

MARK COHEN, J.D., LL.M.



A Knowledgeable, Effective, and Witty CLE Speaker

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"Mark Cohen has served as faculty for Colorado Bar CLE and he has a wonderful ability to connect with his audience. His content and delivery were outstanding." - Gary Abrams, Executive Director, Colorado Bar CLE

"How to Draft a Bad Contract is 'Simply Brilliant.'" – Steven Pinker, Harvard University

"Thank you! Now I understand. You have a gift for presenting complex topics in a practical, entertaining, and easy to understand manner." – Webinar Attendee

Mark has presented courses for organizations that include the [Colorado Bar Association](#), the [Nebraska State Bar Association](#), the [Colorado Municipal League](#), [Lorman Business Seminars](#), [MESA CLE](#), and [Rossdale CLE](#). He served as a military law analyst for [MSNBC](#) and appeared on the Today Show. Mark successfully competed in humorous speech contests at a high level for twelve years. A former chairperson of the Advisory Board of [The Colorado Lawyer](#) magazine, Mark has written numerous legal and non-legal articles. His mysteries, [The Fractal Murders](#) and [Bluetick Revenge](#), were published by Time-Warner. [The Fractal Murders](#) was a Book Sense® Top Ten mystery pick.

Mark's popular presentations include:

- **[How to Draft a Bad Contract™](#)**. Mark created this entertaining program based on his article, [How to Draft a Bad Contract](#). Course materials include a copy of Mark's article and a PowerPoint presentation that includes numerous boilerplate clauses in plain English and explains why they are important. Designed to be a ½ day program, Mark can present a shorter version or combine it with his Plain English program for an all-day event.
- **[A Brief History of Piercing the Corporate Veil™](#)**. ([Click for PowerPoint](#)). Mark first became interested in this topic as a collections lawyer for Ford Motor Credit Company. He wrote the seminal *Proof of Facts* article on this topic (45 POF3d 1) and co-authored an article on it for *Causes of Action*. He has litigated many corporate veil cases given numerous presentations on this topic. This entire area of law is, as Justice Cardozo once wrote, "Enveloped in the mists of metaphor." Mark will help lawyers unlearn the inaccurate information they learned in law school and help them view the topic in a new way. This is a ½ day program.
- **[Breaking the Legalese Habit: Plain English for Lawyers](#)**. ([Click for article](#)). There is no good reason for lawyers to write in the archaic style popular in England three hundred years ago. Plain English is writing that is clear, concise, and readily understood by the target audience. Plain English lowers costs, improves productivity, increases credibility, and reduces misunderstandings. A fierce advocate for plain English, Mark teaches attendees the benefits of plain English and how to rid their writing from the scourge of Legalese forever. This is normally a ½ day program, but Mark can tailor it to your organization's needs. Mark can also present a similar program for non-lawyers called **Plain English for Business**.

- [Litigating Like the Viet Cong: Litigating Against an Opponent with Vastly Superior Resources™](#) (Click for [article](#)). The Vietnam War saw the United States – the world's mightiest military power – attempt to prevent communists from taking South Vietnam. Many battles pitted the U.S. – the world's most powerful nation – against the Viet Cong. The U.S. lost the war. Like war, litigation involves conflict. What can the Viet Cong teach us about litigating against an opponent with vastly superior resources? In this presentation, Mark (a former Air Force lawyer) draws on his study of armed conflict and his 33 years of practicing law to teach lawyers how to litigate against large firms and better funded opponents. This is normally a ½ day program.
- [To Be or Not To Be: Improving Writing by Using E-Prime](#) (Click for [article](#)). Would you like to clarify your thinking? Construct more persuasive arguments? Improve your writing? Reduce misunderstandings? You can. Just avoid using the verb *to be*. *To be* creates problems because we tend to use it like an equal sign. We say, "The cat is white." But *cat* and *white* are two different concepts. *Cat* denotes an animal. *White* denotes a color. If we can't use *is*, we must instead say something like, "The cat has white fur"—a more accurate statement. E-Prime is a form of English that avoids the verb *to be*. In this presentation, Mark helps attendees see language in a new way -- a way that will improve their writing and clarity of thought. This is a ½ day program, but Mark can combine it with his [Plain English](#) program.
- [Solo Practice for Fun and Profit](#). With 33 years of legal experience, mostly as a sole practitioner, Mark has learned many lessons, sometimes the hard way. In this amusing presentation, Mark shares what he has learned and offers practical tips on how to enjoy and profit from your practice. Courses materials includes numerous useful forms.

Mark's other presentations include:

- [How to Buy or Sell a Horse](#)
- [Helping Realtors Avoid Lawsuits](#)
- [Preventive Law](#)
- [Helping Home Inspectors Avoid Lawsuits](#)
- [Helping Small Businesses Avoid Lawsuits](#)
- [Fight Back: Practical Self-Defense](#)

Mark can customize any program for your audience and create other programs of interest to your organization's members. He can also organize panels for presentations on these and other topics. If you want to speak with Mark about the possibility of having him present to your organization, call him at **(303) 638-3410** or email him at mark@cohenslaw.com.

[About Mark](#)

Mark has 33 years of legal experience. He earned a B.A.in Economics at [Whitman College](#) and earned his law degree at the University of Colorado in Boulder. He earned an [LL.M. Agricultural and Food Law](#) from the [University of Arkansas](#), where he also taught advanced legal writing. His diverse legal career includes service as an Air Force JAG, a Special Assistant U.S. Attorney, a prosecutor, a municipal judge for Boulder, six years on the Advisory Board of [The Colorado Lawyer](#) (including one as chairperson), and service on the Executive Board of the [Colorado Municipal League](#).

Mark wrote six articles in the Am.Jur. *Proof of Facts* series, including the seminal article on piercing the corporate veil. He has written numerous articles and book reviews for [The Colorado Lawyer](#). In 2004, he won 2nd prize in the SEAK National Legal Fiction Writing Competition. He wrote two mysteries published by Time Warner, and his first mystery, [The Fractal Murders](#), became a Book Sense ® mystery pick and was a finalist for the Colorado Book of the Year. He is a member of the [Institute of General Semantics](#) and the [Mystery Writers of America](#). He writes a regular column for the Nederland [Mountain-Ear](#).

Mark's practice focuses on drafting and reviewing legal documents, and litigating disputes arising out of poorly drafted documents. He enjoys helping organizations and lawyers improve their legal and non-legal documents.

Mark holds a black belt in karate and serves on the board of directors of [DART, Inc.](#), a Boulder non-profit that offers training in personal safety, violence prevention, and appropriate dating relationships. He lives near Boulder with his purebred North Korean Shepherd, Diego.

