Thinking About Crime by Michael Tonry is an extraordinary book about sentencing practices in the United States. For the first time U.S. sentences are so far out of line with Western Europe's sentences and past U.S. sentences that many experts consider our sentences to be barbaric.

In 1970 there were 200,000 people in jail/prison in the U.S. Today more than 2,000,000 people are in jail or prison. In 1970 in the U.S. 140 of every 100,000 people were in jail or prison. Today 700 of every 100,000 people are in jail or prison. In Sweden and other Scandinavian countries the incarceration rate is 50 per 100,000. In England, Germany, and France the sentencing rate remains 140 per 100,000 people. Until 1970 U.S. sentencing practices were roughly in line with the more severe sentencing countries of Western Europe (i.e. Germany, Spain). In approximately 1970 U.S. sentencing practices began to change dramatically.

In response to these sobering statistics it would be nice to prove that the U.S. crime rate took an ugly turn for the worse. Unfortunately, Western Europe's crime rate over the past 40 years has mimicked ours. There is no apparent crime rate difference that justifies the changes in the severity of U.S. sentencing laws vis-à-vis Europe and U.S. history.

The past 35 years in the U.S. have produced major changes in both the frequency of imprisonment and the length of sentences. In Western Europe less than 10 percent of prison sentences are for more than a year. People convicted of murder do not face the death penalty (it has been abolished) and are often paroled after 10 years of imprisonment. In most Western European countries 14 years is the longest sentence that can be imposed. In the 10 years after 1986, the average term in federal prison rose from 39 months to 54 months. Colorado's sentences are among the most severe in the U.S. U.S. prisons are replete with gang and individual violence. Moreover, the rate of Aids and other infectious disease is some ten times worse than it is on the outside.

In the U.S. a quarter of all inmates are incarcerated for violent crimes. The other three-quarters are in prison for property crimes, drugs, etc. In Western Europe there is a greater percentage of nonviolent crimes per population base than here. Overall the U.S. crime rate for violent crimes without a gun is roughly the same as the higher crime countries of Western Europe (France, Germany, Spain, Portugal). The U.S. has a far higher percentage of violent crimes with guns. The incarceration rate for
MEMBERSHIP BENEFITS

Advertising
Members receive discounted advertising rates for Classified Ads and Announcements in the monthly newsletter. Non-member rates are an additional $10.
$20 up to 30 words
$30 up to 40 words
$40 up to 70 words
$50 up to 100 words
All deadlines are the 10th of the month or the next business day if on a weekend. Fax, mail or email your ad to the BCBA office. Payments are due with ad (we do not bill). Commercial ad space in the newsletter is also available at a discounted rate for members.

Convenient and low-cost CLE programs
are offered monthly throughout the year by the various 15 sections of the bar. The cost of one general or ethics credit is only $15. The bar offers discounted CLE programs for $10 to New/Young Lawyer members. Each December the bar sponsors the annual Ethics Update CLE 1/2 day program. The Trial Skills program will be offered in March as a 4-week series with ethics and general credits. NITA and the BCBA sponsor this program at a special rate for BCBA members.

E-Newsletter
is sent out each week with the current weekly CLE programs, programs for the following week, news from the court and important bar news.

Legal Directory
All members receive a free annual "Legal Membership Directory" which lists all Boulder County Bar members. Each year members have the opportunity to list themselves under specialty headings ($25) in the directory as a supplement to their free alphabetical listings. Additional copies of the Directory are sold for $10. Members are welcome to purchase display ads for the annual directory.

Mentor / Mentee Program
The goal of the Mentoring Project is to provide support for new admittees to the practice of law and to acquaint them at an early stage with the highest level of professionalism and ethics and familiarize themselves with the Boulder legal community. Mentees must have been in practice for less than three years. Mentees are required to have passed the Colorado Bar and to maintain an appropriate level of malpractice insurance. Anyone wishing to be a mentor should contact the Bar office. Anyone who wishes to be assigned to a mentor should contact the Bar office and request a Mentee Application.

Mailing Lists / Labels
BCBA membership lists are sold primarily for legal educational purposes that will benefit the BCBA membership. They will not be sold for political, fundraising, or business generation purposes. The current Bar Association list is available to members for $150 and non-members for $300. Mailing labels for members cost $200 and non-members $400. Section lists are available free to members and section labels for $50. For non-members, section lists cost $20 and labels $40.

Web Page
Check out the website at http://www.boulder-bar.org. The website has a Members Only section with Court opinions and many other resources to assist you in your practice. The monthly newsletter is always on line as is the Calendar of Events for the coming three months.

Building Your Client Base
You can be listed in the Find A Lawyer section under two specialty headings for $60. Our office refers public calls from people looking for lawyers to the Find A Lawyer page. Each month the Find A Lawyer page receives over 1200 hits. Call the Bar office for details about signing up for Find a Lawyer listings.
crime is 5-12 times greater in the U.S.

Why did this radical change in U.S. sentencing occur? Tonry offers many explanations. The primary one is the increased politicizing of crime by conservative politicians. These politicians run on platforms to increase the severity of punishment. They falsely claim that crime is out of control and that only severe punishment will stop it. It is difficult for opposition politicians to argue against these positions without being cast as "soft on crime" and therefore not electable.

Furthermore, in the U.S. most judges and virtually all DAs are elected. In the past 40 years the candidate most likely to get elected is the one screaming to be toughest on crime. While similar crime issues have been raised from time to time in Western Europe, it has not taken hold there like it has here. In Western Europe prosecutors and judges are appointed and are less directly involved in the political process. Indeed the stability, role and view of government in Western Europe is different. Consequently Europeans have more confidence that their government's will make good decisions in regard to crime, sentencing and other issues. Americans' trust in government has dropped radically in the past 30 years.

Many other explanations are given to explain this radical change in U.S. historical sentencing practices. For example, American sociologist Jonathan Simon has reduced the various complex rationales to the simple notion that Americans have turned mean spirited and are cruelly seeking revenge toward those convicted of crimes. Some experts lay this sentencing change at the feet of "modernity" and the fears and angst that accompany greater alienation, disconnectiveness, terror, and uncertainty. Americans are more risk-adverse and want to suppress the possibility of crime by locking up all the criminals.

Within the past year, the New York Times has identified Colorado as one of the most severe criminal punishment

(continued on page 14)
The Boulder County Bar Association Annual Dinner hosted over 80 bar members at The Academy in Boulder on June 10. It was a special pleasure to have many judges and magistrates attend the reception and dinner.

Retiring Directors Rachael Lattimer and Seth Benezra were honored for service to the association the past five years. New board members, Scott Tippett and Connie Eyster were unanimously elected by the general membership for a three-year term. Current board member, Steve Closky was elected to be the Secretary/Treasurer for the coming year. Melody Fuller follows Virginia Chavez as President for 2004-2005.

Special Recognition Awards were presented to Amy Waddle, District Court Administrator, and Debbie Crosser, Clerk of the Court, for their dedication and support of the judiciary and bar in implementing e-filing in the courts. Boulder practitioners are grateful to the courts for working to make e-filing efficient for everyone.

H. Patrick Furman was awarded the Porter Award of Merit. Rachael Lattimer presented the award and congratulated Pat for his extensive contributions to the legal community through his activities in the Boulder County Bar Association, Colorado Bar Association and Criminal Defense Bar and many other organizations.

Connie Eyster was awarded the Young Lawyer of the Year Award by Anton Dworak. Connie is an associate at Hutchinson, Black and Cook as a section co-chair of the Tax, Estate Planning and Probate Section, as well as coordinating volunteers for a program at the court to assist low-income people with probate issues.

The BCBA section co-chairs were thanked for their work and for coordinating many high quality CLE programs. This year’s income from CLE programs was a record $27,000. Following is a list of the new co-chairs for the coming year. Please welcome the new section co-chairs and continue to support the bar and your section’s CLE programs.

**SECTION CO-CHAIRS FOR 2004-2005**

**ALTERNATIVE DISPUTE RESOLUTION** - Chris Griffith and Beth Ornstein; **AVAILABILITY OF LEGAL SERVICES** - Paul Bierbaum, Elizabeth Moulton and Chris Ebner; **BANKRUPTCY** - Barry Satlow and Ellen Cadette; **BUSINESS LAW** - Jude Hite and Gus Michaels; **CIVIL LITIGATION/MEDICAL-LEGAL** - Stephanie Hult, Steve Wills & Peter Anderson; **CRIMINAL LAW** - Denean Hill and Rob Dieter; **EMPLOYMENT LAW** - Patricia Bellac and Shelley Bailey; **FAMILY LAW** - Bev Nelson and Sarah Keys; **NATURAL RESOURCES /ENVIRONMENTAL LAW** - Star Waring and Karl Kumli; (continued on page 12)
I was eight years old and sound asleep when a segregationist set fire to our house in the middle of the night. My family of five children, two parents, and grandmother survived without injury; the house was pretty much destroyed. This killer was attempting to eliminate the threat my father's leadership in the integration struggle posed to the whites-only Chicago suburb of Deerfield, Illinois. That racist sent a strong message that he would stop at nothing to eliminate the voices and deeds promoting social change.

I was too young to understand why the concept of Negroes living as neighbors in our white community was so threatening. I still don't get it. It seems a local developer had decided to sell homes to Negroes who could them and wanted to live in the middle class village, despite the homogeneity that characterized the North Shore area in 1961. Once the word got out, the town fathers did what they could to thwart the dangerous project. When governmental success appeared less than certain, the radical hate mongers brought forth violence, threats and intimidation.

I found such racial hatred astonishing. In the early 60's we knew people who had survived the Holocaust and made it to the "safety" of America only to find that Americans were similarly fearful of different cultures and colors. I wanted my hometown to be the refuge for Hitler's victims, a place where tolerance prevailed and all residents lived in peace and security. Instead the town became a scary place that my parents rejected.

My family left Illinois and moved far away, seeking the security of anonymity in the wild wild West. My cousins waited to hear what they thought would be exciting stories of cowboys and Indians in our new backyard. We lived in the Spanish community of Santa Rosa, New Mexico (where most of the other kids were as short as I was) and then among Mormons in Moab, Utah, before settling in Grand Junction, Colorado. I never really doubted I would get a college education and could choose where and among what kind of people I would live.

I grew up never even thinking about becoming a lawyer until I was a junior in college. My family expected me to graduate from college with a Mrs. degree or at least an engagement ring. But marital opportunities appeared slim in Hastings, Nebraska, and law school seemed more promising. I saw the law as my opportunity to work for social change on a higher level, defeating hatred and bigotry with educated thought and analysis. Although law school itself was a boring disappointment, the practice of law has always been intellectually stimulating, exciting and personally worthwhile. Some of the time it is just plain fun.

It's true that doing divorce and custody cases these past three years has not brought about great social change. My 19 years with Legal Aid

(continued on page 10)
CALENDAR OF EVENTS

Pre-registration is required for all BCBA CLE programs. Please send a check to the Bar office at least 3 days in advance. You will be charged for your lunch if you make a reservation and do not cancel prior to the CLE meeting. BCBA CLE’s cost $15 per credit hour for members and $20 for non-members unless otherwise noted. CLE credit is $10 per hour for members of the Young/New Lawyer Section who have practiced 3 years or less. Materials are $5 without CLE credit.

July 23, 2004
Collaborative Family Law
The Seven Deadly Sins of Collaborative Law
Presenters: Daryl James, Sat Tara Kaur Khalsa, MS, LPC and Kathleen Franco
Noon at Faegre & Benson
$15 CLE

August 13, 2004
Collaborative Family Law
Non-Adversarial Communication - Communication that transforms word combat into mutual problem-solving. Presenters: Tom Bache-Wig and Arlene Brownwell, Connection Partners, Inc.
Noon at Faegre & Benson
$15 CLE

August 24, 2004
Business Law Section
Secretary of State Update - New E-filing Procedures
Presenter: Karen Woods, Secretary of State Office
Noon Brown Bag Lunch at the Justice Center, Courtroom E
$15 CLE

September 2, 2004
BCBA Section Co-Chair Meeting
4:30 PM at Faegre & Benson

September 7 - October 26, 2004
ESPÁNOL LEGAL
DESIGNED ESPECIALLY FOR LAWYERS
Tuesday evenings 5:30 to 7PM at Broadway Suites, 3rd floor conference room. Beginning Spanish for lawyers, staff and court personnel.
Cost for instruction is $200.
CLE $180
(12 hours of CLE credit applied for)

September 10, 2004
ROCK AROUND THE BLOCK
See page 13 for details.

Week of September 13, 2004
Community Food Share
Volunteer for gardening on Monday and Tuesday 6 - 8 AM Warehouse on Tuesday at 4 PM
See page 13 to sign-up.

2004 BCBA Annual Dinner Award Recipients

H. Patrick Furman receives the Porter Award of Merit.

President Melody Fuller congratulates and thanks Past-President, Virginia Chavez.
RACHAEL K. LATTIMER
THANKS ALL FOR THEIR
REFERRALS OVER THE YEARS.

As of July 1, 2004, Rachael will be
closing her practice for an
extended maternity leave.

You may contact Rachael at
PO BOX 11175
Boulder, Colorado 80302
720.841.6181
rklattimer@qwest.com

THE FINBERG LAW FIRM, P.C.
is very pleased to announce that

ELIZABETH A. GOLD
has joined the firm as an associate.

The Firm provides legal counsel and representation in the areas of real estate, estate and asset protection planning, business formation, financing, acquisition, and disposition, commercial transactions, labor and employment law, domestic relations, entertainment law, non-profit entities, intellectual property, and litigation.

1871 Folsom Street
Boulder, Colorado 80302
Tel: 303.442.1276
Fax: 303.442.1294
www.finberglaw.com

ROBERT M. COOPER
LEONARD D. TANIS
MELODY K. FULLER
MICHAEL I. COHEN

Are Pleased to Announce the Formation of

COOPER, TANIS, FULLER & COHEN, P.C.
The Firm's Practice will continue to emphasize Domestic Relations.
Mr. Cohen’s practice will concentrate on Criminal Law.

Effective April 21, 2004
42 Garden Center
Broomfield, CO 80020
Telephone: 303.465.4605
Fax: 303.460.8957

Richard Bland
announces the opening
of his new law office

BLAND LAW OFFICES, P.C.

10191 ARAPAHOE ROAD
LAFAYETTE, CO 80026
Telephone: 303.604.6037
Fax: 866.855.0148
E-mail: RBland2@earthlink.net
QUESTIONING BY JURORS IN COLORADO CRIMINAL CASES

Jurors in criminal cases will be given the opportunity to ask questions during many trials beginning July 1, 2004. Colorado courts will begin to implement a new rule of procedure, 24(g), which permits jurors in criminal cases to submit written questions to be asked of witnesses by the judge.

"Members of the public owe a duty to report for jury service when summoned and the court system owes a corresponding duty to attempt to make the best possible use of the juror's time and maximize the likelihood of good decision-making in jury trials," says Colorado Supreme Court Justice Rebecca Kourlis, chair of the Supreme Court Committee on Juries. "The goal of Colorado's jury reform effort is wise, fair and informed jury decisions."

Permitting juror questions in criminal cases is the outgrowth of a two-year pilot project, which concluded that allowing jurors to ask questions caused jurors to be more engaged in the trial process and more attentive to the evidence.

A study conducted by the committee on juries, has shown that the process of allowing jurors to ask questions in criminal cases assists jurors in clarifying evidence that is confusing and provides attorneys with timely and effective notice concerning confusing or missing information during the course of the trial. It has also shown that juror questioning was favored by jurors and the jurors, believed this new process helped them make better decisions. Whether jurors are allowed to submit questions and which questions are permitted is subject to the discretion and control of the trial judge.

Rule 24(g) is part of a broader effort in Colorado to improve jury service. This includes improving the quality of information transmitted to jurors at every stage of court proceedings and improving the effective use of jurors' time. Other improvements that have already been made include the use of juror trial notebooks, allowing jurors to take notes during trial, allowing jurors to ask clarifying questions about the judge's instructions on the law, permitting lawyers to make brief mini-opening statements before jury selection in addition to formal opening statements, allowing lawyers to make mid-trial arguments, encouraging lawyers to use modern communications technology in the courtroom, minimizing delays before and during trials, providing jurors with written preliminary legal instructions and encouraging debriefing interviews or counseling for jurors after the end of the case.

Juror questioning has been successfully used in Colorado civil cases since 1999. The Colorado court system has been at the forefront of the nationwide movement to improve the jury system to promote the ends of justice as well as enhance the public's confidence in our courts.

In January 1996 then Chief Justice Anthony Vollack appointed the Colorado Supreme Court Committee on the Effective and Efficient Use of Juries. The objective was to improve the jury system, largely for citizens who serve as jurors. After a year of

(continued on page 12)
THE U.S. DISTRICT COURT FOR COLORADO GOES ELECTRONIC

The United States District Court for the District of Colorado will soon unveil a new electronic case filing system. This new system was designed by the federal judiciary to permit filing of cases through the Internet in more than 200 federal courts. Attorneys practicing in Colorado’s federal district court will be required to file documents electronically, an attorney shows “good cause” in writing why the requirement should not apply to her or him.

The system uses standard computer hardware, an Internet connection and an Internet browser. It accepts documents in Portable Document Format (PDF), a configuration that replicates the formatting and appearance of a document. The system is easy to use. Filers prepare a document using conventional word processing software, then convert it to PDF. After logging onto the court’s website with a court-issued password, the filer fills out several screens with information that serves as the basis for the docket entry, attaches the document, and submits it to the court. The system then generates a notice verifying that the court received the document and automatically e-mails the notice to the filer. Other parties in the case also receive e-mail notification of action in the case if they are registered in the system.

The system offers users several advantages. The most obvious is full access to current court files, both docket sheets and filed documents. Users can access the system via the Internet from any location 24 hours a day. They can download and print documents directly from the system, thereby reducing or eliminating mail, courier and copy fees. The system also does away with the problems of lost files or documents --as well as trying to find a parking space by the courthouse.

No added fees are charged for filing documents over the Internet, but existing document filing fees apply. Litigants receive one free look at documents filed electronically in their cases and can print or download the documents at that time. Thereafter, the documents are available only for viewing or downloading at $.07 a page with a maximum charge of $2.10, the equivalent of 30 pages for any single document. This access to court data is provided through the Public Access to Court Electronic Records (PACER) program at a cost of $.07 per page Users are not billed, however, until their PACER account reaches $10. The judiciary has set the fee at the lowest level sufficient to recoup program costs, as directed by Congress.

The district court began its implementation project in November 2003 with an expected initial date for electronic filing for civil cases in spring 2005 and criminal filings in late summer 2005.

Users wishing to prepare themselves for the advent of the electronic filing system are advised to review their equipment to make certain it meets the minimum system requirements. The court recommends the following hardware and software:

* PC or MAC;
* For PC: 486/66; 16MB RAM;
* For PC: Windows 95 or higher;
* For MAC PC: 68040 with 16MB RAM
* For MAC PC: System 7 or higher; Internet access;
* Netscape 6.0 or higher; or Microsoft Internet Explorer 5.5 or higher;
* Adobe Acrobat PDF Reader 3.0 or higher or equivalent (free download);

(continued on page 10)
did not produce economic justice for the poor or resolve enormous societal problems. But being a member of the legal community and understanding what our profession and the legal system continue to mean for our society is to serve a greater purpose and to be a critical component of a democratic society.

Arson and other acts of violence and intimidation are contrary to the rule of law on which our democratic society is based. Every day lawyers have the opportunity to participate in and model the orderly and peaceful resolution of disputes. The rule of law allows us to make our contribution with our thoughts and minds and voices, free from violence and intimidation. We don't have to risk our lives and our families to strongly express our views in the halls of justice or in our neighborhood. As lawyers we are especially suited to demonstrate for our children, our communities, and the world what it means to be free and to advocate peacefully for our clients or a cause. We provide voices to minority ideals, and we demonstrate civil discourse.

Our legal system provides lots of opportunities for lawyers to contribute to the betterment of our community, society and the world. Whether we win or lose the argument, the issue or the case, we benefit our clients and the justice system. For the most part, we do it fairly and squarely. The results don't always seem fair, and often they are not. But the process is critical to maintaining a system of laws, where violence and corruption are kept in check and social change occurs without revolution. With their ability to think, analyze and structure peaceful resolutions to societal issues and problems, lawyers are crucial players in a healthy democracy.

I believe lawyers are part of the solution, not the problem. I look forward to spending the next year with you and the bar association and getting to know more of you lawyers.

Choose
STEVE CLYMER
for
ADR

ACCORD DISPUTE RESOLUTION SERVICES, INC.
OFFICES IN DENVER AND BOULDER
Phone: 303-530-2137
www.mediatelaw.com

Steve Clymer, J.D.
Mediation and Arbitration

Quality.
Experience.
Reasonable Rates.
Fifty-one cases were referred during May and June. Thank you to the following attorneys:

Gary Merenstein  
Susan Bryant  
Norm Aaronson  
George Johnson  
Sarah Keys  
Bob Cooper  
Ron Jung  
John Kuker  
Joel McGuire  
Bill Benjamin  
Ginger Geissinger  
Lindasue Smollen  
Barry Satlow  
Louisa Young  
Bill Zurinskas  
Kim Lord  
Ben Johnson  
Katie Goff  
Ben Nelson  
Scott Tippett  
Christina Ebner  
Barbara Lavender  
Richard Romero  
Rachael Lattimer  
Joan Norman  
Anne Jorgensen  
Pat McEahern  
Howard Bernstein  
Richard Vincent  
Stephanie Carter  

**Mediations:**
Steve Clymer, Dana Matthews and Christine Coates

**Mentors:**
Shawn Ettingoff, Scott Tippett and Bev Nelson

**Pro Se Program volunteers:**
Chris Jeffers  
Bev Nelson  
Dana Matthews  
Peggy Goodbody  
Georgiana Scott  
Mike Miner  
Rachael Lattimer  
Steve Closky  
Susan Spaulding  
Scott Tippett

---

**Boulder County AIDS Project:**
Thank you to the following attorneys, who accepted pro bono referrals for the Boulder County AIDS Project during May & June:

Paul Bierbaum (3)  
Melody Fuller  
Rich Irvin  
Laura Lichter  
Rachel Maizes

**Pro Bono Corner:**
Help keep your pro bono coordinator working evenings and weekends! Donation wanted: BCLS will provide a good home for your used laptop computer for use with Microsoft Word, Excel and PowerPoint. Call Sue at 303-449-2197.

---

**Connection Partners, Inc.**  
**Mediation Facilitation Training**

For a better way to defuse the emotional charge of conflict'  

Sign up now for our Non-Adversarial Communication Skill Building Workshop

**September 17-18, 2004**  
(16 general CLE)  
$270 by September 1; $350 thereafter  

To register call Arlene or Tom, 303.449.2553 or www.connectionpartners.com
QUESTIONING BY JURORS  (continued from page 8)

study, meetings and outreach, the committee published "With Respect to the Jury - a proposal for jury reform," which included a series of recommendations. This committee evolved into the Colorado Supreme Court Committee on juries. Two reports were prepared and submitted to the committee on Juries before its recommendations were presented to the Supreme Court: a supporting report (the Dodge Report) and a dissenting report. The Supreme Court held a public hearing on the proposed changes on February 19, 2003. After reviewing the committee's findings and the input provided at the public hearing, the Colorado Supreme Court issued Rule24(g) which is available at http://www.courts.state.co.us/supct/rules/2003/2003(2).doc.

This information is provided as an e-mail service of the Colorado State Judicial Branch, Office of State Court Administrator, 1301 Pennsylvania St., Suite 300, Denver, CO 80203

ANNUAL DINNER  (continued from page 4)

REAL ESTATE LAW - Rick Angel and Robyn Kube; TAX, ESTATE PLANNING & PROBATE - Mark Sather and Julie Erikson; NEW/YOUNG LAWYERS - Justin Reilly and Owen Borem; BAR/MEDIA - Mark Langston; PROFESSIONALISM - Bruce Fest.

Thanks to all who attended. We hope to see more of you next year.
ROCK AROUND THE BLOCK

Friday, September 10, 2004
5 - 8 PM
Under Louisville’s sunny skies the common area of 1070 Century Drive
A fun fundraiser sponsored by the Boulder County Bar Foundation
for Boulder County Legal Services

LIVE MUSIC BY SLICK
AN EVENT FOR THE ENTIRE FAMILY
FOOD, BEER AND OTHER BEVERAGES GAMES, MUSIC, HULA HOOP
AND KARAOKE CONTESTS
COST IS $15 per person, (free for children under 5)
Send your check payable to the Boulder County Bar Foundation
1942 Broadway, Suite 205, Boulder, CO 80302

COMMUNITY FOOD SHARE
NEEDS YOUR HELP

BOULDER COUNTY BAR ASSOCIATION MEMBERS ARE VOLUNTEERING TO
HELP IN THE WAREHOUSE AND/OR GARDEN ON MONDAY, SEPTEMBER 13
AND TUESDAY, SEPTEMBER 14

GARDENING WILL TAKE PLACE AT 6 - 8 AM
_____ MONDAY _____ TUESDAY

WAREHOUSE SORTING
_____ TUESDAY AT 4 PM

NAME ___________________________ TELEPHONE ___________________________

TO VOLUNTEER, PLEASE CALL: 303.440.4758,
EMAIL: CHRISTINE@BOULDER-BAR.ORG OR FAX: 303.402.6958
states. Colorado is listed as the worst State in placing severe collateral consequences on felons. Colorado has extraordinarily harsh sex offender punishment laws including sentences of four years to life, sex offender registration, polygraphs, and confrontational therapy.

Furthermore, the underside of the justice system is the extremely high percentage of black and Hispanic men in our prison system. There are more young black men in jail or prison than in college. According to another recently released book, The Right Nation (Micklewait & Woolridge), one in eight American men have been convicted of a felony. Nearly one in five black men have been in prison, and one in three has been convicted of a felony. There are legitimate concerns that the discriminatory application of the law by police, DA's, probation officers and judges is an important factor. The law enforcement system has done a poor job of monitoring and dealing with the discrimination issue.

Western European countries spend the money necessary to rehabilitate their prisoners. Recent polling data indicates that there is renewed U.S. citizen support for rehabilitation. Unfortunately there is minimal funding of rehabilitation programs for inmates. The U.S. would rather lock-'em up than fix-'em. Every inmate should be able to further their education, get job training, learn to read, and receive life skills and psychological help.

The Federal Sentencing Guidelines are thoroughly discriminatory, unfair and harsh. In an effort to address the problem of unfair and unequal sentencing variations among judges the feds have created a point system that tries to take into account many of the major variables so that sentences will be equally imposed. Letting Congress and the Federal Sentencing Commission, rather than judges, determine the length of the sentence has created a different kind of inequality (e.g. regular cocaine vs. crack cocaine) with long and punitive sentences. It is the worst of the worst. Interestingly a Utah Federal District Judge has just declared the entire federal sentencing scheme unconstitutional. Ironically, unless the state system (DA's, probation and judges) does a better job of imposing uniform sentences we may see the advent of a variation of the federal system in Colorado's state courts.

What to do about all of this? Here are some ideas to begin to right this disastrous ship:

1. Every probation officer and judge should state in detail why there is no reasonable alternative to jail or prison;
2. Abolish mandatory minimum sentences;
3. In the sex offender area, abolish lifetime parole and indeterminate sentences of four years to life. The assumptions underlying lifetime sex offender management are wrong. Do away with confrontational therapy, lie detectors and automatically insulating parents from their own family;
4. Provide comprehensive rehabilitation programs for probationers and prisoners including education, literacy, job training and psychological help;
5. Broaden the types of defendants accepted into halfway houses;
6. Reduce the first felony conviction to misdemeanors if the person is not convicted of a crime in the next five years;
7. Require that probation officers recommend and judges must impose the least harsh sentence that will meet their obligations to punish and deter;
8. Reduce probation and parole officers' case loads so they can become actively involved in the defendant's life and provide real assistance;
9. Every judge, probation officer, prosecutor and police officer should complete a demanding anti-discrimination course. An updated refresher course should be taken every 2-3 years;
10. The probation and DA's offices should have a sentencing czar to insure that sentences are equally imposed. They must track sentencing practices;
11. Within the next 10 years, reduce the number of people in prison or jail by half;
12. Reduce the collateral consequences of a felony conviction. It is difficult to avoid re-offending if a person cannot get a job and/or get into school; and
13. Stop re-incarcerating prisoners for technical parole violations.

Frank Dubofsky is a former Boulder District Court judge. He is a partner in the law firm of Schuetze, Gordon & Dubofsky in Boulder. A similar version of this article appears in CTLA's most recent Trial Talk.
MEHAFFY BRUBAKER AND ERNST LLC is seeking an attorney with at least three years of broad-based experience with particular emphasis on estate planning, probate and municipal law. Please fax resumes to Attn: Kristine at our Boulder office 303.444.8398.

OVERWORKED? NEED AN EXTRA HAND? Roz Lynn Dorf, M.A. Freelance Paralegal Services. All facets of: Civil, Criminal, Appeals. 27 years experience. 303.494.6935.

ATTORNEY-REAL ESTATE and related transactional. Established AV-rated firm in Longmont seeks an attorney with 3+ years real estate experience to join busy practice. Strong academic credentials required. Send resume, law school transcript & salary requirements to: Thomas L. Stover, Flanders Stover Elsberg LLP, 401 Main St., Suite 1, Longmont, CO 80501 tstover@flanderslaw.com.

Small, AV-rated Boulder firm seeks associate with 1-5 years experience in commercial real estate transactions. Outstanding academic credentials and strong work references required. Send cover letter and resume to Sarah Dotson, Office Manager, sarah@packarddierking.com, or visit www.packarddierking.com.

Well established Boulder law firm is seeking personal injury associate. Law degree required. Superior interviewing, writing and computer skills mandatory. Salary commensurate with experience. E-mail resume to beth@slb-llc.com or fax to 303.449.9349.

Boulder – 22+ year established plaintiff’s personal injury firm with heavy litigation load. Seeking contract attorney to assist with litigation: pleadings and discovery. Experience necessary. Must be organized and dependable. All responses confidential. Send resume, references and sample writing skills to Box 1, BCBA, 1942 Broadway, Suite 205, Boulder, CO 80302.

ASSOCIATE ATTORNEY Longmont law firm seeks full time associate attorney to work in water law practice. 1 to 5 years experience in water matters helpful. Strong research, writing and communication skills required. Send letter of interest, resume, writing samples and salary req. to Firm Administrator, Bernard, Lyons, Gaddis & Kahn, P.C., PO Box 978, Longmont, CO 80502, fax 303.413.1003 or e-mail kkkelley@biglaw.com

ONE OFFICE IN CHARMING BOULDER LAW OFFICES near creek and courthouse. Reception, parking, fax, copier, conference room, telephone included in $1100/mo. Available 8/1/04. 303.442.1160. Possible work overflow available.

TWO-LAWYER SUITE AVAILABLE AT SOUTH BOULDER ROAD AND THE TURNPIKE, 5390 MANHATTAN CIRCLE. Easy access to Denver and East County. Formerly occupied by law firm of DiFranco and Allen. Plenty of free parking. 816 square feet at $11/sq. ft. NNN. Call Tom Hill at 720.564.6011

2 PROFESSIONAL OFFICE CONDOS FOR SALE: 1400 Folsom, overlooks Boulder Creek. 632 and 470 sq ft., completely renovated 2004. Covered, reserved private parking spaces come with each unit. Top floor, corner suites, operable windows. Each w/private balcony, 3 soundproofed offices, reception mountain views. Hunter Barto, Dean Callan & Company 303.449.1420 x16

FOR SALE: SLOPESIDE KEYSTONE CONDO, 1/10 FRACTIONAL OWNERSHIP. Sunny 2-bedroom, 2-bath, fully furnished, fireplace, hot tub, great views, easy walk to lifts, next to Snake River and bike path. $28,000, financing available. 303.494.2359

OFFICE SPACE available in south Boulder. Includes shared use of reception area, conference room, work area with copier, fax and kitchen. Plenty of parking. Convenient to Boulder, Denver and Jeffco courts. Call Bruce Fest at 303.494.5600 or Peggy Jessel at 303.554.1900.

PROFESSIONAL DOWNTOWN OFFICE SPACE located one block NE of Pearl St Mall. Single or multi-office suite available with conference room, reception & waiting areas, parking, telephone equipment & service, high-speed internet access. 1526 Spruce Street. Call 303.928.2345.

2 PROFESSIONAL OFFICE CONDOS FOR SALE: 1400 Folsom, overlooks Boulder Creek. 632 and 470 sq ft., completely renovated 2004. Covered, reserved private parking spaces come w/each unit. Top floor, corner suites, operable windows. Each w/private balcony, 3 soundproofed offices, reception, mountain views. Hunter Barto, Dean Callan & Company 303.449.1420 x16

OFFICE AVAILABLE ACROSS FROM THE BOULDER COUNTY JUSTICE CENTER. Receptionist, parking, utilities, law library, conference room, telephone system. 595 Canyon Boulevard, rent $600/month. 303.444.1700

OFFICE SPACE FOR RENT OR LEASE. One office or 1200 sq. ft. suite at 600 Pearl, Suite B. Incl: receptionist, 2 offices, conference room, library, phone, copier, fax, internet and scanner. Also available sec/wp. Office share or lease. Call Jack Tracy 303.447.2401.

DO YOUR CLIENTS NEED CASH NOW? We Fund and Purchase Assets such as: • Trust Advances • Lawsuit Funding • Commercial/Consumer Judgments • Inheritances • Pre-judgment Settlements • And more

We can be of service to you and your clients ... with no cost to you.

Do you have 5 minutes to learn about the details?

CALL US! 303.931.3931

Whitehead Funding Group
Cash Flow Consultants
1685 Boxelder, Louisville, CO 80027
303.931.3931
BOULDER COUNTY CAMPAIGN COMMITTEE BREAKS RECORD FOR DONATIONS TO LEGAL AID FOUNDATION OF COLORADO.

Boulder lawyers have donated over $77,000 this year!

Thanks to all of you who came forward in this critical time of funding for legal services to the poor in Colorado. You have all truly made a difference!