

# PROCLAMATION First Judicial District Bar Association



## MISSION STATEMENT

The purposes of the Association shall be to enhance the practice of law within Gilpin and Jefferson County, to promote professionalism and the administration of justice, to encourage legal education, to uphold the honor and dignity of the bar, to cultivate cordial relations among the legal communities of the 1st Judicial District, to perpetuate the history of the profession and the memory of its members, to facilitate and improve the provision of legal services to the community, and to administer the budget for professional, social and community-oriented purposes.

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**Kevin McReynolds**

**Join the 1st JD Bar Association Board**

**Upcoming CLE'S**

**Bylaws update**

**Minutes from 1st JD Bar Association**

**MVL Volunteer Opportunities for March**



## ALAN HENDRIX

### PRESIDENTS COLUMN

On October 22, Magistrate Adam Kendall and Judge Keith Goman put on a terrific lunchtime seminar about generational EDI. They surveyed our Bench to determine if approaches differ between Baby Boomers (1946-1964), Generation X (1965-1980) and Millennials (1981-2000). Part of the fun was, on top of the survey of Jeffco judges, seminar attendees also were surveyed to gauge the "temperature in the room."

Their survey had twenty-five respondents. Sixty percent of those were Generation X, 20% Baby Boomers and 20% Millennials. The survey asked for decisions/reactions/judicial approaches to examples of courtroom conduct, acceptance of dress codes and communication. Survey samples were too small to produce definitive differences between the ages of those surveyed, but trends were noted.

On questionable courtroom conduct, the survey decisions had extremes, one end to the other, from a punitive ruling to ignoring the conduct entirely. I do not know enough about the subject but imagine Artificial Intelligence would have resulted (will result?) in greater consistency. In the Aspen X games, CEO Jeremy Bloom announced that AI was being used to grade highly subjective acrobatic skill and form in the half pipe. AI correctly predicted watching practice, the ultimate top three on the podium.

This reminds me of an early Star Trek episode [Episode 1.20: Court Martial (1967)] where a famously respected lawyer, quoted from the Codes of Hammurabi and cross-examined a computer to ensure an acquittal for Captain Kirk.

None of the courtroom conduct examples were hypothetical. All of the following were taken from actual instances. Okay, Boomer?

**Fact pattern-pro se refusing to take off a baseball cap.** A mixed bag and generational differences did not seem to matter. Across the board results with one judge never asking about the hat, others ordering the hat removed but then taking no further action, others holding the pro se in contempt and a couple taking a recess and refusing to take the case up until the hat was removed.

**Fact pattern-male lawyer without a tie claiming gender bias.** Boomers were slightly tougher. Makes sense to me as there has been a move to more casual conduct and dress over the years and Boomers are probably hanging on to formality and what they view as respect for the process and the court.

Continued

**Fact pattern-unnecessary lawyer profanity in closing argument.** Results were anywhere from admonishing the lawyer immediately in front of the jury, admonishing the lawyer privately or ignoring completely. The survey found no perceptible difference between cohorts with most respondents picking private admonition or ignoring profanity. Editorializing here, probably best to let the jury come to its own conclusion, but let the lawyer know profanity, not a quote from facts in the case, is not the way to argue a case.

**Fact pattern-during closing argument, lawyer publishes a PowerPoint presentation to the jury without asking for the court's permission and opposing counsel objects.** Again, there is no discernible difference between the cohorts with most overruling the objection. FWIW, my view of this is that this is a part of argument. No one expects or should expect an opposing attorney to go over closing argument with the other side and here the PowerPoint is an extension of argument, as a demonstrative exhibit.

**Fact pattern-lawyer publishes his screen to show an exhibit, but everyone can see the attorney just messaged a colleague, criticizing the judge's impartiality.** From the small sample size, there are no cohort differences. Some would admonish the lawyer immediately in front of the jury, more chose admonishing privately, an equal number would ignore it, and one would report the lawyer to the OARC. An example of judicial extremes.

**Fact pattern-court accepting or refusing an oath where substantial portions of an affidavit were drafted by artificial intelligence.** Surprise to me. Millennials were more restrictive in refusing to accept the oath. I thought differently, thinking Boomers would be more skeptical than Millennials about technology.

**The communication results** were probably expected. Boomers preferred face-to-face conversations and Millennials were more likely to accept and expect emails and text messaging.

Discussed during the seminar, concerning the courtroom conduct examples, was perhaps a more seasoned or temperate judge might consider where a stricter ruling would take the court and the litigant/attorney, in the event the court's authority is challenged. How far is the court willing to go to make the point? Like running up to a small fire and dousing it with gasoline. Is it really worth it?

IMHO, I expect life experiences and personality, regardless of your birth cohort to be more meaningful than when you were born. Judges coming out of a District Attorneys or Public Defenders offices might be "true believers." After taking the bench, for sure there be a struggle to leave behind preconceptions.

To add to the variability, you can add in the likability and professionalism of the lawyer, the likability of the client, whether the judge has had a good meal recently (the hungry judge effect/affect-bunked and debunked) and the perception in Covid times, although some studies have shown otherwise, determining credibility of a witness with a mask was troubled. And let's not forget the phase of the moon!

<https://www.wbur.org/hereandnow/2020/07/01/face-masks-courts-trials-justice>

Years ago, in a fight over spousal maintenance, my client individually was headed to bankruptcy. Although case law holds, the judge is the legal expert, to ensure the judge fully understood the interactions and complications of a chapter 13 bankruptcy and the concept of "*disposable income*", I hired an expert to submit a report. What happened next was expected; my expert was struck. Still, I thought it was a better way over filing a research brief. I will never know, but it seemed the court fully took to heart the points made by my bankruptcy expert.

Probably not a lot of state court judges have ready expertise in bankruptcy. In District Court, maybe the judge came out of County Court where 90% of the cases are likely criminal. And before that whether in County Court or employed as a public defender or prosecutor, the same would be true.

"You can't voir dire a judge." AB Hendrix

"Don't tell me what the law is, tell me who the judge is." Roy Cohn

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<https://www.imdb.com/title/tt0708425/quotes/?item=qt1603009>

Rights, sir, human rights! The Bible. The Code of Hammurabi, and of Justinian. The Magna Carta. The Constitution of the United States. The Fundamental Declarations of the Martian Colonies. The Statutes of Alpha III. Gentlemen - these documents all speak of rights. Rights of the accused to a trial by his peers, to be represented by counsel. The rights of cross-examination. But most importantly, the right to be confronted by the witnesses against him - a right to which my client's been denied.

<https://per-ineptia-ad-astra.tumblr.com/post/184911192156/star-trek-episode-120-court-martial>

# JEFFCO COURTHOUSE NEWS

## A MESSAGE FROM THE JEFFCO COURT

### Help us, Help you

#### Jefferson County District has restarted its Domestic Relations Best Practice Committee

Jefferson County has had a long history of taking a “best practice approach” to our domestic relations case-load. However, through the past several years, with COVID and the departure of several long-term judicial officers our BPC is due for a revitalization. Chief Judge Pilkington has asked me to lead this revitalization.

Our internal BPC meets on a regular basis to assess our processes and train our judicial officers. While we work to assess our own processes and training needs, I do think it is necessary to receive input from the Bar. One of the first issues I would like to address is updating our initial case management order.

I am hosting two “listening/ brainstorming sessions” over the next several weeks. These sessions are intended to allow you to provide input as to what changes should be made to our initial case management order, but I also want input on what other areas we should look at to improve and I also want to build upon what we are doing well.

Please join me on **February 27, 2025, from 11:30 a.m. to 1:00 p.m. or March 27, 2025, from 11:30 to 1:00 p.m., in Courtroom 420** for the listening/ brainstorming sessions. Given the conversational format I am hoping for, there will not be a WebEx option. If you have input but cannot make a session, please email me in advance at [01Division2@judicial.state.co.us](mailto:01Division2@judicial.state.co.us) and please be sure to include BPC in the subject line.

Thank you and I hope to see you soon,

Jason Carrithers





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*Large office furnished or unfurnished  
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Phone and Internet  
provided. \$800 monthly.*

*This office is right next-door to the  
Chart House. Great happy hour.*

## MEMBER SPOTLIGHT KEVIN McREYNOLDS

Recently, I was speaking with students at a career fair and it reminded me of how often the people we meet end up shaping our careers, sometimes in unexpected ways.

Starting at the end, I currently serve as a prosecutor in the appeals and postconviction unit in the First Judicial District Attorney's Office. As I often tell law students, I never expected to work in criminal law and arrived in this role and happily living in the mountains of Jefferson County through the people I've met and a series of fortunate events.

In the first week of my first year at UCLA Law, I was assigned an alumni mentor, an appellate specialist at a firm who became a federal trial judge while I was a 3L. When that happened, I dropped my classes to be his extern and later served as his law clerk. Seeing Judge Schiavelli's reasoned and pragmatic problem solving convinced me that his appellate experience made him a better trial judge and that I needed broad experience if I ever hoped to be the litigator and legal analyst he was.

In 2008, I moved to Colorado to work at a boutique civil litigation firm that promised a broad range of challenging work. That job also offered me the freedom to take on pro bono work, including the case that led me to leave private practice. The day after my kiddo was born (now a freshman at Conifer High), I was assigned to help a Nigerian immigrant facing deportation. After a long time and a lot of setbacks, I argued his case before the 10<sup>th</sup> Circuit and won. Recognizing a personal need to do more impactful work like this, I switched from civil to criminal law as a full time appellate lawyer with the Attorney General's Office.

Continued



## MEMBER SPOTLIGHT KEVIN McREYNOLDS

Continued

Over almost ten years with the AG's Office, I litigated hundreds of felony cases. At the same time, I committed myself more fully to my volunteer work with bar associations and the Waterman Fund (a charitable trust that provides financial support for disabled attorneys). This work kept me engaged with community-minded attorneys, including friends I've made in the criminal defense bar and some of the same attorneys I now get to work with in the First JD DA's Office.

Coming full circle, I left the AG's Office to take up my current mixed trial and appellate practice here in the First and now serve on a board for a local pro bono organization, Metro Volunteer Lawyers. While I never would have seen this coming as a law student, it makes perfect sense looking back through the people I met over the last 20 years. I now get to practice what my mentor preached by providing training to young attorneys and reasoned and pragmatic solutions to legal issues. I'm fortunate to also enjoy the benefits of living in Colorado with my amazing wife and our teen as we enjoy our mountain home and traveling abroad during school holidays.





## Join the Board of Directors of the 1st JD Bar Association

- ◆ **Expand your networking opportunities**
- ◆ **Share your experience and expertise with the board**
- ◆ **Time commitment–1 hour monthly in-person/virtual meeting on the 3rd Tuesday of the month at 5:30 pm**
- ◆ **Term commitment–2 year term with option to extend**

We are looking for interested people to get more involved in the organization! Being involved in the bar association is a great way to meet other lawyers along with the judicial bench. The nominating committee meets in April to consider appointments. If you are interested in a position, please send a letter outlining your interest along with a resume to: [admin@1stjd.org](mailto:admin@1stjd.org)

**Deadline April 1, 2025**



### Upcoming CLE's Details to follow

March	Evidence Practicum
<b>April 24</b>	<b>Unravel the Gavel</b>
May/June:	Privileges
August:	Judges Roundtable
October:	EDI
December:	Family Law

## UPDATED BYLAWS

Bylaws for the 1ST JD Bar Association Board have been revised. You can see the revision at this link <https://1stjd.org/wp-content/uploads/2025/02/Bylaws-2-12-25.pdf>

Please give us your input at [admin@1stjd.org](mailto:admin@1stjd.org)

## BOARD MEETING MINUTES

To keep you informed about the happenings on the 1st JD Board of Trustees, you can now see the latest board meeting minutes on the website. To see November 2024 go to: <https://1stjd.org/wp-content/uploads/2025/02/2024-11-Minutes.pdf>

Additional months will be coming soon. If you are interested in attending a board meeting you are welcome. Meetings are held on the 3rd Tuesday of the month except July and December. Check the Events tab for the calendar showing the location.

## METRO VOLUNTEER LAWYERS VOLUNTEER OPPORTUNITIES FOR MARCH

Do you have a few hours of time to assist an individual or family in need of legal assistance? Volunteer with Metro Volunteer Lawyers (MVL) to help bridge the gap in access to justice to those who could not otherwise afford legal services for their civil legal issues.

We have short and long term volunteer opportunities to fit your schedule.

### Family Law Court Program

Assist pro se parties with uncomplicated divorce or parental responsibilities cases. No experience is necessary. Contact [Patrick Marzolino](#) to volunteer.

Tuesday, March 11

1:00 p.m.–4:00 p.m. (Client Meetings) | Denver City and County Building – Staffed by Volunteers from DU Sturm College of Law

Friday, March 14

8:30 a.m.–12:00 p.m. (Permanent Orders) | Jefferson County District Court

1:00 p.m.–4:00 p.m. (Client Meetings) | Jefferson County Courthouse

Thursday, March 20

8:30 a.m.–12:00 p.m. (Permanent Orders) | Adams County District Court

1:30 p.m.–4:30 p.m. (Client Meetings) | Adams County District Court

Friday, March 21

9:00 a.m.–1:00 p.m. (Client Meetings) | Douglas County Courthouse

Tuesday, March 25

8:30 a.m.–12:00 p.m. (Permanent Orders) | Denver City and County Building

Friday, March 28

8:30 a.m.–12:00 p.m. (Permanent Orders) | Arapahoe County District Court

1:00 p.m.–4:00 p.m. (Client Meetings) | Arapahoe County District Court

### Family Law Advice & Guidance

Family law practitioners needed to provide a single consultation to pro se parties with pre- or post- decree divorce or parental responsibilities cases by focusing on early resolution and problem-solving. Only a 1-hour commitment. Contact [Liz Jones](#) or [Joe O'Leary](#) to volunteer.

Thursday, March 6

1:00 p.m.–4:00 p.m. | Adams County District Court - Staffed by Volunteers from the Department of Law

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# METRO VOLUNTEER LAWYERS VOLUNTEER OPPORTUNITIES FOR MARCH

Continued

## Family Law Advice & Guidance

Family law practitioners needed to provide a single consultation to pro se parties with pre- or post- decree divorce or parental responsibilities cases by focusing on early resolution and problem-solving. Only a 1-hour commitment. Contact [Liz Jones](#) or [Joe O'Leary](#) to volunteer.

Tuesday, March 11

9:00 a.m.–1:00 p.m. | Denver Courthouse

Thursday, March 13

9:00 a.m.–1:00 p.m. | Arapahoe County District Court

Monday, March 17

9:00 a.m.–1:00 p.m. | Virtual

Friday, March 21

9:00 a.m.–1:00 p.m. | Douglas County Courthouse

Wednesday, March 26

9:00 a.m.–1:00 p.m. | Virtual

Friday, March 28

9:00 a.m.–1:00 p.m. | Jefferson County Courthouse

## Estate Planning Program

Powered by [InterActive Legal](#). Assist seniors in completing various advance planning documents, including a last will and testament, medical and financial powers of attorney and advance health care directives in the Denver Metro Area. No experience is necessary. Contact [Liz Jones](#) to volunteer.

Training on how to use the software for new volunteers will begin 30 minutes before each clinic.

Monday, March 17

11:30 a.m. – 4:30 p.m. | Westgate Towers | Denver, CO

Tuesday, March 28

11:30 a.m.– 4:00 p.m. | Syracuse Plaza | Denver, CO

Continued

# METRO VOLUNTEER LAWYERS VOLUNTEER OPPORTUNITIES FOR MARCH

Continued

## Legal Clinic at the Denver Indian Center

Provide legal resources and information to the local Native American community at MVL's monthly walk-in clinic. Contact [Patrick Marzolino](#) to volunteer.

Wednesday, March 5

6:00 p.m.–8:00 p.m. | Denver Indian Center | Denver, CO

## Referral Program

Provide full pro bono representation for various civil legal matters, including family law, probate, consumer/financial, and public benefits. Contact [Meghan Dill-Meinzer](#) to volunteer.

## Mediation Program

Provide pro-bono mediation to applicants in one of MVL's other programs. Contact [Meghan Dill-Meinzer](#) to volunteer.

