



## Access to Justice Heroes: Diana Poole and Jon Asher

BY DICK GAST

What comes to mind when you think of the word “heroes?”<sup>1</sup> Is it those who fight for social good along the lines of Mother Teresa and Nelson Mandela? Is it the superhero characters of comic book and cinematic fame like Spider-Man and Wonder Woman? Or do you think of battle-tested types like George Washington and Dwight Eisenhower?

Here in the Colorado Bar, we have our own special type of heroes—those who fight day in and day out to help Coloradans who can least afford it navigate their way through civil legal problems and realize our country’s promise of justice for all. Colorado has more than its share of veterans being denied rightfully earned benefits, families facing loss of shelter through foreclosures and evictions, women trapped in

abusive relationships, and seniors victimized by consumer scams. Fortunately, we have a strong army of Bar heroes on the front lines helping people through these problems. They range from the hardworking lawyers of Colorado Legal Services (CLS) to the legions of volunteer lawyers across the state handling pro bono intake, participating in Ask-A-Lawyer clinics, and accepting pro bono cases.

When you step back and scan the entirety of Colorado’s access to justice landscape, two heroes stand particularly tall:

- Diana Poole, the longtime executive director of the Legal Aid Foundation of Colorado (LAF) and the Colorado Lawyer Trust Account Foundation (COLTAF). The LAF is a key funding source for the perpetually underfunded CLS, while

COLTAF is the program through which interest on lawyers’ pooled trust accounts is used to fund CLS, pro bono programs, domestic violence programs, and other justice-related programs.

- Jon Asher, the even longer-time executive director of CLS. CLS provides civil legal services to more than 10,000 low-income Coloradans annually through a network of 13 offices across the state staffed by a total of just 51 lawyers.

Exemplifying courage, bravery, ingenuity, strength, and an unwavering commitment to sacrificing their own personal concerns for the greater good, Diana and Jon are heroes to the core.

### Diana Poole



After growing up in Albuquerque, New Mexico, Diana sought colder climes for law school at the University of Minnesota, where, among other accomplishments, she wrote for the very first edition of

the *Law and Inequality* journal. After law school, she sought out even colder climes and found them clerking for Judge Myron Bright on the Eighth Circuit Court of Appeals in Fargo, North Dakota. Diana then transitioned to a big firm practice as an associate with Gibson Dunn and Crutcher in Denver.

Diana’s reputation as a hard worker was forged early in her career. She spent so many hours in one certain carrel at the Gibson Dunn law library that, upon her departure from the firm, someone posted a plaque on the carrel identifying it as the “Diana Poole Memorial Carrel.” The plaque prompted new lawyers joining the firm to inquire about Diana’s passing, only to be reassured that she had simply moved on to other pursuits and her work ethic should serve as a model for all to follow.

After her private practice days, Diana served as executive director for the Colorado Lawyers Committee, a consultant with both COLTAF and LAF, and staff counsel for the Tenth Circuit Court of Appeals. She was named executive

director of both LAF and COLTAF in 2005 and continues to serve in those roles today.

Along the way, Diana somehow has found the time to volunteer with a variety of organizations, including serving as president of the Colorado Women's Bar Association, vice president of the Colorado Access to Justice Commission, and a board member for Colorado Legal Services.

Back in 1984, while walking down the church aisle after getting married to Steve Lass (also a lawyer), Diana, always one to ruminate about life's decisions, turned to Steve and asked him if they did the right thing (by getting married, that is). An intelligent man, Steve said yes—and he has not been proven wrong. The couple's marriage has spanned some 33 years and has included the familial adventure of raising triplets (Zach, Sarah, and Sam).

In her capacity as executive director of LAF and COLTAF, Diana plays a key role in funding CLS and other access to justice programs in Colorado. Beyond that, she is a well-respected and thoughtful participant in strategy development on the access to justice front, including playing a vital leadership role in the current "Justice for All" strategic planning process and coordinating pro bono services outside of the Denver metro area. In singing Diana's praises, her colleagues emphasize her:

- tremendous dedication to providing legal services to low-income Coloradans;
- determination, perseverance, and passion for her work;
- ability to see the big picture;
- meticulous organization; and
- humility.

### Jon Asher



After attending both college and law school at Harvard, Jon eschewed the siren song of the big East Coast law firms and headed to (where else?) Greeley, Colorado, where he joined Colorado Rural Legal Services (CRLS) as a staff attorney. He had found his calling, serving with CRLS for nine years, then becoming the executive director of

the Legal Aid Society of Metro Denver for 19 years, and finally serving as executive director of CLS for the past 18 years. During his career with CLS, Jon also managed to find the time to serve as acting special counsel to the president of the Legal Services Corporation in Washington, D.C. for the better part of a year.

As with Diana, Jon has given generously of his time to numerous professional and community organizations, including many years of service on the Colorado Access to Justice Commission, the COLTAF Board, and the LAF Board. He has also chaired the American Bar

Association Commission on Interest on Lawyer Trust Accounts. Jon's significant contributions to our profession have not gone unnoticed. He has received both the CBA and DBA Awards of Merit, as well as the Jacob V. Schaetzel Memorial Award for outstanding dedication in making legal services available to Coloradans.

In his day-to-day routine, Jon continues to recognize the power of the handwritten word. At meetings, he has a penchant for writing notes on legal pads in a handwriting style only he can comprehend. And, technology be damned, his most trusted legal editing tool remains the red

## COLORADO NUGGETS

One of the more historically interesting mountain passes in Colorado is Corona Pass (originally called Boulder Pass and more commonly known as Rollins Pass to those outside of Grand County). Located high atop the Continental Divide between Rollinsville on the east and Winter Park on the west, the Pass was initially used by Native Americans (primarily Ute and Arapaho) not only as a passage way over the Divide from the plains to the Middle Park area but also for communal hunting of large game, including elk and bighorn sheep. Native Americans would drive game upslope between low handmade rock walls, funneling into hunting blinds made of stacked rock where hunters waited. Remnants of the walls and blinds are still visible today.

In the spring of 1903, Denver banker and promoter David Moffat began construction of the Moffat Road (or Hill Route) over the Pass for his Denver, Northwestern and Pacific Railway. A little over two years later, the line was complete, having a 4% grade along many stretches over the Pass, and was one of the highest non-cog railroads ever constructed in North America. A small settlement with telegraph offices, a single story brick hotel (cabled down to keep it from blowing away), a café, shops, and crew lodging was perched atop the Pass at 11,660 feet, and aptly named Corona (Spanish for "crown" and also known as the "top of the world"). Snow sheds were constructed over the tracks at the highest points to keep the line open in the winter. The snow sheds proved to be no match for the brutal winter weather, and trains often were stranded for days or even weeks during heavy snowstorms. In 1928, the Moffat Tunnel opened at the base of what is now the Winter Park ski area, providing a faster, more reliable rail alternative to the Hill Route, and the tracks over the Pass were dismantled.

Scattered remnants of building foundations and telegraph poles are all that remain of Corona today, but you can still find the occasional rusted railroad spike while mountain biking up the Pass from the Winter Park side. And the trip up the Pass remains well worth taking—the view from the top is spectacular.

pen. Colleagues note that when Jon marks up a document prepared by someone else, the edited version typically contains more red ink than the original black text, with his editing inevitably yielding a better product.

Reenie Terjak, the CLS director of advocacy, describes Jon as one of the “sages” on the national legal aid landscape:

When people need someone who is willing to be honest, thoughtful, and articulate on an issue, especially one that impacts the low-income community, they contact Jon. Jon knows the history, the players, and the ever-changing political landscape of the Colorado and national legal worlds, and is always willing and able to effectively weigh in on topics profound and benign. He is as comfortable—and gratified—mentoring a new attorney as he is in rewriting federal

regulations, both of which he is continually asked to do.

Jon is also renowned for his one-liners (some would say pearls of wisdom). Here is a sampler:

- In defending his perfectionist approach to writing: “Perfect should not be the enemy of the somewhat better.”
- “I know I’ve been wrong before, but not this time.”
- Drawing from a sign former UCLA basketball coach John Wooden had in his office: “It’s what you learn after you know it all that counts.”
- Summarizing his commitment to his work: “The only thing less popular than a poor person is a poor person with a lawyer.”
- On his role with CLS: “We strive to be good stewards of scarce resources.”
- Also on his role with CLS: “I come to work

each day to make the world a more just place. And that’s what lawyers are about.”

### Conclusion

Diana and Jon are true heroes. They are the heart and soul of Colorado’s access to justice efforts, fueled by their tireless drive, shared passion for their work, and courage to do the right thing. The next time you happen to see either of them, please thank them for all they do. **CL**

### NOTES

1. The word “heroes” is intended to be gender-neutral throughout this article.
2. My heartfelt thanks go out to those who contributed stories or anecdotes for this Message, including Steve Lass, Jim Bender, Bob Brandes, Fred Baumann, and Reenie Terjak.

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