

# OCTOBER 2018

# PROCLAMATION

## *First Judicial District Bar Association*



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### 2018-2019

#### OFFICERS

President	Joe Lusk
President Elect	Ryan Hutton
Secretary Treasurer	Samantha Lillehoff

#### BOARD OF TRUSTEES

Preston Branaugh  
Marie Drake  
Matthew Durkin  
Andrew Hart  
AnnMarie Spain  
Jim Stanley  
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Jennie Wray  
Judge Christopher Zenisek

#### BOARD OF GOVERNORS

Judge Randall Arp  
Jon Bradley  
Chris Radeff  
Justin Ross

#### COMMITTEE CHAIRS

Awards *Bob Hoban*  
Banquet *Kim Sparks*  
Bench/Bar *Judge Lily Oeffler & Tom Walsh*  
CLE/Luncheon *Steve Cook*  
Community Relations *George Bailey*  
Golf *Jon Bradley*  
Law Day *Magistrate Marianne Tims*  
Membership *Joe Lusk*  
Mock Trial *Jennifer Melton & Jenna Reulbach Kruska*  
Nominating *Ryan Hutton*  
Professionalism *Barry Meinster*  
Website *AnnMarie Spain*

#### EXECUTIVE DIRECTOR Vicki Malara

1st Judicial District Bar Association  
PO Box 1733 Wheat Ridge, CO, 80034  
303-279-5568 Phone and Fax  
Web Site: [1stjd.org](http://1stjd.org)  
FB: 1st Judicial District Bar Association



## PRESIDENT'S COLUMN

JOE LUSK

### A LAWYER'S HALLOWEEN ENTERTAINMENT LIST

Happy Halloween everyone! If you're looking for some spooky law-related entertainment, consider curling up with a cup of hot cider and watching or reading one of the following:

*The Devil and Tom Walker.* 1824 short story by Washington Irving (author of *Rip Van Winkle* and *Legend of Sleepy Hollow*). Tom Walker makes a contract with the Devil, concerning pirate treasure and Walker's soul.

*The Devil and Daniel Webster.* 1936 short story by Stephen Vincent Benét. Famed lawyer Daniel Webster tries a case against the Devil ("Mr. Scratch"), where the client's soul is the matter at issue.

*The Devil and Daniel Webster.* 1941 Academy Award winning film based on Benét's short story.

*The Crucible.* 1953 play by Arthur Miller about the Salem Witch Trials.

*The Crucible.* 1996 film adaptation of Miller's play, starring Wynona Rider and Daniel Day-Lewis.

*The Devil's Advocate.* 1997 film adaptation of a novel of the same name by Andrew Neiderman, starring Al Pacino, Keanu Reeves, and Charlize Theron. Pacino plays Satan, who has incarnated as big law firm partner "John Milton". Reeves plays his associate.

*Stambovsky v. Ackley*, 169 A.D.2d 254 (N.Y. App. Div. 1991) - my personal favorite. Yes, this is a real reported case about a haunted house, which includes references to Shakespeare and the film *Ghostbusters*.

## **OPEN HOUSE**

**Thursday, December 6, 2018  
12600 W. Colfax Avenue STE C-400  
Lakewood, CO 80215  
5:00 pm to 7:00 pm**

**Your hosts are:  
O'Brien Thomas & Bibik, LLC  
Evan Lipstein  
Decker & Jones PC-George Bailey  
Ebisch Law Firm  
The Hickey Law Firm LLC  
Law Office Of Mike Levy  
Triple L Law PC -Jake Lilly  
The Law Firm of Julia G McVey  
James F Stanley, Attorney at Law  
Vadenboncoeur Law Office LLC**

**Enjoy drinks and the always outstanding appetizers while networking with the judicial bench and attorneys practicing in the 1st JD Judicial District**

**Please RSVP to [admin@1stjd.org](mailto:admin@1stjd.org) or call Vicki at 303-434-2501.**

## **1st JD Bar Association Committees**

Each year committee Chairs solicit volunteers for the standing committees that are listed below. If you have an interest in joining one of the committees, please let us know by sending your name and the name of the committee you are interested in to [admin@1stjd.org](mailto:admin@1stjd.org). or by contacting any member of the 1st JD Bar Association Board. Please respond by November 15, 2018.

<b>AWARDS</b>	Reviews nominees and chooses recipients for the annual awards
<b>BANQUET</b>	Plans and coordinates the annual Judges and Awards Banquet
<b>BENCH/BAR</b>	Serves as a liaison between the bench and the bar
<b>CLE</b>	Plans and coordinates continuing legal education programs
<b>COMMUNITY RELATIONS</b>	Develops and coordinates various events designed to promote the goals of the Bar Association
<b>GOLF</b>	Responsible for the annual Golf Tournament
<b>LAW DAY</b>	Presents the Law Day celebrations
<b>MEMBERSHIP</b>	Monitors dues membership levels, explores various opportunities to offer membership benefits to members and makes recommendations to the board
<b>MOCK TRIAL</b>	Assists the teams from Jefferson County schools in the annual Mock Trial
<b>NOMINATING</b>	Responsible for presenting a slate of Officers, Trustees, and Board of Governors Representatives for consideration by the membership
<b>PROFESSIONALISM</b>	Plans and organizes Professionalism programs for the membership
<b>WEBSITE</b>	Administers the 1st JD Bar Association website



Tuesday, November 13, 2018  
12:00-1:00

**PROFESSIONALISM IN THE  
COURT OF APPEALS**

Presented by  
COURT OF APPEALS JUDGE  
REBECCA FREYRE

Jefferson County Courthouse  
Lookout Mountain Room  
\$20 Member-CLE & Lunch  
\$25 Non-Member-CLE & Lunch  
\$10 No Lunch

**Register at:**

[http://1stjd.org/events/#!/  
event/2018/11/13/  
professionalism-in-the-court-of-  
appealspresented-by-judge-  
rebecca-freyre](http://1stjd.org/events/#!/event/2018/11/13/professionalism-in-the-court-of-appealspresented-by-judge-rebecca-freyre)

or  
[admin@1stjd.org](mailto:admin@1stjd.org)

\*CLE Credit Requested

## SAVE THE DATE

Tuesday, December 11, 2018  
12:00-1:00

**FAMILY LAW CLE**

12:00-1:00

More information to come

## LOST & FOUND

FOUND  
1 Pair Women's Shoes  
Naturalizer-Black

Found in the now closed Attorney Lounge

Email to [admin@1stjd.org](mailto:admin@1stjd.org) if you are the owner.

# CLASSIFIED ADVERTISING

## INVERNESS OFFICE SPACE

We have 4 furnished/unfurnished offices available, \$500-1000/month, month-to-month or long-term basis. Amenities include:

Telephone answering, internet, 3-4 shared conference rooms, beautiful waiting area, full kitchen, ample free parking, private patio, locker room/showers, potential for staff workstations, and access to separately billed high speed copiers and postal machine. This is not an office suite, it is a deluxe, professional, high-profile firm environment located directly on the Inverness golf course.

Contact [Sfitzke@sflaw.net](mailto:Sfitzke@sflaw.net)  
for more information.

## FULL TIME ASSOCIATE

Southwest Littleton firm is seeking a full time associate with two to five years of experience. We are a general litigation firm with the majority of our cases in family and juvenile law.

Please send resume to  
[sherry@lawpickard.com](mailto:sherry@lawpickard.com).

## FULL TIME ATTORNEY

Arvada firm is seeking a **full time attorney** with experience in litigation and family law.

The position would also practice in the areas of real estate, business law and probate.

Our firm has a busy suburban practice with strong potential for growth and partnership.

Please send resume to  
[bobfrie@frieardt.com](mailto:bobfrie@frieardt.com).

Jennifer Kilpatrick is pleased to announce the formation of

### Kilpatrick Law, LLC

Jenn is an experienced trial attorney dedicated to defending individuals under investigation or charged with criminal offenses. From misdemeanor and traffic cases to the most serious felonies, Jenn practices in state and municipal courts throughout Colorado.

[www.kilpatricklawoffice.com](http://www.kilpatricklawoffice.com)

14143 Denver West Pkwy, Ste 100, Golden, CO 80401  
303.223.0404 | [jennifer@kilpatricklawoffice.com](mailto:jennifer@kilpatricklawoffice.com)



KILPATRICK LAW



## OFFICE SPACE FOR LEASE PROFESSIONAL BUILDING

**6595 West  
14th Avenue,  
Lakewood, 80214**

One upstairs suite (two rooms)  
approx. 850 sq. feet

Easy access to all courts  
Cable/Internet available  
Two conference rooms available  
Non Smoking  
Copier & Fax machine available  
Full Kitchen available

Ron Servis 303.237.5020  
Charles Cuchiara 303.234.1418

**MOCK TRIAL**  
**It's that time of year to mark your calendar for the**  
**2019 First Judicial District High School Mock Trial Tournament.**

The tournament will be held Tuesday through Friday, **February 5th, 6th, 7th, & 8th**. Each day, one round of competition will be held, starting at 3:00 p.m. and ending at approximately 5:00 p.m. Judges need to arrive by 2:30 p.m. All trials will be held at the Jefferson County Courthouse, 100 Jefferson County Parkway, Golden, Colorado. We will likely need 25 to 28 judges for every day of the competition. We have six to seven teams participating this year and will hold six rounds and a practice round every day of the competition. If you know of anyone who might be interested in helping out, please pass along this email.

If you can help, please reply to [jenmilton99@yahoo.com](mailto:jenmilton99@yahoo.com) and let me know which date or dates you are available and willing to judge. When you reply, also let me know if you are willing to act as the presiding judge, if you have any potential conflicts with any of the high schools, and whether you'd like to be assigned to the same panel with a specific colleague. We will do our best to accommodate your requests. I will send you a confirmation email letting you know which date or dates you have been assigned to and I will provide you with more information about the event. We have been fortunate in the past to have a few volunteers who are willing to volunteer for more than one day of competition, so if you send me two or more dates, I will assume that you are willing to judge on each of those days.

As always, thanks in advance for your assistance. We could not host this competition without the help of numerous people.

# NEUTRALS YOU KNOW, PROFESSIONALS YOU CAN TRUST.

Samuel Gordon, Esq.  
Elaine A. Wohlner, Esq.  
Hon. James S. Miller  
Hon. John P. Leopold  
Hon. Harlan R. Bockman  
Hon. William F. Downes  
Collie E. Norman, Esq.  
Richard P. Myers, Esq.

Hon. James C. Klein  
Hon. Norman D. Haglund  
Hon. Frank N. Dubofsky  
Kenneth R. Bennington, Esq.  
Hon. Christopher C. Cross  
Hon. C. Scott Crabtree  
Frederick B. Skillern, Esq.  
Lawrence M. Vogel, Esq.

410 17<sup>TH</sup> STREET, #2440 • DENVER, CO 80202  
PHONE: 303.534.1254 • WEB: [JAMSDENVER.COM](http://JAMSDENVER.COM)



Dispute  
Resolution  
Systems





The Banquet Committee-Kerry Simpson, Robin Beattie, Sherene Stenger, Catherine Tieman, Kim Sparks, Chris Radeff



Peter Weir, Judge Hal Sargent



Rob Busch, Jane Ebisch - Banquet Emcees



Jon & Becky Bradley



Judge McNulty, Debbie McNulty

This year, the **1<sup>st</sup> Judicial District Bar Association Judges & Awards Banquet** was held on September 15, 2018 at a new venue, Red Rocks Country Club. The weather was incredible, the views were scenic, the food was delicious and the atmosphere relaxed. Among the 113 guests were members of the Colorado Supreme Court, Court of Appeals, the Jefferson County bench, the Mayor of Arvada, and attorneys from the Jefferson County Public Defenders and District Attorney's office. It was a grand event

On October 30, take a look at the 1st JD Facebook page for more pictures.

## **Access to Justice in the 1<sup>st</sup> Judicial District: Spectrum of Services**

By Robin Van Atta

Legal Services Coordinator, Metro Volunteer Lawyers

[robin@denbar.org](mailto:robin@denbar.org) 303-866-9307

*Disclaimer: Resources mentioned in this article aren't necessarily used by the author; they are merely included as a starting point for other professionals to better assist litigants.*

As workers in the legal arena, we know for low-income and *pro se* litigants, understanding and access to local civil legal resources is difficult at best. Even when we are assisting litigants, we don't always know all the resources available, nor do we always completely understand them ourselves—and we're the professionals! Common questions include: How can we best assist the highest-need litigants without sending them in circles? How do we keep frustration levels as low as possible for litigants (and ourselves)? What resources do we refer to litigants if we cannot assist? How do we speak to litigants in a language (both foreign language and non-legalese) they will understand? How do we explain the court process to litigants? This article hopes to answer those questions by providing tools for local legal professionals, as well as knowledge of local resources that connect together for better services to litigants.

### ***How do we best assist highest-need litigants without sending them in circles? How do we keep frustration levels as low as possible for litigants (and ourselves)?***

First, know what the litigant specifically needs to accomplish for their case. While the public defender's office handles criminal cases from start to finish, civil legal assistance organizations don't always do so. Before referring a litigant to an organization, know exactly what that organization can do for the litigant. If you are an attorney in private practice, maybe you assist clients on a limited scope basis. Make the transition from your assistance to self-representation as seamless as possible for both you and the client by referring the client to the correct organizations, and make clear in writing your representation of the client is complete. If a litigant needs to be referred to several organizations, be sure those organizations can connect with each other so the process can stay as smooth as possible for all parties. Often, it's easiest to hand a litigant paper copies of necessary documents for next organization involved in their case, especially if the next office doesn't have access to court filings or the litigant doesn't have a computer or printer at home. Litigants may make several stops in one day due to work schedules or transportation issues. Keep a bullet-point list of local resources in your office for litigants whom you can't assist, or for referrals when your assistance is complete.

### ***How do we speak to litigants in a language (both foreign language and non-legalese) they will understand?***

Foreign language and legal language provide difficulties when speaking with litigants. Legal language is foreign to litigants, even when professionals think they have simplified wording for those seeking assistance. Alternately, many legal professionals are not proficient, much less fluent, in a foreign language. Foreign language is one of the most limiting factors for litigants accessing legal resources, especially for low income litigants. Many legal assistance organizations have bilingual staff, but many don't; when referring a litigant to another office, make sure there are interpretation services available. If litigants do not have family or friends to interpret for them, or the legal situation doesn't allow family or friend assistance, [Voiance](#) and [Certified Languages International](#) are two reputable telephone-based interpreter services, and include a large variety of languages beyond those most commonly used. However, many litigants do have help available from family, so it's worth asking the question. **Please note:** Interpreter services such as those mentioned above do carry a fee. A [Google](#) search provides many more options than those listed here, so complete due diligence when researching these services. Even if litigants speak English, legal terms and general legal speech are very confusing to those who don't speak them every day. The American Bar Association [passed a resolution in 1999](#) urging the use of plain language by legal agencies. In 2010 Congress passed the [Plain Writing Act of 2010](#), providing guidelines on writing and language towards specific audiences.

### ***How do we explain the court process to litigants?***

Again, a bullet-point list of the court process can be very helpful to litigants. Many litigants will only retain the first few steps, and become easily confused when handed a case management order or other long documents, even if there is important information in those documents. This is particularly true for those who are not first language English speakers and low income litigants whose priorities are focused on basic living needs. Courthouse self-help centers, while quite busy, provide basic information on next steps to litigants and can refer to other local organizations as needed.

### ***Resources:***

A myriad of resources is available to litigants with civil legal issues, both in the 1<sup>st</sup> JD and in the Denver metro area. Prior to referring litigant to these resources and organizations, make sure the resources can provide the best services possible for the litigant's needs while remaining sensitive to the litigant's life and family circumstances. Attached to this article are some of the resources available. The spectrum of legal services available to low income and *pro se* litigants is immense yet confusing. Included in that spectrum is the ability to communicate with litigants in a compassionate manner, even when we don't know the answers—that's why we are the professionals!

*Continued on page 9*



[Jefferson County Combined Court Self Help Center](#)

Phone: (720) 772-2501, Hours: Monday –Friday 8:00 A.M. – 4:00 P.M.

[https://www.courts.state.co.us/Courts/County/Custom.cfm?County\\_ID=2&Page\\_ID=426](https://www.courts.state.co.us/Courts/County/Custom.cfm?County_ID=2&Page_ID=426)

**NO-COST TO LOW COST ATTORNEYS/ LEGAL ASSISTANCE AGENCIES**

- **[www.courts.state.co.us](http://www.courts.state.co.us)** for list of attorneys offering discounted fees (Find my court: Jefferson, Click “Court Business Resources” on the left side of the page to find the link)
- **COLORADO LEGAL SERVICES** go to [www.ColoradoLegalServices.org](http://www.ColoradoLegalServices.org) to apply .....(303) 837-1321  
(Civil legal services for low income individuals, including domestic relations matters)
- **[Metro Volunteer Lawyers](#)**  
(303) 830-8210, 1905 Sherman St, Ste 400, Denver, CO 80203. Applicants must complete case intake with Colorado Legal Services (CLS) at **303-837-1313**. CLS will then transfer cases to MVL if appropriate.
- **LEGAL CENTER FOR PERSONS W/ DISABILITIES & OLDER PEOPLE** .....(303) 722-0300
- **JUSTICE AND MERCY LEGAL AID CLINIC** [www.milehighmin.org/jamlac](http://www.milehighmin.org/jamlac).....(303) 839-5198  
Serving the legal needs of people struggling with poverty and oppression-domestic, civil, sealing records
- **ROCKY MOUNTAIN CHILDREN’S LAW CENTER** [www.rockymountainchildrenslawcenter.org](http://www.rockymountainchildrenslawcenter.org)  
Legal advocacy to families caring for children of other family members.....(303) 692-1165
- **JEFFCO PUBLIC DEFENDER’S OFFICE** (criminal cases only).....(303) 279-7841

For a list of free legal clinics (excludes criminal), visit the Self-Help Center, Rm 1050.....(720) 772-2501

**CHILD SUPPORT/PATERNITY**

- **CHILD SUPPORT SERVICES AND ENFORCEMENT UNIT** [www.jeffco.us/cse/index.htm](http://www.jeffco.us/cse/index.htm) 3500 ILLINOIS, SUITE 1300 GOLDEN, CO (assists with establishing paternity, enforcing/establishing child support orders, locating non-custodial parent, review/adjust existing support orders) ..... (303) 271-4300
- **FAMILY SUPPORT REGISTRY**.....(303-299-9123)

**MEDIATION**

- **JCMS** (civil matters, domestic matters in human services cases only)..... (303) 271-5060
- **OFFICE OF DISPUTE RESOLUTION (ODR)** - schedule mediation online at [http://www.courts.state.co.us/Administration/Executive/ODR/Schedule\\_Mediation.cfm](http://www.courts.state.co.us/Administration/Executive/ODR/Schedule_Mediation.cfm) .....(720) 625-5940
- **MEDIATION ASSOCIATION OF COLORADO – INFO LINE** .....(303) 322-9275
- **TURELLI FOUNDATION** – Free post-decree mediation (contact self-help center for more info).....(720) 772-2501
- **LIST OF MEDIATORS:** [www.coloradomediation.org](http://www.coloradomediation.org)..... OR PRIVATE MEDIATOR

**MISCELLANEOUS**

- **LEGAL RESOURCE DIRECTORY**<http://www.denbar.org/index.cfm/ID/1050/dba/Legal-Resource-Directory/>
- **LEGAL INFORMATION NETWORK OF COLORADO** (general legal info and info for victims) (720) 583-2929, [www.coloradolinc.org](http://www.coloradolinc.org)
- **KARLIS FAMILY CENTER** (Supervised parenting time, safe exchanges).....(303) 462-1060
- **JEFFERSON COUNTY SOCIAL SERVICES** .....(303) 271-1388 (Financial, Food, Child Care, Medical and Emergency Assistance)
- **FATHERHOOD PROGRAM** (FREE service to fathers through Jefferson County Human Services to assist them in becoming active roles in their children’s lives.).....(303) 271-4300
- **JEFFERSON COUNTY ACTION CENTER** (food, clothing, housing assistance).....(303) 237-7704
- **LANDLORD/TENANT ASSISTANCE** (9AM – 3PM) [www.theactioncenterco.org](http://www.theactioncenterco.org) .....(303) 237-0230
- **LANDLORD/TENANT ASSISTANCE** (DENVER).....1 (844) 926-6632
- **FAMILY TREE**.....(303) 422-2133.....After hours support 24-hour crisis line.....(303) 420-6752 Protection Order Clinic – assists with the protection order process and paperwork required for victims of domestic violence, sexual assault or stalking .....(303) 271-6559
- **COLORADO FORECLOSURE HOTLINE** [www.coloradoforeclosurehotline.org](http://www.coloradoforeclosurehotline.org) .....(877) 601-4673
- **DRIVER’S LICENSE**.....(303) 205-5600.....SOCIAL SECURITY ADMIN.....(800) 772-1213
- **COURT TRANSCRIPTS** - email request to [jeffcotranscripts@judicial.state.co.us](mailto:jeffcotranscripts@judicial.state.co.us). Include your case number, name, address, phone#, division, and date of hearing. There is a cost to obtain transcripts.
- **[Jefferson County Sheriff’s Office](#)**  
Phone: (303) 271-6580 Hours: Monday –Friday 8:00 A.M. – 4:30 P.M.  
The Sheriff’s Office can help with service of process (for a fee).
- **[The Action Center](#)**  
8755 W. 14th Avenue, Lakewood, CO 80215, Phone: (303) 237-7704  
Hours: Monday, Tuesday, Wednesday & Friday: 9:00 A.M. – 4:00 P.M. Thursdays: Noon-7:00 P.M.

The Action Center fulfills its mission to provide an immediate response to basic human needs and promote pathways to self-sufficiency through a variety of client services.