

Boulder COUNTY

BAR ASSOCIATION

APRIL SIDE BAR PRESENTATION

Please join us for our April Side Bar presentation as we welcome theater instructor Stephany Roscoe to present **The First We Thing We Do, Let's Kill All the Lawyers: Ah, Rhetoric**, a workshop focusing on Shakespeare's usage of rhetoric.

In this workshop we will explore Shakespeare's use of rhetoric in a scene from Merchant of Venice as Portia attempts to persuade Shylock toward mercy. We will then discuss how the same tools of rhetoric can be applied by modern lawyers to help persuade a listener. A good working knowledge of rhetoric is essential for any attorney seeking to properly persuade a judge, jury, opposing party, or even one's own client. The works of William Shakespeare exhibit the power of rhetoric and demonstrate the uses of several rhetoric tools. By focusing on a particular scene and providing a close read of the strategies and tactics the characters utilize, attendees will gain a deeper knowledge of rhetorical skills and how to apply them to their current practices.

Under Colorado Rules of Professional Conduct 1.1, attorneys must provide "competent" representation, including the necessary "skill". This workshop aims to increase and improve the argument skills for an attorney.

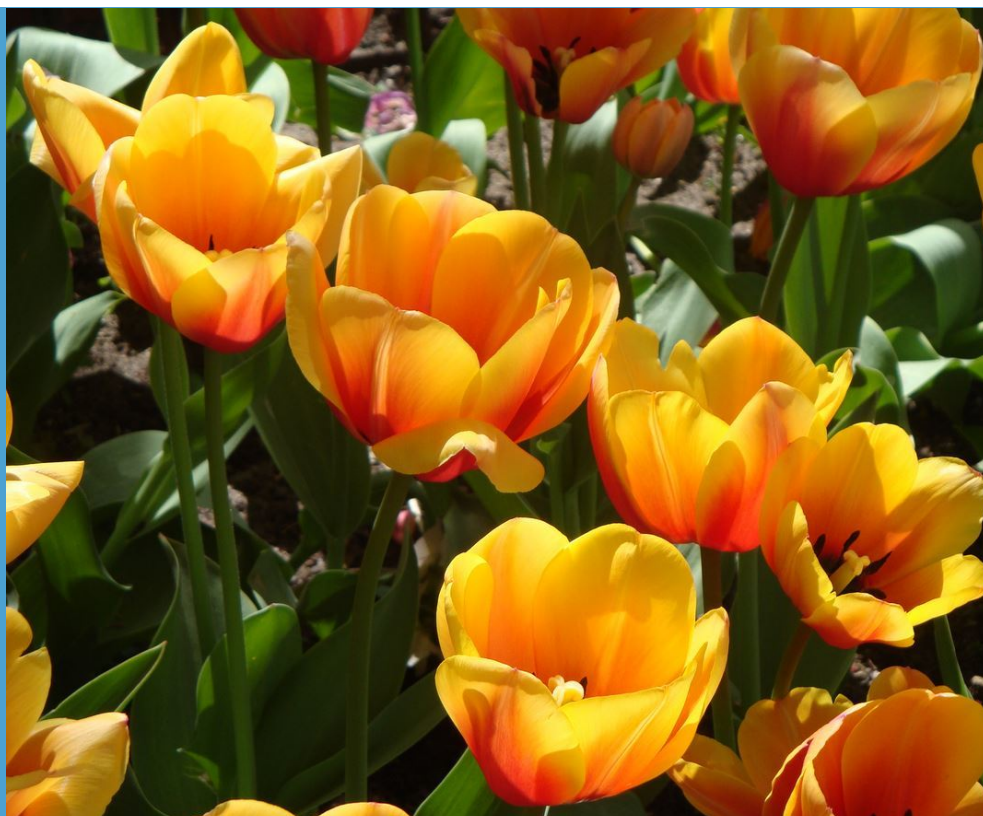
The April Side Bar will be held on Thursday, April 8 at 4:00 pm in the BCBA Zoom Meeting Room. The virtual link and presentation materials will be sent out the day prior to the event.

[Please click here to register](#)

Seeking
Board
Members
Page 3

IN THIS ISSUE

| | |
|---------------------------------|-----|
| CALENDAR OF EVENTS | 2 |
| BCBA BLOOD DRIVE RESULTS | 2 |
| SEEKING BOARD MEMBERS | 3 |
| PRESIDENTS PAGE | 4 |
| REMEMBERING ROGER STEVENS | 5 |
| LITIGATION IN THE TIME OF COVID | 6-7 |
| EVICTON ASSISTANCE ANNOUCEMENT | 7 |
| PROFESSIONALISM & PRO BONO | 8 |
| CLASSIFIEDS | 9 |



CALENDAR OF EVENTS

Thursday, April 8

**SIDE BAR CLE: THE FIRST THING WE DO, LET'S KILL
ALL THE LAWYERS: AH, RHETORIC**

Presented by Stephany Roscoe

4:00 - 5:00 PM CLE @ BCBA Zoom Meeting Room

\$25 CLE | \$15 New/Young Lawyer | \$10 No CLE

[Please click here to register](#)

**HOME STUDY CLE: ROUNDTABLE WITH THE
DISTRICT ATTORNEYS**

**Presented by District Attorney Michael Dougherty
and Deputy DAs Ken Kupfner and Christine Rinke**

[Please click here to register](#)

**HOME STUDY CLE: CIVIL LITIGATION &
ALTERNATIVE DISPUTE RESOLUTION CLE: "GREAT -
YOU GOT YOUR CASE SETTLED IN MEDIATION - OR
DID YOU?"**

**Presented by Rob Gunning, Doug McQuiston, and
Doug Stevens**

[Please click here to register](#)

Thank you to all of our March Blood Drive participants!

Here are some of the highlights of our
March drive:

- 33 donors scheduled a blood donation ahead of time
- 7 first time donors!
- 29 donors were registered to give whole blood
- 22 whole blood donations made, each donation can potentially help save more than one life
- 3 double red cell donations (each produces 2 units)
- 4 day of deferrals
- Total of 28 donations collected, helping over 70 patients!



**David
Driscoll**

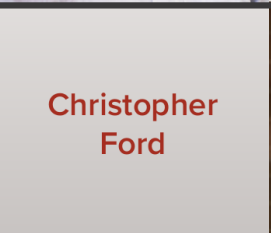


**Kimberly
Hult**

HutchinsonBlackandCookLLC

Attorneys at Law

921 Walnut, Suite 200
Boulder, Colorado



**Christopher
Ford**



**Glen
Gordon**



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SEEKING VOLUNTEER BOARD MEMBERS

The BCBA is looking for a few talented and motivated volunteer board members to lead and strengthen our association. This is an interesting time in our community, and now more than ever we need great leaders who have the creativity and dedication to lead us into uncharted waters. This gives you a great opportunity to have your voice heard and help with important decisions moving forward. The BCBA will have 3 terms available: (2) 3 year positions, and (1) Secretary/Treasurer position which will move into leadership. All terms will begin on July 1, 2021. **Applications are due by April 23.**

If you have any further questions, please contact Laura Ruth at laura@boulder-bar.org. We look forward to welcoming our new board members!

[Please click here to apply for board service.](#)

LAWYERS TO HELP VICTIMS OF VIOLENCE

Safehouse Progressive Alliance for Nonviolence (SPAN) is currently recruiting attorneys for the 3rd cycle of their Lawyers For Victims Program. The Lawyers For Victims Program gives victims of family violence, domestic violence, sexual assault, and stalking direct legal representation in Permanent Protection Order hearings in Boulder and Broomfield Counties.

SPAN contracts with local attorneys to provide specific, limited services for a flat fee of \$800 per case with no cost to victims. Contract attorneys can accept cases according to their availability and will have exclusive access to litigation roundtables, trainings, and networking opportunities with other trial advocates working with victims.

To learn more about the Program and quick application process please contact Veronica Horn, SPAN's Legal Advocacy Program Director, at 720.441.3249 or via email at veronica@safehousealliance.org

WELCOME NEW BCBA MEMBERS

Christopher J Kiyan
Marina K Fleming
Tracy L Brooks
Eve-Lynn J Rapp
Torrey M Kittle
Merissa Osswald

Andrew P Bevacqua
Emily R Griffin
Molly K Owens
Lauren Schusterman
Lindsey Layer
Nicholas Turiciano

PRESIDENT'S PAGE

JEFF ROSE

In lieu of our traditional President's Page, the Boulder County Bar Association leaves this space open to mourn the senseless loss of our fellow community members at one of our community's grocery stores on March 26, 2021.

Please take a moment to remember Officer Eric Talley, Kevin Mahoney, Teri Leiker, Rikki Olds, Lynn Murray, Tralona Bartkowiak, Suzanne Fountain, Denny Strong, Jody Waters, and Neven Stanistic.

Please also consider our role as lawyers, individually and as a local bar association, in creating a more peaceful, more just, and less violent society.



REMEMBERING ROGER E. STEVENS

ANDY LITTMAN

Roger E. Stevens - November 7, 1929 – February 7, 2021

Webster's defines A Renaissance man as "a person who has wide interests and is expert in several areas." The Boulder legal community lost one of its true Renaissance men with the passing of Roger Stevens on February 7, 2021. Roger loved learning and did so until his last day. Roger also embraced kindness to all – everyone.

Roger grew to be an accomplished lawyer in areas as diverse as property rights and title searches, ACLU volunteer legal work, oil and gas, real estate, mining/water law, bankruptcy, estate planning, constitutional law, labor law, tax, murder cases (5), family law, and aviation wrongful death cases. He graduated UCLA English Major cum laude in 1951, then attended CU law school, then practiced law in Boulder County for more than 60 years. He was brilliant and blessing with a photographic memory.

Roger was fiercely independent and liked to march to the beat of his own drum. He hired female lawyers when others discriminated. He became a lawyer to help people and believed if you did a good job, clients took care of you. Roger was paid in kind by clients who could not afford his services, including cords of wood, bales of hay, and goose eggs (literally). Such was the practice of law in Boulder in the 1950-1970s.

He excelled as a pianist extraordinaire, a guitarist, and a 5th degree black belt and Judo Sensei who competed for a position on the US Olympic team. He studied and practiced Jin Shin Jyutsu therapy. He traveled to Argentina to dance tango and loved to folk dance locally. He was a gymnast (eager to teach handstands to all), studied Hebrew, Arabic, Portuguese, Spanish, Japanese, and Gaelic. He was an amateur poet, he sang, meditated, and embodied the Sufi smile. Roger loved Irish



Limericks, could recite the Jabberwocky by heart, and owned and rode an enviable motorcycle collection. The outdoors was his sanctuary. He loved to swim, he was an avid hiker, cross-country skier, and environmentalist. He lived and played in the mountains, embraced friends and partners, loved his family, and cherished more than anything his beloved wife, Philomena.

Roger and I practiced law and otherwise roamed the world together for forty plus years. He was a great mentor, friend, and role model for how to live a life of learning, be kind to all, and how to bounce back from adversity.

He will be missed by the numerous lawyers who worked with him, his former partners, and the numerous attorneys throughout the Boulder Community who cherished him. Perhaps in the wake of the horrific week in Boulder last week, we can honor Roger's memory collectively as a community – by caring for those in need and strengthening our ties and kindness to one and other.

Roger loved Sufi wisdom. One favorite: "I want to sing like the birds sing, not worrying about who hears or what they think."

LITIGATION IN THE TIME OF COVID

COLLEEN M. KOCH

On March 11, 2020, Colorado Governor Jared Polis declared a state of disaster emergency due to the presence of COVID-19 in Colorado. From that point on, it is fair to say that the landscape of practicing law in Boulder County and Colorado as a whole was forever altered. Counsel tables were replaced with kitchen tables; spare bedrooms became the new conference rooms; and, for many of us, our pets became the new co-counsel.

While practicing remotely hasn't been all bad—I, for one, enjoy the ability to wear comfortable pants during remote depositions and hearings—it has certainly presented unique challenges which could be solved only through trial and error. Below are a few of the lessons I have learned after a year of practicing remotely.

Exhibits: One of the commonly confronted logistical issues with practicing remotely is how to share exhibits with counsel and witnesses who are no longer across the conference room table. Personally, I have found that having an exhibit technician on the Zoom or Webex conference is money well spent. The technicians I have worked with have been incredibly efficient at pulling up exhibits, zooming in to the correct focal point, and highlighting the relevant text as I or the witness am



speaking. Although I consider myself reasonably “tech savvy,” many awkward pauses have been eliminated by having someone else locate the PDF I needed.

That said, not every case calls for, or has the funds available for, additional technology support. In those instances, providing exhibits to opposing counsel and the court reporter, (and the witness, if possible) beforehand helps to make sure everyone has what they need prior to starting the clock. While some element of surprise is lost, it is well worth it to save the headache of trying to get a witness to read text that, when screen shared, is just too small to be useful.

Audio Setups: After a year of pandemic life, countless of us have been on—or been in charge of—a hearing or

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LITIGATION CONTINUED

deposition that is sidetracked by echoes, feedback, or microphones that do not work as intended. There are a few things that can help prevent these issues. First, always make sure that the audio speaker is far enough away from the microphone so that the sound coming out of the speaker is not immediately picked back up by the microphone. Second, be sure that anyone who is not speaking is muted—a refrain we have all heard, but that bears repeating.

If it is necessary to have the client or witness in the same room as the attorney, it is imperative that the audio setup gets tested multiple times prior to any appearance. Feedback problems are common when there are multiple computers on the same remote hearing in the same room, so careful positioning of the equipment is essential.

Organization and Preparation: In general, remote hearings and depositions require more planning ahead of time. It is helpful to have likely exhibits opened and ready for display, and any extraneous applications

closed down. It is also important to check the lighting and background in the room and ensure that family and pets are unlikely to enter during the proceedings!

Of course, all of the above tips can only help but so much. The vagaries of internet connections will continue to be unpredictable at best and working from home always comes with unanticipated surprises. Above all else, courtesy and patience with your colleagues can continue to make this as workable a process as possible. That, and checking to make sure all cat filters are turned off prior to speaking with the judge.

Colleen M. Koch is the one of the Civil Litigation Section Chairs for the BCBA. Colleen is an associate with Hutchinson Black and Cook. Her practice focuses on general civil litigation, including personal injury, business disputes, and real estate litigation.



Bridge to Justice, a 501(c)(3) nonprofit legal services organization committed to providing equal access to justice, has received a grant from the City of Boulder to advise and represent City of Boulder residents facing eviction.

The grant arose from the city's No Evictions Without Representation ballot item. This item, approved by voters in November 2020, provides legal representation to people facing eviction. The grant will enable Bridge to Justice attorneys to attend eviction return hearings in Boulder and advise tenants regarding defenses and negotiation strategies. Tenants are advised to contact Bridge to Justice prior to the eviction return hearing to allow for possible representation and negotiation.

City of Boulder residents facing eviction should call Bridge to Justice at (303) 443-1038, x104 or the City of Boulder at (303) 441-3414.

PROFESSIONALISM ON CALL

| | | |
|----------|---------------|--------------|
| April 5 | Mike Rafik | 303.444.9292 |
| April 12 | Gwyn Whalen | 303.443.8010 |
| April 19 | Lee Stickler | 303.443.6690 |
| April 26 | Mark Langston | 303.440.9684 |

The Professionalism Committee assists lawyers, clients, and other members of the community with questions or complaints about behavior by lawyers that fails to meet generally accepted standards of professionalism and courtesy, or that is contrary to the BCBA Principles of Professionalism.

The Professionalism Committee does not address allegations of criminal or ethical violations by lawyers, as regulated by the Colorado Rules of Professional Conduct, and any such violations should be addressed to the Office of Attorney Regulation Counsel.

BOULDER COUNTY FREE LEGAL CLINIC

The Boulder County Free Legal Clinics have been replaced with our Virtual Legal Clinic until further notice.

THANKS TO OUR VOLUNTEERS

The BCBA Virtual Legal Clinic remains ongoing and has served over **300** people to date. Thank you to the attorneys who serve as volunteers:

| | | |
|-------------------|----------------|-----------------|
| Dan Droege | Amy Stengel | Beth Kelley |
| Jennifer Huston | Laura Herndon | Dipak Patel |
| Sherri Murgallis | Maki Iatridis | Lindsey Killion |
| Craig Small | K.C. Cunilio | Karen Burns |
| Scott Hamerslough | Fern O'Brien | Susan Spaulding |
| Starla Doyal | George Farmer | Chris Lane |
| Jeff Skovron | TJ Willard | Connie Eyester |
| Lila Sol | David Harrison | Beth Montague |
| Georgiana Scott | Ann England | Kurt Hofgard |

PRO BONO REFERRALS

One case was referred in the month of January. Thank you to the following attorneys:

Rob Gunning
Jane Paddison

PRO SE VOLUNTEERS

Thank you to Tucker Katz, Zachary LaFramboise and Kathleen Franco for assisting at the January Pro Se Clinic.

PRO BONO CORNER

Interested in a Pro Bono case? Please call Kellie at 303-449-2197. CLE credits available for pro bono service.



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Long-standing Boulder County law firm seeks an associate attorney for its litigation practice.

The ideal candidate will have clerked for a trial court judge on both civil and domestic dockets, engaged in clinical practice in law school, or both. Candidates should have an interest in both civil and domestic practice. The position is ideally suited for an attorney with 1-7 years of experience looking to practice in Boulder County for the long-haul. Please submit a resume, cover letter, and writing sample to careers@lyonsgaddis.com.

Boutique PI firm seeks associate. Established, boutique personal injury law firm in Boulder seeks a full time associate attorney with a minimum of 3 years of personal injury experience to join our team. Successful candidates should have excellent written and oral communication skills, be highly organized and motivated, possess excellent analytical and research skills, and have litigation and/or trial experience. Candidates should be able to handle a personal injury matter from intake to conclusion. Excellent benefits,

including health insurance and 401K offered. Competitive salary commensurate with experience. Please submit cover letter and a resume to jttenge@tengelaw.com.

Seeking paralegal / legal assistant. Packard and Dierking, LLC is currently seeking an experienced paralegal / legal assistant to assist attorneys in real estate and corporate transactions and estate planning. Great small law firm environment in Boulder. Competitive salary that is commensurate with duties and experience. Please click here to view the full job listing. Interested applicants should contact pdjob@hotmail.com.

Seeking legal secretary/paralegal. Part-time 20 hrs/wk. \$20-\$27/hr. Good typing skills a must including typing from dictation as well as ability to take instruction and work independently. Practice areas are estate planning, business (including entity formation, purchases and sales), real estate, and probate. Some experience a plus. Salary growth based on experience and ability. Contact gail@oshlaw.com with resume.

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Randy Barnhart



Laurence Free



Aaron Goldhamer



Christina Habas



Melissa Hailey



Michael Keating



Deirdre Ostrowski



Ross Pulkrabek



Lidiana Rios



Melissa Sullivan



Bradley Unkeless



Robert Wagner



Daniel Wartell



Zachary Warzel

PERSONAL INJURY. WORKERS' COMPENSATION. BUSINESS LITIGATION. INSURANCE DISPUTES.

Boulder^{COUNTY} BAR ASSOCIATION

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