



CURRICULUM VITAE

Iris Eytan, Eytan Nielsen LLC
iris@eytan-nielsen.com

EDUCATION:

- University of San Diego, J.D., 1994
- University of Arizona, B.A., with honors, Psychology, 1991

BAR & COURT ADMISSIONS:

State of California (1994); State of Colorado (1998); U.S. District Court for the District of California (1996); U.S. District Court for the District of Colorado (2001)

LEGAL EXPERIENCE:

- 2015 – Present Founder, Eytan Nielsen LLC, Denver, CO
- 2001 – 2015..... Partner, Reilly Pozner LLP, Denver, CO
- 1999-2001 Deputy State Public Defender, Arapahoe, CO
- 1997-1999 Senior Attorney, Legal Center for People with Disabilities and Older People, Denver, CO
- 1995-1997 Senior Attorney, Legal Advocates for Children and Youth, San Jose, CA
- Apr-Jun 1995..... Trial Attorney, Bazelon Center for Mental Health Law, Washington, D.C.
- Wyatt Ex. Rel. Rawlins v. Sawyer*, 80 F. Supp. 2d 1275 (M.D. Ala 1999).
- 1994-1995 Staff Attorney, Disability Rights Advocates, Oakland, CA

1993 Project Coordinator/Intern, Bazelon Center for Mental Health Law and ACLU, Montgomery, AL

RECOGNITION:

2019 Team of the Year (Jail Wait Litigation), Colorado Lawyers Committee

2018, 2019 Best Law Firms for Colorado Criminal Defense: White-Collar by U.S. News & World Report

2018, 2019 Best Law Firms for Colorado Criminal Defense: General Practice by U.S. News & World Report

2011-2019 Listed in The Best Lawyers in America® in the area of Colorado Criminal Defense: General Practice

2011-2019 Listed in The Best Lawyers in America® in the area of Criminal Defense: Non-White Collar

2018 Past Chair Award, Colorado Lawyers Committee

2018 "Best Law Firms for Criminal Defense: General Practice" by U.S. News & World Report

2018 "Best Law Firms for Criminal Defense: White-Collar" by U.S. News & World Report

2017 Raising the Bar Honoree, Colorado Women's Bar Association, Foundation

2017..... Award of Team of the Year from the Colorado Lawyers Committee

2016-2017..... "Best Law Firms" by U.S. News & Best Lawyers

2016-2019 "Top Lawyer in Denver & Beyond" by 5280 Magazine

2015-2019..... "Top Lawyers" in Criminal Law by 5280 Magazine

2014-2019..... "Top 100 Lawyers" by Colorado Super Lawyers®

2012-2019 "Top 50 Women Lawyers" by Colorado Super Lawyers®

2006, 2009-2016 Listed in Colorado Super Lawyers®

2005-2016 AV rated by Martindale-Hubbell®

- 2013 Award of Special Recognition from the Colorado Lawyers Committee
- 2008 “Top Woman Lawyer” by Law Week Colorado
- 2005 Awarded the Colorado Lawyers Committee “Community Contribution Award”

PROFESSIONAL AFFILIATIONS:

Chair, Colorado Lawyers Committee, Colorado Lawyers Executive Committee, 2016-2018

Co-Chair with NACDL, National Criminal Defense Forum on Forensic Mental Health & the Law, 2013

Chair of the Colorado Lawyers Committee 2016, Colorado Lawyers Executive Committee

Co-Chair, Colorado Lawyers Committee Criminal Justice/Mental Health Task Force

Member, Board of the Colorado Criminal Defense Bar, 2013-present

Member, Colorado Women’s Bar Association, 2017-present

Board Member, Capitol Hill Community Services, 2005-present

Legal Co-Chair, 18th Judicial District Mental Health Court Project, 2008

Task Force Member, Department of Human Services Competency Committee, 2006

LITIGATION AND TASK FORCE MEMBERSHIP:

- 2016, In *People v. Thomas Fallis*, Iris and her partner, Dru Nielsen, exonerated Mr. Fallis after a three-week jury trial. Mr. Fallis was falsely accused, indicted, and charged with Murder in the Second Degree. The case was fueled by the media and family members who caused the case to be re-opened in 2014 after the death was ruled a suicide in 2012 by five law enforcement agencies whom investigated the case.
- 2015-2016, Lead counsel in *Center for Legal Advocacy v. Bicha, et al*, in the Motion to Re-Open Settlement Agreement. Resolved motion without hearing by revisions to the settlement agreement to include an independent consultant to be paid by the Colorado Department of Human Services to ensure compliance with the Agreement. *Center for Legal Advocacy v. Bicha, et al*, No. 11-CV-2285-NYW.

- 2015, Co-lead counsel in the *Castorena-Mares v. Judge Marcucci* and the Denver County Court to cure the illegal bond setting practices in Denver County Court. The County Court judges were sued resulting from setting bond on misdemeanor cases in chambers without a hearing or argument by defense counsel in violation of Colorado Law.
- 2014, Lead counsel pursuing enforcement of the Victim Rights Act for the Autobee family. This unique representation centered on the Autobee family's position against the prosecution's pursuit of the death penalty of their son's killer, Edward Montour. The family requested that the prosecution allow Montour to receive a sentence without the possibility of parole and filed a motion to be permitted to testify as to the request for a life sentence. *People v. Montour*, Douglas County District Court, No. 02-CR-782.
- 2012-2013, Co-lead counsel in the *Legal Center v. Bicha, et al.*, obtained a landmark settlement with the State of Colorado in a federal lawsuit over provision of competency evaluations to pre-trial detainees. Received an Award of Special Recognition in 2013 from the Colorado Lawyers Committee in recognition of the work in this matter. *Legal Center v. Bicha, et al.*, No. 11-CV-2285-BNB (D. Colo. 2011).
- 2012, In *People v. Tyler Sanchez*, Iris successfully convinced the prosecution to dismiss Mr. Sanchez' case after three years of protracted and complex litigation. Mr. Sanchez is a developmentally disabled young man, who was wrongly accused of committing a serious crime, and who falsely confessed to the crime, after being interrogated by multiple police officers over a two day period in which he was in custody and not permitted to contact his parents. *People v. Sanchez*, Douglas County District Court, No. 09-CR-445.
- 2008, Iris Eytan was named to the group of Colorado state officials tasked with researching and rewriting Colorado's Competency Statute, HB 08-1392, which directs how and when mental incompetency is raised and evaluated. The bill became law in 2008. The group remains active, pursuing additional changes to the statute.
- 2007, In *People v. Eugene Zuniga*, the court determined that Colorado failed to provide timely court-ordered competency hearings and evaluations for 81 county-jail inmates whose competency to stand trial was in question. As a special prosecutor for the case, Iris forced the State to properly fund the programs and facilities needed for those inmates to get proper care. Following this decision, she was appointed as special counsel to the court – reporting on the treatment of the mentally ill in the criminal justice system. *People v. Zuniga*, Denver County District Court, No. 06-CR-999.

- 2004, With seven other attorneys, Iris created a task force on behalf of the Colorado Lawyers Committee to defend individuals at the State Hospital in Pueblo who pled Not Guilty by Reason of Insanity. For this role, she and her colleagues were awarded the Colorado Lawyers Committee “Community Contribution Award.”

LECTURES:

- “Cross of an Expert on Competency,” National Association of Criminal Defense Lawyers (NACDL), 2018 Fall Meeting & Seminar, Decoding & Litigating Mental Health Issues
- Lecturer, “Effectively Presenting Forensic Evidence at Trial Using Experts and Demonstratives,” National Association of Criminal Defense Lawyers (NACDL), Making Sense of Science X Conference, 2017
- Lecturer, “Show and Tell: A Demonstrative Approach to Expert Testimony,” Alternative Defense Counsel and Criminal Justice Panel, Experts CLE, 2017
- Lecturer, “Understanding Forensic Mental Health,” National Association of Criminal Defense Lawyers (NACDL), 8th Annual Forensic Science and the Law Conference, 2015
- Lecturer, “Challenging the State’s Competency Mental Health Expert,” Colorado Criminal Defense Bar, 2014
- Lecturer, “Trial Tactics, Openings and Closings of Trial,” University of Colorado School of Law, 2014
- Lecturer, “The Truth is: Individuals with Mental Impairments Falsely Confess,” Colorado Criminal Justice Act-Standing Committee, Annual CLE Training, 2014
- “Top 10 Forensic Mental Health Issues” Colorado State Public Defender’s 2015 Annual Conference, Keynote Speaker, 2015
- Interviews with the Associated Press regarding the Insanity Defense and James Holmes Trial, 2015
- “Top 10 Forensic Mental Health Issues” National Association of Criminal Defense Lawyers, NACDL’s 2015 Forensic Law Meeting, Las Vegas, April 2015
- “People with Mental Impairments who Falsely Confess,” American Academy of Psychiatry and Law Annual Conference, Chicago, April 2014
- “Demonstrative Evidence: Pictures of Winning,” National Association of Criminal Defense Lawyers, NACDL’s 2014 Annual Meeting, Philadelphia, July 2014

- “Sex, Booze and the Law,” University of Denver Fraternities and Greek Life Organization, May 2014
- “False Confessions and Competency Issues to Waive Miranda,” Capital Case Litigation Training Conference for the Office of the Public Defender of the State of Delaware, May 2014
- “Insanity Defense and Mental Competency in the Colorado Courts,” University of Colorado Denver School of Public Affairs, April 2014
- “Case of False Confession and Incompetence to Waive Miranda: Language and Learning Disabilities in Criminal Defense,” From Sexual Sadism to Maternal/Fetal Rights: The Wide World of Forensic Mental Health, Tulane University 2014 Forensic Psychiatry Conference, April 2014
- “Character & Fitness in the Bar Admission Process,” University of Denver Sturm College of Law, March 2014
- “Sex, Booze and The Law,” Kent Denver School, March 2014
- “Presentation re: Tyler Sanchez Case,” University of Denver Sturm College of Law, February 2014
- “Celebrity Court Radio Show,” Elizabeth Kelly Blog Talk Radio, November 2013
- “A Case of False Confession and Incompetence to Waive Miranda: Language and Learning Disabilities in Criminal Defense,” Presentation for Grand Rounds, Department of Psychiatry at the University of Colorado School of Medicine with and on behalf of Dr. Richard Martinez, MD, MH – Director, Forensic Psychiatry, Denver Health Medical Center and Director, Forensic Psychiatry Fellowship, UCDSM, Dept. of Psychiatry, November 2013
- “Police & Doctors & Judges Oh My! Representing Clients with Mental Impairments,” Wisconsin State Public Defender’s Conference, November 2013
- Street Law: In Re Gault,” East High School, 2013
- “Opening Remarks and Introductions,” National Criminal Defense Forum and Forensic Mental Health and the Law,” National Association of Criminal Defense Lawyers (NACDL), September 2013
- “Trial Tactics: Openings and Closings of Trial,” University of Colorado School of Law, 2013
- “Mental Health Defenses,” Metropolitan State University of Denver, 2013
- “Sex, Drugs, and the Law,” Kent Denver School, May 2013
- “The Insanity Defense with Joe Scarborough,” MSNBC, 2012
- “Insanity Defense Looks Likely in Holmes Case,” USA Today, 2012

- “Trial Tactics: Theory,” University of Colorado School of Law, 2012
- “What I’ve Learned From Representing the Incompetent in an Incompetent System,” Colorado Public Defender Annual Fall Conference, 2012
- “Pro Bono Practice at Law Firm,” University of Denver Sturm College of Law, 2012
- “Sex, Drugs, and the Law,” Kent Denver School, May 2012
- “Demonstrative Evidence,” National Association of Criminal Defense Lawyers (NACDL), Winter Conference, 2009
- “Competency Statutes Post Zuniga,” Colorado Judicial Conference, 2009
- “Competently Representing the Incompetent,” Colorado Criminal Defense Bar (CCDB), 2008
- “Competency Statutes,” Probate Court Panel, 2000

PUBLICATIONS:

- Eytan I, Lynch, J, “The Importance of Visual Presentation at Trial,” *The Champion*, January-February 2016:14-18.

PRIOR EXPERT TESTIMONY:

- December 2018, *Sanchez v. Detectives Duffy and Mykes*, 11-CV-01945, Criminal Defense Expert in Criminal Competency.
- February 2016, *People v. Jakob Mayer*, 11CR796 and 04CR2329, Criminal Defense Expert Specializing in Forensic Mental Health Law and Competence