

COLORADO JUDICIAL INSTITUTE

Volume 3, Issue 3

In this Issue:

ADR Survey Results Tallied

—Page 2

Bob Miller New Managing Partner
of Perkins Coie Denver Office

—Page 2

CJI Funds NACC Scholarships

—Page 3

Ellie Greenberg Receives
MESA Award

—Page 3

Statewide ADR Conference

—Page 4

Judicial Excellence Award
Nominations Due

—Page 4

Weld County Constitution Day

—Page 4

SAVE THE DATE:

CJI Judicial Excellence Dinner

—Page 5

Upcoming CJI Events:

November 15 —

Judicial Excellence Dinner

CJI Executive Committee:

Gale T. Miller— Board Chair

Robert Miller—Vice Chair,

Judicial Excellence

Elinor Miller Greenberg—Vice Chair,

Public Education

and Public Information

Jim Scarboro—Vice Chair,

Judicial Effectiveness

Leslie A. Patten—Treasurer

Lance Tanaka—Secretary

CJI Staff:

Executive Director

Becky Miller Updike

Director of Marketing

and Administration

Cynthia Ophaug-Johansen

Colorado Judicial Institute

P.O. Box 118

Broomfield, CO 80038-0118

(303) 766-7501

www.ColoradoJudicialInstitute.org

CJI and CBA Co-Sponsor New Statewide Public Education Effort

By CJI Vice-Chair Ellie Greenberg and Judge Russ Carparelli

The Colorado Judicial Institute and the Colorado Bar Association are proudly launching Our Courts, a statewide program to increase public understanding and knowledge of the state and federal courts in Colorado.

The first presentations will be made in the fall of 2007 and will range in length from 20 to 50 minutes. They will address why state and federal courts must be fair and impartial and preserve the rule of law, how courts decide, court workloads, and the processes by which judges are selected, evaluated, disciplined, and retained.

Our Courts will actively reach out to a wide range of audiences, including community leadership programs, business and economic development associations, professional and trade associations, service organizations, community colleges, undergraduate and graduate schools, vocational schools, and other community organizations. To facilitate these efforts, Our Courts has identified hundreds of such entities around the state and the CBA is currently creating a database to coordinate outreach and scheduling.

The state and federal courts have agreed to collaborate with Our Courts, and ten entities have agreed to partner with Our Courts. They are: the Colorado County Judges Association, the Colorado District Judges Association, the League of Women Voters of Colorado, the Institute for the Advancement of the American Legal System at the University of Denver, the University of Colorado Law School, the Colorado Community College

System (CCCS), the Colorado State Library, the University of Colorado at Denver-School of Public Affairs, the National Center for State Courts and the University of Denver Sturm College of Law. Partner organizations will work with one another and other community groups to host, publicize, and sponsor Our Courts presentations; to help identify skilled speakers and appropriate audiences; and to provide in-kind and financial support for Our Courts operations or presentations.

Our Courts was founded by Judge Marcia Krieger, Judge Russell Carparelli, and CJI Vice Chair Ellie Greenberg. The executive committee includes the founders, CJI Chair Gale Miller, CBA Immediate Past President Elizabeth Starrs, and Justice Greg Hobbs, Supreme Court of Colorado. The state and federal court representatives are Judge Edward W. Nottingham, U.S. District Court for the District of Colorado, and Justice Greg Hobbs, Supreme Court of Colorado. CBA President David Lytle has demonstrated his strong support for Our Courts and other public education efforts by committing significant CBA staff and financial resources for fiscal year 2008.

If you belong to an organization that might be interested in a presentation during the coming year, please contact the CBA Director of Public Education, Carolyn Gravit at (303) 860-1115 or cgravit@cobar.org.

CJI is very excited about Our Courts and the opportunity to join with the CBA to lead this important effort.

CJI Sponsored ADR Survey Results Talled

By Melinda Harper and Lance Tanaka

CJI supports Alternative Dispute Resolution (ADR) as part of its efforts to improve quality access to our courts for the citizens of Colorado. With ADR use increasing, it was time to update our information on how and why Colorado's judges and magistrates were, or were not, using ADR. The Colorado Judicial Institute's ADR Committee surveyed Colorado's judges and magistrates, and analyzed the results.

Designed by CJI's ADR Committee, the survey was sent to members of the judiciary by Rich Gabriel, Esq., then Chair of the Colorado Judicial Institute, and the Hon. Mary J. Mullarkey, Chief Justice, Colorado Supreme Court.

The survey showed that generally ADR referral rates were somewhat homogeneous by district. For many respondents and in many Districts referral rates are high. Nineteen of the 34 respondents referred over half of their cases to ADR. Where referral rates are lower, from 0 to 25%, the results indicate that further analysis of the specific barriers for the individual or the district or provision of the requested education may result in increased referral rates.

Results were received from 26 judges and eight magistrates in 17 of Colorado's 22 judicial districts.

A steep divide was found between judges who do use mediation and judges who do not use mediation. If judges are using mediation they tend to use it often.

The survey also concluded that many judges are interested in further training on ADR. Even in cases where judges did not want training they agreed that mediation is a useful settlement tool. After considering the survey results, CJI is evaluating ways in which additional educational materials on ADR can be provided to both judges and magistrates in Colorado's judicial districts.

The summary results were also sent to Chief Justice Mary J. Mullarkey who is looking forward to working with CJI on developing education offerings that will expand the use of ADR through increased visibility and increased awareness. The Chief Justice will also be evaluating the survey information about referrals at the various Districts.

A full summary of the data including charts is available on CJI's website at www.coloradojudicialinstitute.org.

Bob Miller Named Managing Partner at Perkins Coie Denver Office

Perkins Coie announced that its Executive Committee has appointed Robert (Bob) N. Miller to succeed Jeff Cowman as managing partner of its Denver office.

Miller joined the firm in 2003. He has more than 30 years of experience in complex litigation and white collar crime. As the former U.S. Attorney for the District of Colorado, he has extensive experience in representing companies and individuals in connection with investigations by federal and state prosecutors. He also routinely conducts internal investigations and advises companies on compliance programs.

"Bob is a natural leader, both within the firm and in the community," said Robert Giles, the firm's managing partner.

"He will be a tremendous ambassador for the firm in the Denver area."

In November, Miller successfully led the charge in the "No on 40" campaign against term limits for Colorado Supreme Court justices and Court of Appeals judges. He also sits on the board of trustees for the Colorado Bar Foundation, a non-profit organization that promotes the advancement of jurisprudence and the administration of justice in Colorado through grants to help educate the general public and provide assistance to the State's legal institutions. In addition, Miller sits on the CJI Board.

Ellie Greenberg receives 2007 Colorado MESA Service Award

Dr. Elinor Miller Greenberg, CJI Vice-Chair, has received the Colorado MESA Service Award for the second time. The award, which recognizes outstanding contributions to the Colorado MESA program, was also presented to Greenberg in 2006. The award was presented at the MESA Annual Awards Dinner held on May 17 at the Denver Museum of Nature and Science.

This year, Greenberg's leadership as a MESA Board member resulted in the passage of HB 1243 by a large majority of the Colorado House of Representatives and Senate. The bill, called the Colorado Homegrown STEM Workforce Act of 2007, creates a new fund in the Colorado Office of Economic Development for after-school K-12 programs that focus on science, technology, engineering and mathematics (STEM). The bill sponsors were



Dr. Elinor Miller Greenberg

Representative Nancy Todd (D) in the House and Senator Suzanne Williams (D) in the Senate. Governor Bill Ritter signed the bill on May 2.

Colorado MESA is a 27-year old statewide after-school program designed to encourage female, minority and economically disadvantaged elementary, middle and high school students to go to college and major in science and math related fields. MESA serves approximately 3000 Colorado students in 140 schools. In 2005-06, 100% of the MESA students graduated from high school and more than 90% enrolled in college, with 80% choosing math/science-based majors. Sixty-one percent of all Colorado MESA students were from underrepresented ethnic minority groups and forty-eight percent were female; eighty-five percent came from low and moderate income families.

CJI Awards Scholarships to NACC 30th National Juvenile and Family Law Conference

By Becky Miller Updike

CJI's Judicial Education Committee granted 12 scholarships for judges, magistrates and a family court facilitator to attend the National Association of Council for Children's (NACC) 30th National Juvenile and Family Law Conference. The conference, themed *Achieving Quality Legal Representation for Children, Families and the State* offered general sessions and workshops on abuse & neglect, juvenile justice, family law, policy advocacy, and Children's Law Office operation. More than 620 judges, magistrates, attorneys and other court stakeholders attended the conference, held August 15-18, 2007, in Keystone, Colorado.

CJI scholarship recipients received funding for registration, lodging and some travel expenses from the CJI Judicial Education Preservation Fund. The scholarships were awarded to applicants from across the state, who displayed an interest in learning more about juvenile and family court issues. "Many judges lack training and experience in dealing with child welfare matters and particularly when dealing with abused and

neglected children. By providing scholarships so that judges can attend the NACC conference, the Colorado Judicial Institute not only helps educate and train judges, it also benefits children and families in Colorado," said Larry DeMuth, CJI Judicial Education Committee Chair.



CJI provided 12 scholarships to the National Association of Council for Children's 30th National Juvenile and Family Law Conference

"It was a great opportunity to exchange ideas from around the nation regarding approaches to caring for juveniles who enter our legal system. I was able to apply some of that information the very first day I returned to work after the conference," said scholarship recipient Magistrate Rebecca Koppes-Conway of Weld County (19th Judicial District).

The CJI Judicial Education Preservation Fund provides grants, scholarships and financial assistance to help educate and train those who administer our system of justice. Contributions can be made to CJI or the Denver Foundation as long as they are clearly identified as being for this fund. Additional information and grant request guidelines are available at www.coloradojudicialinstitute.org/judicialexcellence.htm.



Judicial Excellence Award Nominations Closing Soon

The Colorado Judicial Institute has opened nominations for the 2007 Judicial Excellence Awards. Please help us recognize outstanding judges and magistrates across Colorado both by nominating a judge or magistrate and by spreading the word about the Judicial Excellence Awards. The only way we find out about the great judges across our state is by hearing from people like you!

The 2007 Nomination Form is attached to the back of this newsletter or it can be found on the CJI web site at: <http://www.coloradojudicialinstitute.org/2007%20Nomination%20Form.pdf>

Completed forms can be mailed to The Colorado Judicial Institute, P.O. Box 118, Broomfield, CO 80038-0118 or e-mailed to Cynthia@ColoradoJudicialInstitute.org.

Please submit completed forms by September 14, 2007
or contact CJI for an extension.

CJI Board Member Bob Miller on Public Education Panel for Weld County Constitution Day Celebration

The Greeley-Weld County League of Women Voters will host a special celebration of Constitution Day Monday, September 17 made possible through a grant from LWVUS. Our funding is from the League of Women Voters Education Fund and the Program on Constitutional and Legal Policy of the Open Society Institute. This afternoon event, held in the University of Northern Colorado Student Center, is scheduled to run from 12:30 - 3 pm with a panel discussion as its main focus.

The panel includes: Mr. Robert N. Miller, former D.A. and U.S. Attorney for Colorado, managing partner of the Denver office of Perkins Cole law firm; Mr. Keith Coleman, Colorado Trial Lawyer practicing with a local law firm in Greeley; Mr. Jonathan W. Hays, retired judge residing in Greeley; and Ms. Susan McHugh, attorney/teacher at East High and coach for "We, The People...the Citizen and Constitution Team." Other features of the afternoon include voting machine viewing, voter registration, and visiting with local League members, Young Democrats and College Republicans. The public is cordially invited to attend. Local college and high school students will be given special invitations through political science and government professors.

Constitution Day is celebrated every year on September 17th, the same day the U.S. Constitution was signed in 1787. This year, the League of Women Voters' Safeguarding U.S. Democracy: Promoting an Independent Judiciary program is combining efforts with The Constitution Project to celebrate this important day. This is the League of Women Voters' large-scale public education effort to increase citizen understanding of the importance of our nation's system of separation of powers and check and balances provided for by the U.S. Constitution. For more information, contact hrgibson55@msn.com.

Colorado Statewide ADR Conference: Mediation Excellence

September 28, 2007
Renaissance Denver Hotel
3801 Quebec Street
Denver, CO

Conference speakers include KEN FEINBERG, who has been appointed by Virginia Tech to direct distribution of \$7 million donated to the school following the campus shootings in April. He also served as Special Master of the Federal September 11th Victim Compensation Fund of 2001, administering all aspects for the program; MARY MULLARKEY, Chief Justice, Colorado Supreme Court; and TERRANCE CARROLL, Colorado House Judiciary Committee Chair. To register on-line go to www.cobar.org/cle. This conference is submitted for eight general CLE credits including one ethics credit.



The Fifth Annual Judicial Excellence for Colorado Dinner

Presented by the Colorado Judicial Institute

Thursday, November 15, 2007

6:00 p.m. Cocktail Reception

7:00 p.m. Dinner

**Keynote Address by
Governor Bill Ritter**

Judicial Excellence Awards

CJI will present the 2007 Judicial Excellence Awards to an outstanding District Court Judge, County Court Judge, and/or Magistrate.

Special Sponsors

Wheeler Trigg Kennedy, LLP; Platinum Sponsor
IKON Office Solutions for Printing Services
Davis Graham & Stubbs, LLP for Layout Services

To Become a Sponsor

Contact Cynthia Ophaug-Johansen at Cynthia@ColoradoJudicialInstitute.org or at (303) 766-7501.

To Purchase a Ticket for the Dinner

To purchase your tickets online, please go to www.blacktie-colorado.com/rsvp and enter event code: **CJI07** (all one word, not case-sensitive).

Proceeds from this event benefit the Judicial Education Fund and the Colorado Judicial Institute. A portion of all sponsorships and individual tickets to the event will be tax deductible.

Location and Directions

The Dinner will be held at:
Denver Marriott City Center
1701 California Street
Denver, Colorado 80202
Phone: 1-303-297-1300

From Interstate 25 South

Exit Colfax Blvd. turn right
Left on Welton Street
Left on 18th Street
Left on California Street
Entrance to hotel on
right hand side

From Interstate 25 North

I-25 South to Colfax Exit turn left
Colfax to Welton Street turn left
Welton to 18th Street turn left
18th to California Street, turn left
Entrance to hotel on
right hand side



Colorado Judicial Institute

Seeks Nominees for the 2007 Judicial Excellence Awards

Criteria for the 2007 Judicial Excellence Awards

In recognition and support of excellence in Colorado courts, The Colorado Judicial Institute will again acknowledge the efforts of three outstanding judges. The three Judicial Excellence Awards will be presented at the 5th Annual Judicial Excellence for Colorado Dinner to be held November 15, 2007, at the Denver Marriott City Center. One award will be presented to a jurist in each of the following categories: District Court Judge, County Court Judge, and Magistrate.

CJI invites you to nominate individuals for these awards. Award nominees should possess the following skills:

- Efficiently, expeditiously and objectively manages cases and dockets
- Is recognized by members of the bar, litigants, court personnel, jurors, and others as respectful and even-handed, but in firm control of activities within the courtroom
- Is recognized as an innovator and is creative in dealing with the processes within the courtroom
- Has displayed extraordinary courage, energy and tenacity in the handling of high profile, controversial, or difficult cases
- Is respected by, and has the confidence of, other judges, court staff, lawyers and others
- Has exemplified the highest standards of judicial excellence throughout a distinguished career

All nominations must be submitted by September 14, 2007.

Colorado Judicial Institute
P.O. Box 118
Broomfield, CO 80038-0118

Or by e-mail to: Cynthia@ColoradoJudicialInstitute.org

Additional nomination forms may be obtained at www.ColoradoJudicialInstitute.org.
Questions can be directed to Cynthia Ophaug-Johansen at (303) 766-7501 or
Cynthia@ColoradoJudicialInstitute.org.



COLORADO
JUDICIAL
INSTITUTE



Colorado Judicial Institute

Judicial Excellence Awards Nomination Form

1. Nominator Name: _____
Address: _____

Telephone Number: _____
E-mail Address: _____
Fax Number: _____

2. Information About the Nominee:
Name: _____
Position (circle only one): District Court Judge
County Court Judge
Magistrate

Court: _____ Judicial District: _____
Address: _____

Phone: _____
Email: _____ Fax: _____

3. Reasons for Nomination: Please describe in detail how this nominee meets the criteria for the CJI Judicial Excellence Award. (Attach additional pages if needed.)

4. Please list any other community service the nominee provides, if known.

5. **Names, addresses and phone numbers of three additional people** who have information concerning the nominee's qualifications for the CJI Judicial Excellence Award:
 1. _____
 2. _____
 3. _____

Please return this form fully completed by **September 14, 2007**, to:

Colorado Judicial Institute
P.O. Box 118
Broomfield, CO 80038-0118
or Cynthia@ColoradoJudicialInstitute.org

If you have questions, call Cynthia Ophaug-Johansen at (303) 766-7501.
Additional copies of this form are available on CJI's website,
www.ColoradoJudicialInstitute.org.



**COLORADO
JUDICIAL
INSTITUTE**