

For the Public Good

BY JOI KUSH

Imagine yourself in crisis—a victim of domestic violence whose physical injuries pale in comparison to the psychological injuries from years of mental abuse, an immigrant facing imminent deportation, an evictee without shelter, or a party to divorce who might lose the right to see your children. In each of these situations you're already in the justice system. You need help navigating the complexities of your case, but you don't have money for your daily needs, let alone a lawyer. Imagine yourself scared, overwhelmed, and desperate for help.



The Gift of Service

While the legal help that we give may be invaluable to the client, it brings value to us as well. The satisfaction of helping someone in need can be reward enough. But working with clients who we might never meet during our regular practices also makes us better lawyers and better human beings.

Before joining the bench, Colorado Supreme Court Justice Gabriel volunteered for the Rocky Mountain Children's Law Center, the American Civil Liberties Union, and the Tenth Circuit (prisoner petitions), and he represented an Oklahoma death row inmate for nine years through the ABA Capital Representation project. One case stood out for him:

The Rocky Mountain Children's Law Center asked me if I would agree to serve as the pro bono GAL for two brothers, then 18 months and 6 months old. They were in a

very scary and dangerous environment. My original pro bono commitment was 180 days in the Denver restraining orders court. After the 180 days was up, however, we still did not have closure, and I agreed to stay on the case as we moved to a dependency and neglect proceeding in the Denver juvenile court. It took four years, but eventually we succeeded in getting parental rights terminated so that the boys could be adopted by the foster family who loved and dearly wanted them. Although I was privileged to handle many significant matters in my career, the day that those boys were adopted was the best day of my career. Everyone in the room was crying (me included), and it brought home why we all became lawyers. To this day, I have a photo in my office of the boys and me on their adoption day. It still inspires me.

As lawyers, we often fail to recognize how intimidating the judicial system is for most litigants, and especially pro se parties. This can lead us to underestimate how giving a few hours of our time or helping fund pro bono can change someone's life. Every minute we dedicate to service matters. Every dollar we donate counts.

Each pro bono client has a unique story, but the circumstances of one Colorado Springs woman demonstrate the challenges faced by countless others. The woman was a noncitizen resident of modest means, spoke limited English, and faced a complicated and messy divorce. She turned to the Justice Center in Colorado Springs for guidance, and an attorney volunteered his time to help her through the process. Because she had legal representation, her voice was heard, and she was successful in accomplishing her goals. After the case was finalized, she wrote to the attorney: "[Y]ou gave me back my life, hope, the will to live to fight, and returned my faith in justice."



After several years, Justice Gabriel received a high school graduation announcement and a photo of the older boy (more tears). He has since reconnected with the family and says it has been one of the great blessings of his career.

When asked about his dedication to serve, Justice Gabriel notes, “I often say that we as lawyers have been given the unique opportunity to change the world. We can change the world in the biggest of ways (à la Lincoln and Gandhi), or we can change just one person’s world in a way that may seem minor to others but that is everything to them. What a huge privilege that is!”

Financial Gifts

Our ability to serve is not just limited to our time and talents. We also can assist by donating funds to the various organizations that facilitate pro bono placement and legal services. The sidebar lists a few of these pro bono champions, but there are many more that can use our help.¹

Diana Poole, executive director of the Legal Aid Foundation of Colorado, emphasizes, “We are fortunate here in Colorado to have a number of excellent pro bono programs—some are bar-sponsored, others are freestanding, still others are embedded in organizations with broader missions. Undergirding our entire legal aid delivery system is Colorado Legal Services, our statewide, staffed legal aid program.” She adds, “Colorado Legal Services’ role in our civil legal aid delivery system is broad and foundational. It plays an essential role in the development, coordination, support, and most effective use of the pro bono time and talent that we, as a legal community committed to equal justice, provide.”

Colorado Legal Services is funded, in part, by the Legal Aid Foundation of Colorado, which holds a yearly campaign to request funds from law firms and individuals. In 2019–20, the Legal Aid Foundation distributed \$1.75 million to Colorado Legal Services. While this may seem like a lot of money, it is not nearly enough. Colorado Legal Services has 13 offices across Colorado and staffs around 57 lawyers. These 13 offices serve over 750,000 income-eligible Coloradans. To promote access to justice, more funds are needed to expand the reach of Colorado Legal Services.

PRO BONO CHAMPS

Thank you to all the individuals and organizations providing legal assistance to Coloradans in need, including:

- Alpine Legal Services, Inc.
- Boulder County Legal Services
- CBA Federal Pro Se Clinic
- Centro Humanitario
- Colorado Lawyers Committee
- Colorado Lawyers for Colorado Veterans
- Colorado Legal Services
- DBA Metro Volunteer Lawyers
- Dillon Colorado Legal Services
- Disability Law Colorado
- Heart of the Rockies Bar Association Pro Bono Program
- Larimer County Bar Association Pro Bono Program
- Project Safeguard
- Pueblo County Bar Association Pro Bono Project
- Rocky Mountain Children’s Law Center
- Rocky Mountain Immigrant Advocacy Network
- Rocky Mountain Victim Law Center
- San Luis Valley Pro Bono Project
- Servicios de la Raza
- The Justice Center
- The Pro Bono Project of Mesa County
- Uncompahgre Volunteer Legal Aid
- University of Colorado Legal Aid and Defender Program
- University of Denver Student Law Office
- Weld County Legal Services

To find pro bono opportunities in your area and sign up to volunteer, visit <https://app.joinpaladin.com/succession-to-service>.

Small Goals, Big Changes

I know there are so many who are already giving, but we must and can do more. As retired Colorado Court of Appeals Judge Dan Taubman reminds us, “Rule 6.1 of our ethics rules declares that ‘every lawyer has a professional responsibility to provide legal services to those unable to pay,’ and establishes an aspiration that lawyers provide 50 hours of pro bono service each year. Abundant state and national studies have shown that a ‘justice gap’ precludes many low- and middle-income Coloradans from obtaining a lawyer to assist them with their legal problems because they cannot afford to do so.” Unfortunately, the justice gap continues to expand due to the pandemic and an increase in landlord-tenant cases and bankruptcy filings. There are more pro se litigants today than before the pandemic.

My personal pledge is to do no less than 50 hours of pro bono service each year—that’s about 4.2 hours a month. I also donate to the Legal Aid Foundation of Colorado. While my individual contribution may seem small, it is in service of my goal of providing legal access to all people. And to the individuals I can personally assist each year, it may mean the world to them. Will you join me? Do you have what it takes to change someone’s world? Do you have the time, talent, or treasure to make a difference? I think you do. I think we all do. 

NOTE

1. See, e.g., <https://www.cobar.org/For-Members/Pro-Bono-Opportunities/Statewide-Pro-Bono-Opportunities>.