

COLORADO LAWYERS COMMITTEE

Pro bono legal advocacy for children and the underserved



**In celebration of our 40th anniversary, we have compiled
a history of some of the major accomplishments
of the Colorado Lawyers Committee.**

Enjoy!

Founded in 1978, the Colorado Lawyers Committee is a nonpartisan consortium of 77 Colorado law firms dedicated to creating and increasing opportunities for children, the poor and other disadvantaged communities through pro bono legal advocacy, negotiation and litigation. The lawyers who donate their time through the Lawyers Committee focus primarily on major public policy issues and systemic changes rather than representation of individuals. The CLC now has 25 active projects in the areas of Children's Rights & Education, Civil Rights & Criminal Law (including voting rights), Poverty and Public Benefits (including health care, mental health, clinics, and access to ID's), Community Development (including small business, housing, nonprofit support and environmental), and Immigration.

POVERTY AND PUBLIC BENEFITS

Poverty

- 1991** The Family Futures Task Force, in partnership with the Legal Aid Society of Metro Denver and 19 other community organizations, helps 100 single-parent families in Northeast Denver get off welfare and become self-sufficient.
- 2003** CLC volunteers educate Center, Colorado residents on the Earned Income Tax Credit (EITC), to counter the chilling effect on the community of an IRS raid to seize 190 tax returns where the EITC is claimed.
- 2003** The State Finance Task Force studies TABOR and related fiscal restraints and recommends the CLC Committee endorse two 2006 state ballot issues to avert a fiscal crisis in Colorado (Referenda C and D) and assure continued funding of essential State programs.

Public Benefits

- 1997** The Welfare Reform Task Force conducts fact finding to assess the impact of the new federal legislation on existing welfare agencies and programs and monitors the enactment of the Colorado Works Program, including providing legislators with neutral principles to guide the implementation of welfare reform in Colorado.
- 1998** Volunteers represent welfare recipients (*Weston v. Hammons*) whose benefits were terminated or reduced without proper notice; in a landmark decision, \$2.1 million was restored to 1,600 families.
- 2000** Volunteer lawyers negotiate a \$17.2 million settlement (*Tatum v. Rizzuto*) on behalf of 44,000 families inadvertently denied Medicaid benefits from 1997 to 2000. The lawsuit results from a computer-generated problem that left many children without medical care.
- 2003** CLC successfully challenges improper reductions in Colorado Medicaid payments to pediatricians, with the result that children have access to a primary care physician and a “medical home.”
- 2004** *Hawthorne-Bey v. Reinertson* challenges the failure of the State’s newly implemented Colorado Benefits Management System (CBMS) which improperly denies or delays essential public benefits to tens of thousands of individuals and families. The parties eventually settle the lawsuit and volunteers continue to monitor the State’s progress until the State fully complies in 2017.
- 2008** CLC challenges the delay in processing Food Stamp applications in certain Colorado counties. As a result, Denver County completely overhauls its procedures for processing food stamp applications, and improves its compliance rate with federally mandated timelines from 60% to over 90%.
- 2011** CLC challenges the State’s reduction of Medicaid benefits for more than 1,000 developmentally disabled individuals, with inadequate notice and limited appeal rights to the benefit recipients. The State agrees to clarify the criteria for determining benefit levels and creates a process for assuring community input into future decisions to safeguard benefit recipients’ rights.
- 2015** CLC challenges the State’s failure to provide continuing benefits (Medicaid, Food Stamps, etc.), when a timely appeal is filed, as required by federal law. The task force’s efforts result in significant changes in State procedures, guaranteeing due process for benefit recipients.

Health Care

- 1979** *Bowie v. Denver General Hospital* challenges the billing and collection practices of Denver General Hospital; the settlement requires the elimination of abusive collection tactics and reprogramming of the hospital’s computer system to incorporate a sliding fee scale for indigent patients.
- 1996** CLC advocates to maximize the benefit to the public from the conversion of Colorado Blue Cross and Blue Shield from a nonprofit to a for-profit corporation. Subsequent proceedings establish that the Colorado Insurance Commissioner may award attorneys’ fees to pro bono counsel who create or increase a fund for the common good (*Hawes v. Colorado Division of Insurance*).
- 2001** CLC explores indigent health care and the decreasing availability of non-emergency medical services for the uninsured.

CIVIL RIGHTS AND CRIMINAL LAW

Civil Rights

- 1981** In *Branson v. City & County of Denver*, volunteer lawyers challenge the Fireman's Pension Fund's denial of pension rights to widows of firefighters whose marriages began after retirement. The Colorado Supreme Court declares the policy unconstitutional.
- 1987** *Martinez v. Denver Boys Club* filed to challenge Denver Boys Club refusal to admit Danette Martinez after the Denver Girls Club closed. Pending appeal of a ruling favorable to Danette, the Boys Club decides to admit girls and renames the club the "Boys and Girls Clubs of Metro Denver."
- 1993** The Hate Violence Task Force is created to educate the community about the prevalence of crimes based on race, ethnicity, gender, religious practice, and sexual orientation. Volunteers present fictional trials at schools with students serving as jurors. The presentations continue today throughout Colorado.
- 1996** CLC joins *Lobato v. Taylor*, originally filed in 1981 to secure the rights of property owners in the San Luis Valley to exercise traditional use rights to graze livestock and collect wood and timber on 77,500 acres known as "Taylor Ranch." After the Colorado Supreme Court remands the case for a determination of which landowners are entitled to access the property (most were found eligible), the case is now on appeal at the Colorado Court of Appeals for the third time.
- 2014** CLC supports one of the lawsuits (*McDaniel-Miccio v. Colorado*) which successfully challenged Colorado's constitutional ban on gay marriage.

Criminal Law

- 1979** Volunteers represent inmates challenging the constitutionality of conditions at the Jefferson County Jail (*Baker v. Bray*). The lawsuit was successfully settled by the agreement of the defendants to construct a new and constitutionally adequate facility.
- 1982** CLC joins with several other service organizations to form JAWS (the Coalition for Justice for Abused Women) to advocate for improved treatment of domestic violence victims by police and prosecutors. Court action and subsequent negotiations result in policy changes within the police department, the district and city attorney's offices, and Denver County Court. Project Safeguard is established to monitor these changes and assist the city in responding more effectively to incidents of domestic violence.
- 2001** CLC creates the Colorado Innocence Project, inspired by similar projects around the country designed to provide legal representation for prisoners whose innocence can be established by scientific or other evidence. In 2010, leadership of the project transitions from the CLC to the University of Colorado School of Law.
- 2006** CLC Sentencing Reform Task Force publishes study that recommends the establishment of a Sentencing Commission to address the negative fiscal impact of current sentencing practices. The following year, HB 1358 establishes the Colorado Criminal and Juvenile Justice Commission.
- 2010** The CLC Sixth Amendment Task Force files suit to challenge the constitutionality of a Colorado statute that denies a lawyer to individuals charged with a misdemeanor until after they meet with the prosecutor. The lawsuit is voluntarily dismissed when the legislature repeals the statute and allocates \$15 million for attorneys for individuals charged with misdemeanors.

Voting Rights

- 1992** CLC files *Sanchez v. State of Colorado* to protect rights of Hispanic residents under the Voting Rights Act. The lawsuit results in the redistricting of Southern Colorado to prevent the continued dilution of Hispanic representation.
- 2004** The CLC Election Task Force is created (and continues to this day) to provide nonpartisan advocacy to maximize the right of all Colorado citizens to vote, without regard to race, physical disability or income.
- 2006** CLC begins participation in the Nonpartisan Election Call Center (every two years) where volunteers answer voter questions about access to the polls.
- 2013** The Election Task Force files an amicus brief (*In Re Jones v. Samora*) urging the Colorado Supreme Court to reinstate the results of a recall election in Center, Colorado. In January 2014, the Colorado Supreme Court issues a unanimous ruling reinstating the results of the recall election.
- 2014** CLC co-hosts the Colorado/New Mexico hearing of the National Commission on Voting Rights. One of 25 scheduled throughout the country, the hearing focuses on voting discrimination and election administration in Colorado and New Mexico.
- 2015** CLC volunteers begin to explore possible consequences if Colorado ever enacts more restrictive voting ID requirements (as some other states have done) — would such restrictions disenfranchise significant numbers of individuals (mostly poor and elderly) who are unable to obtain a state-issued ID.

COMMUNITY DEVELOPMENT

Housing

- 1979** CLC challenges Lakewood housing plans as they relate to low-income and minority residents.
- 1981** CLC represents WHERE (We'll Have Equitable Relocation) and its sister corporation, South Santa Fe Development Cooperative, grassroots organizations made up largely of low-income mobile home residents in the South Santa Fe Drive corridor, when proposed widening of South Santa Fe forces their relocation.
- 1988** CLC represents DEFEND (Defend Against Expansion of Freeway Exit in North Denver), a group of largely low and moderate income Hispanic residents of Denver's Highland neighborhood, in challenging the City's proposed expansion of the North I-25 corridor.
- 2013** The Housing Task Force is created to explore housing issues in Colorado that might benefit from legal advocacy by CLC volunteers.

Environmental

- 1979** CLC represents Citizens for Glenwood Canyon Scenic Corridor in a challenge to plans to expand I-70 through Glenwood Canyon. Through negotiations, a river sport advisory committee is established and environmental mitigation measures proceed concurrently with construction of the highway.
- 1984** *Romer v. Cheney* challenges the refusal of the US Department of Defense (DOD) to consider local input on the potential impact of the transportation and storage of nuclear warheads in residential areas. The parties enter into a consent decree requiring a supplemental environmental impact statement.

Nonprofit and Small Business

- 1981** CLC volunteers provide incorporation and tax advice to 20 Colorado nonprofits.
- 1993** The Nonprofit Task Force provides numerous Colorado nonprofits with transactional, corporate governance, tax, real estate and other legal advice necessary to help them better serve their communities.
- 2002** The CLC Business Task Force offers legal assistance to neighborhoods with high minority populations and collaborates with the Colorado Alliance for Microenterprise Initiatives to present seminars to help micro entrepreneurs identify and resolve their legal needs.
- 2006** CLC sponsors a nonprofit legal audit clinic (now offered twice annually) where teams of lawyers work with nonprofits representatives to assess the legal health of the organization.
- 2006** The Nonprofit Working Group is created to provide legal support for the nonprofit community by identifying pro bono lawyers willing to represent small nonprofits on isolated transactional-type issues.

YOUNG LAWYERS DIVISION

- 2015** CLC creates a Young Lawyers Division to "empower passionate young lawyers to make a difference for children and the underserved through education, advocacy, and systemic change." The CLC YLD currently has 160 members and is open (without charge) to young (under 40) and new (in practice less than 8 years) attorneys and law students. Members are invited to participate in one or more of the YLD teams: Fundraising & Events, Hate Crimes Education, Legal Night, Public Relations, Special Projects, and Strategic Planning.

CHILDREN AND EDUCATION

Children

- 1991** The Children's Legislative Task Force successfully advocates for the passage of several new Colorado laws: a childhood immunization bill, a child support enforcement statute, and a bill that requires Colorado hospitals to ask unwed fathers to acknowledge their parenthood at the time of their child's birth.
- 1994** The Foster Care Task Force negotiates an agreement for a 39% increase in child welfare case workers, millions of dollars for substance abuse and mental health treatment, and improved accountability.
- 2003** The Children's Task Force is created to advocate on issues impacting children, including the availability of preschool in Colorado for disadvantaged children, immigration, and access to Medicaid.
- 2017** Two new subcommittees of the Children's Task Force explore issues related to foster care and immigration.

Education

- 1978** *Lujan v. State Board of Education*, filed on behalf of children in low-wealth school districts, seeks a declaration that the Colorado School Finance Act is unconstitutional because it allocates state funds to public schools based on the property wealth of each district.
- 1983** CLC serves as co-counsel for intervenors in *Keyes v. School District No. 1*, to protect the rights of Denver Public School students with limited English proficiency. The court rules the district's bilingual education program violates the Federal Equal Educational Opportunity Act.
- 1985** In *Duran v. Center Consolidated School District*, CLC negotiates a landmark settlement in a suit against the Center School District for its failure to maintain a bilingual program for its predominantly Spanish-speaking student body.
- 1986** Volunteers challenge the constitutionality of Colorado's Public School Finance Act in *Hafer v. Colorado State Board of Education*. The case is dismissed when sweeping school finance reforms are enacted by the Colorado legislature.
- 1988** The Education Task Force is established to improve educational opportunities and initially focuses its efforts on the primarily Latino and Native American populations in the San Luis Valley and the Four Corners area.
- 1993** The Rural Education Task Force assists Hispanic students in the Fort Morgan school district to address issues arising out of perceived discrimination against Hispanics in the district and establish a grievance procedure to resolve issues of ethnic and racial discrimination. Volunteers also work on behalf of the Southern Ute and Ute Mountain Ute Tribes to oppose legislation that would reduce state funds to their schools.
- 1994** The Proprietary Schools Task Force is formed to focus on legislative reform and litigation to protect students at proprietary schools.
- 1994** CLC sues (*Booth v. Board of Education*) to force Denver Public Schools to comply with a State Board of Education's decision granting charter status to Thurgood Marshall Charter Middle School.
- 1995** The School Discipline Task Force addresses concerns about the unequal enforcement of the Colorado School Discipline Act and proposes legislation, enacted in 1996, that amends the Act and ensures due process for all students facing school discipline.
- 1997** *Giardino v. Colorado*, filed on behalf of 23,000 students in six Colorado school districts with unsafe, deteriorating school buildings, challenges the State's refusal to fund safe educational facilities. After several days of trial, a settlement provides \$190 million legislative funding to improve deteriorating public school facilities.
- 2001** *Haley v. Colorado Department of Education* challenges Colorado's funding for special education students.
- 2006** In a five-week trial in August 2011 (*Lobato v. State of Colorado*), volunteers argue that Colorado's school finance system does not meet the 'thorough and uniform' requirement of the State constitution. More than 70 volunteers from 12 law firms participate in the case.
- 2014** CLC partners with Donnell-Kay Foundation to assess legal obstacles to the Foundation's ReSchool Colorado project, an effort to create an entirely new state public education system.
- 2014** *Dwyer v. State of Colorado* challenges the State's funding of K-12 schools, alleging that the State's \$1 billion per year cuts to school funding since 2010 were a violation of Amendment 23 to the Colorado Constitution.
- 2014** A new School Discipline Task Force helps pass HB15-1273 to compile data on over-criminalization of student conduct.
- 2017** The Education Task Force creates four new subcommittees: Anti-Bullying, Special Education, School Discipline and DPS Resegregation.

POVERTY AND PUBLIC BENEFITS

Access to IDs

- 2006** Volunteers sue the DMV (*Hill v. Cooke*) to require due process and clear standards for obtaining ID's and licenses.
- 2008** 25 volunteers represent individuals who can't get IDs and spend 40 hours per client.
- 2010** CLC supports HB10-006 which permits felons to change their names to get IDs (so they can access jobs & housing).
- 2013** At CLC's request, Governor Hickenlooper's office establishes the Joint ID Task Force (with CLC, CO Dept. of Revenue, Colorado Legal Services, and others) which continues to meet frequently to address systemic barriers to obtaining IDs.
- 2014** CLC supports two bills that expand DMV's ability to help individuals who don't have access to standard documents needed to get IDs.

IMMIGRATION

- 1995** The Immigration Task Force creates a program to provide immigration assistance to a growing population of immigrants in the San Luis Valley by offering guidance and training to the Christian Community Center in Alamosa (now Immigration Resource Center) for its critical immigrant assistance program, the only one in the area. The support continues today.
- 2013** The Immigration Task Force co-sponsors free trainings for non-immigration lawyers to assist individuals to complete their DACA applications and to represent unaccompanied minors in Children's Asylum and SIJS cases. Trainings are held for several years: More than 140 individuals attend the 2017 training.
- 2013** CLC works with the CO Department of Revenue to provide guidance to individuals at Legal Night seeking assistance with Colorado Senate Bill 13-251, which authorizes the issuance of a Colorado driver's license to undocumented individuals.
- 2018** CLC is invited to appoint a representative to serve on the Advisory Committee for The Denver Immigrant Legal Services Fund established by Mayor Hancock's Executive Order 142, which will distribute grants to nonprofits to provide legal representation to Denver residents for defense of removal proceedings and assistance with affirmative immigration relief.

FELLOWSHIPS

- 1996** Hill & Robbins Fellowship is established from fees awarded after firm lawyers provide pro bono representation (*O'Bryant v. Mountain Bell*) to an individual whose local phone service was terminated when he failed to pay his long distance bill. The fellowship funds a CU or DU law student each summer at CLC or Colorado Legal Services.
- 2017** Sattler Civil Rights Fellowship, which funds a law student every other summer at CLC, is created with a generous legacy gift from the estates of Bruce and Martha Sattler.

POVERTY AND PUBLIC BENEFITS

Mental Health

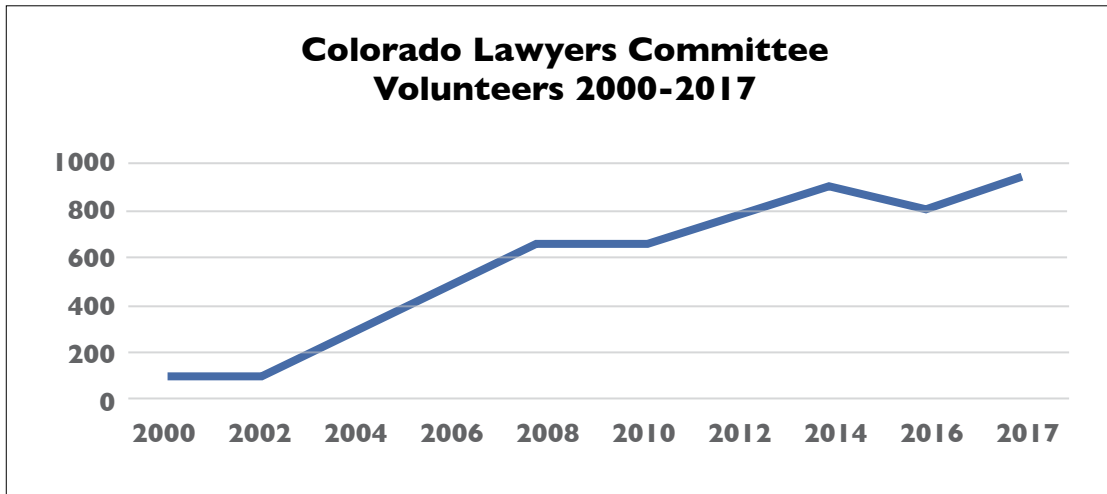
- 1979** Amicus brief filed in *People v. Donna Taylor* challenging the constitutionality of Colorado's civil commitment statute.
- 1981** In *Arevalo v. City and County of Denver*, CLC asserts that the U.S. and Colorado Constitutions require ongoing care for the chronically mentally ill. In a landmark decision, Denver Probate Court Judge Benton rules that the chronically mentally ill have a statutory right to adequate treatment, which defendants failed to provide.
- 1984** *Goebel v. Colorado Department of Institutions* challenges the inadequacy of services to chronically mentally ill persons in northwest Denver. The Supreme Court rules all chronically mentally ill persons have a right to treatment under the Colorado Act for the Care and Treatment of the Mentally Ill. A settlement worth \$13 million is reached with the State of Colorado and the City of Denver.
- 2004** Volunteers advocate for the rights of individuals who plead not-guilty by reason of insanity and are sentenced to an indefinite stay at the state hospital: individuals charged with non-violent crimes remain at the hospital for many years (often longer than the sentence they would have received if they had plead guilty) without a release hearing. Volunteers represent patients at the hospital and successfully obtain hearings to determine if release is appropriate.
- 2004** The Mental Health Task Force is created to examine the delivery of mental health services for children and the underprivileged in Colorado and explore ways to increase access to these important services. Volunteers advocate for individuals in Colorado community corrections programs who are unable to access federal and state medical benefits, including needed medications.
- 2008** Volunteers sue the State alleging its forensic mental health hospital in Pueblo failed to timely evaluate and treat individuals with mental illness who were waiting in Colorado jails. After the State fails to comply with several different settlement agreements, the lawsuit continues in 2018.

Clinics

- 2005** At the request of the City of Denver, CLC agrees to run the legal area at Project Homeless Connect, a one-day event sponsored by Denver to help 1,000-1,500 homeless individuals access a variety of benefits and services. Volunteers provide legal information, advice and referrals on topics including family law, housing and employment and provide pro bono representation at Homeless Court.
- 2006** Denver Legal Night Clinic is created to provide legal information, advice and referrals to underserved individuals. Clinics are now offered twice each month at Centro San Juan Diego.
- 2010** Greeley Legal Night Clinic is established, modeled on Denver Legal Night. Clinics are now held quarterly.
- 2017** CLC helps create a proposal, recently approved by the U.S. District Court for the District of Colorado, for a two-year pilot program for a clinic for pro se litigants in the federal courthouse. The Colorado Bar Association will operate the clinic; CLC will serve on the Advisory Board when the clinic opens later this year.



The CLC is proud of all the volunteers and supporters who have helped us make a difference in our community during the last 40 years.



32,095
Individuals served at
CLC Legal Clinics

9,485
Students who participated in
Hate Crimes Presentations

644
Nonprofits served
through CLC programs

4,555
Voters served through the
Nonpartisan Election Call Center

If you would like more information on becoming a volunteer or supporter, visit our website.

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