

# Boulder County Bar Association Newsletter

## APPLY NOW TO BECOME A BCBA BOARD MEMBER

### THE BCBA IS SEEKING 3 NEW BOARD MEMBERS

LEGAL AID  
FUNDING  
page 7

In June of this year, the BCBA will be electing 3 new members to our Board of Directors.

We are looking for candidates who are committed to our mission and seeking a more active role in the bar association. This will be a dynamic period in the organization with a new incoming Executive Director and the start of our next chapter. Board membership is a great way to increase your networking in the community while serving the association.

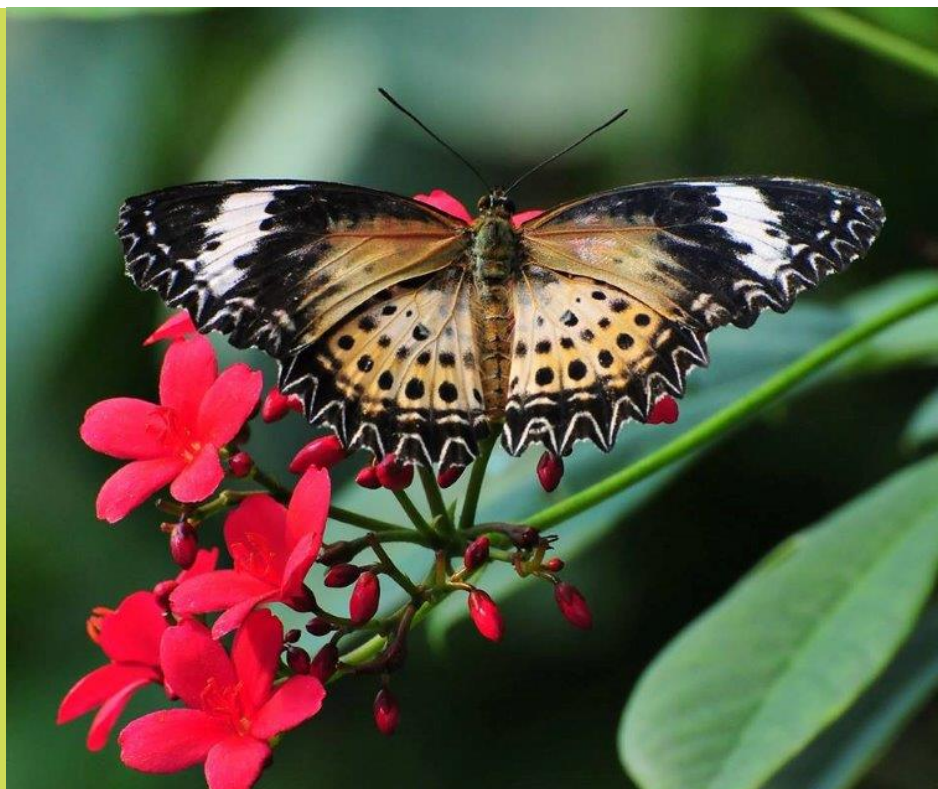
To increase the diversity of our board, special consideration will be given to candidates from the following sections: Criminal Law, Family Law, and Natural Resources/Environmental.

Nominations are being accepted for two 3-year terms and the Secretary/Treasurer position which will move into the Presidency in 2019-2020.

Please send your letter of interest to [christine@boulder-bar.org](mailto:christine@boulder-bar.org). Contact Christine or Laura at the BCBA offices for more information.

## IN THIS ISSUE

WAYS TO REDUCE OVERHEAD	2
CALENDAR OF EVENTS	3
PRESIDENT'S PAGE	4-6
LEGAL AID FUNDING	7
PLEA NEGOTIATIONS	8-10
BOULDER COUNTY BAR FOUNDATION	11
PRO BONO AND PROFESSIONALISM	13
LAWYER ANNOUNCEMENTS	14
COURT ANNOUNCEMENTS	15
CLASSIFIED ADS	16



# SIMPLE WAYS TO REDUCE OVERHEAD

## BARRETT WEISZ

"Be aware of little expenses; a small leak will sink a great ship." Benjamin Franklin. Overhead may not sink your ship, but it can certainly impact the money that you or your partners take home at the end of the day. What follows are some typical overhead line items where a solo practitioner or small firm can reduce overhead and increase net income without compromising the level of service to clients.

**Going Paperless.** If you have not already made this transition, the short term cost in time and effort is far outweighed by the long term cost savings. Once achieved, a paperless practice reduces the need for staff, off site storage expenses, and office supplies such as file folders, paper, notebooks and printing supplies. More importantly, going paperless and maintaining electronic files on a secure laptop or cloud storage like Dropbox significantly reduces the amount of time an attorney spends on non-billable tasks like looking for a paper file or running back to the office to get a file allowing more time billing time and serving the client.

**Billing and Bookkeeping.** Generating monthly bills and keeping the firm books can be outsourced rather than paying an officer manager and/or an assistant to complete this non-billable work. There are several reputable services that are experienced in the unique nature of attorney billing and trust accounts that charge anywhere from \$100 per month for a solo practitioner to a few hundred dollars per month for a small firm. All of the work is done via electronic records and email so that in house meetings are generally unnecessary.

**Contract Paralegals.** Rather than take on the overhead of a full or part-time paralegal, especially when billable paralegal work ebbs and flows, consider using contract paralegals. Technology has evolved so that attorneys and paralegals can now practice at a high level outside of a traditional office

setting. Adobe Acrobat can be used for bates stamping and searchable databases, shared cloud storage such as Dropbox can be used for cooperative access to documents, and all courts in Colorado now use e-filing for filing and serving documents and pleadings. All this allows for excellent legal representation while using a contract paralegal on an "as needed" basis.

**Virtual Offices.** While a brick and mortar office remains the norm for most attorneys, some solo practitioners have discovered that they can effectively practice law while eliminating the substantial costs of an office through the use of virtual offices. A virtual office typically provides an address, business phone line answered by a receptionist, voicemail, and a conference room for meeting with clients. Combining a virtual office and a home office can reduce overhead without comprising service to clients and the appearance of professionalism. For a small firm, it is a way to establish a presence in another market without incurring the expenses of another office space.

**Malpractice Insurance.** Many attorneys have the same malpractice insurance for several years and automatically renew with the same insurance company each year without giving much thought to whether there is a better deal out there. For many years I did exactly that until this past year when I took an hour or two to obtain quotes from other reputable companies. The difference in the rate I ultimately received from the new company compared to the ever increasing rate my previous company charged made the investment of time and effort worthwhile.

Barrett Weisz is one of the Co-Chairs of the Solo/ Small Firm Section of the BCBA. He can be reached at [weiszllc@gmail.com](mailto:weiszllc@gmail.com) or 303.575.9390.

# CALENDAR OF EVENTS

**Wednesday, April 5**

## **PARALEGAL**

### **Intellectual Property Overview**

**Presenter: Glenn Lenzen**

Noon @ BCBA Conference Room

Free to attend, \$12 Lunch

[Register and pay online here](#)

**Thursday, April 6**

## **IN-HOUSE COUNSEL & INTELLECTUAL PROPERTY**

### **Effective Open Source Software Management**

**Presenter: Jilayne Lovejoy**

4:00 @ Zayo Group

\$25 CLE, \$15 New/Young Lawyer

[Register and pay online here](#)

**Friday, April 7**

## **ALL SECTIONS**

### **Professionalism and Competence**

**Presenter: Judge Butler**

Noon @ Courtroom K

\$30 2 Ethics CLE, \$20 New/Young Lawyer

[Register and pay online here](#)

**Tuesday, April 11**

## **EMPLOYMENT**

### **The Dangers of Texting and Social Media**

**Presenter: Kellie Fetter**

Noon @ BCBA Conference Room

\$25 CLE, \$15 New/Young Lawyer

[Register and pay online here](#)

**Wednesday, April 12**

## **BUSINESS**

### **Preparing the Deal**

**Presenter: Jack Donenfeld**

Noon @ BCBA Conference Room

\$25 CLE, \$15 New/Young Lawyer

[Register and pay online here](#)

**Friday, April 14**

## **AVAILABILITY OF LEGAL SERVICES**

### **Monthly Roundtable**

Noon @ BCLS

**Tuesday, April 18**

## **ELDER**

## **Trial Advocacy Training Through the Eyes of a Judge**

**Presenter: Hon. C. Scott Crabtree (Ret.)**

Noon @ BCBA Conference Room

\$25 CLE, \$15 New/Young Lawyer

[Register online and pay here](#)

**Wednesday, April 19**

## **FAMILY**

### **Foreign Orders**

**Presenters: Judges LaBuda & Arkin, Mag. Haenselman**

Noon @ Justice Center Training Room East

\$25 CLE, \$15 New/Young Lawyer

[Register and pay online here](#)

**Wednesday, April 19**

## **NATURAL RESOURCES/ENVIRONMENTAL**

### **Smart Phones, Tablets and Laptops - Here Today, Gone Tomorrow?**

**Presenter: Cindy Schafer**

Noon @ BCBA Conference Room

**Thursday, April 20**

## **REAL ESTATE**

### **1031 Exchanges**

**Presenter: Tracey Wilson**

Noon @ BCBA Conference Room

\$25 CLE, \$15 New/Young Lawyer,

[Register and pay online here](#)

**Thursday, April 20**

## **LONGMONT LAWYERS LUNCH**

Noon @ The Wild Game

\$30 Lunch and CLE

[Register and pay online here](#)

**Thursday, April 20**

## **BANKRUPTCY**

### **Networking Lunch and Roundtable**

Noon @ Kathmandu (1964 28th Street)

**Wednesday, April 26**

## **TAX, ESTATE PLANNING AND PROBATE**

### **Income Tax Issues in Estate and Trust Administration**

**Presenter: Eric Love**

Noon @ BCBA Conference Room

\$25 CLE, \$15 New/Young Lawyer

[Register and pay online here](#)

## BOULDER IDC – THURSDAY, APRIL 13

### **IMMIGRATION CROSSROADS - WHERE IMMIGRATION AND FAMILY LAW INTERSECT**

**Presenter: Lisa Batan, PC**

11:30 @ Dairy Arts Center, \$27 IDC Members, \$32 Non-Members, \$35 Walk in

2 General CLE and .3 Ethics To RSVP, go to [boulderidc.org](http://boulderidc.org)

# PRESIDENT'S PAGE

## ABIGAIL SMITH

"Equal justice under law is not merely a caption on the façade of the Supreme Court building; it is perhaps the most inspiring ideal of our society. It is one of the ends for which our legal system exists...it is fundamental that justice should be the same, in substance and availability, without regard to economic status." Justice Lewis F. Powell, Jr., U.S. Supreme Court Justice (Ret.), during his tenure as president of the American Bar Association (August 1976)

On Thursday, March 16, 2017, the President released a proposed budget for 2018. On page 11, that budget proposes eliminating funding for numerous independent agencies. Somewhere in the middle of the list, you will find the Legal Services Corporation.

The Legal Services Corporation (LSC) was created by an act of Congress in 1974. The declaration of purpose for the Legal Services Corporation Act states:

The Congress finds and declares that-

- (1) there is a need to provide equal access to the system of justice in our Nation for individuals who seek redress of grievances;
- (2) there is a need to provide high quality legal assistance to those who would be otherwise unable to afford adequate legal counsel and to continue the present vital legal services program;
- (3) providing legal assistance to those who face an economic barrier to adequate legal counsel will serve best the ends of justice and assist in improving opportunities for low-income persons consistent with the purposes of this chapter;
- (4) for many of our citizens, the availability of legal services has reaffirmed faith in our government of laws;
- (5) to preserve its strength, the legal services



program must be kept free from the influence of or use by it of political pressures; and

(6) attorneys providing legal assistance must have full freedom to protect the best interests of their clients in keeping with the Code of Professional Responsibility, the Canons of Ethics, and the high standards of the legal profession.

The vast majority of the LSC's annual revenue comes from federal appropriations, which the LSC distributes to 133 independent nonprofit legal aid programs in the form of grants. Grants are awarded as a result of a competitive grants process. In Colorado, the grantee is Colorado Legal Services.

LSC currently provides 40% of Colorado Legal Services' annual budget. According to Colorado Legal Services' 2015 Annual Report, an impressive 90% of Colorado Legal Services' funds were expended for the direct delivery of legal services. The American Bar Association (ABA) has begun mobilizing its membership to save the LSC. The ABA is encouraging people to become Legal Aid Defenders.

[Click here to visit the link at the ABA website.](#)



# PRESIDENT'S PAGE

## CONTINUED

The three-step process is simple. First, the website asks you to enter your information to become a Legal Aid Defender. Second, you create a Legal Aid Defender card by submitting a photograph and a personal message for your Members of Congress. Finally, legal aid advocates from Colorado will hand-deliver the Legal Aid Defender cards to your Members of Congress in Washington, DC.

The ABA website also contains some helpful talking points about the LSC to use in your communications with your Members of Congress. Additional information about the LSC can be found on its website, [www.lsc.gov](http://www.lsc.gov), and through the ABA at [www.HelpLegalAid.org](http://www.HelpLegalAid.org).

Politics are inherently local, and constituents will be the most important voices for a Member of Congress. Consequently, the best way to persuade your Member of Congress is to describe the local impact of defunding the LSC. To that end, here are some talking points specific to Colorado Legal Services, directly from its 2015 Annual Report:

*Colorado Legal Services provides its services through 14 offices located throughout Colorado.*

*Colorado Legal Services staff, including volunteer staff, provided more than 124,430 hours of legal services to eligible clients during 2015.*

*Service areas include: income maintenance and public benefits, housing and homelessness, consumer and finance, health, including the legal rights of the elderly and the physically and mentally disabled, and family and domestic relations, with particular emphasis on serving victims of domestic violence and abuse.*

*Priority is given to addressing the legal needs of poor people required to maintain the basic necessities of a decent life, including at least minimally adequate income, food, shelter, utilities and medical care, freedom from domestic violence and abuse, and the*

*protection of individual rights of the elderly and those who are physically and mentally disabled.*

*During 2015, the staff of Colorado Legal Services provided legal representation to clients in 1,895 cases. An additional 5,972 individuals received legal advice or brief legal service. Another 5,544 applicants for services were provided legal information, materials or brochures, or a specific referral, even though the applicant's household income or assets exceeded financial eligibility limits established to qualify for legal representation.*

Colorado Legal Services has also prepared a Fact Sheet regarding the impact in Colorado of the loss of federal funding for civil legal aid. We have reprinted that Fact Sheet in its entirety in order to assist your efforts.

As attorneys, we are uniquely able to speak to the desperate need for legal services in our country and our state. And I believe we are individually obligated to speak to that need. After all, when each of us took the Colorado Attorney Oath of Admission we promised to "use [our] knowledge of the law for the betterment of society and the improvement of the legal system" and never to "reject, from any consideration personal to [ourselves], the cause of the defenseless or oppressed."

I urge you to contact your Members of Congress, whether through the ABA Legal Aid Defender website, or some other method. Tell him or her that 43 years after the Legal Service Corporation Act was enacted, there is still a need to provide high quality legal assistance to those who would be otherwise unable to afford adequate legal counsel. Share the facts about the LSC and Colorado Legal Services. Recount the story of a client, family member or friend who received assistance in a time of need. Give them a reason to fight for the LSC.

# PRESIDENT'S PAGE

## CONTINUED

Senator Michael Bennet and Representative Jared Polis have both released statements opposing the proposed budget, but neither has specifically raised the issue of defunding the LSC. Please bring the issue to their attention. Their contact information is as follows:

Representative Jared Polis - [www.polis.house.gov](http://www.polis.house.gov)

Senator Michael Bennet - [www.bennet.senate.gov](http://www.bennet.senate.gov)

As of this writing, Senator Cory Gardner has not taken a public position on the proposed budget. You can contact Senator Gardner as follows:

Senator Cory Gardner - [www.gardner.senate.gov](http://www.gardner.senate.gov)

Two Members of Congress have released statements supporting the proposed budget: Representative Doug Lamborn, who represents Colorado's 5th congressional district, which includes

Colorado Springs, and Representative Scott Tipton, who represents Colorado's 3rd congressional district, which spans the Western Slope. Please consider passing this information along to local constituents of Representatives Lamborn and Tipton.

I fear that if we are unwilling or unable to fight for access to legal assistance now, we will heap injustice on those who can least afford it. As Frederick Douglass wrote, "[f]ind out just what any people will quietly submit to and you have found the exact measure of injustice and wrong which will be imposed upon them, and these will continue until they are resisted with either words or blows, or with both."

Please join me in resisting the President's attempt to defund the LSC.

## DAVID J. DRISCOLL

Representing plaintiffs in personal injury and insurance bad faith cases with integrity, diligence, and results



**DRISCOLL ROSE** LLC  
Attorneys

☎ 303.926.4222

1650 38th Street, Ste 101E  
Boulder, CO 80301

ONLINE AT:  
**WWW.DRISCOLLROSE.COM**



# THE IMPACT OF THE LOSS OF FEDERAL FUNDING FOR CIVIL LEGAL AID

## FACT SHEET

The Trump Administration's budget for FY2018 calls for the elimination of the Legal Services Corporation (LSC). LSC is an independent nonprofit established by Congress in 1974 that provides federal funding for civil legal aid to low-income Americans.

Colorado Legal Services (CLS), Colorado's statewide staffed legal aid program, currently receives forty percent of its annual budget from LSC.

The elimination of LSC funding would be devastating for low income Coloradans with serious civil legal problems, for whom CLS is a place of last resort.

CLS is the only agency in the state that provides free legal services in civil cases to indigent clients in every CO county.

In order to maximize access to services throughout the state, CLS operates through a network of 13 offices – Alamosa, Boulder, Colorado Springs, Denver, Durango, Fort Collins, Frisco, Grand Junction, Greeley, Hayden, La Junta, Pueblo and Salida – and uses technology wherever possible to better serve rural and other remote areas.

With few exceptions, CLS clients live at or below 125% of the federal poverty guideline, which means an annual income ceiling of \$14,850 for an individual and \$30,375 for a family of four.

Every year, CLS provides legal assistance – full representation, brief service or legal advice – to more than 10,000 low-income Coloradans – families facing foreclosure or eviction, women trapped in abusive relationships, veterans denied rightfully earned benefits, seniors victimized by consumer scams, disabled individuals denied access to necessary healthcare.

CLS provided nearly \$72 million of net benefit to its clients and the Colorado community in 2015, on total funding of just over \$11.3 million. In other words, for every dollar spent on legal aid, Colorado received \$6.34 in benefits, using standard Social Return on Investment analysis.

Even with the current level of LSC funding, at least one income-eligible Coloradan is turned away for every one served due to inadequate resources. CLS has only 51 lawyers on staff, to serve an income-eligible population of 900,000, compared to nearly 500 Colorado public defenders to help the indigent in criminal matters.

The elimination of LSC would seriously jeopardize the ability of low income Coloradans to secure the help they need in civil legal matters to ensure the health, safety and stability of themselves and their families.

The elimination of LSC would vastly diminish the private bar's capacity to provide *pro bono* legal services to low income Coloradans, because its ability to do so is directly dependent on its partnership with CLS, which screens cases for merit and eligibility and trains and mentors private attorneys, many of whom have little experience in the kinds of civil legal problems experienced by low income Coloradans.

The elimination of LSC would increase the number of unrepresented litigants in Colorado courts, undermining the effectiveness and efficiency of the courts in resolving all their cases fairly and in a timely fashion.

The elimination of LSC flies in the face of the most sacred duty of government – to provide equal and impartial justice to all its citizens – and contradicts our country's solemn pledge of "justice for all".

LSC was created in 1974 with broad bipartisan congressional sponsorship and was signed into law by President Nixon.

LSC has enjoyed bipartisan support for more than four decades and, in each of the last three fiscal years, strong bipartisan majorities in Congress have increased LSC's funding by \$10 million per year.

Funding for LSC amounts to less than one one-hundredth of one percent of the federal budget, undercutting any claim that its elimination is necessary in the interest of "lean" government, particularly in light of a ten percent increase in defense spending.

# EFFICIENCY IN PLEA NEGOTIATIONS TO PRODUCTIVELY RESOLVE CASES

CARYN DATZ AND CHRISTOPHER ESTOLL

In our 25 years of combined practice, we've probably negotiated over ten thousand dispositions in multiple jurisdictions. Recognizing that less than 1% of criminal cases proceed to trial, it is clear that plea negotiations still constitute the vast majority of the criminal bar's workload. With voluminous dockets and a scarcity of time, every advocate has a vested interest in resolving cases as quickly and efficiently as possible. Successful plea negotiations are built on mutual respect, on-going communication, and adherence to the ethical standards of our profession.

A few months ago, the criminal section of the Boulder Bar Association hosted a noon-hour panel discussion on plea negotiations. Attorneys on both sides of the aisle agreed that victims and defendants both experience frustration waiting for their cases to progress through the system. Despite occasional beliefs that the other side is unnecessarily delaying the proceedings, it was clear that in most cases, everyone involved in the process seeks to have their case addressed quickly. Two of the Colorado Rules of Professional Conduct suggest that attorneys should handle plea negotiations in an efficient manner.




•**Rule 1.3 Diligence** : *A lawyer shall act with reasonable diligence and promptness in representing a client.*

•**Rule 3.2. Expediting Litigation**: *A lawyer shall make reasonable efforts to expedite litigation consistent with the interests of the client.*

Recognizing that attorneys on both sides are required to be thorough and assure that the proceedings are fair and transparent, we've come up with a few recommendations for efficiently and productively negotiating cases.

## Communication

There are few things more frustrating in the practice of law than being unable to reach opposing counsel to discuss a case. Far too many "negotiations" occur during crowded dockets or in passing in a hallway when an attorney has little time or attention to give to the case. These conversations are often time pressured and don't allow for thoughtful consideration or discussion. Occasionally, one side or the other resorts to an excuse to delay the proceeding in order to avoid making an on-the-spot decision that they aren't comfortable with.



Mediation • Arbitration

Schedule online at  
[www.mediatelaw.com](http://www.mediatelaw.com)

*ADR in our offices  
or yours in the Denver Metro area.*

3223 Arapahoe Ave.,  
Suite 300, Boulder, CO 80303  
303-530-2137 | [www.mediatelaw.com](http://www.mediatelaw.com)



# EFFICIENCY IN PLEA NEGOTIATIONS

## CONTINUED

Ideally, plea discussions should be finalized by the time the parties arrive in court and each side should know how they plan to proceed prior to the judge taking the bench. If plea negotiations began a week prior to court and both sides committed to responding to communications within 24 hours, many last minute conversations could be avoided.

In addition, we should be mindful of how productive in-person conversations are, as opposed to leaving a voicemail or writing an email. Consider scheduling an appointment and meeting face to face. Undoubtedly, this simple approach would lead to a better understanding of opposing counsel's positions, the client's/victim's concerns, and your own knowledge of the case.

### **Continuances**

How long is too long for a case to reach a resolution? Clearly there is no hard and fast rule, but delays can be frustrating and costly for both victims and the accused. The courtroom is our workplace and we are often comfortable with the routine process of attending court, waiting through a docket, and continuing cases. However, every court appearance requires defendants to incur additional attorney fees while taking time off of work or away from their responsibilities. Victims who hire counsel and/or attend court are similarly impacted. For parties who are unable to drive, the mere requirement of getting to the courthouse can involve long and cumbersome public transportation routes or relying on a friend or family member to also take the time to come to court. Parties who have to return to court multiple times without seeing any progress on their case are impacted in ways that are often unnoticed by counsel and the court and can lead to heightened frustration that negatively impacts the likelihood of a successful resolution.

There may be occasions where either side requires a continuance for legitimate reasons that will affect the quality of the negotiations and the development of the case. However, it is never reasonable for an attorney to delay a case for their own convenience, because they are overworked or over scheduled, or due to a lack of communication or preparation of paperwork. It is incumbent on both sides to act in good faith to work towards a resolution in advance of each court appearance, which requires conscientious attentiveness and follow-up.

Finally, we are all familiar with the fact that deadlines often drive our work processes. As a result, when a court appearance is continued for 30 days, the file often goes back on a shelf for 28 days and negotiations resume in the final 48 hours prior to court. It is worth considering whether a 7 or 14 day continuance provides the same opportunity to make progress on a case in a shorter period of time.

### **Victim Consultation**

Victims have important rights to be informed, consulted and present in court and those rights are necessary and must be respected at all times. However, early communication between counsel and victims can respect those rights by engaging in a meaningful conversation about the victim's thoughts, preferences and desires before plea negotiations begin. An early and comprehensive understanding of a victim's position allows flexibility to engage in meaningful plea negotiations that include and encompass the victim's perspective.

Generally, that consultation happens between the prosecutor and the victim. However, the victim sometimes communicates with defense counsel directly. In those circumstances, the defense can facilitate the process by seeking a written victim statement or encouraging the victim to attend court and relay their position directly to the court.

# EFFICIENCY IN PLEA NEGOTIATIONS

## CONTINUED

### Conclusion

Efficient and effective negotiations require effort and mindfulness. As lawyers, we can engage in zealous advocacy while being aware and open to the spirit of compromise. Both prosecutors and defense counsel should find satisfaction in the process of early, honest, respectful discussion and the ethical, agreeable, and equitable resolution of the majority of criminal cases. The efficient resolution of the 99% also frees counsel on both sides of the aisle to focus on the quality litigation of the 1% of cases that require adjudication by the community through a jury trial.

#### About the authors:

Caryn Datz is the Chief Deputy District Attorney for the 20th JD. She can be reached at [cdatz@bouldercounty.org](mailto:cdatz@bouldercounty.org).

Christopher Estoll is Criminal Defense Counsel for the Datz Law Firm. He can be reached at [christopher.estoll@datzlawfirm.com](mailto:christopher.estoll@datzlawfirm.com).

Both are Co-Chairs of the BCBA Criminal Section.

## Trusted Advisors. Intelligent Solutions.

Founded in 1969 on  
the principles of client  
respect and researched  
legal solutions.



303.443.8010 / [CELAW.COM](http://CELAW.COM)

Business / Education / Employment / Estate Planning / Health Care / Immigration / Litigation / Real Estate



William A. Ahlstrand



Lynn David Bird



James C. Branum



Coulter M. Bump



Richard E. Bump



Alyssa C. Burghardt



Kristin C. Edgar



Elizabeth Francis



Elizabeth R. Friel



Christian Griffin



Brad J. Hendrick



Madoche Jean



Gregory S. Lindquist



Meghan E. Pound



Michael W. Schreiner



Linda L. Siderius



Kristofer M. Simms



Gregory J. Smith



Douglas Stevens



Stuart Stuller



Jennifer A. Sullivan



Matthew Ullrich



John Vaughan



Gwyneth Whalen



# BOULDER COUNTY BAR FOUNDATION

## 2017 GRANTS

BCLS  
Boulder League of Women Voters  
SPAN  
J-SUP Law Center  
Niwot High Mock Trial Program  
Boulder High Mock Trial Program  
Bridge to Justice  
Immigrant Legal Center of Boulder County  
Safe Shelter of St. Vrain  
Children First of the Rockies  
Voices for Children  
YWCA  
**TOTAL \$21,000**

## BOARD OF TRUSTEES 2016-2017

Anton Dworak, President  
Joan Norman, Vice President  
Ruth Becker, Secretary Treasurer  
Karl Kumli, David Archuleta Keith Olivia, Judson Hite and Ellen Cadette  
Christine Hylbert, Executive Director  
Retiring Trustees, Ruth Becker, Joan Norman, Sonny Flowers and Anton Dworak.

## BOARD OF TRUSTEES 2017-2018

Keith Olivia, President  
Judson Hite, Vice President  
Ellen Cadette, Secretary Treasurer  
Karl Kumli, David Archuleta, Jessica Catlin, Dave Cheval, Denean Hill, and Keith Collins  
Christine Hylbert, Executive Director


## NEW LIFE FELLOWS

Keith Olivia  
Howard Bernstein  
Julia Knearl  
Mike Miner

## LIFE BENEFACTOR FELLOWS

Those who have given \$2500 and above

Christopher Brauchli, Gerald Caplan, Peter Dietze Wally Grant, John Purvis, Andrew Simpson, Gerald Sloat, Bill Trine, Mark Carson, William Neighbors, Bruce Fest, Jon Kottke

Plum Creek Forensic Lab, LLC  
Darla McCarley-Celentano   
Handwriting/Document Expert  
Box 21, Castle Rock, CO 80104  
303/663-2450 or 303/229-8002  
Email: plumcreekforensics@att.net  
Website: plumcreekforensics.com

Forensic analysis of: handwriting, printing, signatures/forgeries, tracings, paper, inks, typewriters, fonts, photocopies, facsimiles, printing processes, alterations, erasures and obliterations.

Formal training/internship with the Colorado Bureau of Investigation.

Civil, criminal and private cases.

Mark your Calendars for the BCBA Annual Meeting and Reception on Tuesday, June 6 at the Wedgewood Event Center in Boulder Canyon. The event will begin at 5:30 PM cocktails and hors d'oeuvres. Per Person cost is \$50.

HELP HONOR THE RECIPIENTS OF THE OUTSTANDING YOUNG LAWYER, AWARD OF MERIT AND CONFIRMATION OF NEW BCBA BOARD OF DIRECTORS AND OFFICERS Please send your award nominations to [christine@boulder-bar.org](mailto:christine@boulder-bar.org)

Boulder County Senior Law Day is set for Saturday, September 23, 2017 at the Plaza Conference Center in Longmont.

The Sponsorship packet for the year is available by contacting Sarah Pheral.

Please note that they will have some workshops in Spanish this year, along with interpreters in the Ask-a-Lawyer sessions to accommodate Spanish-speaking attendees. There will be active outreach and marketing to the Spanish-speaking members of our community this year, so if you have Spanish materials or Spanish-speaking staff available, you may want to bring them along this year.

A "Save the Date" card is also available (in English and Spanish).

Finally, if you have any questions or concerns, please contact Sarah anytime. Kind regards,  
Sarah Pheral

C: [720-660-2873](tel:720-660-2873)

Once again the Boulder County Bar Association is going to have a summer softball league. Last year's team "Scared Hitless" was so much fun. We want to encourage all to join us in another season of softball. We will be a coed Rec team playing on Tuesday evenings. Please email Christine @boulder-bar.org to sign up. We look forward to a winning season with your help.



# PROFESSIONALISM ON CALL

April 3	Mike Rafik	303.444.9292
April 10	Gwyn Whalen	303.443.8010
April 17	Lee Strickler	303.443.6690
April 24	Steve Clymer	303.530.2137

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 dates have been set for the 2017 Free Legal Clinics at the Sacred Heart of Jesus church (2312 14th Street) and the Longmont Senior Center (910 Longs Peak Ave) from 5:30 - 7:30 pm. Volunteers are always needed. Please contact Christine at [christine@boulder-bar.org](mailto:christine@boulder-bar.org) if you can help in Boulder, or [susan.spaulding@longmontcolorado.gov](mailto:susan.spaulding@longmontcolorado.gov) if you can help in Longmont.

**Boulder:** June 15, 2017

**Longmont:** May 23, August 22 and November 28, 2017

## PRO BONO CORNER

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

## PRO BONO REFERRALS

Eleven cases were referred during the month of February. Thank you to the following attorneys:

**Susan Bryant**

**Graham Fuller**

**Chris Jeffers**

**Elizabeth Meyer**

**Jeff Skovron**

**Bruce Wiener**

Thank you to the following mediators:

**Simon Mole**

## PRO SE VOLUNTEERS

**Joyce Bergmann**

**Sheila Carrigan**

**Kathleen Franco**

**Joan Norman**

**Tucker Katz**

**Craig Small**

**Lenny Tanis**

## BCAP VOLUNTEERS

There were no requests for referrals for the Boulder County AIDS Project in February.



## THE BCBA CONFERENCE ROOM

**AVAILABLE TO BOOK**

Please contact Laura at the bar offices to reserve your space. Rates are \$25 per hour. 303-440-4758

# LAWYER ANNOUNCEMENTS



Bridge to Justice

PROVIDING EQUAL ACCESS TO JUSTICE

Effective March 15, 2017, Bridge to Justice has moved to 1123 Spruce Street, Suite 200, Boulder, CO 80302. (303) 443-1038

[www.boulderbridgetojustice.org](http://www.boulderbridgetojustice.org)

PRIVATE BANKING | FIDUCIARY SERVICES | INVESTMENT MANAGEMENT | FINANCIAL PLANNING | SPECIALTY ASSET MANAGEMENT | INSURANCE

## Your Clients Need A Partner You Can Trust

You've spent years building a relationship with your clients who trust your judgment. With a full suite of financial services and dedicated, experienced professionals, you can trust ours.

Jim Montague: 303.864.7231 | Pam Whitehill: 303.863.4464  
[www.csbt.com](http://www.csbt.com)



COLORADO STATE  
BANK AND TRUST

THE PRIVATE BANK

© 2017 Colorado State Bank and Trust, a division of BOKF, NA. Member FDIC. Equal Housing Lender. 🏠 The Private Bank at Colorado State Bank and Trust provides products and services through BOKF, NA and its various affiliates and subsidiaries.

BOK Financial Corporation (BOKF) offers wealth management and trust services through various affiliate companies and non-bank subsidiaries including advisory services offered by BOKF, NA and its subsidiaries BOK Financial Asset Management, Inc. and Cavanal Hill Investment Management, Inc. each an SEC registered investment adviser. BOKF offers additional investment services and products through its subsidiary BOK Financial Securities, Inc., a broker/dealer, member FINRA/SIPC, and an SEC registered investment adviser and The Milestone Group, also an SEC registered investment adviser.

Investments and insurance are not insured by the FDIC; are not deposits or other obligations of, and are not guaranteed by, any bank or bank affiliate. All investments are subject to risks, including possible loss of principal.

# COURT ANNOUNCEMENTS



## Colorado Judicial Institute Seeks Nominees for the 2017 Judicial Excellence Awards

In recognition and support of excellence in Colorado courts, the Colorado Judicial Institute will again acknowledge the efforts of three outstanding jurists. The Judicial Excellence Awards will be presented at the 15<sup>th</sup> Annual Judicial Excellence for Colorado Dinner, to be held October 18, 2017, at the Denver Marriott City Center. CJI invites you to nominate individuals for these awards.

### **District Court Judge** award nominees should meet the following criteria:

- Five years of experience on the district court bench
- An innovator who is creative in dealing with the processes within the courtroom
- Exemplifies the highest standards of judicial excellence throughout a distinguished career
- Displays extraordinary courage, energy and tenacity in the handling of high-profile, controversial, or difficult cases
- Efficiently, expeditiously and objectively manages cases and dockets
- Recognized by members of the bar, litigants, court personnel, jurors, and others as respectful and even-handed, but in firm control of activities within the courtroom

### **County Court Judge** award nominees should meet the following criteria:

- Five years of experience as a judicial officer in the state court system, and currently serving as either a part-time or full-time judge
- Efficiently, expeditiously and objectively manages cases and dockets
- Recognized by members of the bar, litigants, court personnel, jurors, and others as respectful and even-handed, but in firm control of activities within the courtroom
- Respected by, and has the confidence of, other judges, court staff, lawyers and others

### **Magistrate** award nominees should meet the following criteria:

- Three years of full-time or part-time experience on the bench
- Explains the law in terms understood by everyone who appears in the courtroom
- Possesses a demeanor and attitude that makes the courts accessible to all
- Displays a high level of open communication
- Efficiently, expeditiously and objectively manages cases and dockets
- Respected by, and has the confidence of, other judges, court staff, lawyers and others

**All nominations must be submitted by May 5, 2017.**

**Colorado Judicial Institute**

P.O. Box 118

Broomfield, CO 80038-0118

Or by e-mail to: [Cynthia@ColoradoJudicialInstitute.org](mailto:Cynthia@ColoradoJudicialInstitute.org)

**Submit Your Nomination Online Starting March 7, 2017!**

Fill out a nomination form online at:  
[www.ColoradoJudicialInstitute.org](http://www.ColoradoJudicialInstitute.org)

Additional nomination forms may be obtained at  
[www.ColoradoJudicialInstitute.org](http://www.ColoradoJudicialInstitute.org).

Questions can be directed to  
Cynthia Ophaug-Johansen at (303) 766-7501  
or [Cynthia@ColoradoJudicialInstitute.org](mailto:Cynthia@ColoradoJudicialInstitute.org).



COLORADO  
JUDICIAL  
INSTITUTE



# CLASSIFIED ADS

**TSCERTIFIED SIGNING AGENT/MOBILE NOTARY AND CONTRACT PARALEGAL SERVICES.** Litigation specialist, Civil Litigation. ADC/CJA. Roz Lynn Dorf, M.A. 303.494.6935

**DOWNTOWN BOULDER PROFESSIONAL ATTORNEY OFFICES FOR LEASE.** 1 – 2 offices including in office fireplace available now, within historic office building. Includes use of conference rooms, reception and kitchen. Starting at \$1500 per office or group rate. Includes full service gross. Contact Nicole at 720-943-1095.

**BRIGHT, LARGE UNFURNISHED PRIVATE OFFICE FOR RENT** in four attorney building in the heart of Downtown Louisville, with shared receptionist, conference room, parking, phones, wi-fi, printer/copier, small kitchen. Possible open office for assistant or paralegal. Available June 1, 2017. \$1200-1250/month, depending on services. Contact jctienken@tienkenlaw.com or call Jim at 303-673-9373. 824 Pine Street, Louisville.

**LOUISVILLE OFFICE.** Two private, first-floor offices available in a small suite on South Boulder Road. Rent includes internet, parking, and bilingual reception. Furnished or not. Contact Katie at kspeer@accimm.com

**OFFICE SPACE AVAILABLE AT 595 CANYON BLVD.,** Canyon Professional Building across from Justice Center. Full services include receptionist, law library, conference room, fax, phones, kitchenette, utilities, parking and other amenities. Call Jack Alexson for more information. 303.444.1700.

**CORNER OFFICE IN CENTRAL BOULDER FOR RENT - \$1150/MONTH.** This bright 130 square foot office is located in a top floor suite at 28th and Arapahoe Avenue, with conference room and amenities. Please visit <https://boulder.craigslist.org/off/6067115573.html> for details and pictures. Contact Brandon at 303-449-5602 or brandon@elderlawboulder.com.



**LAWPAY**  
CREDIT CARD PROCESSING

**PAYMENT PROCESSING,  
EXCLUSIVELY  
FOR ATTORNEYS.**

BOULDER COUNTY BAR ASSOCIATION  
Proud Member Benefit Provider

1.95% per transaction | No swipe required | No equipment needed

[www.LawPay.com/bcba](http://www.LawPay.com/bcba) | 866.376.0950

AffiniPay is a registered ISO/MSP of BMO Harris Bank, N.A., Chicago, IL



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.

COMMERCIAL ADVERTISING INFORMATION IS  
AVAILABLE BY CONTACTING [laura@boulder-bar.org](mailto:laura@boulder-bar.org)

OR THE BAR'S WEBSITE  
[www.boulder-bar.org](http://www.boulder-bar.org)