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the Advocate

A Publication of the Colorado Women's Bar Association

Inclusiveness





President's Letter || Catherine "Cat" Shea

IN THIS TOGETHER: Towards Inclusiveness

These days, rarely is the word "diversity" seen without its complement "inclusion." As many folks have explained, "Diversity is being invited to the party; inclusion is being asked to dance." Understanding the application of these ideas requires education and understanding of concepts like implicit bias, institutionalized racism, and white privilege. Having a diverse group of colleagues or members means nothing unless they feel valued and welcomed.

We know that the legal profession lags far behind others in both diversity and inclusion. Despite being more than half of law school graduates, women are only about 35% of the legal profession; women attorneys of color comprise only about 8%. A 2016 survey of in-house and law firm attorneys regarding their experiences of bias in the workplace showed that women attorneys of color reported the highest levels of bias, including in opportunities for promotion and access to high-quality assignments.

So—what can you do? First, become informed. Attend trainings by local rockstar educators, such as consultant Regan Byrd, 2018 Convention speaker Nita Mosby Tyler, and CLI's Karen Hester. Read books, fiction and non, particularly those written by diverse authors and with backgrounds different from yours. Ask people from other walks of life about their experiences and listen, without judgment and without defensiveness. And call out bias when you see it.

Second, go for it! Consider running for office, pursuing a corporate or nonprofit board appointment, or applying for

the bench. If you're not game for any of those opportunities, encourage women whom you believe would make excellent political, board, or judicial candidates to reach for the stars. And consider applying for appointment to the Judicial Nominating and/or Judicial Performance Commission for your home district; not only do we need more qualified women on the bench, but we also need to keep them there.

My friend and CWBA Immediate Past President Wendy Weigler said that our relationships with other women "inspire us, motivate us, and empower us." The CWBA is dedicated to helping you create and sustain relationships that both empower you and lead to greater inclusivity in our profession. Please take advantage of our programs, such as "Storming the Bench/Ballot/Board." Recruit some lawyer friends to join you for CLE (and spa time) at our 2019 Annual Convention in Vail. And reach out to us with suggestions about how we can make the CWBA itself a more inclusive organization. Thanks for being part of us!

Very truly yours,

Catherine "Cat" Shea
2018-2019 President
Colorado Women's Bar Association

Catherine "Cat" Shea is the current President of the Colorado Women's Bar Association. Cat is an Assistant Regulation Counsel for the Colorado Supreme Court Office of Attorney Regulation Counsel. In that capacity, she investigates attorney discipline and disability and magistrate matters.

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Perspectives on Diversity in Leadership

Diversity of individuals in leadership positions is on the rise, as has been recently publicized in the political realm. The same is true within our legal community, although its full diversity is not yet reflected in its leadership. With this in mind, we talked to three women who have risen successfully to leadership roles within our legal community about diversity and inclusion and their paths to leadership.



Kristin Bronson's experience helping to draft legislation led her to law school. After eight years of practicing commercial litigation at a private firm, she became an equity partner. Now, as the City Attorney for the City and County of Denver, she advises the Mayor, City Council, city agencies, departments, boards, commissions and more, while managing a public law firm with hundreds of employees.

Olympia Fay decided to become a judge when she observed, during an internship related to crimes against children, “the power of a judge to ensure equality, humanity, and compassion.” After law school, she practiced first in private firms, then in the public sector as a deputy district attorney and an associate city attorney. Four years ago, she applied and was appointed to the bench of the Denver County Court.



Tamara Goodlette started as a Spanish teacher and school administrator. Then she decided to try something completely different and went to law school. After a judicial clerkship, she joined her current firm. She has practiced for a dozen years and

is now Managing Partner of the Colorado offices of Lewis Roca Rothgerber Christie LLP.

How did they attain success along these paths? Ms. Bronson keeps a photo that her grandmother gave her after college on her desk, in which a woman, in her pearls, sits in a law library behind a big stack of books. The caption reads, “Women Must Work Harder.” For Ms. Bronson, the photo serves as “a reminder that, as a woman (especially one that is not quite five feet tall), I will be underestimated and judged more harshly, and that I have to work harder and smarter than everyone else to succeed.” Working harder while a young mother of two, Ms. Bronson also realized the importance of creating support networks at work and at home.

Besides hard work, Ms. Goodlette explains that she has pushed herself to do things that might feel uncomfortable or unknown. She notes that it might also be surprising or uncomfortable for colleagues when we raise our hands and put ourselves out there, but it can open a dialogue with leadership about what women and attorneys of color bring to the table and how they can—and want—to contribute. “We cannot wait to be asked, we need to volunteer and insist on being in the room and having our voices heard.”

But organizations should also take initiative. In addition to concerted outreach and mentoring efforts, Ms. Goodlette suggests that firms “think broadly about ways to open up (and shake up) their traditional systems of work flow, communication, compensation, and promotions to ensure they are including and welcoming to all attorneys.” Her firm has an active diversity and inclusiveness committee; affinity groups for women, lawyers of color, and LGBT attorneys; and opportunities for meaningful interaction across offices, practices, and other identity groups. They award a scholarship—a paid firm internship and tuition assistance—to a talented, diverse, second-year law student.

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Inclusivity In Every Day Practice

By Maggie Conboy & Kristin Arthur

We all know that inclusivity in the workplace is important, whether you practice in a big firm, a small firm, a government agency, or on your own. But knowing what inclusivity is and how we can take steps to strengthen it can be difficult.

Inclusiveness starts with acknowledging, understanding, and valuing our differences. These differences do not need to be only those that we think of “traditional” differences, such as gender, age, ethnicity, sexual orientation, and religion, but can also include location, family background, socio-economic status, professional experience, educational paths, and personal history. Increasing diversity enables us to bring our varied life experiences and viewpoints to the workplace, but focusing on inclusive practices is what allows those experiences and viewpoints to add immeasurable value to organizations as a whole.

We all feel like we are inclusive. For example, we are rightfully offended at the thought of culturally-insensitive jokes and, should they occur, we demand our workplaces take action. But in reality, the exclusions that cause the most harm are not blatant violations of established norms, but those that occur accidentally, when we fail to be deliberate and thoughtful in our actions. These sorts of exclusions can take place at every level of an organization, whether it's as simple as setting a meeting at a certain time without considering a co-worker's religious observances or as overarching as establishing a leave policy that doesn't consider nontraditional family structures. Whether intended or not, the message is a lack of respect, or worse, that certain individuals are not as important as the majority. These harms, even if inadvertent, can have long-term, deeply-negative impacts not only on the individuals, but also on the organization as a whole.

Each of us can and should strive for inclusiveness in our daily interactions, behaviors, and practices. The best way to start is by engaging and communicating with your colleagues. The legal world can be fast-paced and frenetic, and while it's tempting to rush past your colleagues' desks to get to your next meeting, take a minute to stop and get to know them. Just looking around someone's workspace will give you enough fodder to spark a meaningful conversation. A family picture. Something meaningful from travel. Personal connections go a long way towards making people feel welcome and part of the team.



This engagement doesn't end when the real work gets started. Everyone, from managing partners to new interns, can be aware of dynamics in meetings and be the one to redirect the discussion so that everyone feels that their contributions matter. If someone is encountering barriers to participation, take active steps to include that person. Noticing and acting upon these small exclusions becomes easy when we act deliberately and thoughtfully.

Just as our jobs rarely begin and end at the office door, building inclusivity in our workplaces shouldn't begin and end there either. We can promote a sense of belonging by taking active and deliberate actions to foster inclusivity throughout all aspects of our profession. For example, instead of gravitating toward familiar faces at a CWBA event, start a conversation with someone standing awkwardly alone—we've all been that person! And when you do, don't just talk about your shared interests, but actively engage in your differences. Invite them to coffee, and you will be surprised how easily that person's experiences will affect the way you approach decisions and challenges in your own life.

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Inside The CWBA: Meet Kathryn Starnella

Board Member Spotlight



When Kathryn Starnella attended her first CWBA convention in 2016, it made quite an impression on her. “A truly empowering experience,” she heard about the organization’s goals, challenges, and how as a team, they were able to overcome obstacles. She also noticed a trend—that the board members who were leaders in the CWBA were also leaders in their law firms, government offices, and communities. As she left the convention, she remembers thinking, “I can do this, too. I want to make a difference.” In Kathryn’s case, not only did she join the CWBA Board, but she also became the Colorado Hispanic Bar Association representative to the organization, as well as volunteering as a member of the Judicial Committee.

Kathryn was born in the suburbs of Toronto and moved to Sheboygan, Wisconsin, in the late 1970s. Her father is from Uruguay and her mother is from Trinidad in the West Indies. Immigrating to Canada separately, her parents met on the dance floor at a YMCA, fell in love, got married, and started a family. Her father was hired by Kohler Company in Toronto, where he learned English from co-workers on a factory floor. When offered the opportunity to transfer to the company headquarters in Wisconsin, with the company sponsoring the family’s move to the United States, he gladly accepted.

Kathryn learned from her parents the power of hard work. Her father did not go to college but “would go to work before the sun rose and come home after sunset.” Her mother eventually earned a bachelor’s degree while Kathryn was in middle school. “I saw my mom start her studies after we were done with our homework, after dinner and after we went to bed.”

Interestingly, Kathryn’s initial interest in the law began with her high school mock trial team. Earning both her undergraduate and law degrees from Northwestern University in Chicago, she began her career in private practice working at law firms in New York City, where she focused on intellectual property, products liability, white collar criminal defense, and commercial actions. She clerked for the Honorable Christine M. Arguello in the U.S. District Court for the District of Colorado, and served as an Assistant Attorney General for the State of Colorado. Currently, she acts as Special Counsel for Wells, Anderson & Race, LLC, where she handles trial-level defense litigation and civil appeals in state and federal court.



Kathryn Starnella (far left) and family entering the Eastern District of Wisconsin courthouse to obtain green cards.

Kathryn’s professional accomplishments are complemented by her charitable efforts. In addition to her work with the CWBA, Kathryn is a member of the CBA/DBA President’s Diversity Council, a mentor for Law School...Yes We Can, and the immediate Past President of the Colorado Hispanic Bar Association (CHBA).

And what advice does Kathryn have for others? For one, she would like you to know that your talent is needed. Do not sit on the sidelines. The collective

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A (Diversity) Dream Comes True:

Unconscious Bias Training for Colorado Judicial Nominating Commissions

By Jessica Brown

It started several years ago with the nomination of six non-diverse candidates for two vacancies on the bench in a particular Colorado judicial district. Perhaps only non-diverse candidates were qualified. Perhaps only non-diverse candidates applied. But the fact that six non-diverse (and zero diverse) candidates were nominated gave birth to an idea: unconscious bias training for judicial nominating commissions around the state.

Unconscious bias training is designed to expose people to their own biases and provide tools to disrupt automatic thinking patterns – to minimize the impact of unintended bias in decision-making.

Judicial nominating commissions (“JNCs”) are appointed to review applications for judicial vacancies, interview applicants, and recommend two or three applicants per vacancy to the Governor for consideration and appointment.

There are 22 judicial districts in Colorado. Each district JNC consists of seven district residents. The JNCs themselves aim to be diverse: No more than four members can be from the same political party; there must be at least one from each county; and no more than three can be lawyers. The JNCs have just 30 days from a vacancy to submit names to the Governor, who must select a nominee within 15 days.

As one former Governor observed, he could only appoint qualified diverse candidates to the bench if they were (a) in the applicant pool and (b) nominated by the JNCs. To help address the latter, the diversity bars, along with CLI and IAALS, met with then Chief Justice Rice and pitched their idea for an unconscious bias training program. They advocated for it again

when they met with Chief Justice Rice about a related topic, Judicial Performance Commissions.

Fast forward to early 2017: Justice Hood decided to launch a “Bench Dream Team” with Justice Márquez to focus on ensuring a diverse judicial applicant pool. As part of the initiative, Justice Márquez agreed to spearhead a project to update a training video for the JNCs to include an unconscious bias component. The diversity bars’ proposal was going to get off the ground!



The video was posted on the Colorado Supreme Court website on February 22, 2018: <https://www.youtube.com/watch?v=sMYRFAy2-xo&feature=youtu.be>.

And off the ground it went, thanks to Justice Márquez’s leadership with assistance from Judicial Educator Jennifer Mendoza. The diversity bars and their foundations, along with the CBA/DBA, IAALS, CLI, and CJI, pledged money to create the video. They persuaded newscaster Adele Arakawa to narrate the video. They worked together to recruit a diverse

group of judges and commissioners to participate in the video. But Justice Márquez took the laboring oar on the script for the video – and did a remarkable job.

A production company, aptly named Amazing Dream, shot the video in October 2017. It covers the commissioner’s role, the skills and qualities that make a good judge, and suggestions for evaluating candidates. Among those suggestions, the video urges commissioners to be aware of their preconceptions and stereotypes that may influence how they view an applicant, even when trying their best to be fair.

For example, a JNC commissioner explains, “You can quickly form an impression about someone just a few

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CWBA's Annual Judicial Reception

Judicial Committee Update



The CWBA's Annual Judicial Reception honors all members of the Colorado judiciary, as well as a specific judicial officer for her or his meaningful work. The CWBA Judicial Committee is pleased to announce that **Court of Appeals Judge Terry Fox** is the honoree for the 2019 Judicial Reception. Judge Fox

was appointed to the bench in 2010 after working as an associate for Holland & Hart LLP, as an attorney with both the Public Officials Unit and the Litigation Section of the Colorado Attorney General's Office, and an attorney at the United States Attorney's Office.

Immediately upon meeting Judge Fox, her warmth, her work ethic and her humility are readily apparent. When asked to explain her path to the bench, she pointed out that she is the first person in her family to graduate from high school and go to college. Her mother came to the United States from Mexico for Judge Fox's birth because "she wanted [her daughters] to have the possibility to be educated." Judge Fox's mother eventually moved to the United States with Judge Fox and her two younger sisters while working as a migrant farm worker in New Mexico, Texas, and Colorado. Judge Fox described the one-room apartment that she grew up in with her sisters that didn't have a shower and said it motivated her because she "wanted something better." "I was the only eight-year-old in kindergarten when I started school... I rarely went to the same school for the whole year from Elementary School through the start of High School." As a result of frequently moving, Judge Fox found her identity in excelling as a student. "I didn't focus on making new friends... I focused on schoolwork because it came naturally to me."

Judge Fox excelled in math in particular because it "wasn't a language-based skill... you can be good at it even if you aren't fluent in English." She attended a math competition at the University of Texas El Paso and she was charmed by the campus. It solidified her decision to go to college and she later received a full scholarship to the Colorado School of Mines.



In the community and judging a high school moot court competition with fellow panelists: (1) former Colorado Supreme Court Chief Justice Michael Bender, and (2) former Tenth Circuit Judge Neil Gorsuch (now United States Supreme Court Justice Gorsuch).

When asked about her personal life, she immediately smiled and stated her "husband and kids are [her] world." Judge Fox met her husband while she was a freshman at the Colorado School of Mines. She laughed as she described the story of their first encounters. "I thought he was following me around... but he pointed out that we had all the same classes." They became study partners and eventually started dating. After graduating college and starting out in engineering careers, they both made the decision to go to night school to study law. Judge Fox graduated at the top of her class, began her legal career, and started a family. She glowed as she described her 18-year-old son's freshman year as a civil engineering student at New

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Someone's Gotta Say It: Speaking Up for Inclusion Will Ruffle Feathers: So. Be. It.

Giugi Carminati

"We need more inclusion," is the oft-repeated refrain. "We need more women," "We need more racial minorities," "We need diversity"; who hasn't read that or heard that in law firm or corporate settings? We all have. Yet, after at least a decade of this hand-wringing, gains continue to be modest. But, what does it really look like? Well, for starters it looks like allies—those with more privilege—making themselves and others who look or identify like them, uncomfortable. It means being willing to use our privilege to push the boundaries and encourage others to be better. Any inclusion efforts must recognize, first and foremost, that "intent" is far less important than outcome. We may all want to be "nice people," but ultimately if we are being "nice" when we should be loud, assertive, and firm, we're only benefitting ourselves, to the detriment of those with less privilege. So, what can we do to create a more inclusive legal community?

First, educate yourself in the myriad ways that sexism, racism, and homophobia creep into our lives. Look up the term "Anti-Oppression" and start doing your homework on how to implement it. Does a particular dress code contain implicit gender-blaming or ethnic-shaming requisites? Are women asked to be non-sexual while men are just asked to be professional? Are hoop earrings somehow labeled as "unprofessional"? Are firm events gendered in ways that are patronizing, or demeaning, or stereotypical? Understand that workplaces tell people they are not welcome in numerous ways. Listen for inappropriate banter or comments. In one firm I worked, as a young female associate, the running joke was that I "spoke like a guy" and "would make an awesome paralegal." While the people who said these things meant well, the comments reinforced the notion that I did not really belong there in my role

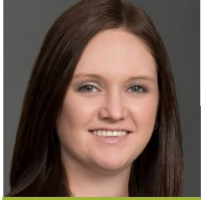
with my character traits as a woman. It wasn't until long after that I realized why these comments were an issue. In other words, first and foremost, have the tools to be aware.

Second, and this is where things get really hard, step up. I once served on a Board of Directors where we were about to embark on a national search for an executive position. I suggested we blind the resumes—removing just the name of the candidates. I explained that doing so would remove ethnic or gender connotations, allowing us to truly look at the resumes in an objective manner. I was shot down. I wanted to stay quiet. I did not want to be "difficult." As I was pondering whether to speak up again, an older white gentleman piped in. I did not know him then, but I now know he is a wonderful human being. He acknowledged that, as a person of a certain age, he may well have biases he was not aware of and he would appreciate the resumes being blinded the way I suggested. He was the ally that was needed on that day. He was humble, self-reflective, and—importantly—willing to back me up. When something is happening, in real time, be willing to make the room uncomfortable by pointing out inequity. Yes, it will make things awkward. Yes, you may get a reputation. But, if you're actually trying to create a just society, it is not even worth calling it a "price to pay". Others will pay much more for your failure to be vocal.

Third, think of ways that your office or your firm can do more. As I said above, it is not enough to "be nice," or "be accepting," or "be tolerant" (which is an expression I abhor, because it implies there is something to tolerate while, in fact, we should all be striving to just let people be themselves). Look around your office: how many individuals of

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"Someone's Gotta Say It" is a regular fun feature of The Advocate, committed to bringing you true, relevant, and/or hilarious information.



|| CWBA Convention Committee ||
Bethany Gorlin & Elizabeth Howard



“All Rise” CWBA 42nd Annual Convention

Convention Committee Update



“All Rise!” We are thrilled to invite you to celebrate our **42nd Annual CWBA Convention at The Sebastian-Vail, May 17-19, 2019**. We have a full weekend of diverse topics, including our first ever “Outside the Courthouse: In-House, Transactional, and Government Counsel Roundtable” to complement our always well attended Judicial Roundtable event. Whether this will be your first Convention or your 42nd, you can expect a warm and inviting atmosphere, timely and informative programming, networking, and entertainment for you and your family. Grab your gavels!

We are excited to announce some highlights and keynote speakers for this year’s Convention:

We are kicking off this year’s programming with a Grit & Growth Workshop given by Milana Hogan on Friday afternoon. Milana will share the secrets to advancing as women lawyers in our profession.

Saturday morning, we can all rise for a cozy fireside chat with Colorado Supreme Court Justice Melissa Hart, and then we’ll head to breakfast where Diversity Lab’s COO Jennifer Winslow and Senior Manager of Innovation & Training, Leila Hock, will give our first keynote presentation. Together, they will teach us how they develop programs and will give us an update on their “Mansfield Rule” pilot project. Named after Arabella Mansfield, the first woman admitted to the practice of law in the U.S., the Mansfield Rule measures whether law firms have affirmatively considered women and attorneys of color—at least 30 percent of the candidate pool—for leadership and governance roles, equity partner promotions, and lateral positions.

Later in the day, Sunu Chandy, Legal Director of the National Women’s Law Center will deliver our Saturday keynote lunch where she will talk about the Center’s litigation efforts and the larger #metoo movement.

At the Mary Lathrop Award ceremony on Friday night, we will honor the trailblazing efforts of Alli Gerkman. And back by popular demand, our Saturday night entertainment will involve another round of karaoke.

We look forward to seeing you in Vail for our 42nd Convention. **Save \$50 by registering before May 1.** Be sure to book your hotel room now. We expect a full house.

Bethany Gorlin is a Convention Committee Co-Chair and works for Gates as its Corporate Counsel, Compliance & Litigation.

Elizabeth Howard is a Convention Committee Co-Chair and works in private practice at Hershey Decker Drake, PLLC where she focuses on litigation involving professional negligence defense.



|| CWBA Professional Advancement Committee ||
Kym Sorrells & John Tatlock



2018 Mary Lathrop Award Recipient: Alli Gerkman



Each year, the CWBA gives its highest honor – the Mary Lathrop Award – to an honoree who is a recognized trailblazer in the law, has served the mission of advancing women in the law, and has made notable remarkable differences in our legal community. It is with great pleasure that the

CWBA will present **Alli Gerkman with the 2019 Mary Lathrop Award** at the CWBA's Annual Convention in May. Alli has blazed her own path – pursuing a non-traditional career – that will have a lasting impact on women in the law for generations to come.

After graduating from DePaul University College of Law, Alli moved to Colorado and began her legal career in private practice with Winzenburg, Leff, Purvis and Payne, where she remained until 2006. Then, Alli worked with CLE International (a national CLE organization), until 2009 when the CBA-CLE sought her out to work with them. During this time, Alli devoted herself to many volunteer organizations. She was – and still is – an active member of the CWBA, assuming numerous leadership roles on the Board of Directors, including as Chair of the CWBA's Professional Advancement, Public Policy, and Convention committees. She also has served on the Colorado Supreme Court Advisory Committee on Providers of Alternative Legal Services, the Law School Transparency National Advisory Council, and served as Chair of the New Lawyers Working Group of the Chief Justice's Commission on the Legal Profession. Alli also served on the Editorial Review Board of the Touro Law Center's Journal of Experiential Learning.

These are just a few of the many organizations for which Alli has made a difference. Her vision, energy, and contributions did not go unrecognized. She was selected for the Colorado Bar Association's Leadership Training Program (COBALT).



Alli at the 5th Annual Educating Tomorrow's Lawyers Conference in Denver, CO (2016)

In 2011, Alli chose to take a different course, joining the Institute for the Advancement of the American Legal System (IAALS) at the University of Denver. As a Senior Director for IAALS, overseeing its programmatic objectives and strategy, Alli collaborated with the Institute's leaders and innovators, including former Colorado Supreme Court Justice Rebecca Love Kourlis. Under Alli's leadership, IAALS launched "Foundations for Practice" to identify the foundations new lawyers need for success, to develop models of legal education that support those foundations, and to advance a culture of legal hiring that results in a better fit for the employee, the employer, and the client. More than 24,000 lawyers across every type of practice setting participated in IAALS' national

survey, the outcomes of which are driving the development of learning in law schools, facilitating the creation of improved hiring rubrics in legal organizations that hire entry-level lawyers, and renewing conversations about what minimum competence should be for entry to the legal profession.

Alli took the results from this one-of-a-kind study, molding and shaping the findings, which she then presented at a 2016 meeting of the Chief Justice's Commission on Professional Development. Following her presentation, then-Chief Justice Nancy Rice recognized Alli's significant contributions, noting that "Alli encouraged us to rethink what makes a 'practice-ready' lawyer." In a similar vein, former ABA President Linda Klein remarked that Alli's study "challenges us all to reevaluate assumptions about developing 'good lawyers.' This is just the beginning, and if not for Alli, we might be having the conversation at all."



Alli at Zion National Park

Alli's next challenge - "Think Like a Client" - was another one-of-a-kind study designed to identify what clients most value in their attorneys. In an innovative partnership with the attorney-rating website Avvo, IAALS collected a decade's worth of client reviews of lawyers, spanning a wide-range of legal practice areas and regions, which provide insight on what the consumers of legal services

most value in their attorneys. In a new project Alli is leading, IAALS is building on lessons from Foundations for Practice, Think Like a Client, and other studies to redefine the definition of minimum competency for lawyers. Alli hopes results of this project will challenge how we currently think about the bar examination and pave the way to entrance requirements that are both more inclusive and better aligned with knowledge and skills that lawyers must have. Alli's work has been featured on Colorado Public Radio and in the Denver Business Journal, the National Law Journal, the Wall Street Journal, and U.S. News & World Report.



Alli with her mom, Betsy Alles, in South Africa (2017)

Alli's innovative contributions to improvements in the legal system make her a true trailblazer, well-deserving of the **2019 Mary Lathrop Award**. The CWBA is looking forward to celebrating Alli's accomplishments at the CWBA's Annual Convention in May.

Kym Sorrells is a CWBA Board Member and Co-Chair of the CWBA Professional Advancement Committee. She is currently the First Assistant Attorney General of the Tort Litigation Unit, defending state agencies and its employees in lawsuits seeking damages for personal injury and property damage, and for alleged constitutional violations.

John Tatlock is a member of the CWBA Professional Advancement Committee and a partner at the Epstein Patierno, LLP family law firm, specializing in high-asset, high-net-worth domestic relations cases.

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On her path, Judge Fay was awarded a scholarship and summer associate position through the Pledge to Diversity program. Now, she and her colleagues attend specialty bar events that promote inclusion and diversity on the bench. They help make the judicial experience more accessible, providing insight into the application process, commission interviews, and life on the bench.

The Denver City Attorney's Office also makes a concerted effort to promote diversity and inclusion, believing they "can better serve our community if our office reflects the diversity of our community"—race, gender, age, ethnicity, background, and experience. Their diversity and inclusion committee is currently exploring affinity groups to better connect their diverse attorneys and staff, increasing involvement in the diversity bar associations, and developing a mentoring program to pair diverse attorneys early in their careers with more senior ones to support their career progression.

Finally, we asked how the CWBA should be promoting inclusion. We, as an organization, also need to continue working harder to develop affinity networks for diverse attorneys; to collaborate with other specialty bar associations; to develop programming around topics like implicit bias, race and gender equity, and work-life balance for working parents; and to develop programs, like Storming the Bench, to encourage diverse applicants into traditionally non-diverse institutions.

Tami Goodlette is a litigator and trusted counselor serving a variety of industries and organizations. She is an appellate specialist who has litigated large breach of contract cases and other complex disputes in both state and federal court, as well as arbitration tribunals. Tami frequently represents lawyers and law firms in professional liability litigation and she also serves as outside legal counsel to schools and school districts where she helps schools manage risks and limit their liability and litigation exposure. She has particular expertise in leading crisis management efforts and internal and external investigations into allegations of misconduct by employees, students, teachers or clerics.

Tami serves as the firm's Managing Partner of the Colorado offices. Tami also chairs the firm's Professional Development Committee and prior to entering private practice, she served as a judicial law clerk for the Honorable Robert M. Russel of the Colorado Court of Appeals, and was a high school assistant principal and Spanish teacher.

Kristin M. Bronson serves as the City Attorney for the City and County of Denver, having been appointed by Mayor Michael B. Hancock in October 2016. In that capacity, Ms. Bronson provides policy and legal advice to the Mayor, City Council, the twenty-six City agencies and departments, all city boards and commissions, the City Auditor and the Clerk and Recorder. She is the final decision maker on critical legal decisions facing the city and manages a public law firm of over 230 attorneys, paralegals, victim advocates and staff.

Prior to becoming City Attorney, Ms. Bronson was a partner in the Denver office of Lewis Roca Rothgerber Christie LLP for twenty years. Ms. Bronson's private law practice focused on complex business litigation with a focus on commercial real estate and banking. Ms. Bronson's civic engagement has spanned her career, having served as Board President for the Colorado Women's Bar Association Foundation, as President of Commercial Real Estate Women Denver, as a Board member of Downtown Denver, Inc., and as the Chair of the Downtown Denver Partnership's Economic Development Council. She was appointed by former Governor Bill Ritter to serve on the Colorado Real Estate Commission for six years and on the Day Care Licensing Board for three years. She and her husband, Jeremy Bronson, live in Denver and are the proud parents of two beautiful girls, Ryan and Madeline.

Judge Olympia Z. Fay was appointed to the Denver County Court bench on January 13, 2015, and currently serves in the State Criminal division. Judge Fay received her undergraduate degree from Lenoir-Rhyne University and law degree from the University of Denver Sturm College of Law.

Prior to her appointment, Judge Fay was an Assistance City Attorney with the Denver City Attorney's Office representing Denver County employees in the United States District Court for the District of Colorado. Judge Fay previously served as a Deputy District Attorney in the Twentieth Judicial District – Boulder County.

Judge Fay began her legal career as a civil litigator at the law firms of Holme Roberts & Owen LLP (Bryan Cave LLP) and Davis Graham and Stubbs LLP, where she practiced in the areas of complex commercial litigation, securities litigation and intellectual property. Judge Fay also serves on the faculty of the National Institute for Trial Advocacy and is the Chair of the Denver County Court Resources Committee.

Author Brenna Bracket is an Assistant Attorney General in the Criminal Appeals Section at the Colorado Department of Law.

Continued from page 4 - Inclusivity

For those with policy-making responsibilities, the need to act deliberately to create global awareness and to ensure transparent communication are critical. While it is important to make meaningful efforts to be inclusive in the hiring process, adding diverse candidates is not enough; we need utilize our differences to build an environment of ongoing inclusiveness. In other words, diversity does not equal inclusion. Inclusion creates a space where all voices feel equally heard and supported, which in turn allows diverse viewpoints to be heard and implemented.

An inclusive workplace can't be created at the top and pushed down, but must be built at every level. The first step is starting the conversation. Ask people what would make them feel part of the team; promote leadership and advancement opportunities; establish a working group to look at specific issues of inclusion and be willing to devote resources to that effort. Make strong connections with community groups that work with racial justice, immigration issues, disability rights, and LGBTQ issues. Seek input on how you can support their work and their priorities. Include workplace colleagues in these discussions and efforts.

We can only create truly inclusive workplaces if we act with purpose and intention. Acting deliberately to create a welcoming and inclusive workplace will have a profound impact on not only the organization as a whole, but also on each of the individuals who make up that collective.



Maggie Conboy is a member of the CWBA Publications Committee and a Senior Chief Deputy District Attorney at the Denver DA's office overseeing the special victim units, including sexual assaults, human trafficking, elder/at-risk, felony DV and felony crimes against children.



Kristin Arthur is the Co-Chair of the CWBA Publications Committee and Law Clerk and Judicial Assistant to Justice Brian D. Boatright of the Colorado Supreme Court.

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Continued from page 5 - Meet a CWBA Member

experience and viewpoints of new members add depth, fresh perspectives, and new ideas to the conversation on women in the law.

Better yet, the benefits flow in both directions. Kathryn credits her CWBA involvement with helping her improve her ability to effectively run meetings. She also credits CWBA leadership with providing her valuable support during her tenure as CHBA President. Kathryn encourages attorneys at every stage of their career to hone their leadership skills by leading a bar association. "It is a great way to learn how to guide an organization forward and inspire people."

Veronique Van Gheem is Senior Assistant Legal Counsel for the Colorado Judicial Department. Ms. Van Gheem works in the Executive Division of the State Court Administrator's Office providing general advisory counsel for the Colorado courts, probation departments and the State Court Administrator.

Continued from page 6 - Diversity Dream

minutes into an interview. And sometimes it's hard to separate those impressions from affinity biases that cause us to gravitate toward people with whom we share common traits." One suggestion is to ask similar behavior-based questions of each candidate "to make better, more objective comparisons." As one judge emphasizes, "[A]sking all applicants the same set of core questions is one of the best ways to compare applicants for final selection and to ensure this is a fair process." After all, the goal is to "provide a fair and unbiased evaluation of candidates for these judicial positions."

The video was posted on the Colorado Supreme Court website on February 22, 2018: <https://www.youtube.com/watch?v=sMYRFay2-xo&feature=youtu.be>. JNC commissioners also receive a USB with the video, and the Court's assistant typically includes a link to the video when she sets a JNC meeting. The video has been viewed more than 250 times and has received considerable positive feedback. In addition, Justice Márquez and Justice Hood have been advising attorneys who are interested in applying for judicial vacancies to watch the video, which can provide insight into the process and what commissioners are looking for in candidates. Perhaps this might include some of you.



Jessica Brown is a CWBA Past President and a partner in the Denver office of Gibson Dunn. She is a member of the firm's Labor and Employment, White Collar Defense and Investigations, Class Action, Privacy, Cybersecurity, and Consumer Protection and Electronic Discovery Practice Groups.

Continued from page 7 - Annual Judicial Reception

York University. “Even though he is in a big city, I don’t worry much about him. He’s just a really good kid.” Her oldest son graduated last May from Claremont McKenna College with a philosophy degree and helps children learn to read as a literacy fellow through Colorado Youth for Change. “It’s come full circle,” Judge Fox stated. “My son says the children he is teaching remind him of me because they are smart but don’t know the language.”



In the backyard of the Fox Family's Dillon, CO home, where the family is most relaxed. The Fox boys are avid skiers.

Judge Fox shared her inspiration to go to law school was a woman she encountered while she was working as an environmental engineer. She met a female in-house counsel who’s “knowledge gave her power.” Judge Fox admired how this woman commanded the attention of all of the men in the room, who far outnumbered the women, and she thought “I can do that!” She also found she enjoyed reading the regulations and federal laws that dictated her engineering projects. She immediately excelled in law school, where she found another mentor and inspiration in the first Latino professor that her law school hired, Olga Moya. Professor Moya became a sponsor for the Hispanic student group, having “gone through similar struggles.” Judge Fox still calls this professor a dear friend to this day.

In addition to her accomplished career and dedication to her family, Judge Fox embodied the spirit of mentorship and commitment to the legal community throughout her career as well. “I always



With Jordan Fox (Sherman & Howard partner) – college sweetheart & husband of 29+ years (it will be 30 years on May 19, 2019) – at the Colorado Hispanic Bar Association Banquet – January 2019.

try to impress upon [the students and lawyers that I mentor] that they don’t need to have a precise path planned out. Be prepared and know that if a door closes a window will open.” She has also dedicated time to serving on the Board of Directors of the CWBA and the Colorado Hispanic Bar Association, and she is currently working in collaboration with the Center for Legal Inclusiveness to diversify the bench. Finally, Judge Fox impresses the importance of loving what you do. She described her position on the Court of Appeals as “the best job in the world. Every day I learn something new.” She is inspired by the collaboration she has with her colleagues and the importance of the decisions she makes. “Every case matters. Whether it just matters to the two people asking for a decision from the court to setting precedent moving forward. That is never



CWBA Judicial Co-Chair Alison Connaughty with Judge Fox, CWBA President Cat Shea, and Judicial Co-Chair Elizabeth Meck.

lost on me....I am so privileged to have the opportunity, and the awesome responsibility, to decide cases, along with my capable colleagues, that affect Coloradans daily and in every part of our state.”

Continued from page 8 - Someone's Gotta Say It



Fox Family at Devon's May 2018 graduation from Claremont McKenna College. Justin (17), Terry, Devon (21), and Jordan Fox. Devon – who graduated with a Philosophy Degree – is currently a Literacy Fellow with Colorado Youth for a Change in Denver.

Terry Fox sits on the Colorado Court of Appeals. Before her 2010 judicial appointment, from 2004-2010, she served as an assistant U.S. Attorney in Colorado, working as trial counsel to federal agencies and specializing in environmental law, constitutional law, and other civil matters. Before joining the U.S. Attorney's Office, Terry was an attorney with the Colorado Attorney General's Office (in the Public Officials Unit and in the Litigation Section), an associate with the law firm of Holland & Hart (where she practiced Environmental Law), and a clerk for Justice Craig Enoch on the Texas Supreme Court. Terry has served as the Colorado Director and as District Director for the National Association of Women Judges (NAWJ) and is now a NAWJ member. Her community service includes membership and board service in the Colorado Hispanic Bar Association and the Colorado Women's Bar Association. She co-chaired the CWBA's Judicial Committee for years. She previously served on Colorado Supreme Court's Attorney Regulation Committee and the Board of Law Examiner's Law Committee. In collaboration with the Center for Legal Inclusiveness, she is a member of the Judicial Dream Team's efforts to diversify the bench. She is a member of the Executive Committee of Our Court Colorado and contributes annually to the Colorado Judicial Conference Planning Committee. In 2002 she was selected as a Marshall Memorial Fellow which allowed her to travel with other emerging American leaders to Europe. In 1989, she earned an engineering degree from the Colorado School of Mines, her J.D. in 1993 in Houston, Texas and her L.L.M. from Duke School of Law. Terry graduated from Brighton High School in Brighton, Colorado.

Alison Connaughty is a CWBA Board Member and Co-Chair of the Judicial Committee. She is a Senior Assistant Attorney General with the Colorado Attorney General's Office in the Financial Fraud Unit.

a non-dominant identity work there? Do they have institutional power? Are they management or staff? Do you know whether all employees at the same level get paid the same? Is there a way to make sure that is happening? How does the firm advertise job openings, where are they posted, who gets interviewed and who does the interviewing? Do you somehow belong to a dominant identity? How have you used the privilege bestowed upon you by this characteristic to help others? Have you spoken up? Okay. Then either start right now or keep going. Regardless of how scary or uncomfortable you think the conversation is going to be, if you have some degree of privilege you are better placed to speak up than others who are not so-privileged but may be suffering from particular policies.

Fourth, remember to center non-dominant experiences in the conversation. Assuming you are a white woman, this is not about *you* making things better or *you* feeling better about yourself. This is about working towards making real change in other people's lives, based on their experiences, to improve our society. Measure progress by outcomes and perceptions of non-dominant identity individuals rather than how "good" this makes people belonging to dominant communities feel. This means you must ask questions and build a culture where honest answers are welcome. Remember: your hurt feelings are nothing compared to a lifetime of inequity. If we want to be better, we have to do better. Not just try.

And finally, silence is easy; silence is comfortable. But, it is also complicity.



Dr. Giugi Carminati is a women's advocate, an attorney, and an activist. She speaks and blogs about intersectionality, trauma-informed representation, sexual harassment, and gender violence. Her law practice focuses on representing women, people of color, and members of the LGBTQ community. Her blog is Argue Like a Girl and her law firm The Woman's Lawyer.

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Confetti!

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Confetti news to
publications@cwba.org

Bench Strength

- **Catherine Cheroutes** was appointed to the Fifth Judicial District Court.
- **Caryn Datz** was appointed to the 17th Judicial District.
- **Chantel Contiguglia** was appointed an Arapahoe County Court Judge in the 18th Judicial District.
- **Kristy Martinez** was appointed to the Boulder County Court in the 20th Judicial District.

On the Move

- **Jessica Kyle Danehy** was named a shareholder with Sparks Willson Borges Brandt & Johnson, P.C.
- **Karin Williamson** joined Childs McCune.
- **Sarah Smyth O'Brien** joined Butler Snow in the areas of commercial litigation, construction law, insurance defense, personal injury, and product liability defense.
- **Laura Lopez** joined Jones & Keller as an associate focusing on corporate transactions.
- **Samantha Lillehoff** joined McGeady Becher, practicing in the area of special districts.
- **Sara Frear** joined Mulliken Weiner Berg & Jolivet P.C. focusing on real estate, business transactions, estate planning, and probate.
- **Hannah Seigel Proff** had opened her own practice focusing on juvenile advocacy and criminal defense.
- **Ayshan Ibrahim** joined the Transportation Practice Group at Hall & Evans LLC.
- **Kathryn Starnella** joined Wells, Anderson & Race, LLC as Special Counsel.
- **Lauren Groth** joined Hutchinson Black & Cook, practicing in commercial and Title IX litigation.
- **Jennifer Osgood** joined Chipman

Glasser, LLC representing public and private companies and individuals in business matters.

- **Jennifer Kilpatrick** has formed her solo practice, Kilpatrick Law, LLC.

You Were Recognized

- **Past President Shannon Stevenson** and **Nancy Cohen** were recognized for the service as DBA Board of Trustees members at the DBA awards ceremony.
- **Former Colorado Supreme Court Justice Nancy Rice** was a recipient of the Judicial Leadership Award at the Colorado Judicial Institute's Judicial Excellence for Colorado Dinner.
- **Samantha Lillehoff** was awarded the George Holley Outstanding Young Lawyer Award at the 1st Judicial District Bar Association Judges and Awards Banquet.
- **Hon. Christine Arguello** received the Celebration Award from the Harvard Law School Association's Alumnae Committee.
- **Paula Greisen** received the Ally of the Year Award from the Colorado LGBT Association for her work as part of the legal team for the *Masterpiece Cakeshop* case.
- **Former Chief Justice Nancy Rice** received the inaugural Chief Justice Nancy Rice Trailblazing the Bench Award from the Colorado LGBT Association.
- **Lucy Marsh** and **K.K. Duvivier** were honored as part of the "DU 8" who brought pay equity litigation against the University of Denver. The event was sponsored by the CWBA, the CWBA, and 106 other organizations and individuals.
- **Vanessa Devereaux** received the Billy Lewis Young Lawyer Award at the Sam Cary Scholarship Endowment Gala.
- **Past President Patricia Jarzobski** received the Alumni

professionalism award and K.K. Duvivier received the Excellence in Teaching Award at the DU Law Stars Dinner.

- **Natalie Hanlon-Leh, Kathleen Ott, Meshach Rhoades** and **Mikaela Rivera** were finalists for the Denver Business Journal Outstanding Women in Business.
- **Suzanne Griffiths** and **Meranda Vierya** were named two of the Colorado Women's Chamber of Commerce's Top 25 Most Powerful Women in Business.
- **Arnulfo Hernandez** was named "Best Immigration Lawyer" by *Law Week Colorado*.

Leading The Way

- **Jennifer Parker** was named to the board of trustees for the Legal Aid Foundation of Colorado.
- **Danae Woody** and the **Honorable Adam Espinosa** presented the Unbundling Roadshow to the Plaintiff Employment Lawyers Association.
- **Sommer Luther** was elected president of the Colorado Trial Lawyers Association.
- **Hon. Beth Faragher** presided over the 28th Annual Denver Veteran Stand Down.
- **Hon. Karen Brody** spoke at the Colorado Defense Lawyers Association new lawyers boot camp.
- **Morgan Cali** co-authored "Denver County Court: The Pursuit of Procedural Fairness" for the January *Colorado Lawyer*.
- **Marcy Glenn** wrote on "Persuasion Through Candor: An Appellate Lawyer's Duty and Opportunity" for the February *Colorado Lawyer*.
- **Past President Patricia Jarzobski** wrote "Meet the CBA and DBA's New Diversity and Inclusivity Steering Committee" for the February *Colorado Lawyer*.

UPCOMING EVENTS

April

- 2 | Mentorship and a Discussion on Diversity, DU Sturm College of Law
- 5 | Learning To Lawyer with a Pluralistic Mindset; Implicit Bias and Gender (CLE with CCBD), The Chancery Building, Denver
- 9 | Barristers Without Borders: A Benefit Event for Colorado Immigrant Rights Coalition, Rathod Mohamedbhai LLC, Denver
- 17 | Ninth Annual Moms Luncheon: You ARE Enough!, Chophouse & Brewery, Denver
- 22 | You Be The Judge: Judicial Diversity CLE, Ralph Carr Judicial Center, Denver

May

17-19 | 42nd Annual CWBA Convention at The Sebastian-Vail

MORE COMING SOON!



Register Now!



Interested in sponsoring the 42nd Annual CWBA Convention?

Contact:

CWBA Executive Director
Kim Sporrer at
execdir@cwba.org or
303-831-1040.

The Advocate is published seasonally by the Colorado Women's Bar Association. The deadline for articles is the first day of the month prior to the publication month. *The Advocate* team reserves the right to edit any material submitted for publication.

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Send email and address changes to Executive Director, CWBA, P.O. Box 1918, Denver, CO 80201. Phone: (303) 831-1040; e-mail: execdir@cwba.org.

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For more information about CWBA events, membership, and activities, visit the website at www.cwba.org or contact the CWBA office at (303) 831-1040.