

Pipeline to Progress

The State of Black Lawyers in Colorado

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A seat at the table means little without the opportunity to be heard and to contribute. That representation matters because people with different backgrounds and experiences often bring different perspectives to the table. Having Black attorneys in the room can bring perspectives that might otherwise be missing, challenge assumptions, and lead to better and more informed decisions.

To be a Black lawyer in Colorado often means growing accustomed to being the only Black face in the room. It can mean walking into a courtroom, law firm, deposition, or bar association meeting and immediately noticing your own difference before you've even said a word. This can result in discomfort for Black lawyers simply living in their own skin. For some Black lawyers, it means learning when to soften their voice, monitoring their reactions, engaging in submissive body postures, or altering their appearance. It can mean living the paradox of being highly visible because of race while still being overlooked when opportunities arise. Black lawyers can find themselves typecast, seen first through the lens of race rather than simply for their skills as lawyers.

Those perceptions have real consequences for how Black lawyers move through the profession. Getting into the profession is only the beginning. The challenge is advancing from being hired to being promoted, from being an associate to making partner, and from having a seat at the table to having real influence. Colorado has made some progress here, but the next stage of progress requires moving beyond counting how many Black lawyers are in the room to studying their experiences once they are in the room.

Early Barriers for Black Lawyers

For much of American history, Black lawyers had to fight simply to enter the profession. They faced barriers to attending law school, gaining admission to the bar, joining bar associations, finding jobs, and building successful practices. The exclusion was explicit. In 1912, the American Bar Association rescinded the membership of William H. Lewis, the nation's first Black assistant US attorney general, explaining that

its "settled practice" had been to elect only white men as members.¹

Even those who broke through these barriers still faced discrimination and struggled to gain the same visibility, opportunities, and professional networks as white lawyers. For example, legendary attorney Irving P. Andrews was unable to find employment in Denver's legal community in the 1950s because of discriminatory practices against hiring Black attorneys.² This history shaped more than careers. It also shaped whether Black lawyers felt they truly belonged in the legal profession. In Colorado, that struggle for belonging, opportunity, and professional community would eventually help establish the Sam Cary Bar Association (SCBA).

Cary's legacy and relentless pursuit of justice for underrepresented communities inspired the creation of the SCBA, which sought to support Black attorneys in Colorado who were facing many of the same barriers that Sam Cary had fought to overcome.

History of the SCBA

In 1971, seven Black attorneys—Billy Lewis, King Trimble, Raymond Dean Jones, Daniel Muse, Norm Early, Phil Jones, and Gary Jackson—created the SCBA as the state's first minority bar association. They named the SCBA after Samuel E. Cary, a Black criminal law attorney who practiced in Denver in the early 1900s. His career reflected both professional achievement

and the institutional barriers Black lawyers faced in Colorado.

Sam Cary gained admission to the Colorado bar in October 1919, becoming just the sixth Black attorney to have ever practiced law in Colorado.³ Seven years later, following proceedings initiated by the Colorado Bar Association, he was disbarred for "neglected finance."⁴ Accounts of Cary's life have described the punishment as unusually severe under the circumstances.⁵ The SCBA's founders later spoke with former Colorado Chief Justice O. Otto Moore, who told them that Cary's disbarment was both racially and politically motivated at a time when members of the Ku Klux Klan held positions of power in Colorado, including in the judiciary.⁶ In 1935, following a strong public push for his return to the profession, Cary was reinstated by the Colorado Supreme Court.⁷

Cary's legacy and relentless pursuit of justice for underrepresented communities inspired the creation of the SCBA, which sought to support Black attorneys in Colorado who were facing many of the same barriers that Sam Cary had fought to overcome. From its earliest years, the SCBA also reflected the leadership of Black women within Colorado's legal community. As former SCBA President, managing CEO of Jones Law Firm, and current CBA President-Elect April Jones observed, "Sam Cary, as always, we were pioneers," noting that women played important roles in the organization from its formative years.⁸

That history reflects a broader purpose that has continued to guide the SCBA and the specialty bar associations that followed in its footsteps. As the Honorable Gary M. Jackson, one of the SCBA's founders and a longtime leader in Colorado's legal community, has explained, "[t]he mission of specialty bars today remains the same as always: to overcome barriers and to promote equality in the judicial system so no one, regardless of race, gender, or identity, faces discrimination under the law."⁹ That noble mission is one that the SCBA has continued to pursue for over half a century.

Barriers to Law School

Although the legal profession has changed substantially since the days of Sam Cary and

the SCBA's founding, barriers continue to shape who enters the profession, who can afford to pursue public-service careers, and which areas of Colorado are adequately represented. This results in a profession in which only 3% of Colorado's active attorneys and licensed legal paraprofessionals are Black and only 7.1% are Hispanic.¹⁰ These barriers arise before a student ever applies to law school. For many Black students, the path to becoming a lawyer can feel inaccessible long before law school even begins. With fewer lawyers in their families and communities, Black students have less exposure to the legal profession and fewer opportunities for mentorship, internships, and guidance on how to get there.

The barriers do not end once a Black student enters law school. Black students remain significantly underrepresented at Colorado's law schools, while both schools continue to confront broader issues of faculty diversity. This limited representation also makes mentorship harder. With so few Black attorneys practicing in Colorado, the responsibility of mentoring the next generation of Black lawyers can fall on an already limited number of attorneys.

One of the most significant barriers is cost. Those who pursue law school must navigate the barriers to entry, including the LSAT and its associated preparation costs, on their own. Commercial LSAT preparation can also be expensive, with some courses costing hundreds or even thousands of dollars.¹¹ This gives students with greater financial resources access to preparation that others may struggle to afford. According to the Federal Reserve, in 2022, the median white family had approximately \$285,000 in wealth, compared with approximately \$45,000 for the median Black family.¹² That wealth disparity can leave Black students with less family wealth to help pay for law school or provide a financial safety net while pursuing a legal career.

Financial pressures further accelerate after admission. First, students lose out on three years of income while they study to become lawyers. Next, they face hundreds of thousands of dollars of costs for their education. The University of Colorado Law School's estimated annual cost of attendance is approximately \$63,230 to \$72,362, while the University of Denver

Sturm College of Law's estimated annual cost of attendance is even higher.¹³ Approximately 85% of young lawyers borrow money to finance their legal education.¹⁴ However, beginning July 1, 2026, law students will generally be limited to \$50,000 per year and \$200,000 in total federal loans.¹⁵ Students who need additional financing may have to turn to private loans, which, unlike federal loans, are not eligible for the Public Service Loan Forgiveness program available to borrowers who work in qualifying government and public-interest positions.¹⁶ Additionally, students absorb bar examination, bar preparation, cost of living, and licensing expenses before beginning practice. For Black students who are less likely to have the same family wealth or financial safety net as their white counterparts, these costs can mean taking on even more debt just to enter the profession.

Why Representation Matters

After graduation, for Black graduates carrying substantial debt, the salary difference between private practice and public service significantly influences career decisions. Colorado faces geographic disparities in access to legal services, with most attorneys concentrated along the Front Range. Many rural communities have few practicing lawyers. Approximately half of Colorado's counties have fewer than 25 practicing attorneys.¹⁷ These shortages have created legal deserts, leaving some litigants without representation, including many parents seeking to leave abusive relationships and small businesses struggling to protect their financial rights. These shortages can also strain courts and public legal institutions and limit rural communities' ability to meaningfully access the justice system. For individuals, navigating the legal system without a lawyer can make it harder to understand their rights and effectively present their case, while for courts, self-represented litigants can require additional time and resources to move cases through the system. For Black law school graduates already carrying substantial debt, financial pressures can make it difficult to choose public service or build a practice in the legal deserts where lawyers are needed most. But increasing the number of lawyers in these communities is only part of

the solution, because representation is also an important part of ensuring meaningful access to justice for everyone.

As Chief Justice Monica Márquez observed, "having a diverse judiciary strengthens public perception that the justice rendered by our courts is truly equal. That perception of legitimacy is critical."¹⁸ Few Colorado jurists better illustrate that principle than the late Judge Wiley Y. Daniel. In 1995, Judge Daniel broke a historic barrier when President Bill Clinton appointed him to the US District Court for the District of Colorado, making him the first Black federal judge in Colorado.¹⁹ However, that historic appointment was only a part of his legacy. As a respected leader in the Colorado legal community, Judge Daniel emphasized the importance of diversity in the profession and spent a significant amount of time mentoring Black lawyers who followed him.²⁰ For Judge Daniel, it was not enough to be the first; he worked to ensure that he would not be the last. That work came full circle in 2013, when Judge Raymond P. Moore became the second Black Article III judge to serve as a US District Court judge for the District of Colorado, followed by Judge S. Kato Crews, who became the third in 2024. It is important to note that all three judges have occupied the same judicial seat: Judge Moore succeeded Judge Daniel, and Judge Crews later succeeded Judge Moore. Yet despite that succession, Colorado has never had a Black woman serve as an Article III federal judge.

The need for Black representation extends beyond the judiciary. Black attorneys should also have a strong presence in the public institutions that enforce our laws, defend constitutional rights, advise government officials, and make decisions that directly affect Colorado communities. Just as a diverse judiciary can strengthen confidence in our courts, a diverse group of public-interest lawyers can strengthen confidence in the justice system. The challenge is therefore not simply encouraging more students to become lawyers, but creating a pipeline in which students are exposed to the profession early, can realistically navigate the financial barriers to entering it, and can afford to serve the communities and public institutions where attorneys are most needed.

A third, more affordable public law school in Colorado could help address this problem. By lowering tuition and reducing the debt students carry into practice, such a school would make the legal profession more accessible to Black students and lower-income students who would otherwise be priced out, while giving graduates greater freedom to pursue careers in public service. For Black lawyers interested in becoming prosecutors, public defenders, government attorneys, or legal aid lawyers, less debt could make choosing public service over salary a more realistic option.

For these reasons, the CBA has made the creation of a third public law school a legislative priority. The school could be located in a rural community—perhaps at Colorado Mesa University or Colorado State University Pueblo—and designed with the needs of rural Colorado in mind. Its curriculum and programs could give students opportunities to serve communities facing shortages of legal services while in law school and encourage them to continue practicing in those communities after graduation.

Opportunity as a True Reflection of Progress

The state of Black lawyers in Colorado reflects how far we have come, but also how much work remains. It is true that Colorado has come a long way from the days when Irving Andrews and Sam Cary practiced in Colorado, but measuring progress only by how many Black faces are in the room is not the only answer. Progress must be measured by who has the opportunity to enter the profession. Progress must be measured by who can afford to stay in the profession. Progress must be measured by who advances, who leads, and who has real influence in the profession. Progress requires strengthening the pipeline. Law schools can help open the door to the profession, but the work cannot stop there. Courts, law firms, and bar associations must also ensure that Black lawyers have access to mentorship, meaningful assignments, and opportunities to lead. The goal is not simply to put more Black lawyers in the room. The goal is to broaden who gets through the door and who has a voice once inside the room. ^{CL}



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NOTES

1. American Bar Association, ABA Timeline, "1912—ABA Restricts Membership to White Lawyers," https://www.americanbar.org/about_the_aba/timeline.
2. Sotomayor Inn, "Irving Andrews," sotomayorinn.org/irving-andrews.
3. Browning, "Undaunted: The Story of Colorado's First Black Lawyers," 51 *Colo. Law.* 17 (Feb. 2022), <https://cl.cobar.org/departments/undaunted>.
4. Brovsky-Eaker, "How One Lawyer Returned to the Courtroom Against All Odds," *Law Wk. Colo.* (July 7, 2020), <https://www.lawweekcolorado.com/article/how-one-lawyer-returned-to-the-courtroom-against-all-odds>.
5. *Id.*; Jackson, "The Sam Cary Bar Association: Colorado's Vanguard for Black Attorneys," History Colorado (May 7, 2025), <https://www.historycolorado.org/story/2025/05/07/sam-cary-bar-association-colorados-vanguard-black-attorneys>.
6. Jackson, *supra* note 5.
7. Brovsky-Eaker, *supra* note 4.
8. Martinez, "Sam Cary Celebrates 50 Years by Honoring 16 Women Presidents," *Law Wk. Colo.* (Apr. 6, 2021), <https://www.lawweekcolorado.com/article/sam-cary-celebrates-50-years-and-16-women-presidents>.
9. Jackson, *supra* note 5.
10. See 2024 Annual Report, Colorado Office of Attorney Regulation Counsel (2025), <https://www.coloradolegalregulation.com/wp-content/uploads/PDF/AboutUs/Annual%20Reports/2024%20Annual%20Report.pdf>.
11. Kaplan, "LSAT Prep," <https://www.kaptest.com/lsat> (listing courses ranging from \$899 for on-demand preparation to \$2,299 for its 170+ course).
12. Board of Governors of the Federal Reserve System, "Greater Wealth, Greater Uncertainty: Changes in Racial Inequality in the Survey of Consumer Finances," fig. 1 (Oct. 18, 2023), <https://www.federalreserve.gov/econres/notes/feds-notes/greater-wealth-greater-uncertainty-changes-in-racial-inequality-in-the-survey-of-consumer-finances-accessible-20231018.htm>.
13. See University of Colorado Law School, "Tuition," <https://www.colorado.edu/law/admissions/tuition> (listing the 2026–27 total estimated JD cost of attendance as \$63,230 for residents and \$72,362 for nonresidents). See also University of Denver Sturm College of Law, "Cost to Attend DU," <https://www.du.edu/admission-aid/financial-aid-scholarships/graduate-cost-attendance> (listing the total estimated cost of attendance for 2026–27 as \$79,702).
14. Palasciano, "How Much Debt Is Too Much for Aspiring Lawyers and Are You Going to Earn Enough to Pay It Off?," Investopedia (July 29, 2025), <https://www.investopedia.com/how-much-debt-is-too-much-for-aspiring-lawyers-and-are-you-going-to-earn-enough-to-pay-it-off-11774340>.
15. Sloan, "U.S. Law Schools, Students Fear Rising Costs from New Federal Loan Cap," Reuters (Feb. 17, 2026), <https://www.reuters.com/legal/legalindustry/us-law-schools-students-fear-rising-costs-new-federal-loan-cap-2026-02-17>.
16. *Id.*
17. Washburn, "Innovative Ways to Support Legal Deserts in Colorado," Colorado State University, Columbine Health Systems Center for Healthy Aging blog (Dec. 8, 2023), <https://healthyaging.colostate.edu/2023/12/08/innovative-ways-to-support-legal-deserts-in-colorado>.
18. Márquez, "The Importance of a Diverse Federal Judiciary, Part 2: The Selection and Confirmation Process," Testimony Before the US House of Representatives Committee on the Judiciary Subcommittee on Courts, Intellectual Property, and the Internet (July 12, 2021), HHRG-117-JU03-Wstate-MrquezM-20210712.pdf.
19. Fulcher, "After Judge Wiley Daniel Made History, He Mentored Young African American Lawyers," Colorado Public Radio (May 17, 2019), <https://www.cpr.org/show-segment/after-judge-wiley-daniel-made-history-he-mentored-young-african-american-lawyers>.
20. *Id.*