



# BOULDER COUNTY BAR ONLINE NEWSLETTER

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BOULDER, CO 80302

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**October 2 0 0 1**

## Disability Determination Isn't Just For Social Security Anymore

By Christina Ebner

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Medicaid is a jointly funded cooperative venture between the federal and state governments. Its purpose is to assist states in furnishing medical assistance to eligible needy individuals and families. The federal agency administering the program is the Center for Medicare & Medicaid Services (CMS), formerly known as the Health Care Financing Administration (HCFA). The state agency administering the program in Colorado is the Department of Health Care Policy and Financing (HCPF).

To implement the Medicaid program, a state is required to comply with federal statutes, regulations and policies and (1) establish its own eligibility standards; (2) determine the type, amount, duration and scope of services; (3) set the rate of payment for services; and (4) administer its

own programs. Needless to say, Medicaid policies for eligibility, services and payment are quite complex.

In Colorado there are many categories in which an individual, child or family can qualify for Medicaid. Each category has an income and resource requirement, and categories can generally be divided into two separate groups; those that require a disability determination and those that do not. For instance, categories which use only the income and resource requirement include the TANF program (formerly AFDC), pregnant women and children up to the age of 6. Those categories in which disability is a requirement includes HCBS (Home and Community Based Services), for which the person must have a nursing home level of care, waiver or 30 days in a hospital. In the categories in which disability is a criterion, the income/resource limit is higher than in categories in which there is no disability requirement.

*(continued on page 3)*

**Boulder County Bar Association Awards Committee  
is seeking nominations for the  
Ron Porter Memorial Community Service Award  
presented at the Annual Judges' Dinner on October 25, 2001  
Please send your nominations to the Bar offices by October 12.  
ANNUAL JUDGES' DINNER  
COLORADO BAR ASSOCIATION PRESIDENTIAL VISIT  
OCTOBER 25, 2001 - CHAUTAUQUA DINING HALL  
RESERVATION FORM ON PAGE 9**

| SUNDAY | MONDAY | TUESDAY                                | WEDNESDAY                              | THURSDAY   | FRIDAY                               | SATURDAY |
|--------|--------|--|--|--|--------------------------------------|----------|
|        | 1      | 2                                      | 3<br>Availability of<br>Legal Services | 4<br>Natural<br>Res./Environ.                    | 5<br>Med/Legal<br>Avoiding<br>Stress | 6        |
| 7      | 8      | 9<br>Employment                        | 10<br>Criminal Law                     | 11<br>Bd. of<br>Directors in<br>Longmont         | 12                                   | 13       |
| 14     | 15     | 16<br>ADR<br>Business &<br>Real Estate | 17<br>Family Law                       | 18   | 19                                   | 20       |
| 21     | 22     | 23                                     | 24<br>Tax, Estate<br>Planning          | 25<br>Intellec. Prop.<br>Annual Judges<br>Dinner | 26                                   | 27       |
| 28     | 29     | 30                                     | 31                                     |  |                                      |          |

**The ADR Compliance Forms are on the What's New section of the web site  
 New Court Opinions are now up on the Members Only Section  
 Last 1,708 visitors went to our web site.**

## MEMBERSHIP BENEFITS

### Justice Center ID Card

Our Bar can issue a picture ID card for its members, which allows access into the Justice Center "Frisk-Free" (this means no standing in line, no searches, and no X-rays). The ID's are available for \$25 the first time and can be renewed for \$10 each year.

To obtain an original ID send a check for \$25 to the Bar office along with a small passport type photo and a photocopy of your current, valid, Colorado Supreme Court issued Attorney Registration Card. We will laminate it with a current year sticker.

To renew your ID just send a check for \$10 to the Bar office indicating that it is for a renewal. We'll send you a sticker for the next year. Justice Center ID's are for attorneys only, not paralegals or other staff.

### Advertising

Members receive discounted advertising rates for Classified Ads and Announcements in the monthly newsletter. Non-member rates are an additional \$10.

\$20 up to 30 words  
 \$30 up to 40 words  
 \$40 up to 70 words

\$50 up to 100 words

All deadlines are the 10th of the month or the next business day if on a weekend. Fax or mail a copy of your ad to the Bar office. Payments are due with ad; we do not bill.

### Legal Directory

All members receive a free "Legal Directory" which lists Boulder County Bar members. Additional copies are sold for \$10. The 2001 Legal Directory is on the website in the Members Only Section.

### Mentor/Mentee Program

The goal of the Mentoring Project is to provide support for new admittees to the practice of law and to acquaint them at an early stage with the highest level of professionalism, ethics and familiarize themselves with the Boulder legal community.

Mentees must have been in practice for less than three years. Mentees are required to have passed the Colorado Bar and maintain an appropriate level of malpractice insurance. Anyone wishing to be a mentor should contact the Bar office. Anyone who wishes to be assigned to a mentor should contact the Bar office and request a "Mentee Application."

### Mailing Lists/Labels

The current Bar Association list is available to members for \$50 and non-members for \$75. Mailing labels for members cost \$100 and non-members \$150. Section lists are available free to members and section labels for \$40. For non-members section lists cost \$20 and labels \$60. BCBA membership lists are sold for primarily legal educational purposes that will benefit the BCBA membership. They will not be sold for political, fundraising, or business generation purposes.

### Web Page

We are online at <http://www.boulder-bar.org>. The website now has a Members Only Section with Court opinions and continues to grow for your membership benefit. You can be listed in the "Find A Lawyer" Section in your speciality area. Call the bar office to sign up.

### Broadcast Fax List

If you would like the Calendar of Events faxed to you each month, call the Bar office and give us your name and fax number.

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## DISABILITY DETERMINATION *(continued from page 1)*

Historically, for cases requiring a disability determination, Colorado relied either on the Social Security Administration's (SSA) disability determination or used a simpler disability standard. Now, under pressure from CMS, Colorado must make an independent determination showing the equivalent of the SSA disability standard as well as the medical need for care. This requirement affects primarily individuals receiving Medicaid waivers, HCBS, the Program of All-Inclusive Care for the Elderly (PACE) and individuals residing in nursing homes and medical institutions.

Current Medicaid recipients who receive Medicaid on the basis of disability and who have not received an independent disability determination by the SSA will be affected. Future Medicaid applicants who apply for Medicaid on the basis of disability beginning July 1, 2001 will also be affected. According to the proposed rule, HCPF has identified 602 current individuals who will require a disability determination and estimates that annually 1,443 new applicants will require a determination.<sup>1</sup> These determinations have already begun, starting with those individuals who have been on Medicaid the longest. HCPF believes that both providers and clients may be affected because these disability determinations may take "significantly longer than the current determinations to which providers are accustomed. Providers may experience an increase in uncompensated care, and may deny care to certain clients due to the uncertainty of reimbursement. Also the process may impact hospital discharges and home and community based admissions."<sup>2</sup>

HCPF or its contractor will determine whether the applicant is disabled or blind in accordance with the Social Security Regulations in 42 C.F.R. § 435.530 through § 435.541, § 435.916, 20 C.F.R. § 416.901 - 416.998, and § 416.1015 - 416.1017. The law defines adult disability as the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment(s) which can be expected to result in death or which have lasted or can be expected to last for a continuous period of not less than 12 months. Blindness is defined as (1) vision in the better eye of 20/200 or less with the use of a correcting lens or (2) tunnel vision to the extent that the field of vision is no greater than 20 degrees.<sup>3</sup>

The disability determination for children is dif-

ferent than for adults and will not be addressed in this article. For adults, SSA disability is evaluated using a five-step process, which is generally referred to as the "sequential evaluation process."<sup>4</sup> The five steps are:

1. Is the individual engaging in substantial gainful activity? (Beginning January 1, 2001, substantial gainful activity is presumed if the individual earns a gross monthly income of \$740.) If the answer is yes, the individual is found not disabled. If the answer is no, proceed to the next step.

2. Does the individual have an impairment or combination of impairments that are severe? A finding of non-severity can be made only when there is a "slight abnormality which has no more than a minimal effect on a claimant's ability to do basic work activities."<sup>5</sup> If the answer is no for all impairments and combination of impairments, the individual is found not disabled. If the answer is yes, proceed to the next step.

3. Does the individual's impairment(s) meet or equal a listed impairment in 20 C.F.R. Pt. 404, Subpart P, Appendix I of the Social Security Regulations? If yes, the individual is found disabled. If the answer is no, proceed to the next step.

*(continued on page 4)*

### **LIFE TRANSFORMATION IS POSSIBLE**

**Balance Your Career and Personal Life  
Discover New Career Opportunities  
Create the Life You Really Want**

**Coleen Miller, J.C., OM, PLC  
651 Tamarisk Court  
Louisville, CO 80206  
Tel: 303.664.1077  
Cmiller1@viawest.net**

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## DISABILITY DETERMINATION *(continued from page 3)*

4. Does the individual's impairment(s) prevent him/her from doing his/her past relevant work? If no, then the evaluation ends and the individual is found not disabled. If the answer is yes, proceed to the final step.

5. Does the individual's impairment(s) prevent him/her from performing other work that exists in the national economy? If yes, then the individual is disabled. If no, the individual is found not disabled.

While both Medicaid and SSA programs share the definition of disability, they do not share the same appeal process.

For Social Security, an application is made by calling SSA at 1-800-772-1213. An appointment is typically scheduled with the local Social Security office to complete the application process. The local office then gathers information and sends the file to the Disability Determination Service (DDS) to work up the medical evidence and make an initial decision. DDS has 100 days to make its decision. If the individual is denied at DDS, a request for hearing must be filed within 60 days (plus 5 days for mailing) for a hearing before a federal administrative law judge at the Office of Hearings and Appeals. The entire process can take well over a year. If a negative decision is received, the next level of appeal is the Appeals Council.<sup>6</sup>

For Medicaid disability determination, the rules change periodically and are far more detailed than can be recited in this article. Generally, however, if the

individual is not already on Medicaid, he/she must first apply for Medicaid at the Department of Social Services. If a disability determination is required, the person's file is then sent to DDS. If the individual receives an adverse decision at DDS, he/she must appeal within 15 days for a hearing before a state Administrative law judge at the Division of Administrative Hearings.<sup>7</sup> The individual must appeal within the 15-day period to continue receiving his/her Medicaid benefits until the agency decision.<sup>8</sup> But, if the individual does not appeal within the 15-day period, an extension of time may be obtained up to 90 days for "good cause," such as: sudden severe illness, an accident, or "other particular occurrence, which, by its emergent nature and drastic effect, prevented such appeal submission within the time periods prescribed."<sup>9</sup> The burden is on the individual to show "good cause." The administrative law judge is required to enter the reasons justifying the extension of time in the appeal record and decision.<sup>10</sup>

After the hearing, the administrative law judge issues an initial decision, mails the decision to all parties, and files it with the Office of Appeals of the State Department of Social Services.<sup>11</sup> Any party seeking a reversal, modification or remand must file exceptions within 15 days (plus three days for mailing) from the date the initial decision was mailed.<sup>12</sup> The Office of Appeals then reviews the decision and enters a final agency decision either affirming, modifying, reversing or remanding the initial decision.<sup>13</sup> If the final agency decision is unfavorable, the individual has 30 days to appeal to the state District Court.

Because of the complexities of the state appeal process, check the Medicaid Manual at [www.chcpf.state.co.us/StateRules](http://www.chcpf.state.co.us/StateRules) or call HCPF at 303-866-2993 before appealing the denial notice.

*Christina Ebner is co-chair of the Availability of Legal Services Section and a member of Ridgway, Romeo and Vincent, LLC.*

### Footnotes:

1. Proposed Rule #MSB 01-04-10-A

2. *Id.*

3. State Medicaid Manual, § 8.100.53H.

4. 20 C.F.R. §§ 404.1520, 416.920.

5. SSR 85-28.

6. A major exception to an Appeals Council appeal is currently in place in Colorado in a limited number of cases. After a negative Administrative decision, a direct appeal to federal District Court is required in those cases in which: (1) the initial application was filed between January 1, 2000 and July 31, 2000; (2) the request for hearing was filed after June 7, 2000; and (3) the last digit of the claimant's Social Security number is odd.

7. State Medicaid Manual, § 8.058.11.

8. State Medicaid Manual, § 8.058.12.

9. State Medicaid Manual, § 8.058.13.

10. *Id.*

11. State Medicaid Manual, § 8.058.71.

12. *Id.*

13. State Medicaid Manual, § 8.058.72.

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# PRESIDENT'S PAGE

## GOOD WORKS II

### By Bruce Fest

Last month I wrote about the good works of your BCBA in our community at large and the community where we all live, work and play. This month I want to focus on the Good Works the BCBA provides to our community of lawyers and judges, our 1250+ members.

First and foremost we have a formidable array of CLE programs and luncheons. In any month you can check our Calendar of Events in the newsletter and our website to find anywhere from five to ten different programs. These run from medical-legal issues to criminal law to intellectual property to domestic relations to juvenile law to estates and trusts to business law to natural resources to ADR. I dare any local bar in this state to match the breadth, depth and dynamism of our home-grown CLEs. We are fortunate that members of the bench are frequent speakers and panel members at the programs.

We have our section co-chairs to thank for this. After planning over the summer we all met at the end of August to see what each sections' programs looked like. The co-chairs of the various sections came up with an impressive list of topics, speakers and meetings. Each section contributed and carried more than its own weight.

Our section co-chairs are the backbone of the BCBA. We are indeed favored with dedicated and hard working people. They deserve our special thanks.

We also have opportunities for collegiality and relaxation. The next such opportunity will be the annual Judges' Dinner on October 25 at Chautauqua. The CBA President and staff will attend. CBA President Laird Milburn will speak. Although he now hails from Grand Junction, he went to Boulder High School, so we can claim him as one of our own. The Judges' Dinner is fun and well attended. Be sure to join us and remember to bring/sponsor a new or young lawyer with you to help familiarize with our bar association's members and activities.

Our Young Lawyers Section reaches out to new lawyers with Lawyer Libations (FACs to the older generation) at law firms and restaurants in Boulder, Broomfield and Longmont. Join them at one of their gatherings. From personal experience I can vouch that even an old lawyer will have fun and enjoy himself.

The number of lawyers outside Boulder proper has exploded. The BCBA is reaching out to them with our programs, Lawyer Libations and other activities. The Board of Directors is holding its next meeting at 4 PM on October 11 at Bernard, Lyons, Gaddis & Kahn in Longmont. After the meeting we will adjourn to The Pumphouse Brewery in Longmont for some Lawyer Libation. The meeting is open to all our members. We hope our Longmont colleagues will attend and then join us for a reception.

The BCBA works hard to serve its members. In my view we are providing good works. Let us know what else we should be doing. See you at some section CLE meetings.

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## CALENDAR OF EVENTS

Pre-registration is required for BCBA CLE luncheons. Please send a check to the Bar office at least 3 days in advance. BCBA CLE's cost \$12 per credit hour for members and \$18 for non-members unless otherwise noted. Young Lawyer Section Members pay only \$5 for CLE programs. Materials are \$5 without CLE credit.

October 3, 2001  
Availability of Legal Services  
Topic: Right to Work with Social Security and the ADA  
Presenters: Tracy Hernandez, Boulder Social Security Office; Colleen Jones, Employment Support Rep.; Shelley Bailey, Esq., Boulder County Attorney  
Meadows Branch Public Library  
4800 Baseline Rd.  
(Behind Safeway)  
9 - Noon. Box Lunch \$10, CLE \$40 or free to those who agree to take a pro bono case from BCLS.  
Reservations must be made by 9/28 to the Bar Offices.

October 4, 2001  
Natural Resources/Environmental Law Section  
Topic: Nationwide Permits Update  
Presenter: Zach Miller  
Noon Brown Bag Lunch  
Justice Center Courtroom D  
CLE \$12

October 5, 2001  
For All BCBA Lawyers  
Medical/Legal Section  
Topic: Avoiding Stress. A Fatal Mistake, How You Can Avoid it.  
Presenter: Jia Gottlieb, M.D.  
Noon Brown Bag Lunch at the Boulder Justice Center  
Courtroom L, CLE \$12

October 9, 2001  
Employment Law Section  
Topic: The Effects of Termination of Employment on Rights to Stock Options, Commissions and Bonuses.  
Presenter: Ed Aro, Hogan & Hartson.  
Noon at Chrisman, Bynum & Johnson  
Box Lunch \$10 (Turkey, Veggie, or Beer) CLE \$12

October 10, 2001  
Criminal Law Section  
Topic: Sex Offender Probation  
Presenter: Diane DiLeo, Boulder  
Probation  
Noon Brown Bag Lunch  
Justice Center Courtroom B  
CLE \$12

October 11, 2001  
Board of Directors Meeting  
In Longmont at 4 P.M.  
Reception following at 5 P.M. at The Pumphouse Brewery  
All Longmont Lawyers are invited to attend.

October 16, 2001  
ADR Section  
Topic: Addressing your interests and needs in the ADR Section and ADR as a profession. Noon at the Oasis Restaurant,  
1095 Canyon in Boulder.

Business Law & Real Estate Sections  
Topic: Sale of a Business Involving Real Estate  
Presenter: Dave Kuosman & Chris Hazlett. Dolan's in Boulder  
Lunch \$13 CLE \$12

October 17, 2001  
Family Law Section  
Topic: Maintenance  
Presenters: Judge Dan Hale, Bev Nelson, and Helen Stone  
Noon Brown Bag Lunch  
Justice Center Courtroom B  
CLE \$12

October 24, 2001  
Tax, Estate Planning and Probate  
Topic: Medicaid Update  
Presenter: Richard Vincent  
Caplan & Earnest Board Room  
Noon to 1:00 p.m. Box Lunch \$10 (Turkey, Veggie or Beef) CLE \$12

October 25, 2001  
Intellectual Property Section  
Topic: Intellectual Property in Government Contracts  
Presenter: Richard Busch, Lathrop and Gage  
Noon at Dolan's  
Lunch \$13 CLE \$12

### **MARK YOUR CALENDARS!!**

The Boulder IDC will sponsor an all day conference on How To Determine Parenting Time From A Child's Point Of View In Domestic Violence Cases on Monday November 5, 2001. Keynote speaker Louise Silvern of the University of Colorado will discuss her most recent research on the effect on children of witnessing violence. Front Range custody evaluators Susan Van Scoyk, Michael Friedman and Hank Fischer, along with Terri James of the Kempe Children's Center, will outline potential parenting time recommendations for different age and development groups. Boulder District Attorney Mary Keenan will head up the presentation on parenting time during criminal and D&N cases. Call 303.938.1646 for more information.

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# CALENDAR OF EVENTS

October 25, 2001  
Judges Dinner  
CBA President's Visit  
Chautauqua Dining Hall  
5:30 P.M. Cash Bar  
6:30 P.M. Dinner  
\$38 per person  
November 1, 2001

Natural Resources/Environmental  
Topic: Issues in Environmental Class  
Action/Toxic Tort Litigation  
Presenter: Bob Lawrence, DGS  
Noon Brown Bag Lunch  
Justice Center Courtroom C

November 13, 2001  
Employment Law Section  
Topic: Sexual Harassment Update  
Presenter: TBA  
Noon at Chrisman,  
Bynum & Johnson  
Box Lunch \$10 (Turkey, Veggie, or Beef)  
CLE \$12

November 14, 2001  
ADR & Real Estate Sections  
Topic/Presenter: TBA  
Noon at Dolan's in Boulder  
Lunch \$13 CLE \$12

Criminal Law Section  
Topic: EN Certification  
Presenters: TBA  
Noon to 4 P.M. Boulder  
Justice Center Courtroom C  
CLE \$48

November 20, 2001  
Business Law Section  
Topic: Insurance for Small Businesses  
Presenter: Kurt Hofgard  
Noon at Dolan's in Boulder  
Lunch \$13 CLE \$12

November 28, 2001  
Tax, Estate Planning & Probate  
Topic: TBA  
Presenter: Stuart Kingsbery  
Noon at Caplan & Earnest Board  
Room. Box Lunch \$10  
(Turkey, Veggie or Beef) CLE \$12

## SPECIAL EVENTS

The Boulder arm of CTLA will sponsor a brown bag lunch on Thursday, October 11, 2000 at noon to 1:30 pm. No charge. All are welcome, whether or not you are a CTLA member. The meeting will be in Courtroom B, at the Boulder County Justice Center, 1777 6th Street in Boulder. Bring your lunch.

As you may know, Boulder now has a new District Court Judge, Judge Lael Montgomery. Judge Montgomery and Judge Glowinsky are just now rotating into the Boulder civil division for a three year period. Both judges will be speaking on October 11. They will address their concerns, philosophies, discovery, and trial rules in their courtroom. They may even answer a few of your questions.

CTLA members Bart Costello and Bryan Kemler are renewing the Boulder County division of CTLA. Information on how to join CTLA will be available. We will be meeting at noon on the second Thursday of every month until April, 2002.

November 3, 2001  
Collaborative Family Law Training  
Level 1  
Featuring Pauline H. Tesler, J.D. CFLS  
8 - 5 p.m., Warwick Hotel, Denver  
\$250 per person  
Fax or Mail registration to  
The Association Management group  
190 E. 9th Ave.  
Denver, CO 80203  
Fax: 303.832.4920

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## LAWYER ANNOUNCEMENTS

### **BRUCE DIERKING**

formerly of Hutchinson Black and Cook, LLC

is pleased to announce the formation of  
**Dierking & Associates, P.C.**  
2305 Canyon Blvd., Suite 206  
Boulder, Colorado 80302-5620  
Tel: 303.447.0450  
Fax: 303.447.0451

and that  
**Kenneth A. Diamond**  
and

**Laura L. Page**  
have become associated with the firm.

The firm's practice will emphasize commercial  
real estate, land use, and general corporate  
and transactional matters.

### **HUTCHINSON BLACK & COOK, LLC**

IS PLEASED TO ANNOUNCE THAT  
**BRIDGETTE M. PAIGE, ESQ.**

has graduated from the  
University of Denver, Graduate Tax  
Program  
with a LLM in Taxation.

921 Walnut Street, Suite 200  
Boulder, CO 80302  
Telephone: 303.442.6514  
Fax: 303.442.6593  
law@hcboulder.com

### **CHRISMAN JOHNSON & JOHNSON, P.C.**

Welcomes our new associates  
**Chad C. Soliz**  
Intellectual Property

**Richard L. Reichstein**  
Business and Real Estate

**Alice E. Schuffield**  
Business and Litigation

Chrisman, Bynum & Johnson, P.C.  
1900 Fifteenth Street  
Boulder, CO 80302  
Telephone: 303.546.1300  
Website: www.cbj.com

### **GARLIN DRISCOLL & MURRAY, LLC**

is pleased to announce that

**JEAN SNODGRASS**  
formerly clerk to Judge John Daniel Dailey,  
Colorado Court of Appeals

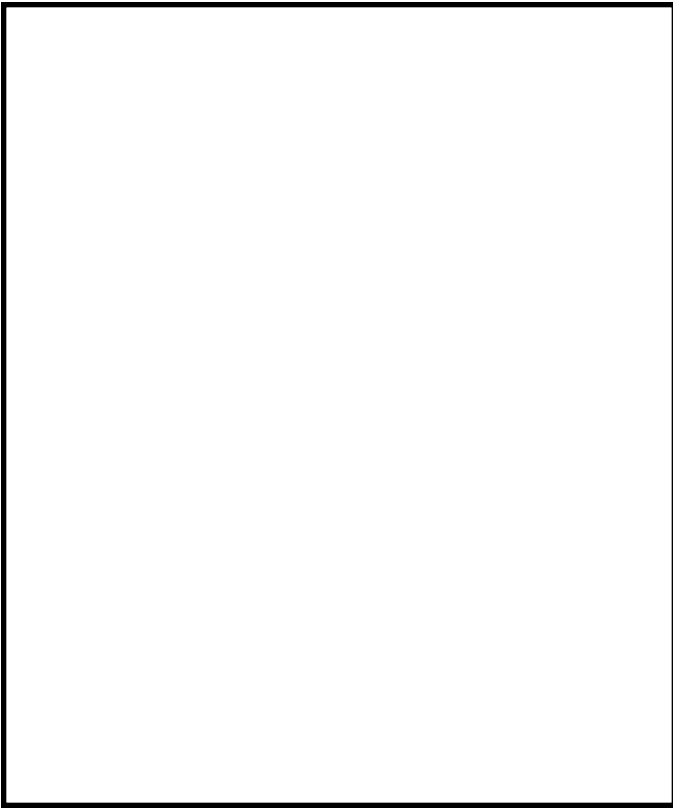
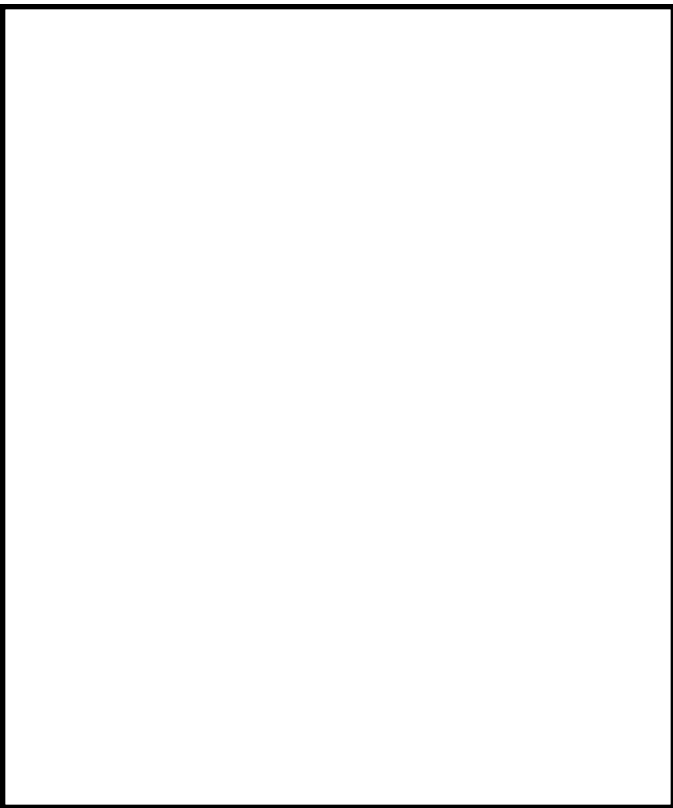
has joined the Firm

Ms. Snodgrass's practice will emphasize  
commercial litigation and personal injury,  
including trials and appeals.

245 Century Circle, Suite 101  
Louisville, Colorado 80027  
Telephone: 303.926.4222  
Fax: 303.926.4224  
js@gdmlaw.net

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# LAWYER ANNOUNCEMENTS

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# EAST COUNTY BEAT

**By Tony Dworak**

By the time you read this, I'll be dead. No, that's not right (gave you a start though, didn't it?) Actually, most likely by the time you read this I'll be married. Now please pause and chuckle to yourself with the natural joke "what's the difference", etc. Ha ha ha. This column is not about my impending nuptials or the events leading up to them, although I may report back on the upcoming bachelor party which promises to ruin the careers of many esteemed members of the local bar.

No, this column focuses on the October 11 BCBA Board of Directors meeting. Normally these meetings are comfortable constructive affairs, held in the early morning at the Bar's offices on Broadway. In October, however, the board will be traveling to Longmont to have its meeting and also host a reception for Longmont lawyers.

Question #1: *Why?* Because the board recognizes the importance of Longmont Lawyers to the Bar in general and wants to send a signal, loud and clear, that active participation of Longmont lawyers in the Bar is necessary for its survival.

Question #2: *What do we hope to accomplish?* While this question will be discussed at our September meeting, I think it's safe to say we want to discuss and discover some of the issues unique to practicing law in Longmont and come up with ideas that can make the BCBA a more effective organization for those of us in the "east county."

Question #3: *What do you want me to do?* I would like those of you who are interested in attending the board meeting to notify Christine Hylbert or me. Let us know what's on your mind. I would

also like those of who are not attending to call me and let me know what you think of the Bar and what you would like to the Bar to do for you. I'm much too dumb and gangly (remember, I'm a professional figure-head) to represent Longmont without some other input. Independent thinking is not my forté. I would like every Longmont attorney to attend the reception following the board meeting. Events like these are great networking opportunities and give each of us ideas on what's going on with our neighbors.

Question #4: *When is it?* The board meeting will be at 4 pm, Thursday October 11 in the conference room of Bernard, Lyons, Gaddis & Kahn, 515 Kimbark Street. The reception will be at 5 pm upstairs at the Pumphouse Brewery, located at 6th and Main.

The bar will send notices to each of the Longmont attorneys. We look forward to seeing you there.

*By Anton V. (Tony) Dworak  
Bernard, Lyons, Gaddis & Kahn, P.C.*

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## PRO BONO PAGE

Thank you to the following attorneys. Forty-eight cases were referred during the month of August.

Ruth Becker  
Bill Benjamin  
Rich Carlson  
Jerry Cross  
Carmen Danielson  
Tony Dworak  
Greg Friedman  
Kim Gent  
Don Goulart  
Dave Harrison  
Joan Heard  
George Johnson  
Paul Kram  
Robin Kube  
Marion McBain  
Patricia McEahern

Ed Navarro  
Bev Nelson  
Joan Norman  
Patricia Roberts  
Cynthia Sadick  
Andy Simpson  
Wendy Stevens  
Ralph Strebel  
Lenny Tanis  
Ben Thompson  
Kraig Washburn  
Malia Wildman  
Louisa Young  
Thank you to **Bill Meyer, Dana Matthews, Chris Ford, Baine Kerr, and Andrew Peternell** of Hutchinson Black & Cook for accepting a challenging, multi-faceted pro bono case.  
Thank you to **Norm Aaronson**

and the students at **CU Legal Aid & Defender Program** for accepting 10 pro bono cases.

Pro Se Program volunteers:  
**Peggy Goodbody**  
**Ann Mygatt**  
**Bev Nelson**  
**Georgiana Scott**  
**Ralph Strebel**

**Boulder County AIDS Project:**  
Thank you to the following attorneys who accepted pro bono referrals for the Boulder County AIDS Project during the month of August:  
**Paul Bierbaum**  
**Julia Robinson**  
**Mary Ann Strobridge**

We need volunteers for the LACH program at the Homeless Shelter. Attorneys go to the shelter on Tuesday nights from 7-9. Clients need assistance with employment, criminal, bankruptcy, family law issues. Please call Alex Garlin (296-4222) or Slade Spillman (998-0417) with questions and more information regarding the

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| <p style="text-align: center;"><b>BCBA</b><br/><b>Professionalism Committee</b><br/><b>On-call Schedule</b></p> |
|---|

|         |               |          |
|---------|---------------|----------|
| Oct. 1  | Trip DeMuth   | 546-1375 |
| Oct. 8  | Mark Langston | 440-9684 |
| Oct. 15 | Bev Nelson    | 554-7030 |
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ANNUAL JUDGES' DINNER**

**THURSDAY, OCTOBER 25, 2001**

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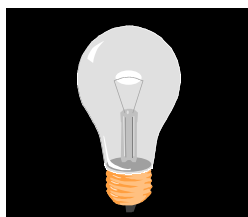
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## 20TH JUDICIAL DISTRICT COURT NEWS

### TWENTIETH JUDICIAL DISTRICT AND STATE OF COLORADO RANK HIGHEST

Colorado ranks number one in the United States in the Law Enforcement and Courts Category. We lead the nation in the use of technology in the Colorado Integrated Criminal Justice Information System, Integrated Colorado On-line Network and E-filing.

The Twentieth Judicial District and attorneys lead the State of Colorado in the use of E-filing. We are the number one court in Colorado in matching criminal records between law enforcement agencies, district attorneys and the court.

Our use of technology provides efficiencies while improving public safety.

Following is an excerpt from *Government Technology*, June 2001: "Last year saw many changes for the high-speed world of information technology. There are more than 20,000 sites in the United States alone that offer government information and services. Not only have citizens come to expect online conveniences, but government's internal operations now rely on integrated systems and cross-agency access to information." As one analyst said, "In three year's time, all governments will be Internet governments or they won't be governments at all."

The results of the first phase of the Digital State Survey indicate that e-government leaders embrace this concept and are making significant strides in the digital revolution. Integration of cross-agency information systems is a priority for states that lead in the justice arena. Colorado has linked law enforcement, prosecution, courts, adult corrections and juvenile corrections into one integrated justice system. This means that offenders can be

tracked throughout the process from arrest to trial and incarceration.

The 20th J.D. will continue to be a leader in this technology and set high standards for Colorado Law Enforcement.

*Submitted by the District Court Administrator's Office of the 20th Judicial District.*



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## WE ROCKED THE BLOCK

Over 150 people "Rocked Around the Block" under Louisville's sunny skies. To our amazement, the inclement weather that had threatened all day held its downpours until about an hour after the end of this grand event. Contributions from our sponsors Garlin Driscoll & Murray, Johnson & Johnson, Lamm, Nathan & Butler, Cooper, Tanis and McBain, Rautenstrauss and Joss, and Heritage Bank, as well as from ticket purchasers resulted in raising net proceeds in excess of \$3000 for Boulder County Legal Services. A special thanks to Superior Liquors who donated the beer and pop and Quizno's who donated sandwiches. We were thrilled that so many Boulder lawyers, judges, community members along with their families came with such good spirit to support the good works of the legal services in the county.

Slick, Dale Johnson, Todd Ballantine, Joe O'Cleary, John Gilbert and Pat Mayne enthusiastically served up top-notch live rock and roll. Inevitably, dancing followed.

The Hula Hoop contest was a particular favorite of the many children, and our famous "real-life judges" were put to a difficult decision. In the adult competition Virginia Chavez dazzled the judges by her signature "hoop and strut routine." The karaoke competition revealed the hidden talents of many of our peers. The winners were overwhelmed by their prizes-- Wayne Newton and Englebert Humperdink albums. No one will ever forget "Jail House Rock" as performed by Judges Hale and Sansteadt, aka HaleSteadt. It just doesn't get any better.

Boulder County Legal Services appreciates and deserves the extraordinary support which they continue to receive from the Boulder community. In keeping with our developing traditions of fundraisers that are fun, don't miss our second annual Wine Tasting Event in February to benefit BCLS and Legal Aid Foundation of Colorado.

*Submitted by Alex Garlin and Christine Hylbert*

ROCK ON!

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Must be graduate of an accredited law school and must be licensed to practice law in Colorado. Salary based on union scale. Submit resume and legal writing sample to Rita Young, Colorado Rural Legal Services, 1905 Sherman, Suite 400, Denver, CO 80203.

**STAFF ATTORNEY AND FULL-TIME PARALEGAL, BILINGUAL IN SPANISH/ENGLISH** position available in Migrant Farm Worker Division. Must have dedication and sensitivity to serving the legal needs of migrant farm workers. Send resume list of three references to Patricia Medige, Managing Attorney, Migrant Farm Worker Division, 1905 Sherman Street, Suite 400, Denver, CO 80203.

**Office sharing**, several suites available near 30th and Valmont. Call 3403.247.1313 ext. 306/326.

**1 OR 2 LAW OFFICES AVAILABLE.** Rental includes secretarial station(s), built-in bookshelves, law library, kitchen, conference room, receptionist, parking, downtown Boulder. Call Kathy 303.447.1632.

**OFFICE SPACE near downtown Boulder.** Very nice, bright office. One wall is a window overlooking Boulder Creek. Fax, copier, receptionist, coffee service, mail pickup and delivery and two conference rooms in newly remodeled building with covered parking. \$1,000/mo. includes phone, fax and T-1 line. Contact Howard at 303.302.6453.

**CLASS A OFFICE SUITE FOR RENT** - 4 sound-proof offices, waiting room, kitchen area in downtown, Boulder's most prestigious building. 1375 sq. ft., \$3620/month. Call 303.938.9494 or 303.444.6830.

**OFFICE SPACE FOR LEASE --** near 3rd and Canyon/Justice Center, library/conference room, fax/copier, reception, court and mail runs daily. Contact Jill at 303 449-1873.

**LAW OFFICE RENTAL** - Established downtown Boulder law firm, one block west of the Pearl Street Mall, has one office plus secretarial station for rent. Includes ability to share conference room, library and on-site parking. First class space in new building. Call 303 443-6800.

### LEND A LAW STUDENT

The University of Colorado Law school's lend A Law Student Program is designed to assist Colorado attorneys that are doing pro bono or reduced fee work. Whether it be research, brief writing, document compilation, investigation, etc. the students at CU Law School are available to help you. Contact Norm Aaronson, Legal Aid and Defender Program 303 492-8126 or Robert Wolf, student coordinator robert.wolf@colorado.edu

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