

Defending the Rule of Law—Every Colorado Lawyer's Duty

BY CHARLIE WILLMAN



As I write this article, I'm completing the first quarter of my term as CBA president. I've enjoyed speaking with many of you, and I look forward to visiting all the local bar associations to learn how the CBA can better meet the needs of our membership.¹

Today, however, I'd like to flip the script and focus on what we need from our membership—and that is your immediate and unwavering support for the rule of law and our Constitution's separation of powers. These principles are fundamental to our roles as attorneys and to our duty to uphold the federal and state constitutions.

The CBA, through its leadership, staff, and Rule of Law Task Force, actively supports these principles. Our collective commitment ensures that our profession remains a guardian of justice and democracy.

What Is the Rule of Law?

The American Bar Association (ABA) defines the rule of law as "a set of principles, or ideals, for ensuring an orderly and just society."² The World Justice Project adds that it is a durable system of laws, institutions, norms, and community commitment built on four universal principles: accountability, just laws, open government, and accessible and impartial justice.³

The ABA's 2025 Survey of Civic Literacy found that while 90% of Americans favor coequal branches of government, only 11% have the most confidence in the judicial branch.⁴ When asked what best defines the rule of law, respondents most often cited the protection of fundamental human rights (37%), followed by accessible justice (27%), adherence to legal process (20%), and an independent judiciary (12%).⁵

Why Civics Education Matters

The ABA Task Force for American Democracy recently emphasized that a functioning

democracy depends on high-quality civics education.⁶ When citizens understand how government works and their role within it, they are better equipped to address public issues and to sustain civic life.⁷

Bar-Wide Efforts

For these and other reasons, the CBA and many of its sister organizations have been working diligently to oppose attacks against the judiciary and the rule of law, and to provide civics education to bolster knowledge about the rule of law, the Constitution, and our judicial system.

In recent months, the CBA has participated in Law Day events, supported activities on Constitution Day, and supported amicus briefs opposing attacks on the rule of law. Retired Denver County Court Judge Gary Jackson has been leading rule of law events, and retired Colorado Court of Appeals Judge Russell Carparelli is leading efforts to preserve the Constitution. The El Paso County Bar Association issued a press release supporting

respect for the rule of law, judicial integrity, the right to due process, and the separation of powers.⁸ The past presidents and retired judges of the Fourth Judicial District supported this press release, stating, “We do so not as members of a political party or as supporters of any political leader but as Americans who honor and respect the core principles of our Declaration of Independence and our Constitution.”⁹

Finally, in August, the CBA Executive Council renewed its commitment to diversity, equity, and inclusion, affirming that support for the rule of law is integral to fulfilling this mission.¹⁰ The CBA also issued a letter opposing the University of Denver’s elimination of diversity, equity, and inclusion initiatives. This letter was cosigned by the Larimer County, Pueblo County, and Southwest Colorado Bar Associations.

The Lawyer’s Individual Role

While these efforts are important, preserving the rule of law cannot rest with a few leaders or a handful of organizations. As licensed attorneys, we are all charged with upholding judicial independence and ensuring that every citizen has access to fair and just hearings.

The Colorado Rules of Professional Conduct remind us that lawyers must further the public’s understanding of and confidence in the justice system.¹¹ We are also called to devote professional time and resources to ensure equal access to justice for all, regardless of economic or social barriers.¹²

Our Oath of Admission underscores this duty. Each attorney swears to support the Colorado and US Constitutions; maintain respect for the courts and judicial officers; act with truth, honor, fairness, and respect; use legal knowledge for the betterment of society; never reject the cause of the defenseless or oppressed; and adhere to the Rules of Professional Conduct.¹³

Historical Lessons and Modern Warnings

History reminds us why these obligations matter. At the National Conference of Bar Leaders, Kendal Jones of the US Holocaust Memorial Museum described how legal professionals in Nazi Germany enabled the transition from democracy to dictatorship through a series of laws

and court decisions.¹⁴ This example highlights how the erosion of judicial independence and public trust can endanger an entire nation.

Today, we face similar pressures. On September 17, 2025, nearly 50 retired federal judges from both parties issued an open letter warning of “a historic strain on our nation’s ideals.”¹⁵ They cited threats against judges and their families as attempts to intimidate and erode confidence in the courts.¹⁶ As John Adams warned, without a recommitment to democracy, we risk ceasing to be an “Empire of Laws, and not of men.”¹⁷

Call to Action

The threats to judicial independence and public trust are real—but so is the difference each of us can make. As lawyers, we have a responsibility to

lead by example by educating others, acting with integrity, and standing up for the constitutional principles that keep our democracy strong.

One way to get involved is by joining the CBA Rule of Law Task Force, which works to raise awareness about these critical issues. Sign up online¹⁸ or reach out to Geoff Anderson, chair, at ganderson@anm-law.com. Another way to make an impact is through Our Courts, a joint program of the CBA and the Colorado Judicial Institute that brings civics education to high school students. Volunteer speakers are always welcome—learn more at www.ourcourtscolorado.org.

Now is the time for all of us to step up. Every conversation, every lesson, every act of integrity strengthens the rule of law. Let’s lead the way and make sure justice remains at the heart of our community and our democracy. 

NOTES

1. To schedule a presidential visit, please contact Jessica Lindzy at jlindzy@cobar.org.
2. https://www.americanbar.org/groups/public_education/resources/rule-of-law.
3. <https://worldjusticeproject.org/about-us/overview/what-rule-law>.
4. “ABA 2025 Survey of Civic Literacy,” https://www.americanbar.org/news/reporter_resources/civic-knowledge-survey.
5. *Id.*
6. *Report of the ABA Task Force for American Democracy* (Sept. 10, 2025), https://www.americanbar.org/content/dam/aba/administrative/office_president/democracy-task-force/2025-report-american-democracy.pdf.
7. *Id.* at 18.
8. “EPCBA Rule of Law Statement in Support of the Rule of Law” (May 14, 2025), <https://www.elpasocountybar.org/Public-Statements>.
9. “Past Presidents and Retired Judges Statement of Support,” <https://www.elpasocountybar.org/Public-Statements>.
10. The CBA’s Mission, Value and Vision Statement can be found at <https://www.cobar.org/About-the-CBA#8982226-mission-statement->.
11. Preamble [6] of the Colorado Rules of Professional Conduct includes a lawyer’s duty to “further the public’s understanding of and confidence in the rule of law and the justice system” and “devote professional time and resources and use civic influence to ensure equal access to our system of justice.”
12. *Id.*
13. Office of Attorney Regulation Counsel, “Attorney Oath of Admission,” <https://www.coloradolegalregulation.com/current-lawyers/oath>.
14. Jones’s presentation came with a copy of the US Holocaust Memorial Museum’s publication, *Law, Justice, and the Holocaust* (3d ed.), which explored “a series of key decrees, legislative acts, and case law that show the gradual process by which the Nazi leadership, with support or acquiescence from the majority of German people, including judges, moved the nation from a democracy to a dictatorship, and the series of legal steps that left millions vulnerable to the racist and antisemitic ideology of the Nazi state.” https://vault.ushmm.org/adaptivemedia/rendition/id_9e07f1c26c8a6a740798108ab844bd55074d7e20 at 4.
15. Keep Our Republic, “Constitution Day Letter,” <https://keepourrepublic.org/article-iii-coalition>.
16. *Id.*
17. *Report of the ABA Task Force for American Democracy*, *supra* note 6 at 81 (quoting Adams, *Thoughts on Government* (1776)).
18. <http://bit.ly/47rOMPv>.