

CHIEF'S COMMISSION ON THE LEGAL PROFESSION

MINUTES OF MEETING

December 6, 2012

101 W. Colfax Ave., 5th Floor

3:00–5:00 PM

MEMBERS IN ATTENDANCE	Chief Justice Michael Bender, John Baker, Kevin Bemis, Justice Brian Boatright, Judge Russell Carparelli, Roger Clark, Sarah Clark, Jim Coyle, Al Dominguez, Katy Donnelly, Kelly Dunnaway, John Eckstein, Jake Eisenstein, Mark Fogg, Andy Frohardt, Charles Garcia, Ed Gassman, Steve Gurr, Christina Habas, Carol Haller, Tess Hand-Bender, Melissa Hart, Justice Gregory Hobbs, Chief Judge Bob Hyatt, Bruce James, Dean Marty Katz, John Kuenhold, Dave Little, Presiding Judge John Marcucci, Jerry Marroney, Judge Gale Miller, Chief Judge Michael O'Hara, Justice Nancy Rice, Christie Searls, Dave Stark, Judge Liz Starrs, Judge Dan Taubmann, Lorenzo Trujillo, Chuck Turner, John Vaught, Dan Vigil, U.S. Attorney John Walsh, Dean Phil Weiser
ATTACHMENTS	The meeting agenda, materials, and handouts are attached to these minutes.
NEXT MEETING	February 21, 2013 at 3:00 PM

AGENDA ITEMS	
WELCOME	CHIEF JUSTICE BENDER
Chief Justice Bender welcomed the Honorable John Marcucci, Presiding Judge, Denver County Court, and Tess Hand-Bender of Reilly Pozner to the Commission as new Commission Members, as well as Kelly Dunnaway, Deputy County Attorney, Douglas County, as a Liaison Member representing the Colorado County Attorneys Association.	
REPORT FROM THE LAW SCHOOLS	DEAN KATZ AND DEAN WEISER
At the request of Chief Justice Bender, Dean Katz and Dean Weiser suggested three broad categories of ways the legal community can help the law schools: time, jobs, and money. They emphasized the importance of mentoring, internships, and adjunct teaching, explaining that teaching can be done individually, in teams, or simply lecturing for a course. They encouraged lawyers and judges to attend events sponsored by the law schools and to invite law students to events sponsored by their firms and organizations so that judges and lawyers have more opportunities to talk to students about career, professional identity, and professionalism. They expressed a desire to continue to engage in conversation with the legal profession concerning legal education and the importance of the	

profession's apprenticeship tradition. They reported that while the practices at some law schools around the country have come under scrutiny, Colorado's two law schools do not fall into that category and are in good shape.

DISCUSSION	Liaison Member Kelly Dunnaway echoed the importance of training law students who gain necessary and invaluable legal experience, even if that training comes through unpaid internships.
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SPECIAL REPORT – SELF-HELP CENTER HOTLINE	STEVE GURR AND CHRISTIE SEARLS
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Steve Gurr of Bryan Cave HRO and Christie Searls of CenturyLink presented a special report on the partnership between Bryan Cave HRO and the legal department of CenturyLink's Denver office and the 17th Judicial District's Self-Help Center to establish a legal advice/information hotline that will be staffed by lawyers, paralegals, and other legal professionals whenever the Self-Help Center in Adams County is open. It is expected that most questions will be informational in nature, but to the extent that lawyers are providing any legal advice, it was explained that the hotline will be run pursuant to Colorado Rules of Professional Conduct Rule 6.5, which permits lawyers to provide short-term, limited legal services to a client without continuing representation. The program will start with 25 to 30 lawyers dealing with divorce and eviction questions, with hopes to grow over time.

DISCUSSION	Chief Justice Bender asked about the substance of the issues that the lawyers, paralegals, and other legal professionals will be working on. Steve and Christie explained that the calls will primarily concern questions about forms, process, issue spotting, and referrals.
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SPECIAL REPORT – APPELLATE UNBUNDLING	HON. GALE MILLER
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Colorado Court of Appeals Judge Gale Miller presented a special report on Colorado Appellate Rule 5, which now permits lawyers to enter limited appearance in appeals before the Colorado Court of Appeals and the Colorado Supreme Court. Unlike the trial court rule, which permits lawyers to ghostwrite pleadings, lawyers are required to enter an appearance for brief submittal and oral argument. Judge Miller also reported on the success of recruiting more lawyers, law firms, in-house counsel, and government agencies to join the Colorado Supreme Court Pro Bono Recognition Program, which has resulted in Colorado lawyers committing to providing nearly 110,000 hours of pro bono work in 2013.

SPECIAL REPORT – CO LAWYERS FOR CO VETERANS	JOHN VAUGHT
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John Vaught of Wheeler Trigg O'Donnell presented a special report on the Colorado Lawyers for Colorado Veterans program. The program's work has been conducted in conjunction with the VA, the Matthews Center, and the Veterans Services Committee, and has attracted the interest of approximately 500 lawyers who want to take a case through the program. It was reported that the clinics are expanding across the state and that 80 ongoing cases have been assigned out of the program to attorneys for additional pro bono assistance.

WORKING GROUP D**DAVE STARK**

Dave 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 11–13).

Dave updated the Commission on Working Group D’s pro bono outreach to in-house counsel, government lawyers, and law firms. He relayed that Carmel Gill serves as the pro bono coordinator for the Association of Corporate Counsel and has joined Working Group D to assist with getting pro bono work to in-house attorneys through both a clinic at the University of Colorado Law School and the Colorado Lawyers Committee. He noted that Working Group D nominated CenturyLink for a national ABA award for its outstanding pro bono work. Concerning government lawyers, Dave indicated that Commission Member Judge Dan Taubmann had been speaking with the Colorado Attorney General’s Office and that Commission Liaison Member Mimi Tsankov was still moving forward with the Colorado Federal Pro Bono Program, working to resolve issues of conflicts, malpractice, and time.

Dave explained the Working Group’s continued participation in the Colorado Access to Justice Commission’s efforts to find a long-term funding solution for Colorado Legal Services, as well as its cooperation with the Colorado Bar Association and the Colorado Supreme Court Pro Bono Recognition Program. He mentioned the recent Pro Bono Mini Summit held at the CBA’s offices to keep the excitement up for lawyers who have committed to doing pro bono and assisting them with finding the right opportunities for them to help them fulfill that goal.

Concerning the Working Group’s eye on supporting resources for pro se parties, Dave raised an issue that has come up periodically that the self-help centers are taking business away from lawyers. Dave reminded the Commission that one of the goals of the self-help centers is to connect people to lawyers in the local community, and not just for pro bono assistance but for paid assistance as well.

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. Working Group B’s report is attached to these minutes (Materials Pages 6–8).

Mark announced that Commission Member Charles Garcia has been selected at the Colorado Bar Association’s President-Elect to serve after Terry Ruckriegle’s term. Mark also reported on how the efforts of the Colorado Bar Association’s newly formed Modest Means Task Force tie into the efforts of the Commission to promote better access to justice in Colorado by connecting moderate income folks with lawyers who charge affordable rates. He announced that the Task Force has received a \$20,000 grant from the American Bar Association as a means of expanding the work of the Access to Justice Commission. He sketched out a vision for lawyer training, a manual, and CLE courses to train new lawyers in how to build this type of practice and the connection between these lawyers and the self-help centers.

DISCUSSION	Chief Justice Bender commented that the perception that the courthouse is lawyer-less is true and applauded the Task Force for taking on the issue.
SPECIAL REPORT – MENTORING	JIM COYLE
Jim Coyle of the Office of Attorney Regulation Counsel reported on the search for Executive Director position for the Colorado Attorney Mentoring Program (CAMP). He noted that applications are due on December 21; that the position is a full-time position; and that applicants ought to have a passion for mentoring.	
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. Working Group A's report is attached to these minutes (Materials Pages 1–5).	
Dean Trujillo reported on the Joint 1L “For This We Stand” Professionalism Orientation Event and congratulated the subcommittee members for their hard work and the Working Group for developing a quality half-day curriculum. Based on the surveys received, he indicated that the event was an overall positive experience for the students, lawyers, judges, and clients, and with 88% of students reporting that the program provided them with an understanding of the core values of the profession and a better sense of professional identity. He reported that the Working Group agreed that we should try the program again next year with modifications that will include providing food and shortening up the lecture component.	
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. Working Group C's report is attached to these minutes (Materials Pages 9–10).	
Judge Carparelli reported on October Legal Professionalism Month and the Assembly of Lawyers Swearing-In program. He indicated that 41 bar associations and other organizations participated in October Legal Professionalism Month and that even more collaboration is expected next year, in part because The Colorado Lawyer has already dedicated its October issue to the topic. Concerning the Assembly of Lawyers Swearing-In program, he explained that the marketing was successful, with over 450 lawyers RSVPing, but only half showed up for the event. The program will be changed a bit for next year to better accomplish the program goals.	
He indicated that in the future, Working Group C has its eye on several areas: civic education, the communication between lawyers and judges as it relates to self-help centers and the lawyer referral lists, the May 2013 Swearing-In Ceremony, further work with the Inns of Court and with the local bar associations, and strategies for reaching lawyers who are not involved.	

ANNOUNCEMENTS AND FURTHER DISCUSSION

Chief Justice Bender asked the Commission to consider the significance of being able to demonstrate how lawyers contribute to the community and the importance of lawyers and judges talking to one another and talking more to law students.

There was discussion about how some thought the Commission would be a one-year wonder and how it has successfully proved its worth to the profession. There was also discussion of the importance of bringing more young and diverse voices to the table to develop a robust cross-section of ideas and background for the development of sustainable and worthwhile goals and vision.

The conversation turned to educating the public about what lawyers do, including what law schools do to educate college students about the path to becoming a lawyer. Dean Katz explained that it's helpful for college students to hear from a diversity of lawyers—including professors, practitioners, and judges—to help them visualize what being a lawyer looks like. DU does prelaw advising and holds open houses.

Commission Member Melissa Hart noted the important role that civics education plays in the process and the use of Constitution Day to bring high school and college students to the law schools. There was discussion that retired lawyers can play an important role in the process because they have the time and desire to give back to the community. ABOTA's teacher law school was mentioned as an outstanding and unique educational program; as was CU's recent mini law school.

An ad-hoc group was convened to think about ways to reach out to the community. They will report at the next Commission meeting.

2013 COMMISSION MEETING DATES

CHIEF JUSTICE BENDER

Chief Justice Bender announced the Commission's 2013 meeting dates:

- February 21, 2013
- May 23, 2013
- September 12, 2013
- December 5, 2013

All meetings will be held on Thursday afternoons from 3:00–5:00 PM in the Supreme Court Conference Room on the 4th Floor of the new Ralph L. Carr Colorado Judicial Center at 2 E. 14th Ave., Denver, Colorado 80203.

ADJOURN

Minutes of Meeting submitted by Sarah Clark, February 19, 2013