

Boulder COUNTY

BAR ASSOCIATION

HOLIDAY PARTY & FUNDRAISER

Please join us for the BCBA Holiday Party on Thursday, December 9 from 5:00 - 7:00 pm at our offices. This will be in person for vaccinated members with a virtual opportunity from 5:30 - 6:30 if you prefer to stay at home. **In person attendance is limited so register quickly!**

Drinks and hors d'oeuvres will be provided at the event with a pick up option from Cured for those who participate virtually.

We will be playing Virtual Musical Bingo from 5:30 to 6:30 for all in person and those participating via Zoom. This is a fun event with great prizes to help get you reacquainted with some fantastic music from the 60's, 70's and 80's.

Each player gets a bingo card with the numbers replaced by song titles and artist names. Our host, DJ Kyle, plays the music and players rush to identify it on their cards. The first player to complete a straight line gets bingo. We will then play for double bingo and blackout. Gift cards will be awarded for each level.

**BCBA
Precious Gift
Drive
Page 4**

Thursday, December 9

5:00 - 7:00 pm in person, 5:30 - 6:30 pm via Zoom

\$25 Contribution to benefit Boulder County Bar Foundation

[Click here to register](#)

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CALENDAR OF EVENTS

Wednesday, December 1

Bagels with the Bar - ADR

8:30 - 10:00 AM @ BCBA Office (3269 28th St.)

Free for BCBA Members

Wednesday, December 8

Bagels with the Bar - Tax & Estate

8:30 - 10:00 AM @ BCBA Office (3269 28th St.)

Free for BCBA Members

Thursday, December 9

BCBA Holiday Party & Virtual Musical Bingo

5:00 - 7:00 PM @ BCBA Office

\$25 Contribution

[Please click here to register](#)

Tuesday, December 14

ADR & Family Law Virtual CLE: Update on Collaborative Law in Colorado

Presented by Georgiana Scott, Amy Stengel, and Jeanine Lee

4:00 - 5:00 PM Virtual CLE (BCBA Zoom)

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

[Please click here to register](#)

Wednesday, December 15

Bagels with the Bar - Criminal Law

8:30 - 10:00 AM @ BCBA Office (3269 28th St.)

Free for BCBA Members

Wednesday, December 15

Civil Litigation CLE: Trial Practice and Jury Instructions Pointers for the Civil Litigator

Presented by

4:30 - 7:00 PM CLE & Happy Hour @ BCBA Office (3269 28th St.)

\$35 CLE | \$25 New/Young Lawyer | \$15 No CLE

[Please click here to register](#)

Wednesday, January 5

Bagels with the Bar - Intellectual Property

8:30 - 10:00 AM @ BCBA Office (3269 28th St.)

Free for BCBA Members

Thursday, January 13

Side Bar CLE: CBA Presidential Visit

Presented by CBA President Joi Kush

4:00 - 6:00 PM CLE @ BCBA Office (3269 28th St.)

\$35 CLE & Happy Hour | \$20 New/Young Lawyer |

\$10 No CLE

[Please click here to register](#)

Thursday, January 20

CU Basketball - CU vs. USE

5:30 - 8:30 PM @ CU Events Center

\$25 Tickets for BCBA Members

[Please click here for tickets](#)



**David
Driscoll**

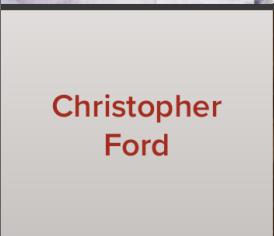


**Kimberly
Hult**

HutchinsonBlackandCookLLC

Attorneys at Law

921 Walnut, Suite 200
Boulder, Colorado



**Christopher
Ford**



**Glen
Gordon**

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PRESIDENT'S PAGE

BRETT LANDIS

The December holiday season brings with it bright lights, rich foods, and (increasingly) requests for charitable donations. As we head into this holiday season, I wanted to take this opportunity to update you on the changes to the Boulder County Bar Foundation, the charitable branch of the BCBA.

Our Foundation was established in 1984 to “advance justice, increase the understanding of law and judicial system, provide access to legal services for the poor, homeless, and immigrant populations, support training for the next generation of attorneys, and assist those turning to the legal system for help.” It has a long history of providing grants and financial support for activities, events, and organizations to help meet these goals. Some past grantees include: Safe Shelter of the St. Vrain, Boulder Voices for Children, High School Mock Trial, J-SUP, Bridge to Justice, Immigrant Legal Center of Boulder County, YWCA Boulder County, SPAN, and (the organization I’m personally most involved with) Boulder County Legal Services. In this grant cycle, the Foundation awarded \$40,000 worth of grants to local organizations. It is remarkable to think of how much good has been done in our local community with the Foundation’s resources. It’s the epitome of “think globally, act locally.”

As charitable giving models have changed, our Foundation went through a transition to better meet the current and future needs of our community. This fall, The Boulder County Bar Foundation and the Boulder County Bar Association signed a Memorandum of Understanding to merge our boards and provide more efficient support for the Foundation’s mission. Carrie Frank, as our President Elect of the BCBA graciously stepped into the role of the Foundation President, and Emily Ellison, the BCBA Secretary/Treasurer, stepped into the role of the Foundation Treasurer. We are very lucky to have people with Carrie’s and Emily’s talents leading us



as we move into this new structure.

Additionally, the Foundation’s prior fundraising model was based on recruiting and retaining “fellows”. As we transition, we have replaced the “fellows” model with one based on fundraising campaigns and events! (Our first event is being held on December 9th! Please sign up for a Musical Bingo card at our holiday party to contribute!) We’re also optimistic that on March 5, 2022 Justice for All Ball (JFAB) (mark your calendars!) will be able to proceed in person as planned! We look forward to new ways to raise funds for these important causes that we all care about.

To contribute directly to the Boulder County Bar Foundation, please visit the website [here](#).

Finally, I want to applaud our board member Jodi Martin for her excellent Side Bar CLE presentation: “Getting Your Firm’s Affairs in Order: Succession Planning for Law Firms”. This is a CLE every lawyer should watch, but especially any lawyer who works in a solo practice or small firm. Jodi does an excellent job of walking you through everything you don’t know that you don’t know about what happens when you are unavailable either temporarily (illness or vacation) or permanently (death or disability). These are difficult, but important issues to consider. This CLE is available for Home Study: please [click here](#) to register.

THE BCBA 2021 PRECIOUS GIFT DRIVE



Over 85 children's wish lists were fulfilled by BCBA members during this year's Precious Gift donation drive. Thanks to the generosity of this year's participants, we were able to deliver two vehicles full of toys, bikes, clothes, and assorted gifts to A Precious Child's warehouse in Broomfield.

Our office, yours, or video?



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LET'S TALK ABOUT FENTANYL

MARY CLAIRE MULLIGAN

The first time I heard about fentanyl was in a 2017 Louise Penny novel. It has loomed large since then. A dear loved one, just 21, died last December after buying counterfeit Xanax. My child's friend, 18 years old, died in February after buying street pills. Then a friend's 30-year-old son. Then another. Now, when someone dies suddenly and unexpectedly, my mind immediately leaps to "fentanyl poisoning."

In 2020, 52 people in Boulder County (1477 in the state) died of overdose from any drug, including alcohol [1]. Seventeen deaths (540 in all of Colorado) were identified as fentanyl related [2]. According to the Denver Post, in 2021 two Coloradans a day are dying from fentanyl poisoning [3].

Why is fentanyl killing so many people? Tiny amounts of it can be lethal. It's described as 50 times more potent than heroin [4]. Fentanyl comes in powder form, so it can be easily mixed into drugs like heroin, methamphetamine, and cocaine, or pressed into pills.

Fentanyl is much cheaper than most other opiates, particularly heroin. So manufacturers add it to pills masquerading as oxycodone or Xanax. Many of the fentanyl pills in Colorado mimic 30 mg Oxycodone pills:

Because so much of the fentanyl in Colorado comes from pill presses in Mexico, the amount of fentanyl in any one pill can vary dramatically—even from other pills manufactured in the same batch.

I've been a criminal defense lawyer for almost thirty years, which is long enough to convince me that criminal punishment is not the answer to a public health problem. As long as people have pain, there will be a need to escape from it. Synthetic opioids are

just a modern way of doing that.

How do we keep fentanyl from killing our loved ones? Make sure everyone is educated about the dangers of street drugs. If someone does not want to deliberately ingest fentanyl, test strips can test for its presence. If you suspect someone is using street drugs, encourage them not to use alone. Keep naloxone (Narcan) on hand and be prepared to use it. It comes in double doses and is in the form of a nasal spray.

Know what the symptoms of opioid overdose are: unconsciousness, no response to pain stimulus, inability to talk, slow or erratic breathing, skin or fingernails turning bluish or grayish, choking or gurgling sounds, vomiting, limpness, slow or erratic pulse [5].

If you suspect someone is overdosing, immediately call 911. Try to wake them up by calling their name loudly and vigorously rubbing their sternum. Administer Narcan. Give them a second dose in two minutes if necessary. Give them rescue breathing. If they begin to breathe before help arrives, roll them onto their side so they do not choke on vomit [6].

If someone is not overdosing, naloxone will not harm them, so it's safest to use it when there is a possible opioid overdose.

It is a myth that merely touching fentanyl will cause an overdose [7]. It must be ingested in some way. It is also disputed that there are fentanyl analogues that are resistant to naloxone.

Get the facts. And get Narcan. You can save lives.

Where to get naloxone (Narcan) and fentanyl test strips.

ABOUT FENTANYL CONTINUED

Addiction Recovery Services: Mental Health Partners, 303-443-8500 (website)

Substance Use and Mental Health Resources for Youth and Parents: Boulder County Public Health, (website)

Harm Reduction Resources: Boulder County Public Health, The Works Program, (website)

Colorado Lawyer Assistance Program: 303-986-3345, email, (website)

[1] Colorado Department of Public Health and Environment (website)

[2] Id.

[3] E. Schmelzer, "A Drug of Mass Destruction," Fentanyl Deaths Surge in Colorado, Reaching an Average of Two

Fatalities a Day," *The Denver Post*, September 26, 2021 (website)

[4] "Fentanyl Use and Overdose Prevention Tips," National Harm Reduction Coalition (website); "Fentanyl Drug Fact Sheet," United States Department of Justice, Drug Enforcement Agency (website).

[5] "Opioid Overdose Basics," National Harm Reduction Coalition (website)

[6] Id.

[7] "Fact Check—Overdose of Fentanyl Just by Being in its Presence is not Possible, Experts Tell Reuters," *Reuters*, August 11, 2021(website)

Mary Claire Mulligan is the Section Cochair of the BCBA Criminal Law section.

WELCOME NEW BCBA MEMBERS

Matthew Dillon
Barbara A Snow
Matthew A Simonsen
Rachel K Gillette
Franz P Frechette
Timothy R Franklin
Liz Marasco
Lizzie Bird
Mark D Gibson
Galen B Sylk

Jordan Holsinger
Madeline S Cohen
Danielle DeSpirito
Lena Fields
Amanda Homan
Nicole Okief
Caroline Gecker
Prerana Nepal
Andrew Clark

LAWYER ANNOUNCEMENTS

HutchinsonBlackandCookLLC

Attorneys at Law

Since 1891

HBC is pleased to welcome to the Firm:



**Matthew A. Simonsen, J.D.
Associate**

A 2019 graduate of the University of Colorado School of Law, Matt joins HBC after clerking for Justice Melissa Hart at the Colorado Supreme Court and for Judge Elizabeth Harris at the Colorado Court of Appeals. At HBC, he will have a broad litigation practice that includes Title IX, civil rights, and appellate litigation.

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Lyons Gaddis is pleased to announce that
Wyatt A. Forman

is joining the Government Practice Group
as an associate Attorney.

Wyatt's practice will focus on supporting the firm's School
and Special District clients, as well as other local
governmental entities.



Wyatt A. Forman

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info@lyonsgaddis.com | lyonsgaddis.com

PROFESSIONALISM ON CALL

December 6	Lee Strickler	303.443.6690
December 13	Mark Langston	303.440.9684
December 20	Meghan Pound	303.443.8010
December 27	Tom Rodriguez	303.604.6030

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 30 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

Four cases were referred in the months of September and October. Thank you to the following attorneys:

Chris Jeffers
Judson Hite
Susan Bryant
Howard Bernstein

PRO SE VOLUNTEERS

There were Pro Se Clinics held in the months of September and October, thanks to the help of the following attorneys:

Kathleen Franco (x2)
Peter Fabish
Tucker Katz
Jennifer Hudson
Shana Beggan
Trish Riley
Emily Ellison

PRO BONO CORNER

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

CLASSIFIED ADS

Office Share Opportunity. The law firm of Vincent, Romeo & Rodriguez is downsizing from our current space in Tebo Plaza in Louisville. We're looking to share space with another Louisville law firm. We would need a copier/scanner to share, conference room to meet clients and conduct Will signings 1-2 days per week, and a small office where we could put a desk and couple of file cabinets. Handicap parking and access essential. We don't need phones answered or additional staff at this time. Contact Richard Vincent or Rick Romeo at 303-604-6030 or email to info@elderlawcolorado.com

Office Space Available. Nice office on main floor of historic building in Boulder near downtown. Would fit a single lawyer, but may be space for staff if wanted. Off street parking, copier/scanner/fax, in a building with several other lawyers. Contact Dave Harrison –dave@millerandharrison.com, 303-449-2830.

Litigation Attorney Needed. Part-time, contract-based. Litigation experience a must. Small, growing practice based in Boulder focuses on construction defect and outdoor recreation litigation, in addition to insurance coverage. For consideration, please submit a resume and legal writing sample to jennifer@arnettlawyers.com.

Associate Attorney Needed. Full-time Associate Attorney for established Boulder domestic relations practice sought to perform research, draft pleadings, conduct discovery, contact clients, and generally perform all aspects of client representation. Seeking an individual with excellent legal research and writing skills as well as someone who is independent, diligent, and flexible. Only long-term candidates with 1 to 5 years experience in Domestic Relations, or judicial clerkship. Beginning salary between \$60,000 and \$80,000 depending on experience. Excellent benefit package, casual, collegial work environment with interesting cases and advancement potential. Please e-mail resume, cover letter, and references to Bonnie Ray at bray@mmwclaw.com.

Office Space For Lease. Incredible Flatirons Views, located at 2575 Pearl Street, Suite 230, Boulder. Furnished office space with 2 executive offices, glassed-in conference room, kitchen/work room, and reception area. 850 Square Feet. Monthly rent: \$3,250. Call Todd at (303) 859-3840.



We are updating group participation in BCBA Law Section Groups, and will use your choices to add or remove groups to your BCBA membership profile. Section membership is free, so please join as many sections as you like. We regularly send targeted e-blasts about CLE programs and other news to specific groups, and this will assist us in keeping you up-to-date on group activities.

Please click here to update your BCBA Group Preferences

Boulder^{COUNTY} BAR ASSOCIATION

THE BCBA NEWSLETTER IS A MONTHLY ELECTRONIC PUBLICATION BY THE BOULDER COUNTY BAR ASSOCIATION. ARTICLES BY GUEST LAWYERS MAY NOT BE REPRODUCED WITHOUT PERMISSION FROM THE BOULDER COUNTY BAR ASSOCIATION OR THE AUTHORS.

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