

Katharine K. (K.K.) DuVivier
University of Denver, Sturm College of Law
2255 East Evans Avenue # 455D
Denver, CO 80208
Work: 303-871-6281

LEGAL EXPERIENCE

University of Denver, College of Law

Professor of Law ('10-present), Associate Professor ('06 – '10),
Tenured 2006, Assistant Professor ('00-'06)
Current Courses: Energy Law, Mining Law, Civil Procedure
Chair of Faculty Executive Committee (2009-2011)
Chair of Campus-wide Renewable Energy Steering Committee for
Interdisciplinary Colloquia (Renewable Energy Science Community and
Enterprise) 3/ 2010-present
Director Environmental and Natural Resources Law Program 2009-2010

Colorado Court of Appeals

Reporter of Decisions Dec. 1999-May 2000
Reviewed every decision then issued by the court and provided feedback to the
judges and their clerks about how to improve the opinions both mechanically and
substantively.

University of Colorado, School of Law

Senior Instructor, Instructor 1990-Dec. 1999
Taught the following courses: Appellate Advocacy—Spring 1991-1999; Civil
Procedure— Fall 1997, Spring 1999, Fall 1999; Environmental and Toxic Tort
Law—summer 1999; Introduction to Civil Procedure—Summer 1994-1995; Legal
Writing—Fall 1990-1999; Local Government (Spring 1998); Wills & Trusts—
summer 1996-1998; Women in Law & Literature (seminar)—1996. Also served
as a supervisor for independent studies and student externships, served as faculty
sponsor for student organizations and moot court teams, and handled significant
administrative responsibilities for the legal writing program.

City and County of Denver

Assistant City Attorney 1987-1990
Researched, briefed, and argued cases on a variety of issues—primarily land use,
property tax, municipal tax, and constitutional issues—before administrative
agencies and in the state appellate and district courts. Advised agencies and
participated in negotiations and mediation. Participated in administrator training,
interviewed job applicants, and mentored incoming attorneys in my section.

Arnold & Porter, Denver and Washington, D.C.

Associate Attorney 1984-1987
Practice focused on the area of natural resources and land use. Prepared pretrial motions, briefs, interrogatories, and responses. Negotiated with regulatory agencies, prepared contracts, wills, easements, and real estate conveyances.

Sherman & Howard, Denver

Associate Attorney 1982-1984
Summer Associate 1981
Practiced primarily in the Natural Resources Department in the areas of mineral, oil, and water law including drafting contracts and extensive discovery requests and responses for litigation. Served actively on firm's management committees.

Calkins, Kramer, Grimshaw & Harring

Part-time clerk during law school (focus on natural resources & water law) 1981

Legal Research and Writing Program at University of Denver College of Law

Research assistant during law school 1980

PROFESSIONAL EXPERIENCE

French American Metals Corporation/COGEMA

Geologist 1976-1979
Coordinated field operations in Colorado, Texas, and New Mexico, including supervision of other geologists, drillers, and subcontractors; negotiated with administrative agencies and landowners; mapped geologic formations.

Hudson River Museum, Yonkers, New York

Intern Curator of Geology 1975
New York Council for the Arts internship as sole mineral curator to catalogue, organize, and identify museum's mineral collection.

Smithsonian Institution, Washington, D.C.

Intern 1974
Internship to computer catalogue the Mineral Department collection.

LEGAL PUBLICATIONS

K.K. DuVivier, RENEWABLE ENERGY READER (Carolina Academic Press, forthcoming 2011)

K.K. DuVivier, *Letter to Editor—Trees vs. air pollution*, DENVER POST, October 29, 2010, at 10B
<http://digital.olivesoftware.com/Olive/ODE/DenverPost/LandingPage/LandingPage.aspx?href=VERQLzIwMTAvMTAvMjk.&pageno=MzA.&entity=QXIwMzAxMA..&view=ZW50aXR5>

K.K. DuVivier, *Colorado Citations*, 34 Colo. Law. 121 (Sept. 2005), reprinted in ROBERT LINZ, COLORADO LEGAL RESEARCH, part of Carolina Academic Press's state legal research series texts (2010).

K.K. DuVivier, *Review of "Split Estate"* by Bullfrog Films
<http://www.bullfrogfilms.com/catalog/split.html>

K.K. DuVivier, *Guest Commentary—Retain Solar Access In Code*, DENVER POST, October 28, 2009, at 11B http://www.denverpost.com/opinion/ci_13653895

K.K. DuVivier, *Animal, Vegetable, Mineral—Wind? The Severed Wind Power Rights Conundrum*, 49 WASHBURN L.J. 69 (2009)
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1435003

K.K. DuVivier & Roderick E. Wetsel, *Jousting at Wind Mills: When Wind Power Development Collides with Oil, Gas, and Mineral Development*, 55 ROCKY MTN. MIN. L. INST. Paper No. 9 (2009)
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1441359
Also reprinted in Part I MMX No. 3 National Association of Division Order Analysts (NADOA) 29 (July/August/September 2010) and Part II (October/November/December 2010).

K.K. DuVivier, *Fast-Food Government and Physician-Assisted Death: The Role of Direct Democracy in Federalism*, 86 OR. L. REV. 895 (2007)(lead article).

K.K. DuVivier, *Out of the Bottle: The Genie of Direct Democracy*, 70 ALBANY L. REV. 1045 (April 2007).

K.K. DuVivier, *The United States as a Democratic Ideal? International Lessons in Referendum Democracy*, 79 TEMPLE L. REV. 821 (Fall 2006).

K.K. DuVivier, *State Ballot Initiatives in the Federal Preemption Equation: A Medical Marijuana Case Study*. 40 WAKE FOREST L. REV. 221 (Spring 2005).

K.K. DuVivier, *Are Some Words Better Left Unpublished?: Precedent and the Role of Unpublished Decisions*, 3 J. APPELLATE PRAC. & PROCESS 397 (2001).

K.K. DuVivier, *Think Globally, Act Locally: The Role of State and Local Ballot Initiatives in International Environmental Law*, COLO. J. INT'L ENTL L. & POL'Y (2000 Yearbook).

CONTINUING LEGAL EDUCATION IN COLORADO, INC., COLORADO APPELLATE HANDBOOK (Janice B. Davidson, J., ed., 3d ed., 2000) (K.K. DuVivier participated as an author in the revisions).

K.K. DuVivier, *By Going Wrong All Things Come Right: Using Alternative Initiatives to Improve Citizen Lawmaking*, 63 U. CIN. L. REV. 1185 (1995).

K.K. DuVivier, *We All Lose with Constitutional Amendment by Initiative*, THE ADVOCATE, May 1993, at 3.

Carolyn L. Buchholz and K.K. DuVivier, *Attorney Fees as Superfund Response Costs*, NAT. RESOURCES & ENV'T, Summer 1991, at 34 (co-author).

Stanley Dempsey, Harris D. Sherman, and David S. Neslin, *Obtaining Surface Rights to Non-Mineral Federal Land by Purchase, Exchange, Permit, and Location*, 31 ROCKY MTN. MIN. L. INST. 8-1 (1985)(footnoted as a contributor).

Paul J. Schlauch and Thomas L. Strickland, *Changing Land to Water—The Alchemy of the Federal Wetlands Regulatory Scheme*, 27 ROCKY MTN. MIN. L. INST. 635 (1982) (footnoted as a contributor).

ROCKY MTN. MIN. L. FOUND., THE AMERICAN LAW OF MINING (Cheryl Outerbridge, ed., 2d ed. 1984) (participated in the revisions for the second edition, but not listed as a contributing author).

The Scrivener, bimonthly column on legal writing for *The Colorado Lawyer* (from March 1991 to March 2007):

K.K. DuVivier, *Slide Rules, Telegrams and Legal Writing*, 20 COLO. LAW. 485 (Mar. 1991).

K.K. DuVivier, *Bold Beginnings*, 20 COLO. LAW. 919 (May 1991).

K.K. DuVivier, *Getting Organized: Part I*, 20 COLO. LAW. 1399 (July 1991).

K.K. DuVivier, *Getting Organized: Part II*, 20 COLO. LAW. 1809 (Sept. 1991).

- K.K. DuVivier, *Judges' Pet Peeves I*, 20 COLO. LAW. 2257 (Nov. 1991).
- K.K. DuVivier, *Judges' Pet Peeves II*, 21 COLO. LAW. 27 (Jan. 1992).
- K.K. DuVivier, *White Space*, 21 COLO. LAW. 441 (Mar. 1992).
- K.K. DuVivier, *Be Plain*, 21 COLO. LAW. 909 (May 1992).
- K.K. DuVivier, *Procrastination*, 21 COLO. LAW. 1391 (July 1992).
- K.K. DuVivier, *Gender Neutral*, 21 COLO. LAW. 1873 (Sept. 1992).
- K.K. DuVivier, *Gender Neutral II*, 21 COLO. LAW. 2373 (Nov. 1992).
- K.K. DuVivier, *Road Maps*, 22 COLO. LAW. 25 (Jan. 1993).
- K.K. DuVivier, *Misguided Metaphors*, 22 COLO. LAW. 507 (Mar. 1993).
- K.K. DuVivier, *Letters from Readers*, 22 COLO. LAW. 947 (May 1993).
- K.K. DuVivier, *Quotations Part I: Fundamentals*, 22 COLO. LAW. 1439 (July 1993).
- K.K. DuVivier, *Quotations Part II: Block Quotes*, 22 COLO. LAW. 1887 (Sept. 1993).
- K.K. DuVivier, *Power Verbs*, 22 COLO. LAW. 2369 (Nov. 1993).
- K.K. DuVivier, *Are You Practicing an Uninformed System of Citation?*, 23 COLO. LAW. 27 (Jan. 1994).
- K.K. DuVivier, *Cease and Desist*, 23 COLO. LAW. 555 (Mar. 1994).
- K.K. DuVivier, *A False Economy*, 23 COLO. LAW. 1061 (May 1994).
- K.K. DuVivier, *The Lady Doth Protest Too Much, Methinks!*, 23 COLO. LAW. 1511 (July 1994).
- K.K. DuVivier, *A Thousand Probabilities*, 23 COLO. LAW. 2082 (Sept. 1994).
- K.K. DuVivier, *Gratifying Rules of Grammar*, 23 COLO. LAW. 2516 (Nov. 1994).
- K.K. DuVivier, *Proper Words in Proper Places*, 24 COLO. LAW. 27 (Jan. 1995).
- K.K. DuVivier, *Problems With the Passive Voice*, 24 COLO. LAW. 545 (Mar. 1995).
- K.K. DuVivier, *A Wise Passiveness*, 24 COLO. LAW. 1027 (May 1995).

- K.K. DuVivier, *The Period and Its Pals*, 24 COLO. LAW. 1737 (July 1995).
- K.K. DuVivier, *The Common Comma: Part I*, 24 COLO. LAW. 2151 (Sept. 1995).
- K.K. DuVivier, *The Common Comma: Part II*, 24 COLO. LAW. 2545 (Nov. 1995).
- K.K. DuVivier, *The Apostrophe: Reports of Its Death are Greatly Exaggerated*, 25 COLO. LAW. 17 (Jan. 1996).
- K.K. DuVivier, *The Dash- "A Hasty Stroke of the Pen"*, 25 COLO. LAW. 31 (Mar. 1996).
- K.K. DuVivier, *Grammar and Style Check Programs: Machine v. Man*, 25 COLO. LAW. 27 (May 1996).
- K.K. DuVivier, *Pronoun References: Part I-When No Substitute Will Do*, 25 COLO. LAW. 29 (July 1996).
- K.K. DuVivier, *Pronoun References: Part II-A Case for Pronouns*, 25 COLO. LAW. 29 (Sept. 1996).
- K.K. DuVivier, *Professional Courtesy*, 25 COLO. LAW. 55 (Nov. 1996).
- K.K. DuVivier, *Nothing So Destructive as Habit*, 26 COLO. LAW. 41 (Jan. 1997).
- K.K. DuVivier, *Readers Speak Out*, 26 COLO. LAW. 45 (Mar. 1997).
- K.K. DuVivier, *The Footnote=An Interruption*, 26 COLO. LAW. 47 (May 1997).
- K.K. DuVivier, *Not Selected for Official Publication*, 26 COLO. LAW. 79 (July 1997).
- K.K. DuVivier, *The Volley of Canons*, 26 COLO. LAW. 59 (Sept. 1997).
- K.K. DuVivier, *Right Writing or Rite Riting?*, 26 COLO. LAW. 61 (Nov. 1997).
- K.K. DuVivier, *Plain English Part I: Secrets for the SEC*, 27 COLO. LAW. 35 (Jan. 1998).
- K.K. DuVivier, *Plain English Part II: Shorter Sentences and Lighter Luggage*, 27 COLO. LAW. 27 (Mar. 1998).
- K.K. DuVivier, *Plain English Part III: Choosing the Right Words*, 27 COLO. LAW. 31 (May 1998).
- K.K. DuVivier, *Plain English Part IV: Keep It Straight, Tabulate*, 27 COLO. LAW. 67 (July 1998).

- K.K. DuVivier, *Plain English Part V: Go Aggro over Argot*, 27 COLO. LAW. 61 (Sept. 1998).
- K.K. DuVivier, *Plain English Part VI: Negatives or the Power Of Positives*, 27 COLO. LAW. 35 (Nov. 1998).
- K.K. DuVivier, *The Blackletter Law of Form*, 28 COLO. LAW. 31 (Jan. 1999).
- K.K. DuVivier, *Common Words with Uncommon Meanings*, 28 COLO. LAW. 47 (Mar.1999).
- K.K. DuVivier, *Further Saith Naught*, 28 COLO. LAW. 41 (May 1999).
- K.K. DuVivier, *Mooring Modifiers*, 28 COLO. LAW. 63 (July 1999).
- K.K. DuVivier, *Neuro-Linguistic Programming And Writing: A New Era of Communication-Part I*, 28 COLO. LAW. 45 (Sept. 1999).
- K.K. DuVivier, *Neuro-Linguistic Programming And Writing: A New Era of Communication-Part I*, 28 COLO. LAW. 28 (Nov. 1999).
- K.K. DuVivier, *Details, Details: Questions from Readers*, 29 COLO. LAW. 29 (Jan. 2000).
- K.K. DuVivier, *Pesky Citations*, 29 COLO. LAW. 33 (Mar. 2000).
- K.K. DuVivier, *Legal Citations for the Twenty-first Century*, 29 COLO. LAW. 45(May 0).
- K.K. DuVivier, *String Citations-Part I*, 29 COLO. LAW. 83 (July 2000).
- K.K. DuVivier, *String Citations-Part II*, 29 COLO. LAW. 67 (Sept. 2000).
- K.K. DuVivier, *A New Bluebook*, 29 COLO. LAW. 51 (Nov. 2000).
- K.K. DuVivier, *Parallel Citations-Past and Present*, 30 COLO. LAW. 25 (Jan. 2001).
- K.K. DuVivier, *Writing Help At Your Fingertips-Readability Scale*, 30 COLO. LAW. 39 (Mar. 2001).
- K.K. DuVivier, *Footnote Citations?*, 30 COLO. LAW. 47 (May 2001).
- K.K. DuVivier, *Cross-references, As Stated Above*, 30 COLO. LAW. 87 (July 2001).
- K.K. DuVivier, *Play It Again, Sam: Repetition-Part I*, 30 COLO. LAW. 65 (Sept. 2001).

- K.K. DuVivier, *Play It Again, Sam: Repetition-Part II*, 30 COLO. LAW. 49 (Nov. 2001).
- K.K. DuVivier, *The Aikido Technique for Rebutting Opposing Authority*, 31 COLO. LAW. 65 (Jan. 2002).
- K.K. DuVivier, *Nit-picking or Significant Contract Choices?-Part I*, 31 COLO. LAW. 43 (Mar. 2002).
- K.K. DuVivier, *Nit-picking or Significant Contract Choices?-Part II*, 31 COLO. LAW. 57 (June 2002).
- K.K. DuVivier, *Nit-picking or Significant Contract Choices?-Part III*, 31 COLO. LAW. 95 (July 2002).
- K.K. DuVivier, *You Can Judge a Book by its Cover: The Redbook*, 31 COLO. LAW. 51 (Sept. 2002).
- K.K. DuVivier, *Questions from Readers: Redbook Responses-Part I*, 31 COLO. LAW. 53 (Nov. 2002).
- K.K. DuVivier, *Questions from Readers: Redbook Responses-Part II*, 32 COLO. LAW. 35 (Jan. 2003).
- K.K. DuVivier, *White Space-The Sequel*, 32 COLO. LAW. 51 (Mar. 2003).
- K.K. DuVivier, *Nothing New Under the Sun-Plagiarism in Practice*, 32 COLO. LAW. 53 (May 2003).
- K.K. DuVivier, *Lawmanac-Another Tool for the Shed or Your Computer Desktop*, 32 COLO. LAW. 69 (July 2003).
- K.K. DuVivier, *E-Filing: Entering the Electronic Age—Part I*, 32 COLO. LAW. 69 (Sept. 2003).
- K.K. DuVivier, *Straddling the Electronic and Paper Realms—E-Filing: Part II*, 32 COLO. LAW. 69 (Nov. 2003).
- K.K. DuVivier, *Vulcan Mind Melds and Picture Windows*, 33 COLO. LAW. 43 (Jan.2004).
- K.K. DuVivier, *Verb-Based Writing*, 33 COLO. LAW. 39 (Mar. 2004).
- K.K. DuVivier, *Reputation*, 33 COLO. LAW. 53 (May 2004).
- K.K. DuVivier, *The Reference Brief*, 33 COLO. LAW. 71 (July 2004).

- K.K. DuVivier, *When Fliespecks Matter—Part I*, 33 COLO. LAW. 69 (Sept. 2004).
- K.K. DuVivier, *When Fliespecks Matter—Part II*, 33 COLO. LAW. 69 (Nov. 2004).
- K.K. DuVivier, *All for One; Subject-verb Agreement for Compounds and Collective Subjects*, 34 COLO. LAW. 61 (Jan. 2005).
- K.K. DuVivier, *Colorado Citations*, 34 COLO. LAW. 39 (Mar. 2005).
- K.K. DuVivier, *Going on a “Which” Hunt*, 34 COLO. LAW. 53 (May 2005).
- K.K. DuVivier, *Sorting Things Out—Which, That, Then, Than, When, Where*, 34 COLO. LAW. 93 (July 2005).
- K.K. DuVivier, *Proof Reading Tips*, 34 COLO. LAW. 121 (Sept. 2005).
- K.K. DuVivier, *Bluebook No. 18—“Thank God for competition....”* 34 COLO. LAW. 111 (Nov. 2005).
- K.K. DuVivier, *Eye of the Beholder*, 35 COLO. LAW. 91 (Jan. 2006).
- K.K. DuVivier, *Reviewing Writing Samples*, 35 COLO. LAW. 87 (March 2006).
- K.K. DuVivier, *“Beholder” Reflections—Part I*, 35 COLO. LAW. 95 (May 2006).
- K.K. DuVivier, *“Beholder” Reflections—Part II*, 35 COLO. LAW. 93 (July 2006).
- K.K. DuVivier, *“Beholder” Reflections—Part III*, 35 COLO. LAW. 99 (Sept. 2006).
- K.K. DuVivier, *Learn to Write “Like the Man on the Six O’Clock News,”* 35 COLO. LAW. 85 (Nov. 2006).
- K.K. DuVivier, *The House that Jack Built with Effective Transitions*, 36 COLO. LAW. 51 (Jan.2007).
- K.K. DuVivier, *E-Etiquette: Thoughtful E-Mail Correspondence*, 36 COLO. LAW. 79 (March 2007)

LEGAL PRESENTATIONS

International

- *American Branch, International Law Association, 2010 International Law Weekend—Midwest* (February 12-13, 2010)
“International Issues for Sustainable Energy” (co-chair of panel and presenter)
- Staff Seminar at Victoria University of Wellington, Te Whare Wananga te Upoko o te Ika Maui, Wellington, New Zealand (December 19, 2007).
- Staff Seminar at University of Otago, Te Whare Wananga a Otāgo, Dunedin, New Zealand (January 23, 2008).
- “The U.S. as a Democratic Ideal?” Presentation at Rotary Club of Dunedin, Hotel Savoy, Dunedin, New Zealand (January 24, 2008).

National

- *U.S. Army Corps of Engineers course—Co-taught Environmental Partners course* “Environmental Laws & Regulations” to approximately 35 employees of the Army Corps of Engineers from all over the U.S. (Denver, CO August 17-21, 2009)
- *Rocky Mountain Mineral Law Foundation—55th Annual Institute* (San Francisco, CA July 2009)
“Jousting at Windmills: When Wind Power Development Collides with Oil, Gas, and Mineral Development”
- *Rocky Mountain Mineral Law Foundation—National Resources Law Teachers* (Biennial Institute—Chico, MT May 2009)
“Slicing the Sky: Prospecting for Wind Rights as Severable Estates”
- *Rocky Mountain Land Use Institute* (Denver, CO March 2009)
“Green, Greener, Greenest, Navigating the Forest of ‘Green’ Building Standards”
- *American Association of Law Schools* (2005 Annual Conference):
“Linking Process of Cognitive Breakthrough” (San Francisco, CA, January 2005).

- *Association of Legal Writing Directors* (Biennial conferences):
 - “Renewal Issues for LRW Faculty Contracts” (Denver, CO June 2007)
 - “Using Computer Technology to Help Students with Diverse Learning Styles” (Chicago, IL July 2005).
 - “Leading The Way To Better Teaching: Using Learning Styles to Improve Teaching and Learning” (Co-presented with John and Tania Reese) (Windsor, Ontario, July 2003).
- *Legal Writing Institute* (Biennial conferences):
 - “Teaching to Eyebrows: How Do We Engage Our Multi-Tasking Students?” (with Jill Ramsfield)(scheduled for June 2006)
 - “Icing the Cake, Opportunities Outside of Law Schools” (Knoxville, TN, May 2002).
 - “Vulcan Mind Melds; Using Neuro-linguistic Programming to Read Your Readers’ Minds” (Seattle, WA, July 2000).
 - “Effective Student Conferences” (with Mark Broida) (Seattle, WA, July 1996 & Ann Arbor, July 1998).
 - “Evaluating Student Papers” (with Joe Kimble) (Chicago, IL, July 1994) (with Joe Kimble and John Dernbach) (Seattle, WA, July 1992).
 - Colorado Municipal Judges Conference*: “Ethics of (Santa Fe, N.M. 2000).
 - Georgia Association of Legal Assistants*: Keynote Speaker — Annual Seminar in Atlanta (October 1994).
 - National Federation of Paralegal Associations*: Gave a one-hour presentation to approximately 150 participants at the NFPA Annual Convention (May 1994).
 - Rocky Mountain Mineral Law Foundation*: Presented my paper, “Sharing the Wealth: Mineral Royalties in Kind,” at the *Institute on Mine to Market: The Legal Issues*, in Tucson, Arizona, and the paper was published in the proceedings book (March 1985).

Denver-Area Programs

Denver Association of Petroleum Landmen, Spring Land Workshop (March 25, 2010)

“Jousting at Windmills—Wind Power Rights & Conflicts Update

University of Denver, 2010 Winter Quarter Provost’s Lecture and Luncheon (March 2, 2010)

“The New Energy Frontier: The University of Denver’s Partnership with the National Renewable Energy Laboratory” (organized and co-presented with Robert J. Noun, Chief Spokesman for NREL)

Energy Committee, Rocky Mountain Chapter Sierra Club (February 4, 2010)

“Solar Access and Denver’s Code Rewrite” Distributed solar photovoltaic installations are expanding exponentially, yet local land use laws have not been keeping pace to protect the public’s significant investment in this piece of the renewable energy puzzle.

Denver Board of Realtors, “Solar Access,” Presentation to Government Affairs Committee (December 3, 2009). The presentation addressed the history of solar access and how the current drafts of the new Denver Zoning Code represent a step backward in protecting solar access. Professor DuVivier then presented a number of better alternative solutions.

Moye & White, LLP: “Power Legal Writing” CLE Program (March 31, 2006; April 12, 2006; & April 19, 2006)

The Christian Legal Society, College Republicans, and The Federalist Society, “Life! Days— Conversations on the ‘Right’ to die” (Panel on Assisted Suicide and Euthanasia) (Feb. 22, 2006).

American Constitution Society at DU with National Lawyers’ Guild, “Ballot Initiatives: Giving Citizens a Voice through Direct Voting” (Feb. 9, 2006).

DU Office of Career Services: “Writing Samples for the Job Search” (Feb. 6, 2007; Feb. 7, 2006; Feb. 8, 2005; Feb. 5, 2004; Jan. 28, 2003).

CLE in Colorado, Inc. (CBA CLE): “The Judicial Decision-Making Process” (panel moderator)(May 13, 2005).

DU Lawyering Process Program: “Power Legal Writing” (Oct. 10, 2003).

DU: “Upper Level Writing: Implementing ABA Standard 302(a)(2)” (Sept. 30, 2003).

CLE in Colorado, Inc. (CBA CLE): “Tips for Writing a Winning Brief” (May 9, 2003).

CLE in Colorado, Inc. (CBA CLE): “How Judges Read Appellate Briefs” (panel moderator)(May 9, 2003).

DU Office of Career Services: “Writing Samples for the Job Search” (Jan. 28, 2003).

CBA Appellate Practice Subcommittee: Panel on Unpublished Opinions (Jan. 25, 2002).

DU Law School Adjuncts: “Incorporating Legal Writing Into Law School Courses” (January 10, 2002).

Office of the Colorado Attorney General and the Colorado Court of Appeals: “Significant Subtleties” (Oct. 2001).

Office of the Colorado Attorney General and the Colorado Court of Appeals: “What Every Lawyer Needs To Know About Style” (July 2001).

Office of the Colorado Attorney General and the Colorado Court of Appeals: “Secrets to Successful Communication” (June 2001).

U.S. Department of Health and Human Services, Office of Civil Rights: Writing Workshop (Oct. 2001).

CLE in Colorado, Inc. (CBA CLE): Critiqued oral arguments for “Appellate Advocacy Workshop” (May 10-11, 2001).

DU Clinical Programs: “Overview of Legal Writing” (Sept. 2000).

First Judicial District Bar Association: “The Ethics of Legal Writing” (January 11, 2000).

Denver Law Club: “The Ethics of Legal Writing” (December 13, 1999).

Continuing Education in Colorado, Inc.: As part of a seminar on Colorado Appellate Practice, taught a session on appellate brief writing, along with Justice Rebecca Kourlis, of the Colorado Supreme Court; Andrew Low, of Davis, Graham, & Stubbs; and Walter Sargent (October 29, 1999).

University of Colorado, Graduate Students Program: Taught graduate students across several disciplines how to instruct undergraduate students to write more clearly (September 22, 1999).

Legal Staff Professionals: Addressed history of legalese (January 1999).

Continuing Legal Education in Colorado, Inc.: As part of a seminar on Colorado Appellate Practice, taught appellate brief writing on a panel with Justice Rebecca Kourlis, of the Colorado Supreme Court, and Chief Judge Alan Sternberg, of the Colorado Court of Appeals (May 1997).

Colorado Court of Appeals: Presented a workshop on legal writing to the judges and staff of the Colorado Court of Appeals (December 13, 1996).

Denver Area Legal Recruiters: Co-taught an all-day course on legal writing to summer associates from Denver law firms (June 7, 1996).

Colorado Women's Bar Association: Spoke with Justice Mary Mullarkey, now Chief Justice of the Colorado Supreme Court, and Judge Sandra Rothenberg, of the Colorado Court of Appeals at the 18th Annual Colorado Women's Bar Convention (May 1995).

University of Colorado School of Law, Byron White Center of American Constitutional Study: Participated as a panelist along with Jean Dubofsky, former justice of the Colorado Supreme Court; Catharyn Baird, Counsel to the Colorado Secretary of State; JoElyn Newcomb, initiative author; and The Honorable Gale Norton, former Attorney General of Colorado (September 23, 1994).

Continuing Education Services: Taught a four-hour course on legal writing to practicing attorneys in the Denver area (September 1994).

University of Colorado School of Law: Faculty colloquium on counter-initiatives (January 14, 1994).

U S WEST: Presented a workshop on "Effective Legal Writing" to U S West's 1993 MSR Conference (Keystone, Colorado October 1993).

University of Colorado at Denver: Co-taught (with Martha Faulk) a full day workshop on persuasive writing for UCD's Division of Extended Studies (July 1993).

Boulder County Bar Association: Taught a one-and-a-half-hour workshop for the Boulder County Bar's Practice Skills lunch series (May 1992).

Rocky Mountain Association of Mineral Landmen: Presented an update on public land law (February 1986).

Mineral Law Section of the Colorado Bar Association: Spoke on "New Developments in the Disposal of Public Lands" (September 1985).

MEDIA, LEGAL CONSULTATION, AND RESEARCH STUDIES

Testified about problems with coal fly ash at an EPA Office of Resource Conservation and Recovery Materials Recovery and Waste Management Division hearing concerning proposed new regulations on September 2, 2010, in Denver.

Near-net-zero home featured in news story “Couple keeps cool with simple steps” Denver Post p. 3K (June 27, 2010) http://www.denverpost.com/business/ci_15382529

Interviewed for story on in situ uranium mining by Kirk Siegler of KUNC
http://www.npr.org/templates/story/story.php?storyId=128208291&utm_source=twitterfeed&utm_medium=twitter

<http://www.publicbroadcasting.net/kunc/news.newsmain/article/1/0/1669323/Regional/Uranium.Mine.Sparks.Debate.over.Nuclear%27s.Future.>

Testified about in situ uranium mining before the Colorado Land Mine Reclamation Board ((April 15, 2010) and was interviewed afterward by Megan Verlee of Colorado Public Radio

<http://tinyurl.com/y546sb8>

and for a story in the Coloradoan.com “ Meeting provides both sides of uranium debate” by Bobby Magill (April 16, 2010)

<http://www.coloradoan.com/article/20100416/NEWS01/4160349/-1/NEWSFRONT2>

<http://srph.it/b5GsNy>

Interviewed and quoted in story about coal mine safety in DailyFinance: “The Coal Mine Disaster Shows Economics Still Trumps Safety” by Bruce Kennedy:

<http://www.dailyfinance.com/story/company-news/underground-coal-mining-safety-vs-economics/19429036/>

Interviewed and quoted in story about medical marijuana in The Aurora Sentinel: “Is a pot shop coming to s strip mall near you?” by Sara Castellanos (April 9, 2010)

<http://www.aurorasentinel.com/articles/2010/04/09/news/doc4bbf8ea304992317695841.txt>

Testified about solar access problems related to the proposed Denver Zoning Code at The Denver Zoning Code Task Force Meeting (October 28, 2009), West University Community Association (November 11, 2009), Denver City Council Board of Adjustment Zoning Listening Session (November 18, 2009).

Interviewed and quoted in headline story in the December 2009 Washington Park Profile, “ ‘Sustainability’ Still Undefined, Elusive in New Zoning Code” by Paul Kashmann http://washingtonparkprofile.com/index.php?option=com_content&task=view&id=781&Itemid=1

Net-zero, micro-load house designed following the German Passive Haus standards was completed in late 2008 and selected to be on the National Solar Home Tour in October of 2008 and 2009.

Law School Admissions Council, *Writing Assessment Validity Study* (November 2005).

Anne Enquist, *Critiquing and Evaluating Law Students’ Writing: Advice from Thirty-five Experts*, 22 SEATTLE U. L. REV. 1119 (1999)(participated in the study and listed as one of the thirty-five experts).

James F. Stratman, *Investigating the Case Reading and Analysis Process*, Spencer Foundation Research Project (Spring 1996)(participated in the study).

Hunter M. Breland, Sydell T. Carlton, and Susan Taylor, *Program of Research on Legal Writing: Phase II: Research on a Writing Exercise*, LAW SCHOOL ADMISSION COUNCIL RESEARCH REPORT 96-01 (January 1998)(participated in the study).

Hunter M. Breland and Frederick M. Hart, *Defining Legal Writing: An Empirical Analysis of the Legal Memorandum*, LAW SCHOOL ADMISSION COUNCIL RESEARCH REPORT 93-06 (April 1994)(participated in the study).

Periodically contacted by practitioners for editing assistance, training, and advice on legal topics. Some of those who have worked with me include the following: The Colorado Supreme Court Disciplinary Council, in-house counsel for large corporations, municipalities, attorneys from large and small Denver-area law firms, and attorneys for the U.S. Department of Justice.

LEGAL EDUCATION & BAR ADMISSIONS

University of Denver, College of Law

Juris Doctor awarded March 1982. Class rank: Top 10 percent.

Distinctions

- Order of St. Ives (upper 10 percent of class)
- Staff—Denver Law Journal
- American Jurisprudence Award for Evidence

Admitted to practice in Colorado and federal courts since May and June of 1982.

UNDERGRADUATE EDUCATION

Williams College, Williamstown, Massachusetts
Bachelor of Arts, English and Geology, June 1975

Distinctions

- Phi Beta Kappa
- Cum Laude
- Honors in English

BOARD DIRECTORSHIPS, OFFICES, & COMMITTEE ACTIVITIES

The American Law Institute

Member

Association of American Law Schools

Executive Committee—Natural Resources Section

Rocky Mountain Mineral Law Foundation

Member

American Bar Association

Co-Vice Chair of Public Service

Renewable, Alternative, and Distributed Energy Resources (RADER) Committee
of the Section of Environment, Energy, and Resources (SEER)

Colorado Bar Association

Natural Resources and Energy Law Section

The Appellate Practice Subcommittee of the CBA

Chair

Vice-chair

1994 to 2007

1/98-1/00, 1/04-1/06

1/96-1/98, 1/00-1/04

Boulder Women's Bar Association

President (for two terms)

1991-1993

The Alliance of Professional Women

President

Vice-President

Executive Committee

Committee Chair

1988-1990

1987-1988

1986-1990

1985-1986

Association of Legal Writing Directors	2000 to 2007
Host for Biennial Conference	2007
Presenter	2003, 2005, 2007
The Legal Writing Institute	1990 to 2007
Presenter	1994, 1996, 1998,
2000,	2002, 2006
Program Committee	1992-1994
New Member Committee	2000 to present
American Bar Association, Hard Minerals Committee	
Vice-Chair	1985-1991
Work and Family Consortium	
Board of Directors	1988-1990
Committee Chair	1990
Williams College Alumni Association	
Co-President of Denver Chapter	1984-1986
University of Denver, College of Law	
Co-director of the Alumni Relations Committee	1980-1981