Training Lawyers with a Business Edge

Colorado Law combines legal knowledge with an entrepreneurial mindset to prepare business-savvy attorneys.
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Electronic copies available at colorado.edu/law/alumni.

Inquiries regarding content contained herein may be addressed to Colorado Law, Attn: Amicus, 401 UCB, Boulder, CO 80309, or to lawalum@colorado.edu.

EDITOR-IN-CHIEF / Julia Roth
EDITING / Al Canner and Julia Roth
WRITING / S. James Anaya, Gregor MacGregor, Susan Miller, Richard Murray, Julia Roth, and Andrew Sorensen
DESIGN / Communications Strategy Group
PHOTOGRAPHY / Glenn Asakawa, Patrick Campbell, Casey A. Cass, and Gregor MacGregor
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CONNECT WITH US
There’s something about Boulder

Dean S. James Anaya

For decades, our city at the foot of the Rocky Mountains has attracted countless startup businesses, venture capitalists, and entrepreneurs. Boulder has the highest “high-tech startup density” of any metro area in the U.S., according to the August 2013 Kauffman Foundation Report. Inc. magazine has also named Boulder “America’s Startup Capital” and “America’s Startup City.”

The University of Colorado Law School is closely connected to the surrounding business and technology communities. Whether it’s through guest lecturers or events hosted by our Silicon Flatirons Center for Law, Technology, and Entrepreneurship or simply by bumping into an entrepreneur in the tight-knit Boulder/Denver legal community, our students closely interact with leaders from the startup world and enjoy rich opportunities for understanding the trends and issues shaping our economy and society.

In this issue of Amicus, we focus on Colorado Law’s renowned business and entrepreneurial offerings and the symbiotic relationship between Boulder’s entrepreneurial community and our law school. You’ll read about how our interdisciplinary courses, experiential learning and clinical opportunities, student-run investment competitions, boot camps, and more help students develop the skills they’ll need to work at the intersection of law and business. You’ll also see how the “Colorado Law Way” of training attorneys combines a rigorous legal education, an entrepreneurial mindset, and a commitment to contributing positively to society in all professional pursuits.

There are many people at the heart of this rich programming. Associate Professor Brad Bernthal ('01) directs the Entrepreneurship Initiative at Silicon Flatirons and has been pivotal in developing and leading on-campus partnerships such as the New Venture Challenge. Professor Andrew Schwartz’s groundbreaking scholarship on corporate crowdfunding is drawing attention internationally. Former Dean and now Colorado Attorney General Phil Weiser founded Silicon Flatirons in 2000, which brings hundreds of business and tech professionals to Colorado Law each year. Additionally, countless community and business leaders generously lend their time to mentor and support our students.

We also can’t ignore the importance of Boulder in this mix. There’s something about this place that inspires others to invest in each other and the future.

If it’s been a while since you’ve experienced the magic of Boulder, I encourage you to come visit. Homecoming and Reunion Weekend is Nov. 7-9. We’d love to see you there.

My best,

There’s something about Boulder

Above: Rising high school juniors from across Colorado attend a class taught by Clinical Professor Colene Robinson during Journey to JD, a partnership between the Center for Legal Inclusiveness and Colorado Law that brings 20 students to Colorado Law for a weeklong residential program.
Meet the Class of 2022

Colorado Law’s most diverse class yet.

3,190 number of applications
179 number of first-year students
3.61 median GPA
163 median LSAT
3,190 number of applications
179 number of first-year students
3.61 median GPA
163 median LSAT

| 55% | female students |
| 33% | students of color |
| 25 | average age |
| 111 | undergraduate colleges represented |
| 36 | states plus D.C. |
| 12 | LLM students from 10 countries including the U.S. |

* racially and ethnically diverse, self-identified

LLM Program Receives Top Honors

In its latest assessment of the best LLM programs for international attorneys, the International Jurist magazine commended Colorado Law for its law school experience, value, career assistance, and academics. Colorado Law was the only school in the nation to be recognized in all four categories.

The rankings, based on a survey of 150 law schools with LLM programs for foreign attorneys, pointed to Colorado Law’s signature offerings that are open to LLM students, including the Law of the Colorado River seminar (see more on page 22), three student-led journals, and clinical courses. The rankings also noted the intentionally small size of the LLM program, low student-to-faculty ratio, and partnerships with national and international organizations, including the Governors’ Climate and Forest Task Force, the Rocky Mountain Mineral Foundation, and the Inter-American Commission for Human Rights, which provide valuable hands-on experience and networking opportunities.

Serving on a journal is, for many, among the most memorable and rewarding experiences of law school. This fall, Colorado Law’s three student-led journals will have a new, state-of-the-art home in the Wolf Law Building.

The space includes double the previous square footage for journals staff to work, collaborate, and publish robust and high-quality scholarship. It was designed with collaboration and flexibility in mind, offering office suites, conference room, lounge, and large common area for socializing and events. The renovation will be completed this fall.

“The potential for this new space is to build even stronger, closer, more robust relationships between the people on the journals because now, for the first time, we’ll have a space where everybody can be there together,” said Rob McCary (’19), who served as managing editor of the University of Colorado Law Review in 2018-19. “There’s room for all of the team that needs to be there at the same time instead of cycling through single-file. And there’s a huge common room where we can have 15 or 20 people working or we can host a social event for the entire team—all 60 members—in one space. That is something we have never had before and I think it is going to facilitate even stronger relationships and a more positive sense of community.”

“This space is going to impact so many students for so long. It will make their journals experience so much more valuable, meaningful, and fun.”

Rob McCary (’19)

Journals at a glance

University of Colorado Law Review
• Largest active student-run organization
• Colorado Law’s oldest journal of legal scholarship
• Published as the Rocky Mountain Law Review from 1928 to 1962
• Publishes four times per year on all topics of legal importance

Colorado Natural Resources, Energy, and Environmental Law Review
• Biannual publication, founded in 1989
• Formerly the Colorado Journal of International Environmental Law and Policy
• Publishes articles related to natural resources, energy, and environmental law and policy

Colorado Technology Law Journal
• Formerly the Journal on Telecommunications and High Technology Law
• Founded in 2001

Watch students reflect on their journals experience: cu.law/journals.
New Faculty

**Finance Scholar Nadav Orian Peer Joins Faculty**

Nadav Orian Peer joined Colorado Law this fall and will teach Financial Institutions, Bankruptcy, and Property, as well as a seminar titled Public Purpose Finance.

His research and teaching focus on the law of financial institutions, including banking, capital markets, derivatives, and community development. His work studies the intense framework of governance and regulation that undergirds the day-to-day functioning of financial markets. The design and operation of this framework has profound implications for the distribution of credit and economic opportunity in society. His current research explores policy proposals to increase access to credit in the fields of fair housing and climate mitigation.

His recent articles include “Negotiating the Lender-of-Last-Resort: The 1913 Fed Act as a Debate Over Credit Distribution” (15 NYU Journal of Law & Business, 2019) and “Your Grandfather’s Shadow Banking: Clearing and Call Loans in Gilded Age New York” (forthcoming in Inside Money: Re-Theorizing Liquidity, Christine Desan ed.).

Prior to joining Colorado Law, Orian Peer taught as a visiting assistant professor at Tulane Law School and worked as a business economist at the Federal Reserve Bank of Chicago (Financial Markets Group). He completed an SJD at Harvard Law School, where he taught as a Byse Fellow, and an LLB at Tel-Aviv University. As a member of the Israel Bar Association, he also practiced commercial litigation, specializing in bankruptcy and secured transactions.

**Rabea Benhalim Joins Faculty**

Rabea Benhalim joined Colorado Law this fall as an associate professor, where she teaches Contracts and Secured Transactions. Prior to joining the Colorado Law faculty, she was the 2017-2019 William H. Hastie Fellow at the University of Wisconsin Law School. Her research focuses on comparative Islamic and Jewish Law. Her article “The Case for American Muslim Arbitration” was recently published in the Wisconsin Law Review, and her article “Religious Courts in Secular Jurisdictions” was recently published in the Brooklyn Law Review.

Benhalim’s prior work experience as a lawyer and policy expert includes positions at the Brookings Institution, Mayer Brown LLP, Maersk Oil, and the Carter Center. She holds a master’s of public policy degree from the University of Michigan and a JD from the University of Texas. She is a PhD candidate in Islamic Studies at the University of Texas at Austin.

**Former U.S. Department of Housing and Urban Development Attorney Zach Mountin ('10) Joins Clinical Faculty**

Colorado Law alumnus Zach Mountin ('10) joined the Clinical Education Program in June as associate clinical professor and director of the Civil Practice Clinic.

A native of Milwaukee, Wisconsin, Mountin earned a BA from Marquette University. He served in the Jesuit Volunteer Corps in Anchorage, Alaska, working as a case worker with runaway and homeless teenagers at Covenant House Alaska. His work with at-risk youth sparked an interest in this law and ultimately brought him to Colorado Law, where he served as editor-in-chief of the University of Colorado Law Review. Mountin also served as a law clerk for Justice Melissa Hart on the Colorado Supreme Court.

Mountin previously served as a trial attorney with the U.S. Department of Housing and Urban Development, where he focused his practice on employment and housing discrimination cases and litigated cases before a variety of administrative courts coordinating with the Department of Justice on federal court litigation. He gave frequent trainings to both internal and external stakeholders on employment and fair-housing issues.

Mountin is developing a new employment law component of the Civil Practice Clinic in which law students will represent low-income wage workers seeking compensation, workers facing discrimination, and government employees at risk of losing their jobs. These cases will allow students to develop their civil litigation skills while expanding access to justice for workers who would normally go unrepresented.

**Zach Mountin**

**Cybersecurity and Privacy Law Expert Amie Stepanovich Named Executive Director of Silicon Flatirons**

Amie Stepanovich, a nationally recognized leader in domestic surveillance, cybersecurity, and privacy law, joined Colorado Law in July as executive director of the Silicon Flatirons Center for Law, Technology, and Entrepreneurship.

Stepanovich holds a JD from New York Law School and a BS from Florida State University.

She previously served as U.S. policy manager and global policy counsel at Access Now in Washington, D.C., where she worked to protect human rights in laws and policies involving technologies and their use. Prior to that, she was director of the domestic surveillance project at the Electronic Privacy Information Center, where she testified in hearings in both the Senate and the House of Representatives, as well as before the German and Australian parliaments.

“I am excited to join the team at Silicon Flatirons as it embarks on its next chapter,” Stepanovich said. “Today we’re at a critical juncture in the conversations about the evolution and governance of technology, and the world-class directors and staff of Silicon Flatirons are helping to shape those discussions. As executive director, I hope to live up to the standards set for the role by Phil Welser as our founder and longtime leader, while also seeking out new opportunities and means for engagement. I look forward to connecting with the students of Colorado Law and the University of Colorado as well as the entire Silicon Flatirons community. I am grateful for this opportunity and am committed to the center’s mission and to continuing to grow Silicon Flatirons as an inclusive leader in law and innovation.”
Celebrating the Class of 2019

On Friday, May 10, 2019, the University of Colorado Law School celebrated the commencement of 157 JD graduates, nine LLM graduates, and 10 Master of Studies in Law (MSL) graduates.

Our most recent post-graduation employment data for the Class of 2018, as reported in April to the American Bar Association and the National Association for Law Placement, show that 94 percent of graduates were employed 10 months after graduation. Of these graduates, 85 percent were in long-term (one year or more), full-time, non-school funded jobs for which bar passage was required or a JD degree was an advantage—the highest of any class in 11 years.

Eighty percent of 2018 graduates reported accepting a full-time, long-term, non-school funded job for which bar passage was required—also the highest number in the last 11 years.

These figures put the class at 36th in the nation for overall employment and 35th in the nation for the percentage of graduates in full-time, long-term, bar passage-required jobs. See a full summary of employment data at colorado.edu/law/careers.
Constitutional law tends to focus on the rules that apply to what the government does—like the rules that apply to the laws that the government enacts to the government’s taxes and the government’s decisions to arrest and imprison. What’s less clear are the constitutional rules that apply to what the government says.

In her new book, The Government’s Speech and the Constitution (Cambridge University Press), constitutional law scholar and Professor Helen Norton investigates the variety and abundance of government speech, from early proclamations and pamphlets to the electronic media of radio and television and to today’s digital age.

“At its core, constitutional law addresses the uses and abuses of government power. This includes the uses and abuses of the government’s expressive powers,” Norton said. “When we see or hear the terms ‘government’ and ‘speech’ in close proximity, we often think of the constitutional issues triggered when the government regulates our expression. In this book I focus on the constitutional issues raised when the government itself is doing the talking.”

Norton, who holds the Rothgerber Chair in Constitutional Law at Colorado Law, focuses her teaching and scholarship on constitutional and civil rights law. Before entering academia, she served as deputy assistant attorney general for civil rights at the U.S. Department of Justice during the Clinton administration. Her constitutional law scholarship has appeared in the Duke Law Journal, Northwestern University Law Review, Stanford Law Review Online, and the Supreme Court Review, among other journals.

Q: First, let’s start with a definition. How do you define government speech?

When I talk about the government’s speech, I am referring to the speech of a governmental body like an agency or congressional committee (think of the surgeon general’s report on the dangers of tobacco) as well as the speech of an individual who speaks when backed by the government’s power (like the attorney general announcing official policy or a police officer interrogating a suspect).

Q: How is speech by the government different from when anyone else speaks?

The government’s speech is unique among speakers because of its coercive power. Its enormous resources, its often privileged access to key information, and its wide variety of expressive roles. The government speaks not only as sovereign, but also as employer, as educator, as property owner, as commander-in-chief, and in many other roles. For all these reasons, the government’s speech has unusual potential for great value as well as great harm.

Q: Why does the government’s speech deserve our attention right now?

The government’s speech can serve, or instead threaten, democracy. We need to empower our government to operate effectively, to serve and protect us, even while we need to limit its power to harm us. Think of governmental threats that silence dissenters as effectively as jailing them, or governmental lies that pressure their targets into abandoning their constitutional rights as effectively as denying those rights outright. These concerns are as important now as they’ve ever been.

Q: Are there ever instances when the government can lie to its citizens? Under what circumstances?

When we must instead rely solely on political action like protesting and voting.

Q: You’ve written extensively about free speech as it relates to artificial intelligence, employers, and the government. What inspired you to write this book about government speech?

I’ve worked for the government myself when I helped lead the Department of Justice’s Civil Rights Division during the Clinton administration, so I have some experience with the challenges and benefits that come with speaking for the government. After I entered academia, my early work in this area focused on the value and importance of the government’s speech so long as its governmental source is made clear to the public. As the years passed, I also became interested in the dark side of the government’s speech—in other words, the government’s destructive expressive choices. This led me to wonder whether and when the Constitution limits the government’s speech. This book represents my efforts to describe and analyze the tensions between these two sides of the government speech coin.

Q: How has writing the book influenced your future scholarship?

Thinking about the constitutional rules that apply, or should apply, to the government’s speech invites lots of important and challenging questions both about the nature of speech and the nature of government. It requires us to expose our views about how government does and should work, and our views about how speech does and should work. What value does the government’s speech offer, what dangers does the government’s speech threaten—and does the Constitution protect us from those dangers? These are questions that I’ll continue to explore.
The skills needed to be a successful lawyer in 2019 and beyond are changing.

Law professors and practitioners agree: law practices today—as well as in the future—are broad and interdisciplinary skills that combine legal knowledge with an understanding of technology and data, problem-solving, collaboration, and personal effectiveness. In addition to the practice of law, clients expect lawyers to also be competent in understanding the business of a client.

Many schools, including Colorado Law, have responded to the shifting market demand for business and technology-savvy attorneys with specialized courses and clinics, partnerships with the business community, and opportunities for hands-on training.

When students leave Colorado Law, they not only have a legal skill set, they also are familiar with the nuances and breakdowns of a company, said Associate Professor Brad Bernthal (’11), who is at the forefront of Colorado Law’s entrepreneurial efforts. This is important in setting up for success, no matter their chosen area of practice, he said.

The “Colorado Law Way” of training attorneys combines a rigorous education, one that goes deep in the legal discipline, and a focus on building students’ “transactional” skills so the court premised its ruling on foundational principles that we apply every year at Colorado Law in the first-year Contracts course,” Schwartz said. (The court cited a UCLA Law Review article by Schwartz in its opinion.)

In addition, practical skills courses such as Transactional Drafting, Deals, Legal Negotiation, Venture Capital and Private Equity, Software Transactions, and Data Analytics require students to transfer skills to the real world. Such courses provide relevant, practical, and valuable information that students will use regardless of their chosen career path.

Venture Capital and Private Equity, taught by Bernthal and local venture capitalist Jason Mendelson since 2008, is a popular course for entrepreneurially minded students, as well as others without a business background who are interested in exploring the world of startups and investment. The course teaches the legal and financial principles relevant to representation of privately held companies, their founders and managers, and their investors.

Program highlights

Entrepreneurial Law Clinics: Students work with local entrepreneurs, providing legal advice and services for the formation and development of small businesses in Colorado.

Silicon Flatirons Center for Law, Technology, and Entrepreneurship: Colorado Law’s epicenter for students, entrepreneurs, policymakers, and professionals at the intersection of law, policy, and technology. Its Entrepreneurship Initiative, launched in 2008 by Associate Professor Brad Bernthal, facilitates interaction between CU and Colorado’s high-tech entrepreneurial community.

Deming Center Venture Funds: Working in partnership with investors, CU alumni, and local entrepreneurs, the Deming Center Venture Funds provides funding for students from across CU’s campus to make angel investments into local startups.

Institute for the Future of Law Practice (IFLP): Law students advance their academic knowledge and real-world business and technology experiences as participants in IFLP’s three-week boot camp conducted by industry leaders, followed by paid internships in Colorado, Silicon Valley, and elsewhere.

Venture Capital Investment Team: Most rural and urban areas in Colorado are entitled to a “core” of low-cost venture capital investment, which has been increasingly difficult to obtain. The Venture Capital Investment Team provides students with an opportunity to understand and provide advice to entrepreneurs, work with university and community stakeholders, and provide a valuable service to the local business community.

Training Lawyers with a Business Edge: The Colorado Law Way

By Julia Roth

Curriculum

Colorado Law’s curriculum provides its students a competitive advantage amid a changing legal landscape, where many of today’s employers focus on recruiting attorneys with a strong business orientation.

The building blocks for business law include courses such as Contracts, Corporations, and Securities Regulation. These foundational substantive areas remain table stakes for effective business attorneys.

Professor Andrew Schwartz, who joined the Colorado Law faculty in 2008, offers the example of Akorn v. Fresenius, a corporate law case out of Delaware.

“Akon was a landmark corporate case where the court allowed a corporate acquirer to walk away from a $5 billion merger agreement. But that merger agreement was itself just a type of contract, and so the court premised its ruling on foundational principles that we apply every year at Colorado Law in the first-year Contracts course,” Schwartz said. (The court cited a UCLA Law Review article by Schwartz in its opinion.)

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Students respond in such an enthusiastic way that the class has a jazz-like improvisation in the back-and-forth between students and professors,” said Bernthal. “Each session has something unexpected and creative.”

The course is so valued that students established an endowed scholarship fund in Bernthal’s name and created a separate campus entrepreneurship gift in Mendelson’s honor.

“The VC class was my first look at how businesses are funded and what startups are looking for to scale their businesses,” said Jon Midgrom (’15), founder and partner at Miqron & Daskam. “We negotiated terms for the purchase and sale of equity in a company. This is something I do nearly every day in my current practice. The class was super practical in terms of exposing you to deal structures, entity structures, and industry terms and terminology.”

Several alumni of the class have gone on to work in investing or start their own firms or companies: Chris White (’14), founder and CEO of clothing company ShredReady; Cami Yuenza (’14), vice president of bank management at Goldman Sachs; Josh Fitch (’17) and Nick Troxel (’17), founders of Troxel Fitch, LLC; Ben Abell (’11), co-founder of sunglasses company goodr; Shannon Liston (’15), senior corporate counsel at Techstars; and Sierra Matte (’16), corporate counsel at Techstars, to name just a few.

Colorado Law’s business law curriculum also focuses on building students’ “transactional IQ.” Transactional IQ is defined as the measure of an individual’s ability to serve as a trusted business legal advisor. Colorado Law takes an innovative approach to integrating traditional doctrinal and experiential learning.

In Transactional Drafting, a course designed and spearheaded by Legal Writing Professor Amy Bauer in 2010, students learn the principles of contemporary commercial drafting, gaining skills that are applicable to transactional practice and are also useful to future litigators.

“To encourage them to develop and offer their services to startups,” said Bauer, who created an Advanced Transactional Drafting course and regularly teaches the Colorado Law Association CLE courses on drafting. She frequently speaks with legal writing faculty at other law schools to encourage them to develop and offer their own drafting courses, as she did.

“In Transactional Drafting, we actually wrote the contracts we analyzed only theoretically in a Contracts course,” said All Lipman (’14), an associate at Johnson & Rainucci, LLP in Boulder. “In each Legal Negotiation class, we simulated real-world negotiations, which helped us better understand how to effectively negotiate a meaningful settlement. Both of these courses were hands-on and thus immensely helpful in preparing me for client work. Ultimately, these courses made me more confident in my law practice.”

New Venture Challenge: CU Boulder’s entrepreneurial “flight simulator” for the last decade, giving aspiring entrepreneurs the chance to build a startup through support and mentorship.

Defy Ventures: Through a partnership with Defy Colorado, Colorado Law students volunteer with inmate entrepreneurs to teach entrepreneurship and create business plans.
Community
Beyond the classroom, experiential opportunities abound for Colorado Law students to hone their business skills. These experiences are enriched by Colorado Law’s location in Boulder, one of the top U.S. cities for startup businesses, and the #GiveFirst mentality that permeates the entrepreneurial ecosystem in Boulder.

#GiveFirst describes a norm of behavior in the Front Range, championed over the past decade by venture capital firm and entrepreneurial network Techstars. It refers to individuals helping others, without any expectation of direct payment in return. #GiveFirst is not pure philanthropy. Rather, it is participation in a system where an individual trusts that benefits provided to others will, over time, indirectly come back to the individual. Thanks to the generosity of dozens of venture capitalists, entrepreneurs, and attorneys willing to lend an ear, hour, or email, Colorado Law students enjoy invaluable connections in the Boulder-Denver area that often lead to internship, externship, and job opportunities.

"Along with mountains and sun, #GiveFirst is one of the attractions that motivates entrepreneurs to migrate to the Front Range," Bernthal said at a recent entrepreneurship conference hosted by Colorado Law’s Silicon Flatirons Center. "It is a mode of behavior about how exchanges work between people working in the startup scene. In my estimation, it facilitates what Brian Eno calls ‘scenius,’ which he defines as the communal form of genius."

Jon Milgrom (‘15) cites his participation in the Deming Center Venture Fund, which supports emerging companies in Boulder and surrounding communities, as one of his most formative law school experiences. Law students can join the student team, which serves as a venture fund for making seed investments in local companies. "Working under the guidance of an experienced advisory board, including David DiGiulomme (‘14) and Mike Dornick (‘14), and local business leaders, students learn the ins and outs of venture capital and angel investing. Since the program was founded in 2009, nearly 40 Colorado Law students have served as team members and have gone on to work at companies like Zayo, Level III, Cooley LLP, Latham Watkins LLP, McKinsey & Company, Deloitte, Blackstone Entrepreneurs Network, Boomtown, DISH, Greenlight Labs, Greenmont Capital, and Oracle."

"You get pitches from all these different businesses and you have to break down their business plans. Working with an interdisciplinary team that includes students from business, architecture, journalism, and engineering, you collaborate to break down the business plans and ideas and provide entrepreneur advice, listen to their pitches, and source deals. You’re doing basically what a venture fund does, except we’re making seed investments,” Milgrom said.

Through its course offerings, programming, and community partnerships, Colorado Law is giving its students the tools they need to become better allies for the businesses they may one day represent.

"As an attorney, if you can relate to your clients—almost all of which are businesses—you can represent their interests much more effectively," Milgrom said. "This comes up on a daily basis. Understanding business helps you to know what they’re up against and advise them in a more meaningful way."

Sally Hatcher (‘97), a serial entrepreneur who co-founded two companies after law school and now advises graduate students interested in pursuing companies, agrees: "Lawyers with business experience understand better than most lawyers what it’s like to be in the trenches and understand the decisions you have to make as an entrepreneur." She said, "If you understand what your clients are going through, you are going to be a better lawyer because you are going to understand their needs better."

"The functional framework of the new typology helps surface ‘the economic and sociological realities’ of a startup–investor relationship,” Bernthal writes. "The new typology is multidimensional, providing a tool to examine economic, control, time, and regulatory aspects of the startup–investor relationship. Yet today’s landscape involves a proliferation of instrument types as a whole and find a way to organize them into a common framework."

"When an early-stage startup needs money to launch its business, conventional fundraising involves selling the startup’s stock to an angel investor or venture capitalist in return for an investment of capital. Yet the last two decades have seen an explosion in different ways to structure fundraising. Startup financings, once dominated by preferred stock, now feature at least eight different instruments often used by startup companies and investors—six of which have only become widely used in the last decade."

"The U.S. has long had the largest and most mature system of venture capital and angel financing in the world, and crowdfunding helps make up for that shortfall. New Zealand has long had much less venture capital and angel financing, even for its size, and crowdfunding helps make up for that shortfall. New Zealand could not afford to be distracted by the secondary goal of inclusivity."

Bauer: Transactional Drafting for Practice-Ready Attorneys

The demand for law school courses that cover practical lawyering skills is at an all-time high, as employers—in an effort to reduce spending by providing less training—focus on recruiting practice-ready attorneys.

“To ensure that students get a strong return on investment and are able to compete in this new landscape, law schools must expand their curriculum and offer practical skills courses well beyond the traditional first-year legal writing class that focuses almost exclusively on drafting in the litigation context,” Legal Writing Professor Amy Bauer writes.

Colorado Law has responded to this need by offering a number of specialized programs, clinics, and course offerings—including courses in transactional drafting. In an article published in Transactions: The Tennessee Journal of Business Law, Bauer details her career path from litigation teaching to writing legal to creating and teaching Colorado Law’s first transactional drafting course in 2010.

Since then, Bauer has taught Transactional Drafting 21 times to nearly 400 students, created an Advanced Transactional Drafting course, and taught several Colorado Bar Association CLE courses on drafting. Her class has grown to one of Colorado Law’s most popular.

“Transactional Drafting consistently has one of the longest waitlists, and despite offering the course in the summer, spring, and fall for almost eight years, my class is simply not sufficient to satisfy student demand,” Bauer writes.

To meet this interest, Colorado Law hired adjunct professors to teach additional sections of the course.


Speck: Is Crowdfunding for Medical Care Taxable?

As the price of health care goes up, hundreds of thousands of individuals have raised billions of dollars through crowdfunding to help with the costs of surgeries, hospital stays, and lost wages due to illness and injuries.

Associate Professor Sloan Speck’s latest research explores the tax consequences of medical crowdfunding, in terms of both the positive state of current law and the normative question of how medical crowdfunding should be treated.

“Although some accounts explore issues surrounding access, bias, and the distribution of benefits, virtually no attention has been paid to these issues in the tax context,” Speck said. Crowdfunding contributions may appear to be nontaxable gifts under current law, but the nature and mechanics of online crowdfunding raise doctrinal and policy questions about this conclusion.

In addition, crowdfunding may be subject to IRS forms that report amounts raised. These forms can be an unwelcome surprise, and they have led to audits in some cases. “For several years, the IRS has listed medical crowdfunding in its priority guidance plan, but there is a dearth of clear, formal guidance in this area,” he said.

“We really need to think about how medical crowdfunding fits within the Internal Revenue Code,” said Speck. “Medical crowdfunding challenges our paradigm of the tax system’s role in promoting health care, and we should either rationalize crowdfunding within the existing rules or use crowdfunding as a call for more fundamental reform.”


Brunet Marks: Incentivizing Farmers to Adopt Sustainable Food Systems

The sustainable shopper is here. As food consumers pay more attention to labels and aligning food purchases with values, economists would normally predict that supply would follow, prompting farmers to produce for these value-added markets. This is not necessarily the case, however, as Professor Alexia Brunet Marks argue in a recent Vermont Law Review article, which received Colorado Law’s Sandgrund Award for Best Consumer Rights Work in 2019.

For some farmers, the barriers to producing more sustainable food extend beyond the usual agricultural production constraints, such as access to inputs like seeds and technology. Brunet Marks discusses one seldom-discussed barrier to producing more sustainable food: whether the farmers rent or own their land, otherwise known as the “land tenure” status.

Brunet Marks found that renters adopt fewer sustainable practices—not because there is anything inherent in farmland rental that results in inferior environmental stewardship, but because legal agreements between the landlord and tenant do not incentivize sustainable practices.

In order to feed the “eco-consumer”—those who consider environmental sustainability as an important purchasing priority—and motivate sustainable practice adoption, renters need incentives to adopt sustainable practices, Brunet Marks writes. Incentives to produce sustainably are vital given that 10 percent of farmers are due to retire in the next 20 years, placing more land in tenancy and into the hands of landlords with little farming experience.

She recommends several public and private sector mechanisms to incentivize farmers to adopt sustainable practices, including expanding access to federal conservation programs, integrating conservation goals into other federal programs, reforming lease contracts by adding environmental stipulations or sustainability provisions, and industry collaborations and co-marketing opportunities.

Further, Brunet Marks points out that research on the price premium offered by certification programs is necessary to show farmers that sustainable practices provide a return on investment. Additionally, expanding state legislative programs favoring conservation and industry collaborations that provide farmers with funding to undergo organic certification will be critical as farmers strive to adopt sustainable practices.

In a subsequent and complementary article, “Carbon Farming Our Way Out of Climate Change,” forthcoming in the Denver Law Review (2020), Brunet Marks continues to argue for sustainable farming practices and introduces a food certification for “carbon farming”—namely, agricultural practices that remove carbon from the atmosphere and sequester it beneath the ground.


By Otto Hanson

Otto Hanson’s entrepreneurial spirit helped pave his way to the University of Colorado Law School and to co-founding his own company. As a staff attorney at Davis Graham & Stubbs LLP and founder of TermScout, a legal tech startup that helps businesses and consumers build and understand contracts, Hanson recognizes the important practical skills he gained while attending Colorado Law.

Hanson earned his MBA from the Middlebury Institute of International Studies and worked for various startups before attending law school. “A big part of the reason why I chose Colorado Law was the programs run by Associate Professor Brad Bernthal and former Dean Phil Weiser,” he said. “I started out in the Silicon Flatirons student group and was president during my second year. I also competed in transactional competitions, and my team won the national Transactional LawMeet competition in New York City in 2015.”

The Tech Lawyer Accelerator and the Deming Center Venture Fund (DCVF), led by a cross-disciplinary team of Boulder graduate students, were two of the biggest influences on Hanson’s career.

“The DCVF is basically a venture capital fund run by graduate students. I was a student venture capitalist while I was a law student,” Hanson said.

“Prior to law school, I’d been on the startup side of things. I was never on the investor side. It was really great to try that hat on,” he said. “We listened to startup pitch presentations, interviewed executives, worked with the legal and financial teams, and learned about the due diligence process. We had to really look under the hood of the business and ask if we should allocate funds to this company. That was such a great experience to have while I was still in school.”

Unbeknownst to him at the time, the DCVF would later play a pivotal role in Hanson’s own startup, which started when Hanson and Katherine Snow (’17) entered, won, and leveraged the Global Legal Hackathon in 2018 with an earlier iteration of their idea, then called LexLucid.

“We were frustrated after discovering some unusually and unapologetically aggressive terms in the click-through agreements of some large, well-known companies, so we set out to create a way for people (and later for businesses) to know what they’re signing,” he said. “We received really positive feedback from judges and even found our first initial investor at the final round of the Global Legal Hackathon in New York City. We came back from that competition with a prototype of a product, an investor, and a winning idea, so we decided we had better keep at it.”

When Hanson went out for TermScout’s first financing in early 2019, his team pitched—and received funding from—the Deming Center Venture Fund.

“It was great to work with the fund again and experience being on the company side of that transaction,” Hanson said.

Another fundamental law school experience for Hanson was the Tech Lawyer Accelerator Program (TLA), run by Bill Mooz (’85). The program, which has been reimagined as the Institute for the Future of Law Practice, offers a hands-on training boot camp that focuses on disciplines not generally taught in law school followed by a field placement with companies in Colorado, Silicon Valley, and elsewhere.

“TLA got me up to speed. It was definitely a game changer,” he said. “Before law school I worked in low-tech startups, so I knew I needed more tech experience. TLA taught me the core language I needed to speak intelligibly to software engineers and work in the tech sector. I actually ended up working for a software company that summer. If you want to be involved with a high-tech business, being able to speak the language is just as key as knowing the law.”

Hanson also identified classes such as Venture Capital and Private Equity, taught by Bernthal, and local venture capitalist Jason Mendelson, and Legal Writing Professor Amy Bauer’s Transactional Drafting class as useful and practical classes. “I really didn’t want venture capital to be over. It was definitely a top class of all time for me,” he said. “The best class for technical skills was Professor Bauer’s transactional drafting class. She does a good job of using a technical approach to drafting and helping students recognize constituent parts of a contract. That is one skill that I still use all the time.”

Today, Hanson continues to practice law part time in the finance and acquisitions department of Davis Graham & Stubbs LLP and is the CEO of TermScout. “It’s incredible how supportive DGS has been, providing office space and mentorship for TermScout and being flexible with my legal practice as part of their efforts to give back to the entrepreneurial and legal tech communities,” he said.
Laura Littman
Senior Product Manager, Strategic Networks
Zayo Group

Laura Littman’s interests and knowledge have led her to pursuing two different career paths in law and business: she currently works as senior product manager on strategic networks at the Zayo Group, where she originally began as in-house counsel.

When Littman entered Colorado Law, mentors such as Phil Weiser guided her into the tech policy space based on her interests. "Antitrust was my real interest going into law school. I came in as an undergrad economics major and Phil Weiser steered me towards telecom and the tech field because there'd be a lot of antitrust there," she recalled. "I also worked with Phil as an editor for some of his writing and did antitrust research with him."

As a student at Colorado Law, Littman continued to pursue her interest in antitrust, getting involved with Silicon Flatirons and serving as an articles editor on the University of Colorado Law Review. She also worked at the Federal Trade Commission in Washington, D.C., as part of the Hartfield Scholars Program, which provides grants for summer internships in government or public interest in recognition of Dale Hatfield's career.

"The FTC allowed me to split my time between privacy and antitrust," she said. "The FTC allowed me to split my time in government or public interest in recognition which provides grants for summer internships continuing to pursue her interest in antitrust, writing and did antitrust research with him."

"I spent my first year helping Zayo go public. After that, I focused on mergers and acquisitions, and then we started to focus, cleaning up our corporate entities and internationally," she said. "Last year, I became curious about the business side. Zayo agreed to give me opportunity to learn about being a business person. Since I had a really good handle on the corporate legal side, I was able to switch over completely to the business side, and I'm 100 percent working on strategy and product development now. I'm also considering going back to business school part-time."

Christian Sederberg
Founding Partner, Vicente Sederberg LLP

Sederberg entered the University of Colorado Law School knowing full well he wanted to do some sort of transactional law work.

"I liked reviewing contracts and I knew that I would like to continue working in that general area. I worked at KO Sports while I was in law school where I did sports agency work representing hockey players and professional snowboarders. Unfortunately, there was an NHL lockout during that time, which ended my short sports agency career, but by that point I really knew I was transaction oriented."

At Colorado Law, Sederberg joined the emerging Entrepreneurial Law Clinic, a project that then-Professor Phil Weiser took a leadership role in helping to develop into the current program, "It was a unique clinical experience. We worked on forming companies and other issues related to a startup. We represented these startups from around the Boulder and Denver area, helping professors and the university commercialize the research or inventions that came out of their work at CU, as well as graduate and undergraduate students who were starting new ventures."

Sederberg found the practical experience that comes from working in a clinic invaluable. "Nothing beats doing the work," he said. "Transactional experiences can be hard to get while you are in law school. You can get this legal background in classes on corporations and administrative law, but it really takes being a practitioner to know how to do the work. Just getting in there and learning how to do it is important."

His advice to current students looking for a career in business law or in transactional work would be to get the practical experience as soon as possible. "Get involved with the Entrepreneurial Law Clinic and also go to industry events or CLEs focused on the industries you are interested in. Try to get internships and externships with regulatory bodies or firms with sitting transactional practice groups. For example, our firm often takes interns and externs from Colorado Law."

"When we first started, it also wasn't certain that marijuana wouldn't be challenged by the Department of Justice at any time. Additionally, there's limited case law—it takes time to build precedent, and the legalization is new and only at the state level."

Working in a developing field brings plenty of rewarding experiences. "Standing up a new industry that will only become larger is very rewarding," Sederberg said. "This industry is international in scope. We have worked with foreign governments on how to effectively regulate cannabis and hemp. It's great being able to do this work with innovative people in an environment that will fundamentally change how the U.S. and the rest of the world does business."

The growing marijuana industry has provided Sederberg with a chance to participate in creating an industry. "When we were looking at how to regulate marijuana, we looked at the current Colorado liquor and gaming regulations," he said. "In 2010, when we were developing the basic framework, we also created a partnership of sorts with the new regulatory agency, which was also learning how to regulate an entirely new industry. It's a fascinating way to do things, to be involved with lots of stakeholders from the very beginning of an industry."

Laura Littman

Littman's interest in antitrust and business law led her to working in-house at Zayo Group, a tech company that provides communications infrastructure services. Her combination of knowledge of and interest in business law and telecom law made her an excellent fit.

"I think it's also refreshing for the business side to have someone who was trained differently. As attorneys, we're critical thinkers and problem solvers. Lawyers tend to look ahead, given we're used to working on the triage side of things," she said. "Business is focused on customers and sales but I'm also making sure the processes are done right the first time. I'm able to be part of the entire process of a deal. I'm learning more about the product but I'm also able to help through many of the steps, from pricing to contracts with customers. Whereas some of the business people tend to avoid working on contracts, I'm actually excited about working on the contract at the end of the deal."

Christian Sederberg

Sederberg said. "Medical marijuana became legal in Colorado in 2000, and recreational marijuana was legalized in 2012. Our clients face challenges raising money and finding good teams, and may have limited access to bank accounts. When we first started, it also wasn't certain that marijuana wouldn't be challenged by the Department of Justice at any time. Additionally, there's limited case law—it takes time to build precedent, and the legalization is new and only at the state level."

"Some of the challenges to working in such a new field include the fact that our clients are almost all startups," Sederberg said. "Medical marijuana became legal in Colorado in 2000, and recreational marijuana was legalized in 2012. Our clients face challenges raising money and finding good teams, and may have limited access to bank accounts. When we first started, it also wasn't certain that marijuana wouldn't be challenged by the Department of Justice at any time. Additionally, there's limited case law—it takes time to build precedent, and the legalization is new and only at the state level."

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The Law of the Colorado River seminar addresses the many areas of law and policy that affect the management of the Colorado River and the communities that depend on it. To cap off the seminar, the class took a two-week rafting trip down the Colorado River’s mainstream through the entire Grand Canyon, from Lee’s Ferry to Pearce Ferry. Professor Sarah Krakoff taught the seminar and organized the river trip, including leading the fundraising effort to make it possible.

Read a student’s perspective at [cu.law/lawoftheriver](http://cu.law/lawoftheriver).
About 220 miles south of Denver—a stone’s throw from the New Mexico border—lies the small town of San Luis, Colorado population 629. Established in 1851, San Luis is Colorado’s oldest town and is populated by the predominantly Hispanic families who settled there almost two centuries ago. The town remains close to its past, with many of its traditions still intact. Among those traditions are its acequias, or irrigation ditches, which reflect a centuries-old method of irrigation and community-based water sharing. Operated according to the principles of equity, communal governance, and mutual support, these canals ensure that each family in the community has enough water for domestic use, gardening, and subsistence farming and ranching purposes.

Introduced by the Spanish and Mexican families who settled in the American Southwest before it became part of the United States, acequias operated informally for generations, with many remaining unincorporated and without bylaws. However, their future became unclear after the U.S. acquired these communities in 1848 with the Treaty of Guadalupe-Hidalgo, and after Colorado became a state in 1876.

Colorado’s strict water law of prior appropriation—“first in time, first in right”—is fundamentally at odds with the equitable principles of acequia governance, which operate under the “one family, one vote” principle. With the mandatory adjudication of rights in water courts following Colorado’s principles, acequia communities faced a difficult question: how do they preserve an important tradition while living in modern times?

Some communities obtained decrees for their preexisting water rights, only to lose half of the water to promoters and speculators. Others never made the 40-mile trip to Alamosa to adjudicate their rights in court and continued to irrigate as their ancestors had for generations. Although Colorado’s territorial legislature had recognized the Spanish “right of thirst” (a pillar of acequia communities), the state’s new constitution made no mention of acequias, excluding them from Colorado’s legal framework. Acequias had to take on the guise of mutual ditch companies under law, even though they continued their traditional practices.

This all changed in 2009 when Colorado passed the Acequia Recognition Law, which permitted community ditches established prior to Colorado statehood to incorporate as acequia ditch corporations. This was welcome news and granted acequias legal power to preserve their traditional institutions, but Peter Nichols (’11), who worked on the legislation, recognized that acequia members in the San Luis Valley needed more than just the statute to keep their acequias alive and thriving. He called on Colorado Law Professor Sarah Krakoff for help.

“He asked, do you have a couple students who could write a handbook on Colorado water law for some communities down in the San Luis Valley?” Krakoff said.

What Krakoff and Nichols had envisioned would take a summer—drafting the handbook, which is now in its third edition—ended up taking more than two years to complete. “We quickly realized that just drafting the handbook was not going to give the original settlers of San Luis and an acequia commissioner, reached out in 2015 for assistance drafting bylaws for his acequia, the Montez Ditch, but it was unclear who exactly had rights to the ditch.

The team quickly recognized that this was not going to be an easy case. There were 22 properties on the Montez Ditch with potential water rights, each of which required a chain-of-title on their complex history, several groundwater springs, and legal questions about an up-stream goldmine.

Water law attorneys Kelcey Nichols and Ryan Jarvis and paralegal Rebecca Moller joined the case as the students combated through records of the Costilla County Clerk and Recorder’s Office. Since the county had only digitized its most recent records, students needed to physically travel to its office. The team made eight-hour roundtrips to examine deeds back to before Colorado’s statehood, often written in Spanish.

As students moved back in time through the indices, handwriting became harder to decipher, they discovered pages and whole books of records were missing, and they feared that the trail would be lost in a community where Anglo-American law and custom had been laid over Hispanic culture.

Two years later, the students had assembled enough documents to write an opinion on each of the properties’ rights to water on the ditch. The final report totaled 400 pages, representing the group’s collective 875 hours of pro bono work.

“We could never have afforded this work on our own. Before [working with the Acequia Project], the big fear was that we were going to lose our water, that someone with a lot of money was going to come in and grab our rights. We know now we can defend against that.”

Charlie Jacquez, client

The project recently completed one of its most ambitious and technical cases, spanning four years and nine law students. Charlie Jacquez, a descendent of one of the original settlers of San Luis and an acequia commissioner, reached out in 2015 for assistance drafting bylaws for his acequia, the Montez Ditch, but it was unclear who exactly had rights to the ditch.

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Katie Frayler ('16) might be a young lawyer, but she’s reaching some great heights—and not just in her career. Her hobbies include activities like high-lining (basically, high-altitude outdoor tightrope walking) that would petrify people with the slightest acrophobia.

Keeping up with both work and play is no easy feat when you travel as Frayler does.

“I go all over,” she explained. “I have lots of out-of-state clients: North and South Dakota, Utah, New Mexico, Arizona, Oklahoma.”

Frayler practices Indian law as an associate at Fredericks, Peebles & Patterson LLP in Louisville, Colorado.

But she was able to hone some of her work-life balance skills in law school, thanks to the Stigler-Nelson Alpine Endeavors scholarship, which she received for her outdoor activities.

“Anywhere you can save money on post-grad debt is always appreciated,” Frayler said, “and I really liked that Colorado Law offered a scholarship like that. It motivated me to work really hard in school, but also to get outside and have fun.”

She’s not the first to navigate the space between book time and outdoor time at Colorado Law.

When Shawn Stigler and Alex Nelson earned their JDs in 2003, they felt lucky. It was a tough time in the economy, including for lawyers. Yet, they both managed to land good jobs quickly after their time at Colorado Law. That’s a feat they credited, in part, to a work-life balance supported by the nearby Rocky Mountains.

The pair formed tight bonds with classmates skiing and mountain biking off mountain passes like Loveland Pass and Rollins Pass. It’s not that they weren’t hitting the books. But they found spending a little time zipping down the slopes had a big positive effect on their study habits.

“The more I got outside, the better I did in school,” Stigler said.

Nelson and Stigler decided to give that same opportunity to someone else by helping defray the cost of law school while nudging the student to take a break outside of class. They set up the scholarship fund now known as Alpine Endeavors. 2Ls write an essay for a chance at the $2,000 scholarship, and a committee chooses the winner. So far, 15 students have received the scholarship, including Frayler.

While Nelson and Stigler have tapered off some of their more extreme outdoor adventures, they always enjoy looking back at those they’ve helped, as well as their awardees’ pursuits in nature. The two now have more than a dozen thank-you notes and photos of recipients, often posed outside, saved in scrapbooks. They hope to compile decades’ worth of students’ stories by the time they’re done.

The scholarship amount may not cover the whole cost of tuition, but Nelson and Stigler believe it makes a difference.

“You can give an amount that’s significant to a student without seriously impacting your bottom line,” Nelson said. “Even a few hundred dollars between you and your friends can add up for a student who doesn’t know yet what their future looks like.”

The pair hopes the extra boost helps students pursue their passion for the law, without feeling pressured to recoup the full cost of law school.

Frayler said that’s true for her.

“Working in Indian Country, a lot of times you’re working for underserved and low-income communities and populations,” she said. “So it’s helpful to have less debt. If I had more debt, I might need to work at a higher paying job in the private sector. Now I’m very happy with my job and my clients, and I love the work that I get to do.”

After being introduced to Indian law through Indian law classes and the American Indian Law Clinic, Frayler said this practice was a natural path for her. In her opinion, it is one of the most interesting careers an attorney could pursue.

“It’s like this little microcosm of federal law, and then each tribe has its own tribal laws as well,” she said. “So my days are varied and interesting all the time.”

And she still gets plenty of time outdoors. “I ski in the winter, I rock climb in the summer, I hike with my dog, I even ski with my dog sometimes,” Frayler said.

Her advice to young lawyers: “Don’t let your work consume you. Get outside as much as you can.”

To learn more about scholarships at Colorado Law, please contact Kelly Dell, associate director of development, at kelly.dell@colorado.edu or 303-492-1744.
For Milly Danielson Oppenheimer, who helped open the door to law school for countless students underrepresented in the legal profession, working at Colorado Law was “the best, most rewarding job” of her life.

When Mildred “Milly” Danielson-Oppenheimer’s husband, Philip Danielson ('55), died unexpectedly in August 1968, she needed a new direction to reshape her life.

Philip had practiced at Holland & Hart LLP and served as a CU regent from 1960 until 1966. He had also been active in the civil rights movement and sought to improve opportunities for minorities in Colorado. He, along with Russ Olin ('67) and Bill Renterio, both former professors at Colorado Law, often talked about their dream of starting a program that would encourage more students from underrepresented groups to apply to and attend law school.

After Philip died, Oppenheimer was asked to apply for a job as placement director at Colorado Law, where she would eventually serve as assistant director of minority programs. This was also the start of what would eventually become the Minority Program.

From 1970 until 1981, Oppenheimer worked closely with diverse students who applied to Colorado Law. At a time when very few African Americans, Latinos, Native Americans, women, and other underrepresented groups were attending law school, Oppenheimer’s job was to diversify the student body by ensuring that deserving candidates knew that Colorado Law wanted them and would help them succeed.

As assistant director of minority programs, Oppenheimer served as a mentor, coach, and advocate for diverse law students, helping them overcome personal, professional, and educational hurdles. She helped them find housing and tutors. She also helped secure internships, clerkships, and summer paralegal work for students throughout the nation, "but in the years of the program, many students who otherwise would not have applied to law school were brought through the three or more years, passed the bar, and became active members of the legal profession," Oppenheimer said. "Some became judges and politicians, some worked with legal aid programs, some became prosecutors, some defenders. Together, they changed the face of the Colorado Bar."

Today, although Oppenheimer lives in California, she still keeps in touch with many of the law students she worked with, including Pen Tate ('98), Harold “Sonny” Flowers Jr. ('71), and Manuel Ramos ('73). She delights in seeing their names in the news doing important legal and social work, and seeing how many have become role models for today’s law students.

Oppenheimer’s relationships with law students also extended into her own family. Carrie recalls her brother’s wedding in Taos, New Mexico, in the 1970s, when her mother invited several law students who were in the area to attend. "My life as a teenager was deeply enriched because I was surrounded by the presence and lively discussions of these students whenever I was with my mother," Carrie said.

"This program was met with resistance, of course, the same type of resistance that met any program perceived as giving special treatment to anyone based on race, gender, or ethnicity. They dealt with the same kind of attacks and questions that affirmative action met with throughout the nation," Oppenheimer said. "But in the years of the program, many students who otherwise would not have applied to law school were brought through the three or more years, passed the bar, and became active members of the legal profession. Some became judges and politicians, some worked with legal aid programs, some became prosecutors, some defenders. Together, they changed the face of the Colorado Bar."

"As the Minority Program changed and eventually ended, Milly and our whole family hope that the Philip and Mildred Danielson Scholarship continues to make it possible for diverse students to attend and succeed at the University of Colorado Law School. Ultimately, we hope it continues to help change the face of Colorado’s justice system to include, support, and defend people of all communities," Carrie said.

"It’s obvious that to make our democracy work, we have to include everyone in all segments of the population," Oppenheimer said. "There have been many improvements since I was young in the 1920s and 30s, certainly with regard to minority, women, and LGBTQ rights. Younger people may not see the huge change, but from my perspective, things are much, much better. Yet we still have a long way to go. I hope my time at the University of Colorado Law School made some difference to both individuals and the state’s legal system."

See the full list of 2018-19 Giving Society members at colorado.edu/law/gsmembers. For more information or questions about the Giving Society at Colorado Law, please contact lawgiving@colorado.edu.
Dear Colorado Law Alumni,

As one of the premier public law schools in the West, and one of the leading law schools in the country, Colorado Law continues to attract the best students from Colorado and across the country, with representation from world-class legal education will have a positive ripple effect throughout our great state and country.”

Velveta Golightly-Howell

The opportunity for Colorado Law students to obtain a world-class legal education has a positive ripple effect throughout our great state and country. I want to welcome our Alumni Board, graduates ranging from 1973 to 2015. I want to welcome our Alumni Board, graduates ranging from 1973 to 2015.

class, graduate males and females, and students. The board assists the law school in serving the needs of its alumni, students, and faculty; the legal profession; and the public at large. The 2019–20 board chair is Richard Murray, and the chair-elect is Kwesi Gweli.

The Law Alumni Board comprises 20 Colorado Law graduates. 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. The board assists the law school in serving the needs of its alumni, students, and faculty; the legal profession; and the public at large.


To learn more about other ways you can get involved, please visit colorado.edu/law/alumni/get-involved. To learn more about giving, visit colorado.edu/law/donate.

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Jeffrey R. Reesor ('92) joined PolisInell PC as a shareholder in the firm's Denver office, where he is a member of the corporate and transactional practice group. Reesor previously served as vice president of law at Newmont Mining and general counsel of multiple international natural resource, oil, and gas companies, including Sunshine Silver Mining & Rehling Corporation.

In May, George Brauchler ('95), district attorney for Colorado's 18th Judicial District, obtained the certification of military judge. The certification came after Brauchler successfully completed the 66th Military Judges Course at the Judge Advocate General's Legal Center and School in Charlottesville, Virginia. Brauchler is the first military judge for the Colorado National Guard, in which he also serves as a colonel.

Clay James ('96) was named Hogan Lovells’s office managing partner for the firm’s San Francisco office. A member of the firm’s board, James is a litigator and trial lawyer who focuses his practice on technology-related matters. He joined Hogan Lovell’s Denver office in 2009 from San Francisco, where he served as chief litigation counsel for seven years.

Eric Maxfield ('96), former first assistant attorney general, joined Robert Gunning ('96), former Boulder district court magistrate, to found Gunning Maxfield, LLP. The firm focuses on employment, professional licensing, and civil rights matters and provides mediation and arbitration.

Nadia Nelson ('97) is an associate at Polsinelli PC as a member of the firm's Litigation & Trial Practice Group. She focuses her practice on business litigation, intellectual property, and employment litigation. Nelson serves as a colonel.

Michael Salamon joined Frontier Communications as its 50 company providing pharmacy care, health care, and life without parole. Nielsen is a founding partner of criminal defense firm Nielsen ('97) & Howard, L.L.C.

On Dec. 13, 2018, Hickenlooper pardoned Dru Nielsen, who was convicted of first-degree murder in 1990. Following a multi-year trial, Nielsen was convicted by a jury and sentenced to life in prison without parole. Hickenlooper granted the pardon after the Colorado Supreme Court denied Nielsen’s request for a rehearing.

Carolyn Fairless ('98) was inducted as a fellow of the American College of Trial Lawyers (ACTL). Fairless is co-managing partner of the national civil litigation firm Wheeler Trigg O’Donnell, LLP. Fairless delivered the remarks on behalf of her induction class during a ceremony at the ACTL Annual Spring Meeting in La Quinta, California.

Matthew O’Leary ('98) was appointed CEO of Griffin Financial Group, one of the largest publicly traded banks of its type in the Mid-Atlantic region. O’Leary, who served as the company’s COO since 2016, is the firm’s general counsel and COO of Griffin Financial Group.

Gov. Jared Polis appointed the Hon. Jeffrey Smith ('99) to the 17th Judicial District Court. Smith was previously appointed by the legislature to serve on the district court bench and was elected to the seat in 2016.

Ryan Christ ('03) was promoted to member at Sherman & Howard L.L.C., where he practices in the firm’s banking and real estate departments.

Amy Diax ('03) was appointed by Denver Mayor Michael Hancock to the board of directors of the Denver Convention Center Authority. The board is responsible for overseeing the convention center’s hotel on behalf of the city and its residents. Diax is a shareholder at Brownstein Hyatt Farber Schreck, LLP.

After working for a number of firms in California and in-house, Todd Duplanty ('03) started his own practice and founded KDX. KDX Law focuses on providing commercial transaction and real estate legal services across multiple industries, including financial services, professional licensing, and civil rights matters and provides mediation and arbitration.

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California Gov. Gavin Newsom appointed Darlene Kondo ('03) vice chair of the California Energy Commission, where she will focus on climate change and energy policy. Kondo is a shareholder at Brownstein Hyatt Farber Schreck, LLP.

Jeffrey Smith ('99) was appointed chair of the board of directors at the nonprofit Boulder Shelter for the Homeless, with a mission to create access to stable housing for our community’s homeless adults, from a foundation of supportive and safe shelter.

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Sean Hansen (‘11) founded Reload Coaching & Consulting, offering deeply challenging and constructive performance mindset coaching to hard-charging attorneys and business leaders looking to harness stress while unlocking their full potential at work and at home.

Gale Monahan (‘11) was promoted to partner at Dentons US LLP. Monahan is a member of the government contracts team and practices in the firm’s Denver office.

Heather Strack (‘11) started a new job as associate commercial counsel at YouTube’s San Bruno, California, headquarters. Abelson is an attorney with targeted business and legal expertise in entertainment, technology, and new media.

Scott Kitchens (‘12) recently joined Cole-Frieman & Mallon LLP as a partner and opened the firm’s new Denver office. His practice is focused on investment advisers and the private investment funds that they raise and manage.

Mark Wiranowski (‘12) was promoted to partner at Wilkinson Barker Knauer, LLP. His practice focuses on corporate and commercial transactions in the energy, communications, and information technology industries.

Mindy McNair (‘14) is commercial counsel for Zoom Video Communications, based in its Denver office. McNair handles commercial transactions and deals with Zoom’s external partners and customers.

Michael G. Bohan (‘15) is pleased to announce the launch of Bohan Law LLC. The firm provides affordable and personalized legal services to individuals, startups, and small businesses that need legal assistance in starting and running a successful business in Colorado.

Gabe Bouvet-Belclair (‘15) is deputy corporate officer with the small mountain city of Nelson, British Columbia. He is involved in working closely with city council and other key staff members to ensure the city is abiding by relevant legislation.

Cayla Crisp (‘16) and Cody Wiggs (‘15) were married in May 2019 in Italy. They met during their first year of law school and now reside in Denver. Crisp is an associate at Wilkinson Barker Knauer, LLP, where she does corporate transactional work. Wiggs works for University Counsel in Boulder.

Steven O’Connor (‘16) made partner at family law firm Carlson and Carlson, which changed its name to Carlson, Edwards, and O’Connor P.C. O’Connor joined the firm’s Frisco, Colorado, office in 2015. The firm has offices in Frisco and Edwards, Colorado.

Holland & Hart LLP added Kate Percy (‘16) as an associate in its tax and benefits practice. Percy focuses her practice on estate and wealth transfer planning for high-net-worth individuals and families. She practices in the firm’s Denver office.

Spencer Rubin (‘16) was appointed chair-elect (2019-20) and chair (2021-21) of the Colorado Bar Association Young Lawyers Division Executive Council. Rubin is an associate in the business and corporate practice group at Sherman & Howard L.L.C.

In Memoriam
Hon. Alan Sternberg (‘50)
Baxter Arnold (‘52)
Russell R. Mather (‘52)
Graydon F. Dowis, Jr. (‘53)
Jerry L. Smith (‘56)
Larry E. Lawler (‘60)
G. Lane Earnest (‘63)
Alan Jensen (‘64)
Robert E. Manchester (‘69)
Elena Romero Morgan (‘74)
Samuel W. Burridge (‘76)
Joseph Harold Skinner (‘76)
Christopher Kulish (‘87)
Timothy Allen Thulson (‘88)
Benjamin Jaramillo (‘94)
Andy Holleman (‘96)
Hon. Wiley Daniel (Faculty Adjunct)
Six Questions for Anne-Marie Moyes

Anne-Marie Moyes worked as a public defender in Tennessee for more than 12 years, where she helped free three wrongfully convicted men from prison. She joined Colorado Law in March 2019 as the director of the Korey Wise Innocence Project (KWIP).

Q&A

Why did you decide to pursue criminal justice reform work?
Bryan Stevenson of the Equal Justice Initiative challenges us to “get closer to those places where there’s poverty, abuse, and neglect” because there is transformation in that proximity. When I was a recent college graduate, I had that experience of proximity when I spent time in prisons and with prisoners while working for two different organizations focused on human rights and prison conditions. I was awakened to the profound inequities and brokenness of our criminal justice system. Challenging that system—and pushing it slowly towards reform—has been my life’s work ever since.

How many inquiries does KWIP receive monthly, and how do you decide which cases to pursue?
The flow of applications varies month to month. Generally, we receive five to 10 applications a month. In our screening process, we seek to answer two basic questions. First, does the applicant have a credible claim of factual innocence? Second, is there some real potential to develop new evidence of innocence? In answering these questions, we consider whether the case has any of the common markers of a wrongful conviction. We also consider whether there is any physical evidence that, if subjected to more advanced forensic testing than was available at the time of trial, might produce an exculpatory result. Finally, we ask whether there are avenues of traditional investigation that could generate new evidence of innocence.

More than 23 million people have watched Netflix’s When They See Us, based on the wrongful convictions of five teenagers who became known as the “Central Park Five,” including Korey Wise, the namesake of the project at Colorado Law. Following the release, KWIP received a dramatic increase in donations and international interest. What does it mean to you to see this level of interest in the Central Park case and the work of KWIP generally?
It’s been so heartening to see people around the world respond with such humanity to this story of injustice. In a way, the series exemplifies what innocence work is all about: the power of human stories to illuminate injustice. At KWIP and other innocence projects, we shine light on individual cases of wrongful conviction, not only to help those individuals who have been wronged, but also to provoke dialogue about reforms that could prevent future miscarriages of justice. By raising KWIP’s profile and sparking new donations, When They See Us has given us more fuel for this important fight.

What inspires you every day to continue to fight for justice in such a challenging legal system?
I am inspired to keep up this fight whenever I read applications from Colorado prisoners seeking our help. There are hundreds of men and women like Korey Wise serving long sentences in prisons all across the country for crimes that they did not commit. Without the important work of innocence organizations like KWIP, many of these men and women will never regain their freedom.

What’s next for the Korey Wise Innocence Project?
We are currently trying to raise money to fund a staff attorney position so that we can take on more cases. We are also launching a new effort to identify wrongful convictions based on flawed forensic evidence.

Upcoming Events at Colorado Law

Homecoming and Reunion Weekend
November 7–9, 2019
Celebrating the reunions of the classes of:

* reunion event to take place on Family Weekend on October 5.

colorado.edu/law/homecoming

39th Annual Colorado Law Alumni Awards Banquet
March 12, 2020

colorado.edu/law/banquet
Save the Date

The University of Colorado Law School’s 2019 John Paul Stevens Lecture

FEATURING

U.S. Supreme Court Justice Elena Kagan

October 22, 2019

Details available at colorado.edu/law/stevens.