

PHILIP A. CHERNER

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Education

Cass Technical High School, Detroit, Michigan, 1968.

B.G.S., University of Michigan, 1972.

J.D., Vanderbilt University, 1975.

Legal Experience

Sole Practitioner, 1996 - present.

Litigation practice emphasizing state and federal felony criminal defense (trial and appeals), attorney grievance matters and bar admissions.

Partner, Cherner & Blackman, 1990-1995.

Litigation in state and federal courts, emphasizing criminal defense.

Associate, Stayton and Brennan, 1988-1990.

Litigation in state and federal courts, emphasizing criminal defense.

Deputy State Public Defender, 1980-1988.

Defense of full range of felonies, with the emphasis on the more serious cases. Four first degree murder trials and about 80 felony trials altogether plus one or two appeals each year. Office Head, Littleton Public Defender Office, 1981-82. Trained and supervised the new attorneys in the Denver Trial Office in 1986-87.

Associate, Feuer, Flossic and Rich, 1976-1980; Solo Practitioner, 1975-1976

Most all aspects of civil and criminal litigation in such areas as criminal (felony, and misdemeanor), personal injury, bankruptcy, collections, divorce, administrative hearings, and commercial litigation. Appeals in the Colorado Court of Appeals, the Colorado Supreme Court, and the Tenth Circuit Court of Appeals. Civil and criminal cases in both state and federal courts. Approximately 25 jury trials.

Teaching Experience

Lecturer in Law, University of Denver Law School, 1988-91.

Adjunct Professor, University of Denver Law School, 1991- present.

Courses taught: Trial Practice and Professional Responsibility.

Supervising Attorney, The Parole Project, a clinical program, in conjunction with the University of Denver Law School and the Colorado Criminal Defense Bar, 2002-2004.

Awards

Abolitionist of the Year, 2005, awarded by Coloradans Against the Death Penalty.
Jonathan Olom Award, 2006, awarded by the Colorado Criminal Defense Bar.

Published Articles

In *The Colorado Lawyer*

- Jonathan Olom, July 2006.
- Fail the Jail (with Christie Donner), April 2005.
- Felony Sex Offender Sentencing, December 2004.
- Sentencing Dilemmas, October, 2000 .
- Significant Legislation in the Criminal Law Field in 1999 (with J. Middleton), August, 1999.
- Significant Legislation in the Criminal Law Field in 1998 (with J. Middleton), October, 1998.
- Communication Tools for the 21st Century, April, 1998.
- 1997 Criminal Legislation, September, 1997.
- 1996 Legislation in the Criminal Law Field, August, 1996.
- Colorado Felony Sentencing: Law and Practice, December, 1995 .
- The Attorney, the Client and the Criminal History: a Dangerous Trio, March, 1994.
- Criminal Law 1991 Legislative Update (with Pat Furman), October, 1991.
- Felony Sentencing in Colorado, September, 1989.
- Felony Preliminary Hearings in Colorado, June, 1988.
- Colorado Felony Sentencing-An Update, December, 1985.
- *Burns v. District Court*: Sentencing Enters a New Era, March, 1984.
- 1983 Statutory Revisions in the Criminal Law Field, October, 1983.
- Colorado Felony Sentencing, June, 1982.

Other

- *The Alibi Defense*, Trial Talk, Fall, 1987.
- Several articles for the Colorado Criminal Defense Bar newsletter (*The Rap Sheet*) over the years.

Lectures

- "Time Computation", Colorado State Public Defender Annual Conference, September, 2008.
- Sentencing Presentation to the Governor's Crime Commission, May, 2008.
- 2008 Legislative Update, Colorado Bar Association, March 2008 Criminal Law Seminar.
- October 2007 Core Skills Development for Criminal Defense Investigators, sponsored by the Colorado Criminal Defense Bar and the Colorado Alternate Defense Counsel.
- "Unauthorized Practice of Law" August, 2007, for CLE of Colorado (with James Coyle).
- "One Lawyer's Perspective", January and July, 2007, Colorado Probation Officer Training Session.
- "Felony Sentencing-- The Law" February, 2006, sponsored by the Colorado Criminal Defense Bar.
- Sex Offender Sentencing, panel discussion for the Colorado Supreme Court "Law for Journalists" seminar, February, 2006.
- "Confidentiality", December, 2005, Colorado Bar Association Criminal Law Ethics

Seminar.

- Motions in Third Degree Assault/DV Cases, October, 2005, for the Colorado State Public Defender.
- Sex Offenders on Probation, Parole and in DOC", August, 2005, sponsored by the Colorado Criminal Defense Bar (with Peggy Heil).
- "Drugs, Alcohol, Sex and Your License to Practice Law", June 2005.
- University of Denver Law School Third Annual Legal Ethics Symposium.
- "Confidentiality", November 2004, sponsored by the Colorado Criminal Defense Bar, Colorado Springs Chapter.
- "Confidentiality", November 2003, sponsored by the Colorado Criminal Defense Bar.
- "Post- Sentencing Issues", September 2003, Colorado State Public Defender annual conference.
- "Ethics in Juvenile Matters", March, 2003, Colorado Bar Association.
- "2002 Sentencing Update", March 2002, sponsored by the Colorado Bar Association.
- "State and Federal Sentencing" (with Rick Kornfeld), sponsored by NBI, Inc, April, 2001.
- "Sentencing Dilemmas", sponsored by the Colorado Bar Association, March, 2000.
- "Use of Experts in Crim. P. 35(c) Litigation," sponsored by the Alternate Defense Counsel, February, 1999.
- "Ethics and the Internet" (with Natalie Hanlon-Leh), sponsored by the Colorado Bar Association, December 1998.
- "Criminal Ethics in Family Law Cases," sponsored by the Colorado Bar Association, April, 1996.
- "Parole Issues in Sexual Assault on Children Cases", sponsored by the Colorado Criminal Defense Bar, December, 1989.
- Annual Lecture on recent legislation, Colorado Criminal Defense Bar, 1986-1989.
- "Felony Sentencing in State Court", Denver, Colorado, 1987, sponsored by the Colorado Criminal Defense Bar.
- "Recent Developments in Criminal Legislation", June, 1989, Denver Colorado, sponsored by the Denver Bar Association.
- "Felony Sentencing", Denver Colorado, 1988, sponsored by the Colorado Bar Association.
- "Defending Alibi Cases", Breckenridge, Colorado, October 1987, Colorado State Public Defender Annual Conference.
- "Dealing With the Mentally Ill Client", Copper Mountain, Colorado, October 1986, Colorado State Public Defender Annual Conference.
- "Self Defense", Copper Mountain, Colorado, October, 1984, Colorado State Public Defender Annual Conference.
- "Defense of the Alleged Child Molester: Salem Revisited", September 15, 1984, Denver, Colorado, sponsored by the Metropolitan State College Department of Conferences and Seminars and the Colorado Division of Mental Health.
- "Sentencing in State Courts", Denver, Colorado, 1983, sponsored by the Denver Bar Association.
- "Client Interviewing" Denver, Colorado, October 15, 1983, sponsored by the Colorado Criminal Defense Bar.
- "Collateral Attack in Criminal Cases", Boulder, Colorado, June, 1982, sponsored by the Colorado Criminal Defense Bar.

- "Jury Selection in Police Abuse Cases", Estes Park, Colorado, sponsored by the National Lawyer's Guild.
- "Defending the Driving Under Suspension Case", February 9, 1980, seminar on Motor Vehicle Law, National Lawyer's Guild and Colorado Women's Bar Association.

Professional Memberships

- Colorado Bar Association
- Denver Bar Association
- Colorado Criminal Defense Bar
- National Association of Criminal Defense Lawyers
- Faculty of Federal Advocates

Additional Professional Activities

- Denver Marijuana Policy Review Panel, 2007-present.
- Denver Crime Prevention and Control Commission, 2005-present.
- Denver Mayor's Task Force for a New Criminal Justice Center, 2004-05.
- Founder of The Parole Project, 2002.
- Colorado Supreme Court Committee on the Rules of Evidence, 2001 - present.
- 2nd Judicial District Judicial Performance Commission, 2000 - 2005.
- Colorado Criminal Defense Bar, Board of Directors, 1998- 2002, 2004-2008.
- Colorado Supreme Court's Committee on Criminal Rules, 1985-99.
- Denver Mental Health Corporation, Board of Directors, 1991 to 1994.
- Mental Health Advisory Committee, which advises the Department of Institutions regarding regulations governing involuntary commitments, January, 1993 - March, 1994.
- Colorado Criminal Justice Commission's Subcommittee on Sentencing, 1992 - 1994.
- Arapahoe County Community Corrections Board, 1981-82.
- Citizens for Correctional Reform, Board of Directors, early 1990's.