

The Leadership Journey

BY JOI KUSH



Each December, I reflect on the events that have occurred during the year and the people I've met. My interactions define who I am today and inspire

me to be better. This year was pivotal for my personal and professional growth because, at the prime age of 36, I was sworn in as the CBA president. Over this past year, I have been challenged mentally, intellectually, and at times physically to be a better person and a stronger leader. As I reflect on this momentous year of leadership, I ask myself: What makes a leader? What makes a good leader? What makes a good leader better?

There is no shortage of answers to these questions. Thousands of books, tens of thousands of articles and blogs, and a nearly infinite supply of opinions, ideas, and theories exist on leadership. *The Compassionate Leader*, *The Badass Leader*, *Lincoln on Leadership* are all titles on the first page of an Amazon search for books on leadership, with only 9,000 more choices to browse through. But the reality is that all leaders are different, and no one style is right or wrong.

The path to leadership is equally varied. Some choose to be leaders; others are chosen. There is not much that all leaders have in common, except perhaps the title itself. We all must find our own path in leadership, but we can and must learn from those who came before us and those who surround us. In my own search for knowledge, I reached out to

several leaders and asked them to share their stories. The responses varied—but that's the point. There is no one answer, and each story adds to our collective knowledge.

The Chosen One

CBA Past President Richard "Dick" Gast (2017-18) was nudged along the path to leadership by someone who saw his potential before he saw it himself. It happened during an Outward Bound course he took when he was 18 years old: "Toward the end of the course, the instructors broke us up into smaller teams of six to prepare for our four-day final expeditions without the instructors. They looked at me and announced I would be leading the '50/50' expedition, charged

with hiking some 50 miles while carrying 50-pound packs. The instructors explained that I had exhibited strong leadership characteristics over the previous weeks. I didn't know what leadership characteristics were. No one had ever called me a leader before. And I certainly didn't call myself a leader."

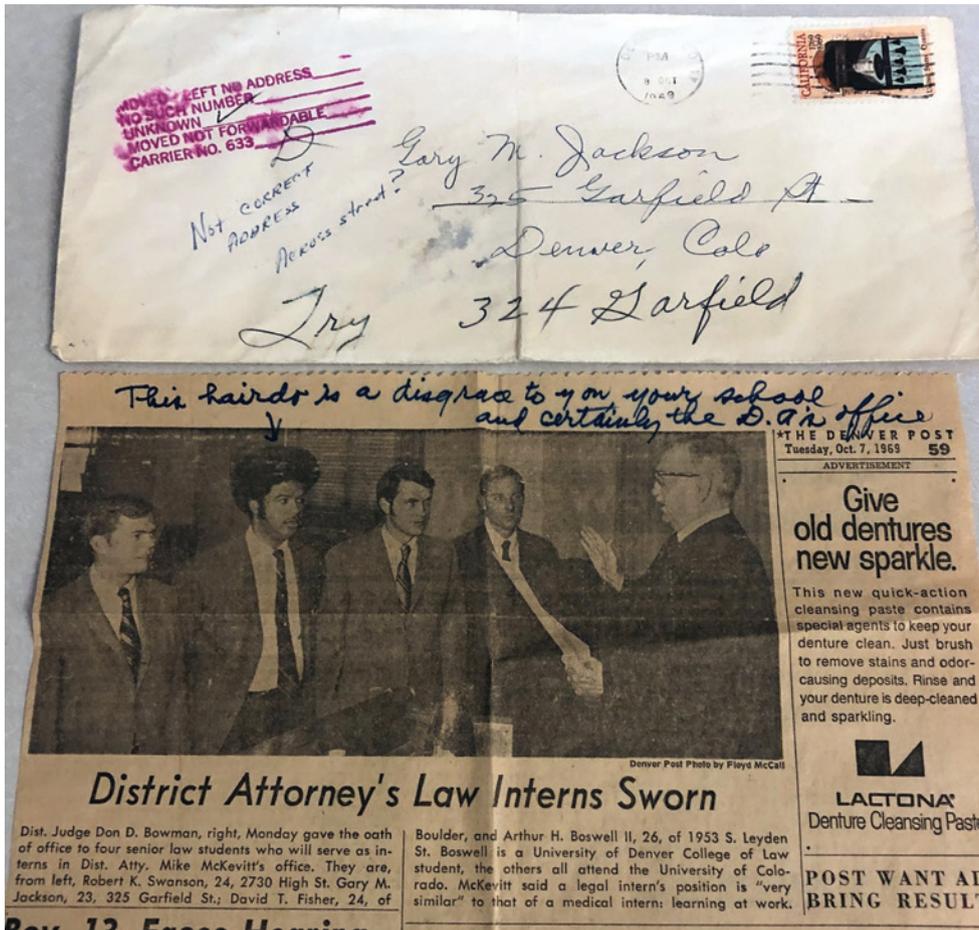
Dick handled his new role with the composure of someone far older. "As we prepared to depart on the final expedition, I convened our team members; outlined our proposed route, a timeline, and a suggested menu; and then invited discussion. I discovered different members had different strengths, be it plotting a course down a particularly harrowing scree slope or jazzing up an otherwise mundane freeze-dried meal. That initial convening revealed strengths that collectively benefited the whole group during the expedition."

The Team Player

CBA President-Elect Ryann Peyton explained how sports played a role in her journey to leadership. "As a lifelong athlete, I've had the privilege of developing my leadership identity from coaches who served as role models and

Below: Ryann Peyton's early years as an athlete inform her leadership style today.





Lino Lipinsky, with his client Mary Ross and her partner Jeannie DiClementi, give a television interview circa 1991.

was stereotyped as a radical and perceived as a threat. So what might have seemed to others as a passing incident of ignorance regarding my appearance has served as a motivating force throughout my 51-year legal and judicial career. My response to those incidents was to transcend the underlying pervasive prejudice that lingered in every aspect of the judicial system by being the best prepared deputy district attorney and assistant US attorney that I could be. In essence, these incidents kick-started my 'call to action,' and I found that only by taking on a leadership role could I make a difference."

The Fearless Leader

Judge Lino Lipinsky's path to leadership was inspired by injustice of a different sort. In his own words: "Mary needed a lawyer." He went on to explain: "Mary was a social worker employed by the Denver Department of Health and Hospitals who had requested three days of sick leave to care for her grievously injured domestic partner, Jeannie. The Department denied Mary's request because domestic partners were not included within the Denver Career Service Authority's definition of 'immediate family.'"

"The ACLU asked me to represent Mary in her appeal of the Department's denial of her request. But first, I needed to obtain my firm's approval. The firm's managing partner encouraged me to accept the case. The other partners were more circumspect, however. Was I willing to risk my relationship with them by seeking their authorization to represent Mary? Gay rights were controversial in the 1990s. In 1992, Colorado voters had approved Amendment 2, which barred any governmental

An angry letter fueled Gary Jackson's desire to drive change in the legal profession.

mentors. My leadership identity was most defined by a coach who incorporated a quote from James Kerr's book *Legacy: 15 Lessons in Leadership* into coaching methodology. The quote, "Sweep the sheds—Never be too big to do the small things that need to be done," reminds me to stay humble as a leader."

Ryann explained why this is important: "A leader who remembers to 'sweep the sheds' has the personal discipline to know not to expect somebody else to do a job for them. This mentality also cultivates trust in a leader who is willing to do the small or sometimes unappealing things to get the job done."

The Change Agent

Judge Gary Jackson's path to leadership came from a very different, personal, difficult, and ugly place. "At the age of 24, I was not seeking to become a leader; I just wanted to excel in

my future profession. But on October 7, 1969, as a third-year law student, I was pictured in *The Denver Post* with three other law students as we were being sworn in as Denver District Attorney law interns by the Honorable Don Bowman, Denver District Court judge. Our names and home addresses were published in the newspaper article. Several days later, I received an anonymous letter at my home with the handwritten statement declaring that my afro hairdo was a disgrace to the District Attorney's office, my law school, and the profession. Subsequently, a Colorado Supreme Court justice wrote an editorial opinion in the *Post* criticizing my appearance. This was my welcome to the Colorado legal profession in 1969.

"These incidents placed me on notice of the institutional resistance to my being a Black lawyer, let alone a deputy district attorney in Colorado. In 1969, a Black man with an afro



Dave Johnson stands outside the Pioneers Museum's beautifully restored Division 1 Courtroom.

entirety in the state from enacting measures to bar discrimination based on sexual orientation. "I explained to the other partners why I believed deeply in Mary's case. Wouldn't they similarly want to take time from work if their spouse was hospitalized? After lengthy discussions, I convinced the partners to allow me to represent Mary. Through these efforts, my partners began viewing me as the leader of the firm's pro bono initiatives."

Judge Lipinsky's postscript reminds us that sometimes you fail trying to accomplish a specific goal, but success can still be achieved. He writes, "Although I could not convince the Colorado Court of Appeals that the Authority had illegally discriminated against Mary, the

Authority eventually changed its definition of 'immediate family' to encompass life partners. Mary and Jeannie are now married with two teenaged daughters."

The Mentor

Justice Melissa Hart shared that her journey in leadership began during her teaching years at the University of Colorado Law School. "I have always been passionate about our professional responsibility as lawyers to take action to close the access to justice gap. The first moment I realized it was part of my leadership identity was in 2005, when I was a professor at CU Law. That year, I spearheaded an effort, working with then-student Sarah Lipka, to enact a public



A view of the interior.

service requirement for graduation from the law school. My thought was that if we could train law students to exercise their pro bono muscles during school, they would be more likely to do pro bono work as attorneys.

"The faculty was ultimately unwilling to establish a graduation requirement, but they did vote to approve the Public Service Pledge, through which students would commit to provide 50 hours of law-related public service during their time in law school. From that moment forward, I have centered access to justice in all of my work and have strived to develop partnerships and mentor relationships with others committed to the same work."

The Helper

CBA Past President Jessica Brown (2020–21) described her journey from self-doubt to leadership. Her story reminds us that leadership is all about service. She writes, "I couldn't imagine myself as president of anything. The people whom I saw in that ultimate leadership role seemed to have it all together. So when I was asked to consider serving as president of the Colorado Women's Bar Association (CWBA), I was uncertain. Did I have the right 'look,' the right presence? At some point while mulling it over, I figured out that serving as president wasn't about those things. It was about *servicing*."

"Once I reframed my idea of leadership to be about the organization, not the leader, I had no problem envisioning myself in that role. I loved serving the CWBA and the Legal Aid Foundation; I wanted to make those organizations as successful as possible. So I went on to serve as president of both—and later of the Colorado Bar Association. And I worked to make the *organizations*—not myself—look good."

The Born Leader

CBA Past President David Johnson (2009–10) (and full disclosure, my law partner) did not share an origin story. Rumor is there is no one alive who remembers exactly when Dave became a bar leader, not even Dave. Instead, he shared an early(ish) story of a crisis in leadership and the lesson learned. In 1988, he chaired a committee in the El Paso County Bar Association that was tasked with raising \$50,000 for the restoration of Division 1 Courtroom in the Pioneers Museum. “The Division 1 Courtroom was old, dusty, and in great disrepair. The plan was to restore its seating, the bench, and jury box along with the large ornate chandeliers. The plan also included the restoration of the wonderful murals and ornate plasterwork on the walls and ceilings.”

After discussing various ways to raise the funds, the most successful way to ensure the goal was met was to impose a \$15 annual assessment on the dues for each member over the course of three years. Dave thought this proposal would be uncontested. However, some spoke out loudly about the “involuntary tax.” Thankfully, “a majority of the voters saw the benefit of the project and commented on how poorly it would reflect on the legal community if we did not support this effort.” Through Dave’s leadership, the motion to increase dues passed. “The lesson I learned is that no matter how wonderful

you think an idea might be, there will always be detractors. As a leader, you cannot please everyone!”

Leadership Lessons

Which brings us back to the central question: how can we be better leaders?

Dick Gast’s Outward Bound experience taught him that strong leaders foster cooperation. “There were times along the way when I had to urge a certain course of action. But instead of trying to pull the group along behind me, the definitive leadership lesson was enabling them to function as a team—moving forward together.”

For Ryann Peyton, character is key. “I believe that successful leaders balance pride with humility and are willing to clean the proverbial toilets if it means taking care of others. Every leader should strive to leave a position and an organization better than they found it. The humility and responsibility that comes with sweeping the sheds inherently creates a culture where the character of a leader far outweighs their talents.”

Justice Hart emphasized the value of relationships. “The effort to enact a public service graduation requirement also highlighted another important value that I strive to incorporate into all of my work—the importance of developing

and maintaining relationships. Sarah Lipka, the student I got to know 16 years ago working on that project, is now the incredibly talented and committed managing attorney at the Colorado Springs office of Colorado Legal Services, and our friendship and partnership in efforts to address the justice gap continues to this day.”

But Judge Jackson’s story perhaps best highlights what makes a leader better. He reminds us that if there is one thing besides the title that binds all leaders, it is perseverance. “As I expanded my involvement in the legal community, I was too often the only Black person in the room. What I have discovered is that leadership isn’t always about ‘leading’ so much as being willing to stand alone for matters of importance. After 51 years as a trial lawyer and judge, it is only my hope that the value of equity and racial inclusion has been recognized by my involvement in all facets of our legal profession.”

The Journey Continues

As this year comes to end, I hold these stories and the stories of many others close to my heart. I will continue to learn from these great leaders, and I hope to continue to assist others in finding their path toward leadership. This is a journey, and I am so fortunate to be on this journey with so many by my side. 

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