

# Seven Questions

BY MARIA E. BERKENKOTTER

This month's Seven Questions features interviews with a court of appeals judge, two district court judges, and a county court judge. Because we have lost so many opportunities over the past two years to get to know each other (or at least to do so in person), my hope is to give you a chance to "meet" some of our newest judges and to get to know a little bit about each of them.

I extend my thanks to the judges whom I have interviewed to date. I know they are all very busy, so I particularly appreciate their taking the time to answer my questions!

## Neeti V. Pawar



The Honorable Neeti V. Pawar was appointed to the Colorado Court of Appeals in March 2019. Before her appointment, Judge Pawar ran a solo practice for 12 years, and before that she was a partner with a small boutique law firm. In her private practice, Judge Pawar practiced in the areas of family law, employment law, and criminal defense. She also served as a mediator for over a decade. Early in her career, Judge Pawar worked as a public defender for the City of Denver. She is the founding president of the South Asian Bar Association of Colorado, a past president of the Asian Pacific American Bar Association of Colorado, and the 2018 recipient of APABA-Colorado's Minoru Yasui Community Service Award. Judge Pawar is the first South Asian American judge appointed in the state of Colorado and the first Asian American judge appointed at the appellate level in Colorado. In her free time, Judge Pawar can be found skiing

in the Rockies, trying (to no avail) to replicate her mother's cooking, or dancing with an Indian dance studio in the Denver metro area.

### Best thing about the job:

The intellectual challenge of the job does not disappoint! I really enjoy the variety of cases and when the deliberative process of the three-judge panel really sparks to resolve an issue. Day-to-day, my clerks are the best thing about my job.

### Class you wish you took in law school:

Administrative law [insert facepalm emoji].

### Book you are currently reading:

The two most recent books I've read are *The Ministry of Utmost Happiness* by Arundhati Roy and *Disoriental* by Négar Djavadi, and I absolutely loved both of them. Both are historical fiction novels and the kind of books where you feel a little sad when you finish them because you've been transported to a different place and time. I also enjoy magical realism novels—almost anything by José Saramago, Gabriel García Márquez, and Salman Rushdie.

### What is the last movie you saw?

*King Williams* (loved it!).

### What do you think will change most within the Court of Appeals in the next decade?

It's an interesting time at the Court of Appeals in terms of retirements and new judges. I've been at the Court for two-and-a-half years and there are already five (!) newer judges than me. There will be another two in the next year, and there were two judges appointed just a handful of months before me. With close to half of the bench turning over within just four years, it's an

exciting time. We're all mindful and committed to the traditional work and operations of the Court, but with new people comes new perspectives, ideas, and energy.

### Wellness activities:

I stay active and social through skiing and dance. Getting outside has been shown to enhance mood and reduce stress and anxiety, and it is also linked to higher levels of concentration and creativity and improved mental clarity. So, a trip to A-Basin during the winter is always rejuvenating. I'll also take an occasional 20-minute walk in the middle of the day to wander around the Golden Triangle District. I teach and dance with an Indian dance studio based in Aurora, which gives me social and cultural connections, creative output, and physical exercise.

### Greatest inspiration or influence and why:

My parents and all the Indian aunts I grew up with as extended family. My father was a true servant leader across generations and continents. My mother and the aunts I grew up with (who are like extended family to me) were my role models and are an amazingly resilient, multitasking, hardworking, and adaptable group of women.

## Russell B. Klein



The Honorable Russell B. Klein was appointed to the First Judicial District Court bench, effective January 1, 2020, where he handles a mixed docket of civil, criminal, and domestic relations matters.

Before his appointment to the bench, Judge Klein worked at the Office of the Colorado Attorney General from November 2005 to December 2019. During his time at the AG's office, he served as an assistant AG, senior assistant AG, first assistant AG, and deputy AG, representing the Colorado Division of Securities and other regulatory divisions and state agencies. Previously, Judge Klein worked in private practice, handling primarily civil litigation. Most recently, he served as the president of the Thompson and Lucy Marsh Inn of Court and is now the immediate past



president. A New York transplant, Judge Klein attended college in Western New York (SUNY Fredonia) and received his JD from the University at Buffalo. Outside of work, he enjoys running, biking, cooking, spending time with family and his dog Rhea, and eating homemade cookies.

**Best thing about the job:**

Two of the (many) things I enjoy in life are (1) learning about something new and (2) taking things apart and putting them back together to see how and why they work. With our combined (civil, criminal, domestic) dockets in the First Judicial District, I have opportunities nearly every day to learn something new in the law, learn how (and why) things work, and generally satisfy my curiosity about the world. (Where else can I go from a suppression hearing in a felony case to a temporary orders hearing on parenting time to a discovery hearing involving an expert report on the proper placement of helical piers in the same day?)

**Advice to young lawyers:**

Treat everyone with respect, kindness, and dignity. We typically see people on their worst days, whether it is facing criminal charges (or, as a victim, having to relive the underlying incident), going through divorce or a child custody action, or having to sue (or being sued) to recover money and/or property. While the work that we do is a privilege, our work is also the real-world difficulty that other people are living as a part of their lives. We all have responsibilities that come with our profession, but we should not forget that at the end of the day, our jobs involve actual human beings (on all sides of the dispute) who will have to live with the consequences of the work we do and the decisions we make.

**Favorite type of music:**

Grunge, punk, industrial, metal, and ska.

**Favorite TV show as a child:**

*Land of the Lost* by Sid and Marty Krofft.

**What is your guilty TV pleasure?**

I watch too many cooking shows, ranging from *Chopped* and *Beat Bobby Flay* to *The Great British Baking Show*.

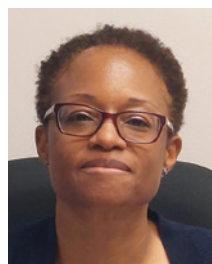
**Favorite outdoor activities:**

I enjoy running and biking (and will reluctantly swim when necessary). I enjoy doing events that my younger self would have thought impossible—I've done a half-dozen marathons (and dozens of half marathons and countless shorter running races) and several Ironman triathlons (and dozens of shorter triathlons). This last year I took on the Triple Bypass and the Mount Evans Ascent. In 2022 I plan to run the Endurance Race Series half marathon series (six trail half marathons throughout Colorado) and the Okanagan Trestles Tour (an 80-kilometer mountain bike ride in British Columbia).

**Travel destinations on your bucket list:**

Bahamas, so I can go scuba diving with tiger sharks and great hammerhead sharks; Ireland, so I can enjoy a Guinness the way that it was meant to be enjoyed; Antarctica, so I can run the Antarctica Marathon; and Northern Ohio on April 8, 2024, so I can see the next total solar eclipse in the United States.

**Frances R. Johnson**



The Honorable Frances R. Johnson is a district court judge in the Fourth Judicial District—El Paso County. She was appointed to the position in October 2019 by Governor Polis. Prior to beginning her term in January 2020, Judge

Johnson was a magistrate and presided over a juvenile delinquency and domestic relations docket for one year and was the probate magistrate in the Fourth Judicial District from February 2013 through January 2019. Before serving as a judicial officer, she practiced as an attorney for 15 years, including as a guardian ad litem, public defender, prosecutor, assistant attorney general, federal civil litigator, and appellate attorney. Judge Johnson received her BA in psychology and sociology from the University of Colorado, Colorado Springs and her JD from the University of Texas School of Law. She has presented or co-presented on several topics, including probate, domestic relations, and inclusion.

**Most surprising thing about the job:**

As a practicing attorney, when arguing my client's position, it seemed easy to tell which way the decision should go. That is, while the outcome was not always in my client's favor, the court's decision seemed fairly clear cut. As a judicial officer, I was struck by how challenging it is to make ultimate decisions. Listening to all sides and recognizing the good points in every side's arguments makes it difficult to make a decision that feels like it is the only correct decision. Sometimes, it feels as though an outcome can go either way and, under the law, be correct. It takes adjustment and flexibility to get past that discomfort.

**Advice to young lawyers you wish someone had told you:**

I learned this later, but it is helpful to know when you're starting out: Networking is important, but it means more than just gathering a list of important people you say you know. It is genuine connection-building that should be accomplished in a manner that is meaningful to you. Engage in activities that interest you,

whether that be through bar association meetings, committee meetings, or volunteer activities inside or outside of the bar. You're much more likely to develop meaningful connections to others when pursuing activities you have an authentic interest in.

**What TV show do you wish was never cancelled?**

24 with Kiefer Sutherland. I love dramas and mysteries, and this was the most perfect one I have ever watched. Although, candidly, there is a limit to the number of times the world can be on the brink of destruction and the story still be somewhat credible.

**What do you do to maintain health/wellness?**

I recently discovered Figure 8 Fitness with Jaana. It's essentially a constellation of multiple dance styles, such as salsa, merengue, and jive, combined with an emphasis on strengthening the core and upper and lower muscle groups. It's a great program.

**Yes or no: I yell at the TV when I watch NFL and NBA games at home even if no one else is there.**

True. Not rational, I know, but I'm very passionate about particular professional sports.

**What helps you de-stress/maintain perspective/stay sane?**

Mindfulness. For me, it's essential to maintaining calm and perspective. I'm definitely not perfect at it, but I am grateful the practice was introduced to me, as it has been a life changer.

**Two truths and a lie:**

My favorite athlete is Stephen Curry. My favorite author is John Grisham. I love writing.

**Lyudmyla (Milla) Lishchuk**



The Honorable Milla Lishchuk was appointed as a part-time county court judge in Baca County, a rural southeast corner of Colorado, in July 2020. Judge Lishchuk enjoys being part

of a tightly knit local farming and ranching community, reminiscent of the Ukrainian home she left many years ago. She also serves as a hearing officer at the Department of Revenue, where she presides virtually over tax cases and various regulatory hearings. Judge Lishchuk was born and raised in Ukraine. She initially came to the United States to learn English as a foreign exchange student, as part of her foreign languages' curriculum. Judge Lishchuk continued her studies until eventually earning a law degree from the University of Denver. After graduation, Judge Lishchuk's primary area of practice was taxation, including ad valorem, corporate, and individual taxes.

**What is your bucket list destination?**

Portugal. I already had a flight booked to Lisbon but had to postpone the trip due to the pandemic, which was a tough call. At least from a distance, Portugal seems to have it all. I am especially drawn to Portugal's candy-colored towns and medieval walls and palaces that resemble something out of a fairytale. The very first thing that I plan on doing to celebrate the pandemic's end is to book a trip to Portugal.

**What is your superpower?**

I like growing plants. I grow things indoors and outdoors, and I am also a part of a local community garden. In a typical year, I grow over 20 varieties of plants and often have an overflow of fruits and vegetables to share with friends, neighbors, and utility workers, or basically anyone who happens to stop by.

**What are your favorite things about travel?**

Self-discovery. Traveling has a way of bringing into focus life's priorities, as well as surprising with simple, everyday things that I had never before considered doing differently. On the surface, it may seem as if the primary purpose to travel is to explore new surroundings, but the truth is, travel helps me discover just as much, if not more, about myself.

**What was your college major?**

I have always been drawn to foreign languages. As a small child, before I could even read, my most prized possession, somewhat equivalent

to a security blanket, was a German language textbook. Growing up, we spoke Ukrainian, Russian, and Polish in our household, and my original college major was foreign languages with an emphasis in ancient languages. I studied Latin, ancient Greek, modern Greek, English, and Japanese. I like using Latin in written decisions and enjoy when attorneys use Latin in oral and written arguments. I am currently perfecting my German.

**Do you have a favorite food?**

I grew up on and still prefer Eastern European food, which is mostly things stuffed with other things or things rolled into other things. I enjoy making cabbage rolls and pierogies and sharing them with friends and colleagues. The process of making pierogies from scratch is my zen thing to do, as is enjoying the final product.

**What is your favorite travel memory?**

Athens with Mom. We were picking up a few things for dinner at a local mom-and-pop grocery shop. A shop owner overheard us speaking in a foreign language and apparently was able to discern one word: "mama." He came up to us, pointed at me and then at my mom, and said the word "mama." He then selected the most beautiful honeydew from a pile, handed it to my mom, and refused to take any payment for it. Honeydew happens to be my mom's favorite.

**Who was the most interesting person you have met while traveling?**

Once I was seated on a flight next to a photographer who worked for a leading travel and nature magazine. He had several binders of his work with him that he was taking to an exhibition in New York. The flight was long, giving me a chance to look through all of his binders and hear the fascinating stories behind various nature photos from around the world. CL

The **Honorable Maria E. Berkenkotter** is an associate justice of the Colorado Supreme Court. She conceived this Seven Questions series to acquaint practitioners with some of the newest members of the bench. It will run periodically throughout 2022.

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