

**COLORADO PUBLIC DEFENDER COMMISSION**

**Application for Colorado State Public Defender**

**A. PERSONAL INFORMATION**

- 1. Full Name: Margaret Ann England
- 2. Date of Birth: [REDACTED]
- 3. Home Address: [REDACTED]
- 4. Work Address: Wolf Law, Criminal Defense Clinic, 404 UCB, Boulder, CO 80309
- 5. Telephone (w): 303-492-0285
- 6. Telephone (h): [REDACTED]
- 7. Email Address: ann.england@colorado.edu
- 8. Attorney Registration Number: 26025

**B. EDUCATIONAL BACKGROUND**

- 9. List names and locations of schools attended beginning with college.

Name	Location	Dates Attended	Degree
University of Michigan	Ann Arbor, MI	8/1986	5/1990
University of Denver	Denver, CO	8/1992	5/1995

- 10. List scholarships, awards, honors, and citations you received during college and law school.

In college, I received a public interest award for my work in the Washtenaw County Jail. Also, my theater group received a service award for our work with a homeless shelter in Chicago and our work with the women in Coldwater Women's Prison.

In law school, I was a Chancellor Scholar at the University of Denver, School of Law. This provided me a full three-year scholarship and was awarded for my strong academic and public service background. During law school, I was awarded the Public Service Award and the National Public Interest Law Award for my work with homeless

adults and teens. I also received a Public Interest Fellowship for two summers of public interest work while in law school.

**C. PROFESSIONAL BACKGROUND AND EXPERIENCE**

11. List all relevant personnel and fiscal management experience.

<b>Position &amp; Context</b>	<b>Dates</b>
Synod Residential Services – In-house manager	1990 -1991
Colorado State Public Defender – Denver Division Lead	2000 - 2002
Criminal Defense Clinic – Supervising Clinician	2005 – present
Interim Dean of Admissions – Univ. of CO, School of Law	1/2016 – 8/2016
Faculty Director of Korey Wise Innocence Project	2014 – present
Coordinator of the NCCVD	2007 - present

12. List all courts in which you have been admitted to practice, with dates of admission.

<b>Bar Admission</b>	<b>Date</b>
Colorado	1995
Federal District Court, District of Colorado	2002

13. Indicate your present employment. If you currently practice law, describe the nature of your present law practice, listing the major types of law you practice and the percentage each constitutes of your total practice.

Clinical Professor of Law  
 University of Colorado, School of Law  
 Wolf Law Building  
 Criminal Defense Clinic  
 Campus Box 404  
 Boulder, Colorado 80309

**A. Clinical Supervision and Case Management – 70% Practice**

As a Clinical Law Professor, my principle responsibility is to train and supervise second and third-year law students as they represent persons accused of crimes in different Colorado courts (principally, municipal and county courts). I supervise 12 – 14 students each semester and each student represents between 8 to 10 clients each semester. In a practical, systematic process extending throughout the semester, I am required to teach/train these students in Colorado criminal law, criminal procedure, ethics and oral advocacy. Representation of every client occurs under my law license and I am ultimately responsible for every aspect of a case. As the students’ supervisor, I am required to make sure that every student is thoroughly prepared and every client is well represented. I monitor/assist each case’s preparation, review every motion/pleading, and

attend every court appearance with the students. In my clinic, we conduct scores of bond/motion/sentencing hearings and we conduct 6 – 20 jury trials each year. As a supervisor of the clinic, I am also responsible for maintaining the clinic's database/case-management systems, tracking my budget, and managing all case-related staff and experts. For those students subsequently interested in pursuing a career in criminal law, I help them find and secure a job. Most frequently my students have secured positions with the with the Colorado State Public Defender's Office.

#### **B. Faculty Director, Korey Wise Innocence Project - 10% Practice**

The Colorado Innocence Project came to the law school in 2010. Between 2001 and 2012 I developed a funding proposal, secured funding, and hired/trained staff and students to create the Korey Wise Innocence Project. As a result, the Korey Wise Innocence Project was created in 2013. Today, as the Faculty Director for the Project, I continue to supervise the Project's managing director and oversee the Project's fundraising, budget, and operations. Although I no longer meet with the student volunteers for direct training and supervision, overall I am responsible for ensuring that systems are in place to ensure that students are properly trained and that innocence investigations are thoroughly and efficiently vetted and completed.

#### **C. Admissions Committee and other service work to the law school - 10% Practice**

The University of Colorado, School of Law is ranked a top-40 law school in the United States. Every year, the law school receives no less than 4,000 applications to attend; each of those applications must be individually evaluated to develop an incoming class of approximately 170 top-quality, first-year law students. Today, I am the co-chair of the Law School's Admissions Committee. In that role, I review scores of applications and evaluate numerous law school applicants. I also review the evaluations of other admissions committee members and the Admissions Office staff. To ensure that the Admissions Office meets its aggressive yearly admissions goals, I am regularly involved with and oversee the Admissions Office's decision-making with respect to its budget, operations, and the balance/pace of admissions work.

In addition to my Admissions Committee work, I also assist in evaluating applications and awarding scholarships to second and third-year students. Finally, I am also a member of the Public Service Committee and the Criminal Law Committee in the law school.

#### **D. Teaching Other Law School Courses – +/- 5%**

Each year, I teach at least one other law school course. This teaching goes beyond my position as a law professor. For several years, I taught Advanced Trial Advocacy to approximately 30 students. This year (2018), I developed and taught a course called Jury Selection History and Practice that was centered on the jury selection process in Colorado.

#### **E. Mock Trial Coordination and Moot Court Coaching – +/- 5%**

Each year, I co-coordinate and teach the law school's Intersession Trial Advocacy Program. This is a week-long trial advocacy/skills program for 72 students that involves recruiting 12-14 faculty-trainers from the legal community. In conjunction with and in the

process of running this program, I am also involved in the mock trial program and each year I am a coach to the Law School's National Trial Advocacy mock trial team.

#### **F. Comparative International Law – +/- 5%**

Approximately every other year, I coordinate and teach a Comparative International Law course with another clinical faculty member. In this course, we take 15 law students abroad to explore the criminal justice and juvenile law systems of another country. My focus is on the comparative elements of the criminal justice systems. In the course of preparing this course, we arrange all aspects of this program – from developing the coursework and teaching materials in Colorado, to arranging for the numerous logistics for group international travel, to establishing in-country contacts, agendas, lectures, and meetings. Months before the course or travel begins, we develop contacts and connections with US/foreign government/NGO officials to get access to prisons and court/justice system offices in different parts of the world. As well, we also work with small NGOs and the UN to arrange community service projects for the law students while they are in a country. To date, we have successfully completed to programs (Ecuador 2011 and Morocco 2017) and are in the process of planning our next (Argentina 2019).

#### **G. Coordinating Programs for the Criminal Defense Community – +/- 5%**

For the last 7 years, I have been the Coordinator for the National College of Capital Voir Dire (NCCVD). This is a yearly, national conference where capital defense attorneys from around the country come to Boulder and learn the “Colorado Method” of capital case voir dire. This year, we brought to Boulder 102 practicing capital lawyers and 38 faculty from around the country. Last year we ran two NCCVD programs one in Colorado and once in Florida for 66 Florida Public Defenders/private conflict counsel. I plan and coordinate every aspect of the program with the assistance of several student coordinators: fundraising; recruiting faculty; managing budget; developing agenda/program; and screening/selecting participants.

This year I am also co-coordinating an advocacy program for South American Attorneys. For this program, several colleagues and I are bringing in 41 attorneys from South America to teach them U.S.-style trial advocacy skills. While here, these attorneys will also visit courts and visit with prosecutors, judges and other legal professionals. For this program, I have focused on accomplishing the logistical aspects of the program such as organizing, budgeting, agenda, and scheduling.

#### **H. Other policy or writing projects – +/- 5**

Throughout any given year, I work on various, unique policy projects or writing projects that are centered on Colorado criminal law and procedure. For example, for the last seven years I have been the editor for the Colorado DUI Benchbook for which I must develop writers from the judiciary and edit submissions for accuracy, content, readability, etc. In addition, this year I am working with the ACLU, the Colorado Public Defender's Office, and others to create a constitutional case in the Colorado courts to challenge the unlawful pre-trial incarceration practices currently occurring throughout the State.

14. Have you practiced in the trial courts of Colorado or elsewhere? If so, please indicate where and when. Please also state what percentage of your total practice your trial practice constituted and the types of matters handled.

Colorado State Public Defender (dates are approximate) 100% of time – criminal defense

- Arapahoe County – 2/1995 – 5 /1995 – misdemeanor criminal cases
- Adams County – 5 /1995 – 4/1996 – misdemeanor criminal cases
- Weld County / Logan County / Washington County / Moran County – 4/1996 – 6/1998 – misdemeanor, juvenile, and felony criminal cases
- Denver County – 6/ 1998 – 4/2004 – felony criminal cases

Federal Public Defender – 100% of time – criminal defense

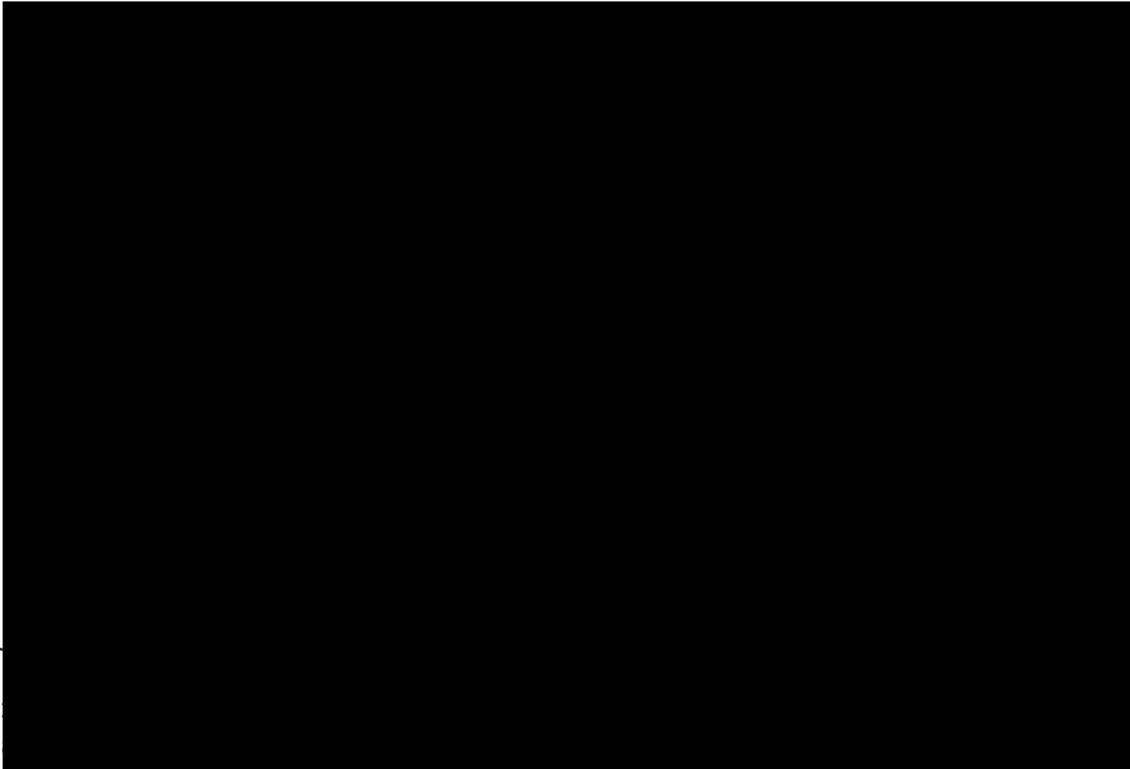
- Federal District Court Denver 4/2004 – 8/2005 – federal criminal cases

Clinical Law Practice

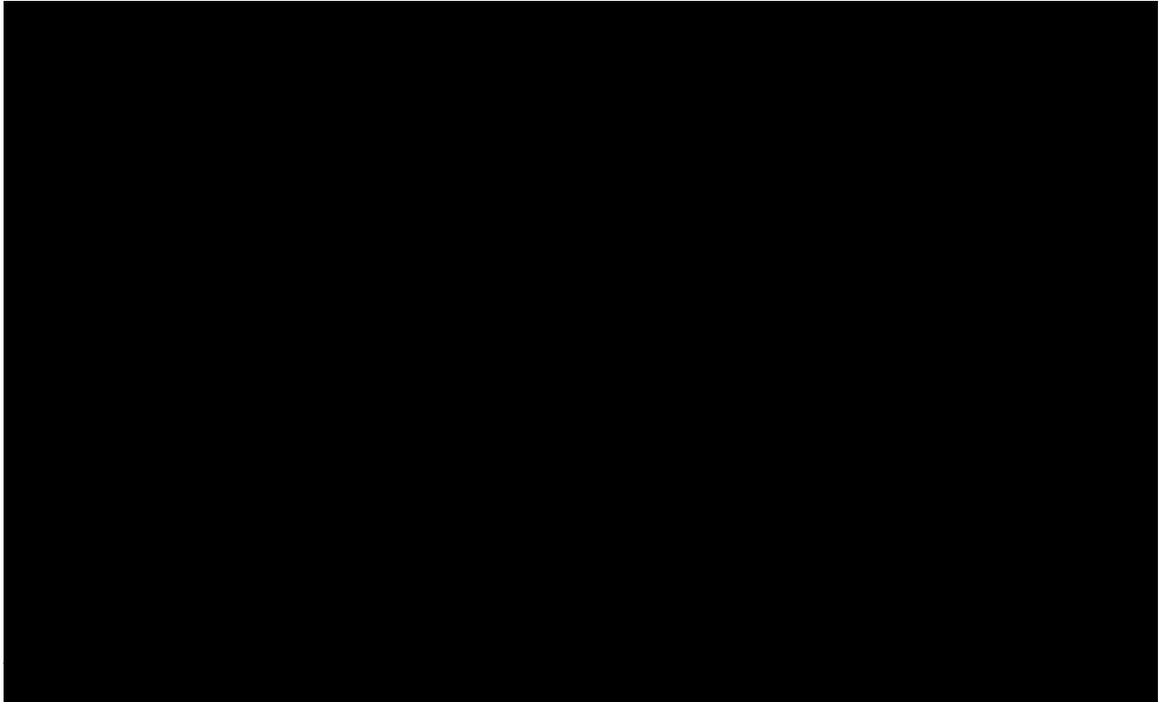
- Denver District Court – 8/2005 – 3/2008 – homicide criminal cases (ADC Contract)
- Boulder County Court – 8/2005 – present – misdemeanor criminal cases
- Boulder Municipal Court – 8/2005 – present – municipal criminal cases
- Longmont Municipal Court – 8/2015 – present – municipal criminal cases
- Superior Municipal Court – sporadically throughout past 5 years
- Lafayette Municipal Court – sporadically throughout past 5 years

15. List two litigated cases in which you participated as a judge or lawyer in the past five years, the names of the judges presiding, and the names of counsel. Please list current telephone (including area code) for each person identified.

1.



2.



16. List any lectures, speeches, or other presentations you have given and any such books or articles you have authored.

Speeches or Lectures

- *The Impact of United States v. Booker on the Federal Sentencing Practices in the District of Colorado* – CLE 2005
- *CCDB Road Show – Overview of the new Colorado State Supreme Court, Colorado Court of Appeals, United States Supreme Court and 10th Circuit Court of Appeals criminal opinions* – CLE 2006
- *Giving Effective Closing Arguments* – CCDB Advocacy Training 2006
- *U.S. Supreme Court Application of the Confrontation Clause in Crawford* – CLE 2009
- *Crawford and Child Hearsay* – Colorado State Public Defender Conference 2009
- *Defending Our Defenders: Representing Veterans in a Time of War* – Conference Organizer and Opening Remarks 2009
- *Still Chained: Over-Representation of African Americans in the Criminal Justice System* – Conference Organizer and Speaker 2010
- *Backward Design and Clinical Pedagogy* – ABA Clinical Conference 2010
- *Driving Under the Influence of Drugs* – CCDB CLE 2011
- *How to do Effective Voir Dire* – Univ. of Denver College of Law 2011
- *8th Amendment Cruel and Unusual Punishment Clause and Judicial Activism* – CU Law 2012
- *How to do Effective Voir Dire* – Univ. of Denver College of Law 2012
- *The Ins and Outs of the Fourth Amendment* – CU Law 2013
- *An Update on the Fourth and Fifth Amendment Law* – Colorado Municipal Judges Conference 2012
- *Causes of Wrongful Conviction* – CU Law 2014

- *Causes of Wrongful Conviction* – Summer CU Donors Conference (Vail, Colorado) – CU Law 2014
- *Tim Masters - As an Example of How Wrongful Convictions Happen* – Colorado Court Reporter’s Annual Meeting – 2014
- *Plea Bargaining and Its Effect on Justice* – Northern ACLU Meeting 2015
- *Plea Bargaining and Its Effect on Justice* – CU Law 2015
- *The Admissibility and Use of the Rules of Evidence for Investigators* – Colorado State Public Defender Conference 2015
- *Stop and Frisk – What is Trump Rooting For?* – CU Law 2016
- *The Causes of Wrongful Conviction – Three Case Studies* – University of Colorado Faculty Series 2017
- *Two Major Problems in the Criminal Justice System: Pre-Trial Incarceration and Unregulated Plea Bargaining* – CU Law 2017
- *Evidentiary Issues and Foundation for ESI Evidence* – CLE 2017

Other Trainings

Colorado State Boot Camp Instructor – 2008 - 2011

Articles, Papers, Books

*Outline of overview of the new Colorado State Supreme Court, Colorado Court of Appeals, United States Supreme Court and 10th Circuit Court of Appeals criminal opinions* -- CCDB Roadshow - 2006

*Res Gestae* - Colorado Lawyer – authored with Pat Furman

*DUI Benchbook* – Editor – 2016 – present

Amicus Briefs

- People v. Alejandro Perez*, 08SA130 Colorado Supreme Court – 2008  
Issue Raised – Concerning the disqualification of a District Attorney for the appearance of impropriety
- People v. Robert Ray and Sir Mario Owens*, 12SA94 and 13SA95 Colorado Supreme Court – 2013  
Issue Raised – Concerning the application of Rule 16 in post-conviction proceedings
- People v. Heather Beauvais*, Colorado Supreme Court – 14SC938– 2014  
Issue Raised – Concerning the application of the Batson tests in gender discrimination in voir dire

17. List your prior professional or business employment since completion of your formal education (include dates).

<i>Synod Residential Services</i>	1990 – 1991
Activities and In House Manager	

Group Home for Mentally Ill Adults  
Ann Arbor, MI

*Child and Family Services* 1991 – 1992  
Case Manager  
In Home Health Care Agency for Indigent Adults

*Judge David Ramirez* 8/1995 – 12/1995  
Judicial Clerk  
Denver Juvenile Court

*Colorado State Public Defender* 1/1996 – 2002  
Trial Attorney  
Arapahoe, Adams, Weld, Logan, Washington  
Denver Counties, Colorado

*Colorado State Public Defender* 2002 – 4/2004  
Division Lead  
Attorney  
Denver, Colorado

*Federal Public Defender* 4/2004 – 8/2005  
Attorney  
Denver, Colorado

*University of Colorado, School of Law* 8/2005 – present  
Clinical Law Professor  
Boulder, Colorado

*University of Colorado, School of Law* 1/2015 – 8/2015  
Interim Dean of Admission  
Boulder, Colorado

18. If you have not been employed continuously since completion of your formal education, describe generally what you were doing (include dates).

I have been employed continuously since my completion of law school.

#### **D. PROFESSIONAL AND PUBLIC SERVICE**

19. List activities in professional associations, including offices held, committees, awards, honors, and citations (include dates).

Award

Calhoun Award for Public Service 2014

Professional Associations

Pro Se Litigation Committee 2018  
Federal District Court

Colorado Criminal Defense Bar – Member Since 1998  
Planning and Awards Committee – 2006 – 2010  
Member Amicus Committee – 2008  
Sub Group to Create Law Only List Serve – 2009  
Board Member – 2010 – 2011  
Co- Chair Boulder Chapter – 2014 – 2015  
Colorado Bar Association Member – 2006 – 2010  
Criminal Law Section Board – 2006 – 2010

Colorado Juvenile Justice Coalition 2008

National Association of Criminal Defense Lawyers – Member 2005 – 2010

Colorado Criminal Justice Reform Coalition - Volunteer (study of the rise of women in Colorado Prisons) – 2009

Trial Advocacy Task Force 2008

20. List your activities in civic and charitable organizations, including offices held, awards, honors, and citations (include dates).

Big Sisters Program 1995 - 1998  
Denver Homeless Shelter 2008 – 2010  
Women’s Bean Project 2014  
Boulder Valley Women’s Health 2016 – 2018  
- Award Best New Designer (2016)  
Condom Couture

21. Describe any policy advocacy or lobbying experience.

Over the past six years, I have been in working to overturn the homeless camping ban in Boulder, Colorado. We have met with City Council members several times in an attempt to have

them either repeal or change the law. I have also testified at City Council asking that the Council remove the law or change the law.

22. List the names of no more than three individuals from whom you are requesting a letter of reference.

1. Professor Colene Robinson
2. Attorney David Wymore
3. Yona Porat

### **E. PROFESSIONAL CONDUCT AND ETHICS**

23. Have you ever been cited for contempt of Court? If so, please give detail.

I was held in direct contempt during a jury trial by Judge Frank Martinez. I was defending a First Degree Assault, Habitual Criminal case. My co-counsel was Liz Castle. Liz had recently returned from maternity leave and was nursing. At lunch one day during trial, the Court had told us we would only have half an hour for lunch. Liz and I asked for a full hour so that she could pump breast milk for her new-born child. The Court agreed. However, after half an hour we got a call that we were late for Court. We went back and the Court held us in contempt and order that we pay a fine. Later that day, he withdrew the contempt finding and the fine.

24. Have you ever been disciplined or sanctioned for a breach or possible breach of ethics or unprofessional conduct by the Supreme Court Grievance Committee, the Attorney Regulation Committee, the Presiding Disciplinary Judge, the Colorado Supreme Court, the Commission on Judicial Discipline (including a private letter of admonition, reprimand, or censure), or by any administrative agency or disciplinary committee? If so, please give details. -- No

25. Do you know if any proceeding is pending against you before the Attorney Regulation Committee, the Presiding Disciplinary Judge, the Colorado Supreme Court, or by any administrative agency or disciplinary committee? If so, please give details. -- No

26. Have you ever been convicted of a felony, misdemeanor, or serious traffic offense? If so, please give details. - No

27. Is there any circumstance or event in your personal or professional life which, if brought to the attention of the Commission, might tend to affect adversely your qualifications to serve as the Colorado State Public Defender? If so, please explain. -- No

### **F. STATEMENT OF INTEREST**

28. Please attach a statement not to exceed two pages in length, double-spaced, discussing: (a) your knowledge and experience that qualifies you to serve as Colorado Public Defender; and (b) the reasons why you wish to be appointed as Colorado Public Defender and the leadership and other professional and personal qualities you would bring to the position.

Date: 5.25-2018

  
Signature of Applicant

Ann England  
Print or Type Name

It would be my greatest honor and greatest challenge to be the Colorado State Public Defender. For the last thirty years, I have consistently advocated for the poorest and most vulnerable members of our society. As a manager at a group home, I worked to improve living conditions for mentally ill clients. As a social worker, I worked with the elderly fighting for them to receive basic health care. As a public defender, I joined the talented rank of others fighting for justice in Court. As a homeless advocate, I lobbied City Counsel to end discriminatory ordinances against the homeless. At the law school, I trained young defenders, and established programs that train death penalty defenders and work to exonerate the innocent. Working for the poor defines who I am. No one will fight harder or smarter for the disenfranchised, poor and accused.

For 10 years, I was a trial lawyer in the Colorado State Public Defenders, then, the Federal Public Defender. In 2005, I became a clinical law professor in the criminal defense clinic. I came to Colorado Law not because I wanted to step away from being a public defender but because I wanted to have a broader impact. I dreamed of creating legions of strong, capable and inspired public defenders – and I have. To date, I have taught and supervised over a hundred law students who are now public defenders, in Colorado, and throughout the country. I taught them the fundamentals of criminal defense and instilled in them the critical importance of providing the best representation for the poor. I remain connected to them as they have grown as attorneys and I continue to offer them advice and support. I understand this generation of attorneys and their struggles. I am the right person to lead them.

Being at the law school has taught me more than how to be a great teacher. I have had to transition from being a trial lawyer to being a manager of trial lawyers. I have learned how to manage both my students and their caseloads to help them effectively represent clients, without me. I have learned how to create systems that solve problems; how to work with and supervise different types of people, and maybe most importantly, how to inspire.

Over the last 22 years as an advocate for the poor, I have learned how to be a creative, dogged and innovative leader and problem solver. In my role as the leader of the clinic, my students and I have worked to challenged injustice in creative ways. For example, upon learning of the lack of any defense attorneys in

the City of Longmont, we negotiated for my clinic to become the Longmont City Public Defender where we have changed the availability and quality of representation for the poor. When the homeless in Boulder were being ticketed and jailed for sleeping outside, we organized and took every camping case to trial and where we could not try the cases ourselves, we recruited volunteer lawyers to try them. We repeatedly challenged the constitutionality of the law and appealed it to the Colorado Supreme Court. We lobbied City Council to change the law; and we met with judges and prosecutors to change arrest, bond and sentencing procedures for the homeless.

I have also learned to solve problems creatively and effectively, in an institutional setting. Creating change in a large University involves listening to diverse needs, understanding complex funding and budgeting systems, and lobbying others to give their time, money and space to support new ideas. For example, in 2010, the Colorado Innocence Project lost its home and came to the law school. Over the next two years, my students and I evolved the project from a purely volunteer one. Now, with over \$500,000 raised, a full time director hired, and long-term operations established, the program is a permanent part of the University and investigates wrongful convictions across the State of Colorado. Further, when the National College of Capital Voir Dire, a program that teaches voir dire to capital defense attorneys, lost its sponsor and coordinator, I stepped in with my students. We raised money and developed a successful national program. In the past year, we trained 220 death penalty defenders from around the country on a life-saving method of voir dire. It is this type of creative and systematic problem solving that I will bring to the Colorado State Public Defender's Office.

I am passionate about this work and the people who do it. If given the opportunity as the next Colorado State Public Defender, I will build on the tremendous successes of the past, while implementing creative solutions for current critical challenges. It would be my great privilege to be the next Colorado State Public Defender and continue to build upon the system's legacy of providing the best legal representation to the most marginalized people in our society.