

# Boulder COUNTY BAR ASSOCIATION

## PRESIDENT'S PAGE

### EMILY ELLISON

I'm Emily Ellison. I have a small family law practice in Longmont. It's an honor to serve as your BCBA President. I'm grateful for your membership and I intend to spend the next year connecting with and learning from you to ensure that the BCBA is supporting you.

What interests me in the BCBA? In 2018, when my husband and I started our law practice, the BCBA and CBA were the first places we turned for guidance, connection, and support. We attended CLEs and networking events. The BCBA was a fantastic resource to build a referral network of local attorneys I can call on with questions. CLEs presented by the local judges taught me best practices in their courtrooms. Practicing solo or at a small firm can feel isolating, so the connections and sense of community the BCBA provides helps support attorneys. The BCBA is vital in my legal practice and my goal as president is to ensure it continues as a resource for other attorneys and the community.

BCBA offerings have been impactful in my personal life as well. One of my favorite benefits is the softball team. It's easier to be your authentic self when wearing a T-shirt and tennis shoes playing catch. As adults, there are few opportunities to play. It has led to friendships and strong bonds with colleagues, who are sometimes opposing counsel.

**2023  
BCBA Award  
Recipients  
Pages 3-4**

## IN THIS ISSUE

PRESIDENTS PAGE 1-2

2023 BCBA AWARD RECIPIENTS 3-4

CALENDAR OF EVENTS 5

2023-24 BCBA BOARD MEMBERS 6-9

NATURAL MEDICINE ACT ARTICLE 10-12

NEW BCBA MEMBERS 12

BCBA SUMMER PHOTOS 13-14

PROFESSIONALISM & PRO BONO 15

CLASSIFIEDS 16



# PRESIDENT'S PAGE CONTINUED

During the pandemic, Michelle Rafik presented a CLE on attorney well-being. Michelle discussed the shared experience of uncertainty in our inherently stressful job. A job where we are constantly scanning the horizon for things that can go wrong. Michelle shared resources on well-being, including several podcasts, one of which was the *Ten Percent Happier* podcast. I started listening to the guided meditations, a daily practice I have continued. The benefits I've found in BCBA events, the softball team, and programming are all underpinned by the importance of connections. The BCBA offers unique access to hyperlocal connections to practice in Boulder County.

Consequently, an appropriate theme for my presidential year is connection. After the last few years, many of us feel disconnected. While the lockdowns are over, things have not returned to what we knew as "normal." The BCBA offers ways to feel more connected, supported, and part of a community.

The BCBA connects our members to: other attorneys, local and appellate judges, educational and professional resources, mentors, and helps connect members of the community to legal services. I intend to promote authentic connections between attorneys. The practice of law is a stressful job. One 2016 nationwide study of more than 13,000 attorneys revealed that 28% of attorneys experienced depression, 19% reported anxiety, 21% had alcohol use problems, and 11% had problems with drug use.

Feelings of disconnection lead to increased anxiety and depression. As humans, we evolved and built civilizations by working together to accomplish goals we could not have on our own. Getting to know our fellow attorneys, the judges in our local Court systems, and community helps us build a better overall legal system and enhance the



administration of justice, which results in feeling more supported and connected to something bigger than ourselves.

The BCBA connects attorneys with the local and appellate judges. A stronger connection between attorneys and the legal system leads to an improved legal system that ultimately functions to benefit the members of the community. This year some of the opportunities to learn from and connect with local and appellate judges include the [Bench Bar Retreat on September 14](#) at CU Law School and the [Annual Judges Dinner at the St. Julien Hotel on November 2](#).

There are many upcoming events to attend, including a [chili cook-off on October 8](#) where the BCBA board members will be making chili, volunteer events in the local community, and happy hours at the BCBA office and around the county in [Louisville on August 24](#) and [Longmont on September 20](#).

Throughout my newsletters, I will expound on the different connections the BCBA offers. I'm excited to build upon the work of those before me and strengthen the connections that the BCBA offers to help everyone feel a little more supported.

I look forward to connecting with you soon.

# 2023 SONNY FLOWERS AWARD OF MERIT

The Sonny Flowers Award of Merit is the highest honor given to a member of the Boulder County Bar Association. It is presented to a Boulder County lawyer in recognition of their substantial dedication to the legal process: an unsung hero whose contributions may have gone unnoticed, but who personifies the very best in the profession.

**The recipient of the 2023 Sonny Flowers Award of Merit is Anton V. Dworak (1967-2022). Brad Hall, a fellow attorney at Lyons Gaddis, and Christine Hylbert, former Executive Director of the BCBA, provided the following remarks in honor of Anton receiving this award.**

**Brad Hall:** This year's recipient of the Sonny Flowers Award of Merit was Anton Dworak. Anton unfortunately passed away last year in August. Accepting the award for Anton was Jeanne Keating Dwork who was accompanied by their children Naomi Cross, Alfred Dworak and Leyla Dworak. Anton began practicing law in Longmont upon his graduation from the Sturm College of Law at DU in 1994. He joined Lyons, Gaddis P.C. in 1999 where he practiced until 2022. He immediately became active in the Boulder County Bar Association serving on the Young Lawyers Committee and becoming active with Sonny Flowers in establishing the bar mentoring program. He served as a section chair and as bar president and associated officer positions. He went on to serve on the board of governors of the Colorado State Bar Association and also served for years on the BCBA professionalism committee. He was also generous with his time in the Longmont community where he was born and grew up before attending Emory University in Atlanta. He served on numerous boards including the Longmont United Hospital Board, serving two years as president; the Longmont Cemetery Board of Trustees, and Longmont Via Mobility Service. His son Alfred put it best at the award ceremony saying, "My dad never wanted recognition or credit, he just wanted to serve his community."

Anton was a shining example of what it meant to be the very best of his profession and the BCBA is proud to have him, even belatedly, receive the highest honor granted to a member. He was greatly appreciated and will be sorely missed.



**Christine Hylbert:** When Anton was a younger lawyer in Longmont, when there weren't many lawyers in Longmont, he reached out and asked how he could be more involved. He began with both feet on the ground running fast, as he did most of the time. Remember when we wanted to be more inclusive the East county Lawyers? He started with the article in the Newsletter, The East County Beat. It was, of course, funny and it did what we had hoped. We got some attention. Then it was the Young Lawyers and the Mentor Program. He worked on that with Sonny Flowers and others. Who in their right mind would have all the young lawyers to their home for a BBQ —shortly after he and Jeanne got married. A huge success and just the beginning of many.

Anton was more than a just a volunteer. He took on all of his bar positions with a clear goal to make things better than when we started. So when he became Bar President he had already been section chairs, along young lawyers and the mentor program. He had a vision of where he wanted the bar to become for that year.

It is so befitting that he is being honored with the Sonny Flowers Award of Merit.

# 2023 OUTSTANDING YOUNG LAWYER

The Outstanding Young Lawyer Award is presented in recognition of the achievement of a lawyer in practice in Boulder County who has been admitted into the bar for less than 5 years, or who is 37 years old or younger; whose energy, enthusiasm and ability have contributed significantly during the past year through volunteer services to the community, bar association activities or significant legal achievements.

**The recipient of the 2023 Outstanding Young Lawyer Award is Matthew Forstie. Susan Spaulding presented the following introduction to Matthew's award at the BCBA Annual Meeting.**

When Kyle asked me to introduce Matt Forstie as the Outstanding Young Lawyer of 2023, I felt deep pleasure and responsibility to describe those attributes that contribute most to Matt's presence and to the impact he has made to the Boulder County legal community, as far as I have experienced and as I have heard from others.

Four attributes come to my mind, in no particular designated hierarchy, but rather as a description a whole professional – and I would guess a whole personal – relationship to his life and his work.

**Particularity.** The ideals of justice and equality are often waved as legal ideals – hoisted as banners outside of and above actual, specific, lives. Matt has inclined towards the regard of individuals as persons of particularity, persons with distinct lives lived apart from public discussion.

**Kindness and care.** I asked several people in Longmont – at the Senior Center, at Longmont Housing Authority – how they would describe Matt. The word 'compassion' was used by everyone. To take compassion to the homely and personal, I would say that Matt acts with a courtliness, a politeness in the best sense of that word that signifies care and genuine kindness towards his clients.

**Responsiveness.**

Almost unique among attorneys with whom many social service providers have interacted, Matt has offered a responsiveness that builds confidence and trust. Knowing how such responsiveness can take the turn towards becoming overwhelming, I know I am not the only person who wishes for Matt to be able to hold a private life, apart and sacred, without giving up his open responsiveness.

**Love.** Different than kindness, Matt displays a love that is generous – the kind of love found in any profession in which the practitioners take responsibility for the health of our human community and thus the health of our entire natural world.

Matt, a native of Minnesota, came to CU Law School after graduating from the University of Minnesota. Graduating from CU in 2021, he has since been with Colorado Legal Services in Boulder on a two-year fellowship funded by the Gallogly Public Interest Law Foundation.

In these two years, his human-centered public justice approach exemplifies that access to legal remedy for all is alive and well.

Matt's work with the least healthy, those elderly with few means, those with limiting disability, and the need for each to have secure accommodation in our community, is a treasure and an example.

Thank you, Matt, and congratulations.



# CALENDAR OF EVENTS

**Thursday, August 3**

**Free Webinar for Members**

**How to Earn the Respect of Your Client, the Court, and Opposing Counsel while Zealously Advocating Criminal Cases**

**Presented by Shana Beggan and Mike Pellow**

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

Free for BCBA Members

[Please click here to register](#)

[Please click here to sponsor](#)

**Thursday, August 15**

**Free Webinar for Members**

**Use of Technology in Domestic Dispute Cases**

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

**Presented by Brittany Frisbie & Nathan Bailey**

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

Free for BCBA Members

[Please click here to register](#)

**Wednesday, August 16**

**BCBA Section Membership Lunch**

**Tax & Estate Planning and Real Estate Sections**

**Special thanks to our event sponsor**

**[Land Title Guarantee Company](#)**

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

Free for BCBA Section Members

Please click here to RSVP & select lunch

**Thursday, August 17**

**Free Webinar for Members**

**Advocacy Requires Allyship: Conscious**

**Representation of LGBTQ+ Clients**

**Special thanks to our event sponsor [K. Scott Hamerslough Law, P.C.](#)**

**Presented by Kevin Harlow-Miller**

12:00 - 1:00 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

**Tuesday, August 22**

**Free Webinar for Members**

**Build & Grow a Better Law Firm**

Presented by Jason Pollan

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

Free for BCBA Members

[Please click here to register](#)

[Please click here to sponsor](#)

**Thursday, August 24**

**Louisville Lawyers Happy Hour**

**Special thanks to our event sponsor [Dietze and Davis, P.C.](#)**

4:30 - 6:30 PM @ Murphy's Tap House (585 McCaslin Blvd)

Free for BCBA Members

[Please click here to RSVP](#)

**Tuesday, August 29**

**Free Webinar for Members**

**Short-Term Solutions and Long-Term**

**Prospects on the Colorado River**

Presented by Gregor Macgregor

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

Free for BCBA Members

[Please click here to register](#)

[Please click here to sponsor](#)

# 2023-24 BCBA BOARD OF DIRECTORS



## Emily Ellison - President

Emily Ellison is a Longmont attorney who specializes in family law. Emily focuses her career on assisting people involved in tough legal situations. Her goal is to use her legal career to create a positive impact on society. She does this by listening to her clients' needs, understanding how to guide their case to meet those needs, and fighting to obtain results. A dedicated and curious law student, Emily graduated in the top 25% of her class from the University of Denver Sturm College of Law.



## Carolyn Steffl - President-Elect

Carolyn Steffl has been practicing law in Colorado since 2002, focusing on special district, local government, water and real property law. She joined Dietze and Davis as a shareholder in 2021. Carolyn serves as general counsel to water and sanitation districts and metropolitan districts throughout Colorado. She has extensive experience with open meetings and open records law, and other special district matters.



## Liz Parker - 2023-2026 Treasurer

Lizabeth Parker is the coordinator of Boulder County's federal abuse in later life grant, awarded by the U.S. Department of Justice Office on Violence Against Women. She coordinates training and community outreach efforts among law enforcement, judiciary, agencies serving older adults, and throughout the community. Prior to this position, Liz worked as a Specialist in the Community Protection Division of the Boulder County District Attorney's office, and practiced law for over 20 years.

An advertisement for ACCORD ADR Group. It features two men, Steve Clymer and Doug McQuiston, both wearing glasses and smiling. Steve is on the left, wearing a dark suit, and Doug is on the right, wearing a brown jacket over a blue shirt. Below their names are their titles: "Mediation" and "Arbitration". To the left of the men is a yellow sticky note with the text "VIRTUAL MEDIATION STATEWIDE!" and "MEDIATELAW.COM". To the right of the men is the ACCORD ADR GROUP logo, which includes a stylized maze icon. Below the logo is the text "REAL-TIME MEDIATION SCHEDULING" and "Check By Date · Check By Name · Book Immediately". At the bottom are the phone number "303.530.2137" and the website "mediatelaw.com". There is also a QR code.

# 2023-24 BCBA BOARD OF DIRECTORS



## Jodi Martin - 2023-2024 Board Member

Jodi Martin relocated to Colorado in 2012 to pursue a practice focused on her passion, using her legal experience to help her clients strengthen and protect themselves and their families. In light of her experience, Jodi is skilled in working with clients to resolve disputes outside of the courtroom, but is also prepared to fully litigate matters when needed. At Martin Law Office LLC, Jodi has also focused her energy and legal experience on legal matters impacting the LGBT community, their allies, and individuals impacted by HIV.



## Alison Gordon - 2021-2024 Board Member

Alison Gordon is an Associate Attorney in her second year of practice at the Polansky Law Firm. She practices criminal defense, with a particular focus on juvenile defense and cases that involve mental health issues. She is a graduate of the University of Colorado Law School, where she obtained a Certificate in Juvenile and Family Law. She is licensed to practice in the State of Colorado, as well as the United States District Courts in Colorado and Wyoming.



## Rachel Mentz - 2021-2024 Board Member

Rachel Mentz is the owner of Mentz Law, P.C., a law firm based in Boulder that helps businesses and individuals resolve commercial disputes in and out of court. Prior to starting Mentz Law, P.C., she practiced complex, commercial litigation in a large, national law firm. A native of Michigan, Rachel also lived in France, Spain, Louisiana, and New Hampshire before making Boulder her home in 2007.



## Kevin Harlow-Miller - 2022-2025 Board Member

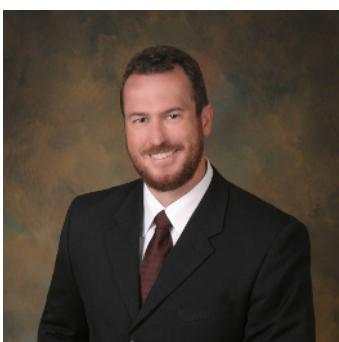
Kevin Harlow-Miller is a graduate of the University of Colorado Law School, where he earned a Graduate Certificate in American Indian Law alongside his Juris Doctor (c/o 2020). Currently completing his second and final year as a Faculty Fellow with the American Indian Law Program at Colorado Law, he has assisted Indigenous clients and colleagues nationwide with issues ranging from land lease conflicts to the incorporation of international law into domestic tribal codes.

# 2023-24 BCBA BOARD OF DIRECTORS



## Doug Stevens - 2022-2025 Board Member

Doug Stevens is a member in Caplan & Earnest's litigation practice. He focuses on civil litigation matters, including construction, outdoor recreation, personal injury, commercial and contract disputes, insurance coverage, and products liability matters. Doug has also developed a significant practice advising outdoor recreation providers on various aspects of their legal and risk management needs. He lives in Boulder with his wife, Kelli, and three daughters, Anna, Maren, and Alexa.



## Kurt Hofgard - 2023-2025 Board Member

Kurt and Hofgard & Associates, P.C. in Boulder have focused exclusively on estate & trust planning and probate administration in the same location for the past 27 years at 28th and Arapahoe.

Kurt was born in and grew up in Boulder, attending Arapahoe Elementary, Douglass Elementary, Platt Junior High, and Fairview High. He, his wife Linda (also his law partner) have lived in Louisville for 28 years. They enjoy music, hiking, and seeing their two adult children Elyssa (PhD candidate at MIT) & Jake (junior at Stanford).



## Debbie Taussig - 2023-2026 Board Member

Debbie Taussig was born and raised in Boulder, Colorado. Debbie has over 20 years of experience as a personal injury attorney and owns her own Boulder-based law firm--Debbie Taussig Law.

In her free time, Debbie can be found walking her three Husky rescue dogs with her husband, a firefighter for Lefthand Canyon Fire Department.



## Scott Brenner - 2023-2026 Board Member

Scott Brenner is a Member of Thomas P. Howard, LLC. His practice focuses on all aspects of trademark prosecution and litigation, unfair competition, domain name disputes, copyrights, and related protection of intellectual property. Scott handles all areas of trademark prosecution and litigation, copyright registration and enforcement, and unfair competition disputes. He is admitted to the Colorado Bar and the U.S. District Court for the District of Colorado.

# 2023-24 BCBA BOARD OF DIRECTORS



## **Ben Wilson - 2023-2026 Board Member**

Ben's practice at Berg Hill Greenleaf Ruscitti LLP focuses on civil and commercial litigation, including real estate, contract, and fraud and theft matters; insurance coverage issues; and nonprofit and performing arts law.

Before law and graduate school, Ben enjoyed a successful career as a critically-acclaimed musician, theater artist, and educator. When he's not practicing law, Ben also enjoys spending time with his family, reading, cooking, and enjoying some yoga (the hotter the better).



## **Carrie Frank - Immediate Past President Ex Officio Member**

Carrie Frank has been practicing for almost 30 years, primarily in the area of products liability and personal injury. She is a partner with Klein | Frank, P.C. in Boulder where her practice focuses on cases involving defective products including vehicles, medical devices, drugs and toys and serious auto crashes and other personal injury matters. Carrie has consistently been recognized as a leading attorney in her field, and has been included in Best Lawyers in America, Colorado SuperLawyer, National Association of Distinguished Counsel and the top 3000 attorneys by LawDragon.



## **Judge Lindsey - 2022-2024 Judicial Ex Officio Member**

Dea Wheeler Lindsey was appointed to the bench in April of 2021. Before her appointment Judge Lindsey was a Senior County Attorney in the Boulder County Attorney's office, representing the Boulder County Sheriff's Office, Community Justice Services, the District Attorney and Office of Emergency Management. She also worked in the area of criminal defense in her own practice and for the Colorado State Public Defender's Greeley Office for several years after completing law school at the University of Denver, College of Law in 1999.



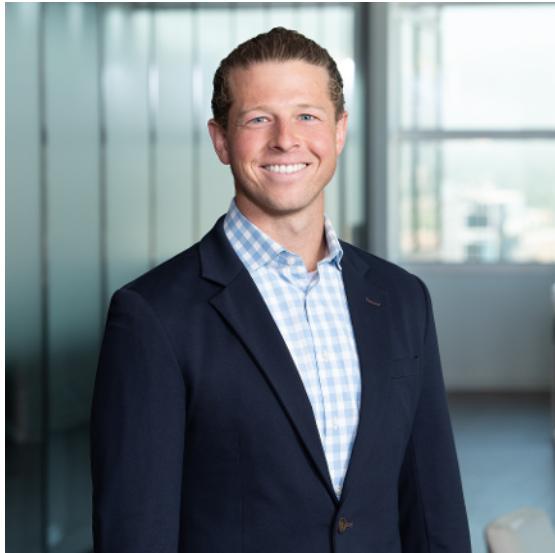
## **Marci Fulton - 2022-2024 CU Law Ex Officio Member**

Marci Fulton graduated from Colorado Law in 2004, and returned to Boulder to serve as the Assistant Dean for Outreach, Engagement, and Alumni Relations in 2013. In 2018, Marci joined the Career Development Office as Assistant Dean for Employer Relations and Outreach where she conducts outreach efforts to all employment sectors, counsels students, and provides programming for law students aimed at building professional networks and securing law school employment and post-graduate career opportunities.

# ON THE NATURAL MEDICINE HEALTH ACT

## MATT NADEL

This article gives a high-level overview of the Natural Medicine Health Act ("Act"), which legalized the possession and use of certain psychedelic substances. It also discusses the timeline for regulatory implementation of the Act, how the regulation of psychedelics will differ drastically from that of cannabis, and expectations for businesses that desire to work within the regulatory framework.<sup>1</sup> The language used throughout this article mirrors the language used in the Act.



### I. Background and Timeline

The Act was adopted by the Colorado State Legislature, and signed into law by Governor Polis, in May of 2023, after citizen-initiated Proposition 122 (the "Proposition") passed in a statewide vote with 54% of the electorate supporting the Proposition [*citation*]. The Proposition decriminalized the personal possession, growing, sharing, and use, but not the sale, of five natural psychedelic substances, including two substances found in "magic mushrooms" — psilocybin and psilocin ("Natural Medicine") — and three other plant-based psychedelic substances — dimethyltryptamine (DMT), ibogaine, and mescaline (found in peyote) [*citation*].

Although the Act was signed into law five months ago, the commercial implementation is not slated for another 18 months. Coloradoans won't be able to attend a guided Natural Medicine session until 2025, at the earliest [*citation*]. Coloradoans can expect the following timeline:

- In January of 2023, Governor Polis appointed the Natural Medicine Advisory Board ("Board") which consists of experts in psychotherapy, social work, medical doctors, community leaders, and indigenous and native healers. There are four specialized subcommittees of the Board.<sup>2</sup> The Board and each subcommittee was charged with making concrete regulatory recommendations to

the Department of Regulatory Agencies ("DORA") and the Department of Revenue ("DOR") by September 30, 2023. DORA and DOR (the "regulators") will then promulgate the final rules that will guide the regulated community.

- The rules will establish qualifications, education, and training requirements for facilitators, and approve a training program by January 1, 2024. To meet this deadline, regulators will have to file their Notice of Proposed Rulemaking ("NPRM") by November 15, 2023, at the latest, to allow for an adequate public comment period and public hearing opportunity [*citation*].

- Regulators will then have a substantial period of time, until September 30, 2024, to analyze comments and potentially publish another round of proposed rules before they are required to promulgate final rules to implement the Natural Medicine Access Program (the "Program"). The Program will provide the framework for the growth, testing, licensure, and facilitation of Natural Medicine.<sup>3</sup>

Overall, there are many outstanding questions on the timeline and substance of the forthcoming regulations, but we will know more in November, 2023, when the NPRM is published.

### II. Why Natural Medicine Will Be Regulated Differently Than Cannabis

# MEDICINE HEALTH ACT CONTINUED

Importantly, the Program is not intended to facilitate the recreational use of Natural Medicine at home. Cannabis is most often purchased through a point-of-sale transaction at a retail store; but for Natural Medicine, patients will attend a therapeutic session guided by a licensed expert, at a licensed facility. Section III of this article discusses the potential facilitator licensing structure.

From a neuro-chemical standpoint, the psychoactive elements of Natural Medicine effect completely different areas of the brain when compared to those in cannabis.

Tetrahydrocannabinol (THC), the psychoactive component of cannabis, stimulates neurons in the reward-inducing part of the brain to increase the release dopamine, creating a "high" effect for the user [citation]. On the other hand, psilocybin can lead to decreases in cerebral blood flow and decreased activity and connectivity in the brain, enabling a state of "unconstrained cognition" [citation]. The effects of THC are realized immediately and last 1-2 hours, while the effects of psilocybin are realized 45-60 minutes after consumption and last anywhere from 4-8 hours. These major differences require drastically different regulations. Although certain safety and enforcement aspects may be borrowed from cannabis regulations, we should otherwise expect to see something new that best serves the different effects of this Natural Medicine.

## **III. What Can Businesses Expect for Required Facilitator Training Based on Subcommittee Expert Discussions**

Oregon is the only other state to legalize and regulate Natural Medicine. As such, the subcommittees are considering the regulations and outcomes from Oregon when deciding how to structure facilitator licensure in Colorado. Please note that the following information is based on discussions between experts at the subcommittee level – this is not considered part of the official rulemaking process, and regulators may choose to

wholly ignore the recommendations of the subcommittee experts.

Of major debate between experts is what qualifies an individual to become a licensed facilitator. Should an individual have an advanced degree like an M.D., be a licensed psychologist or counselor, be a licensed clinical social worker, or something else entirely? Considerations include whether an individual has training in life-saving practices, a deep-rooted knowledge in anatomy or neuroscience, experience facilitating mind-altering medicine, a certification to navigate trauma or crisis-induced psychotic episodes, an many more.

Some experts present a "tiered approach" to licensure that offers varied levels of facilitator training which focuses on patient risk. For instance, patients that have a low risk of harm or self-harm could choose to receive treatment from a licensed facilitator who has pursued a low-level training program.<sup>4</sup> Alternatively, patients who are higher risk or are medically complicated may be required to receive treatment from a licensed facilitator who has higher level background certifications (such as M.D., D.O., Licensed Psychotherapist) and have gone through more intensive training. The framework for such training programs is too opaque to report on at this moment in time, but there is an assumption that patients choose a facilitator based on their background, certifications, specialties, training, and goals of using Natural Medicine. Experts all agree that any level of license will necessarily require rigorous training.

In addition to patient safety concerns associated with facilitator training, experts are concerned about the cost of individuals obtaining a license, and then businesses being able to reasonably employ highly trained individuals. This leads to an important discussion on access to licensure and eventual patient access to Natural Medicine. Requiring burdensome or costly training, or certain educational requirements, as a threshold to become a licensed facilitator will necessarily

# MEDICINE HEALTH ACT CONTINUED

increase cost of treatment for patients and may simultaneously decrease access.

Lastly, and potentially most importantly, is how the subcommittees are considering licensure for individuals who facilitate the use of Natural Medicine under native, religious, or indigenous practices. As mentioned above, the use of Natural Medicine is pervasive outside of the western medicine fields. Experts are keenly aware of the unfair burden that would be placed on native, religious, or indigenous healers, who have been facilitating the use of Natural Medicine for multiple decades, if they were suddenly required to pursue additional degrees or licensure to operate under the regulated framework. There is a reasonable concern that some healers will continue to operate without licensure if the regulatory process is unfairly applied to their native, religious, or indigenous practice. Experts continue to craft recommendations on how to effectively recognize native, religious, and indigenous healers while being conscious of patient safety concerns.

## IV. Conclusion

Colorado regulators and experts may be tripping into the unknown as they navigate numerous considerations for the safety of patients, business interests, and facilitator licensure. But, the subcommittee input process has, thus far, proved

to be fruitful in supplying concrete advice to regulators for all aspects of regulating Natural Medicine.

If you would like to discuss the best way to advocate and shape the regulatory process for Natural Medicine, please reach out.

**1** - Throughout this article I refer to psilocybin and psilocin as Natural Medicine, and those who oversee the use of Natural Medicine as facilitators or healers. You will also see Natural Medicines referred to in popular culture as psychedelics, magic mushrooms, hallucinogens, or any number of other names. Native, religious, and indigenous healers have been using and facilitating the use of Natural Medicine for centuries to successfully address any number of ailments. Most of those healers do not consider Natural Medicine to be a drug in the westernized, demeaning sense of the word.

**2** - The four subcommittees are: Licensing/Qualifications, Products/growing, Harm Reduction/Safety, and Religious/native uses.

**3** - The word "facilitation" is used in the Act to describe how individuals will experience natural medicine sessions: ingesting medicine at a licensed facility, under the supervision of a licensed facilitator/practitioner.

**4** - This position is commonly referred to as a "sitter," or an individual who is trained to understand Natural Medicine facilitation, but is not otherwise licensed in the mental health or medical field.

**Matt is an attorney at Dietze & Davis who is passionate about shaping public policy in the energy, environment, and drug reform realms. He advocates for clients at the Public Utilities Commission and in Water Courts around the state.**

# WELCOME NEW BCBA MEMBERS

Noah M Simcoff

Sydney A Dolan

Abbey Derechin

Megan B Henderson

Ariel N Okonsky

Eric V Love

Elaina E Shively

Candace J Hensley

Steffanie Craig

Molly K Haug

Erik F Stegemiller

Mark L Boos

Jocelyn Rimes

Logan Osborne

Colin Sullivan

Katelyn Reeder-Walker

Keirsten Schwanbeck

Rachael Gessert

Juan C Mijares

Albert J Plawinski

Lindsay Brown

Meg Reeder-Cramer

Elliot D Fladen

Devi S Chung

# BCBA SUMMER IMAGES



BCBA at the Colorado Rockies



BCBA 2023 Annual Meeting



Past Presidents' Dinner at Carelli's



BCBA Paralegal & Legal Assistant Section Lunch  
Sponsored by Pike Reporting Company

# BCBA SUMMER IMAGES



**BCBA /BAHRA Happy Hour**



**BCBA /BAHRA Happy Hour**



**BCBA Summer Happy Hour**

Sponsored by Chris Parks Law



**Bagels With the Bar (every Wednesday!)**

# PROFESSIONALISM ON CALL

July 31	Mike Rafik	303.444.9292
August 7	Gwyn Whalen	303.443.8010
August 14	Lee Strickler	303.443.6690
August 21	Meghan Pound	303.443.8010
August 28	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 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 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

Five cases were referred in the months of June and July. Thank you to the following attorneys:

**Yun Wang**  
**Ugyen Tshering**  
**Mark Grimaldi**  
**Jud Hite**  
**Jodie Gilbert**

## PRO SE VOLUNTEERS

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

**Kathleen Franco**  
**Stephanie Fournier**  
**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

## **Experienced Estate Planning Attorney Position.**

Lyons Gaddis is seeking an experienced estate planning attorney and will consider mid-career (3+ years of relevant experience) to senior-level laterals to join us in our Longmont office. At Lyons Gaddis, we imagine a world where the legal system serves as a platform to allow our community to thrive and helps us improve the lives of our clients and colleagues. Join our pursuit of this vision as part of our Estate Planning & Probate Team. With the combination of practice group growth and anticipated retirements, we have an opportunity to expand to continue serving our client base. Base compensation ranges from \$100K – \$250K, depending on experience, billing rate, portable business, and productivity, with bonus incentives, a generous 401(k) match, and other employee benefits. Please submit a cover letter and resume to [careers@lyonsgaddis.com](mailto:careers@lyonsgaddis.com).

**Water Law Attorney Position.** Lyons Gaddis has an opportunity for an attorney with a proven interest in Colorado water law to join its water team as an associate. An applicant must have experience in Colorado waterrelated matters, such as court proceedings and transactions, and have 4-8 years of legal experience. Depending on experience and qualifications, the salary range is \$110,000 to \$130,000, exclusive of production bonus and benefits. Lyons Gaddis is a dynamic, growing Colorado law firm offering health insurance, life insurance, 401K match, and more. If you want to join our team, please submit a cover letter and a resume to [careers@lyonsgaddis.com](mailto:careers@lyonsgaddis.com).

**Legal Executive Assistant Position.** UCAR is excited to announce a unique Legal Executive Assistant opportunity. You will love this job if you are the type of person who thrives playing a key role on a small, collaborative team and who is eager to share your broad legal administrative support experience, excellent organizational and problem-solving skills, curiosity and pride of ownership, and sense of humor. You will primarily provide general administrative support, at an executive level, to the Chief Legal Officer, the five team members of the Office of General Counsel, and the Board of Directors of the UCAR Exchange. You will also provide occasional para-professional support as well. Please see this webpage for more information and to submit your application: [click here to view](#).

**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](mailto:karen@merteslaw.com).

# Boulder COUNTY 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)



The advertisement features a close-up photograph of a wooden gavel resting on a dark surface, with a credit card partially visible behind it. On the left, there's a green graphic element resembling a stylized 'X' or a checkmark. The LawPay logo is prominently displayed in the upper left corner, followed by the text "CREDIT CARD PROCESSING". In the center, the slogan "PAYMENT PROCESSING, EXCLUSIVELY FOR ATTORNEYS." is written in a serif font. At the bottom right, the Boulder County Bar Association logo is shown with the text "Proud Member Benefit Provider". Below the main image, a green horizontal bar contains the text "1.95% per transaction | No swipe required | No equipment needed". At the very bottom, the website "www.LawPay.com/bcba" and the phone number "866.376.0950" are listed, along with the small print "AffiniPay is a registered ISO/MSP of BMO Harris Bank, N.A., Chicago, IL".