



## BOULDER COUNTY BAR NEWSLETTER

# NOVEMBER 2011

## COLORADO'S NEW ANTI-SUBROGATION LAW

By J. TODD TENGE

Colorado's New Anti-Subrogation Law C.R.S. 10-1-135 is a major change in Colorado law. It significantly limits subrogation claims against third party recoveries. The main thrust of C.R.S. 10-1-135, effective for all settlements, awards, or verdicts received on or after August 11, 2010, is that it codified the common fund and the make whole doctrines in Colorado.

Prior to the enactment of C.R.S. 10-1-135, the common fund doctrine was only recognized at common law. It was an equitable principle grounded in the belief that those who benefit from litigation ought to share in the cost of such litigation. And as such, it was employed to reduce the subrogation claim by the proportionate share of the attorney fees and costs paid by the injured party out of the recovery. There was a smattering of case law in certain situations – such as workers compensation and health insurance benefits.<sup>1</sup> While the common fund doctrine was often recognized by payers of benefits, and argued by experienced practitioners, in many situations it was an “open question” left for debate and negotiation. C.R.S. 10-1-135 now makes clear that the common fund doctrine exists in Colorado.

### Common Fund Doctrine

The common fund doctrine, as codified in C.R.S. 10-1-135, requires the payer of benefits to reduce its subrogation claim by the proportionate share of attorney fees and costs paid by the injured party out of the third party recovery. In the typical situation involving a 1/3 contingent fee, the payer of benefits must reduce its subrogation claim by 1/3 under the common fund doctrine and C.R.S. 10-1-135. The proportionate share of fees and costs are referred to as the “procurement cost”. Thus, the injury attorney can use the common fund doctrine as set forth in C.R.S. 10-1-135 to reduce the subrogation claim at least by the percentage of procurement costs – whether or not the injured party was indeed “made whole”.

### Make Whole Doctrine

The new statute goes even further by completely eliminating a subrogation right in situations where the injured party has not been “made whole”. Under the new statute, subrogation by an insurer or provider of benefits is permitted “only if the injured party has first been fully compensated for

**Thursday, December 1**  
**Annual Ethics Update**  
**12:30 - 4:30 PM**  
**CU Law School Presenters:**  
**Susan Nevelow Mart**  
Director of CU Wise Library  
& Associate Professor

**Judge Edwin Felter**  
Senior Administrative Law Judge  
Denver, Colorado

**Elizabeth Krupa**  
Supreme Court Attorney  
Regulation Counsel  
Assistant Regulation Counsel

\$100 senior lawyers/\$80 young lawyers  
\$120 non BCBA members.

all damages arising out of the claim.”<sup>2</sup> This is referred to as the “make whole doctrine”. Prior to the enactment of C.R.S. 10-1-135 it was unclear whether the “make whole doctrine” applied in a typical auto case. Since the inception of C.R.S. 10-1-135, the make whole analysis is critical, because if it is determined the injured party was not made whole by the

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## CALENDAR OF EVENTS

Pre-registration is required for all BCBA CLE programs. Register by e-mailing [lynne@boulder-bar.org](mailto:lynne@boulder-bar.org), or pay online with a credit card at [www.boulder-bar.org/calendar](http://www.boulder-bar.org/calendar). You will be charged for your lunch if you make a reservation and do not cancel prior to the CLE meeting. BCBA CLE's cost for members is \$20 per credit hour, \$10 for New/Young lawyers practicing three years or less. \$25 for non-members.

Wednesday, November 2  
Natural Resources/Environmental Law  
Air Quality and Hydraulic Fracturing:  
New Technical and Legal Issues for  
Oil and Gas Development  
Presenters: Kathleen Stevenson, Nick  
Czarnecki, and Maki Iatridis  
Noon at Caplan and Earnest  
1 CLE \$20, \$10 for new/young lawyers  
Lunch \$10

Tuesday, November 8  
Employment Law  
Social Media in the Workplace  
Presenter: Howard Bernstein  
Noon at Caplan and Earnest  
1 CLE \$20, \$10 for new/young lawyers  
Lunch \$10

Wednesday, November 9  
Solo/Small Firm Happy Hour 5 PM  
at The Rib House, 13th and Walnut

Thursday, November 10  
IP Section  
Annual PCT Update with  
Carl Oppedahl  
Noon at Hutchinson Black & Cook  
1 CLE \$20 Lunch \$10

Friday, November 11  
Availability of Legal Services  
Noon brownbag at Boulder County  
Legal Services  
315 W. South Boulder Road, Suite 205,

Tuesday, November 15  
Business Law  
Ethics of Entity Formation  
Presenter: Alec Rothrock  
Noon at Hutchinson Black and Cook  
1 ethics CLE \$20,  
\$10 new/young lawyers Lunch \$10

Wednesday, November 16  
Real Estate Law  
Board of Adjustment(s) 101. What the  
BOA can and can't consider, proce-  
dures and effective advocacy.  
Presenters: David Hughes, Deputy  
County Attorney; Erin E. Poe,  
Assistant City Attorney;  
BOA members and/or staff  
Noon at The Boulder Cork  
1 CLE \$20, \$10 new/young lawyers  
Lunch at The Cork \$15

Wednesday, November 16  
(rescheduled from October 26)  
Taxation, Estate Planning and Probate  
Transfers of FLP Interests; Will They  
Qualify as Annual Exclusion Gifts?  
Presenters: Randi Grassgreen  
& Jane Paddison  
Noon-1:30 at Hutchinson Black &  
Cook 2.0 CLE credits \$40,  
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Thursday, Nov. 17  
Young Lawyers  
What Every New Lawyer Needs to  
Know About Practicing Law in  
Boulder County  
Presenters: Josh Anderson  
and Adam Lewis  
3:30-4:30 PM at Caplan and Earnest  
1 CLE free to Young Lawyers

Thursday, November 17  
Happy Hour for Paralegals and  
Boulder County Clerks  
Judges are also invited to attend  
5:30 at Centro, 10th and Pearl

Thursday, November 17  
Bankruptcy Lunch and Discussion  
Noon at Agave Bistro  
2845 28th Street

Tuesday, November 29  
Alternative Dispute Resolution  
Dealing with Clients' Emotions in  
Mediation: From Angry Outburst to  
Passive Withdrawal  
Presenter: Tom Bache-Wiig  
Noon Brownbag at Boulder County  
Justice Center Courtroom C  
1 CLE \$20, \$10 new/young lawyers

Thursday, December 1  
Annual Ethics Extravaganza  
CU Law School Wittemyer Courtroom  
12:30-5:00

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## NEW ANTI-SUBROGATION LAW *(continued from page 1)*

amount recovered from the third party or the uninsured/underinsured motorist coverage; the entire subrogation claim is wiped out. In situations where the medical expenses exceed the available liability coverage, this new statute allows the injured party to actually “net” compensation.

Of course, this begs the question as to whether or not the injured party was “made whole” in the first place. The statute addresses this point. If the injured party recovers policy limits, there is a rebuttable presumption that the injured party was *not* made whole.<sup>3</sup> If the injured party recovers something less than the total amount of insurance coverage available, including any underinsured or uninsured motorist coverage, there is a rebuttable presumption that the injured party has been fully compensated by such recovery.<sup>4</sup> If the injured party recovers a judgment at trial or an arbitration award, there is a non-rebuttable presumption that the injured party was made whole.<sup>5</sup>

### Application of C.R.S. 10-1-135 – Claims and Parties

Perhaps the best way to describe the application of C.R.S. 10-1-135 to various types of claims is to set forth where it does not apply. The statute does not apply to subrogation or reimbursement claims by Medicare, Medicaid, self-funded ERISA health insurance plans, Federal insurance plans, and hospital liens.<sup>6</sup> The statute also does not change subrogation and lien rights of worker’s compensation carriers or self-insured employers under C.R.S. 8-41-203.<sup>7</sup> Except for hospital liens, the remainder of the excluded claims involves federal insurers, plans or programs, which are governed by Federal law and preempts state law. All other claims are covered by the new statute, including medpay claims.<sup>8</sup>

The statute covers the following parties: (1) the injured party (the person making the recovery); (2) the payer of benefits (the entity seeking subrogation or reimbursement); and (3) the third party from whom the injured party is recovering money. An “injured party” is defined as a person who has sustained bodily injury as the result of the act or omission of a third party, has pursued a personal injury or other similar claim against the third party or has made a claim under his or her uninsured or underinsured motorist coverage, and has received benefits as a policyholder, participant, or beneficiary from the payer of benefits.<sup>9</sup> A “payer of benefits” is any insurer,

health maintenance organization, health benefit plan, preferred provider organization, employee benefit plan, other insurance policy or plan, or any other payer of benefits.<sup>10</sup> Finally, the statute defines “benefits” as “payment or reimbursement of health care expense, health care services, disability payments, lost wage payments, or any other benefits of any kind...”<sup>11</sup> It is important to note that the statute specifically includes uninsured and underinsured motorist coverage within the definition of “injured party”.

*(continued on page 6)*

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## SENIOR LAWYER COMMITTEE

BCBA Senior Lawyer Committee, headed by E. Greg Martin, has had a couple of very well-attended events this summer. There are 40 members of this new committee and as these photos show, they are into having a great time with food, drink and music. They recently went to Dave's Smokin' BBQ in Lyons and were entertained by *MUSIC FROM 812*. The group includes: Dale Johnson, Steve Meyrich, and Pattea Carpenter.

The committee is comprised of BCBA bar members who are almost 65 and over. They will continue to plan social functions but will also have educational programs and will be involved with providing legal services to those who are not able to access the legal system in Boulder County.

They will be meeting again in early January. Please let us know if you would like to be a member of this committee. Call the Bar office 303.440.4758.



(Right) John Gaddis and to his left is John Wayne Miller with their respective wives across the table.



Bill Gray (right) and Ralph Josephson (left) with their wives.

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Steve Meyrich (left) and Dale Johnson (center) entertain the group with Rich Irvin (far right) enjoying the tunes.

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## PRESIDENT'S PAGE

By ELLEN CADETTE



*Raise your glass to the hard-working people.* Mick Jagger/Keith Richards

My grandfather Rich used to make up stuff. A little elf named Kercheechee lived in a pine tree next to his upstate New York cottage. When we were kids, my sisters and I fully believed in his existence. We used to run out to the pine tree in the morning to see what Kercheechee had left us. Sometimes it was candy or a card, or a quarter hanging from a piece of tape on the tree. We believed in my grandfather's imagination, and also in his made-up vocabulary. Rich proclaimed there was an ancient Indian word for thank you, Takamikeakawaka (pronounced Ta-ka-MICK-ee-ah-ka-wa-ka), and we had no doubt that it was a real word. Actually, I am still not 100% confident it isn't a real word, but pretty sure.... Takamikeakawaka means a special and from-the-gut "thank-you," but Rich always used the term very liberally, such as when you passed him the salt.

As we approach Thanksgiving, I would like to take this opportunity to say Takamikeakawaka to all of those hard-working people in the legal profession in Boulder County who strive to make a difference for those who have limited means.

Many of you know Joel Hayes, the managing attorney at Boulder County Legal Services in Louisville, and Erika Martinez, the pro bono coordinator there. In 2010 BCLS served over 800 clients in need, primarily in the areas of family law, housing rights, and consumer issues. BCLS has a volunteer panel of approximately 260 attorneys, and it's never too late to join that list! These volunteers gave 3,448 hours in 2010, and thanks to each and every one.

BCLS has ten volunteers who do the intakes. In an effort to reach those who may not be able to travel to the office in Louisville, BCLS does regularly scheduled on-site intakes at the Senior Center in Longmont, the St. Vrain Safe Shelter, and the Boulder West Senior Center. BCLS also has four in-house pro bono attorneys who work at the office part-time on a volunteer basis. They are: Nort Steuben, Bruce Weiner, Meg Quiat, and Brandy Rothman. And each year BCLS takes on one or two interns, law students who are fully bilingual in Spanish and English and who offer immeasurable assistance.

Another group of volunteers for BCLS deserving of recognition is the

Clinic at the University of Colorado Law School, run by Norm Aaronson and Deb Cantrell. The Clinic takes many cases from BCLS each year and students have the opportunity to assist clients under the supervision of the law professors/attorneys. In addition, the Juvenile Law Clinic at the law school, overseen by Colleen Robinson, provides assistance on adoptions and other areas. The services BCLS provides are need-based under federal poverty guidelines, and are civil in nature only. The office receives over 6,500 calls a year, and many of the calls need to be re-routed to the appropriate resources if the potential client does not qualify for BCLS' services, or if their issue is not one that BCLS handles.

Every year BCLS has to apply for funding. In most years, more than 50% of BCLS' funding comes from Boulder County, the cities of Boulder and Longmont, and smaller donations from private groups. Colorado Legal Services makes up the funding shortfall for BCLS.

Colorado Legal Services' mission is to provide high-quality legal services in the pursuit of justice for as

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## NEW ANTI-SUBROGATION LAW *(continued from page 3)*

The statute also prohibits an insurer from bringing a direct action for subrogation or reimbursement against a potentially liable third party.<sup>12</sup> And perhaps the most important, practical application of the statute is that liability insurers and their attorneys are prohibited from adding payers of benefits (or their subrogation agents) as co-payees on checks issued in settlement or satisfaction of judgment.<sup>13</sup>

### Notice Requirements and Mechanism for Dispute Resolution.

The statute imposes notice requirements upon both the injured party (i.e. beneficiary of benefits) and the payer of benefits. The injured party

who intends to take advantage of the new statute (i.e. objects to any subrogation claim on the basis that they were not made whole) must provide written notice of such intent to the payer of benefits within 60 days of receipt of their recovery.<sup>14</sup> It is wise practice to provide the notice to any subrogation agents on behalf of the payer of benefits, as well as the health plan administrator (if applicable). The "60 day notice" must state: (1) total amount and source of the recovery; (2) coverage limits of all applicable insurance policies or plans; (3) the amount of any costs charged to the injured party.<sup>15</sup> But there is considerable debate surrounding situations where an injured party recovers the

tortfeasor's policy limits, but expects to recover less than policy limits of underinsured motorist or other secondary policy(s). Can the injured party simply rely on the fact that the primary policy did not make them whole? It appears this may be a losing argument since the statute uses the language "all applicable insurance policies or plans". It would seem a UIM or secondary policy would fall within that description – even where the injured party may not recover on such policies until well after receiving payment from the underlying policy.

If the payer of benefits wishes to rebut the presumption that the insured was made whole from a policy limits recovery, it has 60 days from the receipt of the injured party's notice to request arbitration.<sup>16</sup> The statute sets forth the mechanism for arbitration as well.<sup>17</sup> Presumably, if the payer of benefits fails to demand arbitration within 60 days of their receipt of the injured party's "60 day notice", the rebuttable presumption that the injured party was not made whole is essentially admitted, and its subrogation right would be terminated. At that point, the attorney for the injured party should be able to disburse to his or her injured client any amounts of the recovery held in trust for the subrogation claim. Even so, the injured party's attorney should be fairly certain that; (a) their 60 day notice was timely and complete; (b) that it was provided to any and all appropriate parties; and (c) that the statute applies to the payer of benefits in the first instance.

### Conclusion

C.R.S. 10-1-135 answers many critical questions that arise in injury

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## BOULDER HOMELESS SHELTER



The Boulder Shelter is introducing a new way for the community to support its Winter Sheltering program - a program that provides safe shelter, warm beds, hot meals and supportive services to homeless men and women each year.

The Shelter is inviting individuals, companies, volunteer groups, and faith communities to adopt the Shelter for one winter night, between October 15 and April 30, by giving a tax-deductible gift of \$487.

This gift will provide a warm, clean bed and two hot, nutritious meals for 160 men and women in need. In addition, you will be recognized as the Shelter sponsor for a particular winter night of their choosing.

There are 212 nights in the winter sheltering season, and up to 160 homeless people will call the Shelter home each of those nights. By filling up the calendar, \$103,244 will be

raised to help the Shelter provide much needed services for the homeless in our community!

To reserve your night, contact Catherine Bedell; Catherine@BoulderShelter.org, 303-468-4310, or visit [www.bouldershelter.org](http://www.bouldershelter.org) for additional information on the **Adopt a Night Program**.

THANK YOU to the following for taking the lead and adopting nights at the Shelter for the Homeless.

*Ruth Cornfeld Becker, LLC – 4/5/2012*

*Lyons Gaddis Kahn and Hall – 11/11/2012*

*Colson Quinn Attorneys at Law – 11/24/2011 and 2/14/2012*



# NEW ANTI-SUBROGATION LAW *(continued from page 6)*

cases involving subrogation claims. Where the statute applies, it reduces subrogation claims by the proportionate share of fees and costs, at a minimum, and where the injured party recovers policy limits, it may operate to bar the subrogation interest completely. Further, it provides a specific method for resolving subrogation claims where the parties dispute whether the injured party was made whole.

## FOOTNOTES

1. *Castellari v. Partners Health Plan of Colo., Inc.*, 860 P.2d 593, 595 (Colo. App. 1993) (health insurer required to pay a proportionate share of fees and costs incurred in motorcycle v. auto litigation which produced the recovery from which the subrogation claim was paid); *County Workers Compensation Pool v. Davis*, 817 P.2d 521, 526 (Colo. 1991) (worker's compensation carrier required to pay a reasonable share of fees and costs incurred in third party tort litigation which produced the settlement).
2. C.R.S. 10-1-135(3)(d)(II).
3. C.R.S. 10-1-135(3)(d)(I).
4. *Id.*
5. C.R.S. 10-1-135(3)(d)(II).
6. It is beyond the scope of this article, but it is critical for the lawyer representing the injured party to investigate and determine whether a payer of benefits is a self-funded ERISA plan, and to require proof of same from the payer of benefits, the subrogation agent, and/or the plan administrator.
7. C.R.S. 10-1-135(10)(c).
8. While C.R.S. 10-1-135 does include medpay claims, auto insurance carriers paying medpay benefits no longer have a right of subrogation for all medpay policies issued on or after January 1, 2009. C.R.S. 10-4-635.
9. C.R.S. 10-1-135(2)(b).
10. C.R.S. 10-1-135(2)(c)(I).
11. C.R.S. 10-1-135(2)(a).
12. C.R.S. 10-1-135(6)(a)(I).
13. C.R.S. 10-1-135(6)(b).
14. C.R.S. 10-1-135(4)(a)(II).
15. *Id.*
16. C.R.S. 10-1-135(4)(a)(III).
17. C.R.S. 10-1-135(4)(a)(IV)(A) to (C).

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*Todd Tenge has been an attorney in Boulder for 20 years and is the current co-chair of the BCBA Civil Litigation Section. He is the founder and managing partner of the Tenge Law Firm, with offices in Boulder and Fort Collins. They practice exclusively in the areas of personal injury and insurance law.*

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## PRESIDENT'S PAGE *(continued from page 5)*

many low-income individuals and families as possible, including the elderly, the disabled, victims of domestic violence, families about to lose their homes to foreclosure, children, and veterans. It has 100 or so staff throughout the state, half of whom are lawyers.. BCLS is the Boulder office of Colorado Legal Services. Colorado Legal Services has over 70 different sources of funding, including the State of Colorado and a myriad of private foundations and grants, but the largest source (over 40%) is federal funding from an annual appropriation to the Legal Services Corporation. The House has recently approved a 25% cut to this funding. The bill is not likely to pass in the Senate, but there are more cuts on the table in the future, as our federal, state and local governments struggle to right their own budgets.

The second largest source of funding for Colorado Legal Services is

COLTAF interest dollars. Interest on lawyers' pooled trust accounts is used to make grants to Colorado's federally-funded legal services programs. They also fund bar sponsored pro bono programs, domestic violence and justice related organizations.

The third largest source of funding to Colorado Legal Services is the Legal Aid Foundation of Colorado, primarily funded by lawyers and law firms. Diana Poole is LAF's executive director in Colorado. There are eight LAF annual campaigns in the state; our own Boulder County campaign is headed by Chris Ford and Pat Carrigan and has twenty-two or so volunteers, including yours truly. You will be hearing from LAF and our campaign in the coming weeks, and when you do, please give; in light of budget cuts and falling interest rates, LAF is an increasingly important source of funding for Colorado Legal

Services. The gift of at least one hour's worth of billable time for every lawyer in Boulder would make a huge difference. In addition, every February the BCBA hosts "Food Wine Jazz Art" featuring live jazz, artwork and crafts for sale, wines from around the world and appetizers. Food Wine Jazz Art is a benefit for LAF, open to our legal community and also the public. Please mark your calendar for February 9 and join us.

Thanks also to Paul Bierbaum, volunteer coordinator for the Boulder County AIDS Project (BCAP), and to all who volunteer. BCAP's mission is to provide support, advocacy and education to those in our community who are infected with or affected by the Human Immunodeficiency Virus (HIV) and to serve as an outreach and information center to prevent further transmission of HIV and AIDS. BCAP provides free care services to men, women and children who are HIV positive, confidentially and within a non-judgmental environment. Care services include case management, access to medical care, financial and food assistance, volunteer support, and pro bono professional services. In response to the legal needs of BCAP clients, a volunteer attorney task force was formed in the early 1990's. With the support of the BCBA, over 50 attorneys in Boulder County have answered the call to provide pro bono services to BCAP clients and have helped hundreds of BCAP clients over the past 18 years.

BCBA's own Availability of Legal Services committee is another avenue for Boulder County lawyers to help with legal services. Steve Barnett, the current chair, can give you more information on the com-

*(continued on page 10)*

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## PRO BONO PAGE

### Pro Bono Referrals

Twenty-one cases were referred during September. Thank you to the following attorneys:

Norm Aaronson CULADP  
Deborah Cantrell CULADP  
William Benjamin  
Joyce Bergmann  
Mary Louise Edwards  
Peggy Goodbody  
Robert Gunning  
Judson Hite  
Kim Hult  
Alan Litner  
Thomas Moore  
Scott Osgood  
Robert Pierce  
Todd Stahly  
Sharon Svendsen  
Richard Vincent

### Pro Se Program Volunteers

Sheila Carrigan  
M.L. Edwards  
Lauren Ivison  
Chris Jeffers  
Michael Morphey  
Craig Small  
Leonard Tanis  
Matthew Tindle

### BCAP Volunteers

Thank you to the following attorneys who accepted pro bono referrals for the Boulder County AIDS Project in September.

Rich Irvin and  
Laurel Herndon,  
Immigrant Legal Center

### Pro Bono Corner

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November 28 Anton Dworak 303.776.9900

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## JOINT JUDICIAL TASK FORCE AIMS TO PROTECT MERIT SELECTION

BY SARA CROCKER

Attacks on the judiciary have become more and more prevalent in Colorado and across the nation in recent years. In an effort to continue to support a fair and impartial judiciary, the Denver and Colorado Bar Associations have formed the Joint Judicial Task Force. Recent local campaigns have included 2006's Amendment 40, which would have imposed term limits on judges, and more recent efforts that have asked voters to not retain Colorado Supreme Court justices. The task force, in conjunction with local bar associations, will work to better educate citizens about Colorado's merit selection system and respond to such future attacks on the judiciary.

Colorado's merit selection system is unique and has been in place since 1966. There are seven other states—Alaska, Arizona, Kansas, Missouri, New Mexico, Tennessee, and Utah—that have some form of merit selection system, where judges are appointed by the governor from a list of nominees identified by a judicial nominating commission, judges must stand for retention, and there judicial performance evaluations to help voters learn about judges. These evaluations, which have been used in Colorado since 1988, are based on surveys of court users about a judge's qualities, ranging from temperament to his

or her knowledge of the law, as well as management of a docket and a self-evaluation.

The Joint Judicial Task Force, chaired by Dan McCune, is focusing on education, initiatives, and communications. Former DBA President John Baker and Dan Sweetser will head the committee aimed at educating the public about the judiciary and the legal system. DBA Past President Stacy Carpenter will chair the committee that will monitor and respond to any measures that may arise in the 2012 election cycle that seek to change the way judges are selected, retained, or regulated. Theresa Spahn will helm the communications committee, which will work to keep members and the public informed about the work the task force is doing. The task force welcomes comments and suggestions from members. Keith Collins, BCBA vice-president, will represent Boulder lawyers by participating on this committee.

Please contact either Task Force Chair Dan McCune at [dmccune@kcfpc.com](mailto:dmccune@kcfpc.com) or Communications Committee Chair Theresa Spahn at [theresa@wattorneys.net](mailto:theresa@wattorneys.net).

## PRESIDENT'S PAGE

*(continued from page 8)*

mittee's projects for the coming year. You can also refer to Steve's article on the front page of the September Newsletter.

I recently met CU law student, Leah Gould, at the last young lawyers' happy hour. She told me about a veterans legal assistance clinic underway this year. The clinic will meet monthly or quarterly in cities around Colorado. Their first event is on Veterans Day, November 11 from 8:30 AM - 4:30 PM at 3030 Downing Street in Denver. In the meantime, law students from CU and DU are hoping to volunteer their time as externs for attorneys assisting these Colorado vets. Call the CBA (303.860.1115) if you would like to help out.

Thanks also to the Access to Justice Commission, started with the help of the Colorado Supreme Court, the CBA, and the Statewide Legal Services Group in 2003. The Commission is comprised of representatives from judicial districts across the state. In Boulder, the District Attorney, the Public Defender's Office, Boulder Safe House, El Comité, Erika Martinez, and our own Christine Hylbert, meet quarterly to discuss how to reach those in the county who may be "falling through the cracks" in terms of access to justice, including our immigrant community.

Thanksgiving is a time to appreciate all we have, say Takamikeakawaka to all those who work hard to help those who are facing difficult financial circumstances, and to give. If you are interested in finding out more about other need-based legal resources available in Boulder County or ways to help, please refer to our website, [www.boulderbar.org/resources/index.html](http://www.boulderbar.org/resources/index.html).



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