

# JOEL H. GREENSTEIN

by Bill Trine



*Bill Trine practiced law with Joel Greenstein throughout his career. He is a senior attorney and shareholder of Williams & Trine, P.C., Boulder, and a noted author, teacher and trial lawyer.*

**J**oel H. Greenstein's career as a lawyer began in the spring of 1961 in Boulder, and ended with his death, at age 50, in 1984. In a span of only twenty-three years, he became an outstanding trial lawyer and is now being honored, not only as a lawyer, but as an exceptional person who touched the lives of many people.

## Personal Facts

The oldest of three brothers, Joel was born in Brooklyn, New York, on December 11, 1933. He attended public schools in New York before obtaining a B.A. degree from the University of Illinois in 1956. He then returned to New York to work and save for graduate school. While working as a "soda jerk" in Flushing, New York, he met Catherine Franceschiello. They were married in 1959 and immediately moved "out west" to attend law school at the University of Colorado. While in law school, he distinguished himself by authoring a paper on copyright law that won first place in a national contest. He was also employed as a librarian in the law school library.

Upon graduation from law school in 1961, he began working for the law firm that would later bear his name, Williams, Trine & Greenstein.<sup>1</sup> He remained with the firm his entire career.

Joel and Catherine had five children. To say that Joel was a family man is a gross understatement. He was extremely proud of each of his children and always had time for them despite his busy law practice. He rarely missed any of his children's sporting or extracurricular events. Joel was a man who loved the law and all that the profession stood for. Consequently, he left his children with a great respect for the law and strong feelings that the legal profession is something special. His oldest son, Guy, is an attorney in Boulder; his other son has an MBA and plans to attend law school. Two of his daughters married attorneys and a third

daughter's husband is about to begin law school.

In a Christmas newsletter to relatives and friends, Joel wrote on December 19, 1983: "Catherine and I are still very much in love, and we will be celebrating our 25th wedding anniversary January 3, 1984. We are proud of this accomplishment, especially in this day and age."

In addition to his love of family and the law, Greenstein had a life-long passion for the game of baseball. He played baseball or softball most of his life, including a stint as a catcher on a semi-professional baseball team. He was a die-hard New York Yankees fan as was his close friend, District Court Judge Murray Richtel. These two baseball fanatics would travel together to New York just to see the Yankees play. No one who knew Joel can attend a Rockies game without thinking of him and how much he would have loved the team and trips to Coors Field.

Joel began coaching little league baseball in 1967 when his oldest son began playing. He so enjoyed coaching that he continued to do so until 1982, when he had to stop because of his failing health. He coached numerous little league and pony league all-star teams during the 1970s and 1980s. His players were always prepared and well-schooled in the fundamentals. He was able to instill in his players the same love for the game of baseball that he possessed. Teams that he coached won multiple district and state titles. In 1985, as a tribute to his years of service to youth baseball, and success in coaching and teaching young people, the City of Boulder named the North Boulder Baseball Complex the Joel H. Greenstein Memorial Baseball Park.

## The Lawyer

Joel began practicing law in the days when judges were elected, not appointed, and when Boulder County was one of four counties in a single judicial district containing a total of only three district court

judges.<sup>2</sup> Joel quickly learned that each judge had his own local rules, and to be successful as a trial lawyer it was important to know those rules, as well as each judge's politics and idiosyncracies.

He knew for instance, that Judge William Buck in Boulder would not tolerate a lawyer stepping on the State of Colorado Seal located immediately in front of the bench, making it difficult to hold a bench conference without being held in contempt. He also soon learned that Judge Dale Shannon in Fort Collins would not grant a divorce to a spouse who had committed adultery, despite statutory and case law to the contrary. Hence, Joel never alleged adultery as a ground for divorce. Likewise, he discovered that Judge Donald Carpenter in Greeley had a unique method of promoting settlements during in-chamber meetings with counsel—he would simply announce what his findings would probably be at the conclusion of the case if they proceeded to trial.

There was no public defender system in 1961, and the youngest lawyers were appointed to represent the indigent in criminal cases. The Justice of the Peace courts thrived, and young lawyers gained experience there as well. Since law schools did not offer trial advocacy courses, Joel developed his trial skills by frequently appearing in court. In later years, he would tell the story of attending a trial with his mentor, Charles E. Williams, who turned to him as the judge entered the courtroom to instruct the jury, and said, "Why don't you make the closing argument?" He did so, in great fear and without notes.

As Joel became an accomplished trial lawyer, he likewise became a mentor for

*The author acknowledges with appreciation his partner, Conrad Metcalf, and Joel Greenstein's widow, Cathy Greenstein, and his son, Guy Greenstein, for sharing insights, warm and loving memories and personal anecdotes.*



younger lawyers in his law firm. Boulder District Court Judge Morris Sandstead recalls:

He was my mentor and my best friend for more than sixteen years. I can remember the first closing that I ever gave to a jury. He listened to my silence, my fear, and my attempts to breathe as he walked me all over the town of Brighton during the two hours before the event. Later, and for many years, I was pierced by his constructive criticisms of that closing and its preparation.

A district judge before whom Joel frequently appeared once confided in Judge Sandstead that he made his findings based on Joel's cross-examination. Sandstead states, "Joel didn't always prevail, but he only asked questions about the disputed issues in the case. I can only wish that all lawyers had a mentor like Joel Greenstein."

During his career, Joel developed a statewide reputation as an expert in domestic relations litigation, as well as personal injury trial work. A good measure of the success of a trial lawyer is the respect shown for him by his adversaries, and lawyers who opposed Joel had great respect for him. He was honest, ethical and reasonable, yet tough and unyielding in court.

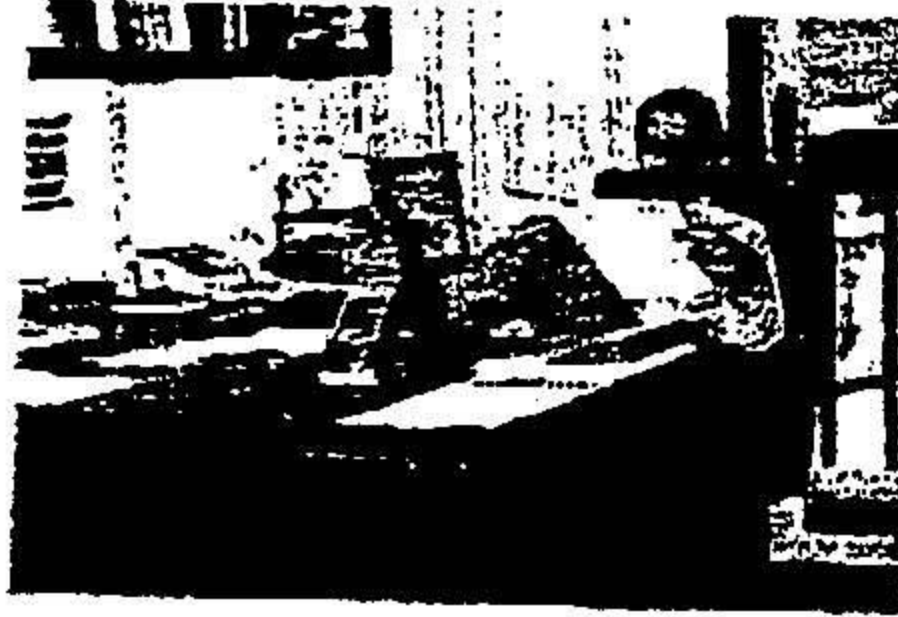
### Accomplishments

Greenstein was a visiting lecturer in trial advocacy at the University of Colorado School of Law for several years and was active in bar association activities. He served on the Board of Trustees of the Boulder County Bar Association from 1974 to 1976, was chairman of that association from 1970 to 1973 and served on many committees. He served as a member of the Board of Directors of the Colorado Trial Lawyers Association, was president in 1981-1982, and served as chairman of the Amicus Curiae Committee for many years. He also served as a member of many state bar committees and as a member of the CBA Board of Governors from 1981 to 1983.

### The Man

As a trial lawyer, athlete and later as a coach, Greenstein was fiercely competitive, yet he was a gentle person and a kind and loving man. He related to people and represented them rather than institutions. He was known to remind a newly appointed judge that the first cardinal rule of justice is to side with the people against insurance companies, the government and

banks. However, he was fiercely loyal to select institutions: his family; the Democratic Party; his "fellow landmen," as he referred to his Jewish brethren; his law firm; and the Boulder Baseball Association. He was at his best when he was being witty and caustic, with cigar in hand and feet on his desk.



Although Joel was a gentle person, he was not weak. He had an inner peace and security that enabled him to focus on others—to direct his energies to the projects and people that he cared for. His inner peace and security were so complete, there seemed no need to test it with alcohol or drugs, disturb it with unnecessary confrontations or contaminate it with egomania. Nevertheless, he was tolerant and somewhat bemused by those of us who are, at times, compulsively excessive.

A cynic might argue that Joel did have his faults. He was so patriotic, it was almost disgraceful: Fourth of July picnics, apple pie, the "good ol' USA," the New York Yankees, *BASEBALL*, hot dogs and basketball. He even felt good about paying taxes—"someone has to pay taxes," he would say. He was the liberal converse of Archie Bunker. The essence of Greenstein was that he gave far more than he received, and what he received, he multiplied and returned.

Judge Sandstead described Greenstein at his memorial service in 1984 as follows: He seemed to me the perfect pattern of the reasonable man, as full of respect for others as for himself, with humility, as well as pride of intellect. He had a rapier wit sometimes sharpest felt by those he was close to. Joel was a devoted family man; some would say "old-fashioned." (I remember having dinner at the Greensteins' and it was best described as bedlam.)

Joel's wife, Cathy, described the family dinners as "everyone talking as Joel sat and attentively listened until the conversations grew louder and more argumentative. He then interrupted and with a sentence or two cut to the heart of the issues and reduced chaos to reason and understanding."

### Courage and Devotion

As Joel began losing his valiant fight against cancer, his interest in the law and his clients was so intense that he continued to come to the office in his weakened condition, never losing his inner strength and wit. When he no longer had the energy to move about, he asked that important legal documents and literature be brought to his home. On one such occasion, I went to his home to keep him company. He seemed to be asleep on the couch, eyes closed, as I described to his wife, Cathy, a new medical negligence lawsuit that we were investigating. Although Joel had not uttered a word and seemed to be asleep, he interrupted with a whisper saying, "Who is the doctor?"

Joel's family cared for him during the last months of his illness and were at his side when he died at home on July 13, 1984. Following his death, Joel's oncologist, Dr. Alan Snyder, described what many people experienced who knew Joel: "I felt a 'special' relationship with Joel. This was extremely gratifying to me. I learned a lot about courage and humility from him." In similar fashion, one of Joel's former partners, Keith Zook, wrote to me, as follows:

I always learned from Joel, no matter what topic we were discussing. I learned even more from seeing him with people, in and out of court. There are those in your firm who don't know that I claim the honor of having practiced with Joel, proclaim it for me if the opportunity arises.

In honor of Joel Greenstein, the Colorado Trial Lawyers Association established annual scholarship awards to University of Colorado Law School students who excelled in the advanced trial advocacy program, which, coincidentally, in 1985 was taught by another of Joel Greenstein's former partners, Supreme Court Justice William Neighbors.

Joel Greenstein will be long remembered by the many people he touched during his lifetime—lawyers, students, judges, clients, friends and family.

### NOTES

1. Williams & Zook. The law firm was located at 1405 Arapahoe in Boulder and, in 1978, moved next door to its present location at 1435 Arapahoe.

2. Judge Donald Carpenter in Greeley, Judge Dale Shannon in Fort Collins and Judge William Buck in Boulder. They were "roving" judges who would circulate and hear cases in each of the four counties in the district: Larimer, Weld, Jackson and Boulder.



## Rothgerber Results

Over 250 students, faculty, and guests watched in the Courtroom or on video as law students Deborah Cooper, Jane Goltermann, and Carol Haller successfully argued an immigration law case against Kristopher L. Hammond (son of Lynn A. Hammond, '60), Ann Kaufman, and Patrick D. Vellone in the finals of the Rothgerber Moot Court Competition. The panel of judges, Abner J. Mikva of the U.S. Court of Appeals for the District of Columbia Circuit, Shirley S. Abrahamson of the Wisconsin Supreme Court, and Alex S. Keller, President of the Colorado Bar Association, commended all the participants on their excellent arguments. Deborah Cooper won the Austin W. Scott, Jr. award for the best oralist.

The Rothgerber Moot Court was founded in 1951 by Ira C. Rothgerber, Jr. ('35), to honor his father Judge Ira C. Rothgerber, who had graduated from the Law School fifty years earlier.



Rothgerber Moot Court Panel (L-R) Alex S. Keller, CBA President, Abner J. Mikva, U.S. Court of Appeals for the D.C. Circuit, and Shirley S. Abrahamson, Wisconsin Supreme Court, congratulate the winning team.

## Joel Greenstein Memorial Scholarship Fund

A Scholarship fund, which will provide financial assistance to a deserving third-year law student, has been established in memory of Joel Greenstein by the Colorado Trial Lawyers Association. Mr. Greenstein served as president of the Association in 1980. The firm of Williams, Trine, Greenstein and Griffith, P.C., of which Mr. Greenstein was a member, has also made a substantial contribution to the fund. Mr. Greenstein, who graduated from the School of Law in

1961, won a nationwide competition for a paper on copyright law while he was a student. Notwithstanding the demands of his trial practice and his commitments to many professional organizations, Mr. Greenstein found time to support the Law School in many ways. For three years, he served as a Visiting Lecturer at the Law School, teaching a course on Trial Advocacy. The fund is a fitting tribute to a lawyer described by his peers as a person "who gave more than he received and who multiplied and returned what he did receive."

## Scholarship Winners

This year's recipients of scholarships supported by donations from alumni and friends of the Law School are: **Welda and Gordon Allott Natural Resources Law Scholarship** (to a second- or third-year student who demonstrates financial need and a strong interest in natural resources law), George Cave; **William J. Bowe Scholarship** (to a student who demonstrates academic achievement, financial need, and an interest in practicing in the areas of Taxation and Estate Planning), Elizabeth Brown; **Jean S. Breitenstein Law Clerks Scholarship** (to a third-year student who demonstrates high academic achievement, financial need, and intends to practice in Colorado), Charles Beach; **John A. Cross Memorial Scholarship** (to a Colorado resident who is a veteran or a member of the immediate family of a veteran), Linda Perkins; **Davis, Graham & Stubbs Scholarship** (to a second- or third-year student who demonstrates high academic achievement and a commitment to the improvement of the legal profession and enlargement of its contributions to the public interest), Sally Easter; **Bernard J. Seeman Scholarships** (to entering students and continuing students who demonstrate extraordinary academic achievement and potential), awarded to the following entering students: Deanne Andrews and Renee Ozer; **The Fleming Scholarship** (to a student or students who exemplify the achievements of John Donaldson Fleming, Dean of the Law School from 1907 to 1927), Michael Miner; **Lasky Scholarships** (to students in memory of Ida Lasky, the mother of Moses Lasky), Wanda Abel and Stacey Worthington;

**Chuck Mau Law Scholarships** (to students who are Colorado residents and show exceptional scholastic ability and financial need), Thomas Stover and Sharon Thomas; and the **Leon and Dora Wolf Scholarship** (to second-year students who rank in the top 15% of the class, have financial need, and demonstrate a substantial commitment to work on the *Law Review*), George Cave, Gregory Costello, John Greer, William Mooz, David Negri, and Wendy White.

## New Director of Career Services and Alumni Relations

*Martha S. Nachman*, a 1974 graduate of the University of Chicago Law School, has joined the Law School as the new Director of Career Services and Alumni Relations. Her position will be a half-time position. Before receiving her law degree, Nachman graduated from Tulane with a degree in economics. After graduation from law school, she practiced one year with the firm of Antonow & Fink and four years with Adams, Fox, Adelstein & Rosen in Chicago. While in private practice she participated in all aspects of her firms' hiring procedures. She has also worked closely with the Assistant Dean for Alumni Relations and Development at the University of Chicago Law School.



Martha Nachman,  
Director of Career  
Services

## Visiting Faculty

The Law School has two distinguished visiting faculty for the academic year 1984-1985.

*Mary G. Allen* ('70), a specialist in civil procedure, taught Civil Procedure I and Domestic Relations in the fall and is teaching Civil Pro-

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