rest of the Judicial District management team, including the District Administrations and the Chief Probation Officers. He explained that strong Chief Judge leadership is critical to supporting the local efforts undertaken by the Branch's 3,500 employees. Chief Justice Bender reflected that it was a bigger adjustment for him to move from Justice to Chief Justice than from private practice to Justice because of the tremendous administrative responsibility that comes with being a Chief Justice or Chief Judge.

Chief Justice Bender asked the Commission to support these efforts and perhaps to begin to think about how concepts of procedural fairness can be extended from the courthouse to the lawyer's office. He closed his comments with a note about the Branch's goals for the next budget cycle: employee salaries, two new district court judges, funding for the procedural fairness initiative, and additional self-represented litigant coordinators.

<b>ADDITIONAL INFORMATION</b>	<p>Information regarding the Colorado Supreme Court Pro Bono Legal Service Commitment and Recognition Program can be found at: <a href="http://www.courts.state.co.us/Courts/Supreme_Court/Pro_Bono.cfm">http://www.courts.state.co.us/Courts/Supreme_Court/Pro_Bono.cfm</a></p> <p>Additional information about procedural fairness can be found at: <a href="http://www.proceduralfairness.org/">http://www.proceduralfairness.org/</a></p>
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<b>WORKING GROUP D</b>	<b>DAVID STARK</b>
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David Stark, Chair of Working Group D—development of the relationship between the legal profession and the community to enhance access to justice, delivery of justice, and education of the public—summarized Working Group D's recent efforts concerning pro bono and pro se resources. Working Group D's report is attached to these minutes (Materials Pages 1–3).

David Stark updated the Commission on Working Group D's pro bono outreach to in-house counsel, government lawyers, and law firms. He emphasized Working Group D's relationship with the Colorado Access to Justice Commission and their joint efforts in these areas. He reported that in addition to encouraging the work of the Colorado Chapter of the Association of Corporate Counsel by attending and speaking at the ACC's next happy hour on October 10, Working Group D also plans to continue its visits to law firms in October. He also informed the Commission that Working Group D will continue to work with the Office of the Attorney General to find pro bono opportunities for these government lawyers. Other outreach includes Commission Member Judge Mimi E. Tsankov's work to establish a pro bono program for federal government lawyers and conversations with the Colorado District Attorneys' Council, as well as the State Public Defender's Office.

He then turned to Working Group D's efforts to promote and enhance resources for self-represented

litigants. Following up on her report from last Commission meeting, Sarah Clark updated the Commission on the assistance Working Group D had provided in drafting the request for proposals for the 12 new self-represented litigant coordinators and in reviewing the proposals that were received. She promised to keep the Commission informed about the allocation decision expected at the end of September. She also indicated that the likelihood of the Branch to seek funding for additional coordinators for the next fiscal year.

Mark Fogg connected the idea of self-help resource centers for self-represented litigants to the idea of unbundled legal services, emphasizing the importance of connecting pro se parties to lawyers even if for just a portion of their case.

**WORKING GROUP A**

**LORENZO TRUJILLO**

Lorenzo Trujillo, Chair of Working Group A—development of professional identity, social responsibility, and practice skills in law school, and involvement of judges and leaders of the bar in law school—presented Working Group A’s report.

Dean Trujillo once again previewed the Joint 1L “For This We Stand” Professionalism Orientation Event and thanked the subcommittee members for their hard work. He promised a full evaluation and report of the event at the Commission’s next meeting.

**WORKING GROUP C**

**JUDGE CARPARELLI**

Judge Russell Carparelli, Chair of Working Group C—development of communication and professionalism between and among judges and attorneys—presented Working Group C’s most recent project, October Legal Professionalism Month.

Judge Carparelli reported on the upcoming Assembly of Lawyers program, which will take place on October 29 just prior to the swearing-in ceremony at Boettcher Concert Hall. Judge Carparelli confirmed that Attorney General John Suthers and Gary Jackson will be the keynote speakers. Judge Carparelli also reported on the significant work being done by the local bar leaders for October Legal Professionalism Month and that there are over 20 events already scheduled across the state. He noted that the October 1 edition of Law Week will be devoted to the highlighting the events that will be occurring throughout the state.

**WORKING GROUP B**

**MARK FOGG**

Mark Fogg, Chair of Working Group B—development of professional identity and social responsibility for new attorneys and thereafter—updated the Commission on the Working Group B’s most recent efforts.

Mark Fogg first reported on the status of the statewide mentoring pilot program and indicated that the mentoring program has about 125 matches and will run through the end of 2013. He announced that the program is moving forward with bringing an Executive Director on board to help coordinate the program. He next reported that the Colorado Lawyers for Colorado Veterans program has been extremely popular and successful. He invited the Commission members to three upcoming events:

- **Meet and Greet Reception – Thursday, September 27:** This reception will be fore CLCV

volunteers at the CBA offices from 4-6 PM. The reception will give volunteers an opportunity to meet one another and to network. There will be appetizers and drinks. All are welcome to stop by. RSVP to [cgravit@cobar.org](mailto:cgravit@cobar.org).

- **Volunteer Training – Friday, October 19:** The next CLCV training will take place on Friday, October 19 from 8:30 AM to 12:00 PM at CBA-CLE offices. The training is complimentary to lawyers who volunteer to work at an upcoming clinic. Three CLE credits are available; RSVP to [lunches@cobar.org](mailto:lunches@cobar.org).
- **Veteran’s Day Reception – Monday, November 12:** In honor of Veteran’s Day, Wheeler Trigg O’Donnell will host a CLCV cocktail party. The reception will include remarks from Chief Justice Bender. All CBA members who are also veterans are invited to attend, as are all members of the Chief Justice Commission on the Legal Profession. RSVP to [cgravit@cobar.org](mailto:cgravit@cobar.org).

Commission Member John Gleason mentioned the state’s recent effort concerning the military-spouse rule, which would make it easier for spouses of members of the military to gain admission in Colorado so long as the individual is admitted and in good standing in another state.

Commission Member Judge Daniel M. Taubman informed the Commission about his work on a model business plan for modest means practice, which will seek to align lawyers who lack clients with low to middle income clients. He explained that the focus is on competency, malpractice coverage, and making enough to cover law school debt payments.

## ANNOUNCEMENTS AND FURTHER DISCUSSION

Chief Justice Bender once again expressed his gratitude for the Commission Members’ work over the last year and a half and for the structural, financial, and administrative support being provided by the Colorado Bar Association, both law schools, and the Office of Attorney Regulation. He emphasized the importance of the exchange of ideas happening at each Commission meeting, as well as the importance of the reports on the work being done on the ground by each Working Group. In thinking more long term, he noted that the Colorado Supreme Court is extremely committed and supportive of the Commission and its work. He encouraged the Commission to continue focusing on local needs while branching out from the nucleus that is being created.

Chief Justice Bender reminded the Commission about the CU Bench/Bar Conference taking place September 19–21, and commended both law schools for doing so much to support educating law students about what it means to be a lawyer.

Working Group C Chair Judge Russell E. Carparelli informed the Commission about the Institute for the Advancement of the American Legal System’s Educating Tomorrow’s Lawyers initiative and conference taking place September 27–29. More about IAALS’s ETL can be found at: <http://iaals.du.edu/initiatives/educating-tomorrows-lawyers/>.

Commission Member Judge Richard L. Gabriel described how easy it was to pull together a CLE panel for October Legal Professionalism Month and offered to provide assistance to any Commission Member. He also suggested that the Commission consider the idea of mid-career mentoring. He noted that 4-to-7-year lawyers often feel lost about where their careers are going and that mentoring could be beneficial.

Commission Member David C. Little reported on the work of the Colorado Bar Association’s Lawyers

Professional Liability Committee and offered their experience and background in professionalism and malpractice. He suggested that the members of that committee might be a resource for speaking to law students and young lawyers about professionalism, civility, and how to resolve problems before they arise.

**REMAINING 2012 COMMISSION MEETING DATES**

**CHIEF JUSTICE BENDER**

Chief Justice Bender announced the Commission's remaining 2012 meeting dates:

- December 6, 2012

All meetings are on Thursday afternoons from 3:00–5:00 PM in the 5th Floor Conference Room at 101 W. Colfax Ave., Denver, Colorado 80202.

**ADJOURN**

Minutes of Meeting submitted by Sarah Clark, September 27, 2012