

# Boulder COUNTY

## BAR ASSOCIATION

## 2ND ANNUAL CHILI COOK OFF

### NEW UPDATED LOCATION

The Boulder County Bar Association is excited to announce the Second Annual Chili Cook Off will be held on Sunday, October 8 from noon-3:00 pm at the BCBA Office (3269 28th Street). This is a great family friendly event and social gathering for the BCBA. Join us for some great chili prepared by our Board of Directors, apple cider, beer and ice cream from Dairy Queen! Live music by Livin' Easy, pumpkin carving, cornhole and activities will be included.

Annual  
Judges  
Dinner  
Page 4

**Thank you to our event sponsors, Sloat, Nicholson & Hoover, P.C., Hofgard & Associates, and Klein Frank, P.C. who are making it possible to offer this event at no cost to our members.**

Are you interested in joining the competition? Please contact us to see how you can get more involved! If you just want to come and have a good time, we can't wait to see you!

**Free for BCBA Members and their family and friends**

**[Please click here to RSVP, or just show up on Sunday!](#)**

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# PRESIDENT'S PAGE

## EMILY ELLISON

As the leaves turn from green to yellow, orange, and red, we are all reminded of change. Life is constantly changing. Nothing lasts. As attorneys, it's easy to get caught up in the day-to-day stressors with deadlines and billable hour requirements. The stress of day-to-day living can make us forget that our time is finite.

The season of fall serves as a beautiful reminder of change. For this reason, fall is one of my favorite times of the year. The season can motivate us to find more balance and remember to spend more time living our lives. At the BCBA, we're focused on providing meaningful events and programming to our membership throughout the fall.

In September, BCBA members enjoyed hiking the Dakota Ridge Trail in Boulder with our friends at the CWBA, along with many canine companions. We were honored that CWBA President Emma Garrison joined us for the hike. It was time well-spent in nature and we are already planning future joint events with the CWBA.

We are grateful to all of the judges and BCBA professionalism committee members who presented at the Bench-Bar Retreat in September. We all learned invaluable information for practicing in the 20th Judicial District, Court of Appeals, and Supreme Court. We were honored to hear presentations from Supreme Court Justice Maria E. Berkenkotter, Court of Appeals Judge Craig R. Welling, Boulder District Court Judges Thomas F. Mulvahill, Bruce Langer, Robert R. Gunning, Nancy W. Salomone, Boulder County Court Judge Elizabeth Brodsky, and Boulder County Magistrate Thomas M. Ward.

It was great to see so many BCBA members at the



Longmont Happy Hour at Bootstrap Brewing.

There are plenty of upcoming opportunities to connect with fellow BCBA members and judges. Come celebrate fall at **the 2nd Annual Chili Cook-Off at the Bar Office** (3269 28th Street in Boulder). This is a free event for our members. It's also family-friendly and children are welcome to attend. In addition to tasting chili, participate in fall activities and enjoy a beer and conversation while getting to know fellow BCBA members.

On November 2nd, the **Annual Judges Dinner** will be held at the St. Julien Hotel in Boulder. This is a great opportunity to get to know the 20th Judicial District Judges while sharing a meal together.

We have a robust lineup of CLEs in October, ranging from CLEs in Criminal Law, Family Law, Trial Skills/Cross Examination, Landlord/Tenant Laws, and a CLE on state-wide ballot measure, Proposition HH. These CLEs are free for members and are virtual during the noon lunch hour to make them as easy as possible for our members to attend. Please click [here](#) to view the full calendar.

I hope to see you at some of these fall events and that you take some time to enjoy soaking in the fall colors!

# CALENDAR OF EVENTS

**Sunday, October 8**

**BCBA Chili Cook Off**

Special thanks to our event sponsors [Sloat, Nicholson & Hoover, P.C.](#), [Hofgard & Associates](#) and [Klein Frank, P.C.](#)

12:00 - 3:00 PM @ BCBA Office (3269 28th St.)

Free for members

[Please click here to register](#)

**Tuesday, October 17**

**ADR Section Membership Lunch**

Special thanks to our event sponsor [Shoemaker Ghiselli & Schwartz LLC](#)

12:00 - 1:00 PM @ BCBA Office (3269 28th St.)

Free for BCBA Section Members

[Please click here to register](#)

**Wednesday, October 18**

**Cross-Exam: Are We Having Fun Yet?**

Presented by Paula Sweeney

12:00 - 1:00 PM @ BCBA Zoom Meeting Room

Free for BCBA Members

[Please click here to register](#)

[Please click here to sponsor](#)

**Thursday, October 19**

**The Future of Colorado Property Taxes - Unraveling Proposition HH**

Presented by Carolyn Steffl

12:00 - 1:00 PM @ BCBA Zoom Meeting Room

Free for BCBA Members

[Please click here to register](#)

[Please click here to sponsor](#)

**Friday, October 20**

**Child Support Services, Back to Basics**

Special thanks to our event sponsor [Our Family Wizard](#)

Presented by Katherine Power and Nicole Ketcherside

10:00 - 11:00 PM @ BCBA Zoom Meeting Room

Free for BCBA Members

[Please click here to register](#)



**Every Wednesday**

**Bagels with the Bar**

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

Free for BCBA Members

**Thursday, October 26**

**The Changing Landscape of Landlord Tenant Laws in Colorado**

Special thanks to our event sponsor [Peek Goldstone, LLC](#)

Presented by Brian L. Allard

12:00 - 1:00 PM @ BCBA Zoom Meeting Room

Free for BCBA Members

[Please click here to register](#)

**Thursday, November 2**

**Annual Judges Dinner**

Special thanks to our event sponsors [Our Family Wizard](#), [Berg Hill Greenleaf Ruscitti LLP](#), and [Peek Goldstone, LLC](#)

5:30 - 9:00 PM @ BCBA Zoom Meeting Room

\$110 for BCBA Members | \$85 for New/Young Lawyers

[Please click here to register](#)

[Please click here to sponsor](#)



# REGISTER NOW FOR THE ANNUAL JUDGES DINNER

Please join us for the 2023 Annual Judges' Dinner at the St. Julien Hotel on Thursday, November 2 at 5:30 pm. This is a great opportunity to meet with your colleagues and socialize with the judges of the 20th Judicial District. This event is expected to sell out, so buy your tickets early! \$110 admission for BCBA members includes dinner and wine with the meal. Other drinks will be available for purchase at the venue. We look forward to seeing all of you there!

[Register Here](#)

**Thank you to our current Annual Judges Dinner sponsors**



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GREENLEAF RUSCITTI LLP



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Steve Clymer



Doug McQuiston



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# ON ALTERNATIVE DISPUTE RESOLUTION

## SANGEETHA MALLAVARAPU

Alternative Dispute Resolution (“ADR”) has become a widely-used and often preferred method for resolving disputes over traditional litigation. ADR methods, such as mediation, arbitration, med-arb, collaborative law, and/or the use of a private judge or special master, can offer the parties involved in a dispute the opportunity to reach an agreement outside of court. In addition, rather than having to rely on a judge who may or may not have the background in the parties’ area of dispute, parties utilizing ADR methods have the freedom to choose a specific professional with the particular background and expertise to either assist them with resolving their dispute or to make an informed decision in their best interests.

### PROS OF ALTERNATIVE DISPUTE RESOLUTION

1. Choice of Professionals: With traditional litigation, parties would be assigned to a judicial officer in their county, who may or may not have expertise in their area of dispute. For example, a judge with a background only in only criminal law or civil law could be assigned to make decisions on a divorcing parties’ permanent orders. This creates greater risk for potential error by a judicial officer, which can then create the need for further litigation, appellate processes, etc. ADR methods give the parties the freedom to choose professionals who have experience and expertise in their particular area of dispute, have practiced law in that area, and have the experience and knowledge to make decisions in the parties’ best interests.

Similarly, with some limits, the parties have the freedom to choose different ADR professionals if they decide that the ones chosen are no longer appropriate for any reason. This would not be possible in the traditional court system.

2. Cost Effectiveness: Compared to the cost of



litigation, ADR methods are generally less expensive. Parties can save on their legal fees, making this option more attractive for individuals and businesses that would like a more affordable resolution.

3. Speedier Resolution: In many jurisdictions in Colorado, the courts are backed up and parties may not be able to get in for a hearing in their case for months or even a year. ADR professionals are often able to accommodate parties much sooner and are more accessible to the parties for resolving disputes in a shorter timeframe. Unlike the court system, ADR professionals also have more flexibility to give the parties as much time as necessary to resolve the dispute. For example, instead of being given just one day for a trial in court, an arbitrator would likely accommodate a request for a week-long trial if necessary for the parties.

4. Confidentiality: Court proceedings are typically open to the public, while ADR offers the parties a private and confidential environment. This allows parties to discuss matters openly without fear of public exposure, particularly for parties who may be concerned about their public image.

5. Accessibility: Members of the public do not have

# ON ADR CONTINUED

direct access to judicial officers, have no opportunity to ask them questions directly, and have little opportunity to speak openly about their dispute. In contrast, ADR professionals are typically much more accessible to the public and can interact directly (and more frequently) with parties and/or their counsel in more informal settings.

6. Creative Solutions. ADR professionals can often suggest or assist the parties in coming up with creative solutions to disputes that a court would not have the authority to order. This gives the parties more flexibility to create tailor-made, long-term solutions that will help to avoid further conflict.

## **CONS OF ALTERNATIVE DISPUTE RESOLUTION**

1. Power Imbalance: In some situations, an imbalance of power between the parties would create a situation where ADR would not be appropriate. For example, in a domestic violence situation, mediation may not be appropriate, where the abused party may feel pressured by the perpetrator to reach an agreement even if the agreement is not equitable. Or, if one party has significantly more financial resources or influence, this could lead to unfair outcomes under an ADR process.

2. Cooperation is Necessary. Parties must agree to use ADR and must be willing to compromise and agree on many aspects of ADR processes. Parties must agree on which professionals to use, how to pay for this private process, and the specific scope of the ADR professionals' authority to make substantive decisions, if any. If there is not a complete agreement among all parties on these issues, they will have no option but to go to court.

3. Expense. While the cost of litigation is certainly high for parties with counsel, parties choosing to use ADR processes to resolve disputes will have to pay for the ADR professionals' time. For parties who have counsel, ADR would typically be less

expensive overall, since generally it is less time consuming for attorneys to prepare for ADR processes than for court, depending on the level of formality of the ADR process. However, parties without attorneys may be better off in court from a financial perspective, since they do not have to pay for the court's time, only the court fees/costs.

## **CONCLUSION**

ADR processes offer more freedom to parties to resolve their disputes on their own terms. Parties can choose the professionals with the appropriate experience and expertise to help them settle their disputes. They can also elect to give ADR professionals the authority to act as a decision-maker for their case, which can lead to better, more tailored outcomes that are in the parties' best interests. Judges and juries may not be able to quickly or easily understand the nuances of the case without previous experience in the particular area of dispute. However, ADR may not be appropriate for situations where there is a power imbalance between or among the parties, or when parties are pro se and do not have the financial means to pay ADR professionals. But for many, it can offer a speedier, less expensive, and better long-term solution.

Sangeetha Mallavarapu has practiced law for thirteen years in Colorado and has focused exclusively on family law for almost ten years. Ms. Mallavarapu practiced at several law firms in the Denver area before becoming a magistrate in Boulder County District Court for almost two years, where her docket consisted exclusively of domestic relations cases. Ms. Mallavarapu transitioned back to private practice this year and recently joined the Law Firm of Alex White, P.C. as Of Counsel, where she opened a Boulder office. In addition to taking family law litigation cases, she has recently added other ADR services to her practice, including Mediation, Arbitration, Parenting Coordinator/Decision-Maker ("PC/DM") work, and Child Legal Representative ("CLR") appointments.



# BCBA SEPTEMBER PHOTOS



**2023 Bench Bar Retreat**  
Special thanks to our event sponsors:  
Sloat, Nicholson & Hoover P.C.  
Tenge Law Firm LLC  
Dietze and Davis, P.C.



**2023 Bench Bar Retreat**



**Longmont Lawyers Happy Hour**  
Sponsored by Ellison Law



**Longmont Lawyers Happy Hour**  
Sponsored by Ellison Law



# BCBA SEPTEMBER PHOTOS



**BCBA & CWBA Joint Hike**  
**Photo by Elliot Fladen**

## WELCOME NEW BCBA MEMBERS

Meghan Bush  
Stephanie Trayner  
Aidan Meadows  
Jack Strong  
Matthew H Warner  
Daniel Rubin  
Matthew Nadel  
Eben Clark  
Andrew Levy  
Penelope A Boettiger

Samuel McDuffee  
Ashlie K Hancock  
Stephanie Fournier  
Jane Levine  
Andy M Frohardt  
Michael P Zwiebel  
Harmon Zuckerman  
Kate Fatica  
Elliot Fladen  
Savannah Stewart

Cary Carricato  
Megan Christensen  
Chelsea Deeder  
Christopher Ernst  
William Featherston  
Jill Fernandez  
Elizabeth Froehlke  
Blake Gabriel  
Jeffrey Glotzer  
Obie Johnson

## PROFESSIONALISM ON CALL

October 2	Tim O'Neill	303.682.7292
October 9	Steve Clymer	303.530.2137
October 16	Mike Rafik	303.444.9292
October 23	Gwyn Whalen	303.443.8010
October 30	Lee Strickler	303.443.6690

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. We are always seeking new volunteers to assist the public: please email Kyle if you are interested in participating.

## 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 Droegge	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	Meghan Hungate	Beth Montague
Georgiana Scott	Ann England	Kurt Hofgard

## PRO BONO REFERRALS

More than 10 cases were referred in the months of August and September. Thank you to the following attorneys:

**Jennifer Terry**  
**Jodie Gilbert (x7)**  
**Yun Wang**  
**Mireya Rios**  
**Laura Kinde**

## PRO SE VOLUNTEERS

There were multiple Pro Se Clinics held in the month of August, thanks to the help of the following attorneys:

**Kathleen Franco**  
**Ariel Williams**  
**Shana Beggan**  
**Pat Riley**  
**Todd Stahly**  
**Jared Rotzo**  
**Jennifer Huston**  
**Chris Jeffers**  
**Jennifer Terry**  
**Josh Anderson**

## 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

**Free office furniture.** 6-foot modern style mahogany conference table, 4 black leather executive chairs; 2 drawer executive desk with three drawer L shape return, caramel finish, great condition. [Click here](#) and [also here](#) for photos. Please contact [patricia@theW.law](mailto:patricia@theW.law) if you are interested.

**Intelligent Office** – 4450 Arapahoe Avenue, Suite 100, Boulder, CO 80303 | Live Local Phone Answering | Private Offices | On-Demand Meeting Space. Intelligent Office is where savvy attorneys meet clients, get their mail, and even have their phones answered. With top-notch staff, free parking, and a variety of turnkey meeting rooms, you are set up for success. Everything we do is customized for you – from how you want your phones answered to how you'd like your clients greeted, we are truly your team. We can even notarize and witness document signings. At Intelligent Office, you only pay for what you need. Call us at 303-447-9000 or email Dottie at [Dottie.Stowe@intelligentoffice.com](mailto:Dottie.Stowe@intelligentoffice.com) to learn more.

**Law Firm for Sale.** Lawyer with 50+ years' experience in Business Law, Real Estate and lots of litigation is planning to retire and is selling his practice. It is a turn key opportunity which includes client lists, furniture, fixtures, a complete computer and phone system, books, equipment and a current lease. The space includes two lawyer offices, a large conference room, support staff space and is in Longmont. Contact via email or call at 303.837.9600.

**Bridge to Justice Legal Fellows Positions Available.** Bridge to Justice is excited to announce the creation of the Justice for Domestic Violence Survivors Program. Under this program, we will be hiring two (2) Legal Fellows to learn how to become exemplary advocates for survivors of violence in family law and civil protection order cases. Fellows will participate in an intensive shadowing, training, and mentoring program to learn and implement best practices for representing survivors in a trauma-informed manner. Fellows will have an opportunity to advise and represent clients in a wide range of pre- and post-decree family law cases involving domestic violence. [Please click here for the full job listing and contact information.](#)



# Boulder<sup>COUNTY</sup> BAR ASSOCIATION

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