



Telling Tales of Storytellers

BY JOI KUSH



This month marks the 50th anniversary of the CBA's flagship publication, *Colorado Lawyer*, which launched in November 1971 as an informational and educational resource to improve the practice of law. Each month since, the editors and its advisory board have given the CBA president a platform to speak directly to members about whatever they'd like. Well, this year, that's me, and this month I dedicate this column to the writers, photographers, and coordinating editors who so generously donate their time and talents toward making each issue of *Colorado Lawyer* useful, instructive, and engaging.

Who better to tell the stories of the storytellers than the creators themselves? I reached out

to some of the many contributors with a very open question: "Tell me a story about why you write, edit, or submit photography to *Colorado Lawyer*." The answers I received varied greatly, both in tone and form. Some were brief, succinct, and factual, others bent toward humor, and a few even offered up some philosophical musings. But as I read through the responses, some common themes emerged, and I think that's where the true story of *Colorado Lawyer* lies.

It's Not about the Money

Frequent author Mark Cohen answered the central question most directly: "I write for three reasons. First, I love writing. Second, I enjoy sharing what I have learned with others. Third,

the money. Wait. Actually, *Colorado Lawyer* does not compensate its authors, but now and then another lawyer praises something I wrote or calls me to pick my brain on a topic, and that's rewarding." Humor aside, Cohen underscores the point that *Colorado Lawyer* wouldn't exist but for the generosity of its members; it's a volunteer effort to the core.

Current *Colorado Lawyer* advisory board chair Joseph G. Michaels sees writing in a much larger context. "Writing drives life—what we read, what we watch, what we argue, what we say. It's an exercise in expression, a discipline in which we take great pride. Effective writing takes practice, dedication, and humility. But it's also a mental floss, an escape, and just plain invigorating. Writing is never perfect, but the pursuit of improvement is a worthy undertaking. So why write? When asked why he wanted to summit Mount Everest, British mountaineer George Mallory famously replied, 'Because it's there,' because '[i]ts existence is a challenge.' To paraphrase Mr. Mallory, we write because

it's a challenge, because it's there. Because it is necessary."

Long-term contributor David Kirch took the wide-angle view and praised the many contributors and staff members who have made *Colorado Lawyer* successful and the impact the publication has had on the Colorado legal community. "Having had the profound privilege to serve as Trusts and Estates coordinating editor since 1998 and as a member and chair of the *Colorado Lawyer* advisory board, I have always been deeply impressed by the sincere dedication of CBA members to furthering the knowledge and expertise of their fellow members of the Colorado bar and by their authorship of insightful and well-analyzed articles dealing with those relevant issues we face in serving our client's pressing and often difficult legal needs. The thorough but behind the scenes labors of *Colorado Lawyer* staff, involving multiple and often extensive editing of submitted articles, is truly astonishing and unfortunately not often enough acknowledged.

The author's and staff's contributions to the quality of the articles and the corresponding increase to the quality of the practice of law by Colorado bar members is an indispensable CBA function. During my 47 years of practice, along with its CLE programs, it has been its crowning achievement." He also offered to clear up some shelf space for his partners by donating his nearly complete hard copy collection. I suspect there might be takers.

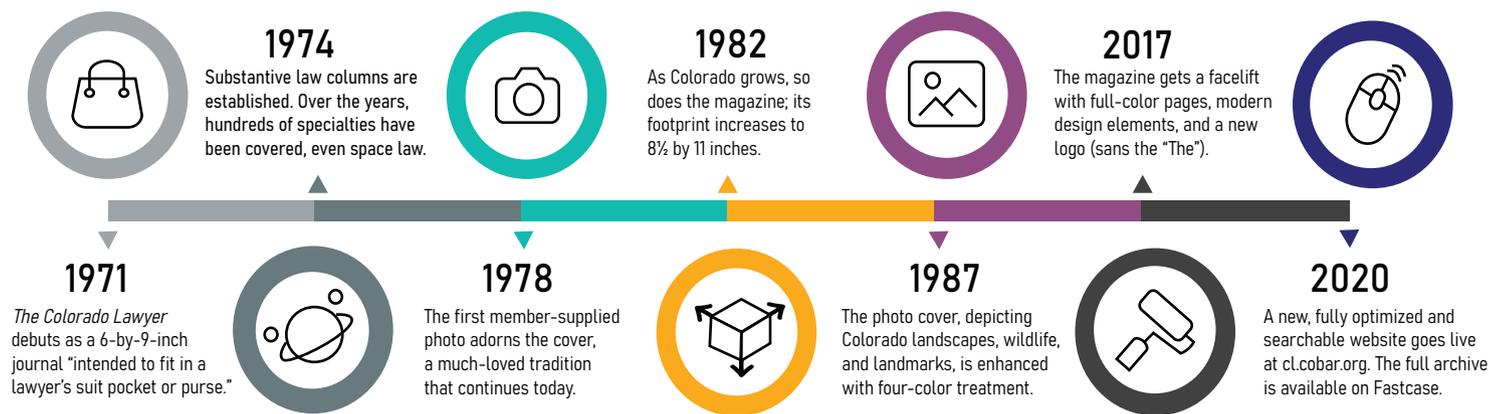
A Cover's Worth a Thousand Words

Our cover photographers were more artistic in their responses. After all, their art, at its best, requires no words at all.

Frequent photo contributor US Magistrate Judge N. Reid Neureiter shared this origin story of his photo "Picturing the Tour de France in Denver": "In addition to photography, one of my passions is cycling. I'm not much more than a cyclo-tourist myself, but I enjoy the pageantry and the landscapes of bicycle racing, especially the big road races like the Tour de

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Picturing the Tour de France in Denver, by Magistrate Judge N. Reid Neureiter.

France and the Giro D'Italia. I have been lucky enough to get to photograph some of Colorado's professional races as well, such as the Colorado Classic in 2011 when the professional teams from Europe raced through downtown Denver. There is a group of serious amateur cyclists that regularly rides east from Denver's Central Park neighborhood early every Saturday morning, passing south of Denver International Airport on a fast 40-mile loop. The group leaves promptly at 7 a.m. and the schedule is predictable. In August 2015, I knew that this group would be riding past a field of blooming sunflowers near 56th Avenue east of E-470. I drove out early with a ladder and placed myself in a position where I could capture both the sunflowers and the passing peloton. I was hoping that the cyclists would be evenly spaced and that no cars would

interfere with the scene. The plan worked to perfection, with the cyclists silhouetted against the farm fields in the background, and the bright sunflowers filling the lower half of the frame. It almost looks like a scene from Southern France during the Tour. It is one of my favorite pictures."

Photographer Richard Lionberger shared the intended effect of one his favorites: "Chance encounters and spontaneity are what my images are all about. My goal is that the viewer will take away an imagined story. Maybe it'll be the story that occurred to me, or something completely different." He shared the chance encounter that led to his photograph "Prairie Home." The photo "is an image of a cabin ruin with a snowy mountain in the background and an ominous sky, and it was another chance encounter. Maybe the viewer can imagine a

family living there and the hardships they must have dealt with. I was taking the 'scenic route' to Steamboat Springs and got lost somewhere southeast of Walden. The road kept getting smaller and smaller until I ended up on a two-track dirt road at this cabin ruin. I doubt I could find it again."

Truth is Stranger than Fiction

Almost all the writers pointed out that the substance of what they submit is very real—real cases, real litigants, and real outcomes require a higher level of diligence for accuracy and factualness. Cohen points out, "Because my ideas for an article come from actual cases I've been involved with, it's easy to write the article because I have already done the research." Michaels, in true lawyerly fashion, added



Prairie Home, by Richard Lionberger.

in a footnote that, “Of course, while literary protagonists may prove unreliable, the legal author must present a trusted voice.” Kirch sums it up well: “Seeing *Colorado Lawyer* articles frequently cited in trial and appellate court decisions is evidence enough of its contribution.”

One point that several authors also made is how writing for *Colorado Lawyer* has value not only for the readers but for the writer as well. MVP author Ron Sandgrund¹ put it this way, “For me, writing for *Colorado Lawyer* has been all about paying it forward. I found so much help during my career reading *Colorado Lawyer* articles by others with experience in fields I knew little about. These articles gave me a crash course in an area of the law I was just starting to explore. Once I started writing articles myself, I found that the *Colorado Lawyer*

editors provided amazing support and made all of my writing clearer and more balanced.”

He also shared this gem of a tale: “The one article that will always stand out concerned extensive construction defect legislation that was adopted in 2003. I originally entitled the piece ‘The Empire Strikes Back.’ The Construction Law editor at the time, an old basketball buddy with whom I worked regularly over the years, felt that the title editorialized the ensuing discussion too much—I was knee-deep in plaintiff’s construction defect work at the time, while he mostly represented developers and homebuilders. He was correct. The title was changed to the eye-catching ‘The Construction Defect Action Reform Act of 2003,’ 32 *Colo. Law.* 7 (July 2003). I noticed, however, that a short time later he authored his own piece about

this new law called ‘The Return of the Jedi.’ Checkmate.” Checkmate, indeed.

Parting Words

As mentioned by all the contributors within this President’s Message, *Colorado Lawyer*’s success is directly related to the hard work and dedication of so many over the past 50 years. I am personally forever grateful to the *Colorado Lawyer*’s editorial staff, Susie Klein, Jodi Jennings, and Kate Schuster; our 55 hard-working coordinating editors; our highly engaged advisory board; and our many, many volunteer writers and cover photographers. Thank you! 

NOTE

1. Sandgrund has authored a remarkable 67 articles (and counting).

HAPPY ANNIVERSARY

COLORADO LAWYER

