

Jon Nicholls

Representing the Unrepresented

BY ROCKO DODSON AND JERREMY RAMP



Metro Volunteer Lawyers (MVL) has been in existence for more than 50 years, thanks to several selfless and dedicated young lawyers who, in the 1960s, saw a need and decided to do something about it. One of those lawyers, Jon Nicholls, is retiring from the MVL Board of Directors after countless hours of dedicated service to that organization since its inception. Jon was one of the founding lawyers, beginning his work for MVL when he was a young Denver lawyer in the 1960s. The Legal Aid Society (now Colorado Legal Services) had just been established. Under its mandate, however, it could not serve every poor person that needed a lawyer, so a small group of concerned lawyers set out to remedy that problem.

In some ways, Jon is an unlikely hero of the poor. Jon’s commitment to serving the underserved was not a mission born out of growing up in or around poverty. The son of an electrician and a homemaker, his upbringing in a post-war suburban Denver neighborhood was free from poverty. Jon got a taste of social justice as he admired a South High School classmate who went to the South as a civil rights activist, but his passion for poverty law blossomed in law school under the guidance of his mentor Howard Rosenberg. It was an exciting time, and Jon found himself in a community of like-minded young lawyers. They had earned their law degrees, and with it some swagger. When they saw treatment of vulnerable populations—for example, the poor, the elderly, minorities, the frail—they used their law degrees, creativity, and drive to make a change in the world. It was a “magic time for legal services for the poor,” Jon recalls.

As Jon tells it, when Howard and the other lawyers committed to this cause discussed how

to represent the unrepresented, they all realized it would “never succeed without the support and involvement of the private bar.” That sentiment was as true in the 1960s as it is today. The Thursday Night Bar, as MVL was then called, was born out of these discussions and vision. It was an experiment, created to serve indigent clients in the types of civil cases and quantities that Legal Aid could not handle on its own. It was called the Thursday Night Bar because volunteers would meet with indigent potential clients on Thursday nights at neighborhood clinics, giving advice when appropriate and making notes on each client’s situation. The next morning, those cases were evaluated and assigned to other concerned and generous lawyers in the Denver area who agreed to take these cases on a pro bono basis. At that time, Jon worked at Legal Aid and was in charge of this process of intake and assignment of cases, along with other tasks. When he reflects on his Legal Aid days and the early days of MVL, he says, “I never realized when I took the job how great it would be or how much good we would do.”

Thursday Night Bar’s name would be changed to Metro Volunteer Lawyers in 1996, to better describe what it did and whom it served.¹ It has been a model for similar programs established across the country.

Jon was born on the Western Slope, in Fruita. As a boy, his family moved to Colorado Springs, and then to Denver, where he graduated from South High School in 1959. He went on to college at Colorado State University, where he met his wife-to-be, Rosie. They married in 1963, and with Rosie’s support, he graduated from University of Denver College of Law in 1966. During his entire career, he has made it a priority to represent the poor and underprivileged. He worked for a few years in private practice in Del Norte, Colorado, primarily representing the poor and working poor, then worked for the Department of Health, Education, and Welfare. From there, he went to work at Colorado Legal Aid and was involved in several landmark cases in Colorado, including a class action regarding the U.S. Life Center Nursing Home, to establish the rights of nursing home patients. The ruling in that case reformed the industry, resulting in a Residents’ Bill of Rights. This ruling, and the model Jon helped to develop and implement in the case,



Jon Nicholls with MVL Board members Andy Hart and Jeremy Ramp, former MVL staffer Brandy Tulley, former MVL Director Dianne Van Voorhees, MVL board member Rocco Dodson, and former MVL Board member John Eckleberry.

led to other major class action cases with which Jon was involved, establishing rights for mental health patients and people with disabilities.

Jon left Legal Aid in the 1980s to establish his own firm, primarily representing individuals in bankruptcy. His loyalty and commitment to MVL remained strong: he took on numerous cases as a volunteer pro bono attorney and served on MVL's Board of Directors.

Jon and Rosie are very proud of their two grown sons. Jon had the pleasure of partnering with his son Steve, and for many years they ran their own firm. Like his father, Steve received his law degree from the University of Denver. Jon's son Bob is a restaurateur in Grand Lake. Jon and Rosie keep busy with their three grandchildren, ranging from college-age to their youngest, a 5-year-old grandson.

For more than half a century, Jon has made poverty law and representation of the un- and under-represented his priority. He is an inspiration to everyone who is dedicated to this work and believes in the importance of the mission. On behalf of the Board, we can say that with his retirement from MVL, his leadership, his inspiration to others, his wisdom,

his sense of humor, and his friendship will all be sorely missed. Thank you, Jon, for all that you have done for MVL, for your colleagues, for our profession, for the people of this state, and for the individual clients you served along the way, who, rather than feeling helpless and alone, knew they had a powerful and brilliant advocate by their side. **CL**

NOTE

1. MVL's mission is "to bridge the gap in access to justice by coordinating the provision of pro bono legal services by volunteer lawyers within the Denver metro area to people who could not otherwise afford legal services for their civil legal issues." When volunteer attorneys founded the Thursday Night Bar in 1966, there were 20 volunteers. Today, MVL is a staffed department of the Denver Bar Association serving indigent clients in Adams, Arapahoe, Broomfield, Denver, Douglas, Elbert, Gilpin, and Jefferson counties through its Family Law Court Program, post-decree clinics, Power of Attorney Workshops, Clinic at the Denver Indian Center, and direct representation by volunteer attorneys. In 2017, MVL accepted 1631 cases, 273 attorneys took cases, and 572 volunteer attorneys served on its panel. Please contact MVL at tdasent@denbar.org or visit www.denbar.org/mvl to volunteer or for more information.

In Memoriam

Harry Lee Arkin

December 17, 1933–September 18, 2018

Longtime Denver attorney Harry Arkin passed away on September 18, 2018. Harry was an accomplished arbitrator, mediator, and litigator who practiced in the areas of business, transactional, and corporate/company law in the United States and internationally. He was a 1956 graduate of the University of Denver College of Law.

Harry was a chair (North American branch), fellow, chartered arbitrator, and panelist of the Chartered Institute of Arbitrators in London, as well as a fellow of the U.S.-based College of Commercial Arbitrators. A CBA HonorLife member, he was an active member of the CBA Business Law Section since 1957 and served on numerous CBA subsections and committees.

Harry's parents were the late Benjamin and Rebecca "Betty" Arkin. He was married to the late Jean Franked Arkin with whom he had children Pamala Gladstone and the late Bradley Arkin. Harry was the grandfather of Rebecca (Levi) Frolich, great-grandfather of Rina Hadas Frolich, and cousin of Lynn Zwerdlinger.

Contributions in Harry's name may be made to the Benjamin Arkin Scholarship Fund at the Colorado School of Mines. **CL**

In Memoriam recognizes recently deceased members of the Colorado legal community. *Colorado Lawyer* relies on its readers for this information. Please send notices about recently deceased attorneys, judges, and other legal professionals to Susie Klein at sklein@cobar.org. Reader-submitted "tributes" highlighting the individual's legal career are welcomed. Print-quality photographs (300 dpi or greater) are encouraged.