

# Our Courts

A Model for Adult Education

BY JUSTICE RICHARD L. GABRIEL

**O**ur Courts, a joint activity of the Colorado Bar Association and the Colorado Judicial Institute, was founded in 2007 with a mission of providing nonpartisan informational programs to adult audiences to further public knowledge and understanding of the state and federal courts in Colorado. Supported by a number of partner organizations, including the CBA, Our Courts has become a national model for adult education on matters related to the judiciary. This article provides a brief introduction to the Our Courts program, including how the program originated, current activities, and upcoming projects and initiatives.

## The Genesis of Our Courts

Our Courts was born in the aftermath of Amendment 40, the unsuccessful 2006 ballot initiative that sought to term limit Colorado's appellate judges. Among its many lessons, the campaign regarding Amendment 40 revealed how little most Coloradans know about our court system, and specifically about how our judges are selected and retained. Coloradans also seemed to know little about their own significant roles in the state court processes for selecting and retaining judges.

Chief Judge Marcia Krieger of the U.S. District Court for the District of Colorado and Judge Russ Carparelli, then a Colorado Court of Appeals Judge and now a senior judge on that court, recognized that adult Coloradans had few places from which to obtain nonpartisan information on how courts work. So, Judges Krieger and Carparelli recruited their friend and noted Colorado educator Dr. Ellie Greenberg

to explore the development of a program to educate adult audiences regarding Colorado's federal and state courts. They took their idea to the Colorado Judicial Institute and the CBA, and the two organizations agreed to support their efforts.

Following these discussions, like-minded lawyers and judges joined the effort to develop the program. Together with Judges Krieger and Carparelli, Judge Steve Bernard of the Colorado Court of Appeals created Our Courts' first presentation, "Our State Courts." This presentation introduces Our Courts' three central themes:

1. Our courts ensure equal justice under the law by providing fair and impartial tribunals that apply the rule of law equally to all.
2. Colorado state court judges are selected based on their qualifications and are evaluated based on their performance.
3. Non-lawyers play a significant role in evaluating judicial applicants and sitting judges.

Having thus begun, the question became how to introduce Our Courts to audiences who might be interested in learning about the court system. As a first step, Our Courts' founders reached out to a number of established organizations that might be willing to partner with Our Courts in pursuing its mission of public education. These organizations included the CBA, the Colorado Judicial Institute, the Colorado state and federal courts themselves, the Faculty of Federal Advocates, the Institute for the Advancement of the American Legal System, the League of Women Voters, the Colorado State Library, the Colorado community college system, the University of

Colorado School of Law, the University of Denver Sturm College of Law, and the University of Colorado at Denver School of Public Affairs. In addition, with substantial help from the public education team at the CBA, which was and still is headed by Carolyn Gravit, Our Courts decided to approach organizations that it anticipated would be interested in learning about the judiciary and that it knew were in frequent need of speakers. Service organizations such as Rotary and Kiwanis Clubs were obvious choices.

The response was overwhelming, and Our Courts was immediately in constant demand for presentations. And before long, those who had seen the state courts presentation were asking for additional programs and speakers. As a result, Our Courts developed a host of new programs and trained hundreds of speakers to present Our Courts programs throughout Colorado. Speaker training was (and remains) particularly important because Our Courts is, in large part, a judges' speakers bureau, and having any speaker depart from the Our Courts mission of providing *nonpartisan* information, even if inadvertently, would interfere with what Our Courts had worked so hard to develop.

Our Courts also began to focus on audiences that were too often underserved by educational programs like the ones the Our Courts program was developing. To that end, the Our Courts Hispanic Outreach program, affectionately dubbed "OCHO," was created. This resulted in a number of Our Courts programs (and brochures) being translated into Spanish, for presentation by trained Spanish-speaking judges and lawyers. Our Courts was off and running.

## Our Courts Today

Today, Our Courts offers 10 separate presentations, including four presentations in Spanish. Each program is presented free of charge and with the understanding that Our Courts presentations and presenters take no position regarding any court case, legislation, ballot issue, or proposed change in the court system. The current Our Courts presentations are summarized in the accompanying sidebar.

With the exception of the presentation on Abraham Lincoln, each program is in the form of a PowerPoint presentation, and all are de-

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signed to generate audience participation and discussion. To achieve this, most of the presentations begin with a hypothetical case, and time permitting, speakers are encouraged to have the audience play the roles of the opposing parties, the court, and the public. Central to each program is the importance of fair and impartial courts applying and preserving the rule of law equally for all.

To date, Our Courts volunteer speakers have presented approximately 600 presentations

to more than 16,000 people. In addition, Our Courts volunteers have sponsored a number of "Law School for Journalists" sessions, in which Our Courts members have provided nonpartisan information to assist journalists in understanding the judicial system and how it addresses issues in actual cases. Our Courts volunteers also wrote and created a video on the separate branches of government that was generously produced, for free, by the Colorado Bar Association CLE; it is shown at the monthly naturalization ceremonies conducted by the U.S. District Court for the District of Colorado. And through Chief Judge Krieger's efforts, a video spotlighting the Our Courts program was recently prepared by the Administrative Office of the U.S. Courts and is now posted on that organization's website, as a means of encouraging others to develop similar education programs.

For all of its many efforts, in 2010, Our Courts was awarded the American Bar Association's Burnham "Hod" Greeley Award, which recognizes extraordinary outreach efforts demonstrating to the public the need for a fair and impartial judiciary.

#### **Upcoming Projects and Initiatives**

Throughout its existence, Our Courts has held true to its mission of providing nonpartisan information to adult audiences throughout Colorado. It is not, however, resting on its laurels. Our Courts is continuing to explore and develop new programs and audiences. For example, Our Courts has increased outreach efforts to the African-American community and recently put on a presentation to community leaders at New Hope Baptist Church. In addition, Our Courts has developed a program for high school seniors, piloted at the Denver School of Science

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## CURRENT OUR COURTS PRESENTATIONS

**1. Our State Courts.\*** Explains how Colorado's procedures for selecting, disciplining, and evaluating judges keep our state courts fair and impartial.

**2. Our United States Courts.\*** Discusses the types of cases heard in federal courts, how federal judges are selected, and the procedures that keep our federal courts fair and impartial.

**3. U.S. and State Courts Serving Colorado.\*** Discusses the types of cases heard in federal and state courts, how federal and state court judges are selected, and the procedures employed in federal and state courts that keep our courts fair and impartial.

**4. Colorado's Judicial Merit Selection and Retention System.** Explains Colorado's procedures for selecting and evaluating judges, and our citizens' significant roles in those processes and in deciding whether a judge should remain in office.

**5. See You in Court: The Life of a Civil Lawsuit.** Discusses the purposes of civil lawsuits, a party's rights and remedies in such lawsuits, how such lawsuits are commenced and how they proceed, what really happens at trial, and the roles of the judge, the jury, and the lawyers in these proceedings.

**6. Law and Order: The Life of a Criminal Case.** Discusses the roles of the judge, the jury, the prosecution, and the defense in a criminal case; how criminal cases

are brought and how they proceed; the setting of bail; the plea bargaining process; what really happens in a criminal trial; and how judges determine the appropriate sentences after a conviction.

**7. Divorce in Colorado Courts.** Discusses how divorce cases proceed in Colorado courts, the differing interests at stake, the issues that need to be addressed in a typical divorce case, the different ways in which divorce cases are resolved, and the ongoing role of the court in divorce cases in Colorado.

**8. An Economic Fresh Start: Bankruptcy Basics.** Discusses how bankruptcy cases work, the history of bankruptcy and how it has evolved into the present system, the kinds of bankruptcy cases that can be filed, and the basic components of an individual bankruptcy case.

**9. An Introduction to U.S. Immigration Courts / Introducción a los Tribunales de Inmigración.\*** Provides an introduction to the U.S. Immigration Courts, including how proceedings are commenced and conducted in those courts, the nature of these proceedings, a party's rights and remedies, appeal rights, and the roles of the judge, lawyers, parties, and interpreters.

**10. Lincoln's Legacy of Equality and Liberty.** Explores how Lincoln's commitment to the principles of equality and liberty transformed our nation.

*\*Available in English and Spanish.*


*Source: [www.ourcourtscolorado.org/presentations](http://www.ourcourtscolorado.org/presentations).*

and Technology, to teach soon-to-be voters about their important roles in selecting and retaining Colorado state court judges. In this program, students play the roles of judicial applicants and nominating commissioners and must decide what qualities predict success as a judge and whom they would recommend to the Governor. Our Courts members are also creating a public information brochure, to be distributed in public libraries around the state. This brochure will provide basic information about Colorado's courts and its merit selection system for selecting judges. Finally, Our Courts members are returning to Our Courts' core audiences to re-introduce them to the program and to show them its newest presentations.

### Conclusion

Few could deny that today's business and legal climate has become increasingly complex. Nor can it be denied that civil discourse is often difficult in an ever-more-polarized society. In this environment, it is perhaps more important than ever for Coloradans to have access to nonpartisan information about Colorado's federal and state courts, which have served as the cornerstone for equal justice under the law and liberty and justice for all in this state.

For over a decade, Our Courts has helped fill this significant need for public education about the court system, and it has done so with great success. Our Courts looks forward to continuing these important efforts, and the program welcomes ideas as to how it may continue to fulfill its important mission.

For more information about Our Courts, including scheduling Our Courts presentations, visit [www.ourcourtscolorado.org](http://www.ourcourtscolorado.org). 



**Richard L. Gabriel** is a justice of the Colorado Supreme Court. He currently serves as chair of the Executive Committee of the Our Courts program and as an ex officio member of the board of the Colorado Judicial Institute. Justice Gabriel thanks Chief Judge Marcia Krieger, Senior Judge Russell Carparelli, Judge (ret.) Gale Miller, and Marilyn Chappell for their assistance with this article. A version of this article appeared in the Faculty of Federal Advocates' October 2017 newsletter.