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# AMICUS

UNIVERSITY OF COLORADO LAW SCHOOL

FALL 2013



The New Normal





## WELCOME TO THE CLASS OF 2016

2321  
890  
184  
162  
3.58

Applications  
Admitted  
Class size  
LSAT score (median)  
Cumulative GPA (median)

24%  
114  
31  
34%  
44%

Diverse students  
Undergraduate colleges  
States (and D.C.)  
Colorado residents  
Women





# AMICUS

VOLUME XXIX, NUMBER 2, FALL 2013

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# The New Normal

by Dean Phil Weiser

THE "NEW NORMAL" CAPTURES THE IDEA THAT, after a significant event, the overall environment—the world as we know it—is reset and things won't go back to the "Old Normal." So it goes in the world of legal practice and legal education in the wake of the Great Recession. In this issue of *Amicus*, we'll examine how Colorado Law, following our Colorado Law Action Plan (see page 33), is embracing the New Normal, taking on emerging challenges, and seizing a number of opportunities for innovation and change in a new environment.

The evolution of legal education and legal practice towards a New Normal is just beginning to take shape. For some, the emerging trends in the legal profession are a cause for unmitigated alarm. I believe, however, that the dynamics now playing out will ultimately strengthen the legal profession by revealing which law schools, legal institutions, and lawyers are capable of adapting, thriving, and leading in a new environment. As one alum who survived decades in the oil and gas business put it, "at \$80/barrel, all businesses look smart; at \$20/barrel, we find out which ones have what it takes to be successful."

Over the years ahead, as law schools develop their models for legal education in the New Normal, a select group of innovators will rise to the top. At Colorado Law, our strategy for innovating and thriving in the New Normal is set forth in our Action Plan, which emphasizes two critical guideposts—(1) providing our students with a strong return on their investment in law school; and (2) serving our community. If we can do those two things well, we can be one of the leaders in the New Normal.

Providing a valuable experience for our students is essential for Colorado Law to thrive in the New Normal. Part of the Old Normal was the enticing thought—to both students and law school administrators—that law firms would hire many graduates, pay them six figure salaries, and be willing to train young associates. In the New Normal, it's incumbent on law students to take the initiative and develop their own portfolios, to be able to convince employers that they are positioned to add value from the get-go, and to realize that a successful career often starts with an initial opportunity less remunerative than a six-figure salary. Consider that in the New Normal ten or so students from the Class of 2013 can look forward to joining a law firm with fifty or more lawyers upon graduation. In the Old Normal, that number was thirty or more.

Colorado Law students are not alone in their professional journeys. They also have our faculty, staff, alumni, and friends, and their fellow students to support them as they launch their careers in the New Normal. Professors like **Kristen Carpenter** (see page 10), who provide individualized mentorship and bring our students together with seasoned professionals, are exemplars of what make Colorado Law special.

In terms of serving our community, we at Colorado Law are well aware of our responsibility and opportunity as a public law school to be engaged with the public. Our scholarship, developed in a vital intellectual climate, takes seriously our responsibility to be thought leaders, engage the public, and to challenge our students to become critical thinkers and skilled practitioners. Our centers take that thought leadership directly to our community, bringing faculty, staff, students, alumni, and friends together for events like Justice O'Connor's recent Stevens Lecture (see page 16). At such events, our students are able—and encouraged—to develop meaningful relationships with members of our community.

For us to support our students and to serve our community, we are dependent on our alumni and friends. To do even better in engaging you, we have brought **Marci Fulton ('04)** aboard as our new assistant dean for outreach, engagement, and alumni relations. As always, we welcome your ideas and suggestions, as well as your questions and concerns. Please feel free to communicate directly with Marci at 303.492.7015 and marci.fulton@colorado.edu so that you can be a part of our effort to lead in a changing environment. As always, please feel free to reach me at 303.492.5417 and phil.weiser@colorado.edu. Thank you in advance for all of the ways that you will be part of our project to thrive in the New Normal.

In the New Normal, it's incumbent on law students to take the initiative and develop their own portfolios.







# The New Normal

The New Normal actually means abandoning the expectation of a static normal.

We prepare our students for a world of constant change.



Paul Ohm

THE REALITIES OF TODAY'S LEGAL MARKETPLACE HAVE not only created new burdens and challenges for legal education, but also give rise to new opportunities for law schools willing and able to be entrepreneurial. Those law schools, heeding Wayne Gretsky's axiom to "skate to where the puck is going," will seek to train legal entrepreneurs who can thrive in today's New Normal. While mastery of legal doctrine, analytical reasoning, and lawyering skills remains key to success in the New Normal, law schools must do more to prepare their students for a rapidly changing legal landscape. Following this very strategy, Colorado Law is charting an innovative, entrepreneurial approach to legal education that addresses the present and future challenges presented by the New Normal. In addition to the Action Plan (see page 33), at the heart of Colorado Law's approach are several important guideposts: individualized student opportunities, premium multidisciplinary learning offerings, and engaged scholarship.

## INDIVIDUALIZED STUDENT OPPORTUNITIES

Few law schools in the nation support their students along multiple dimensions the way that Colorado Law does. One of the defining aspects of Colorado Law's innovative approach is its emphasis on creating an individualized learning experience that adds real value and prepares students to be effective, entrepreneurial, and ethical legal professionals. This starts with hands-on faculty and staff who are authentically engaged with students, providing mentorship—a touchstone of Colorado Law's educational model—and helping students develop a portfolio of skills and experiences that will prepare them for satisfying careers. Whether a student wants to do enforcement work for the Environmental Protection Agency, work in-house at a small technology start-up, become a district attorney, serve an underrepresented population, or be a small town lawyer, there are faculty and staff members who have the expertise to advise them about which courses and practical opportunities to pursue, and to introduce them to professionals and alumni in their field of interest.

Another important component of the individualized learning experience that Colorado Law provides is the school-wide emphasis on entrepreneurial thinking. From the first day of orientation and all the way to graduation, students are challenged to be proactive and to take ownership of their legal education. Own your career. Create your own opportunities. If we are not offering a course in something that interests you, propose your ideal course. These are the kinds of messages that Colorado Law students hear consistently from faculty and staff.

With some experts suggesting that it will be necessary for legal professionals to reinvent their careers every one-to-three years, it is crucial that our students develop the ability to look ahead, identify an objective, and ask "what specific things do I need to do right now to get there?" By encouraging students to think entrepreneurially when designing their individual law school experiences, Colorado Law is preparing them to thrive in the New Normal. At Colorado Law, we have realized that the New Normal actually means abandoning notions of "normal" altogether. We are training our students and ourselves to be ready for a world of constant change.

## PREMIUM MULTIDISCIPLINARY LEARNING OPPORTUNITIES

More than ever, employers are looking for job candidates with practical skills and knowledge. One of Colorado Law's strengths moving forward is its wide array of opportunities for students to gain real-world experience as part of their legal education. Colorado Law is currently home to nine legal clinics that offer students both a wide range of substantive areas of law—including juvenile law, immigration defense, natural resources law, and entrepreneurial law—as well as a wide range of practice methods and activities.

Colorado Law is one of the few law schools in the nation to develop specialty clinics in a number of cutting-edge fields. Colorado Law's pioneering American Indian Law Clinic (now 21 years old) enables students to apply doctrinal learning and lawyering skills to a broad range of issues including indigenous human rights, reservation-based economic development, and tribal self-governance, through work with individual tribal citizens, as well as tribal nations, and NGOs. (As described on page 7, **Carla Fredericks** recently joined Colorado Law to lead this clinic.) The law school's innovative Samuelson-Glushko Technology Law and Policy Clinic gives students the opportunity to learn how to advocate effectively before regulatory and legislative bodies. (As described on page 7, **Blake Reid** ('10) recently joined Colorado Law to lead this clinic.) Moreover, Colorado's Entrepreneurial Law Clinic, which enables students to gain hands-on experience in transactional law, was one of the first of its kind. In addition to the clinics, students can pursue practical learning opportunities at state



Legal Writing Professor Amy Bauer mentors 1L students during orientation.

and federal regulatory agencies, non-profits, and judicial districts through the law school's externship program. By providing a broad range of opportunities to learn and practice valuable legal skills, Colorado Law is not only giving students a solid return on their educational investment but also providing students with a competitive advantage in the market for legal jobs.

## ENGAGED SCHOLARSHIP

The final guidepost of Colorado Law's approach is engaged scholarship that brings together research, community engagement, and teaching. Engaged scholarship furthers Colorado Law's mission by creating a powerful value proposition for students and by giving back to the community.

At the center of Colorado Law's tradition of engaged scholarship is an exceptional faculty that ranks among the top 30 law schools nationwide for its thought leadership and scholarship. Many faculty members are considered national and international leaders in their respective fields. For example, Associate Professor **Paul Ohm** is leading the nation in thinking about individual privacy both through his role as advisor for the Federal Trade Commission and through his scholarship that builds new interdisciplinary bridges between law and computer science.

In addition to influencing national and international discussions about important legal questions, the engaged scholarship produced by Colorado Law's faculty benefits students by drawing leaders and scholars from around the nation (and often world) to Boulder. Last year, for example, Associate Professor **Kristen Carpenter**, co-director of the law school's American Indian Law Program, brought United Nations Special Rapporteur on Indigenous Peoples Rights S. James Anaya, to campus for a public lecture on human rights law, and also organized a two-day scholarly conference that brought together tribal and state leaders at Wolf Law to discuss the legal past, present, and future of the Ute tribes. In the fall of 2012, Professor **Aya Gruber** delivered the 38th Annual Austin Scott Lecture entitled, "Murder, Minority Victims, and Mercy: The Problem of Sexist and Racist Leniency in Murder Cases," drawing a variety of students, scholars, and interested citizens to the law school. On October 10, 2013, Professor **Amy Schmitz** delivered the 39th Annual Austin Scott Lecture, expanding upon her recent (and very popular) article, "Access to Consumer Remedies in the Squeaky Wheel System," presenting her research that has attracted international attention. Through these and other events, the faculty provides students with the opportunity to participate in high-level conversations about some of the most compelling legal and policy problems of our era.

Understanding both the challenges and opportunities that lie ahead, Colorado Law is embracing an entrepreneurial approach to the changing legal landscape through its nationally recognized programs and regional leadership. By seizing the opportunities presented by the New Normal, Colorado Law is ensuring that its tradition of success continues for years to come.

by Nathan Miller ('14)

At the center of Colorado Law's tradition of engaged scholarship is an exceptional faculty that ranks among the top 30 law schools nationwide.



## Colorado Law Welcomes Back Mooz

“TO ENSURE THEIR COMPETITIVENESS IN THE MODERN BUSINESS WORLD, Colorado Law must empower students to turn core legal knowledge into a service someone will buy,” said **Bill Mooz** ('85), who joined Colorado Law this spring as a visiting scholar in residence and director of strategic initiatives. Dean Phil Weiser brought Mooz aboard so that he could use his years of experience in the private sector to help Colorado Law students thrive in the modern work environment. In addition to teaching traditional legal doctrine and theory, Mooz believes that Colorado Law needs to teach future graduates the professional skills (e.g., drafting and negotiating) and contextual agility (e.g., global knowledge and managerial skills) to succeed in rapidly changing transactional fields.

For Mooz, being efficient and relevant in the modern workplace begins with understanding the client's needs, and then providing the most appropriate services while also limiting costs. He is excited about helping Colorado Law graduates develop as “legal integrators” who can build and oversee end-to-end solutions that meet clients' needs by incorporating technology, process, and legal knowledge. To do this, Mooz plans to teach courses that provide students with the opportunity to engage in real world practices in the controlled environment of a classroom.

Mooz graduated from Colorado Law in 1985 and clerked for former Colorado Law professor Judge Stephen F. Williams on the U.S. Court of Appeals for the D.C. Circuit. Mooz started his legal career at the law firm of Holland & Hart where he served as the firm's lawyer in residence in Mexico City and as the founding and managing partner of the firm's Boulder office. He then took on a number of in-house and business roles, spending over 15 years working as an in-house lawyer, including serving as Associate General Counsel at VMware, Inc. and as Deputy General Counsel at Sun Microsystems, Inc. During that time, he was active at Colorado Law, as an adjunct professor, as an advisory board member for the Silicon Flatirons Center, and served on the Dean's Advisory Council.



Bill Mooz ('85)

“The community's real world experience and its spirit of support for Colorado Law are a powerful combination.”

## A New Approach to Alumni and Employer Relations



Marci Fulton ('04)

“SECURING LEGAL EMPLOYMENT IN THE NEW NORMAL DEMANDS A CREATIVE and collaborative approach to seeking out new opportunities,” said **Marci Fulton** ('04), who joined Colorado Law in July 2013, in the newly created position of assistant dean for outreach, engagement, and alumni relations. In her new role, Fulton will serve as the primary point of contact for Colorado Law alumni and prospective employers, and she will help Colorado Law create and maintain relationships with the broader business and governmental communities.

To provide maximum benefit to Colorado Law's students and alumni, in her role as Assistant Dean, Fulton hopes to tap into the incredible resource that is the Colorado Law alumni community. Fulton knows that the community's real world experience and its spirit of support for Colorado Law are a powerful combination and looks forward to opportunities to engage alumni in their support of Colorado Law's Action Plan. Fulton has already begun working with a committee of alumni and friends of the law school, chaired by **Hugh Gottschalk** ('79), to that end.

Fulton returns to Colorado Law from the Denver office of Patton Boggs LLP, where she has practiced since graduating from law school. At Patton Boggs, Fulton's administrative litigation practice focused largely on government investigations and enforcement actions involving alleged violations of federal safety and health laws. Fulton is a “double Buff,” meaning that she earned both her BA in American History and her JD from the University of Colorado. As a law student, Fulton was an active member of the Colorado Law community, serving as president of the Student Bar Association, and she is thrilled to have the opportunity to serve and celebrate Colorado Law's alumni.

There are numerous ways for you to assist law students and fellow alumni as they navigate the New Normal. Please contact Assistant Dean Fulton at [marci.fulton@colorado.edu](mailto:marci.fulton@colorado.edu) or at 303.492.7015.



## New Director of the American Indian Law Clinic



Carla Fredericks

“I AM THRILLED TO BE COMING HOME TO COLORADO to help lead the renowned American Indian Law Program,” said **Carla Fredericks**, a newly appointed associate clinical professor at Colorado Law. “I look forward to guiding students through a hands-on introduction to legal practice, one that will give them valuable skills in working across the varied and complex subject matter that is Indian Law.”

Fredericks, an enrolled member of the Mandan, Hidatsa, & Arikara Nation of North Dakota, directs the Colorado Law’s American Indian Law Clinic. The clinic is designed to provide students with significant learning experiences in American Indian Law while serving tribal and urban American Indian communities. In addition, Fredericks joins **Associate Professor Kristen Carpenter** as co-director of the American Indian Law Program (AILP). The AILP serves as the umbrella organization for Colorado Law’s academic offerings, practice-based opportunities, and community outreach activities in American Indian Law.

At Colorado Law, Fredericks leads a class in which students have the opportunity to represent American Indian tribes, organizations, and individuals in a variety of matters. Fredericks was previously of counsel to Fredericks, Peebles and Morgan LLP, where she focused on complex and appellate litigation and Native American affairs, representing Indian tribes and organizations in a variety of litigation and policy matters. Fredericks also served as lecturer-in-law at Columbia Law School in New York, where she taught Legal Practice in Indian Law, which focused on developing research, writing and appellate advocacy skills, and worked with the National NALSA moot court competition team. Previously a partner at Milberg LLP in New York, Fredericks founded Milberg’s Native American practice and directed the firm’s human rights litigation.

“I look forward to working with Colorado Law’s talented students and faculty to further the public interest.”

## Alumnus Returns to Lead Technology Law and Policy Clinic

COLORADO LAW IS EXCITED TO ANNOUNCE that alumnus **Blake Reid** (’10) now leads the Samuelson-Glushko Technology Law & Policy Clinic.

Reid graduated from Colorado Law in 2010, where he worked in the clinic and served as the Editor-in-Chief of the Journal on Telecommunications and High Technology Law. After law school, Reid clerked for Justice Nancy Rice on the Colorado Supreme Court. After his clerkship, Reid worked as a staff attorney and a graduate clinical fellow in First Amendment and media law at Georgetown Law’s Institute for Public Representation clinic. At Georgetown, Reid focused on training students to be advocates for underrepresented groups in telecommunications and technology policy, including people with disabilities. Reid’s role with the Samuelson-Glushko Technology Law and Policy Clinic will enable him to continue training students for this important work.

The Samuelson-Glushko Technology Law & Policy Clinic provides a unique opportunity for students to learn about public interest policy advocacy. “The strength of Colorado Law’s telecommunications policy program made it an ideal site for a clinical program,” said **Pam Samuelson**, the benefactor and namesake of the clinic. “Students, under the guidance of a clinical professor, engage with cutting edge issues of the day and make a contribution to policy on behalf of people and organizations that would otherwise be unable to participate in the policymaking process.”

“I look forward to working with Colorado Law’s talented students and faculty to further the public interest in the important areas of telecommunications and technology policy,” Reid added. “In addition, I am excited to contribute to the law school’s critical efforts to train the next generation of policy attorneys.”



Blake Reid (’10)



# Student Paper Competition Focuses on Changing Legal Services Landscape

Cisco General Counsel Mark Chandler generously sponsored the 2013 Changing Legal Services Landscape Writing Competition in order to have students focus on the future of the legal marketplace. Two papers, excerpted below, tied for the win and prize money.

Read the full papers at [colorado.edu/law/2013studentpapercompetition](http://colorado.edu/law/2013studentpapercompetition).

## EXCERPT: *Transformative Change: Outsourcing the Practice of Law*

ALREADY CHALLENGED BY ECONOMIC CONDITIONS, lawyers are increasingly facing new competitors who are providing legal services at lower rates than traditional lawyers. Cost drivers and technological advancements are motivating clients to seek their legal needs from offshore service providers, non-lawyers, and smaller domestic markets (collectively “outsourcing”). This paper examines how outsourcing is shifting the geographic and professional boundaries of the legal profession and considers its ethical consequences. Despite the uncertainty that these changes may bring, this paper argues that outsourcing ultimately will have a positive effect on the legal profession. Outsourcing will allow: (1) increased access to legal services; (2) a level of standardization that may lead to lower costs and decreased litigation; and (3) the possibility of better outcomes through specialization and collaboration. Nevertheless, in order to realize these benefits, lawyers will need to avoid any conflicts with the ethical rules and advocate for changes in the rules themselves.

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### II.C. Updates to the Rules that Reflect Technological Changes

Fortunately, several recent updates to the Model Rules account for the digitization of the legal services industry. In 2012, the ABA Commission on Ethics 20/20 proposed several technology-related changes to the Model Rules, many of which the ABA House of Delegates approved. These “much-needed” changes finally recognize the technological transformation that the legal industry has undergone as more attorneys use laptops and mobile devices to communicate with clients and provide legal services remotely. The categories of changes include: (1) addressing online marketing tools for lawyers; (2) clarifying lawyers’ duties regarding outsourcing; (3) requiring lawyers to stay current on technology changes as a part of providing competent representation; (4) giving lawyers some flexibility by allowing them to practice in a new state for up to a year while waiting for admission; (5) addressing how lawyers should deal with client information; and (6) acknowledging e-mail and electronic communications as common ways to communicate.

These changes were needed not only to expand the scope of the Model Rules to include changes in technology and electronic communications, but also to provide lawyers guidance on how to navigate technological changes and the increased use of outsourcing. As more lawyers use technology and outsourcing to provide legal services, it is necessary to address some of the associated risks such as security, privacy, and confidentiality. Now, lawyers cannot remain ignorant of the technological changes, and the Model Rules mandate that they adapt and learn how to use these technologies effectively.

by Austin Chambers ('14), Casey Lekahal ('14), Katie Nelson ('13), Jean Pyun ('14), and Gavin Wolny ('13)



Martin Estevao ('13)

## EXCERPT: *The Litigation Financing Industry: Regulation to Protect and Inform Consumers*

TODAY, DOZENS OF LITIGATION FINANCING companies (LFCs) provide cash advances to injured plaintiffs to cover pressing bills and living expenses. In exchange for financial life support during the pendency of a plaintiff’s claim, the LFC receives a portion of the lawsuit’s potential future proceeds. Such an arrangement allows individuals to persevere in court without the fear that financial need will force them to accept inequitable settlement offers. Unlike traditional loans, which typically require unconditional repayment of the principal plus interest, litigation financing agreements are “non-recourse.” The plaintiff only repays the LFC with the proceeds of her lawsuit, and owes nothing in the event of an unfavorable judgment. Because there is no absolute obligation to repay the LFC, the industry typically manages to avoid regulation under state interest rate ceilings for consumer loans.

Notwithstanding the non-recourse structure of litigation financing agreements, LFCs are able to charge unreasonable interest rates based upon exaggerated risk projections. Even where a plaintiff’s case would almost certainly yield a definite and substantial settlement, an LFC can reap tremendous profits. For example, a claim involving serious injuries and admitted wrongdoing practically ensures that the LFC will recover the principal plus significant interest. Finding that such arrangements virtually guarantee repayment to the LFC, some courts have voided or re-written individual litigation financing agreements as traditional loans subject to low interest rate ceilings.

In order to preserve the benefits of litigation financing while protecting those who are desperate enough to need it, this Note prescribes measures that would prevent predatory behavior and ensure reasonable profits for LFCs. It is crucial for states to implement graduated interest rate ceilings for litigation financing agreements that are fairly proportional to the LFC’s risk. Express statutory restrictions would prevent LFCs from reaping unreasonable profits, especially for the financing of lawsuits that practically guarantee sufficient settlements. In conjunction with equitable rate caps, states should also develop an online litigation financing “marketplace” that would offer updated business information, interest rate data, and customer reviews for each LFC. With transparent access to the industry, this centralized resource would promote consumer choice, expand access to litigation financing, and organically stimulate market competition.

by Martin Estevao ('13)



# Colorado Law Engages With Denver's Legal Leadership

**W**HILE THE PRIMARY MISSION OF COLORADO LAW remains teaching and developing high quality attorneys, the school also is committed to leading and facilitating a candid discussion about important challenges facing the legal profession. In an effort to engage leaders from different sectors of the legal marketplace, third-year law student and U.S. Marine Corps officer **Kevin Brown ('13)** teamed up with **Dean Phil Weiser** to conduct three roundtable discussions during the 2012-2013 academic year. Each roundtable focused on a different challenge facing the legal industry: leadership and culture, hiring and recruiting, and law firm organizational structure. The goal was to bring together experienced organizational leaders to explore innovative, collaborative solutions to the challenges facing law schools and legal employers.

The first roundtable, which focused on law firm leadership, culture, and organization, was held in October 2012. With 29 participants from a variety of sectors—including the federal government and 19 different firms and businesses—the first roundtable was the largest of the series. The group tackled many important issues facing managing partners, general counsels, and government leaders, including the importance of developing core values and a positive culture within an organization; how best to allocate authority for effective decision making, the need to develop leaders within a law firm; and the strategies for tackling the day-to-day challenges of training, mentorship; and work-life balance.

The second roundtable, held in February 2013, focused on legal hiring best practices and opportunities for future innovations. Sixteen legal industry leaders examined the challenges facing law schools and legal employers, shared best practices, and brainstormed innovative solutions to the employment problems beguiling the legal profession in the New Normal. The group acknowledged from the outset that several factors have combined to permanently alter the legal hiring landscape and that in the New Normal, law schools and legal employers need to collaborate to help new lawyers succeed.

The final roundtable in the series was held in April 2013 and explored the challenges and the opportunities presented by clients who increasingly demand industry specialization from their lawyers. Responding to this demand, many law firms have shifted from a horizontal structure to a vertical, industry/domain-focused structure. The group discussed whether this structure can enable firms to better anticipate client needs and to more effectively deliver legal services, as well as whether it can be effectively maintained. Further, the increasing utilization of a vertical model and the increasing selectivity of legal employers during hiring require law schools to critically examine the implications of these trends for legal education.

Building off of these discussions, Weiser is optimistic that the legal community will continue to engage in ongoing discussions and collaboration with Colorado Law. This past July, for example, Weiser moderated a Law Week Colorado panel discussion focused on a recent state-wide survey of the challenges and opportunities presented by the legal profession. Moreover, in August, Weiser, working with his DU counterpart (Dean Marty Katz), brought together a group of law firm leaders to discuss the new CU/DU Legal Residency program, where law firms are encouraged to hire recent graduates in an apprenticeship-like fashion (along the lines of a medical residency).

Finally, to help Colorado Law better position its students and graduates for success in the New Normal, Law Alumni Board member **Hugh Gottschalk ('79)** is chairing a career development committee composed of an impressive group of alums and community members. In that effort, Gottschalk will be working closely with Colorado Law's new Assistant Dean for Outreach, Engagement, and Alumni Relations, **Marci Fulton ('04)**, and its new Director of Strategic Initiatives, **Bill Mooz ('85)**, to identify and develop emerging career opportunities for Colorado Law students and graduates.



by Kevin M. Brown ('13)

View the reports from the Roundtables at [colorado.edu/law/2013roundtables](http://colorado.edu/law/2013roundtables).

The goal was to bring together experienced leaders to explore solutions to the challenges facing both law schools and legal employers.

Katie Nelson ('13), Austin Chambers ('14), and Jean Pyun ('14) [LEFT TO RIGHT]



# Individualizing Law School

**P**REPARED LAW STUDENTS TO THRIVE in the New Normal is no small feat. Fortunately, Colorado Law's faculty is made up of experienced, dedicated, and resourceful professionals who provide a highly individualized law school experience for each student. Whether they are helping students make strategic decisions about which classes to take or connecting students with alumni, professors at Colorado Law take full advantage of the low 9.68:1 student to faculty ratio. As a result of a highly personalized legal education, Colorado Law graduates are well-situated to leverage the opportunities presented by the New Normal.

For Associate Professor **Kristen Carpenter**, who teaches Property and serves as co-director of the American Indian Law Program, individualizing law school means helping students figure out where they fit in the legal world. While acknowledging that all students need to acquire foundational legal skills, Carpenter believes that a quality legal education accomplishes more.

"All law students need to develop a baseline skill set including mastery of doctrinal materials and analytical reasoning, along with facility in legal research, client counseling, oral advocacy, negotiation, drafting, and so on," Carpenter explained. "Beyond those building blocks, however, I believe it is our job to encourage students to pursue their passions in a supportive and rigorous setting. Not all students will want to pursue a property-related practice, but I do want all of them to find something that triggers their intellectual curiosity and drive to excel in the legal profession."

"I am pretty active as a mentor," Carpenter continued, noting that whenever students come to office hours with questions about topics covered in class, she takes the opportunity to ask them about their practice interests and career plans. If the student is interested, she then takes the time to help them chart an educational plan from introductory course work to advanced studies, internships, and job opportunities, often meeting throughout the student's law school experience. Carpenter has offered several particularly promising students and recent alumni opportunities to co-author academic scholarship and amicus briefs with her. Carpenter says, "I love it when a student that I mentored throughout law school calls me several years into practice to let me know how it's going or to seek advice about a new opportunity. By the same token, several of my former students are now well-respected attorneys with whom I collaborate on matters in my fields."

Professor **Carolyn Ramsey** similarly believes that a truly individualized law school experience requires faculty members to go beyond the material covered in the book. Ramsey fulfills this obligation in the classroom by providing her seminar students with detailed suggestions for their research papers. "As a professor I take seriously my commitment to give students extensive individualized feedback on their written work because strong research and writing skills are the backbone of a lawyer's professional skills," Ramsey said. She provides oral and written comments on the research proposals and draft papers submitted in her seminar. Participants in the seminar also present their drafts in workshop format and receive written comments from their peers, as well as from Ramsey.

Outside the classroom, Ramsey works closely with students, on an individual basis, in her capacity as chair of the Judicial Clerkship Advising Committee. "As a judicial clerkship advisor, I believe it is absolutely essential to meet with students individually and craft a strategy that fits their unique personal goals and achievements. Judicial clerkships can be difficult to obtain, but there are a variety of courts and judges to fit students' individual profiles." Underscoring the value of this personal-

Kristen Carpenter (left) and  
Jacquelyn Jampolsky, ('14, JD/PhD)

## Analytical rigor, opportunities for hands-on projects, and experience working in teams

ized approach, Colorado Law was ranked eighth nationwide in state and local judicial clerkships for the class of 2011 by the *U.S. News & World Report*.

Throughout the law school, faculty members like Carpenter and Ramsey are finding new ways to tailor law school to better serve their students. Recognizing that many Colorado Law students will seek jobs outside of the traditional law firm setting, **Dean Phil Weiser** and Associate Clinical Professor **Brad Bernthal** co-created a course called "The Philosophy of Entrepreneurship," which they co-taught along with Boulder-based venture capitalist **Brad Feld**. The course was comprised of students not only from Colorado Law but also Leeds School of Business, the Engineering School, and the Alliance for Technology, Learning, and Society (ATLAS). The course itself reflected the sort of entrepreneurial spirit that Colorado Law develops in its students, with regular experimentation, a high degree of community engagement, and regular use of Google Hangouts so that Feld could participate when he was on the road.

"The Philosophy of Entrepreneurship course is just the sort of experimental offering that we at Colorado Law continue to develop, providing training in analytical rigor, opportunities for hands-on projects, and experience working in teams," said Weiser. Next year, Weiser and Bernthal will teach separate sections of the course, with Weiser focusing more specifically on legal entrepreneurship and Bernthal continuing to focus on entrepreneurship more generally.

Similarly, Associate Professor **Justin Desautels-Stein** has individualized the law school experience for some of his students through a bi-weekly reading group he has hosted at his home for the past three years. Sparked from diverse interests in his International Legal Theory course, the reading group connects students and recent alumni through discussions ranging from Feminism to French Theory.

"What emerged was clearly more than a reading group," Desautels-Stein described. "Part think tank, part mentoring spot, part career counseling center, and entirely fun, the group quickly grew into a vital gathering for both the philosophically curious and those law students hungry for a more off-kilter cohort."

With a roster of more than 20, the group has organically evolved into a meeting place for current students and recent graduates to share their views of bar review, the job market, and the sometimes-erie experience of post-law school life.

By individualizing the law school experience, our creative and tireless faculty not only help students figure out where they fit in the law but also ensure that students thrive in the challenging (and exciting) New Normal.







# Bridges Between Academia and Law Practice: Adjunct Faculty and Thomson Visiting Professors

## ADJUNCT LEADERS

**A**DJUNCT FACULTY MEMBERS ARE CENTRAL to Colorado Law's efforts to prepare students for the New Normal. Providing one of the most direct and important links between academia and practice, the adjunct program brings to Colorado Law over 60 adjunct professors from private practice, government service, and public interest. With their unique knowledge and experience, adjunct faculty members are particularly capable at helping students understand how legal doctrine and theory function in practice.

In the current academic year, adjunct faculty are teaching courses on employee benefits, real estate transactions, and health law. "It is nearly impossible to single out any of our adjunct faculty as every single one is a leader in his or her field," said Associate Professor **Kristen Carpenter**, recent associate dean for faculty development.

**PROFESSOR CLIFF STRICKLIN**, former First Assistant U.S. Attorney for the District of Colorado, teaches White Collar Crime. Stricklin, who served as a State District Judge in Texas, was a key member of the prosecution team for the Enron Task Force. In 2007, Stricklin was named PowerBook Legal Industry Leader by The Denver Business Journal.

**JUSTICE NANCY RICE**, Chief Justice designate of the Colorado Supreme Court, teaches Motions Advocacy. Prior to her appointment to the Court in 1998, Rice served as a Denver District Court Judge, and before that, Assistant U.S. Attorney for the District of Colorado.

**PROFESSOR DOUGLAS WILSON**, the Colorado State Public Defender, will join Colorado Law to teach Capital Punishment in America. Wilson has worked in the Colorado Public Defender System since 1982, and was appointed the Colorado State Public Defender in 2006. Wilson has received many awards and honors for his commitment to his clients, and his work in opposition to the death penalty.



## THOMSON VISITING PROFESSORS

**A**NEW INITIATIVE FOR 2013-2014 is the Thomson Visiting Professor Program, which brings the nation's leading experts from academia and the judiciary for both short and semester-long classes. "The Thomson Visitor Program is uniquely designed to promote our institutional values of academic innovation, excellence, and diversity as well as foster opportunities for student mentoring and faculty dialogue," said **Dean Phil Weiser**.

**PROFESSOR MAXINE BURKETT**, a faculty member at the University of Hawaii, will teach Climate Justice, a new winter session class that examines the intersection of human rights and climate change. Burkett was previously on the faculty at Colorado Law and recently served as the director of a climate adaptation institute.

**JUDGE MAURICE FOLEY**, a judge on the U.S. Tax Court, teaches a short course on federal Tax Policy. Foley was previously a lawyer at the Internal Revenue Service, U.S. Senate Committee on Finance, and U.S. Treasury's Office of Tax Policy. The first African American appointed to the U.S. Tax Court (in 1995), Foley was reappointed in 2011.

**JUDGE NEIL GORSUCH**, a judge on the U.S. Court of Appeals for the 10th Circuit, teaches Legal Ethics and Antitrust. Gorsuch previously served as Deputy Associate Attorney General in the Justice Department, worked in private practice, and was appointed to the 10th Circuit in 2006.

**PROFESSOR BRUCE KRAMER**, a long-time professor at Texas Tech University School of Law, teaches Oil & Gas and, in 2013-2014, will offer a new class in Advanced Oil & Gas. Kramer has authored leading works in oil, gas, energy, and land use, and also represented clients in private practice.

**PROFESSOR MAUREEN RYAN**, previously of the University of Wyoming College of Law, will teach Wills & Trusts and Property Law. Ryan's research and scholarship has focused on property, legal history, intellectual property, and natural resources.

**PROFESSOR KEN SHARPE**, a faculty member at Swarthmore College, will teach Legal Ethics and Professionalism, partnering with Professor Deborah Cantrell, to help students evaluate the ethical issues that arise in clinical education and representation. Sharpe is the author of several leading books on political science and ethics.

Professor Maxine Burkett, Judge Maurice Foley, Judge Neil Gorsuch, Professor Bruce Kramer, Professor Maureen Ryan, Professor Ken Sharpe. [CLOCKWISE FROM TOP LEFT]



# Schaden Chair in Experiential Learning Transition

OFFERING EXCEPTIONAL EXPERIENTIAL LEARNING OPPORTUNITIES is one of the many ways that Colorado Law is preparing students for the New Normal. To ensure the continued excellence of our experiential learning offerings—which include clinics, externships, moot court and mock trial, the Public Service Pledge, and a select number of practice-focused courses—each year a new faculty member is named the Schaden Chair in Experiential Learning and tasked with overseeing experiential learning at Colorado Law.

As the Schaden Chair in Experiential Learning for the 2012–2013 academic year, Professor **Marianne (Mimi) Wesson** led the law school in making experiential learning opportunities more available and meaningful for students. Professor Wesson, for example, worked closely with the competitions program, helped develop experiential one-credit and winter session courses, and represented Colorado Law in national discussions on experiential learning. “Mimi’s leadership as our first Schaden Chair was inspired and innovative,” said **Dean Phil Weiser**. “We appreciate her service and look forward to her continued contributions to Colorado Law.”

Starting in the 2013-2014 academic year, Professor **Sarah Krakoff** will serve as the new Schaden Chair. Building on the momentum that Wesson created, Krakoff looks forward to working collaboratively with her colleagues and continuing to strengthen the connection between the classroom and experiential learning. “I think all good teachers instinctively use various kinds of experiential learning applications in their classrooms,” Krakoff explained. “One of the things I hope to do is talk to my colleagues about what they are already doing, and figure out how to support them with respect to their own teaching goals in this regard.”

“Another goal of mine is to help bridge the gap between different kinds of learning within our curriculum by, for example, linking experiential learning in our live-client clinics with the important intellectual skills that are taught in lecture classes and seminars,” Krakoff concluded.

by Laura McNabb ('12)

We link experiential learning in our live-client clinics with the skills that are taught in lecture classes and seminars.



Sarah Krakoff

# Engaged Scholarship

IN THE MIDST OF THE CHALLENGES FACED BY LEGAL EDUCATION in the New Normal, some are calling for a reduced (or eliminated) commitment to legal scholarship. At Colorado Law, scholarship remains strategically important, with a focus on promoting engaged scholarship that makes a difference and engaging our communities in the scholarly enterprise. To that end, Colorado Law's Action Plan underscores the commitment to "produce top scholarship and to provide thought leadership that engages a variety of audiences, and addresses the contemporary issues of the profession and our communities."

Colorado Law professors regularly look for opportunities to integrate their scholarship into the classroom and our communities (and vice versa). Consider, for example, Associate Professor **Helen Norton**, who came to Colorado Law after serving as a Deputy Assistant Attorney General in the U.S. Department of Justice's Civil Rights Division and later led the review of the U.S. Equal Employment Opportunity Commission (EEOC) for President Obama's transition team. As she puts it, her community engagement is inseparable from scholarship, explaining how her work on the transition was "enormously rewarding and satisfying in its own right" and inspiring because it exposed her to "some very hard and interesting questions to explore as a legal scholar."

Engagement opportunities enable faculty members to not only serve the community and enhance their scholarship, but also improve the classroom experience for students. According to Norton, her engagement in the community enables her to "add richness to the classroom discussion by showing that there are more perspectives to add, more insights to add, more ideas to throw out." In that sense, her classroom teaching—hailed as exemplary by the students who have voted her Teacher of the Year multiple times—draws upon her experiences in government and in continuing to author amicus briefs in important civil rights cases. Both in Constitutional Law and Legislation and Regulation, two important first year courses, Professor Norton seeks to develop her students' interest in seeing issues from multiple perspectives.

In today's world, engaged scholarship increasingly involves an international discourse around cutting-edge issues. "My field of law is becoming a global conversation and I find myself increasingly talking to people in London, Beijing, or Hong Kong," explained Associate Professor **Erik Gerding**, a scholar on financial regulation with an upcoming book on the recent financial crisis (see page 20). Gerding adds that he values his relationships with practitioners across the globe because "I want to know what they are dealing with and what kinds of financial products and financial innovations practitioners are developing," Gerding explains. At our Homecoming CLE this year, Gerding will join with practitioners and business leaders to evaluate the lessons of the recent financial crisis.

Colorado Law's commitment to engaged scholarship is part of a long tradition, with the yearly Austin Scott Lecture providing a Colorado Law faculty member with a forum to discuss his or her scholarship agenda and how it engages the public. In the fall of 2012, in a tour de force talk "Murder, Minority Victims, and Mercy: The Problem of Sexist and Racist Leniency in Murder Cases," Professor **Aya Gruber** presented issues that forced the numerous criminal justice practitioners present to re-examine their thinking on murder cases. On October 10, Professor **Amy Schmitz** presented her internationally acclaimed work on "Access to Consumer Remedies in the Squeaky Wheel System." For Schmitz, her scholarship and community engagement go hand-in-hand; she not only has written eloquently about the rights of consumers, she has sought to protect them through her consumertips.info website.

Colorado Law's annual Coen Lecture, which dates back to 1955, is another pillar of our tradition of engaged scholarship. Last year, Professor Angela Harris from the University of California Davis Law School delivered a superb lecture entitled "The Treadmill and the Contract: Race, Class, and the Environment in America Law." On April 14, 2014, Professor **William Ury**, who co-wrote the landmark book on negotiation, *Getting To Yes*, will deliver the Coen Lecture. Both Harris and Ury are drawn to Boulder because of their connections and respect for the leading scholars in their areas—climate change and racial justice (Harris) and negotiation and creative problem solving (Ury).

by David Bennett ('13)



Helen Norton



Erik Gerding



William Ury



# Innovative Colloquia: Inspiring Students and Supporting Engaged Scholarship

**A**TTRACTING LEADING SCHOLARS from across the country; choosing relevant topics for a diverse audience of law students, faculty, and members of the public; and developing a vibrant intellectual community for the talks are just a few of the challenges to developing innovative colloquium series. For the colloquium organizers at Colorado Law, creating robust colloquia is not only an exciting opportunity, but core to their mission as engaged scholars.

In spring 2013, Professor **Aya Gruber** organized the Critical Theory Colloquium, focusing the series on situating legal doctrine in the larger

context of race and gender hierarchy, economic inequality, and social power dynamics. The colloquium brought leading national scholars in critical legal studies, critical race theory, and feminist legal theory, including some of the founders of these movements, from Harvard, Duke, and other schools to share with our students and faculty members. One highlight was the Coen Lecture, where speaker Angela Harris, a professor at UC Davis School



Alexia Brunet Marks, Ming Chen, and Aya Gruber [LEFT TO RIGHT]

of Law, integrated critical race theory and environmental racism into an impactful talk. In reflecting on the Colloquium, Gruber concluded that “students appreciated conversations about why the rule of law developed the way it did, not in a vacuum, but shaped by social, cultural, and economic forces.”

During the colloquium, students were challenged to reflect on lawyers’ roles in shaping cultural norms and social relations and understand abstract legal concepts like rights and equality as necessarily embedded in larger political and power struggles. “The discussions with the visiting scholars invigorated those students who came to law school out of a desire to further social justice, but lost sight of laws’ relationship to social power and equities in the milieu of first year “blackletter” law and the pressure to find a job after graduation,” Gruber said.

Building on prior efforts, Associate Professors **Alexia Brunet Marks** and Victor Fleischer co-organized a Business Law Colloquium in the spring of 2013. This colloquium featured 11 speakers, including legal scholars from Cornell, Harvard, and Yale, speaking on topics ranging from Intellectual Property, International Business, Finance Regulation, Banking Law and the Legal Profession.

“Students and faculty were exposed to different areas of business law and to different methods used to analyze legal problems. The colloqui-

um offered very novel, cutting edge research for law students to learn from and apply in practice,” Brunet Marks said. “Students had to jump into fields unfamiliar to them, which created some uneasiness. Yet, when students are challenged in these important ways, the benefits are immense.”

This healthy type of tension coupled with rigorous engagement is heightened when colloquia are dedicated to exploring society’s most pressing issues from a broad range of perspectives. Professors **Ming Hsu Chen** and **John Griffin** (’95) plan to capture the sparks that emerge

from tension and engagement with their fall 2013 Law and Politics Colloquium: Race in America. Debunking the myth that discussions of race only affect minority groups, Chen explains that race is fundamental in understanding American politics and law. In order to facilitate broad engagement with these fundamental issues, Chen explained that they organized the col-

loquium around ten topics of contemporary significance to American race relations. “A traditional way of organizing scholarly colloquia is to first pick top scholars and then let the topics follow,” Chen said. “We reversed that method by first choosing the topics with broad appeal and then identifying scholars who have the authority to present on these issues from a variety of disciplines and perspectives.”

This colloquium emerged from collaboration between Griffin, a CU political science professor with a courtesy appointment in law, and Chen, a law professor with a courtesy appointment in political science. These complementary skill sets enabled the professors to craft a uniquely interdisciplinary colloquium. “The idea behind this is trying to bring together more closely the law and social sciences. This has enormous potential for improving legal scholarship, the practice of law, and the profile of the law school,” said Griffin.

While the powerful potential of interdisciplinary engagement is widely recognized in a university, it can be logistically difficult to facilitate interdisciplinary conversations. “It takes concerted effort and considerable resources to bring together individuals in multiple institutions. We are grateful to the Keller Center, Law School, and Political Science Department for supporting this colloquium and hope that it sets the groundwork for continuing interdisciplinary engagement on important societal issues,” Chen said.

by Naudia Williams (’14, Swarthmore College)

# Sandra Day O'Connor Shares an Evening with Colorado Law

by Kevin Brown ('13)

COLORADO LAW PROUDLY WELCOMED former U.S. Supreme Court Justice Sandra Day O'Connor to speak at the third annual Stevens Lecture on Constitution Day, September 17, 2013. Hosted by the Byron White Center for the Study of American Constitutional Law, the Stevens Lecture brings a distinguished jurist to Colorado Law each year. Joining Justice O'Connor on stage were former Chief Justice of the Arizona Supreme Court Ruth McGregor and former Colorado Supreme Court Justice Rebecca Love Kourlis. Professor Melissa Hart, director of the White Center, led the discussion and took questions submitted by listeners from around the state. Prior to the Stevens Lecture, Justice O'Connor met with high school students at North High School in Denver, undergraduate students of the Presidents Leadership Class, and law students at Colorado Law.

Starting from humble beginnings, Justice O'Connor went on to serve in all three branches of government. As she grew up on a remote cattle ranch in Arizona, her parents eventually sent her to El Paso, Texas to live with her grandparents because her parents lived very far from any school.

After earning both her undergraduate and law degrees from Stanford, she called every potential employer listed on an 'employment board' at the school. Not one offered her so much as an interview because she was a woman. Describing the job prospects for women, she remarked, "Thank goodness times have changed. Back then there was not even a glimmer of hope for a job." Professor Hart then drew laughs with her observation, "Well, you went on to one or two good ones."

Indeed, Justice O'Connor served not only as an assistant attorney general for Arizona, but she also served as the first female senate majority leader in the state. Then, while running for an elected judicial office, she was successful in a ballot initiative to change the election system to merit selection for judges. The topic remains a concern for Justice O'Connor; in fact, all of the Justices expressed concern about the threat judicial elections pose to an independent judiciary. Other concerns included the lack of a Westerner on the U.S. Supreme Court and a declining emphasis on civics in school.

Justice O'Connor also shared interesting stories from her time on the Supreme Court, including meeting Justice (and All-American CU football player) Byron White. "I shook his hand and I thought I was going to die on the spot. He just grabbed that hand and squeezed. I almost yelled out." However, the most telling stories came from her first law clerk. Chief Justice McGregor described the "extraordinary grace" of her former boss. "People watched everything she did. It was unrelenting. Everybody wanted a chance to talk with her. Despite all of this attention, some of it unwanted, I'm sure—though she never said that—she was always gracious to everyone. She always treated everyone with respect."

The Stevens Lecture brings a distinguished jurist to Colorado Law each year.

University of Colorado President Bruce D. Benson and Justice O'Connor







# Training Legal Entrepreneurs For the New Normal

by Dean Phil Weiser

**F**UELED BY THE GREAT RECESSION, the disruptive forces that pervade our economy are transforming the legal services marketplace. To take one important example of this trend, larger law firms are hiring junior lawyers at a greatly reduced rate. At Colorado Law, 30 graduates from the Class of 2009 joined firms with 50 or more lawyers; for the Class of 2011, only nine joined such firms.

This is the legal profession's New Normal, with reduced law firm hiring affecting all law schools. Increasingly, clients are demanding more for less and using alternatives to traditional law firms to meet their needs. As a result, for law schools to do right by our students, we need to train legal entrepreneurs—lawyers with an entrepreneurial attitude who can seize today's opportunities. This is exactly what we are doing at Colorado Law, with promising results to show for it.

To develop legal entrepreneurs, and provide students with the best value, law schools need to innovate and enhance our traditional curricular offerings—while holding the line on tuition. The New Normal means that thinking like a lawyer is not enough; we need lawyers who can think like clients.

Preparing lawyers for success means helping them to develop domain-specific knowledge by leveraging our relationships across campus, for example, to teach accounting to students interested in business law, and geology to those interested in oil and gas law. Moreover, clients place great value on lawyers who know how to be effective team members and creative problem solvers—thinking like clients, in other words. At Colorado Law, we are developing these competencies and training legal entrepreneurs who can thrive in an ever-changing environment and excel in a range of positions, including in non-traditional areas (such as privacy and cybersecurity oversight, trust administration, risk management, etc.).

Core to our strategy is engaging our extended law school community to help us confront the New Normal. Our Colorado Law Action Plan invites a range of employers, alumni, and friends to work with us. We are getting terrific support as we work with law firm, government, and business partners to develop internships, offer post-graduate fellowships, and experiment with new ways to train legal entrepreneurs. In implementing our Action Plan, we are encouraging today's law students to be more purposeful about their law school experience, more focused on the competencies they need to develop, and more creative in pursuing law-related careers where they can add value by utilizing their legal training. With this background, our graduates are finding promising opportunities and thriving in today's dynamic environment.

The New Normal means that thinking like a lawyer is not enough; we need lawyers who can think like clients.

Professor Marianne "Mimi" Wesson





## EPA Administrator Gina McCarthy Speaks

What we need to do is get over talking about the problem and start designing the solution.

**A** STANDING-ROOM-ONLY CROWD in the Wolf Law Building's Wittemyer Courtroom and nearly 100 others in an overflow room gathered in August as EPA Administrator Gina McCarthy and Colorado Sen. Mark Udall discussed President Obama's Climate Action Plan at Colorado Law.

"You're probably asking why Boulder, why here, why now?" said McCarthy, who started her new post on July 18. "Why not?"

"What we need to do is get over talking about the problem and start designing the solution," she said. "There are many on both sides of the aisle that care about the environment and our natural resources."

The event also featured a panel discussion with former Colorado Gov. **Bill Ritter ('81)**, director of the Center for the New Energy Economy at Colorado State University; Colorado Oil and Gas Association President **Tisha Schuller**; and **Brad Udall**, director of the Getches-Wilkinson Center for Natural Resources, Energy and the Environment.

The two things Americans must do are to lower the emission of greenhouse gases and to adapt to a changing climate because of the greenhouse gases already in the atmosphere, McCarthy said.

She praised climate change initiatives originating at the city and state levels in places like Boulder and Colorado, as well as work on climate change by academic researchers and organizations like the Getches-Wilkinson Center.



# Faculty Highlights

## EMILY CALHOUN

[RIGHT, CLOCKWISE]

Next year, after 24 years at Colorado Law, Professor Emily Calhoun will retire as a faculty member. However, she continues her role as one of two faculty ombudspersons on the Boulder campus. A faculty ombudsperson, among other things, trains faculty in dispute resolution, facilitates conversations, and mediates a range of individual and group conflicts that affect faculty.

## ERIK GERDING

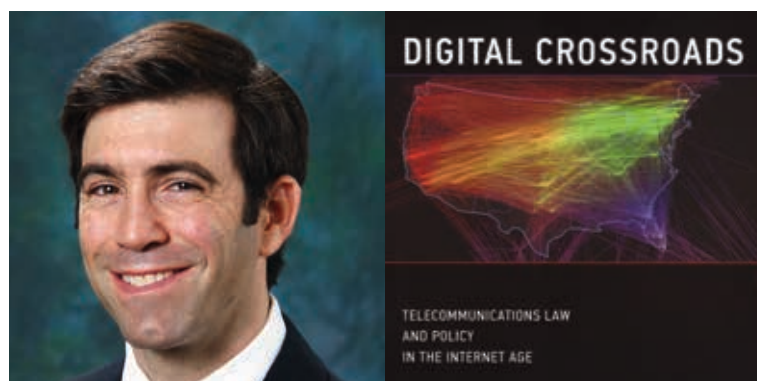
Associate Professor Erik Gerding has a new book, *Law, Bubbles and Financial Regulation* (Routledge, forthcoming 2013). The book explores the interaction of speculative mania and financial regulation, and provides useful approaches to make financial regulation more resilient to asset price bubbles.

## PIERRE SCHLAG

Distinguished Professor and Bryon R. White Professor of Law Pierre Schlag will teach a new course named Legal Reasoning in the spring of 2014. Based on materials that he has written, Schlag designed this course specifically for 2Ls and 3Ls, who already have a firm grasp on forming legal arguments.

## AMY SCHMITZ

Professor Amy Schmitz delivered the 39th Annual Austin Scott Lecture, expanding upon her recent and very popular article, "Access to Consumer Remedies in the Squeaky Wheel System," presenting her research that has attracted international attention.



## ANDREW SCHWARTZ

[LEFT, CLOCKWISE]

On July 11-12, Colorado Law hosted the third annual Business Law Conference organized by Associate Professor Andrew Schwartz. The conference brings together some of the nation's leading young business law professors to comment on each other's working papers. The intentionality of excluding senior scholars facilitates easy and diverse exchange of cutting-edge ideas. This year's conference attracted scholars from the nation's top law schools including the University of Chicago, Harvard University, and Columbia University.

## PHIL WEISER

Dean Phil Weiser released a second edition of his book *Digital Crossroads: American Telecommunications Policy in the Internet Age* (The MIT Press, 2013) with co-author Jonathan E. Nuechterlein. Described as fresh, cogent, and comprehensive by readers, his most recent book analyzes competition policy in the telecommunications industry with meticulous detail, situating pressing legal, economic, and technological issues in a dynamic Internet era.

## MARIANNE "MIMI" WESSON

Professor Marianne "Mimi" Wesson recently published a new book, *A Death at Crooked Creek: The Case of the Cowboy, the Cigarmaker, and the Love Letter* (New York University Press, 2013). Wesson held multiple book readings and signings at book retailers in the Denver area. Employing a modern lens to a classic tale, her recent legal thriller traces the story of the famous 1879 American murder case of John Hamilton.



# The Executive Lawyer: Training In-House Counsel to Implement Change



## Colorado Law Welcomes Graham

In July 2013, **Savannah Graham** joined Colorado Law as the assistant director of development. Graham comes to us from Harvard Medical School, where she was assistant director of annual giving and implemented fundraising and donor stewardship strategies. During her time at Harvard, she worked closely with alumni reunion volunteers to achieve record results for reunion class gift campaigns. Graham graduated from CU-Boulder in 2006 with a BS in economics and international affairs.



## New Registrar Joins Colorado Law

**Maria Walton** joined Colorado Law as the registrar in 2013 after working in the University of Colorado admissions department. Prior to moving to Colorado in 2011, Walton served in numerous academic roles dedicated to assisting U.S. Army soldiers with continuing their higher education while at posts in Wiesbaden, Germany; Fort Campbell, Kentucky; and Fort Lewis, Washington. She also served as leader of and mentor to U.S. Army family support groups for more than 20 years through four separate combat deployments in support of Operation Desert Storm and Operation Iraqi Freedom.

**A** RAPIDLY CHANGING technological and intellectual environment means that attorneys must rethink their roles in their own practices and in their relationships with key stakeholders. The term New Normal aptly describes the situation in legal departments throughout the nation as lawyers search for new methods to increase efficiency and attempt to reduce costs through outsourcing and experimentation with new technologies. Practices such as lean management and Six Sigma, once solely the territory of the manufacturing departments, are now commonly implemented in legal departments. Recognizing this trend, Colorado Law launched a pioneering executive education program designed for in-house attorneys.



Trevor Faure

Entitled *The Executive Lawyer*, the 2013 program took place in the Wolf Law Building from April 8-April 10. The program, which was designed by an advisory board consisting of Colorado Law faculty members and in-house counsel from the Denver Metro area, focused on four core themes: 1) developing the legal department as a strategic asset, 2) performance optimization, 3) critical tools for the New Normal, and 4) leadership tools for the New Normal.

Program faculty featured leading thinkers in the industry, including **Trevor Faure** of Ernst & Young, **Bill Mooz** ('85), and **Shawn Cheadle** of Lockheed Martin. The unique design of the program provided participants with the opportunity to both learn from the instructors and to interact with one another. In addition to lectures, the curriculum consisted of working groups that enabled enrollees to share their own experiences practicing law in specific fields and integrating the legal department into the vision of an organization.

In recognition of the importance of *The Executive Lawyer*, Faegre Baker Daniels hosted a dinner in Boulder on the second night of the program that allowed partners and associates of the firm to meet with participants and exchange thoughts about the direction of the industry.

"Leaders of in-house legal departments are facing ever increasing pressures from shareholders, boards, and senior management to do more with less, and *The Executive Lawyer* program offered a very relevant curriculum and venue for idea-exchange on this topic," said **John Marcil**, a partner at Faegre Baker Daniels. "We were fortunate to have a few hours of open colloquy over dinner with the attendees of the program, which was the perfect forum for us to share our perspectives as outside counsel and, more importantly, to learn more about how we can help our clients manage these pressures."

**Dean Phil Weiser** spoke of his tandem experiences at the White House and in academia. Using John Kotter's model of implementing change, he described how communicating a sense of urgency to the organization was key to any transformation. The endnote of the program was delivered by **Kim Rivera** of DaVita, who spoke about the beneficial effects of transformational leadership at DaVita. "I thought the program was excellent because the presentations were high quality and the interactive format allowed the participants to share their practical experiences on the topics addressed," said **Richard G. Schultz**, senior vice president, general counsel and secretary of Great-West Financial in Denver. "In addition to offering targeted skills training, the program was thought provoking in that it challenged some traditional views on the role of in-house counsel."

by Harry Horowitz

# Invest in Colorado Law

by Dean Phil Weiser

**C**OLORADO LAW HAS INDEED ENTERED A NEW ERA—the New Normal. In the Old Normal, state support funded 20 percent of Colorado Law’s operations; law firms hired a significant number of graduates each year; tuition and student debt were both at manageably low levels; and support from only a small portion of our alumni was sufficient to meet our needs.

Those days are gone, and Colorado Law needs support from its alumni and friends now more than ever. As this issue of *Amicus* details, times have changed for Colorado Law. State support has dwindled to less than four percent of annual expenses, and tuition is up to \$31,500 for in-state students, leading our students to graduate with an average debt load of over \$100,000.

## **WE NEED YOU TO INVEST NOW AND TO HELP POSITION COLORADO LAW AS A NATIONAL INNOVATOR IN THE CHANGING LEGAL ENVIRONMENT.**

To thrive in an ever-changing landscape for legal services and employment, Colorado Law needs your support. *The Campaign for Colorado Law’s Future* we announced this past spring defines and targets our most core human capital needs, namely, support for additional scholarships, loan repayment assistance, retaining and attracting top faculty members, and enhancing our programs.

We are most appreciative that a number of alumni have volunteered to join our Campaign Committee (see page 25) and are working to help us move from the Old Normal to the New Normal in alumni engagement and paying it forward. Over the last two years, we have made enormous strides in this regard, with our alumni participation rates in annual giving rising from 14% to over 17%. Our Giving Societies (including those who made a gift or pledge payment of \$1,500+ last fiscal year) now have more than 200 people (see page 24), representing nearly a 25% increase from the previous year. Additionally, the Class of 2013 contributed their refundable \$200 deposit—at a 60% rate—to support loan repayment assistance.

## **AS WE PREPARE FOR OUR NEW NORMAL, WE ARE COMMITTED TO BEING ALL IN THIS TRANSITION TOGETHER.**

For some of our alums, it is a major challenge to make any contribution. We understand that and value every dollar people commit to Colorado Law. We also understand that for some alums it makes more sense to make a planned gift (whether through a will, 401(k) plan beneficiary designation, or a charitable remainder trust). In short, we want to work with you in whatever way works for you to support Colorado Law.

A core part of Colorado Law’s ability to help both our current students and our alums in the New Normal depends on the support of those in a position to pay it forward and support others in our engaged, diverse, and inclusive community of outstanding students, faculty, staff, alums, and friends. If you are in that position, please use the envelope at the center of this magazine or go online to [colorado.edu/law](http://colorado.edu/law) to invest in Colorado Law’s future and our commitment to being a leader in the New Normal. If you would like to learn more about supporting Colorado Law, please contact our Senior Director of Development, **Mary Beth Searles** (96) at [marybeth.searles@colorado.edu](mailto:marybeth.searles@colorado.edu) or 303.492.1215.

We understand that for some alumni it makes more sense to make a planned gift (whether through a will, 401(k) plan beneficiary designation, or a charitable remainder trust).





## ESTABLISH YOUR LEGACY AT COLORADO LAW

For more information on how to become a Heritage Society member, or if you have already included Colorado Law in your estate, please contact:

ELLEN GOLDBERG  
ellen.goldberg@colorado.edu  
303.735.3689

“

MY LEGACY GIFT IS TO recognize all that Colorado Law has given me, both personally and professionally. I left school with the skills I needed to be successful professionally, but more importantly, with lifelong friends and wonderful memories. This is an easy way for me to give back and ensure that future graduates have the same great experience that I did.”

KELLY DICKSON COOPER ('02)  
Partner, Holland & Hart  
Planned Giving Committee Co-Chair,  
Colorado Law



# Honor Roll

We gratefully acknowledge gifts and pledge payments given from July 1, 2012 through June 30, 2013, at the Giving Society Levels below. Thank you to these alumni and friends of the school who made a leadership level gift last fiscal year. We strive to provide a complete and accurate list. Please contact us at [lawgiving@colorado.edu](mailto:lawgiving@colorado.edu) should you notice an omission.

## INDIVIDUALS

### IRA C. ROTHGERBER, JR. SOCIETY (\$10,000+)

Anonymous (3)  
 Joe Boyer  
 Jessica and Christopher Brown  
 Dan Caruso  
 Richard Collins and Judith Reid  
 Libby Cook  
 Brian and Kathleen Dolan  
 Brian and Kari Duffy  
 Brad Feld and Amy Batchelor  
 Hugh and Jeanne Gottschalk  
 Dale and Patricia Hatfield  
 Otto Hilbert and Frederica Wolfe  
 William and Lynda Johnson  
 Gary Kleiman and Elisa Moran  
 Dick and Nancy Knowlton  
 Cheryl and Bill Leone  
 Evelyn McClearn  
 Jim and Carole McCotter  
 Jason Mendelson  
 Florence J. Phillips  
 Tom and Stacey Ray  
 Ronald Sandgrund and Cheryl Barr  
 Richard Schaden and Boni Lonnsbury  
 John H. Schultz  
 Steven and Sally Sommers  
 Peter and Kathleen Tenhula  
 Christina Bearman Von Wald  
 Stow and Maggie Witwer  
 Elaine Wolf  
 Marvin and Judi Wolf  
 Joseph R. Zell

### DEAN'S CABINET (\$5,000 - \$9,999)

Anonymous (1)  
 L. Ann Allison  
 Lance Astrella  
 Britt Banks  
 Tom and Claire Brown  
 Bill and Leslie Buck  
 Byron and Carlene Chrisman  
 Bethiah Crane  
 Cecilia and Glenn Curtis  
 Sam and Vicki Dazzo  
 Nate and Mary Ford  
 Jim and Karen Franklin  
 Ann and Ford Frick  
 David L. and Melinda Harrison  
 Jim and Judy Hartley  
 John and Cynthia Hilson  
 Bill and Kathleen Hybl  
 Michael and Beth Kramer  
 Ramsey and Stephen Kropf  
 Woon Ki Lau  
 Krista Marks and Brent Milne  
 Mark and Melissa Osborn  
 William Pincus and Nancy Stead  
 Tom and Teresa Rice  
 Lucy and Beau Stark  
 Michael and Barbara Shangraw  
 Ronald D. Smith  
 Conrad T. Swanson  
 Erica Tarpey  
 Pete Wall  
 Bill and Marie Wise  
 David and Carol Wood  
 Carole Yaley

### DEAN'S CIRCLE (\$2,500 - \$4,999)

Anonymous (1)  
 Edward and Marlin Barad  
 Tim and Barbara Beaton  
 Gary and Marsha Blum  
 Michael and Diane Boucher  
 Christopher and Margot Brauchli  
 Paula Connelly  
 Stan and Judy Dempsey  
 Carl and Nancy Eklund  
 Tim Enwall  
 Randy and Sharon Fons  
 Pat Furman  
 Jane Gardner and Kevin Holtzclaw  
 Gloria Jean Garland and Bruce Byers  
 Dick and Bev Gast  
 Marc Graboyes  
 Alan and Jerry Heath  
 Tom and Alison Henry  
 John and Valerie Howard  
 Kyle Hughes  
 Jack and Andrea Hyatt  
 Bruce A. Johnson and Mardi Moore  
 Rick and Cindy Johnson  
 Bob and Mikee Kapelke  
 Frances Koncilja  
 Jon and Elaine Krupnick  
 David Lichtenstein and Donna Schmalberger  
 Joan C. Lieberman and Robert S. Pelcyger  
 Michael S. McCarthy and Marilyn Dougherty  
 Arnoldo Medina, Jr. and Snehal Patel  
 Richard Mehren  
 Susanne and Walker\* Miller  
 James and Kathy Montgomery  
 Robert and Jane Nagel  
 William and Bonnie Neighbors  
 William and Kris Paddock  
 David and Sue Palmer  
 Scott and Carol Patten  
 David and Elizabeth Ann Phillips  
 Anthony and Sally Prinster  
 Michael and Maurine Repucci  
 Garth and Joanne Rogers  
 Tom and Bev Schatzel  
 Robert and Jan Steiert  
 Michael and Kelli Theis  
 John and Nancy Wittemyer

### DEAN'S CLUB (\$1,500 - \$2,499)

Anonymous (1)  
 Garry R. Appel  
 Betty and David Arkell  
 Tracy Ashmore  
 Marilyn Averill  
 Robert Backus  
 Rob and Patti Beebe  
 Brad and Ande Bernthal  
 Marc and Stacey Brosseau  
 James Bruin  
 Tammy Campbell  
 Chuck and Christa Carpenter  
 Michael and Sarah Carrigan  
 James Casebolt and Nancy Williams  
 Sharon Caulfield and Edmund Andrews  
 William L. Chapman  
 Marco and Paige Chayot  
 Jane Christman  
 David Cohen  
 Mrs. Stephen E. Connor  
 Phyllis Cox

Peter and Christine Dietze  
 Melvin and Diane Dinner  
 Eric Elliff  
 Jeanine Feriancek  
 Steven and Ellen Finer  
 Richard and Ann Fisher  
 Tad and Melissa Foster  
 Rebecca and Tucker Franciscus  
 Thomas and Judy Fredericks  
 Larry and Barbara Gaddis  
 Daniel and Mary Galloway  
 Catherine Gundlach Gassman and Barry Gassman  
 Ann Getches  
 Timothy and Amy Getzoff  
 Lloyd and Margaret Hagood  
 Carol Haller  
 Cliff and Elizabeth Harrington  
 John Hay and Ruth Murphy  
 Gregory and Dorothy Hoskin  
 Roxanne Jensen and Dean Neuwirth  
 Fred and Katrina Jaynes  
 Carolyn and Samuel Johnson  
 David E. Johnson  
 Claudia Jordan  
 Susan Keesen and Andrew Vander Ploeg  
 Sharon Kelly and Andy Holleman  
 David and Anne Kendall  
 Phil Kendall  
 William and Erin Kronenberg  
 Robyn W. Kube  
 Mark and Patricia Levy  
 Herrick and Mary Lidstone  
 Michael and Tammy Lindsay  
 Mark and Linda Loewenstein  
 Sandy and Georgia Lowe  
 Alex and Katherine Martinez  
 Michael and Karen McDivitt  
 Michael and Jessica McGawn  
 Michael\* and Sandra McKinstry  
 Robert and Diane Miller  
 Bill Mooz  
 Christopher Mueller and Martha Whittaker  
 Kimbal Musk  
 Peter D. Nichols  
 Helen Norton and Kenneth Johnson  
 Steve and Debi Pelican  
 James and Lisa Piccone  
 Michael and Allison Platt  
 Ann and Jerry Raisch  
 Siddhartha and Shannon Rathod  
 John E. Reid  
 Marty and Alexander Rolle  
 Jon and Christina Sands  
 Allan Singer  
 Michael and Anna Sink  
 Bob and Carole Slosky  
 Mindy Sooter  
 Sabrina and Ted Stavish  
 Mary and David Steefel  
 Penfield and Paulette Tate III  
 Tucker and Beatrice Trautman  
 Craig L. Truman  
 Niki Frangos Tuttle and Garrett Tuttle  
 Michael Waggoner and Cynthia Goff  
 Douglas and Leslie Weddell  
 Phil Weiser and Heidi Wald  
 David Wilson  
 Tom and Martha Woodford  
 Sandra K. Woods  
 Ruth and Ken Wright  
 Luize Zubrow and Bingham Leverich

\*Deceased



## DEVELOPMENT

### CORPORATIONS AND FOUNDATIONS

#### \$100,000+

Google Inc.  
Green Fund  
Level 3 Communications, Inc.  
Microsoft  
Walton Family Foundation

#### \$50,000 - \$99,999

AT&T Corporation  
CenturyLink  
The Class Action Administration, Inc.  
Comcast Corporation  
Monfort Family Foundation  
The Piton Foundation

#### \$25,000 - \$49,999

Berg Hill Greenleaf & Ruscitti, LLP  
Faegre Baker Daniels Foundation  
Time Warner, Inc.  
Verizon

#### \$10,000 - \$24,999

AMG National Trust Bank  
Association of Corporate Counsel  
Cable Television Laboratories, Inc.  
CoreSite Realty Corporation  
Davis Graham & Stubbs, LLP  
DirecTV Incorporated  
DISH Network  
Disney Worldwide Services, Inc.  
Dorsey & Whitney, LLP  
Ewing Marion Kauffman Foundation  
ExxonMobil Foundation  
Hitachi Consulting  
Holland & Hart, LLP  
Intrado  
Kenneth and Myra Monfort Charitable Foundation, Inc.  
Kilpatrick Townsend & Stockton, LLP  
Law Class of 2013  
Liberty Media Corporation  
National Cable & Telecommunications Association  
Norton Rose Fulbright  
Palantir Technologies  
Patton Boggs Foundation  
QualComm Incorporated  
Rockefeller Family Fund, Inc.  
Rothgerber Johnson & Lyons, LLP  
Starz, LLC  
The New-Land Foundation, Inc.  
tw telecom

#### \$5,000 - \$9,999

Baker & Hostetler, LLP  
Bartlit Beck Herman Palenchar & Scott, LLP  
BH Service, LLC  
Boulder County Bar Association  
Brownstein Hyatt Farber Schreck, LLP  
Bryan Cave, LLP  
CliftonLarsonAllen, LLP  
Coalfire Systems, Inc.  
Colorado Hispanic Bar Association  
Comptel  
Cooley, LLP  
Cox Enterprises, Inc.  
Crown Castle International  
Encana Oil & Gas (USA), Inc.  
The Entertainment Software Association  
Facebook  
Fredericks Peebles & Morgan, LLC  
Greenwood Telecommunications Consultants, LLC  
Grotech Management Company  
Hall & Evans, LLC Foundation  
Hogan Lovells US, LLP  
Hutchinson Black and Cook, LLC  
Kelley Drye & Warren, LLP  
Latham & Watkins, LLP

Marsh Fischmann & Breyfogle, LLP  
Maynes, Bradford, Shipp & Sheftel, LLP  
Merchant & Gould PC  
Moye White, LLP  
Neustar  
Perkins Coie Trust Company, LLC  
Polsinelli  
Reilly Pozner LLP  
Sheridan Ross PC  
Snell & Wilmer, LLP  
Squire Sanders US, LLP  
T Mobile  
Tendril Networks, Inc.  
United States Telecom Association  
Viacom International, Inc.  
ViaSat  
Wiley Rein, LLP  
Wilkinson Barker Knauer, LLP  
Wilmer Cutler Pickering Hale & Dorr

#### \$1,500 - \$4,999

Aurora Bar Association  
Berenbaum Weinshienk, PC  
Caplan and Earnest, LLC  
Colorado Women's Bar Association Foundation  
Dakota Legal Software, Inc.  
Davis Wright Tremaine, LLP  
Dufford & Brown, PC  
El Pomar Foundation  
Ernst & Young Foundation  
First Western Financial, Inc.  
Kurtz Fargo, LLP  
Littler Mendelson, PC  
Quick Left, Inc.  
Rocky Mountain Venture Capital Association  
Sherman & Howard, LLC  
Simple Energy  
Spencer Fane Britt & Browne, LLP  
Step toe & Johnson, LLP  
The enVision Foundation Fund  
The Ernest S. Madison Family Foundation  
The Merck Company Foundation  
TriWorth  
VMware Foundation  
Western Resource Advocates  
Wheeler Trigg O'Donnell Foundation  
Willkie Farr & Gallagher, LLP  
Xcel Energy Foundation

### HERITAGE SOCIETY MEMBERS

We appreciate the thoughtfulness of those who have included Colorado Law in their estate plans. For more information on how to become a Heritage Society member or if you have already included Colorado Law in your estate plans and are not listed below, please contact Ellen Goldberg at [ellen.goldberg@colorado.edu](mailto:ellen.goldberg@colorado.edu) or 303-735-3689.

Karl F. Anuta  
Richard and Luann Ball  
Christopher and Margot Brauchli  
James and Judith Brown  
Thomas B. Campion, PhD  
John and Elizabeth K. Cho  
Byron and Carlene Chrisman  
Kelly Cooper  
Frank and Katherine Damon  
Pat Furman  
Ann Getches  
Mimi Abrams Goodman  
Russell and Susan Haskell  
Dale and Patricia Hatfield  
John Hay and Ruth Murphy  
Jack and Andrea Hyatt  
William and Roxie Hyde  
Dennis Hynes  
Lawrence and Diana Linnen

Nancy J. Mellott  
Robert M. Moyers  
Cheryl Peterson and Richard Foley  
Susan S. Peterson  
John H. Schultz  
Norton and Judith Steuben  
Carlton and Susanne Stoiber  
Bradley Udall and Jane Backer  
Peter Wall  
Bill and Marie Wise

### CAMPAIGN FOR COLORADO LAW'S FUTURE COMMITTEE

We would like to thank the alumni who are helping ensure Colorado Law's future of excellence by serving on our campaign committee.

Garry Appel ('78)  
Betty Arkell ('75)  
Tom Brown ('64)  
Sheila Carrigan ('82)  
Marco Chayet ('97)  
Kelly Cooper ('02)  
Cecilia Curtis ('92)  
Darla Daniel ('01)  
Catherine Gundlach Gassman ('82)  
Mimi Abrams Goodman ('86)  
Cliff Harrington ('72)  
Bob Hill ('70)  
John Howard ('87)  
Greg Kanan ('75)  
Will Kronenberg ('87)  
Bill Leone ('81)  
Michael McCarthy ('75)  
Brian Meegan ('97)  
Scott Peppet  
Laurie Rust ('06)

### GIVING SOCIETY LEVELS

Giving Society membership is based on cumulative gifts and/or pledge payments to any Law School fund during each fiscal year (July 1-June 30). Benefits are awarded in the following fiscal year.

#### IRA C. ROTHGERBER, JR. SOCIETY

##### CONTRIBUTIONS OF \$10,000 AND UP

Recognition in Amicus  
Dean's insider newsletter  
Annual appreciation lunch  
Invitations to special events  
Dinner with the Dean  
Annual recognition gift

#### DEAN'S CABINET

##### CONTRIBUTIONS OF \$5,000-\$9,999

Recognition in Amicus  
Dean's insider newsletter  
Annual appreciation lunch  
Invitations to special events  
Dinner with the Dean

#### DEAN'S CIRCLE

##### CONTRIBUTIONS OF \$2,500-\$4,999

Recognition in Amicus  
Dean's insider newsletter  
Annual appreciation lunch  
Invitations to special events

#### DEAN'S CLUB

##### CONTRIBUTIONS OF \$1,500-\$2,499

Recognition in Amicus  
Dean's insider newsletter  
Annual appreciation lunch

# Alumni of the Month



## GARY JACKSON ('70)

FEBRUARY

Gary Jackson earned his JD from Colorado Law in 1970. In January 2013, after serving at the U.S. Attorney's Office and founding the firm DiManna & Jackson, he became "Judge Jackson." Jackson helped found Colorado's oldest minority bar association, the Sam Cary Bar Association, in 1971. He is also a board member for History Colorado, an organization that is a Smithsonian Affiliate and that oversees museums, cultural centers, and educational programs across the state of Colorado.

## REGINA RODRIGUEZ ('88)

MARCH

Regina Rodriguez received her JD from Colorado Law in 1988. Rodriguez joined the U.S. Attorney's Office in 1995 and shortly thereafter she was given the opportunity to serve as deputy senior counsel for alternative dispute resolution in Washington D.C.'s U.S. Attorney General's Office. In 2002, Rodriguez joined the firm of Faegre & Benson (now Faegre Baker Daniels), where her practice focuses on defense of complex product liability cases, with an emphasis on medical drugs and devices. In addition to her successful product liability practice, Rodriguez is very active in pro bono and charitable causes, with an emphasis on expanding educational opportunities.

## MICHAEL BENDER ('67)

APRIL

After Chief Justice Michael Bender graduated from Colorado Law in 1967 he began a fellowship at the Institute of Criminal Law and Procedure at Georgetown University Law Center. In 1997, then-governor Roy Romer ('52) appointed Bender to the Colorado Supreme Court. In 2010, his fellow justices voted to appoint him the court's 44th chief justice. One of Bender's legacies is the creation of the Chief Justice Commission on the Legal Profession, which fosters a commitment to service, excellence, respect, and ethics among members of the Colorado legal community.



## MARCIA KRIEGER ('79)

MAY

Chief Judge Marcia Krieger earned her JD from Colorado Law in 1979. In 1994, Krieger became both the second woman and the youngest judge to serve on the U.S. Bankruptcy Court. Krieger was still the youngest judge on the bankruptcy court when she was appointed chief judge in 2000. After eight years on the bankruptcy court, Krieger was nominated to the U.S. District Court for the District of Colorado on September 10, 2001 and was confirmed in January, 2002. Krieger is a co-founder of "Our Courts," an adult civic educational program that provides impartial information about how the legal system works.

## JIM SCARBORO ('70)

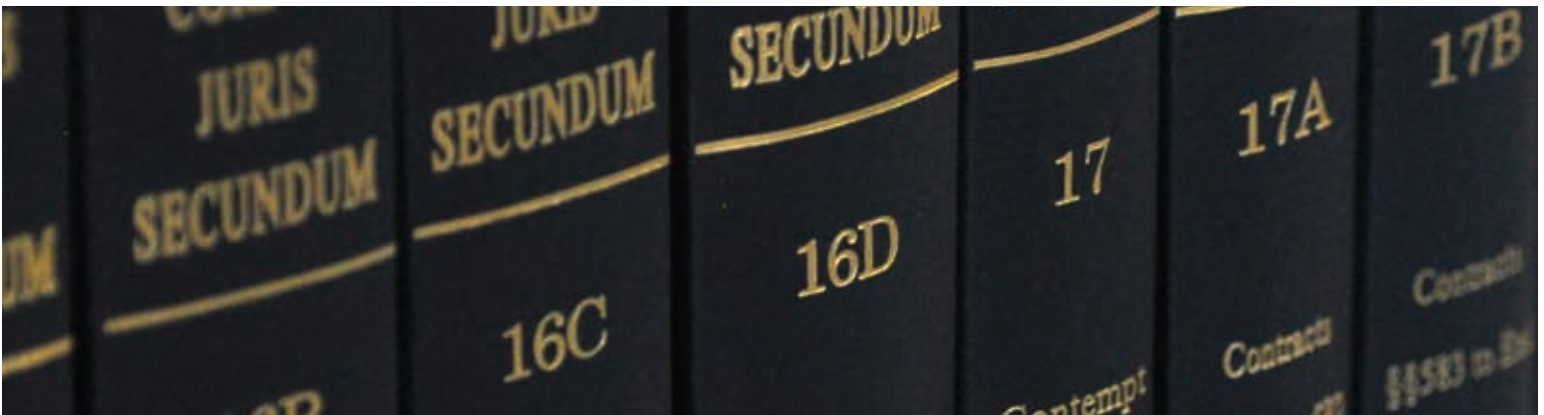
JUNE

Jim Scarboro graduated from Colorado Law in 1970 and clerked for Chief Judge Alfred A. Arraj on the U.S. District Court in Denver and then for U.S. Supreme Court Justice Byron White. Scarboro has been active in product liability cases involving tobacco and diet drugs. He also handles land litigation and a variety of other legal issues for the Hopi Tribe, his longest standing client at the firm. In addition, Scarboro has devoted significant time to handling pro bono cases, including representing several death row inmates in Colorado and Arizona.

## JENNI LUKE ('98)

JULY

Jenni Luke received her JD from Colorado Law in 1998 and began her career at the Denver firm of Rees & Associates, where she had been a summer clerk during law school. In 2005, Luke became director of development for The Alliance for Children's Rights, where she provided leadership, strategic direction, and coordination for all of the organization's fundraising efforts. In 2009, Luke became the CEO of Step Up Women's Network. The organization focuses on providing empowering pathways to success for talented girls who have great potential, but are constrained by their circumstances.





# Promising Start

JESSICA MORGAN ('12) WORKS AS AN IN-HOUSE ATTORNEY at Boulder Brands, a health and wellness company with a strong presence in the natural foods industry. A typical day for Morgan includes drafting and reviewing contracts, analyzing intellectual property matters, collaborating with the marketing department on promotions and approvals, and working on new deals and acquisitions.

## How did Colorado Law help you in your job search?

As an alum, I had continued access to Colorado Law's career resources after graduation, so I was able to find my job through CDOonline. I also reached out to Associate Clinical Professor **Brad Bernthal** and **Dean Phil Weiser** throughout my search—they were both extremely helpful.

## How did Colorado Law prepare you for your new job?

Colorado Law provided me with exposure to a variety of different practice areas. The broad selection of courses and experiences I had in law school has helped me in unexpected ways and I find myself applying interesting concepts that I never thought I would use.

Colorado Law taught me how to adapt to new challenges on the fly. These skills have been a huge asset as I moved to an in-house job, where we tackle a wide variety of issues on a daily basis. It can be hard to predict what a day will look like.

## What skills—legal or otherwise—do you utilize on a daily basis, and how do they make a positive difference in your work? How did you develop these skills?

The ones at the top of the list (that apply to both legal work and life in general) are (1) flexibility/adaptability, (2) organization, and (3) an eagerness to learn. Balancing classes, extra-curricular activities, and internships in law school is good training for the real world because it can often feel like you never have enough time to finish everything on your plate.

## Please talk a little about “people skills” and networking specifically. How has your professional network made a difference in your career?

Networking makes a difference and it is not just about attending mixers. Having a broad intern experience enabled me to form relationships with people who would “vouch” for me on a professional level. These people have been key in helping me finding jobs since graduation and it has been wonderful to have them as a part of my life on a more personal level.

I find networking to be a kind of constant informal job search—it is great getting to know people who may think of you first when they hear of an opening.

Also, I found that being a part of an organization that you can contribute to and get involved with was far more effective than simply showing up at random events hoping to meet people. For example, the CBA has a number of student liaison/board positions. While you volunteer your time, it is a great opportunity to meet other great lawyers in the community.

## What advice would you give to current students with respect to finding a job?

I would reiterate that you should get involved outside of school. Allow people to get to know you and follow up with the people you meet; it is amazing how powerful that is. I have had people approach me after panels and follow up, and those are the ones who pop into the forefront of my mind when I see job openings. Most professionals will be receptive to meeting and speaking with you. Be brave and take a chance.

Just as importantly, be patient. Most people do not land their ideal job immediately; it is a process. Have your end goal in mind and do as much as you can to get there, but forgive yourself if you are not successful on the first try. It is not the end of the world. You stand to learn a ton no matter where you end up.



Jessica Morgan ('12)

Colorado Law taught me how to adapt to new challenges on the fly. These skills have been a huge asset as I moved to an in-house job.

Read more Promising Starts at [colorado.edu/law/promisingstarts](http://colorado.edu/law/promisingstarts).

# Letter from the Alumni Board Chair

**A**S COLORADO LAW STUDENTS FACE A NEW SCHOOL YEAR, law schools around the country face the proposition of adjusting to the New Normal. In order to survive and thrive, law schools must attract top caliber talent, provide students with an excellent return on their investment, and serve the community. While the New Normal presents many challenges, Colorado Law has a plan and is fortunate that it can rely on its cadre of students, alumni, and friends who showcase a motivated, enthusiastic, and service-oriented ethos—one of our greatest strengths.

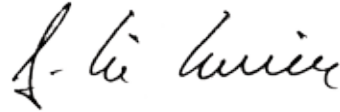
Fortunately, because the New Normal is “new,” law schools stand on relatively equal footing. Those that are creative, innovative, and strategic—like Colorado Law—have the greatest opportunities for success in this environment.

Colorado Law is a vibrant place of great creativity and energy as students, faculty, and administrators work collaboratively to create successful pathways for navigating the changing legal marketplace. If you have not paid a visit to Colorado Law recently, I encourage you to do so. The energy and enthusiasm in the building is contagious. Consider attending some of the many Homecoming events in October, or contact the school to arrange a tour.

At the same time that Colorado Law students confront the challenges of the New Normal, I offer this challenge to alumni who have been hesitant to remain actively connected to the Colorado Law community—think about the value you received from your law degree and consider ways in which you can pay it forward. This can take the form of a financial gift in conjunction with the Campaign for Colorado Law’s Future, encouraging excellent candidates to apply to and attend Colorado Law, mentoring a student, hiring a student intern to allow him or her to gain valuable practical skills, or virtually anything else. Your contribution is limited only by your imagination.

As you consider whether and how you would like to assist Colorado Law in preparing its students to thrive in the New Normal, I encourage you to reach out to our Assistant Dean for Outreach, Engagement, and Alumni Relations, **Marci Fulton** (marci.fulton@colorado.edu or 303-492-7015). She will be happy to speak with you about the many ways that you can connect to Colorado Law.

by Judge J. Eric Elliff ('87)



## Alumni Board Members

The Law Alumni Board is made up of 28 Colorado Law graduates. The members promote the best interests of the law school by stimulating interest in, building loyalty for, and increasing support for the law school among its alumni and students. They also assist the law school in serving the needs of its alumni, students, and faculty, the legal profession, and the public at large. The 2012-13 board chair is Judge Eric Elliff and the chair-elect is Laura Sturges.

THOMAS BROWN ('64), Dufford & Brown, PC  
 BETHIAH BEALE CRANE ('79), Crane & Tejada PC  
 DARLA DANIEL ('01), Colorado State Bank and Trust  
 JUDGE J. ERIC ELLIFF (CHAIR) ('87), Denver District Court  
 W. HAROLD “SONNY” FLOWERS, JR. ('71), Hurth, Sisk & Blakemore, LLP  
 MARK FOGG ('79), COPIC  
 HUGH GOTTSCHALK ('79), Wheeler Trigg O'Donnell  
 MARC GRABOYES ('96), CytoBiotics LLC  
 BILL GRAY ('66), Purvis Gray LLP  
 SARAH HECK GRIFFIN ('84), Jones Day  
 FRANZ HARDY ('00), Gordon & Rees  
 JOHN HAY ('64), Gust Rosenfeld, PLC  
 MARISA HUDSON-ARNEY ('01), Condit Csajaghy LLC  
 VANCE KNAPP ('94), Sherman & Howard LLC

BOB LAWRENCE ('83), Davis Graham & Stubbs LLP  
 CAROLYN MCINTOSH ('81), Patton Boggs LLP  
 ROBERT N. MILLER ('65), Perkins Coie LLP  
 BEN M. OCHOA ('87), Lewis Roca Rothgerber LLP  
 MESHACH RHOADES ('04), Kutak Rock LLP  
 ANN M. ROAN ('89), Colorado State Public Defender  
 KRISTIN ROZANSKY ('94), Colorado State Personnel Board  
 MICHAEL R. SAVAGE ('96), U.S. Trust  
 LANCE SEARS ('75), Sears & Swanson, PC  
 DAVID STEEFEL (PAST CHAIR) ('78), Husch Blackwell Sanders LLP  
 LUCY STARK ('98), Holland & Hart LLP  
 LAURA STURGES (CHAIR-ELECT) ('05), Gibson, Dunn & Crutcher LLP  
 MAUREEN WESTON ('92), Pepperdine University School of Law  
 JOHN WITTEMYER ('65), Moses, Wittemyer, Harrison & Woodruff



# In Memoriam

**PROFESSOR CLIFF CALHOUN** passed away on June 25, 2013. The beloved former professor and associate dean worked at Colorado Law for 29 years and has a public service award and an endowed scholarship named in his honor. Colorado Law celebrated his life with a memorial service on October 15, 2013. He graduated from Harvard University in 1958, then served in the army before attending Harvard Law School, class of 1963. Former students and colleagues described Calhoun as a superb teacher and an extraordinarily unselfish person.

**FLORENCE S. BEST ('48)** passed away of natural causes on April 30, 2013 at the age of 87. Best loved to garden and was a member of her neighborhood garden club. In addition, she was involved in Bridge Club and volunteered with the Dumb Friends League.

**ROBERT H. BUCHANAN ('52)** passed away on December 26, 2012. Buchanan joined the Navy during World War II after graduating from high school and was a member of the honor guard stationed aboard the U.S.S. Missouri, where he served on the battleship when the peace treaty with the Japanese was signed in 1945 in San Francisco. After receiving his law degree Buchanan worked in the oil and gas industry until retiring in the late 1980s to Maui.

**RALPH MARKWELL CLARK ('52)** passed away on January 18, 2013. Ralph was born in Grand Island, Nebraska in 1926, the youngest of four brothers. He retired from his law practice in 1980 to become a professional lobbyist with the Colorado legislature. Ralph had a great love of politics and was involved in many local and national political campaigns.

**TOM CARNEY ('56)** died on February 4, 2013. Carney was an accomplished attorney and was named president of the Colorado Bar Association in 1975. His dedication to Jefferson County was obvious in his role as county attorney.

**JOEL DAVIS ('62)** passed away on February 4, 2013. After graduating from law school, Davis was appointed Boulder Assistant City Attorney, a position he held until he became manager of the Boulder office of Transamerica Title Insurance Company. In 1968, he accepted a position in the Denver law firm of Davis Graham & Stubbs.

**WALKER MILLER ('65)** died suddenly on March 24, 2013 of natural causes at his home in Greeley. He was nominated by President Bill Clinton on April 18, 1996 to fill the U.S. District Court seat vacated by Judge

James Carrigan. Miller sat on the U.S. District Court bench in Denver from 1996 to 2011. He was known as a very gentle and scholarly judge who enjoyed taking other judges on fly-fishing trips.

**SANDRA B. MCCRAY ('75)** passed away on December 25, 2012. After graduating, she had a distinguished legal career in the office of the Colorado Attorney General. She also obtained a Masters in tax law and became an expert in telecommunications law. McCray taught in CU's business school and after retiring in 1993 she became a talented mosaic artist.

**CLAUDIA MILLER ('82)** died tragically on March 5, 2013. Miller's practice dealt with domestic relations, children's law, wills, and adoptions. She was a longtime board member of the First Judicial Bar Association and she was chairwoman of the bar's banquet committee. Miller was known for her festive, convivial personality.

**CYNTHIA JENKINS MCLEAN ('88)**, Durango resident, died in her home April 4, 2013, from complications from stage 4 adrenal cancer. McLean was born and raised in Denver, receiving a bachelor of arts in molecular, cellular and developmental biology from the University of Colorado in 1982 and earning a JD from Colorado Law in 1988.

**ALISON O'HARA ('88)**, Chairman of the Board of Follett Corporation, passed away unexpectedly on July 20, 2013, from complications of breast cancer. In 2011, she was elected as the first female chairman of the board in Follett's 140 year-history and, in 2012, she served as acting president.

**SARAH RECTOR ('10)**, born September 24, 1982, passed away March 16, 2013 at University Hospital after a brief illness. She was a vibrant, beautiful young woman who will be remembered by her family and wide circle of friends for her resolve and generosity of spirit. Sarah was born in Los Angeles but lived most of her life in Denver.



# Class Actions

'69

History Colorado welcomes **JIM MCCOTTER** as the new chair of its board of directors. A board member since 2001, McCotter is focusing on board structure and the organization's strategic business objectives. He has served on a number of boards over the past 30 years both in Denver and El Paso. Most recently he completed nine years as a board member of the Lower Downtown Neighborhood Association, including two years as president.

'72

**THOMAS FREDERICKS**, a member of the Mandan, Hidatsa, & Arikara Nation, has received the University of Colorado's most prestigious alumni award. He was recognized for his decades of work on American Indian law and policy issues with the George Norlin Award. As a student, Fredericks helped with the founding of the Native American Rights Fund in 1970 and later became executive director of the organization. He also was the Indian policy adviser for the U.S. Department of the Interior during the Carter administration.

On July 30, the Securities and Exchange Commission announced that **DONALD M. HOERL**, the director of its Denver Regional Office, is leaving in August after more than 30 years at the agency. Hoerl led four different regional offices at various times during his tenure and become director of the Denver office in 2008 after serving 11 years as its associate regional director for enforcement.

'77

**KENNETH A. WONSTOLEN** joined Bill Barrett Corporation as senior vice president and general counsel. Wonstolen has over 30 years of experience in the oil and natural gas industry, including serving as corporate counsel and officer at Gerrity Oil & Gas Corporation and corporate counsel at its successor, Patina Oil & Gas Corporation.

'78

**DAVID STEEFEL**, a partner at Husch Blackwell, was presented a "Distinguished Legal Writing Award" from the 2013 Burton Awards for Legal Achievement. Steefel and Associate Christopher Brady were honored for their 10-page article, "The Hague Convention on Civil Aspects of International Child Abduction."

'81

**RICHARD S. GAST** was recently appointed to the University of Northern Colorado's nine-member board of trustees, setting policy for the university in order to reach the board's long term goals. Gast is a Colorado attorney from Pueblo and a fourth generation lawyer.

**JOHN NEILEY**, a partner in the law firm Neiley & Alder, was appointed judge for the 9th District, which covers Garfield, Rio Blanco and Pitkin counties. Neiley practiced primarily in civil litigation with a focus on real estate transactions, and land use and development. He previously worked at other firms and as a staff attorney for the Federal Trade Commission's Denver Regional Office.

'82

**FRANK J. DANIELS** was awarded the Evvy silver medal by the Colorado Independent Publishers Association for his children's book, *Ptimothy Ptarmigan: Here Again ... Gone Again*.

Former Island County, Washington Prosecutor **BILL HAWKINS** was appointed the next District Court judge. Hawkins was unanimously chosen by the commissioners to fill the remainder of Judge Peter Strow's term.

MCCOTTER ('69)



STEEFEL ('78)



RODRIGUEZ ('88)



FISHMAN ('92)



MILLER ('94)



'83

University of Texas Southwestern Medical Center announced that **FRANK GRASSLER ('83)** was appointed the vice president of technology development and that he will lead the Office of Technology Development as well as the Bio-Center at Southwestern Medical District. Grassler previously worked as a consultant for Genentech Inc. and was vice president of intellectual property at Gilead Sciences. Prior to that, he was vice president of U.S. intellectual property for GlaxoSmithKline for 12 years.

'86

**JUDGE MARK MACDONNELL** of Las Animas was sworn in as the new chief judge of the 16th Judicial District on February 1, 2013, by retiring Chief Judge Jon Kolomitz. MacDonnell was appointed to the office by Colorado Supreme Court Chief Justice Michael Bender ('67).

'87

Cimarex Energy named **FRANCIS BARRON** as senior vice president and general counsel. He previously served as executive vice president of Bill Barrett Corp. and was their general counsel and had been the company's chief financial officer, among other positions.

'88

**REGINA RODRIGUEZ**, of Faegre Baker Daniels, was named the 2013 Latina Lawyer of the Year by the Hispanic National Bar Association. Also in 2013, Rodriguez was named a Girl Scouts Woman of Distinction and awarded the Colorado Law Alumni Board's Distinguished Alumni in Private Practice.

'91

**BRIAN DUFFY** was named co-president of Greenberg Traurig. Prior to the appointment, Duffy was the global litigation practice chairman at the firm.

**K.C. GROVES**, a commercial litigation attorney and managing director of Ireland Stapleton Pryor & Pascoe, PC, was named Colorado Judicial Institute's board chair. He will serve a two-year term as Chairman of the Board, helping the organization to further its mission and providing grants and scholarships for continuing judicial education.

'92

**LINDA CONNORS** has been selected to replace Mary Joan Berenato as an 8th Judicial District Court magistrate. Berenato recently was appointed a Larimer County Court judge.

**ROBERT FISHMAN**, an appellate attorney at the Denver firm of Ridley McGreevy & Winocur, won a unanimous decision in *Sebelius v. Cloer* at the U.S. Supreme Court. Fishman found personal and professional satisfaction from the opinion itself. "The Court's analysis and reasoning tracks the substance of our brief very closely," he said. "You always want to write a brief that provides the court with a sort of roadmap on how to decide a case in your favor, and there is a real sense of validation when a court follows that map as closely as the Court did in this case."

'93

**WILLIAM HERRINGER** was appointed judge of the 6th Judicial District. He was admitted to the Colorado State Courts in 1993, the U.S. District Court for Colorado in 1999, the U.S. Court of Appeals 10th Circuit in 1999, and the Southern Ute Tribal Court in 2006.



## ALUMNI



KHOKHRYAKOVA ('98)



HARDY ('00)



MANKAMYER ('07)



SEIDEL ('07)



PRANCKUN ('12)

### '94

**CHRISTINE A. PELLIZZARI** was appointed as general counsel and corporate secretary of Insmid Incorporated. She previously worked at Aergerion Pharmaceuticals, Inc. where she served as executive vice president, general counsel, and corporate secretary, and oversaw all legal aspects of the company's successful IPO and secondary public offering.

**KARLA MILLER** released her first book, *Firelands*, this past June under the name of Piper Bayard. In addition, she will release the first in a series of spy thrillers this fall.

### '96

National law firm Wilson Elser announced that **MELISSA W. SHISLER** has joined the firm's Denver office as of counsel.

### '97

**SARAH JARVIS**, a lawyer and former Montpelier City Council member, has been appointed special assistant and chief of staff to Goddard College President Barbara Vacarr. Jarvis will oversee all operations of the Office of the President.

### '98

**HEATHER CARSON PERKINS** became the managing partner of Faegre Baker Daniel's Denver office. She is a partner in the litigation and advocacy group and her practice focuses on litigation and advising clients in trade secret, franchise and distribution, antitrust and complex litigated cases from inception through appeal.

Ballard Spahr announced that **ANASTASIA KHOKHRYAKOVA** has joined the Denver office in the public finance practice. She is a member of the firm's P3/infrastructure, health care, higher education, securities, and transactional finance groups, as well as Ballard Spahr's municipal recovery initiative.

### '00

**FRANZ HARDY** was given the Richard Marden Davis Award. Hardy is the 20th recipient of this prestigious award, which is given annually "to a Denver lawyer under the age of 40 who so combines excellence as a lawyer with creative civic, cultural, educational, and charitable leadership."

**ROB HERRINGTON** of Greenberg Traurig LLP's Los Angeles office was selected by *Law360* as a rising star in both the class actions category and product liability. Herrington was the only attorney nationwide to be selected in two different categories. He is also the author of the bestselling book, *Verdict for the Defense*, which provides a blueprint for business leaders to defend their companies against the growing risk of mass action and class action liability.

**JANEA ASHANTI SCOTT** was appointed to the California Energy Commission. Scott had worked for the Office of the Secretary since 2009, where she served as deputy counselor for renewable energy and special assistant to the counselor at the U.S. Department of the Interior

A former Colorado Law Alumni Board Member, **KARA VEITCH**, was appointed as deputy executive director of the Colorado Department of Personnel and Administration.

### '01

**RYAN HAYGOOD**, an All-American football player, was inducted into the Colorado College Athletics Hall of Fame. Haygood is the director of the National Association for the Advancement of Colored People Legal Defense and Education Fund's political group and represents people in cases involving discrimination. Twice he has successfully defended provisions of the Voting Rights Act before the U.S. Supreme Court.

### '04

**CHRISTINE M. GARRISON** was appointed to serve on the board of directors for Work Options for Women.

Brownstein Hyatt Farber Schreck announced that **EVAN ROTHSTEIN** has joined the litigation group in their Denver office. Rothstein is well versed in all aspects of intellectual property litigation and has significant first and second chair trial and injunction experience in federal and state courts.

### '05

**KELLY MURPHY** joined the Matthew C. Ferguson Law Firm as an associate attorney. Following law school, Murphy clerked for Colorado Supreme Court Chief Justice Michael Bender and served as a Deputy District Attorney in Boulder, representing the State in dozens of contested hearings.

### '07

**JACK MANKAMYER** has joined Polsinelli's Denver office as an associate in the firm's real estate development practice. Mankamyer is on the board of directors for the Castle Rock Economic Development Corporation.

**MICAH SCHWALB** was elected a member of the Colorado Public Television board of directors. Schwalb is an associate in the Denver office at the international law firm of Greenberg Traurig LLP. He served as a member of the Governor's broadband council in 2010 and as a consultant to the Governor's innovation council in 2009.

**BECKY SEIDEL**, an attorney at Leaffer Law Group, a boutique law firm dedicated exclusively to serving Colorado's charitable foundations and nonprofit organizations, joined the board of friends of Levitt Pavilion Denver. Levitt Pavilion Denver will be Denver's next great outdoor concert venue.

### '08

Brownstein Hyatt Farber Schreck announced that **KYLE BLACKMER** joined its real estate group as an associate. Blackmer's practice will focus on commercial real estate transactions, with an emphasis on acquisitions and dispositions.

Meyer, Unkovic & Scott announced that **MATTHEW R. LASEK** has joined the firm's construction law and litigation group and the corporate and business law group as an associate attorney. Prior to joining the firm, Lasek handled an array of real estate matters, and also clerked at the U.S. District Court for the District of Colorado.

### '09

Brownstein Hyatt Farber Schreck announced that **TIFFANY A. UPDEGRAFF** joined its litigation team as an associate. Her practice will focus on employment and civil litigation matters.

### '11

After graduating in 2011, **ANDREW BECHEL** received his Tax LLM from NYU and was hired as an associate in the Washington, D.C. office of Kozusko Harris Vetter Wareh Duncan LLP.

**TAYLOR PERODEAU** received her LLM in Tax from Georgetown and was hired as a tax and wealth planning associate in Venable LLP's Washington, D.C. office. She married Andrew Bechel ('11) in August, 2013.

### '12

**JOSHUA PRANCKUN** has joined Polsinelli's Denver office as an associate in the firm's science and technology practice. Prior to joining Polsinelli, Pranckun was an intern with the U.S. Environmental Protection Agency where he enforced the mobile fuels provisions of the Clean Air Act.

# Innovating in the New Normal

I believe in Colorado Law's vision for the future.

BY ROXANNE JENSEN ('85)

In my work as a consultant for law firms, I see a plethora of attitudes about change in the legal services marketplace: from fear and intransigence, to stumbling and purely reactive flailing, to courageous and innovative thought leadership and evolution. Some believe there is no New Normal—that if they simply hang on for the short term, the legal market will return to its previous pattern of relatively unrestrained growth. Others see a shift in the market but focus on knee-jerk fixes—grabbing new revenue sources without a plan for where their decisions will lead. The best firms and lawyers see clearly that there is indeed a New Normal, that it is here to stay, and that it provides an opportunity for transformational and positive change.

So also with law schools: some are stuck in the age-old model; some are focused on short-term, purely revenue-driven change; and some are bravely engaging the New Normal. Colorado Law is the latter. Colorado Law is and will remain at the forefront of innovative transformation in legal education and legal services in the New Normal.

What exactly is the New Normal? Here's what we know: demand for legal services has significantly stalled or declined (depending on which surveys you read); lawyers' pricing is under pressure; in house law departments, legal process outsourcers, and technological legal solutions are growing and becoming more efficient; and as a result of all of the above, there are fewer jobs for lawyers—particularly inexperienced lawyers.

What are law firms doing to innovate well in the New Normal? My consultancy practice indicates that smart firms are honing in with laser sights on their client value propositions. The client value proposition has at least 4 components: technical/industry expertise; bench strength and geographic reach; service delivery breadth and efficiencies; and pure price. A number of firms we work with have chosen to focus their growth on opportunities that build their primary areas of expertise, rather than filling in holes in practice areas. Note the rise of boutique law firms and so-called "super-boutiques," which supports this trend. A number of firms we work with are more strongly considering mergers, to provide the resources and geographic reach their clients demand while still providing a price advantage over the mega-firms. The pace of mergers in the regional and national marketplace supports this trend. Perhaps most innovative are the firms that are planning how to broaden their service delivery to handle work clients want to outsource, automate, or bring in house, such as due diligence and contract processing. In sum, the practice, reach and business model of many firms is changing.

What does this mean for Colorado Law? Colorado Law's administration and faculty are working hard to track these market trends and fit students' experiences to the redefined legal job market. Under **Dean Phil Weiser's** thoughtful leadership, Colorado Law is (1) engaging the community to guide thought-leadership on the changing legal market, and (2) transforming its course offerings and the way they are delivered to meet the needs of today's New Normal, honing in on the key competencies that employers demand and focusing on the school's key curricular strengths.

To engage the community, Dean Weiser has taken to the streets, enlisting law firms and alumni at an entirely new level. He has ramped up the responsibilities and activities of the Law Alumni Board, formed a Dean's Advisory Council to be a sounding board and advisory resource, and met with every firm, law department and government entity possible to stay on top of the evolving New Normal and create the best nontraditional job opportunities for JDs. Also, in the last year, Colorado Law has co-hosted roundtables and CLEs on issues key to legal marketplace evolution, such as Law Firm Leadership, Legal Hiring Best Practices and Innovations, and Law Firm Organization and Industry-Based Law Firm Structures.

To hone the Colorado Law educational experience, the school is shaping legal education to match the market and shoring up specialties to increase value. Colorado Law has market-leading, deep programs in entrepreneurship, technology, and energy and the environment, and the school is planning curriculum changes and growth so that students have more marketable skills.

Colorado Law is working with alumni and the legal business community to define the New Normal and ensure Colorado JDs play a productive role in it. I have so enjoyed my role on The Dean's Advisory Council and my engagement in thought leadership with the school. I encourage you to join **Dean Phil Weiser** and me to help in this critical effort. Once you reach out to Dean Weiser, I have learned that he will do his best to engage you.







# Colorado Law Action Plan

As Colorado Law looks toward the future, our core objectives remain simple: for Colorado Law to thrive. We must, at a minimum, continue to attract high-quality applicants, offer a high-value and affordable education to our students, and place students into satisfying jobs after graduation.

## Vision

Maintain and improve Colorado Law as a nationally recognized innovator and the regional leader in the changing legal landscape based on the quality of our scholarship, teaching, and curriculum, all of which deliver a high-value to, and serve, our students and our varied communities.

[colorado.edu/law/action-plan](https://colorado.edu/law/action-plan)



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March 12, 2014, 5:30 p.m.  
Denver Center for  
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More information:  
[colorado.edu/law/alumni](http://colorado.edu/law/alumni)

