

Leadership in a Year of Crisis and Growth

BY JESSICA BROWN



This is it: My final President's Message. What a year this has been. It seems like a lifetime ago that my "leadership mentor"¹ Patricia Jarzowski encouraged me to apply for this role. Patty

had preceded me as president of the Colorado Women's Bar Association (CWBA) and went on to serve as CBA president in 2016-17. Notably, she was the first female CBA president in 10 years and only the fifth female president in the Bar's then 119-year history. These statistics were compelling to me, and I decided to try to follow in Patty's footsteps—again. I hoped that by throwing my hat in the ring, I might inspire other women to lead, just as she has inspired me.

I was honored when the CBA Nominating Committee chose me as president-elect in 2019, and I quickly went to work on my presidential theme. With help from my other leadership mentor, Attorney General Phil Weiser, I selected *Lawyers as Leaders*. This was well before any of us had ever heard the terms "COVID-19" and "social distancing" or the names George Floyd and Breonna Taylor. So when things changed rather dramatically last year, I briefly considered whether I needed a theme that was more reflective of the times. But I concluded pretty readily that a leadership theme was more appropriate than ever—to get through these crises, we would need lawyers to step up and lead in so many ways.

Spreading the Message

The need for strong and effective leadership became even more evident as the year unfolded. In addition to a worsening and prolonged public health crisis and continued racist brutality, we faced unprecedented levels of unemployment, "100-year" wildfires, a divisive election, an insurrection at the US Capitol, a surge in hate

crimes targeted at the Asian-American Pacific Islander community (including the Georgia shooting spree), allegations of sexual and gender harassment against the Colorado Judicial Branch, and a mass shooting at King Soopers in Boulder.

Despite (and because of) these many challenges, I promoted the *Lawyers as Leaders* theme to groups of lawyers and potential leaders all over the state. I talked about leadership at my 25 virtual local bar visits, at my only in-person bar visit in the mountains, in more than 20 meetings and programs (including CLEs and symposiums), on three video messages, and during one podcast.² In addition, because I had collaborated with our community leaders to develop leadership-themed CLE programs at most of my local bar visits, I put together a *Lawyers as Leaders* spring series of free CLE programs for CBA members across the state.

During my presentations, I frequently borrowed from Stanford Law School Professor Deborah Rhode's book *Lawyers as Leaders*, noting that "no occupation in America supplies a greater proportion of leaders than the legal profession," a field that naturally attracts people with the "ambition and analytical capabilities to lead."³ Indeed, lawyers sit at the top of many organizations—law firms, corporations, universities, government agencies, and nonprofit organizations, to name a few. Yet the legal profession "has done little to prepare lawyers to lead"⁴ through tangible leadership skills development.

This rings true for me: In my 26 years at a large international law firm, I have attended and conducted countless training programs relating to skills development (taking depositions, writing summary judgment motions, etc.) and marketing/client development. These courses have been worthwhile, but none focused on leadership, and very few provided management training. It may be

assumed that lawyers have these skills naturally or will learn them through the course of their work. That might be true for some lawyers. But for many of us, management and especially leadership training is an untapped avenue for growth that could help advance the legal profession and our broader community objectives.

Lawyers Stepping Up to Lead

Fortunately, bar associations, including local, diversity, and specialty bar associations, are ideally suited to provide leadership training and experience. In addition to offering opportunities to serve on and lead sections and committees, bar associations offer formal and informal leadership training. For example, the CBA has a first-rate leadership training program called COBALT, and it's working on a YLD-led initiative to create another statewide program called the Colorado Diverse Attorneys Community Circle (CODACC). CODACC's goal is to provide diverse attorneys with an avenue to connect with other diverse attorneys throughout the state, but it also includes a leadership component. One of its objectives is to facilitate diverse attorneys taking more leadership positions in their workplaces and in bar associations.

Bar association CLE programs and networking opportunities also help lawyers and law students develop substantive expertise and build relationships, both of which are valuable to aspiring leaders. Bar associations also offer opportunities to lead by participating in various efforts and initiatives, such as legislative reform and access to justice. Leading is not about having a certain title, such as managing partner or committee chair. All lawyers have opportunities to lead.

Below are some of the ways the CBA and its members have been leading this past year. I urge all lawyers (who are able⁵) to participate in one or more of these activities.

1. Provide pro bono assistance for individuals and small businesses that are struggling.

I wrote about pro bono service in my October President's Message⁶ because the need was so significant in light of the pandemic, and that continues to be the case. We also highlighted pro bono service at our San Luis Valley Bar

visit. There, Colorado Outward Bound Director Lauren Schmidt talked with Court of Appeals Judge Christina Gomez and Melanie MacWilliams-Brooks about opportunities to perform appellate pro bono services, and with former CBA Program Attorney Leslie Kelly about the Federal Pro Se Clinic. In May, Magistrate Judge Kristen Mix led a similar program with Judge Gomez, as well as Magistrate Judge Kato Crews and Danaé Woody, who discussed the Federal Limited Appearance Program (FLAP), and Connie Talmage, who talked about Colorado COVID Legal Relief (CCLR). I also invited Senior Court of Appeals Judge Daniel Taubman to join the panel at the El Paso County Bar Association visit to highlight lawyers' ethical responsibility to do pro bono work.⁷ During that visit, we recognized some pro bono stars, including Allen Ziegler and 50-year CBA member Steven Barr.

2. Reach out to friends and colleagues who have struggled mentally or emotionally during this difficult year.

Mental health problems are a significant challenge for our profession even in “normal” times, and both pandemics (COVID-19 and racial violence and injustice) have exacerbated this issue. My November Message addressed this subject in depth, outlining both sources of stress and solutions.⁸ The Northwest Colorado Bar Association visit likewise focused on attorney wellness, with presentations from Ryann Peyton, director of the Colorado Attorney Mentoring Program (CAMP), and Amy Kingery, assistant director of the Colorado Lawyer Assistance Program (COLAP). This event took place the day after the schismatic US presidential election, making the topic of emotional and mental well-being particularly timely.

I’ve promoted COLAP at various times throughout the year, including after the Boulder

mass shooting, which followed the Atlanta-area shootings by less than a week. I’ve also encouraged bar members to reach out to friends and colleagues for help, or to offer it, because I’ve seen how significantly the pandemic and other stresses of the past year have affected a treasured colleague. Panelists and leading lawyers Loren Brown, William Garcia, April Jones, Ian McCargar, Camila Palmer, and I discussed this issue during our April 2021 program *Leading Through Challenging Times: Guiding Your Law Firm Through Uncharted Waters*. My hope is that through these types of discussions, we can continue to destigmatize mental health issues within the legal profession. Looking ahead, the Colorado Task Force on Lawyer Well-Being, headed by Justice Monica Márquez with support from several other leading lawyers, will be issuing its report, which should be a tremendous resource for lawyers.

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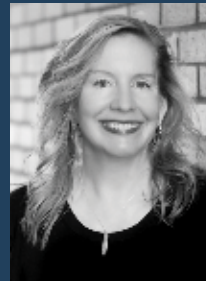
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3. Support and defend our Constitution, advance the rule of law, and help restore the public's faith in our democratic and judicial systems.

The attack at the US Capitol on January 6 shook many of us to our core. Some months earlier, CBA Past President John Vaught had encouraged me to write a President's Message about lawyers' obligation to uphold the rule of law, but I just didn't think I could say it better than he had in 2019.⁹ The CBA did, however, work with CBA-CLE and the DBA to host a program in mid-January 2021, where AG Weiser interviewed Congressman Jason Crow on these topics. With more than 800 registrants, it was one of our most successful programs this year, and it was an honor to work with then CBA-CLE Board Chair Qusair Mohamedbhai and DBA president Tyrone Glover to recognize Congressman Crow's bravery and heroism during the Capitol attack.

To further promote lawyers as leaders in government, AG Weiser joined me for my visits to the Adams Broomfield and 13th Judicial District Bar Associations. We discussed careers for lawyers as leaders in government and public service with Court of Appeals Judge Stephanie Dunn, Senator Pete Lee, head of Judicial Diversity Outreach for the Colorado Judicial Department Sumi Lee, Denver District Attorney Beth McCann, Lauren Schmidt, former legislator Cole Wist, and Attorney Regulation Counsel Jessica Yates. We are replicating that CLE program on June 25 for a statewide audience to close out my *Lawyers as Leaders* series.¹⁰ Retired Judge Christopher Cross will moderate a discussion with Denver International Airport Chief of Staff Cristal Torres DeHerrera, Senator Lee, DA McCann, and ARC Yates.

With regard to our judicial system, the reports regarding allegations of sexual and gender harassment within the Colorado Judicial Branch

also were upsetting to many in our community, although we recognize that a complete investigation report has not yet been released. The CBA urged the Court to issue the report when it is ready and to be as transparent as possible, and the Court responded by inviting a meeting with Bar leaders and taking other affirmative steps to address the allegations. The CBA likewise has taken proactive measures to address these issues in conjunction with the CWBA, including developing and hosting, along with CBA-CLE, another very successful program for nearly 500 registrants, *From Bystander to Upstander: How to Respond to Sexual Harassment in the Legal Profession*. A follow-up to this program, which was moderated by CWBA board member Kathryn Starnella and featured panelists Magistrate Judge Crews, Ryann Peyton, and Alexis Ronickher from Washington, D.C.,¹¹ is in the works. In addition, I asked Justice Melissa Hart and Court of Appeals Judge David Yun to present a leadership CLE program at my local bar visits to Mesa and Pueblo Counties. They worked with 21st Judicial District Court Judge Valerie Robison and 10th Judicial District Court Chief Judge Deborah Eyler to present *Leading Through Crisis and Change: The Colorado Judicial Branch during COVID and Controversy*.

4. Set an example of how to lead with empathy and gratitude.

Attorney General Weiser's remarks at the December Board of Governors meeting inspired me to write a column on empathy. I had asked AG Weiser to speak about leadership¹² because I knew he could deliver a speech that would be unifying, inspiring, and uplifting at a time when those feelings were particularly hard to come by. In an apolitical manner, AG Weiser delivered an impactful message on *Leading with Empathy*, explaining that "if we as lawyers lead with empathy, rather than judgment, we can build relationships premised on good will and trust in the good faith of others, even during disagreements." His speech is reprinted in full in my February Message.¹³

AG Weiser's talk also inspired my April column about gratitude.¹⁴ In researching the topic, I was surprised to learn that people are less likely to express gratitude at work than anywhere else. I

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therefore suggested a number of ways to express gratitude in the workplace and in life.¹⁵ This was the most personal of all the President's Messages I wrote. I talked a bit about my childhood, my family, and my anxiety at the idea of losing that which I value so much. And so I was very *gratified* when a lawyer I did not know reached out to me via email to say, "What a great message this month. In our typically high conflict services industry, it is so important to lead with gratitude. . . . I'm putting your message into practice."

5. Ensure that our rural communities are not overlooked or left behind.

John Vaught devoted much of his 2018–19 presidency to expanding broadband access across Colorado.¹⁶ He was quite prescient, as COVID-19's arrival in 2020 dramatically increased our dependence on high-speed internet. Not too long after, John's efforts bore fruit when the COVID-19 relief package passed with \$7 billion in new funding for broadband-related purposes. The CBA is grateful to John and all who contributed to this tremendous effort.

Like her predecessor, CBA Immediate Past President Kathleen Hearn Croshal has done much to address the needs of non-Metro attorneys. Among her initiatives, she created the Greater Colorado Task Force to reduce geographic barriers to participation in CBA programs, leadership, and communication. Task Force Chair Ian McCargar

detailed the group's extensive work in the May President's Message.¹⁷

We also held several leadership programs this past year focused on Greater Colorado. At the combined 16th Judicial District and South-eastern Colorado local bar visit in April, Kathleen moderated a program called *Colorado's Legal Deserts: Lawyers Leading Change*, featuring Jen Cuesta, a Rural Pro Bono Program attorney at Colorado Legal Services (CLS), Salida family law attorney Julie Katz, Alamosa practitioner Christopher Friesell, and Erin Harris, CLS managing attorney in La Junta and president of the 16th Judicial District Bar Association. At the 7th Judicial District and Delta County bar visit, I worked with former Saguache County Court Judge Amanda Pearson to present a CLE program called *Effective Leadership Strategies for Lawyers in Greater Colorado*. Judge Pearson is replicating this program for a statewide audience this month, but with panelists this time, including former Colorado Supreme Court Justice Rebecca Love Kourlis, 12th Judicial District Judge Amanda Hopkins, Steamboat Springs practitioner Jenna Keller, and CU Law School Assistant Dean for Employer Relations and Outreach Marci Fulton.¹⁸

We also started grappling with two issues that intersected with our racial justice, equity, diversity, and inclusivity (REDI) goals: (1) the CBA presidential rotation, which creates a disadvantage for non-Metro lawyers in that

they can only apply for the presidency every 12 years (versus every two years for Denver attorneys); and (2) the Award of Merit, which has rarely been awarded to our Greater Colorado or BIPOC (Black, Indigenous, and People of Color) members. We're engaged in "hard conversations" and won't stop until we resolve these important issues.

6. Advance our REDI mission, vision, and values.

Of all the areas discussed here, REDI has been the largest area of focus by far and has involved the most significant personal and emotional commitment this year. Even before I became president last summer, I spoke with the CBA Executive Council about forming a working group that later became the REDI Committee, so named because we believed the Bar, our legal community, the state, and the nation have never been more "REDI" for lasting change. At least so far, all of the REDI Committee members also serve on the CBA Executive Council, but we're looking at what structure makes sense going forward. Jon Olafson, one of our newest Executive Council members, eagerly agreed to serve as chair.

The REDI Committee has been very busy since last summer, but it is nevertheless just getting started. This will be an ongoing endeavor. As CBA Executive Director Amy Larson frequently notes, racial justice, equity, diversity,



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and inclusivity is “forever work,” and the Bar is approaching it that way. Some of the work we have done or are doing is outlined below.¹⁹

- development of new Mission and Values statements that commit to the “eradication of racism, discrimination, and any other form of injustice against underrepresented groups” and promise to “promote diversity, equity, inclusion, and the removal of barriers to success within the CBA and the communities we serve”;
- outreach to our diverse members and issuance of external statements in which we have made clear we intend to take action in support of our Mission and Values and expressed support for and solidarity with our diversity bar partners;
- collaboration with the Presidents Diversity Council, the Center for Legal Inclusiveness (CLI), and the Office of Attorney Regulation

Counsel to advocate for the new EDI CLE requirement that will take effect on July 1²⁰;

- collaboration with the CWBA on a CLE program that drew more than 900 registrants on the topic of implicit bias, presented by CLI founder Kathleen Nalty;
- collaboration with the CBA YLD to (1) present a CLE program during the Larimer County bar visit titled, *Navigating Leadership Pathways as Diverse Attorneys*, featuring Maral Arjomandi, Thomas Dyer, Karen Hen, and Spencer Rubin; (2) promote the Federal Legal Assistance (FLAP) Program²¹; and (3) develop, fundraise for, and help fund CODACC.
- presentation of a program for Women’s History Month centered on conversations with four women of color, each from a different generation: former Director of the Office of Civil Rights at the Environmental Protection Agency Velveta Golightly-Howell

(Baby Boomer); Sheridan Ross shareholder and patent attorney Dr. Rita Sanzgiri (Gen X); Drexler Law attorney and CBA YLD Council member Raquel Hernandez (Millennial); and CU law student Essence Duncan (Gen Z);

- development of the program that launched my *Lawyers as Leaders* series in mid-April, *Lawyers Leading the Way to Anti-Racist Transformation*,²² featuring CLI CEO Sara Scott, Assistant US Attorney (and author of a powerful op-ed that everyone should read)²³, Jason St. Julien, Primera Law Group founder and APABA leader Deborah Yim, and 4th Judicial District Court Judge Timothy Schutz of Colorado Springs;
- collaboration with APABA on a bystander-to-upstander program conducted by Hollaback²⁴ in response to the rash of hate crimes against Asian-Americans;
- development of a Diversity on the Bench CLE program featuring Judge Gary Jackson, Judge Frances Johnson, Patricia Jarzowski, and Sumi Lee to highlight the importance of having judges who reflect the communities they serve (we also worked with Judge Jackson and Patty to prepare a letter to Senators Bennet and Hickenlooper about the importance of appointing diverse judges to the Colorado federal bench);
- collaboration with the Colorado LGBT Bar Association on an anti-homophobia panel program to be offered as part of the *Lawyers as Leaders* series in June;
- collaboration among the CBA, DBA, Colorado LGBT Bar Association, Sam Cary Bar Association, South Asian Bar Association of Colorado, and CBA YLD to host a celebratory picnic in mid-June to celebrate Pride Month, Juneteenth, and the ability to come together safely outside to celebrate the diversity in our profession;
- collaboration between the members of the CBA Bylaws Committee (formed by Kathleen Hearn Croshal and chaired by Judson Hite) and the CBA/DBA EDI Joint Steering Committee (chaired by Patricia Jarzowski) on bylaws changes intended to help remove structural barriers to equity in an effort to undertake “anti-racist organizational change”²⁵;

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- establishment of a new Judicial Endorsement Task Force to examine, through a REDI lens, whether the Bar should reconsider its policy of refraining from endorsing (thus preventing CBA Sections from endorsing) judicial candidates; and
 - discussions on and the beginnings of a plan to holistically reconsider the CBA's leadership and award selection processes and criteria through a REDI lens.
- In short, we're working hard to achieve an-

ti-racist transformation within the CBA, and we're collaborating like never before with our local, diversity, and specialty bars to create an equitable, inclusive environment for our members. I'm excited about where the CBA is headed, and I can't wait to see the results of these efforts.

A Fond Farewell

Serving as president has been busy, challenging, at times fun, and at times very difficult. I am certain all past CBA presidents would say the same of

their experiences. And that is the promise of my *Lawyers as Leaders* theme: bar associations are places lawyers can go for leadership training and experience. I absolutely grew as a leader this past year, more than I expected to, though I still have a lot of growth and learning to do. And I am thankful to the CBA for giving me that opportunity and to so many of you for your support and collaboration. 

With gratitude,
Jessica Brown

NOTES

1. "Leadership mentor" is a term I use to describe someone who inspires me to lead and provides wisdom and guidance about what it means to be a leader.

2. This was the first podcast I ever recorded—or listened to, for that matter. J.P. Box and Erika Holmes of the CBA's Modern Law Practice Initiative did a great job posing provocative questions to Justice Monica Márquez, Assistant DU Law School Dean Eric Bono, CLI CEO Sara Scott, and me. I also highly recommend the *Our Voices* podcast series hosted by Linda Moss and Mallory Revel, in coordination with the hard-working Messaging Team of the CBA/DBA Equity, Diversity, and Inclusivity Joint Steering Committee: <https://www.cobar.org/Podcast/Our-Voices>.

3. Rhode, *Lawyers as Leaders* (Oxford Univ. Press 2013). Professor Rhode passed away very prematurely this January. I had been working with her on remarks about leadership for the CBA Board of Governors meeting, so her death came as a shock. I asked one of her colleagues, executive director of the Stanford Center on the Legal Profession, Jason Solomon, to do a short tribute to Professor Rhode at the launch of my *Lawyers as Leaders* series on April 16. Because Professor Rhode devoted so much of her life and scholarship to diversity and inclusivity issues, in addition to authoring *Lawyers as Leaders*, it seemed very fitting to honor her legacy before kicking off the series with a program on *Lawyers Leading the Way to Anti-Racist Transformation*.

4. *Id.*

5. The many crises we have dealt with this past year have affected everyone, but not equally. Those who can't or haven't been able to step up and lend a hand or make a difference may be on the receiving end of those efforts now but may be able to pay it forward in the future.

6. <https://cl.cobar.org/departments/stepping-up-to-provide-pro-bono-legal-services>.

7. Taubman also wrote an article on the topic: Taubman, "Has the Time Come to Revise Our Pro Bono Rules?" *Denver L. Rev.*, vol. 97:2 at

395 (2020), https://static1.squarespace.com/static/5cb79f7efd6793296c0eb738/t/5e8138257995013073a9dd92/1585526822818/Vol+97_+Issue+2_Taubman_PRINT.pdf.

8. <https://cl.cobar.org/departments/leading-the-way-to-attorney-well-being>.

9. https://www.cobar.org/Portals/COBAR/TCL/2019/March/CL_Welcome.pdf.

10. Please consider registering for this final program at <https://www.cobar.org/Calendar/Event/sessionaltcd/CBALALO62521>.

11. Alexis's partners represented Dr. Christine Blasey-Ford in the hearings concerning Justice Kavanaugh before he was confirmed to the US Supreme Court. She and I co-presented on the #MeToo movement and its workplace implications at a conference in Austin in 2019.

12. We also were fortunate to hear leadership messages during local bar visits from Justice Richard Gabriel on the topic *Herding the Cats: Effective Strategies for Leading Lawyers and Non-Lawyers Alike*; Patricia Jarzowski on *Inspirational Leadership*; and Kevin McReynolds and Catherine Shea on *Lawyers as Leaders: Challenges and Opportunities*. Some of these leadership programs from my local bar visits have been presented previously at COBALT. But the vast majority were new.

13. <https://cl.cobar.org/departments/leading-with-empathy>.

14. <https://cl.cobar.org/departments/leading-and-living-with-gratitude>.

15. *Id.*

16. See Garza, "The Last Mile," *Gold and Blue Magazine* (June 17, 2020), <https://www.stmarytx.edu/2020/the-last-mile>.

17. <https://cl.cobar.org/departments/leading-through-engagement>.

18. We would love to have you join us for this program as well; register at <https://www.cobar.org/Calendar/Event/sessionaltcd/CBALALO61121>.

19. Of course, this list doesn't reflect everything we're doing at the Bar, nor does it reflect

all of the issues the Bar is working on. The CBA, which has now combined its operations with CBA-CLE, has a 70-person staff and 30 sections, each with their own leaders and executive councils, that have done so much more for members this past year than I can do, be involved with, or even know about. This Message just focuses on the challenges, opportunities, events, and programs that I was involved in—and not even all of those.

20. For some background on this topic and why the CBA supports this requirement, see <https://cl.cobar.org/departments/leading-the-way-to-a-diversity-focused-cle-requirement>; <https://cl.cobar.org/departments/from-our-readers-2>.

21. See Fogg, "Spread Your Wings and Fly with Flap: Introducing the New Federal Limited Appearance Program," 49 *Colo. Law.* 16 (Oct. 2020), <https://cl.cobar.org/departments/spread-your-wings-and-fly-with-flap>.

22. The link to this program, which has been requested repeatedly including for organizational training purposes, appears here: http://web28.streamhoster.com/clcinco/CBA_VIDEOS/LawyersasLeaders/AntiRacistTransformation_2.mp4.

23. St. Julien, "The Unrelenting Frustratingly Delicate Balancing Act of Being Black," *Denver Post* (June 18, 2020), <https://www.denverpost.com/2020/06/18/jason-st-julien-the-unrelenting-frustratingly-delicate-balancing-act-of-being-black>.

24. Hollaback works to raise awareness about and combat harassment through intervention trainings, <https://www.ihollaback.org>.

25. Anti-racist organizational change means making "drastic policy changes to stop disenfranchisement, encouraging uncomfortable conversations, working with organizations that benefit Black communities, and actually striving to [appoint] and empower and promote more people of color." Wheelles, "6 steps leaders take to become anti-racist," *Bus. Insider* (June 24, 2020), <https://www.businessinsider.com/6-steps-leaders-take-to-become-anti-racist-2020-6>.