May 2024

Boulder COUNTY BAR ASSOCIATION

BCBA ANNUAL MEETING 2024

The BCBA will be holding the Annual Meeting on Thursday, June 6 from 5:00 - 7:00 PM at the Boulder County Bar Association office. This will be a casual gathering with food and drinks, and is free for all members!

BCBA @ Colorado Rockies Page 5

Current president Emily Ellison and incoming president Carolyn Steffl will be presenting brief remarks on the accomplishments of the bar over the past year, and a look to Carolyn Steffl's presidential year. This will be followed by the introduction of our new members of the BCBA Board of Directors.

Emily will then pass the gavel to Carolyn, and we will appreciate outgoing board members. We will also award the Sonny Flowers Award of Merit and the Outstanding Young Lawyer Award.

We are seeking sponsors for this event. Sponsors will be prominently featured on all event materials and throughout the office, and will allow us to produce a dynamic Annual Meeting. Please contact Kyle if you are interested in becoming an event sponsor.

Please click here to register

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CALENDAR OF EVENTS

Wednesday, May 1
Longmont Lawyers Lunch
Special thanks to our sponsor Lyons Gaddis
12:00 - 1:30 PM @ Smokin Dave's BBQ (230 Main St., Longmont)
$20 to attend
Please click here to register

Saturday, May 4
Justice For All Ball
7:00 - 10:00 PM @ The Studio Boulder (3550 Frontier Ave Suite A2)
$75 for members
Please click here to register

Wednesday, May 8
Bagels with the Bar at Bitty & Beau's
8:30 - 10:00 PM @ Bitty & Beau's Coffee (1468 Pearl St. #20)
Please click here to RSVP

Thursday, May 16
What the Constitution Means to Me
Special thanks to our sponsor Berg Hill Greenleaf Ruscitti LLP
7:30 - 9:00 PM @ The Dairy Center (2590 Walnut Street)
$28 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, May 21
Natural Resources Membership Section Lunch
Special thanks to our sponsor Alperstein & Covell, P.C.
12:00 - 1:00 PM @ BCBA Office (3269 28th Street)
Free for BCBA Members
Please click here to register

Thursday, June 6
BCBA Annual Meeting
5:00 - 7:00 PM @ BCBA Office (3269 28th St.)
Free for BCBA Members
Please click here to register

MEDIATION

Domestic Landlord/Tenant Personal Injury Business Employment

Morgan O'Brien, MBA
mobrien@fobrienlaw.com
(303) 725-9549

Fern O'Brien, JD
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(303) 579-3559

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PRESIDENT'S PAGE

EMILY ELLISON



It's hard to believe May is already here. With the end of my presidential year quickly approaching in June, I'm reflecting on my experience serving as a BCBA Board member since 2019 and President over the last year. Over the last five years, the BCBA and our society have seen the world changed by a pandemic, racial and social injustice, multiple wars, and economic uncertainty, just to name a few.

The BCBA has adapted to the many changes that we have faced, quickly changing programming to primarily virtual and gearing events toward members' needs and wants as everyone emerged from a pandemic. Although it feels difficult during trying times, going through adversity and facing discomfort can make you realize what is most important in life. To me, the most important value of the BCBA is the inclusive nature of its people. The BCBA's people, who build an inclusive legal community, make the BCBA unique.

When I first joined the BCBA Board in 2019, I was a newer attorney and had feelings of imposter syndrome. Those feelings of insecurity were eased by the people at the BCBA, who made me feel welcomed and supported. Joining the Board, I felt like I had a more involved role in making the local legal system and community a better one, where you can find support and all voices can be heard.

This value of inclusivity resonates after I recently attended an eye-opening CLE on April 24 presented by Judge Dea Lindsey titled "Introduction to Racial Equity: A Lawyer's Responsibility." Judge Lindsey shared statistics on negative disparities for people of color in Boulder County. One main takeaway is that awareness is key. Judge Lindsey offered ways that we can all be more personally aware of these disparities in our lives and the systems in which we work and she offered resources on how to have conversations on race. We appreciate Judge Lindsey taking the time to present such an important topic and share her personal account of these issues. This presentation was recorded and is now **available here** for members on the BCBA website for 1 general CLE credit and 1 EDI credit.

We also strive to make the BCBA Board more diverse and inclusive, where many perspectives are shared. In May, the BCBA is holding interviews and elections for new Board members. So, stay tuned for information to vote on new Board members.

Over the next few months there are several social events where you can connect with your fellow members. The Justice for All Ball was rescheduled to Saturday, May 4 due to the extreme wind event on April 6. Thank you to the BCBA staff who quickly adapted to this unforeseeable change and rescheduled the event. If you haven't registered yet, it's not too late to register and attend. We would love to see you there. It's a fun way to support a great cause.

We will be hosting our Annual Meeting on June 6, 2024, where we bring on the new BCBA Board members, the gavel will be passed to the next BCBA President, and several awards will be given out. There will be food, drinks, and great people.

I hope you feel welcomed and supported by the BCBA and that we will see you at an event soon!



Please join the BCBA for the May 16 performance of What the Constitution Means to Me at The Dairy Center. We have secured a block of tickets for our members to attend this performance.

What the Constitution Means to Me is a 2017 American play by Heidi Schreck. The play premiered on Broadway on March 31, 2019 at the Hayes Theater, with Schreck herself in the leading role. Over the course of the play, Schreck addresses themes such as women's rights, immigration, domestic abuse, and the history of the United States. Schreck varies the time period in which the play takes place, performing some scenes as her modern self and others as her fifteen-year-old self participating in Constitutional debate contests. What the Constitution Means to Me has received accolades such as a nomination for Best Play in the 73rd Tony Awards and a finalist spot for the 2019 Pulitzer Prize for Drama.

There are a limited number of tickets available in the BCBA block of tickets. Please buy your tickets before they sell out! Click here to register.

The BCBA is planning a trip down to Denver to see the Colorado Rockies take on the San Francisco Giants for a 1:10 pm game on Sunday, July 21. Tickets are $45 each and all seats are in the shade.

We are planning to meet the day of the game at the Table Mesa RTD Station to take a FF1 bus to Union Station. You are welcome to receive your e-ticket(s) early from Kyle if you prefer to drive on your own to and from Coors Field.

Please click here to register

CREATING EFFECTIVE AND ETHICAL ENVIRONMENTS FOR INDIVIDUALS WITH INTELLECTUAL DISABILITIES

NICOLE SALAMANDER IRBY

People who have intellectual disabilities are part of all communities, with the same needs and wants as anyone else, including education, meaningful relationships, and a productive job. In "Creating Effective and Ethical Environments for Individuals with Intellectual Disabilities", presenters provided information and insight about "vision setting" for a better and more inclusive world. J. Chris Larson from the U.S. Attorney's Office moderated the panel, including speakers April M. McMurrey and Zoey Tanner from the Office of Attorney Regulation Counsel, and Morgan McNeill from Regis University.

Ms. McNeill began the discussion describing a program at Regis University that is providing a collegiate experience for students with intellectual disabilities. An intellectual disability is defined as significant limitations in intellectual functioning and adaptive behavior originating before age 22. Examples include Down syndrome, autism spectrum disorder, fragile X syndrome, and fetal alcohol disorder.

Mr. Larson shared his personal and professional experiences with people who have intellectual disabilities. He introduced the"Awesome Mary Show" presented by Mary White, who has an intellectual disability and champions inclusive hiring practices .Ms. White explained that people who have an intellectual disability are motivated and dependable, and provide unique approaches to solving problems. Mr. Larson described his office's experience hosting an intern from the Regis program. He explained that while the time commitment for the employer is relatively small, the impact on the intern's self-confidence is dramatic. Similarly, members of the community, knowing of the intern's affiliation with a legal office, will likely broaden



their expectations of what is possible for the intern. Mr. Larson encouraged attendees to coordinate with Ms. McNeill's academic program for people with intellectual disabilities to be placed as interns.

Together they cited "Universal Design for Learning (UDL)" as a tool to increase inclusivity in the workplace. UDL promotes the design of workspaces for those who need the most support.

From an ethics perspective, inclusion of people who have intellectual disabilities means providing access to justice and the opportunity for meaningful participation. OARC Deputy Regulation Counsel McMurrey suggested reorienting lawyers to the Oath ofAdmission for the State of Colorado, which requires the delivery of legal services to be broad, inclusive, and directed toward bettering society.

ETHICAL ENVIRONMENTS CONTINUED

What about considerations for an attorney-client relationship with a person who has an intellectual disability? OARC Assistant Regulation Counsel Tanner addressed this question. The approach largely is the same as the attorney-client relationship where no disability is present. The Rules of Professional Conduct apply in the same manner. Attorneys should clearly identify the client and the scope of representation. Attorneys should carefully assess client capacity, and as much as possible, maintain a normal client-lawyer relationship as required by Rule 1.14. As with all clients, an attorney must consult the client regarding the objectives of the representation and have reasonable communication with the client. Ms. Tanner discussed ways an attorney might tailor their communication style to best fit the client and the client's circumstances. Ms. Tanner also discussed the concept of "dignity of risk". She emphasized that in a client-directed relationship (as opposed to a guardianship or conservator role), the attorney advocates for the client's position; the attorney should not substitute their own judgment.

With respect to client capacity issues, Ms. Tanner and Ms. McMurrey referenced two Colorado Bar Association Formal Ethics Opinions: No. 126, "Representing the Adult Client with Diminished Capacity", and No. 131, "Representing Clients with Diminished Capacity where the Subject of the Representation is the Client's Diminished Capacity." Ms. Tanner also discussed considerations for assessing capacity.

As Mr. Larson noted at the outset, attorneys are uniquely positioned to assist individuals with intellectual disabilities through both legal representation and workplace opportunities.For more information regarding the internship program hosted through Regis University, please contact: Lauren Gray at lgray005@regis.edu. The referenced ethics opinions can be accessed by clicking here.

Please click here to view the video recording of the April 29 Creating Effective and Ethical Environments for Individuals with Intellectual Disabilities webinar.

Ms. Salamander Irby is Associate General Counsel for the Colorado Coalition for the Homeless.The views in this summary are her own and do not represent the Coalition.This summary is based on presentations to the Faculty of Federal Advocates on December 20, 2023, and the Boulder Bar Association on April 29, 2024.



BCBA APRIL PHOTOS



Longmont Lawyers Lunch
Special thanks to our event sponsor
Lyons Gaddis



BCBA Family Law Section
Membership Lunch



BCBA Employment Law Section Membership Lunch
Special thanks to our event sponsor
LaszloLaw



Justice For All Ball preparations

CLASSIFIED ADS

Full-time Associate Litigation Attorney. Well-established boutique personal injury law firm in Boulder seeks a full-time associate litigation/trial attorney with a minimum of 5+ years of experience handling personal injury claims from intake through trial.Candidates should have personal injury trial experience. Successful candidates should have excellent written and oral communication skills, be highly organized and motivated, possess excellent research and analytical skills, excellent writing skills, and have litigation and trial experience. Please click here for more information. To apply, please send a cover letter and resume, along with references, to jttenge@tengelaw.com.

Real Estate and Business Transaction Attorney. Lyons Gaddis has an opportunity for a Colorado attorney to join its busy and expanding real estate and business transaction group. Ideal candidates will have at least 2 years of experience in real estate, corporate, and/or general transactional work representing landowners, developers, individuals, and/or businesses. Candidates must also be motivated to provide exceptional client service, have sound professional judgement, and value personal and professional growth opportunities in a collaborative environment. Salary Range: Compensation is merit-based, as required by the Colorado Equal Pay Act. Our good faith salary range for this position is $105- $185K dependent on experience. The position includes the opportunity to earn an incentive bonus based on productivity, which could range from $0 to $25K or more. Benefits: Competitive salary, firm-paid medical benefits, vision, 401K match up to 12.5%, vacation, sick, and holiday pay are included. Please submit your resume and cover letter to careers@lyonsgaddis.com.

Intelligent Office – 4450 Arapahoe Avenue, Suite 100, Boulder, CO 80303 | Live Local Phone Answering | Private Offices | On-Demand Meeting Space. Intelligent Office is where savvy attorneys meet clients, get their mail, and even have their phones answered. With top-notch staff, free parking, and a variety of turnkey meeting rooms, you are set up for success. Everything we do is customized for you – from how you want your phones answered to how you'd like your clients greeted, we are truly your team. We can even notarize and witness document signings. At Intelligent Office, you only pay for what you need. Call us at 303-447-9000 or email Dottie at Dottie.Stowe@intelligentoffice.com to learn more.

OFFICE SPACE AVAILABLE AT THE BCBA

We recently created two permanent offices that are now available for rent in our existing location. Both are executive size with Flatiron views and can easily fit one or 2 people. They can be furnished or unfurnished if you prefer to bring your own items. These office are available for $900 per month for members, $1000 per month for nonmembers. This also includes 5 hours of conference room time, internet, utilities and mail service.







PROFESSIONALISM ON CALL

May 6	Trip DeMuth	303.447.7775
May 13	Peggy Goodbody	303.440.5736
May 20	Tim O'Neill	303.682.7292
May 27	Steve Clymer	303.530.2137

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	Meghan Hungate	Beth Montague
Georgiana Scott	Ann England	Kurt Hofgard

PRO BONO REFERRALS

More than 10 cases were referred in the month of April. Thank you to the following attorneys:

Jennifer Terry
Jodie Gilbert
Yun Wang
Mireya Rios
Laura Kinde

PRO SE VOLUNTEERS

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

Chris Jeffers

Dan Warhola

Shana Beggan

Ricki Palmisano

WILLS CLINICS

There were multiple Wills Clinics held in the month of April thanks to the help of the following attorneys:

Jodie Gilbert (x2)

PRO BONO CORNER

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

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Boulder COUNTY BAR ASSOCIATION

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