

Boulder COUNTY

BAR ASSOCIATION

2019 JUSTICE FOR ALL BALL

SATURDAY, MARCH 9 – TICKETS STILL AVAILABLE!

BCLS 44
YEARS
Page 6

17 years ago, the Boulder County Bar Association started a fundraiser called Food Wine Jazz Art to benefit Colorado Legal Services. While this event was a great success, recent cuts to the federal budget made us realize two years ago that we needed to rebrand our event to draw a larger crowd and raise even more money for legal services.

The 2018 Boulder County Justice For All Ball was the beginning of our new era. We kept the event geared toward the legal community, but expanded further to include partners, clients, and friends. We held the event on a Saturday evening to accommodate those who find a weeknight event hard to attend and brought in members who have never attended a bar event. Our new space, The Studio, is an industrial chic venue that brought a fun new feel to our fundraiser. The event was a huge success.

We will have music and dancing led by the Diamond Orchestra. Their fun, sophisticated and soulful ensemble keeps guests of all ages and tastes entertained at the top venues in Colorado and beyond. There will also be a silent auction with some fabulous opportunities.

Hors d'oeuvres will be available along with delicious desserts from Bridge House Catering.

Limited tickets still available. [Click here to buy your tickets today!](#)

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CALENDAR OF EVENTS

Wednesday, March 6

CIVIL LITIGATION

Social Media and Ethics for Lawyers

Presented by Heather Kelly

12:00 PM @ Boulder County Justice Center

\$25 CLE, \$15 New/Young Lawyer - **1 Ethics credit**

[Register Here](#)

Saturday, March 9

JUSTICE FOR ALL BALL

Presented by Boulder County Bar Foundation

7:00 PM @ The Studio Boulder

\$75 to attend

[Register Here](#)

Friday, March 15

AVAILABILITY OF LEGAL SERVICES

Monthly lunch and roundtable

12:00 PM @ Boulder County Legal Services

Tuesday, March 19

ELDER

Federal Nursing Home & Assisted Living Regulations Update

Presented by Ashley Reese

12:00 PM @ BCBA Conference Room

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

[Register Here](#)

Tuesday, March 19

EMPLOYMENT & IN-HOUSE COUNSEL

Hot Topics in Employment Law

Presented by Paul Maxon & Cristina McGarr

12:00 PM @ 1942 Broadway Flat Irons Room

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

[Register Here](#)

Wednesday, March 20

FAMILY

Presentation TBD

Presented by TBD

12:00 PM @ Boulder County Justice Center

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

[Register Here](#)

Thursday, March 21

REAL ESTATE

Surveying Issues for Real Estate Lawyers

Presented by Earl F. Henderson

12:00 PM @ Dickens Tavern, Longmont

\$25 CLE, \$15 New/Young Lawyer, \$16 Lunch

[Register Here](#)

Thursday, March 21

BANKRUPTCY

Monthly lunch and roundtable

12:00 PM @ Kathmandu Restaurant

Thursday, March 21

BOULDER FREE LEGAL CLINIC

5:30 PM @ Sacred Heart of Jesus Church

[Please sign up here](#)

Wednesday, March 27

TAX, ESTATE PLANNING & PROBATE

Presentation TBD

Presented by TBD

12:00 PM @ BCBA Conference Room

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

[Register Here](#)

Thursday, March 28

NATURAL RESOURCES

Presentation TBD

Presented by TBD

12:00 PM @ BCBA Conference Room

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

[Register Here](#)

PRESIDENT'S PAGE

BRAD HALL

In the early 1990s, I was a relatively young associate at what was then Grant, Bernard, Lyons & Gaddis, toiling away in my office when Dan Bernard and Richard Lyons stopped by for a chat. Someone at the St. Vrain Valley School District had requested they find an attorney at the firm willing to volunteer as the coach for a high school mock trial team at Skyline High School in Longmont. The teacher of an American History course was starting the team as a class project and needed help. I bet you can guess who wound up being that volunteer coach. It was not a requirement, I was told, but it would sure be a good opportunity to volunteer in the community. So began a 5-year stint as the coach of the Skyline Falcons mock trial team.

Each year began anew with a different class of students trying to comprehend the difference between a plaintiff and a defendant. Much like me they also struggled mightily with hearsay and the exceptions. Each year Skyline was grouped with other Northern Colorado teams in the Brighton District. With a little bit of luck, a lot of hard work, and a few tears of frustration shed by both the students and the coach, the team managed to qualify for the state tournament four times. Each state tournament resulted in the Falcons getting absolutely demolished by the likes of Kent, Regis and other schools fielding three or four teams each year. In 16 state rounds over four years, Skyline won a single round near the bottom of the loser's bracket. In spite of the dismal results at the state tournament, each and every student enjoyed the experience and were upset they would not to be able to come back the following year.

After five years, the history instructor, who served as the program sponsor, moved on to a different school outside the district, and without her enthusiasm the program folded. It does take a



village to run a high school mock trial team. No other schools in Longmont were fielding teams at the time, so I retired from coaching. For several years, Mary no longer had to spend her birthday weekends alone while I was at the state tournament with a bunch of teenagers. (See last month's President's page.)

Five years ago, I was sitting in my office when one of my partners came in for a chat. His oldest son wanted to start a mock trial team at Niwot High School, which his wife had agreed to coach, but needed some help. I agreed, but went into a much different situation than my previous experience with Skyline. The Niwot team is run as an extracurricular activity that conducts tryouts, meets on its own time, and has had students return year after year, many for their entire high school career. On the two occasions that the team qualified for the state tournament it finished sixth. Last year the other school from Boulder County, Fairview High School from Boulder, won the state tournament and advanced to the national tournament. It is a tough region to say the least.

PRESIDENT'S PAGE CONTINUED

The 2019 Boulder County tournament took place on February 7-9 pitting nine teams from the county against each other. Boulder High and Fairview High prevailed and will be advancing to the state tournament on March 8-9 in Golden. The teams included a group of freshmen young women who doggedly persevered through the competition without an attorney coach. Justice High School, which enrolls at-risk youth, once again fielded a competitive team.

Part of the mission of the Boulder County Bar Association is to promote the education of the public in matters relating to the law. The mock trial program brings together students, teachers, lawyers, judges and community leaders to teach high school students critical thinking skills, speaking and writing skills, and an appreciation of our judicial system. Watching these students perform is truly an experience that everyone should make a little time for at least once. I cannot think of a better way to educate the public than having our leaders of tomorrow experience the legal system first hand.

At the end of the competition, Chief Judge Bakke spoke to the students about how the judicial system protects the rights that are guaranteed all citizens and why it is so important to protect the system. You could have heard a pin drop during her talk.

A competition like this does not run itself. Special thanks go out to the members of the bench who gave their personal time during evenings and weekends to preside over the trials. Thanks to all the lawyers, clerks, and other community

members who served as scoring judges and provided insight to the students on their performances. Thanks to the school teacher sponsors for each team who have to herd these teenagers for months. Thanks to the attorney coaches who give of their time to get the student/lawyers ready for the competition. Thanks to Laura and Kyle from the bar for putting the competition together. And finally, thanks to the parents who encourage their children and entrust them to these volunteers for a few months each year.

And what would a President's page be without at least one story? During my time coaching the Skyline team, a young man joined from outside the class when we were short on team members. This young man had this shock of brilliant red hair and wore pressed khakis and shirts to school every day. He was incredibly articulate and was prepared for practice every day. He made for a fabulous expert witness as a detective in a criminal case problem. He had the "it" factor that some kids just have in this competition. Several months after the competition, the teacher sponsor and I were manning a table for the mock trial competition at a district-wide school activities fair. During a break, I asked the sponsor how this student was doing. It turns out that this young man had been living with his grandparents because of an abusive situation at home. His pressed khakis and shirts were a way in which he experienced a degree of normalcy on a daily basis. And, just prior to asking to join the mock trial team, he was on the verge of dropping out of school. He went on to graduate and attend college. I hope he is doing well.

Congratulations to all who participated in the 2019 Mock Trial Competition - Boulder High School, Erie High School, Fairview High School, Justice High School, Monarch High School, Niwot High School, and Peak to Peak High School. We look forward to seeing everyone next year! If you are interested in starting a Mock Trial team at your high school, please contact Laura Ruth at laura@boulder-bar.org.

2019 HIGH SCHOOL MOCK TRIALS



BCLS CELEBRATES 44 YEARS IN 2019

ERIKA MARTINEZ

The gold banner mounted at the annual BCLS Pro Bono Awards Luncheon with the words: **“Pro Bono — A Boulder County Tradition”** draws attention to the integral role of the Boulder County Bar Association, the volunteering legal community, and of Boulder County Legal Services over the years in the collective effort to provide access to justice to the poor.

During the very early days of the BCBA's 112-year history, pro bono service may have been compelled more by a client's inability to pay than by the sense of an ethical calling to *pro bono* service. The vigorous role of the BCBA in supporting access to justice for the poor was very evident, however, over the past four decades, where history clearly shows the key role of the Bar in building the tradition of *pro bono* service in Boulder County. The provision of civil legal services for the poor by an established legal aid office in Boulder County had its beginnings in 1975 when the BCBA requested funding from the Colorado Legislature for that purpose.

Before 1975 low income citizens of Boulder County needing help with civil legal matters had nowhere to turn unless individual attorneys in private practice decided to take on *pro bono* representation, on a case by case basis. Although some attorneys made it a regular practice to take on *pro bono* clients, many did not and there existed no organized system for matching lawyers and indigent clients.

Much credit goes to the late Jane Gill-Kellenberger, a non-lawyer, for her part in the founding of BCLS. When the BCBA had asked the State legislature for funding in 1975 to open a Legal Services office in Boulder County, Jane wrote the grant request for two attorneys, requesting a total of \$125,000. Only \$21,750 was awarded for the grant. With that small stake some members of the BCBA Board of Trustees began the work of establishing Boulder County Legal Services (BCLS). In 1975, there were

60 attorneys on the BCLS pro bono panel. By 1977, 120 attorneys were participating. Today, some 250 attorneys serve on the pro bono panel.

Jane had volunteered for the CU Legal Aid and Defender law school program from 1969 to 1975. From her vantage point interviewing parties in domestic relations cases in the years following the adoption by Colorado of no-fault divorce, Jane could see a tremendous need for civil legal aid for poor people. It was not uncommon, she had observed, to hear a client state she couldn't get a divorce because her husband wouldn't give her one.

I had the great fortune of being mentored by Jane when I came to BCLS in 2004. As the institutional memory of the office she had played such an instrumental role in setting up, she continued for some time to volunteer, sharing her know-how with gentle humor. Growing up as a Quaker, she said, had instilled in her a life-long spirit of concern for those less fortunate. When I interviewed Jane on the occasion of the 30th Anniversary of BCLS she recalled, “I had never been a fundraiser before, but because I believed so passionately in the work being done, the fundraising came easily enough.”

While others said that the \$21,750 awarded for the grant was hopelessly inadequate to set up an office, Jane decided it could be done and simply followed her inspiration to establish a source of civil legal help for the community. She scavenged and begged for furniture to set up operations, and under her leadership as Staff Director, BCLS began operation in two windowless offices of the old Boulder County garage at the corner of Spruce and 28th Street. By the time Jane left in 1977 to serve as Legislative Director for the Colorado Coalition of Legal Services, BCLS had acquired funding from various sources – raising the \$125,000 of the original grant request.

BCLS CELEBRATES 44 YEARS CONTINUED

Pursuing her passion for the cause of providing legal services for the poor, Jane went on to become Director of Legal Services for the Colorado Bar Association, where she promoted *pro bono* work in local bar associations throughout the state. Over the years she was a mentor to both staff and volunteers, inspiring them by her vision for what she called "the high and mighty mission of equal justice for all." She continued to volunteer extensively with Colorado Legal Services and also generously pitched in at BCLS, lending her all-round expertise to any task at hand.

I recall a day when Jane was handling the phones at BCLS when a caller identified himself as a client from 27 years before. Her unique perspective of BCLS history was suddenly apparent. She remembered the man and his previous case and took a few moments to reminisce about the days when the staff consisted of three attorneys, a volunteer coordinator, a receptionist, two secretaries, and offices in Boulder and Longmont.

Much has changed. Now a staff of only three: a managing attorney, a pro bono coordinator, and a secretary staff the BCLS office which provides the infrastructure to support the work of the many volunteer attorneys, paralegals, and law student interns who serve the legal needs of our clients. A local legal aid office is vital not only to serve community residents, but to maintain a quality pro bono program. The role of BCLS in client screening and intake and quality control of case progress is important in the delivery of services to indigent clients, and vital to the active seeking of funding grants to support those services.

In a short primer on setting up a successful *pro bono* program, Jane had written:

"In Colorado, where Boulder is often referred to as "38 square miles surrounded by reality", it is true that we have what is probably the most successful *pro bono* program in the stateIf you have the luxury of starting from scratch, you can tailor your program to match the needs of your clients and the community and the available resources."

The continued success of BCLS has come from following that model of matching the needs of the clients with the resources of the community. The greatest component for success has been the generosity of the volunteers who have supported the program – a strong contingent of nearly 300 volunteers, comprised of attorneys, mediators and paralegals.

During my years as pro bono coordinator, I have been constantly heartened and often amazed at the generous response of attorneys to the cause of access to justice for the poor. The work of the Bar leadership in steering new attorneys to career development opportunities through volunteering for BCLS has benefited the program and its clients, and the attorneys who gain valuable experience in the process. The BCBA is justifiably proud of a legal community so committed to serving those in the community who might otherwise fall through the cracks.

Erika Martinez is the Pro Bono Coordinator for Boulder County Legal Services. She can be reached at emartinez@colegalserv.org

SAVE THE DATE!

The Boulder County Legal Services Pro Bono Awards Luncheon will be held on April 29, 2019.

Special Thanks to Our Justice For All Ball Sponsors!

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Sally Mina Art
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Sweet Cheeks Confections
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PROFESSIONALISM ON CALL

March 4	Gwyn Whalen	303.443.8010
March 11	Lee Strickler	303.443.6690
March 18	Mark Langston	303.440.9684
March 25	Meghan Pound	303.443.8010

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 2019 Free Legal Clinics at the Sacred Heart of Jesus Church (1318 Mapleton Avenue), the Lafayette Senior Center (103 Iowa Avenue), and the Longmont Senior Center (910 Longs Peak Ave) from 5:30 - 7:30 pm. Volunteers are always needed. Please contact Laura at laura@boulder-bar.org if you can help in Boulder or Lafayette, or susan.spaulding@longmontcolorado.gov if you can help in Longmont.

Longmont: May 28, August 27

Boulder: March 21, June 20

Lafayette: April 16, July 16

Thank you to our January Lafayette Legal Clinic Volunteers:

**Shirin Chahal
Jessica Creevy
Emily Ellison
Dan Flynn
Leonard Frieling**

**Jessie Goldfarb
Laurel Herndon
Sherri Murgallis
Dipak Patel
Debbie Taussig**

PRO BONO REFERRALS

Eight cases were referred during the month of January. Thank you to the following attorneys:

**James Carpenter
Wallace Grant
Heather Kurland
Gary Merenstein
Roseann Murray**

Thank you to the following mediators who accepted pro bono referrals in January:

**Susan Bryant
Sheila Carrigan**

PRO SE VOLUNTEERS

**Josh Anderson
Lori Barkus
Shawn Ettingoff
Kathleen Franco
Ainagul Holland
Zachary LaFramboise
Joan Norman**

PRO BONO CORNER

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

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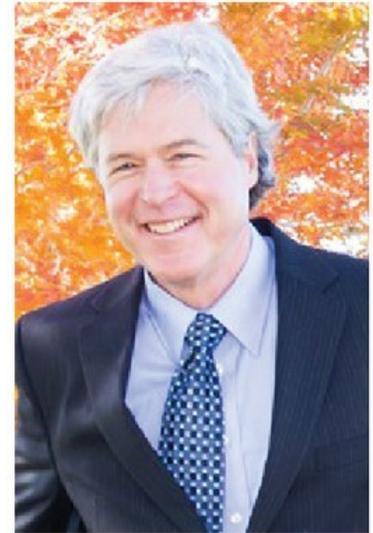
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WELCOME NEW BCBA MEMBERS

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Charlie Livens
Bejamin Hirshfield
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Boulder Court Small Claims Mediation Program

VOLUNTEERS NEEDED

Volunteer mediators are needed for Small Claims Mediations.

Mediations take place Mondays and Fridays from 1-4 p.m.

Volunteers can mediate when the dates match their schedule.

40 hours of mediation basic training is required

For more information and how to apply please contact:

Donna Powell or Tania Papp at
BoulderCourtSelfHelp@judicial.state.co.us



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Mike Rafik and Steve Jacobson congratulate our friend and partner, Keith Collins, on his selection as a Boulder County District Court Magistrate.

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Joel R. Hayes, Jr.

to our organization as our new **Staff Attorney**. Joel will be assisting low-income City of Boulder residents with health care and food assistance matters, including Medicaid, Food Stamps (SNAP), health exchange plans and tax credits for health plans. Services will include advice and representation regarding applications, denials and terminations. Funding for the project is provided by the City of Boulder Sugar-sweetened Beverage Product Distribution Tax.

Joel was previously the Managing Attorney of Boulder County Legal Services from 2005-2016 and has over thirty years experience in public benefits law.



Mike Rafik and Steve Jacobson announce the formation of Rafik & Jacobson, LLC.

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DOWNTOWN BOULDER OFFICE SUITE. Suite of four offices at 2060 Broadway. Suite includes reception area, conference room, kitchen. Some parking garage permits. Please contact Fern O'Brien: 303.443.2626; fobrien@fobrienlaw.com.

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Boulder COUNTY BAR ASSOCIATION

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