

- Lesson: Who are Colorado’s Court of Appeals Judges?
- Objective: Students become familiar with Court of Appeals judges, who are state officials. (Colorado Model Content Standards: Civics, Standard 2.1, grades 9-12)
- Activities: Class participation activity and homework assignment.
- Outcomes: Students will be familiar with the judges who will be presiding over the hearings at their school.
- Grade Level: Grades 9-12

Anticipated classroom time: 45-60 minutes

Message from former Colorado Court of Appeals Judge José D. L. Márquez:

Introducing Judges on the Colorado Court of Appeals

Extensive experience in the law is perhaps the most distinctive characteristic of the 22 judges on the Colorado Court of Appeals.

Members of the court come from diverse backgrounds. They have worked in private practice; served as law professors; provided legal services for the poor; and served as public defenders, district attorneys, assistant attorneys general, and assistant staff judge advocates in the military.

Not reflected in all the biographies are the many other activities in which judges are involved. Almost all judges serve or have served on a number of boards, committees, and task forces that are law related. Many have served on the boards governing the Colorado and other bar associations and as trustees for the Denver Bar Association. Some are active in community organizations such as the University Club and Rotary, and others are active in their churches or synagogues. Almost all are parents, and a number have served in the military. Members of the court enjoy traveling, reading, music, theater, sports, and a host of other interests.

Teacher background information:

Included on the following pages are biographies for each of the 22 Colorado Court of Appeals judges. Information is also available at http://www.courts.state.co.us/Courts/Court_of_Appeals/Judges.cfm.

Qualifications for becoming a Colorado Court of Appeals judge: A nominee to the Court of Appeals must be a qualified elector of the state of Colorado, licensed to practice law in Colorado for at least five years, and under the age of 72 at the time his or her name is submitted to the governor.

Classroom activities:

- 1) Have the students read through the biographies of the judges.
- 2) Generate discussion about the judges by asking the students:
 - Do the Colorado Court of Appeals judges reflect the diversity of the population of the State of Colorado? Why do you think that each of these judges was selected to serve in this position?
 - Does anything surprise you about who is sitting on the Court of Appeals?
- 3) How do the past professional experiences of the judges differ? What impact do you think this has on the judiciary?

Homework assignment: The worksheet entitled “Colorado’s Court of Appeals Judges.”

Chief Judge Steven Bernard

Date of Judicial Appointment: July 5, 2006



Steve Bernard was born in Colorado Springs, Colorado, in 1952, where he grew up. He received both of his degrees from the University of Colorado, a B.A. in political science in 1975 and a law degree in 1978.

Mr. Bernard began his legal career at the District Attorney's Office for Colorado's Seventeenth Judicial District (now Adams and Broomfield Counties) in 1978. He served as a deputy district attorney from 1978 to 1982, handling child support, misdemeanor and felony trials and appeals. He became a chief trial deputy in 1982, responsible for arguing appeals before Colorado's appellate courts and trying major and complex cases, such as death penalty prosecutions, civil forfeitures and grand jury proceedings. Mr. Bernard became the assistant district attorney in 1993, assisting the district attorney in the day-to-day management of a large district attorney's office, as well as continuing to be involved in trial and appellate litigation of significant cases. During this period of time, he was a frequent lecturer on a variety of legal subjects, ranging from the death penalty, to the law of evidence, to constitutional law, to trial techniques. Mr. Bernard retired from this position in December 2004.

In January of 2005, Mr. Bernard became a chief deputy district attorney with the Nineteenth Judicial District (Weld County). He was responsible for filing felony cases, training new prosecutors and police officers and conducting grand jury litigation.

Mr. Bernard has been involved in a variety of professional and community activities. He served on the governing board of the Colorado District Attorneys' Association, Colorado's statewide prosecutor's organization. He is a former member of the Adams County Bar Association and a present member of the Weld County, Colorado and American Bar Associations. He served as a member of the Supreme Court Nominating Commission from 1997 to 2002. He was chairman of the Adams County Community Corrections Board from 1994 to 2000 and a member of the Weld County Community Corrections Board from 2005 to 2006. Mr. Bernard was co-chairman of Save Open Space, a nonpartisan group that worked to secure an open space sales tax in Adams County in 1999 and to extend the tax in 2004, and he served on the Adams County Open Space Advisory Board from 2000 to 2004.

In 2002, Mr. Bernard was named Lecturer of the Year for his contributions to educational programs sponsored by the Colorado District Attorneys' Council. He was named appellate prosecutor of the year for United States Region I by the Association of Government Attorneys in Capital Litigation in 2001.

Mr. Bernard and his wife Molly were married in 1975.

Governor Bill Owens appointed Mr. Bernard to the Colorado Court of Appeals in May 2006. Mr. Bernard took the oath of office as a Court of Appeals Judge on July 5, 2006.

Judge John Daniel Dailey

Date of Judicial Appointment: January 7, 2000



CAREER: Colorado Attorney General's Office 1978-2000 (Assistant Attorney General, Litigation Section; First Assistant Attorney General, Appellate and Human Resources Sections; Deputy Attorney General, Appellate, Criminal Enforcement, and Consumer Protection Sections; Assistant Solicitor General); Adjunct Professor of Law, University of Colorado College of Law (1996, 1999) & University of Denver College of Law (1994); Adjunct Professor of Criminal Procedure, University of Denver College of Law (Spring 2002); Judicial Law Clerk to Court of Appeals Judge David W. Enoch, 1977-78.

PROFESSIONAL: Admitted to practice law in the courts of New York, Colorado, in the District of Colorado, in the Tenth Circuit Court of Appeals, and in the U.S. Supreme Court; Member, Colorado Supreme Court's Advisory Committees on Delay Reduction (1986-89), Rules of Criminal procedure (1984 - present; committee chair July 2000 - present), Rules of Appellate Procedure (1996-present); Member, Colorado Criminal Justice Commission (1989-90, 1993-94); Member, Colorado Bar Association Criminal law Section's Executive Council (1997-2007).

EDUCATIONAL: B.A., political science (cum laude), Bucknell University (1974); J.D. (summa cum laude, Order of the Coif, Justinian Honorary Law Society Award for Scholastic Excellence, American Jurisprudence Awards in Criminal Law, Evidence, and Future Interests), Syracuse University's College of law (1977).

PERSONAL: Born February 16, 1952 in Hornell, N.Y., the son of Bill and Grace Dailey; Co-captain, Bucknell University's Varsity Football Squad (1973); Academic All-American Linebacker (1973); Member Bucknell University's Athletic Hall of Fame; Married Elaine Lamping in Boulder, CO (1982); John and Elaine (now deceased) have two daughters, Erin and Brianna, and a grandson, Conor.

Judge Gilbert M. Román

Date of Judicial Appointment: August 1, 2005



CAREER: Partner, Rothgerber Johnson & Lyons LLP, Denver, Colo.; Associate General Counsel, Kaiser-Hill Corporation LLC, Broomfield, Colo.; Partner, Román, Benezra & Culver, LLC, Lakewood, Colo.; Partner, Feiger, Collison & Killmer, LLC, Denver, Colo.; Associate, Sherman & Howard, Denver, Colo.; Adjunct Faculty, University of Denver College of Law; Instructor, National Institute of Trial Advocacy/Christopher A. Miranda Trial Advocacy Institute; Arbitrator and Mediator, American Arbitration Association; and Arbitrator, National Association of Securities Dealers. Practice focused on complex civil litigation with an emphasis on employment law, commercial litigation and alternative dispute resolution.

PROFESSIONAL and CIVIC: Admitted to practice in Colorado, United States District Court for the District of Colorado, United States Court of Appeals for the Tenth Circuit, and United States Supreme Court. Member and former trustee of the Denver Bar Association and a former representative to the Colorado Bar Association's Board of Governors; board member of the Colorado Hispanic Bar Association and the Hispanic National Bar Association. Recipient of the Richard Marden Davis Award, Denver Bar Foundation; Outstanding Lawyer Award, Hispanic National Bar Association; Outstanding Young Lawyer Award, Colorado Hispanic Bar Association; and Outstanding Young Lawyer Award, Denver Bar Association. Serves on The Chief Justice's Commission on the Legal Profession. Serves as the Court of Appeals diversity internship liaison to the local law schools. Member of the Workplace Advisory Board at the University of Denver Sturm College of Law as well as a mock-trial evaluator for the Rocky Mountain Children's Advocacy Practicum at the law school. Is a speaker in the Our Courts statewide community outreach program. Has judged the state finals of the We The People competition, the finals of the HNBA's National Moot Court Competition, the regional competition of the Thomas Tang International Moot Court Competition and the regional competition of the American Constitution Society. Served as a "Dream Team Anchor" on the Colorado Campaign for Inclusive Excellence, in which he spoke to prospective law students in Denver, Fort Collins, Greeley and Pueblo. Has coached the undergraduate mock-trial team at the University of Colorado at Boulder. Has spoken about the role of the judiciary at C.S.U. Rams, J.D., the Leader's Challenge Youth Program, Leadership Jefferson County, the Council on Legal Education Opportunity (CLEO), the Denver Bar Association's Appellate Section as well as at schools and law firms across the state. Through the Courts in the Community program for high school students, heard oral arguments in actual cases and spoke to students in Colorado Springs, Denver, Longmont, Lakewood and Limon. Serves as a Little League baseball and basketball coach.

PERSONAL: Born 1962, in Wichita, Kan. Colorado State University (Political Science, 1984); University of Michigan Law School (Juris Doctor, 1987). Married, three children.

Judge David Furman

Date of Judicial Appointment: December 16, 2005



Prior Judicial Experience: Magistrate, Denver District Court, 2003-2005; Magistrate, Denver Juvenile Court, 1999-2003.

Career: Private Practice, 1995-2000; Colorado State Public Defender's Office, 1990-1994 (Deputy Public Defender, Appellate Division); Adjunct Professor, Colorado Christian University, 2004-present; Adjunct Professor, Lecturer, Denver University Graduate School of Social Work, 1995-2005.

Professional: Licensed to practice law in Colorado; admitted to practice in the United States Court of Appeals for the Tenth Circuit; and in the United States Supreme Court; faculty member, Institute for Faculty Excellence in Judicial Education, University of Memphis, 2005-2006; editor, Juvenile Law Column, *Colorado Lawyer*, 2002-2005 (proposed this specialized column in 2002, the first of its kind in the country); Executive Committee, Juvenile Law Section, Colorado Bar Association, 2002-2004; proposed the creation of the Office of the Child's Representative (OCR) for the training and oversight of attorneys representing children in abuse and neglect and family law cases, 2000.

Civic: Colorado Children's Trust Fund Board, 1998-2005, Chair, 2000-2005; Lieutenant Governor's Committee to Promote Adoption, 2003-2004; Deer Creek Church Board, 1996-2004; Arapahoe/ Douglas Mental Health Network Board, 1993-2001, President, 1997-1999, Board Member of the Year, Colorado Behavioral Healthcare Council, 2000; Legal Representation of Children Workgroup, 1999-2000; State Task Force on Child Welfare, 1999-2000, awarded Governor's Citation; Public Interest Clerkship Selection and Steering Committee, Denver University College of Law, 1989-1993.

Education: B.A., psychology and Christian education, dual major, Wheaton College, 1982; M.S.W., Denver University Graduate School of Social Work, 1989; J.D., Denver University College of Law, 1989; Jonathan L. Olam Trial Advocacy Scholarship, Denver University College of Law.

Publications: *Judicial Benchbook on Colorado Child Welfare Law* (4th ed. 2005) (co-authored); *A Handbook for Families in Dependency & Neglect Cases* (2005) (co-authored); *What Happens to Me Now? A Handbook for Colorado Children Who are Not Living at Home* (2003) (co-authored); *Dependency & Neglect Benchcards* (2003) (co-authored); *Updated Delinquency Benchcards* (2003) (co-authored); "Guidance for attorneys when children's mental health concerns are implicated," (co-authored) *The Colorado Lawyer*, 31, 33 (October 2002) (included in a theme issue on Children and the Law that was awarded the Luminary Award for Excellence in Special Publications by the National Association of Bar Executives); "The updated role of the guardian ad litem in juvenile delinquency cases," (co-authored) *The Colorado Lawyer*, 31, 79-83 (May 2002); *The Judicial Benchbook on Colorado Child Welfare Law* (3rd ed. 2002) (co-authored); *Law in Social Work Practice* (2nd ed.) (1999) (co-authored) (Belmont, California: Wadsworth Publishing).

Personal: Married to Liz Cowen Furman in Denver, Colorado (1991); David and Liz are the proud parents of three sons, Martin, Matthew and Micah; basketball coach, Conifer Basketball Association (2003-present).

Judge Diana Terry

Date of Judicial Appointment: July 5, 2006



CAREER: Private Practice (1985-2006): Sherman & Howard, P.C.; Moye, Giles, O’Keefe, Vermeire & Gorrell; McElroy, Deutsch & Mulvaney; Law Office of Diana Terry; White & Steele, P.C. Practice focused on complex commercial litigation, including intellectual property, computer technology, real estate litigation, and insurance coverage litigation.

Judicial Clerkship (1984-1985): Law Clerk to the Hon. Robert Tarleton, Presiding Judge, Chancery Division of New Jersey Superior Court.

EDUCATION: B.A. degree from Rutgers College with High Honors and Highest Departmental Distinction (1979); Phi Beta Kappa; Vice President, Rutgers Chapter of Phi Sigma Iota, the National Foreign Language Honor Society. J.D. degree from Rutgers University School of Law (Newark) (1984); Managing Editor, Rutgers Law Review (1983-84).

BAR ADMISSIONS: State of New Jersey and United States District Court for District of New Jersey (1984); State of Colorado and United States District Court for District of Colorado (1986); United States Court of Appeals for Tenth Circuit (1989).

PROFESSIONAL AFFILIATIONS: President, Thompson G. Marsh American Inn of Court. Member, American Bar Association. Fellow, American Bar Foundation. Member, Colorado and Denver Bar Associations. Fellow, Colorado Bar Foundation. Member, National Association of Women Judges. Member, Women’s Bar Association. Past President, The Law Club of Denver (1996-1997).

HONORS AND AWARDS: Law Club Achievement Award Honoree (2005). Colorado SuperLawyer, 5280 Magazine (2006).

TEACHING: Faculty, National Institute for Trial Advocacy (1995 to present). Frequent CLE presenter. Planning Committee, Colorado State Judicial Conference.

PUBLICATIONS: Author, “Putting Your Best Foot Forward – Improving the Effectiveness of Appellate Advocacy,” The Colorado Lawyer (July 2008); co-author, “Transporter Liability Under CERCLA,” 16 Environmental Law Reporter 10244 (September 1986).

CIVIC AND CHARITABLE ACTIVITIES: Past President of Board of Trustees, Metro CareRing, a faith-based nonprofit food pantry. Volunteer, Front Rangers Cycling Club, a nonprofit working with inner city youth to promote healthy alternatives to drugs and violence. Former member, Colorado Symphony Chorus. Greater Park Hill Community Sector Leader. Leadership Denver Class of 2005.

PERSONAL: Born 1956 in Fort Monmouth Army Hospital, New Jersey. Featured vocalist in numerous legal-themed musical productions.

Judge Jerry N. Jones

Date of Judicial Appointment: July 5, 2006



CAREER: Chief of the Appellate Division, Office of the United States Attorney, Denver, Colorado (2004-06); Partner, Moye Giles LLP, Denver, Colorado (1994-2004); Associate, Moye Giles LLP, Denver, Colorado (1987-1993); Special Assistant Attorney General, Criminal and State Services Sections, Colorado Attorney General's Office (1996-2003); Judicial Clerk for the Honorable George E. Lohr, Associate Justice, Colorado Supreme Court (1986-87).

PROFESSIONAL: Admitted to practice in Colorado (1986); United States District Court for the District of Colorado (1987); United States Court of Appeals for the Tenth Circuit (1987); United States Supreme Court (1992).

Colorado Judicial Performance Commission, Second Judicial District (1999-2006), Chair (2001-06). Amicus Committee, Colorado Bar Association (2002-06). Faculty of Federal Advocates (1997-2006).

EDUCATION: A. J. Dimond High School, Anchorage, Alaska (diploma, 1979); Arizona State University (B.S., 1983); University of Denver College of Law (J.D., 1986) (Tenth Circuit Survey Editor, Denver University Law Review (1985-86); American Jurisprudence Awards in Constitutional Law and Torts).

PERSONAL: Born October 22, 1961, in Lexington, Kentucky. Grew up in Anchorage, Alaska. Married, three children.

David J. Richman

Date of Judicial Appointment: June 30, 2008



Upon graduating from Harvard Law School in 1975, I served as law clerk to Judge William Holloway, Jr., Tenth Circuit Court of Appeals from August 1975 through August 1976. In August 1976, I became a staff attorney in the Denver Regional Office of the Federal Trade Commission. In February 1978, I became an associate in the Denver law firm of Coghill Goodspeed & Horowitz, and in 1980 I became a shareholder in the successor firm, Coghill & Goodspeed, P.C.

Upon the dissolution of the firm, I moved to an of counsel position with Burns, Figa & Will, P.C., Englewood Colorado. My work in private practice consisted solely of litigation and litigation related matters, primarily commercial business litigation, with occasional involvement in criminal matters including representation of clients before grand juries.

When Phillip S. Figa was appointed to the federal bench in November 2003, I moved with him to the U.S. District Court where I served as his career law clerk until he unfortunately passed away on January 5, 2008. I continued to serve as clerk for the federal judges until July 2008, when I was sworn in as a Judge on the Colorado Court of Appeals.

I am married and we have four children, ages 16 through 25.

Maria T. Fox

Date of Judicial Appointment: September 2, 2010



Terry Fox is the newest judge sitting on the Colorado Court of Appeals, having been sworn in on January 7, 2011, following her September 2, 2010 appointment. From 2004-2010, she served as an assistant U.S. Attorney in Colorado, working as trial counsel to federal agencies and specializing in environmental, constitutional, and other civil matters. In addition to her legal duties, Judge Fox served on the U.S. Attorney's Advisory Council and the Diversity Committee. Before joining the U.S. Attorney's Office, Judge Fox was an attorney with the Colorado Attorney General's Office, an associate with the law firm of Holland & Hart (where she practiced Environmental Law), and a clerk for Justice Craig Enoch on the Texas Supreme Court. She serves on the Colorado Supreme Court's Attorney Regulation Committee, the Colorado Supreme Court's Board of Law Examiners, and is a member of the Colorado Hispanic Bar Association, which recognized her in 2006 with its Chris Miranda Outstanding Lawyer Award, and in 1997 with its Outstanding Young Lawyer Award. Judge Fox is a long time member and former board member of the Colorado Women's Bar Association (CWBA). In 2002 she was selected as a Marshall Memorial Fellow which allowed her to travel with other emerging American leaders to five countries in Europe. In 1989, she earned her bachelor's degree from the Colorado School of Mines in Chemical Engineering and Petroleum Refining, and her law degree in 1993 in Houston, Texas. Ms. Fox is a 1985 graduate of Brighton High School in Brighton, Colorado.

Stephanie Dunn

Date of judicial appointment: June 29, 2012

(photo not available)

CAREER: Judge Dunn was appointed to the Colorado Court of Appeals in June 2012. Before joining the bench, she was a partner at the national law firm, Perkins Coie LLP, where she practiced from 2003-2012. Her practice focused on complex business litigation and appellate litigation in state and federal courts as well as white collar investigations and defense. She was a member of the firm's securities and corporate governance litigation practice group, its appellate practice group and its investigations and white collar defense practice group. While a partner at Perkins Coie, she was Chair of both the Denver Diversity Committee and the Denver Pro Bono Committee. Prior to joining Perkins Coie in 2003, she was an associate in the litigation department of a New York based law firm, where her practice focused on commercial litigation. Before that, she clerked for Chief Justice Luis Rovira of the Colorado Supreme Court. In 2012, she was recognized as one of *Law Week Colorado's* Lawyers of the Year on the Big Verdict Case list.

EDUCATION: University of Denver Sturm College of Law, J.D., 1993, Order of St. Ives, Law Review, Honor Board; University of Colorado, B.A., 1990, Phi Beta Kappa.

ADMISSIONS: Admitted to the Colorado bar (1993) and the following courts: United States Supreme Court (2012); United States Court of Appeals for the Tenth Circuit (1995); United States Court of Appeals for the Federal Circuit (1997); United States Court of Appeals for the Ninth Circuit (2011); and United States District Court for the District of Colorado (1994).

PROFESSIONAL ASSOCIATIONS: Current or past member of the American Bar Association, Colorado Bar Association, National Association of Women Judges, Colorado Women's Bar Association, Denver Bar Association, Colorado Judicial Institute, Our Courts, the Colorado Lawyer's Committee Hate Crimes Education Task Force and the Faculty of Federal Advocates; Colorado Bar Foundation, Fellow

PUBLICATIONS: "Inside the Minds: The Laws Behind White Collar Crime," Aspatore Books - White Collar Chapter (2006); "Mitigating Corporate Criminal Liability: The Role of Corporate Compliance Programs" Financial Fraud Newsletter, Vol. 1, No. 11 (Spring 1998).

Anthony J. Navarro

Date of judicial appointment: Oct. 12, 2012



CAREER: Before joining the court, Anthony J. Navarro was a Supervisory Attorney in the Social Security Administration’s Office of the General Counsel in Denver (2008 to 2013). In addition to supervising extensive litigation before federal circuit and district courts, he oversaw matters related to bankruptcy, civil rights complaints, agreements with state and local governments for Social Security coverage, and disclosure issues concerning the Privacy Act. From 2005 to 2008, he worked at Holland & Hart LLP in Denver, where he focused on the appellate aspect of commercial litigation. From 1999 to 2005, Judge Navarro was a member of the Colorado Attorney General’s Office, where he worked first as an Assistant Attorney General in the Consumer Protection Section before joining the Appellate

Division. From 1997 to 1999, he served as law clerk to Justice Alex Martinez of the Colorado Supreme Court. From 1996 to 1997, he practiced corporate and securities law in San Francisco at Pillsbury Winthrop Shaw Pittman LLP.

EDUCATION: Judge Navarro obtained a J.D. from Yale Law School in 1996 and a B.A. from the University of Colorado in 1993.

CIVIC & PROFESSIONAL: Before joining the court, Judge Navarro was a member of the Colorado Board of Real Estate Appraisers, the Denver County Court Judicial Discipline Commission, the Citizen Oversight Board (regarding the Denver Police Department), the Colorado Bar Association (former board member), the Colorado Hispanic Bar Association (former board member), and the Colorado GLBT Bar Association (former board member).

PERSONAL: Judge Navarro was born and raised in Pueblo, Colorado.

Michael H. Berger

Date of Judicial Appointment: Dec. 17, 2013

(Photo not available)

Career: Husch Blackwell LLP (partner 2011 through 2013); Jacobs Chase LLP (partner 2007 until 2011); Koff Corn & Berger P.C. (member and shareholder 1982 to 2007.) Practice focused on complex commercial litigation, appeals, and legal ethics. Law clerk to Colorado Supreme Court Chief Justice Edward E. Pringle (1975-76.)

Education: Cornell University, B.S.(1972). University of Colorado School of Law, J.D. (1975.)

Bar Admissions: Colorado (1975); United States District Court for the District of Colorado (1975); United States Court of Appeals for the Tenth Circuit (1978); Supreme Court of the United States (1978).

Teaching: Visiting Lecturer in Law, University of Colorado School of Law, 1978-79; frequent CLE presenter on legal ethics

Professional Activities: Colorado Supreme Court Committee on Rules of Civil Procedure (Chair, 2014 to present; member 1996 to 2012); Colorado Supreme Court Committee on Rules of Appellate Procedure (2001 to present); Colorado Supreme Court Standing Committee on the Colorado Rules of Professional Conduct (2001 to present; chair of subcommittee on ABA Model Rules of Professional Conduct 2003-2008); Colorado Bar Association Ethics Committee (Chair 1991-92, member 1986 to present); Colorado Bar Association Amicus Brief Committee (Chair 2008-2013, member 2003 to 2013.)

Honors and Awards: American College of Trial Lawyers (Judicial Fellow); Colorado Bar Association Award of Merit (2013.)

Publications: “Preservation of the Attorney-Client Privilege: Using Agents and Intermediaries to Obtain Legal Advice,” *The Colorado Lawyer*, May 2001, Vol. 30, No. 5; Report and Recommendations Concerning the American Bar Association Ethics 2000 Model Rules of Professional Conduct” issued by the Colorado Supreme Court Standing Committee on the Colorado Rules of Professional Conduct, December 30, 2005 (co-authored with Marcy G. Glenn, Esq.) available at <http://www.courts.state.co.us/supct/committees/profconductdocs/sc-standingcommreport.pdf>; “The New Colorado Rules of Professional Conduct—A Survey of the Most Important Changes,” *The Colorado Lawyer*, August 2007 (co-authored with Marcy G. Glenn, Esq.); “The Duty of Confidentiality: Legal Ethics and the Attorney-Client and Work Product Privileges,” *The Colorado Lawyer*, January 2009 (co-authored with Kathryn A. Reilly); “Inadvertent Disclosure of Confidential or Privileged Information”, *The Colorado Lawyer*, January 2011 (co-authored with Ann T. Lebeck); “The Ethical Preparation of Witnesses,” *The Colorado Lawyer*, May 2013

Elizabeth L. Harris

Date of Judicial Appointment: May 29, 2015



Career

Law Office of Elizabeth L. Harris, LLC (2013 - 2015)

Husch Blackwell LLP (acquired Jacobs Chase) (2011 - 2013)

Jacobs Chase LLP (2003 - 2011)

Office of the Federal Public Defender (1997-2003)

Law Clerk to the Honorable John Porfilio, United States Court of Appeals for the Tenth Circuit (1996 - 1997)

Education

New York University School of Law, J.D. (1996)

Georgetown University, B.A., English Literature (1989)

Walt Whitman High School, Bethesda, Maryland (1984)

Rebecca R. Freyre

Date of Judicial Appointment: Sept. 18, 2015



Career: Deputy State Public Defender, Appellate Division, Denver, CO (2005-2015); Deputy State Public Defender, Arapahoe County Trial Office, Centennial, CO (1991-2005); Law Clerk, Larry Pozner & Associates, Denver, CO (1988-1991); Manager, Planning & Control, Oppenheimer Funds, Denver, CO (1985-1988); Bank Management Consultant, Penquite & Associates, Dallas, TX (1982-1985)

Professional: Admitted to practice in Colorado (1990); United States District Court for the District of Colorado (1998); United States Supreme Court (2011)

Education: Topeka West High School, Topeka, KS (Diploma, 1978); Smith College, Northampton, MA (B.A. Economics, 1982); University of Denver College of Law (Order of St. Ives), Denver, CO (J.D., 1990)

Civic/Volunteer: Denver Partners (1985-1988); Colorado Uplift (1985-1988); Colorado Children's Justice Task Force (1992-1995); Arapahoe County Community Corrections Board alternate (1993-2004); Aurora Gang Task Force (1993-1999); Mock Trial Coach, Arapahoe High School, (1992-1995); Mock Trial Coach, Lookout Mountain School (1993-1994); Habitat for Humanity (200-2005); Project Angel Heart (2002-2005); PTCO Holly Hills Elementary School (2005-2015); East High School Constitutional Law Scholars (2009-2010); West Middle School Mock Congressional Hearings (2015-Present)

Personal: Born December 9, 1959 in Kansas City, Kansas. Married, three children.

Craig R. Welling

Date of Judicial Appointment: Dec. 29, 2016



Judge Craig Welling was appointed to the Colorado Court of Appeals in February 2017.

From 2011 until being appointed to the Court of Appeals, Judge Welling served as a Colorado district court judge in the Seventeenth Judicial District (Adams County). As a district court judge, Judge Welling had two-year rotations in each of the following: an adult felony criminal docket; a juvenile docket (including dependency and neglect cases, juvenile delinquency cases, contested and uncontested adoption cases, and paternity and maternity determinations); and a domestic relations docket.

Prior to being appointed to the bench, Judge Welling served in Colorado Governor Bill Ritter's Office of Legal Counsel (2007-2011); and before that, was an associate at Rothgerber Johnson & Lyons LLP (2001-2007).

Judge Welling earned a B.S. in chemical engineering from Colorado State University in 1995, an M.A. in environmental engineering from Pennsylvania State University in 2001, and a J.D. from the University of Colorado in 2001.

Ted C. Tow III

Date of Judicial Appointment: Feb. 13, 2018

(Photo not available)

Career

Before joining the Court, Judge Tow served for seven years as a District Judge in the 17th Judicial District (Adams County). Prior to his judicial service, he served as the Executive Director of the Colorado District Attorneys' Council, following several years as a deputy district attorney. He began his legal career in private practice, working as an associate primarily in labor and employment for three different law firms, including Dickinson, Wright, Moon, Van Dusen & Freeman (Chicago); Matkov, Salzman, Madoff & Gunn (Chicago); and Sherman & Howard (Denver).

Professional

Judge Tow is admitted to practice in Colorado (1999), Illinois (1994, presently inactive status), U.S. District Court, District of Colorado (1999), U.S. District Court, Eastern District of Michigan (1996), and U.S. District Court, Northern District of Illinois (1994).

Judge Tow is a member of the Colorado Bar Association, and has served on the Board of Governors and the Executive Council of the Criminal Law Section since 2008. He is also a Fellow of the Colorado Bar Foundation, and a member of the Adams/Broomfield Bar Association, and the Law Club of Denver. Judge Tow previously served on the Colorado Judicial Discipline Commission (2013 to 2018).

Education

Judge Tow received his high school diploma in 1985 from Olathe South High School in Olathe, Kansas. He received a B.A. with Distinction and College Honors in English Literature and Comparative Constitutional History from the University of Kansas in 1989. And he received his J.D., *summa cum laude*, from Wayne State University Law School in 1994.

Teaching

Judge Tow is a graduate and member of the faculty and the leadership council for the Colorado Institute for Faculty Excellence in Judicial Education (COIFE). He is a frequent presenter of CLE for the Judicial Branch and the Colorado Bar Association on a wide range of topics including family law, civil procedure, and legal and judicial ethics.

Personal

Judge Tow is married, and has three children and two grandchildren. He enjoys attending the theater, sports, playing games and cards, skiing, and hiking. He also enjoys performing, and has in recent years done so with the Colorado Symphony Chorus in *Too Hot to Handel*; in local community theater productions, including *Catch Me If You Can* (Roger Strong) and *Next to Normal* (Dr. Fine/Dr. Madden); and in numerous Ethics Revues put on by the Law Club of Denver.

Lino Lipinsky de Orlov

Date of Judicial Appointment: Sept. 4, 2018



Career

Immediately prior to joining the Court of Appeals, Lino S. Lipinsky de Orlov was chair of the Denver litigation department of Dentons US LLP, an international law firm. He was previously a partner in VanderWerf & Lipinsky, P.C., and was associated with Holme Roberts & Owen in Denver and Willkie Farr & Gallagher in New York.

Civic and Professional Activities

Judge Lipinsky is a member of the Colorado Bar Association's Board of Governors, the First Vice President of the Denver Bar Association, and a Board member of the Colorado Judicial Institute. He also serves on the Standing Committee on the Colorado Rules of Professional Conduct and the Executive Committee of the Our Courts Colorado civic education program.

He is a former President of the Faculty of Federal Advocates, where he co-authored the United States District Court for the District of Colorado's civil pro bono panel initiative. He formerly served on the House of Delegates of the American Bar Association. In 2006, Judge Lipinsky co-founded the Colorado Lawyer Chapter of the American Constitution Society.

Judge Lipinsky was a member of the Electronic Discovery Committee of the United States District Court for the District of Colorado and the Rule 502 Subcommittee of the Colorado Supreme Court Advisory Committee on Rules of Evidence. While in private practice, he volunteered at the Colorado Lawyers Committee's Legal Night program, which assists indigent individuals who are seeking pro bono counsel.

Awards and Recognitions

Judge Lipinsky received the "Legal Luminary" award from the Colorado Lawyer Chapter of the American Constitution Society, the Colorado Bar Association's award for the best litigation article published in Colorado Lawyer magazine in 2003, and the Edward Sherman Award from the American Civil Liberties Union of Colorado. Judge Lipinsky was honored with the United States District Court for the District of Colorado's pro bono award for his role as court-appointed counsel in a Fourth Amendment case. He was recognized as one of Colorado's top commercial litigators in publications such as Chambers USA, Best Lawyers in America, and SuperLawyers.

Speaking and Writing

Judge Lipinsky frequently speaks and writes on legal issues relating to technology, discovery, employment law, and ethics. His recent articles include A Shift in Accommodating Employee Medical Marijuana Use, Law360 (Oct. 3, 2017) (co-author); Work Product Immunity, in N. Hanlon-Leh, et al., Discovery in Colorado (2017 and 2018 eds.) (co-author of book chapter); Managing Risks When Working with Experts and Consultants, Colo. Law. (June 2017) at 61 (co-author); Attorney-Witnesses Face a Host of Hazards, Colo. Law. (Dec. 2016) at 67 (co-author); 5th Circ. Raises Questions About Workplace Gun Policies, Law360 (Oct. 31, 2016) (co-author); and Colorado Rule of Evidence 502: Preserving Privilege and Work Product Protection in Discovery, Colo. Law. (Oct. 2016) at 19 (co-author).

His recent speaking engagements include "Where Do You Discover? Discovery in Different Forums" at Colorado Bar Association CLE, October 16, 2018; "What Every Attorney Should Know: Information Security and Document Management" (program chair) at Colorado Bar Association CLE, July 25, 2018; "The District of Colorado's Civil Pro Bono Panel Initiative" at the 2018 Mid-

Year Meeting of the Association of Corporate Counsel, April 24, 2018 (panel discussion); “Experts v. Opinion Testimony” at the “Straight Talk with Judges” seminar sponsored by the Colorado Judicial Institute, March 1, 2018 (co-presenter); “What Every Lawyer Must Know About the Latest Developments Concerning Ethics and Electronically Stored Information” at the 35th National CLE Conference, January 6, 2018; “Discovering Discovery” at Colorado Bar Association CLE, July 28, 2017; “Electronic Evidence and E-Discovery 2017” (program chair) at Colorado Bar Association CLE, June 21, 2017; and “The Ethics of Electronic Information: Competence, Confidentiality & Other Ethical Implications” at Colorado Bar Association CLE, March 23, 2017.

Education

Judge Lipinsky received an A.B. magna cum laude, with honors, from Brown University. He served as Managing Editor of the Brown Daily Herald newspaper. He earned his J.D. from the New York University School of Law, where he was a member of the New York University Law Review.

Bar Admissions

He is a member of the Colorado, New York, and Washington, D.C. bars, and was admitted to practice before the United States Supreme Court, the Tenth Circuit Court of Appeals, and the United States District Court for the District of Colorado.

Judge Lipinsky is married and has two adult daughters.

Matthew D. Grove

Date of Judicial Appointment: Nov. 29, 2018

(photo not available)

Career

Assistant Solicitor General and Senior Assistant Attorney General, Colorado Department of Law, State Services Section (2009-2018)

Assistant Attorney General, Yap State, Federated States of Micronesia (2009)

Associate, Bjork Lindley Little, PC (2007-2008)

Assistant Attorney General, Colorado Department of Law, Appellate Division (2003-2007)

Law clerk to Colorado Supreme Court Justice Nathan B. Coats (2002-03)

Education

University of Colorado School of Law, J.D. (2002)

Duke University, A.B. (1998)

Bar Admissions

Colorado (2002); United States District Court for the District of Colorado (2004); United States Court of Appeals for the Tenth Circuit (2010); United States Supreme Court (2013); Supreme Court, Federated States of Micronesia (2009); Yap State, Federated States of Micronesia (2009)

Neeti Vasant Pawar

Date of Judicial Appointment: Feb. 21, 2019

(bio and photo not available)

Jaclyn Casey Brown

Date of Judicial Appointment: Feb. 21, 2019



Judge Jaclyn Brown was appointed to the Colorado Court of Appeals in June 2019. From 2016 - 2019, Judge Brown served as a District Court Judge in the 17th Judicial District (Adams and Broomfield Counties) where she presided over domestic relations and civil matters.

Before being appointed to the bench, Judge Brown was a litigation partner in the Denver office of Lewis Roca Rothgerber Christie LLP, where she litigated complex matters in several states. Her areas of practice included complex commercial litigation, real estate, construction, and eminent domain matters, as well as appeals in both state and federal courts. She is admitted to practice before all Colorado state courts, the United States District Court for the District of Colorado, the United States Court of Appeals for the Tenth Circuit, and the United States Supreme Court.

Judge Brown obtained her law degree from Washington University School of Law in St. Louis, Order of the Coif. Among other activities, she was part of nationally recognized trial and moot court teams and served as an editor for the Washington University Journal of Law and Policy. Judge Brown earned her bachelor's degree from the University of Colorado at Boulder, Summa Cum Laude. She graduated from Ponderosa High School in Parker, Colorado.

Judge Brown is an active member of the National Association of Women Judges and the Colorado, Denver, Adams Broomfield, and Colorado Women's Bar Associations. She is a graduate of the Colorado Bar Association Leadership Training Program and a fellow of the Colorado Bar Foundation. Judge Brown regularly volunteers for the Sean May Memorial Run, Judges Fighting Hunger through the Food Bank of the Rockies, and for mock trial tournaments. Judge Brown has been involved in several community organizations over the years, including the Colorado Coalition for the Homeless and Curious Theatre Company.

Among other distinctions, Judge Brown has been recognized as a Denver Business Journal "Forty under 40" honoree, earned the Denver Bar Association's Young Lawyer of the Year Award, and was a Colorado Super Lawyers Rising Star in Business Litigation from 2011-2016. She was part of a team of pro-bono lawyers that was named Lawyer of the Year by Law Week Colorado and which received the American Bar Association Death Penalty Representation Project Exceptional Service Award.

Suanna P. Johnson

Date of Judicial Appointment: Dec. 2, 2019

Judge Sueanna P. Johnson was appointed to the Colorado Court of Appeals on December 2, 2019, and sworn in on February 13, 2020. Before her appointment, she was employed with the Colorado Attorney General's Office from 2004-2019, first as an Assistant Attorney General, then in 2017 as a Senior Assistant Attorney General in the Business and Licensing Section. While at the Colorado Attorney General's Office, she also worked in the State Services Section and served on the internal Ethics and Fellowship Committees. Before working at the Attorney General's Office, she clerked for the Honorable John Coughlin in Denver District Court from 2003-2004.

Judge Johnson has been admitted to practice before the Colorado courts, the United States District Court for the District of Colorado, the United States Court of Appeals for the Tenth Circuit, and the U.S. Supreme Court.

She obtained her Juris Doctor from the University of Colorado at Boulder in 2003 and earned her B.A. in Political Science from Colorado College in 1997. During her junior year in college, she studied abroad at the University of Manchester in Manchester, England.

She is active within the Colorado Asian Pacific American Bar Association and is a member of the Thompson G. Marsh Inn of Court. She previously served on the Board for the Young Lawyers Division of the Colorado Bar Association. As a person with albinism and a visual impairment, she is a member of the National Organization of Albinism and Hypopigmentation. For that organization, she speaks to parents who have children with albinism, and was a featured adult in the book *Raising a Child with Albinism: A Guide to the School Years*.

Judge Johnson was born in Seoul, South Korea, and adopted when she was three years old. She is married with two school-aged children.

Christina F. Gomez

Date of Judicial Appointment: Dec. 2, 2019

(photo not available)

Career

Private practice at Holland & Hart (Associate, 2004-2011; Partner, 2012-2020) – Chaired the Appellate Practice Group from 2017-2020; served as Administrative Partner for the Denver Office from 2018-2020; was a founding member and served for three years as Co-Chair of the Women’s Forum; served on the Diversity Committee and various other committees. During her time in private practice, Judge Gomez focused on complex appellate litigation and worked on hundreds of appeals in a wide variety of areas in state and federal appellate courts. She also spent hundreds of hours on a variety of pro bono matters.

Judicial clerkship for the Honorable Charles A. Pannell, Jr., U.S. District Court for the Northern District of Georgia (2002-2004)

Education

Millsaps College (B.A. 1996, *summa cum laude*) – Founders Medal recipient; Phi Beta Kappa; Honors Program; Ford Teaching Fellow; Circle K International Society of Distinguished Collegians (based on academics, commitment to local club, and completion of at least 250 hours of service); officer and member of various leadership, academic, and service organizations; various other academic awards

Harvard Law School (J.D. 2002, *cum laude*) – Board of Student Advisors; editor and contributing author to the *Harvard Journal on Legislation*; officer and volunteer for Volunteer Income Tax Assistance (VITA) program; student advocate at Hale & Door Legal Services Center

Civic/Charitable Activities

- Colorado Bar Association Appellate Pro Bono Task Force – Formed and now chair this task force working to create and implement proposals to expand pro bono services in Colorado’s appellate courts, particularly through the formation of a civil pro se appeals clinic and the expansion of the current Appellate Pro Bono Program
- Colorado Bar Association Appellate Pro Bono Program – Served on the five-member formation committee that created the program in 2009-2010; chaired the program’s screening committee from 2010-2019
- Meals on Wheels – Long-time volunteer
- Capitol Hill Community Services Soup Kitchen – Long-time volunteer
- Girl Scouts of America – Troop Co-Leader
- Boy Scouts of America – Former Cub Scout Den Leader
- Organized and participated in various service projects and public interest speaking events

Honors/Awards

- Colorado Women’s Bar Association Foundation, *Raising the Bar* Honoree for “Women Lawyers Who Raise the Bar by Maintaining a Significant and Sustained Commitment to Pro Bono Services (2016)
- *5280 Magazine*, Top Lawyers, Appellate Practice (2015-2020)
- Colorado Super Lawyers, Appellate Practice (2018-2020) (rising star, 2010-2014)

Professional Affiliations/Activities

- Colorado Bar Association Leadership Training (COBALT) program (member of 2020 class)

- Member, Colorado Bar Association, Litigation Section, Appellate Practice Subcommittee (2009-present)
- Chair/Co-Chair, Colorado Bar Association Annual Appellate Practice Update CLE (2011-present)
- Co-Editor, *The Colorado Lawyer* Appellate Practice Column (2014-present)
- Member, Colorado Women’s Bar Association
- Member, Denver Bar Association
- Member, Former President & Trustee, Rocky Mountain Harvard University Club
- Former Commissioner, Seventeenth Judicial District Nominating Commission (2016-2019)

Bar Admissions

- Colorado
- Georgia (no longer active)
- U.S. Supreme Court
- U.S. Courts of Appeals for the Fourth, Fifth, Ninth, Tenth, and D.C. Circuits
- U.S. District Court for the District of Colorado
- U.S. District Court for the Northern District of Georgia

Publications (partial list)

- “Disposition of Appeal” and “Post-Decision Procedures and Remedies,” Colorado Appellate Handbook, Chapter Author, 2009-present
- “The Law of the Case Doctrine and Mandate Rule,” Nov. 20, 2019 (co-author)
- “Appellate Review of Unpreserved Issues,” Law.com, Oct. 23, 2019 (co-author)
- “Standing Requirements in Federal Court,” Law.com, Sept. 18, 2019 (co-author)
- “Staying Enforcement of a Judgment Pending Appeal,” *The Colorado Lawyer*, May 2019
- “Vexed and Perplexed: Reviewing Mixed Questions of Law and Fact on Appeal,” *The Colorado Lawyer*, March 2018
- “Ten Things Every Trial Lawyer Should Know About Appeals,” *Trial Talk*, April/May 2017
- “Canons of Statutory Construction,” *The Colorado Lawyer*, February 2017
- “Appellate Traps for the Unwary,” *Trial Talk*, April/May 2016
- “Relying on Internet Sources in the Appeals Courts,” *The Colorado Lawyer*, November 2015
- “Preserving Issues in Civil Cases,” *Trial Talk*, April/May 2015
- “Finality and Attorney Fee Issues,” *The Colorado Lawyer*, July 2014
- “Outlines for Effective Brief Writing,” *Trial Talk*, April/May 2014
- “Whether, What and When to Appeal,” *Trial Talk*, April/May 2013
- “Ten Ways to Lose an Appeal,” *Trial Talk*, April/May 2012
- “When to File an Appeal,” *Trial Talk*, April/May 2011

Presentations (partial list)

- “Stayin’ Alive: Civil Stays and C.A.R. 21 Proceedings,” *Colorado Bar Association Appellate Practice Update*, Program Co-Moderator and Session Co-Moderator, November 2019

- “Effective Oral Argument,” *Colorado County Attorneys Association Winter Conference*, Session Co-Presenter, November 2019
- “A Chat with Justice Jean Dubofsky: The Law, Civil Rights, and Appealing for Justice,” *Colorado Bar Association Appellate Practice Update*, Program Co-Moderator and Session Moderator/Interviewer, November 2017
- “Effective Appellate Writing,” *Colorado Bar Association Appellate Practice Update*, Program Co-Moderator and Session Co-Moderator, November 2016
- “Trial Versus Appellate Advocacy,” *Colorado Bar Association Appellate Practice Update*, Program Co-Moderator and Session Co-Moderator, November 2015
- “Access to Justice/Appellate Pro Bono Program,” *Colorado Bar Association Appellate Practice Update*, Program Co-Moderator and Session Co-Presenter, December 2014
- “Civil Law Update,” *Colorado Judicial Conference*, Session Co-Presenter, September 2014
- “Effective Oral Argument,” *Colorado Bar Association Appellate Practice Update*, Program Moderator and Session Co-Moderator, December 2013
- “Oral Argument: Mock Argument and Discussion,” *Colorado Bar Association Appellate Practice Update*, Program Moderator and Session Co-Presenter/Co-Moderator, December 2012
- “Issue Spotting,” *Colorado Parent Representation Appellate Training*, Co-Presenter, May 2012
- “Stays, Bonds, and Trial Court Proceedings During the Appeal,” *Colorado Bar Association Appellate Practice Update*, Program Moderator and Session Presenter, December 2011
- “Appellate Advocacy and Issue Spotting,” *Colorado Bar Association Appellate Practice Subcommittee Seminar on Handling Pro Bono Appeals*, Presenter, June 2011
- “Finality of Judgments – When Does the Time to Appeal Start Running?,” *Colorado Bar Association Appellate Practice Update*, Co-Presenter, November 2010
- “Pro Bono – When, Where, and Why,” *Doyle Inn of Court*, Co-Presenter, September 2010

Personal

Judge Gomez is married with three children. She loves camping, hiking, reading, and playing board games with her family. She grew up in Huntsville, AL.

David H. Yun

Date of Judicial Appointment: Dec. 2, 2019

(photo not available)

Judge David Yun was appointed to the Colorado Court of Appeals on December 2, 2019 and was sworn in on March 2, 2020. Born in South Korea, Judge Yun immigrated to the United States with his family when he was eight years old. He grew up in the Denver suburbs, graduating from Arapahoe High School. In 1989, he graduated from the University of Colorado in Boulder earning a Bachelor of Arts in economics and political science. He graduated from the University of Colorado School of Law in 1993.

Before joining the Court of Appeals, Judge Yun was a partner at Messner Reeves from 2019-2020, a partner at Jaudon & Avery from 2001-2019, and an associate and then a partner at Long & Jaudon from 1993-2001. He focused his law practice primarily on civil appeals, health care law, and medical malpractice law. He regularly argued cases before the Colorado Supreme Court, the Colorado Court of Appeals, and the United States Court of Appeals for the Tenth Circuit and was part of a team that successfully appealed a case to the United States Supreme Court. He was recognized as one of the top appellate lawyers in publications such as the Best Lawyers of America, Super Lawyers, and 5280 Magazine. He is a fellow of the Litigation Counsel of America.

Judge Yun has co-authored several law journal articles in the First Amendment area, which have been republished in several books. He has written op-ed columns on race and civil rights, and has taught constitutional law and contracts at a local college. He has served on the Colorado Civil Jury Instruction Committee since 2011. He has also volunteered his time serving on the board of a nonprofit health clinic and tutoring disadvantaged children.

Colorado's Court of Appeals Judges

Read the biographies of three judges. Write down three facts mentioned in each judge's bio. Explain why this experience or situation might be beneficial for an appellate judge. For example: if it says a judge was in private practice, how might this help him/her while serving on the appellate bench?

Judge _____

FACT No. 1: _____

Why is this beneficial? _____

FACT No. 2: _____

Why is this beneficial? _____

FACT No. 3: _____

Why is this beneficial? _____

Judge _____

FACT No. 1: _____

Why is this beneficial? _____

FACT No. 2: _____

Why is this beneficial? _____

FACT No. 3: _____

Why is this beneficial? _____

Judge _____

FACT No. 1: _____

Why is this beneficial? _____

FACT No. 2: _____

Why is this beneficial? _____

FACT No. 3: _____

Why is this beneficial? _____