

# Boulder COUNTY

## BAR ASSOCIATION

## THE SCIENCE OF HAPPINESS

**MICHELLE RAFIK**

“The way to think about happiness more generally is that it’s like a leaky tire. You just have to keep pumping air into it to keep it inflated.” -Nicholas Epley

Over the last 25 years, our society has gained access to increased luxury and technology that should make our lives easier and more comfortable. Yet, Americans are the most unhappy people in the world and antidepressant use has increased 400 times since 1994 (Meyers, 2013). Undoubtedly, COVID-19 and the heartbreaking scenes of racial injustice across the United States have only made things worse.

Both a course, [The Science of Well-Being](#), and a podcast, [The Happiness Lab](#), by Yale Professor Dr. Laurie Santos explore the fascinating topic of how we can increase our happiness.

A paradox we face in the pursuit of happiness is that we are bad judges of what makes us happy. Many strive to make as much money as possible to the detriment of other areas of life. The science shows that after a certain point, money doesn’t make us happier (Kahneman & Deaton, 2010). Valuing possessions has actually been shown to decrease happiness. (Nickerson et. al., 2003).

All hope is not lost. Dr. Santos’ research shows that we have much more control over our happiness than we think and we can make changes to increase our well-being. Here are some tools to increase your happiness:

**Use your Strengths.** While more prestigious jobs with higher pay don’t necessarily lead to increased happiness, a job where you can use what Martin Seligmann calls your “character strengths” does. Character strengths are a common list of 24 personality traits that influence your mood and behavior. Having a job in which you use these traits has been shown to increase well-being and fulfillment. The traits include honesty, humility, fairness and

In  
Memoriam  
Ann B.  
Mygatt  
Page 4

## IN THIS ISSUE

THE SCIENCE OF HAPPINESS 1-2

PRESIDENTS PAGE 3

IN MEMORIAM 4

CALENDAR OF EVENTS 5

NEW BCBA MEMBERS 5

RECOGNIZING PRO BONO EFFORTS 6

PROFESSIONALISM & PRO BONO 7

CLASSIFIEDS 8



# SCIENCE OF HAPPINESS CONTINUED

perspective. Take a free survey to find out more about your character strengths at the VIA Institute on Character's website.

**Value Experiences over Possessions.** One reason that possessions don't make us happier is the concept of hedonic adaptation, which means that humans adapt to new circumstances (Di Tella et. al., 2010). We adjust to an improved condition and it gives us a new baseline for our happiness. The new car or higher salary is great for the first few weeks or months, but then we get used to it and it no longer increases our happiness. One way to combat hedonic adaptation is to invest in experiences over things. Investing in experiences has a longer lasting impact on happiness, makes us feel better and helps to avoid the pressures of social comparison (Howell & Hill, 2009).

**Prioritize Time Over Money.** The majority of people in our society value making more money over having more time (Hershfield et al., 2016). This is another example of how our brains trick us into thinking that certain things will make us happy. While we need to work to make a living, people are happier when spending time with friends and loved ones and less happy when working and commuting (Whillans et al., 2016). Following this science, those who prioritize having more time over more money, to the extent practical, are happier.

**Stay Connected - Even in Small Ways.** The COVID-19 quarantine has taught us how important social connection is to our well-being. The research on well-being proves that strong social ties make us happier. (Diener & Seligmann, 2002). Even more surprising, incidental social connection, like small talk while waiting in line, boosts happiness. This increase in happiness applies to both the person initiating the small talk and the recipient (Epley & Schroeder, 2014). This was true even for reluctant, introverted people who initiated small talk in public.

We do have some control over our happiness. By incorporating these practices into your life, you can continue to put more air into the "leaky tire" of your happiness and live an overall happier life.

Michelle Rafik is a professional coach and an attorney licensed in Colorado. Prior to becoming a coach, Michelle was a trial lawyer at two Colorado law firms and Assistant General Counsel for a Fortune 500 company. Michelle was also a Human Resources Director for the same Fortune 500 company. Michelle is certified as a Professional Co-Active Coach by the ICF accredited Co-Active Training Institute.

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# PRESIDENT'S PAGE

## JEFF ROSE

I'm missing the energy of a fully-staffed law office, the comradery of walking into the courthouse for the 9 am docket call, and the unintelligible, gritty post-it notes stuck to the podium from previous cases. No matter how accustomed I've become to trying cases via WebEx, I cringe every time I notice a five-second delay in loading the next page of the exhibit on the witness's screen. If I hear one more lawyer say "please bear with me while the exhibit loads on everyone's screens...."

Despite frustrations with this new normal, our legal system turns on thanks to the daily efforts of so many. Last week I had the pleasure taking another case to trial, and it was obvious to everyone just how much additional work it took to submit the case to the Court. Judges and law clerks doubled as IT support. Legal assistants in offices throughout the front range helped to convert conference rooms to counsel's tables and virtual witness stands. Most of the witnesses in the case testified from their living rooms or home offices.

Thanks to everyone's extra efforts, the judge took the bench in an otherwise empty courtroom at 9:00 a.m. With the familiar inquiry of whether everyone is ready to proceed, a week-long trial kicked off almost like any other. Despite the virus, power-outages, and inconsistent internet connections, the parties got a fair trial. The world kept turning.

By the looks of things, my transactional colleagues are experiencing a similar reality. Parties and counsel might be sitting far apart, but the substance of the work continues. Wills are being drafted and signed. New entities are being formed. Business transactions close, disputes arise, deals go south, and the cycle repeats.



Our local bar community keeps going, too. The BCBA has excellent, highly relevant, online programming. Our first Side Bar presentation is on September 10 at 4:00 pm, with CU Law Professor Aya Gruber giving an all-bar virtual CLE that addresses how criminal procedural law enshrines bias. Jack Peters is giving a Civil Litigation CLE on qualified immunity and the basics of civil claims against law enforcement officers on September 15 at 12:00 pm. Our Side Bar series will continue virtually this fall, and we'll soon announce its schedule of excellent programming through the end of the year.

I'm as sick of Zoom meetings as everyone else, but it's important to keep interacting within the community of our local bar. With a little extra effort from everyone, we keep interacting with our colleagues, attending CLE's, and furthering the BCBA's mission. We also keep looking forward to that first in-person all-bar happy hour once the clouds part. I can't wait to see you there, in person, whenever that time comes. Until then, I'll look forward to seeing you online.

Jeff Rose can be reached at [jrose@lyonsgaddis.com](mailto:jrose@lyonsgaddis.com).

# IN MEMORIAM – ANN B. MYGATT (1942–2020)

Ann Mygatt passed away on August 23, 2020. She will be sorely missed. Ann was an active member of the Boulder legal community for many years. She was a Past-President of the Boulder County Bar Association. She stayed involved in the Boulder Bar and its functions, especially enjoying the Past Presidents' Annual Dinner and other events.

Ann was born September 16, 1942. She graduated from Middlebury College and went on to the University of Wisconsin to obtain her law degree. After graduating, Ann came to Boulder, passed the Bar and joined the Boulder District Attorney's office. Ann worked there for several years and then opened a women's law firm with several other attorneys. Eventually Ann launched her own practice, specializing in domestic relations cases.

As time went on, Ann became increasingly concerned about the cost of legal services. She opened The Law Shop, which is now the Bridge to Justice. In one of her Law Shop cases, she took a matter involving LBGTQ rights to the Colorado Supreme Court, and was rewarded with a ruling in her client's favor. Ann continued practicing law until she was unfortunately diagnosed with Parkinson's disease, which forced her to retire.

Ann was the happy warrior. She loved the practice of law and dealing with people. She lived life to the fullest. If she wasn't on a small boat in Botswana looking for hippos, she was in the Himalayas, trekking close to Mt. Everest base camp. Ann loved travel, and in her last days, she talked about wishing to be in a small café in Paris.

Ann was married to Greg Pavolich. Anyone who talked with Ann very long would come away with a smile on their face. She had many friends who already miss her. She was very outgoing and people wanted to be with her. As one person said, "she was a special soul who is irreplaceable as a special friend". Once you met Ann, you had a friend. She was happy, gregarious and a great lawyer. Ann really did live her life to the fullest. We will miss her but will always be glad that we knew her. - **Rich Irvin**

Ann was a longtime friend and supporter of BCLS and will be fondly remembered by both the staff and clients

who were privileged to work with her. Her dedication to providing legal services to the underserved was inspiring as was her gift for putting ideas into action. Over two decades ago, she helped co-found the BCLS pro se clinic – a unique program offering family law clients one-to-one legal advice and assistance provided by volunteer family law attorneys. The clinic continues to function as one of the most successful pro bono clinics of its kind, offering clients the empowerment needed to work their way through the complexities of a family law case.

In 2010 Ann turned another inspiration into a reality, founding the Boulder Law Shop. I recall the day she shared at a meeting of the Availability of Legal Services Committee meeting held at the BCLS office, how she had, while travelling abroad, seen a sign reading – "Law Shop". Why couldn't she do something like that in Boulder, she had asked. What could be more useful than offering affordable legal advice to people who otherwise couldn't afford it. It was exciting watching Ann turn her passion for helping others into a reality. I know she helped and inspired so many others with her unique ability to take positive action for good. Ann will be deeply missed. - **Erika Martinez**

I am grateful to Ann for hiring me as a staff attorney at the Boulder Law Shop. Quite frankly, she took a risk hiring me as I had no prior experience practicing family law. Under her guidance, I learned not just the substantive practice but the traits that endeared all of us to Ann and made her a formidable attorney -- her courage, resiliency, and ability to maintain a sense of humor in the face of adversity. Her vision of providing affordable, high quality legal services to low- and moderate-income clients inspired me to establish Bridge to Justice. She always made sure to tell me how proud she was of me at Bar events. I am honored to carry her vision forward and to be a small part of her legacy. She will be missed. - **Bruce Wiener**



# CALENDAR OF EVENTS

**Thursday, September 10**

**VIRTUAL SIDE BAR CLE**

**The Color of Policing: How Criminal Procedural Law Enshrines Bias**

**Presented by Aya Gruber, Professor of Law, University of Colorado**

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

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

[Please click here to register](#)

**Tuesday, September 15**

**VIRTUAL CIVIL CLE**

**Qualified Immunity and the Basics of Civil Claims Against Law Enforcement Officers**

**Presented by Jack Peters**

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

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

[Please click here to register](#)

**Wednesday, September 23**

**VIRTUAL FAMILY LAW CLE**

**Teen Suicide and the LIV Project**

**Presented by Paula DuPre Pesmen, Jenna Glover, PhD, MS, BS, Honorable Judith LaBuda, Tess Kunik, The LIV Project, and Honey Beuf, The LIV Project**

3:30 - 5:00 PM CLE @ BCBA Zoom Meeting Room

\$30 CLE | \$20 New/Young Lawyer | \$15 No CLE

[Please click here to register](#)

**Tuesday, September 29**

**BCBA VIRTUAL SOCIAL EVENT**

**Happy Hour and Cocktail Class with Bryan Dayton from OAK and Corrida**

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

Price TBD - Stay tuned!

[Registration coming soon!](#)



**David  
Driscoll**

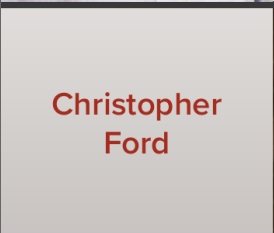


**Kimberly  
Hult**

**HutchinsonBlackandCookLLC**

Attorneys at Law

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# RECOGNIZING PRO BONO EFFORTS

## KELLIE CUEVAS

Since many of you have not met me, I would like to use this opportunity to finally introduce myself. I am Kellie Cuevas, the new Pro Bono Coordinator at Boulder County Legal Services, replacing Erika Martinez after 17 dutiful years of service. I had wished to make your introductions at the Pro Bono Luncheon in March, but the world clearly had other plans.

It has been challenging to make connections and get to you know many of you this year due to Covid-19, and understandably, Covid-19 has been hard on all of you as well. During this difficult time, it has been inspiring to see the legal community come together and ensure that access to justice is still available to the vulnerable and underserved members of Boulder County.

It is my hope that we will be able to have a luncheon next year, but in times like these it is impossible to plan such events. The award winners for hours of service donated for 2019 are listed below. The John Marshall award will be postponed, and the John Marshall winner for 2019 will be recognized at our next gathering, whenever that may be.

I am very proud to work for an agency that does such wonderful work, and I am honored to have worked with you. It is my hope that I will actually be able to meet you face-to-face sometime in 2021. Thank you so much for your Pro Bono efforts. Your time and hard work are valued and appreciated.

### **50-100 hours:**

Evan Branigan  
Chris Jeffers  
Heather Kurland  
Michael Miner  
Coleen Robinson  
Chris Tomchuck

### **100-150 hours:**

Ainagul Holland  
Jeff Skovron

### **150-200 hours:**

Susan Bryant  
Bruce Wiener

### **200-250 hours:**

Ariel Williams  
Norm Aaronson

### **250+ hours:**

Elizabeth Meyer

## WELCOME NEW BCBA MEMBERS

Brian R Hanson  
Jennifer Fraser  
Nadya C Davis  
Nicole Fullmer  
John M Barth

Breanna Boss  
Samuel D Posnick  
Kelly R Duffield  
Megan Mars

# PROFESSIONALISM ON CALL

September 7	Mark Langston	303.440.9684
September 14	Meghan Pound	303.443.8010
September 21	Tom Rodriguez	303.604.6030
September 28	Karl Kumli	303.447.1375

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

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

**Susan Bryant**

**Brad Hall**

**Judson Hite**

**Gary Merenstein**

**Jessica Valenzuela**

**Lila Sol**

**Colene Robinson (PPO) x3**

**Zachary Moutain (Housing) x1**

**Kathleen Franco (Mediation)**

**Beth Ornstein (Mediation)**

## PRO SE VOLUNTEERS

Thank you to Jennifer Huston, Zachary LaFramboise, Josh Anderson, Michael Morphew, and Kathleen Franco for assisting at the July Pro Se Clinic.

## PRO BONO CORNER

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





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**LAW BUILDING FOR SALE.** 745 Walnut. First time on the market for over 40 years. Two blocks from Justice Center. One block from many amenities, including Spruce Confections, Lolita's, Nick & Willy's Pizza, St. Julien Hotel, etc. Please contact Tom, Julie or Jeanne at (303) 817-8650, (303) 494-7700 or (303) 859-3526.

**OFFICE SPACE FOR LEASE IN PROFESSIONAL SHARED SUITE.** Perfect for attorneys, CPA's, IT or other interested professionals. Great location on 30th Street next to the 29th Street mall. Two conference rooms, kitchen, waiting area and free parking. \$625 per month. Contact Scott at (720) 415-0322 or by email [scotth@scotthlaw.com](mailto:scotth@scotthlaw.com) if you are interested.

**BEAUTIFUL OFFICE SPACE FOR LEASE.** Two room office with kitchenette, reception area, deck, and amazing views. Conveniently located next to Boulder Creek and CU across from Folsom Field with dedicated parking spots. 799 sq. ft. Monthly rent: \$1950. Contact [BTZHChris@gmail.com](mailto:BTZHChris@gmail.com). 303.449.0428.

**PARALEGAL - REAL ESTATE.** Position Overview: Under the direction of Real Estate lawyers, this position will assist attorneys in rendering legal services in the area of commercial real estate and acquisitions, real estate finance, leasing, and real estate development. [Please click here to apply.](#)

**OFFICE SPACE FOR LEASE.** Boulder: 2400 Broadway. Beautiful brand-new downtown office spaces in building owned by on-site immigrant rights attorney. Construction to be complete February 2020. Conference room, kitchen, shower, bike storage, basement storage and parking available. Walk to Pearl, Sanitas, Ideal Market. \$1100-\$1500. Brandt Milstein - [brandt@milsteinlawoffice.com](mailto:brandt@milsteinlawoffice.com)

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Randy Barnhart



Laurence Free



Aaron Goldhamer



Christina Habas



Melissa Hailey



Michael Keating



Deirdre Ostrowski



Ross Pulkrabek



Lidiana Rios



Melissa Sullivan



Bradley Unkeless



Robert Wagner



Daniel Wartell



Zachary Warzel

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