

Boulder COUNTY

BAR ASSOCIATION

SEPTEMBER SIDE BAR

Please join us for our September Side Bar presentation on Thursday, September 9, as we welcome Judge Bakke, Judge Mulvahill, Judge Malkinson, Judge Salomone, Judge Collins, and Judge Langer to the BCBA office to present the **20th Judicial District Update**, focusing on the evolution of court procedures and operations as the Justice Center transitions from summer to fall.

This Side Bar will be capped at 22 in-person attendees. We ask that if you come in person, you are fully vaccinated and agree to wear a mask during the presentation. Following the presentation, a happy hour will be held on the front patio, with masks optional.

This presentation will be held in person at the BCBA Office from 4:00 - 5:00 pm, followed by a networking and social hour with appetizers, wine and beer included. If you are unable to attend in person, the recording will be available as a home study CLE offering by the following afternoon through the BCBA website.

**BCBA August
in Photos
Pages 4-6**

[Please click here to register](#)

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PRESIDENT'S PAGE

BRETT LANDIS

As the child of a former public school teacher, September always means “back to school” season to me. Even more so than New Year’s, September feels like a time of new beginnings, new adventures, and new identities. It’s a chance to set goals for myself and get started on new plans.

This September feels a bit rougher than most. After a full school year of learning during Covid, students, teachers, and staff are having to prepare for a new round of safety precautions which we had hoped would no longer be necessary. We are not where we thought we would be at this time, and this new school year feels less full of promise than most.

Despite disappointments, there are still many new beginnings to celebrate. Board member Alison Gordon, our BCBA Executive Assistant Kyle Mares, and I were fortunate enough to attend a welcome lunch for the University of Colorado School of Law’s incoming 1L class. Marci Fulton, our CU ex-officio board member, invited us to meet the new students. Despite the pandemic, despite the alarming smoke from forest fires in the air, despite a somewhat dismal state of the outside world, these students are committed to spending the next three years of their lives engaged in rigorous studies and uncertain job searches, hoping that their work would lead to a better future. It is inspiring talking with these students and to see a world of possibilities through their eyes.

I want to take a moment to acknowledge the hard work and dedication of the staff and faculty at our Colorado law schools. I have had the opportunity to work with several students as an externship and internship supervisor, and I am always impressed by the skills and work ethics of these students and how smoothly their educational programs have been run. With many changes, including, but not limited to, the past year and a half, Colorado’s legal education system is working hard to adapt itself to a new legal



profession and to prepare students for practicing law.

This fall, we are also fortunate to welcome a group of new lawyers in our midst. The law school class of 2021 graduated in the spring and took the bar exam this summer. This current group of soon-to-be-admitted attorneys faced a pandemic and a recession, but they succeeded. They will have to engage in a steep learning curve as they figure out how to practice law, but the resilience this generation of lawyers has developed will benefit the profession for many years to come. (If anyone is interested in engaging in mentorship, please consider signing up to participate in the Colorado Attorney Mentoring Program, aka CAMP.)

As I set my goals as BCBA President this September, I am focusing on the optimism of the new lawyers and law students I have had the honor to work with. While unexpected changes to the world around us may alter the plans we have made, I am confident that our resilience and creativity as an organization and as a profession will lead us towards continuing our good work.

CALENDAR OF EVENTS

Wednesday, September 1

Bagels with the Bar

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

Free for BCBA Members

Wednesday, September 8

Bagels with the Bar

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

Free for BCBA Members

Thursday, September 9

**Side Bar CLE: 20th Judicial Operation Update
Presented by 20th JD Judges**

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

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

[Please click here for information](#)

Wednesday, September 15

Bagels with the Bar

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

Free for BCBA Members

Wednesday, September 22

Bagels with the Bar

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

Free for BCBA Members

Wednesday, September 22

**Family Law: Meet the New Judicial Officers &
Update on New Procedures**

12:00 - 1:00 PM CLE @ Jury Assembly Room @

Boulder Justice Center (1777 6th St)

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

[Please click here to register](#)

Wednesday, September 29

Bagels with the Bar

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

Free for BCBA Members

Thursday, October 14

**Side Bar CLE: Current Trends in Regulatory and
Court Reform to Increase Civil Access to
Justice**

Presented by Justice Melissa Hart

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

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

[Please click here to register](#)



**David
Driscoll**

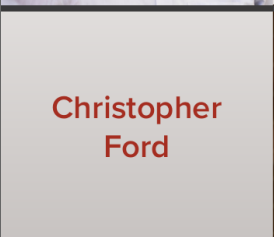


**Kimberly
Hult**

HutchinsonBlackandCookLLC

Attorneys at Law

921 Walnut, Suite 200
Boulder, Colorado



**Christopher
Ford**



**Glen
Gordon**

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BCBA AUGUST EVENTS



BCBA BOARD MEMBER ALISON GORDON SPEAKING WITH INCOMING LAW STUDENTS AT THE CU LAW ORIENTATION



BCBA BOARD PRESIDENT BRETT LANDIS & BOARD MEMBER ALISON GORDON AT CU LAW EVENT AT RAYBACK COLLECTIVE

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Melissa Sullivan



Bradley Unkeless



Robert Wagner



Daniel Wartell



Zachary Warzel

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

BCBA AUGUST EVENTS



BCBA SOFTBALL POSTSEASON HAPPY HOUR



BCBA AUGUST HAPPY HOUR

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BCBA AUGUST EVENTS



BCBA SUMMER SOFTBALL GREEN TEAM- TRUTH BADER WINSBURG IS DEFEATED 17-6 IN THEIR FINAL PLAYOFF GAME FINISHING THEIR SEASON 3-11



BCBA SUMMER SOFTBALL BLUE TEAM-BAD NEWS BARRISTERS IS DEFEATED 12-9 IN THEIR FINAL PLAYOFF GAME FINISHING THEIR SEASON 0-14



BCBA AUGUST EVENTS



BCBA PAST PRESIDENTS DINNER



BAGELS WITH THE BAR - EVERY WEDNESDAY AT THE BCBA OFFICE (8-10 AM)

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UPDATE ON THE 2021 LEGISLATIVE SESSION

ANDREW WHITE, CBA DIRECTOR OF LEGISLATIVE RELATIONS

*Andrew White presented the May BCBA Side Bar: 2021 Legislative Update, and noted at the time that some priority bills would be signed into law after that CLE program took place. With permission, we are presenting an excerpt from his full article in the August/September **Colorado Lawyer** (click here for the full article PDF) to cover the final work of the 2021 legislative session.*

HB 21-1031: Continuing Jurisdiction of the Trial Court During Family Law Appeals

In January 2020, the Colorado Supreme Court issued a decision holding that trial courts were not authorized by statute to exercise continuing jurisdiction to modify parenting orders during the pendency of appeals in *In re the Parental Responsibilities of W.C. Before W.C.*, Colorado attorneys and judges generally understood that family courts had continuing jurisdiction to issue modification orders in four areas when an appeal is pending: parenting time, decision-making responsibility, child support, and maintenance.

CBA family law practitioners drafted and recommended HB 21-1031 to revest this continuing jurisdiction with the trial court. The governor signed the bill into law on May 7.

SB 21-162: Colorado Uniform Trust Code Part 5

In 2018, the legislature adopted in SB 18-180 the most recent update to the Colorado Uniform Trust Code, except for part 5, which was left out because trust and estate practitioners and other stakeholders did not reach consensus regarding creditor access to trust assets. Following two years of stakeholder meetings and committee work, CBA members reached agreement and drafted SB 21-162 for consideration by the legislature.

The governor signed the bill into law on May 21, updating this final section of the Colorado Uniform Trust Code.

SB 21-171: Uniform Fiduciary Income and Principal Act

In 2019, the Uniform Law Commission adopted the Uniform Fiduciary Income and Principal Act (UFIPA), an update to the Uniform Principal and Income Act (UPIA), which the legislature enacted in 2000 in HB 00-1326. As compared to UPIA, UFIPA updates and modernizes the law to reflect modern trust accounting practices that place greater emphasis on flexibility, notably the trend toward total return investment strategies.

CBA trust and estate practitioners spent several years adapting UFIPA to Colorado statutes and proposed SB 21-171, which differs from the Uniform Act to the extent the bill preserves existing aspects of the law to avoid adversely affecting trust instruments that were based on prior versions of UPIA.

The governor signed the bill into law on May 17.

While the 2020 legislative session was unprecedented and extraordinary, the 2021 legislative session ably followed suit. Every legislative meeting CBA members attended was by video or telephone, and most of the 53 times that CBA members testified before legislative committees they did so remotely via video. Despite these unique circumstances and the limitations of remote participation, CBA members rose to the challenge and achieved unanimous adoption of each of our priority bills. And undeterred by a peculiar 2021 legislative session, CBA members are already at work crafting our 2022 legislative agenda.

Andrew White is the CBA director of legislative relations. Readers are encouraged to contact him to receive periodic email updates during the legislative session or any time they would like more information about bills or other legislative matters that may relate to or affect the legal profession and the practice of law—(303) 824-5309, awhite@cobar.org.

It is with deepest sorrow that we announce the Passing of
Michael Clement Morphew on 22 August 2021



16 October 1947

22 August 2021

Michael Clement Morphew

Please join us in celebrating Michael's life
9 September 2021 at 1100 at Unity Church in Boulder

Michael is survived by his loving wife Carol, his children Scott (Michelle) and Emily Jackson (Jon), stepchildren Sarah Mauser (Mike) and Crystal Newman (Shaun) eight grandchildren, and sisters Diana Ladd, Stephanie Shobe, and Kerry Loetscher.

In lieu of flowers the family requests you donate to the ALS Foundation

WELCOME NEW BCBA MEMBERS

Kealoha M Minton
Chloe Sovinee-Dyroff
Amanda Cranston
Nick Crockett
Jimenez Grace
Jessica Wagner
Catherine Fink
Suzanne M Brackley
Forest D Kitzis
Sam McCarthy
Sarah C Judkins
Colton Jones

Kimberly M Pryor
Thom M Ward
Julie Payne
Derek Maitland
Joli Lofstedt
Mark Hamilton
Daniel P Kapsak
Deborah L Taussig
Deanna R Waldron
Rydge Ruth
Galen Peterson
Cameron Abatti

PROFESSIONALISM ON CALL

September 6	Mike Rafik	303.444.9292
September 13	Gwyn Whalen	303.443.8010
September 20	Lee Strickler	303.443.6690
September 27	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 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

Three cases were referred in the month of July Thank you to the following attorneys:

Bruce Wiener
Jeff Skovron
Shirin Chahal

PRO SE VOLUNTEERS

There were four Pro Se Clinics held, thanks to the help of the following attorneys:

Kathleen Franco
Josh Anderson
Shana Beggan
Jennifer Huston
Peter Fabish

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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Fortis Law Partners' corporate team is eagerly looking for a corporate associate with 1-6 years of experience to focus on M&A, corporate and other business law matters. Please review the website or contact Liz Hartsel or Andrew Comer for details.

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As a paralegal at The Germany Law Firm, you will contribute to and bring the expertise needed to solve complex legal challenges, serve our clients' legal needs, and provide our clients with support and peace of mind through their major life changes involving estate administration, estate planning, guardianships, conservatorships, trusts, wills, advanced directives, and other probate matters. [Please click here](#) for a further description of the position, and for application instructions. Please email the requested information to Rachel@coelderlaw.net

Seeking attorney in Health Care Defense and Professional Liability.

Gordon Rees Scully Mansukhani, a national law firm, has immediate need for an attorney in its Denver office to join its Health Care and Professional Liability Defense team. The ideal candidate will possess three years or more of experience in litigation. Experience in health care defense and professional liability defense is preferred. Click here for more information. Colorado Bar licensure is required. For consideration, please email your resume and writing sample to taustin@grsm.com.

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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.



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

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