

# Boulder COUNTY

## BAR ASSOCIATION

## BCBA HOLIDAY PARTY

The BCBA wishes you a happy holiday season, and we hope you will join us for the BCBA Holiday Party on Thursday, December 8! Spouses and significant others are also welcome and encouraged, or just bring yourselves.

Thanks to our generous sponsors, **Klein Frank, P.C.** and **The Martin Law Office**, the holiday party is free for all guests.

We would love to see all of you to celebrate the season. We will have appetizers, drinks and great conversation.

**Thursday, December 8**

**5:00 - 7:00 PM**

**3269 28th Street, Second Floor**

**Free for BCBA Members & guests**

**Please click [here](#) to register**

**Holiday  
Gift Drive  
Wrap Up  
Page 8**

## IN THIS ISSUE

PRESIDENTS PAGE 2 - 3

CALENDAR OF EVENTS 4

LAWYERS HELPING LAWYERS 5 - 6

2022 FOUNDATION GRANTS 7

PRECIOUS CHILD GIFT DRIVE 8

BCBA NOVEMBER IN PHOTOS 8 - 11

NEW BCBA MEMBERS 11

PROFESSIONALISM & PRO BONO 9

CLASSIFIEDS 10



# PRESIDENT'S PAGE

I just wanted to write a nice, happy President's Page. It is the holiday season after all.

But then, just a few days ago, the shooting happened at Club Q in Colorado Springs. The gunman killed 5 patrons, physically injured 19 others (citation here), and emotionally injured everyone at the Club along with their friends and families. I have dear friends in the LGBTQ+ community and my heart breaks and I fear for their safety.

And then shortly after, a manager in a Virginia Walmart purchased a gun and open fired on his co-workers, killing 6 workers, physically injuring 6 others (citation here), and emotionally injuring everyone else at the store along with their friends and families. While I may not shop a lot at Walmart, I do shop at the Boulder King Soopers where a gunman open fired in March 2021. I can imagine the families in Walmart out before Thanksgiving buying their last-minute supplies for dinner and I fear for the safety of the store patrons.

And then, after a quiet Thanksgiving, I read The Denver Post on Sunday and saw the headline in the Perspective section, How do we move forward with the hate confronting us? There were several articles talking about the Club Q shooting, the concerns of Indigenous Americans, and the alarming increasing in "Jew hatred." Author, Doug Friednash, quoted Kanye West, aka Ye, when he said was "going death con 3 on Jewish people." I am not sure what that even means, but Ye has 32 million Twitter followers. And I am Jewish, so I fear for myself and my family and friends.

As I read the Perspective section of the paper, I was reminded of the quote by Martin Neimoller (citation here):

*First, they came for the socialists, and I did not speak out—because I was not a socialist.*



*Then they came for the trade unionists, and I did not speak out—because I was not a trade unionist.*

*Then they came for the Jews, and I did not speak out—because I was not a Jew.*

*Then they came for me—and there was no one left to speak for me.*

So, I must speak out. What is happening? How do we change this? And to quote Doug Friednash, "How do we move forward with the hate confronting us?"

I had the pleasure of attending the BCBA Bench-Bar program on December 1, 2022. The first speaker was Boulder DA, Michael Dougherty, who presented on implicit bias. The program had great attendance, but I wished the room had been overflowing with members. When Mr. Dougherty asked the attendees if we had ever acted with bias/prejudice, everyone had the courage to raise their hands. I believe "The first step in solving a problem is to recognize that it does exist" (quote by Zig Ziglar). I was excited to learn about the implicit bias programs that are ongoing at the District Attorney's office and in Boulder. But I want to see more.

I want us to teach our children acceptance. Children are not born with prejudice, they learn it.



# PRESIDENT'S PAGE CONTINUED

When you strip off our skin, we are all the same. So, let's teach our children kindness, equality and inclusivity. Let's give our children access to the information necessary to help them maneuver through life, to feel good and confident about themselves, and to know that who ever they are, they are not alone. I am witnessing a time of increased book banning in libraries and classrooms (citation here). Places where children should be free to learn and explore and expand their minds. And yet, books by authors of colors, LGBTQ+, and women which often write about racism, sexuality, gender, and history are losing spots on the bookshelves. Books I read such as: *To Kill a Mockingbird* by Lee Harper, *The Color Purple* by Alice Walker, *The Glass Castle* by Jeannette Walls, *The Bell Jar* by Sylvia Plath and *Night* by Elie Wiesel have been banned in multiple states. As I scrolled the list of banned books, I was happy to note that I did not see Colorado on the list of states that banned books. But why is this happening at all in this country? Can we passively sit by and say it will not happen here at some time in the future?

This holiday season, can we demonstrate kindness, acceptance and tolerance of each other? One of my neighbors has a lawn sign that reads, "One Kind Act a Day." I believe this originated from our neighbors in Utah (citation here). Just imagine if we all did just one kind act a day. We should not counter hatred and prejudice with more hatred and prejudice. In our practices, demonstrate professionalism to the opposing counsel, the bench, the mediators and other vendors we work with and of course, our clients. Colorado now requires CLE credits in Diversity, Equity and Inclusion. The BCBA has a DEI section and we would love your participation. We are working on a program with the Equity Project in Denver for an upcoming CLE, and we will have more details in the new year, but I hope to see the room filled to overflowing.

Can we work to remove the stigma of mental health issues? We all face different stressors, but having or getting the support to manage those stressors can make all the difference in the world. The holiday season can be especially stressful for many people. According to the American Psychological Association, 38% of people surveyed said their stress increased during the holiday season, which can lead to physical illness, depression, anxiety, and substance misuse (citation here). The reasons given for the increased stress include lack of time, financial pressure, gift-giving, and family gatherings. For people already suffering from mental health issues, the percentage of people who said the holidays made things even worse went up to 68%. Historically, Colorado was often ranked as one of the worst states for access to mental health care (citation here). We are now poised to spend a half of billion dollars on mental health from legislation that was spearheaded by Representative Judy Amabile of Boulder. If you or someone you know is struggling, help them get the help they need. A new national hotline has begun for suicide and mental health issues, it is 988. Just like a 911 call, calling 988 will get the caller connected with someone to talk to 24 hours a day.

This holiday season, let's make it a happy one. No matter your beliefs, or traditions, let's celebrate that we all have much more in common than we have in differences.

"Christmas will always be as long as we stand heart to heart and hand in hand." – Dr. Seuss

"The darkness of the whole world cannot swallow the glowing of a candle." —Robert Altinger

"We all should know that diversity makes for a rich tapestry, and we must understand that all the threads of the tapestry are equal in value no matter what their color." — Maya Angelou

# CALENDAR OF EVENTS

**Wednesday, December 7**

**Bagels with the Bar - Employment Law**

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

Free for BCBA Members

**Wednesday, December 7**

**BCBA CLE: Estate Planning & Succession Planning for Lawyers**

Presented by Pamela Maass

12:00 - 1:00 PM @ Zoom Webinar Room

Free for BCBA Members

Please click here to attend

Click here to sponsor this event

**Thursday, December 8**

**BCBA Holiday Party**

5:00 - 7:00 PM @ BCBA Office (3269 28th St.)

Free for BCBA Members & guests

Please click here to attend

**Tuesday, December 13**

**The Benefits of Charitable Giving at the Holidays**

Presented by Sacha Millstone, President of The Millstone Evans Group

4:00 - 5:00 PM Program | 5:00 - 6:00 Happy Hour @ BCBA Office (3269 28th St.)

\$15 for Happy Hour Attendance

Please click here to attend

Click here to sponsor this event

**Wednesday, December 14**

**Bagels with the Bar - Family Law**

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

Free for BCBA Members

**Recent BCBA Home Study Programs**

**Colorado Child Support Services 101**

Presented by Kate Power, Lindsey Peterson & Jim Hayen

Free CLE for BCBA Members | \$35 for Non-Members

Click here to view

**Upcoming BCBA Home Study Programs**

**Dead on Arrival: Avoiding Legal Mistakes That Could Kill Your Client's Startup!**

Presented by Jack A. Donenfeld



**David Wolf, JD**

CEO | BSW Wealth Partners, PBC

[www.bsw.com](http://www.bsw.com)

**bsw** wealth partners  
MAKE LIFE BETTER

## Uncertain when your clients ask for a financial planner or investment manager recommendation?

Leery of stock brokers, insurance schemes, and too-big-to-fail banks? As a fellow attorney and 20-year BCBA member, may I assist you and your clients to Make Life Better?

- +\$1.5 billion in assets-under-management
- 100% independent & employee-owned
- Fee-only fiduciaries
- National clientele, offices in Boulder & Denver

BCBA members are welcome to contact me directly for a **complimentary, confidential, and no obligation** discussion.

[david@bsw.com](mailto:david@bsw.com)

303.444.9696





# IF COLORADO'S LAWYERS DON'T TAKE CARE OF EACH OTHER, WHO WILL?

J. RYANN PEYTON

People in need of help often seek the assistance of lawyers, but where do lawyers turn when they need help of their own? Especially if the help being sought is of a personal nature.

The law is a demanding profession and there is growing concern within the legal community over a lack of lawyer well-being. Not only are lawyers suffering from a significant increase in mental health issues and substance abuse problems, but there is also a failure of lawyers to thrive as evidenced by significant attorney attrition from law firms and the profession generally. To combat these troubling facts, legal professionals need to adopt new practices to improve work-life balance, reduce stress, and increase overall well-being. But this goes beyond simple self-help strategies; this is about an industry-wide shift.

In creating a step forward in shifting the culture of well-being in Colorado's legal workplaces, the Colorado Supreme Court is launching a formal "Recognition Program" for Colorado legal employers and solo practitioners who demonstrate commitment to promoting or improving the well-being of lawyers.

This voluntary program is not meant to replace existing well-being efforts in the profession, but will provide additional ideas, incentives, and support for legal employers seeking to implement well-being best practices.

The program includes the combination of an annual Pledge to Well-Being, a facilitated peer-to-peer/group mentoring experience offering idea crowdsourcing to make organizational well-being work meaningful and relevant, and recognition by the Colorado Supreme Court of the well-being commitments and achievements of Colorado legal employers.

The core function of the program is to provide Colorado legal employers with access to education, resources, support, and technical assistance to improve well-being in their organizations. The program also creates a Legal Well-Being Leadership Network to encourage dialogue, innovation, and accountability in implementing well-being practices in legal workplaces.



# TAKE CARE OF EACH OTHER CONTINUED

“The global pandemic created myriad new challenges for our legal system; the good news is that it also brought a heightened awareness of the importance of well-being in the profession,” Colorado Supreme Court Justice Monica M. Márquez said. “The Court has seen a groundswell of interest in this area and is excited about the opportunities for legal employers to collaborate on these issues through this new Recognition Program.”

Managed by the Colorado Attorney Mentoring Program, an office of the Colorado Supreme Court, the Well-Being Recognition Program for Legal Employers will launch in January 2023 following a three-year research and development process that included a successful pilot program. The program is open to all Colorado legal employers and solo practitioners across the state regardless of size, structure, practice area, or clientele. Program details and engagement options can be found at <https://coloradolawyerwellbeing.org>.

Colorado has the opportunity to be a national leader in lawyer-led well-being by creating this first-of-its-kind program to incentivize, support, and recognize legal employers for implementing well-being strategies and recommendations within their organizations. Nearly three years into a global pandemic, lawyer well-being is more important than ever. As the research conclusively bears out: (1) well lawyers are more effective and achieve better outcomes; (2) well-being breeds job satisfaction; and (3) well-being reduces the risk of attorney discipline. Promoting attorney well-being is good for business, good for clients, and the right thing to do.

J. Ryann Peyton is the current President of the Colorado Bar Association. Ryann also serves as the Director of the Colorado Attorney Mentoring Program (CAMP). Ryann may be reached at [r.peyton@csc.state.co.us](mailto:r.peyton@csc.state.co.us)



Steve Clymer

Doug McQuiston

**ACCORD  
ADR GROUP**  
Mediation | Arbitration

**VIRTUAL  
MEDIATION  
STATEWIDE!**  
MEDIATELAW.COM

REAL-TIME MEDIATION SCHEDULING  
Check By Date • Check By Name  
Book Immediately

303.530.2137  
mediatelaw.com





# BOULDER BAR FOUNDATION 2022 GRANTS

Did you know the Boulder County Bar Association supports our own charitable Foundation?

The Boulder County Bar Foundation is dedicated to raising funds for legally-related organizations and projects in Boulder County. Our grant awardees are proven local partners that champion social justice, help train the next generation of attorneys, and support expanded legal access and knowledge in our community.

We are passionate about giving back to the place we call home. Through the Foundation, our members harness our collective resources to make a positive impact not only on the legal community, but also on individual lives and Boulder County as a whole.

With the end of the year approaching, charitable giving season is here. We ask you to consider a donation to the Boulder County Bar Foundation as part of your 2022 giving.

How does your gift to the Foundation make a difference?

The Boulder County Bar Foundation is committed to core values of community, stewardship, generosity and adaptability. Our mission is to advance justice in Boulder County, increase understanding of the law and the judicial system, provide access to legal services for the poor, homeless, and immigrant populations, and assist those turning to the legal system for help.

Your gift to the Foundation goes directly toward free legal services, targeted volunteerism, and philanthropy for trusted nonprofits who execute on our mission.

To learn more about the Boulder County Bar Foundation or to make your gift today, please visit [boulderbarfoundation.org](http://boulderbarfoundation.org). Thank you in advance for your support!

**This year, the Boulder County Bar Foundation is pleased to award \$35,010 to the following 2022 grant recipients:**

- Boulder County Senior Law Day
- Boulder Voices for Children
- Bridge to Justice
- Colorado Legal Services
- El Comite de Longmont
- Immigrant Legal Center of Boulder County
- Korey Wise Innocence Project
- League of Women Voters
- Rocky Mountain Legal Center
- YWCA of Boulder County



**BOULDER COUNTY BAR**  
**FOUNDATION**

# THE BCBA 2022 PRECIOUS GIFT DRIVE



75 children's wish lists were fulfilled by BCBA members during this year's Precious Gift donation drive. Thanks to the generosity of this year's participants, we were able to deliver two vehicles full of toys, bikes, clothes, and assorted gifts to A Precious Child's warehouse in Broomfield. Our great thanks to this year's participants:

|                    |                  |                       |                       |
|--------------------|------------------|-----------------------|-----------------------|
| Andrew Dunkin      | Delphine Farr    | Laura Moore           | Monique DuPont        |
| Bond Family Law    | Elliott Hood     | Laura Ruth            | Nadya Davis           |
| Brad J. Hendrick   | Emily Ellison    | Lee Strickler         | Nathan Klotz          |
| Carla W. Sledge    | Gary Pulitzer    | Leila Behnampour      | Pat Gilbert           |
| Carolyn Steff      | Helen Towleron   | Lucy Walker           | Rachel Mentz          |
| Carrie Frank       | Jennifer Lorenz  | Lydia A. Holzman      | Rebecca Pepin         |
| Caryln Williams    | Jennifer Terry   | Magistrate Haenselman | Robyn Kube            |
| Cecil A. Kennedy   | Jesse Witt       | Margie Schaff         | Sara Ross             |
| Cinthia M. Manzano | Jodi Martin      | Mari Bush             | Sarah M. Keane        |
| Clayton James      | Jonathan Rivinus | Mary Claire Mulligan  | Stephanie M. Fournier |
| Colin Temme        | Judge Brodsky    | Mary Lynn Macsalka    | Steve Clymer          |
| Connie T. Eyster   | Justin C. Konrad | Mike Rafik            | Trevor J. Willard     |
| Dawnia Dresser     | Kyle Mares       | Molly E. Clarke       |                       |



# BCBA NOVEMBER PHOTOS



**2022 Judges' Dinner at the St. Julien**



**2022 Judges' Dinner**



**2022 Judges' Dinner**



# BCBA NOVEMBER PHOTOS



2022 Judges' Dinner



2022 Judges' Dinner



2022 Judges' Dinner



2022 Judges' Dinner



# BCBA NOVEMBER PHOTOS



**BCBA Bench-Bar Retreat at CU Law**



**Bagels with the Bar - Longmont Edition**



**BCBA Bench-Bar Retreat at CU Law**

## WELCOME NEW BCBA MEMBERS

Robyn Speirn  
Benjamin Johnson  
David Churchwell  
Adrian Bodeo-Lomicky

Mary Athey  
Jodie G Gilbert  
David J Stephenson  
Jacqui L. Ruppel

Sarah B. Schroeder  
Dajonna Richardson  
Calvin Bennett  
Shayan Abtahi

## PROFESSIONALISM ON CALL

|             |               |              |
|-------------|---------------|--------------|
| November 28 | Tim O'Neill   | 303.682.7292 |
| December 5  | Steve Clymer  | 303.530.2137 |
| December 12 | Mike Rafik    | 303.444.9292 |
| December 19 | Gwyn Whalen   | 303.443.8010 |
| December 26 | 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.

## 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

Two cases were referred in the month of November. Thank you to the following attorneys:

**Laura Kinde (x2)**  
**Connie Eyester**  
**Graham Fuller**  
**Chris Jeffers (x2)**

## PRO SE VOLUNTEERS

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

**Kathleen Franco**  
**Patricia Riley**  
**Shana Beggan**

## 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

**Attorney Position.** Mertes Law is a small firm located in Longmont, Colorado, specializing in complex civil and criminal litigation, including the representation of respondent students in Title IX sexual misconduct. The ideal candidate for this position would be someone with litigation experience and an interest in being trained to advise and litigate Title IX matters. Please find full job details here. Starting salary range: \$90K-\$120K with opportunities for increased compensation for a solid performer. Health and dental benefits. Please submit a resume, cover letter, and a legal writing sample to: karen@merteslaw.com

**South Boulder Office Space.** Law or Professional Office for rent through March of 2024. The suite is 1,086 sf featuring a reception area, conference room, two private offices, and kitchenette. The building features covered parking, showers, and on-site management. 5277 Manhattan Circle Suite 102; \$2,000/ month includes utilities. Details can be found here [Property Listings | Gibbons White](#), or contact [jaime@gibbonswhite.com](mailto:jaime@gibbonswhite.com).

**Elegant Office Space for Lease.** 2118-2120 13th St, Boulder, CO 80302. This historic office was built in 1915 and still contains exposed brick and tile

fireplaces with a mix of modern finishes. This large two story office exudes a welcoming and professional atmosphere, offering a blend of open workspace and private offices. It's a short walk to Pearl Street Mall and includes 10 off-site parking spaces. Additional features include: 12 private offices, reception area, 3 conference rooms, full kitchen, shower, and second floor balcony area. Total square footage is 4,850 RSF. Lease rate negotiable. Email Scott Crabtree at [crabtree@coloradogroup.com](mailto:crabtree@coloradogroup.com) or Liz Amaro at [liz@coloradogroup.com](mailto:liz@coloradogroup.com) if you'd like to learn more!

**Associate Attorney.** Stinson LLP is seeking a highly-motivated associate attorney with up to four years of experience to join our Tax Credit & Impact Finance group. The right candidate will handle sophisticated legal work on impactful projects involving new markets tax credits (NMTCs), historic rehabilitation tax credits (HTCs), renewable energy investment tax credits (RETCs), and/or other impact lending or finance platforms. [Click here for the full details of this position](#). Please apply online and provide a resume, cover letter, unofficial law school transcript, class rank if known, and a writing sample. For questions, contact [recruiting@stinson.com](mailto:recruiting@stinson.com).

## OFFICE SPACE AVAILABLE AT THE BCBA

The BCBA has a unique opportunity for individual attorneys or even a small firm with one new permanent office. This is a great way to instantly grow your network and have access to all the bar association has to offer. The office is approximately 250 square feet with full access to the conference rooms, patio, kitchen, and full open workspace. Utilities, internet and phone are all included along with use of copier. Parking is free, and our location is incredibly convenient to both Boulder and Longmont. We are offering a lease rate of \$800 per month with the first month free! Please click here for photos, and contact Kyle or Laura for more information.





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

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)



**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

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