



The Colorado Poverty Law Project

Providing Hope for the Defenseless and Oppressed

BY MARK C. WILLIS

On June 6, 1966, Senator Robert F. Kennedy spoke at South Africa's University of Cape Town and said, "Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope." Perhaps recognizing the ripple of hope that is created when individuals fight for the defenseless, the Colorado Supreme Court Oath of Admission asks future attorneys to swear to "use their knowledge for the betterment of society and the improvement of the legal system" and to "never reject . . . the cause of the defenseless or oppressed."¹

This portion of the Oath of Admission, which is mandatory for all attorneys to be admitted to the Colorado bar, embodies the professional responsibility of each Colorado attorney "to provide legal services to those unable to pay."² Indeed, the official comments to Colorado Rule of Professional Conduct (Rule) 6.1 provide that "[e]very lawyer, regardless of professional prominence or professional workload, has a responsibility to provide legal services to those unable to pay."³ This is because there exists in Colorado a "critical need for legal services" among "persons of limited means" and the "disadvantaged."⁴

One of Colorado's largest disadvantaged populations in critical need of legal services is its indigent and homeless population. According to the Metro Denver Homeless Initiative's (MDHI) 2018 Point in Time Report, there are approximately 5,317 individuals experiencing homelessness in the seven counties that comprise the Denver Metropolitan area.⁵ About two-thirds of the region's homeless population, or approximately 3,445 individuals, were identified in the City and County of Denver alone.⁶

The Colorado Poverty Law Project (CPLP), a Colorado nonprofit corporation, was created to address the critical legal needs of this population and to simultaneously foster the "ripple of hope" that Senator Kennedy spoke of over 50 years ago in South Africa. As explained by Blair Kanis, an attorney with Kutak Rock LLP who founded CPLP with colleague Tom Snyder, "the legal issues faced by individuals living in poverty are delicately interconnected. If one unravels, it can quickly have a disastrous effect on so many other aspects of someone's life. For example, an improper benefit denial for even just a couple of months can lead to eviction and homelessness that impacts child custody." The CPLP, according to Kanis, "seeks to help this population mitigate as many of these negative impacts as possible, or to help provide guidance on how to pick up the legal pieces afterwards."

The CPLP Volunteer Network

The CPLP accomplishes these objectives through its volunteer attorney network. As further explained by Caitlin Finn, CPLP's executive director, "CPLP partners with Colorado attorneys to help the critically indigent tackle legal barriers to avoid or transition from homelessness." In this regard, CPLP provides Colorado lawyers with several opportunities to fulfill their Oath of Admission and professional responsibilities under Rule 6.1.

More specifically, CPLP provides critical law-related services, and facilitates pro bono legal services through its volunteer members, to Colorado's indigent population in three meaningful ways.

Monthly Pro Bono Legal Clinics

First, CPLP recruits and coordinates volunteer

attorneys to participate in monthly pro bono legal clinics at the Colorado Coalition for the Homeless (CCH). The legal clinics are scheduled for the third Wednesday of each month from 4:00 to 6:00 p.m. at CCH's Stout Street Health Center, located at 2130 Stout Street in Denver. In 2017, Colorado lawyers and law students serving at these clinics helped over 150 indigent individuals by providing general legal advice to assist attendees with understanding and resolving legal barriers. Volunteer attorneys also often form subsequent pro bono engagements with clinic attendees to provide further assistance and see matters through to resolution.

For example, CPLP volunteer lawyers took up the "cause of the defenseless and oppressed" by:

- resolving outstanding warrants for a homeless person who had been living on the streets in Denver for more than a year so he could successfully rent an apartment and get off the streets;
- helping two homeless brothers whose father died intestate to open an estate proceeding, establish paternity, obtain a distribution order, and successfully collect funds from the Colorado State Treasurer's unclaimed property fund;
- preventing the immediate eviction of a woman while she recovered in the hospital from being shot by her estranged husband,

and ultimately assisting her in obtaining a permanent residence;

- stopping a new landlord from increasing a long-term tenant's lease rates and forcing her into homelessness;
- preserving a homeless brother and sister's rights to Social Security Disability Insurance and assisting the family in obtaining a small inheritance from a family member;
- obtaining favorable parenting allocation orders for several indigent parents seeking to simply share some parenting time with their former spouses; and
- negotiating favorable lease terminations, move-out dates, and eviction stipulations for numerous individuals so they could avoid permanent eviction judgments on their record and living on the streets.

These experiences have not only served the critical legal needs of Colorado's indigent and homeless population, but have truly provided hope to the defenseless and oppressed. Rhonda White, an attorney with the Office of Attorney Regulation, recalled a situation where a homeless woman desperately needed to access funds on a secured credit card, but the bank refused because the woman could not provide a permanent address. "It took one phone call from us and the money was released within the next few days, and she was so grateful."

Kanis came to her first legal clinic at CCH soon after finishing law school and was immediately impressed by how much of a difference volunteers could make on someone's life. She recalled meeting a legally blind woman living in a homeless shelter who qualified for various social services. The woman could not access these benefits, however, because her identification documents contained different names due to multiple marriages and she was unable to prove her identity or right to U.S. citizenship. Kanis appeared in court on behalf of this woman and successfully obtained an order to legally change her name so she could apply for new identification cards and obtain these benefits. "This simple outcome had a huge impact on this woman's life," Kanis said. "Every month we see stories like this, where individuals are struggling to navigate a complex system and simply need a better understanding of the issues and connection to the right legal resources," added Kanis. "Being able to provide these resources is crucial because it can significantly alter someone's life."

Community and Court Partnerships for Housing-Related Matters

Additionally, volunteer attorneys organized through CPLP provide critical legal services to Colorado's indigent population by working with the Denver County Court and community



The banner features a background image of a mountain range under a purple and blue sky. The text is overlaid on the image. At the top right, the word "elevate" is written in a large, white, sans-serif font, with a small white triangle above the 'e'. Below it, in a smaller white font, is "by L LegalShield". In the center, the words "DENVER, COLORADO" are written in a large, bold, white, sans-serif font. Below that, in a smaller white font, is "GRAND HYATT | 1750 WELTON STREET | JUNE 20-22, 2019". At the bottom, a dark purple horizontal bar contains the text "Register today for just \$159! elevate2019.eventbrite.com" in a white, sans-serif font.

partners on eviction and other housing matters. In 2014, CPLP developed an Eviction Pilot Program with the help of the Denver County Court Self-Help Center to help match tenants facing eviction with volunteer attorneys. As Denver's population and rental rates have steadily increased, this program has evolved, and CPLP now works to place eviction and other private housing-related referrals from a variety of sources in the community, including nonprofits and community groups, with volunteer attorneys. Through this program, CPLP volunteers have successfully helped over 85 individuals know their housing rights, avoid costly eviction judgments on their records and, in some cases, avoid homelessness.

"Know Your Rights" Education and Training

CPLP also helps Colorado's indigent population through various advocacy vehicles to make

sure this population's rights are understood, known, and protected. For example, CPLP regularly has partnered with case managers, community organizers, physicians, and parents of Denver Public School students to offer know-your-rights trainings on housing laws and rights. CPLP also hosts continuing legal education seminars to train volunteer attorneys on a variety of housing topics, including laws and rights related to eviction proceedings and subsidized housing.

Become Part of the CPLP Network

While CPLP is committed to providing hope for the defenseless and oppressed in Colorado's indigent population, it needs significant help from Colorado's legal community. In particular, CPLP needs volunteer attorneys to staff its pro bono clinics and referrals, to assist in administering the Eviction Program, and to provide

valuable resources and training to concerned community organizations and leaders. If you are interested in partnering with CPLP in any of these areas, please contact Caitlin Finn at catilin@copovertylawproject.com. Additionally, CPLP needs financial assistance to accomplish its goals for this community. You can financially support CPLP by making a tax deductible donation at www.copovertylawproject.org.

"While I believe CPLP creates amazing opportunities for Colorado's lawyers to assist our indigent population," says Finn, "I really just want Colorado's attorneys to remember the need to fight for those that cannot fight for themselves." And it appears that the Colorado Supreme Court shares Finn's sentiment by requiring all Colorado attorneys to never "reject the cause of the defenseless and oppressed"⁷ and "to provide legal services to those unable to pay."⁸ **CL**

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Mark C. Willis is a partner in the Denver office of Kutak Rock LLP and conducts a broad civil and business litigation practice with an emphasis on complex commercial litigation, financial services litigation, and real estate litigation. As a fourth-generation native, he believes in giving back to his community and devotes a portion of his practice to pro bono services and partnering with various organizations to provide assistance and access to justice for veterans and Colorado's indigent population.

NOTES

1. Colorado Attorney Oath of Admission, www.coloradosupremecourt.com/Current%20Lawyers/Oath.asp.
2. Colo. RPC 6.1.
3. Colo. RPC 6.1, cmt. 1.
4. Colo. RPC 6.1, cmt. 2.
5. MDHI 2018 Point in Time Report, <https://d3n8a8pro7vhmx.cloudfront.net/mdhi/pages/789/attachments/original/1528995904/MDHI2018PiTFINAL.pdf?1528995904>.
6. *Id.*
7. Colorado Attorney Oath of Admission, *supra* note 1.
8. Colo. RPC 6.1.



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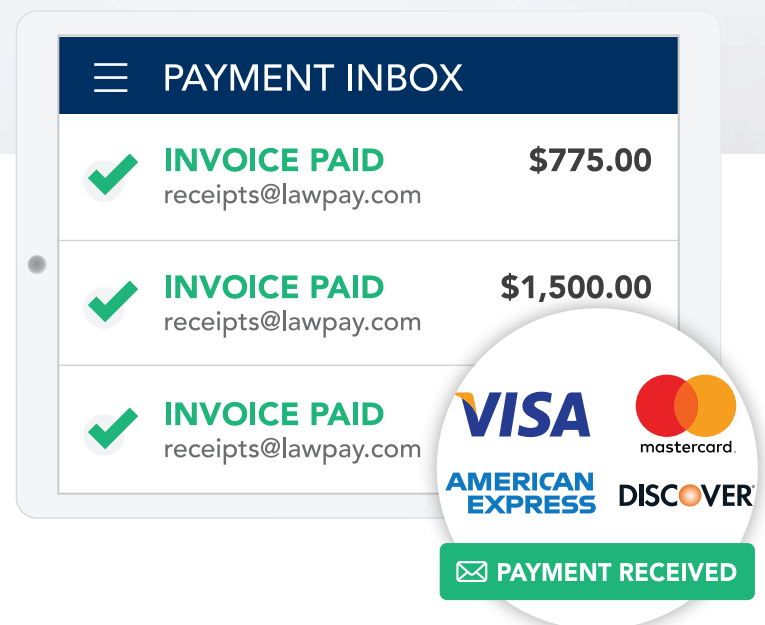
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