April 2026

Boulder COUNTY BAR ASSOCIATION

PRESIDENT'S PAGE

JODI MARTIN

Pro Bono Bash, Saturday, April 11 from 7-10 PM

As I sit down to write this month's President's Page, I want to address a growing concern: judicial security and its impact on judicial independence, as well as why it matters to all of us as attorneys.

One of the many strengths of the BCBA is the positive working relationship we share with our local bench, including the 20th Judicial District, the Colorado appellate courts, and our municipal courts. Our judges regularly engage with the BCBA membership, whether by attending events or contributing their time and expertise to our CLE programming. That level of accessibility and collaboration is something the BCBA does not take for granted.

However, the reality across the nation is that our judicial officers, both state and federal, as well as trial and appellate, are facing increasing security threats. At a recent legal conference, several federal judges spoke about the rise in targeted harassment and threats. Among them was U.S. District Judge Esther Salas, whose family was the victim of a tragic act of violence carried out by a disgruntled attorney, which resulted in the death of Judge Salas' son.

IN THIS ISSUE

PRESIDENT'S PAGE 1-3
CALENDAR OF EVENTS 4
PRO BONO BASH 5
SEEKING VOLUNTEER BOARD MEMBERS 7
CHILD ABUSE IN FAMILY LAW 8-10
COMMUNITY SPOTLIGHT 11-13
LEGAL CLINIC VOLUNTEERS 16
BCBA HOME STUDY 17
PROFESSIONALISM 18

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Cover art by Bay Shogrin

PRESIDENT'S PAGE



Since the attack on Judge Salas' family, hundreds of unsolicited pizzas have been delivered to the homes of judges, some even in the name of Judge Salas' murdered son. Pizzas intended to make a point – we know where you live. The judges were discussing the fact that the escalating rhetoric, including from our nation's political leaders, dehumanizes our judiciary and, in some instances, encourages personal attacks against judges, and at a minimum signal that such attacks are acceptable.

At the same time, public rhetoric surrounding the judiciary, including personal attacks from the highest national political ranks, has grown increasingly heated and increasingly targeted. When judges are characterized in personal or dehumanizing terms and, at times, even named or identified, it contributes to an environment in which threats and harassment feel more permissible. Regardless of where one falls on the political or ideological spectrum, this trend should give us pause.

These incidents are not isolated. Reports indicate that threats against federal judges have increased in recent years, and those figures likely underrepresent the broader reality, particularly at the state level. Beyond the direct targets, the effects ripple across the judiciary. Judges, like all of us, have families, colleagues, and staff, and they are all impacted by the risk of being assigned a case that might trigger threats or attacks. The risks associated with a judicial role are no longer abstract, and that reality can influence not only decision-making environments, but also who is willing to serve on the bench in the first place. This is not to say that criticism of judicial decision-making and resulting opinions shouldn't happen. Such criticism is a key part of our democracy and our judicial process. Reasonable minds can and do disagree with court rulings, legal reasoning, and even broader judicial philosophies. As litigators, many of us have experienced decisions we strongly believe were wrongly decided. That is part of the process.

Additionally, addressing the politicization of our judicial system is also critical to a fair system of justice. But there is a clear and important distinction between substantive criticism and conduct that crosses into personal attacks, intimidation, or threats.

As attorneys, we occupy a unique position within this system. Our words carry weight, both in and out of the courtroom. With that comes a responsibility, not only to advocate zealously for our clients, but also to uphold the integrity of the judicial system itself. That includes being mindful of how we speak about judges and judicial decisions, and ensuring that we are not contributing, directly or indirectly, to a culture that endangers those who serve on the bench.

Judicial independence does not exist in a vacuum. It depends, in part, on the professionalism and judgment of those who practice within the system every day. Each of us has a role to play in preserving it.

PRESIDENT'S PAGE CONTINUED

There is also bipartisan legislation currently being considered in the U.S. House (H.R. 4602 – Countering Threats and Attacks on Our Judges Act), which already passed in the Senate, that establishes a centralized State Judicial Threat and Intelligence Resource Center within the existing State Justice Institute. Currently there is no centralized organization to support the state and local courts in dealing with threats against state and local judges through tracking and development of best practices, but this legislation would remedy that. It is unfortunate that this is our current reality, but passage of this type of legislation is a step in the protection of our judicial officers and their staff.

On a different note, I want to close with a few updates from the BCBA. Your Bar needs your voice. The BCBA continues to thrive because of the engagement and leadership of our members. If you are interested in becoming more involved, I encourage you to apply for a position on the BCBA Board, as the application period closes this month. If you have any questions about Board service, please feel free to contact me directly at jodi@themartinlawoffice.com.

I look forward to seeing you at this month's events, including the Pro Bono Bash and our new Trivia Night. Watch your email and sign up early!



CALENDAR OF EVENTS

Wednesday, April 1 Bagels on the Road at Berg Hill Greenleaf Ruscitti, LLP
8:30-10 AM at the office of Berg Hill Greenleaf Ruscitti, LLP (1712 Pearl St., Boulder, CO 80302)
Free for BCBA Members
No registration necessary

Monday, April 6 BCBA Family Law CLE Webinar: Child Abuse in Boulder County: Systems, Resources, and Implications for Custody and Parenting Time
12-1 PM via Zoom, 1 General Credit
Free for BCBA Members
Please click here to register
Seeking a sponsor, please click here to sponsor

Wednesday, April 15 BCBA CLE Webinar: Know Your Rights – Immigrant Protection
12-1 PM via Zoom, 1 General and 1 EDI Credit
Free for BCBA Members
Please click here to register
Thank you to our sponsor Access Immigration

Thursday, April 16 CBA President's Lunch with Charlie Willman
11:30 AM-1 PM at Murphy's Tap House (585 McCaslin Blvd, Louisville, CO 80027)
$25 for BCBA Members, $35 for non-members
This event has limited space so secure your spot now.
Please click here to register
Seeking a sponsor, please click here to sponsor

Thursday, April 23 Criminal Law Section Membership Lunch
12-1 PM Justice Center Training Room (2nd floor) - 1777 6th St, Boulder, CO 80302
Free for BCBA Members
Please click here to register
Thank you to our sponsor, Ruth Irvin who made this sponsorship in honor of her late husband, Richard Irvin

Tuesday, April 28 Trivia with the Bar
6:45- 9 PM at The Boulder Social (1600 38th Street, Boulder, CO 80301)
Free for BCBA Members
This event has limited space so secure your spot now.
Please click here to register
Seeking a sponsor, please click here to sponsor

Wednesday, April 29 BCBA RE/Landlord/Tenant CLE Webinar: 2024 and 2025 Landlord-Tenant Law Changes
12-1 PM via Zoom, 1 General Credit
Free for BCBA Members
Please click here to register
Seeking a sponsor, please click here to sponsor



Every Wednesday
Bagels with the Bar
8:30 - 10:00 AM @ BCBA Office (4845 Pearl East Circle, Suite 101, Boulder, CO) Free for BCBA Members



The Pro Bono Bash is a celebration of the people who make access to justice possible and the community that shows up to support them. This year, we're focused on fun, with a soundtrack to match.

Join the Boulder County Bar Association and the Legal Aid Foundation of Colorado for an evening that's equal parts purpose and party, featuring live music from Road Pony, great snacks and drinks, and a room full of people who believe everyone deserves access to legal help when it matters most.

When you attend Pro Bono Bash, you're not just coming to a fun night out—you're helping fund free civil legal services for Coloradans facing housing instability, domestic violence, family crises, and more. Every ticket helps Colorado Legal Services support real people with real legal needs, right here in our community.

We'll be at The St. Vrain in Longmont with plenty of space to mingle, dance, and connect. Expect a warm, welcoming atmosphere, delicious appetizers, beer, wine, mocktails, and don't forget your dancing shoes.

We can't wait to celebrate with you at Pro Bono Bash!

Thank you to our Philanthropic Sponsor, Lyons Gaddis for your generous support! hank you to our current sponsors:

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Humanitarian/Mentor ($500): Debbie Taussig Law, LLC, Jung & Associates, P.C., Peek Goldstone, LLC, Childs McCune Michalek LLC, Kottke & Brantz LLC, Martin Law Office LLC, Brenda Dixon from RBC Wealth Management, Shoemaker Ghiselli & Schwartz LLC

Click here to purchase individual tickets


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SEEKING VOLUNTEER BOARD MEMBERS

The BCBA is looking for a few talented and motivated volunteer board members to lead and strengthen our association. This is an interesting time in our community, and now more than ever we need great leaders who have the creativity and dedication to lead us into unchartered waters. This gives you a great opportunity to have your voice heard and help with important decisions moving forward. The BCBA will have multiple board positions available. All terms will begin on July 1, 2026.

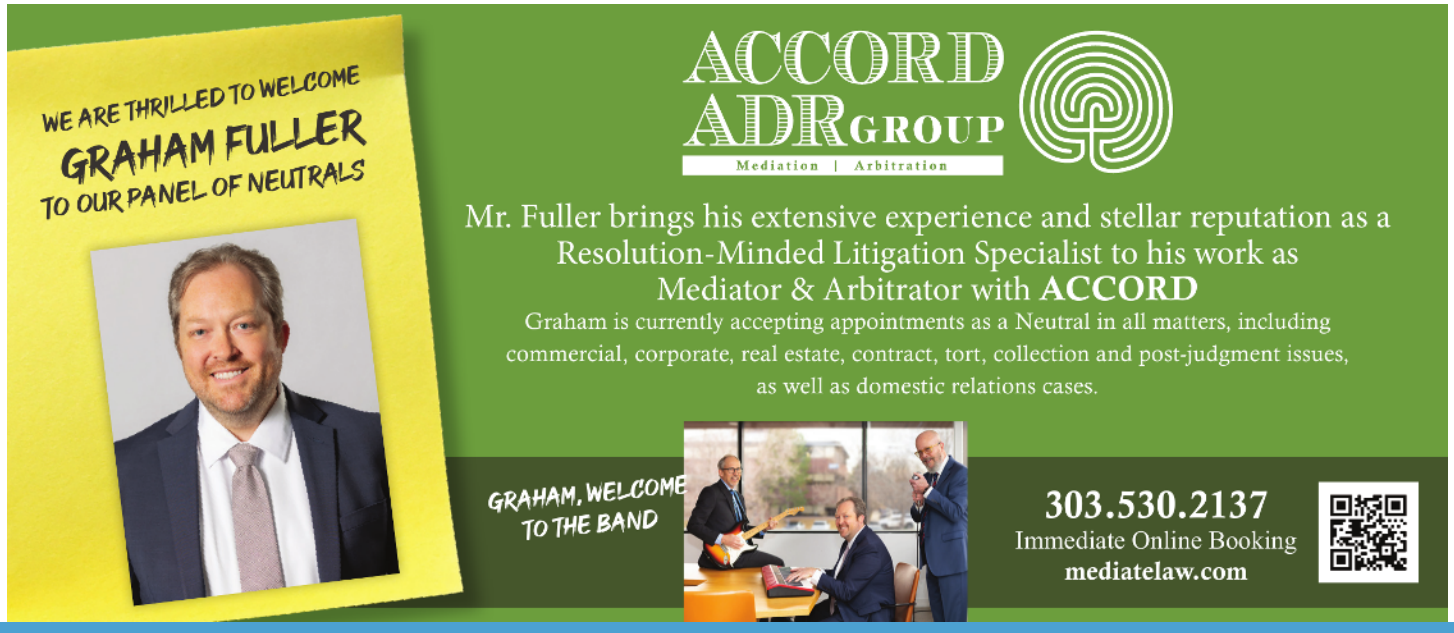
If you have any further questions, please contact Laura Ruth at laura@boulder-bar.org. We look forward to welcoming our new board members!

CLICK HERE TO APPLY

BCBA AWARD NOMINATIONS

The 2026 BCBA Annual Meeting will be held on Thursday, June 4. We will be awarding the Outstanding Young Lawyer award and the Sonny Flowers Award of Merit at the Annual Meeting, and seek nominees for both awards from our membership. If you have a candidate for either award, please send their name and a brief description to Laura. These awards are an important way to recognize deserving recipients in our legal community, and we look forward to considering each and every nomination received.

CLICK HERE TO NOMINATE A FELLOW MEMBER



CHILD ABUSE IN FAMILY LAW CASES

JOLYN NOEL BELK FAMILY LAW SECTION CHAIR

Child Abuse Defined: April is Child Abuse Prevention Month and should remind us all that child abuse is prevalent in family law cases. It is not something we can afford to be disconnected from as practitioners. Under CRS § 19-1-103, child abuse is defined as an act or omission that threatens the health or welfare of a child in the following categories: physical abuse, neglect, sexual abuse or exploitation, emotional abuse, and abandonment.

Family law attorneys regularly work with families going through dissolution of marriage or allocation of parental responsibilities proceedings where child abuse allegations arise. These cases are rarely simple. They involve multiple parties, agencies, and difficult judgment calls. One of the hardest questions we face is advising a client on when conduct crosses the line from permissible discipline into abuse under the law. That question is almost never black and white, and more often than not it falls squarely in the gray area.

Our clients look to us to help protect their children throughout the process of separating the parental households. It is important to be able to advise them on three fronts: (1) whether you have a duty to disclose; (2) when DHS and law enforcement should be involved, if they are not already; and (3) whether a Motion to Restrict should be filed against the other parent, or whether a Protection Order should be sought on behalf of the child. There are cases where the evidence of abuse is clear. In many others, we are working in gray areas and must proceed carefully.

Duty to Report, CRS § 19-3-304: When a client comes to you and discloses that they believe their child is being abused by the other parent, what is your duty? Colorado law identifies nearly 40 categories of mandatory reporters who are required to report suspected abuse to law enforcement or to the Department of Human Services(“DHS”). As of September 2025, the law was updated to require that the report be made within 24 hours when the information was obtained in a professional capacity, with no mandatory duty if it was obtained in a personal capacity. The duty cannot be delegated to a supervisor or colleague, and victim advocates were removed from the mandatory reporter list. Child and Family Investigators (“CFI”) are included as mandatory reporters, this would include those that are attorneys.

Attorneys are not listed as mandatory reporters under Title 19, unless you are serving as a CFI. That said, the Colorado Rules of Professional Conduct, Rule 1.6, provide some guidance. Under Rule 1.6, an attorney may disclose confidential information to prevent reasonably certain death or substantial bodily harm, which can include child abuse. You will need to carefully weigh your ethical duty of confidentiality against the risk of imminent harm to a child.

CHILD ABUSE IN FAMILY LAW CASES CONTINUED

Involvement of DHS and Law Enforcement: Before any report is made, it is important to go through the evidence with your client. Do the allegations fall within the range of permissible corporal punishment, or do they cross into abuse? If nothing has been reported and the conduct warrants it, your client can make a report to DHS, law enforcement, or both. A report to police will bring in DHS and trigger a formal investigation.

DHS operates under specific protocols that govern the timeline for response based on the severity of the report. In general, investigations begin within 24 hours to a few days of the initial report. Allegations of physical or sexual abuse will typically prompt a response within 24 hours, or sooner. From the initial report, a final determination (or finding) generally takes 30 to 60 days. During that time, the caseworker must visit the home, interview the children and the parents, and determine whether the report is substantiated or unsubstantiated. The goal is to gather enough information to assess whether the child is safe and whether further intervention is needed

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This investigative process is often an important step before filing a Protection Order or a Motion to Restrict. Knowing where DHS is in that process, and what they have found, can be essential to how you proceed in court.

I***nvolvement of the Court:*** Under CRS § 14-10-129(4)(b)(I), the court shall not restrict a parent's parenting time unless it finds that the parenting time would endanger the child's physical health or significantly impair the child's emotional development. This is the legal standard that governs every Motion to Restrict, and it should guide your decision about whether and when to file one.

Before filing, you need to assess what evidence you actually have and whether you can present it to the court in a way that meets that standard. You also need to have a frank conversation with your client about the risks of filing prematurely. If the motion is denied, your client may face an award of attorney fees to the other side, be required to provide makeup parenting time, and suffer lasting damage to the co-parenting relationship. In my opinion, deciding whether and when to file a Motion to Restrict is one of the hardest calls we make in family law practice.

The timeline makes it harder. Once filed, the motion must be heard within 14 days. That does not give you much room for uncooperative witnesses, authentication problems, or gaps in your preparation, especially if you plan to offer child hearsay evidence or ask the court to conduct an in camera interview of the child.

CHILD ABUSE IN FAMILY LAW CASES CONTINUED

If you are on the defense side, the situation is equally difficult. Your client has been restricted from seeing their child simply because the motion was filed. They may be in crisis, handing you a pile of texts, records, and documentation while you are trying to sort out what is admissible, track down witnesses, and prepare for a hearing on a very short timeline. All of this happens while your client is pushing you not to seek any continuance that would keep them away from their child any longer.

If you have never handled a Motion to Restrict, on either side, it is worth reaching out to a colleague who has before you dive in, with your client's permission. It is also common to have clients come to you after already filing a pro se Motion to Restrict or Civil Protection Order. Your job in those situations is to figure out what protection is actually needed, what the law allows, and how to make sure the child is safe while working within the process. From the client's perspective, they are often acting out of fear after a disclosure of abuse, trying to do anything they can to protect their child until a proper investigation or hearing can take place.

Closing: Child abuse often first comes to light in a domestic relations case. For many families, it is the first time the family is no longer unified and the abuse is brought into the open. Whether you represent the parent making the allegation or the parent defending against it, the information you receive at the outset needs to be handled with care. Getting a full picture of the facts and evidence early on will set the tone for the entire case. The safety of the children involved is always the priority. At the same time, we have to balance that against a parent's constitutional right to raise their child. That balance is not always easy to strike, but it is what our clients and the children in these cases deserve from us.



COMMUNITY SPOTLIGHT: BLUE SKY BRIDGE OF BOULDER COUNTY

HEIDI LAWRENCE



The Role of Child Advocacy Centers in Family Law: A Multidisciplinary Approach to Protecting Children

For over 30 years, Blue Sky Bridge has served as Boulder County's Child Advocacy Center (CAC), providing coordinated services to children and families navigating allegations of abuse. In that role, we witness firsthand both the challenges families face and the critical importance of a multidisciplinary, child-centered response.

The CAC model emerged in the 1980s in response to the fragmented way child abuse cases were historically handled. Children were often required to recount their experiences multiple times—to law enforcement, social workers, medical providers, and attorneys—frequently in environments that were unfamiliar and intimidating. This process not only increased trauma but also risked inconsistencies in reporting that could affect legal outcomes.

Child Advocacy Centers were designed to change that experience. By bringing together multidisciplinary teams (MDTs) in a single, child-friendly setting, CACs minimize re-traumatization while improving the quality and integrity of investigations.

A Coordinated, Child-Centered Response

At Blue Sky Bridge, our role is to provide a compassionate, coordinated, and effective response at one of the most difficult moments in a child's life. Our Intervention Team meets children and families at the point of initial concern and works closely with MDT partners, including law enforcement, child protection, medical providers, and prosecutors, throughout the process.

Our services include forensic interviews, family support advocacy, non-acute medical examinations, and MDT coordination. By centralizing these functions, we reduce duplication, improve communication across agencies, and support more consistent and reliable outcomes for both investigations and court proceedings.

COMMUNITY SPOTLIGHT CONTINUED

The Forensic Interview as an Evidentiary Tool

Central to our work is the forensic interview. These are structured, developmentally appropriate conversations conducted by highly trained professionals using evidence-based techniques. The goal is to collect information relevant to allegations of child abuse in a neutral manner while minimizing suggestion and preserving the integrity of the child's account.

From a legal perspective, the forensic interview often becomes foundational. The way an interview is conducted can directly impact how courts assess credibility, how hearsay exceptions are applied, and how a child's statements are ultimately introduced. For family law practitioners, understanding the forensic interview process is essential when evaluating evidence and preparing for hearings involving allegations of abuse.

Beyond Intervention: Prevention and Healing

In addition to intervention services, Blue Sky Bridge is committed to both prevention and long-term healing. Our Prevention Education Program delivers evidence-based, school-based curricula to kindergarten, third-grade, and fifth-grade students, reaching more than 7,000 children in Boulder County each year. We also provide prevention education for adults to help communities recognize and respond to signs of abuse.

Following a forensic interview, children and adolescents may engage in our Therapy Program, which offers specialized, evidence-based trauma treatment. Through individualized care plans, caregiver involvement, and ongoing assessment, we work to reduce trauma symptoms and support long-term recovery. When additional services are needed, we ensure appropriate referrals are made so that each child receives comprehensive care.

Implications for Family Law Practice

Child Advocacy Centers operate at the intersection of investigation, treatment, and potential legal proceedings. For family law practitioners, familiarity with CAC processes can be helpful in cases involving allegations of abuse, including dependency and neglect matters and high conflict custody disputes. Understanding how forensic interviews are conducted, how multidisciplinary teams function, and how trauma may impact children can support more informed interpretation of the information presented.



COMMUNITY SPOTLIGHT CONTINUED

Supporting This Work

As a 501(c)(3) nonprofit organization, Blue Sky Bridge provides all services at no cost to children, families, and our multidisciplinary partners. While we have traditionally relied on public funding, recent reductions have significantly impacted these resources.

Today, we depend more than ever on the support of individuals and the Boulder community to sustain and grow our services. Contributions from donors make it possible for us to continue providing critical support to children and families navigating abuse.

To learn more about Blue Sky Bridge and how you can get involved, please visit blueskybridge.org or join us during Child Abuse Prevention Month in April by attending one of our trainings or community events. Your support helps ensure that every child has access to care, compassion, and a path toward healing.



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LEGAL CLINIC VOLUNTEERS NEEDED

Did you know the BCBA sponsors a Free Virtual Legal Clinic for Boulder County? This started during the pandemic and was so successful we have continued it to help further our commitment to access to justice. To date, we have helped over 1700 community members!

We have a small group of incredibly dedicated volunteers who give 15-20 minutes of their time approximately once every few weeks. We would like to get that number to once a month, but we need more volunteers! **Can you help with 20 minutes once a month in service to your community?**

Please let us know that you are available to help once per month (or more!) along with your practice areas. We could not provide this service without all of our amazing volunteer attorneys! Please contact Bay for more information about attorney.participating as a volunteer

Please click here to sign up

THANKS TO OUR CLINIC VOLUNTEERS

Howard Berkson	5 calls last month	Jennifer Huston	1 call last month
Mike Rafik	4 calls last month	Sean Stewart	1 call last month
Ugyen Tshering	3 calls last month	Ainagul Holland	1 call last month
TJ Willard	2 calls last month	Kurt Hofgard	1 call last month
Diane A Van		Adam Sher	1 call last month
Voorhees	2 calls last month	Stephen May	1 call last month
Clint Burke	2 calls last month	Jeff Cohen	1 call last month
Rachel Mentz	2 calls last month	Brian Allard	1 call last month
Mark Ringer	2 calls last month	Scott Goldstone	1 call last month
Ian Barringer	2 calls last month	Susan Spaulding	1 call last month
Jacob Rubinstein	2 calls last month	Jennifer Walker	1 call last month
Ty Johnson	2 calls last month	Karen Burns	1 call last month
Stephen May	2 calls last month	Rachel Mentz	1 call last month
Susan Spaulding	2 calls last month	Meghan Hungate	1 call last month
Ben Wilson	1 call last month	Emily Bauer	1 call last month
Doug Stevens	1 call last month	Ian Carmen	1 call last month
Jessica Catlin	1 call last month	Scott Hamerslough	1 call last month

BCBA HOME STUDY WEBINARS

A benefit of BCBA CLE offerings moving to webinars is that we are able to record the programs and make them available to view after the live presentation. We also submit the majority of our recordings for home study CLE credit, which allows our members to view them as needed to fulfill the credits needed for their reporting periods. Please see a list of our current home study offerings below, and if there is a program you're interested that you don't see here, the full list of our video recordings is available for BCBA Members only on **our Webinars page**. If there is a program that is not currently accredited for home study that you're interested, please contact Bay and we can work to get a recording re-accredited.

General Credit Courses

Mediation Tips for Probate Cases
Presented by Judge Collins, Judge Butler (ret.) and Diedre Braverman
Video recording here
Course ID# 871733

An Overview of Recent Developments and Updates Regarding Non-Compete Law in Colorado
Co-presented by Dana Dobbins and Joseph Robertson
Video recording here
Course #871731

Immigration Law for Non-Immigration Attorneys
Presented by Brad Hendrick
Video recording here
Course ID #866905

Domestic Violence: A Community Issue
Presented by Jolyn Belk, Sandie Campanella and Shelby Logan
Video recording here
Course ID #867112

Ethics credit

ABA Formal Ethics Opinion 518: Game-Changer or Business as Usual for Mediators
Presented by Jennifer Sullivan
Video recording here
Course ID# 872394

Creating Effective and Ethical Environments for Colleagues and Clients with Intellectual Disabilities
Presented by April McMurrey, Zoey Tanner, and Judge Chris Larson
Video recording here
Course ID# 850525

Moving from Ignorance to Terror: Engagement Letters for Estate Planners
Presented by Connie Eyster
Video recording here
Course ID# 853868

EDI Courses

Disability Rights at Thirty-five
Presented by Andrew C. Montoya, Civil Rights Legal Program Director at the Colorado Cross-Disability Coalition
Video recording here
Course #869932

Leading Through Generations
Presented by Ryann Peyton
Video recording here
Course #866903

Pro Bono Beyond the Ethics Rule
Presented by Brett Landis, Rachel Kunath, Alisiana Medina
Video recording here
Course #865696

Introduction to Racial Equity: A Lawyer's Responsibility
Presented by Judge Dea Lindsey
Video recording here
Course ID# 847136

PROFESSIONALISM ON CALL

April 06	Mike Rafik	303.444.9292
April 13	Gwyn Whalen	303.443.8010
April 20	Lee Stricker	303.443.6690
April 27	Connie Eyster	303.442.6514

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.

CLS PRO BONO REFERRALS

Heather Kurland x1

CLS PRO SE VOLUNTEERS

Ariel Williams x1

Brett Landis x1

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CLS PRO BONO CORNER

Interested in a Pro Bono case? Please call Alisiana Medina at 970-499-1003. CLE credits available for pro bono service.

Boulder COUNTY BAR ASSOCIATION

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