**February 17, 2017 – MEETING MINUTES**

Present: Jamie Cage, Mike DiManna, Bonnie Schriner, Terri Harrington, Joan McWilliams, Bill King, Ann Gill, Jennifer Feingold, Laura Ammerrell, Todd Stahly, Robin Beattie, Diana Powell, Trish Cooper, David Littman, Kristi Wells

Phone: Deb Anderson, Joe Pickard, Meredith Cord, Brian Popp, John Haas, Jerremy Ramp, Peggy Walker, Jennifer Rice, Beth Henson, Ann Gushurst, Marie Moses

Excused: Rebecca Alexander, Martin Brown

Unexcused: Steve Epstein

Minutes from January – Terri Harrington was excused. Martin Brown was present. Minutes approved.

Laura P: Brenda decided to step down from the Education Committee. We will need to discuss who will replace Brenda – talk to Jennifer Feingold if you are interested.

The Barristers Ball/MVL has requested that we either purchase a table or sponsor the event. Last year we sponsored the event for $3,000.00. We have $3,000.00 in the budget. Bonnie suggested that we buy a table for $3,250.00 and that we give away seats at the table as a benefit to members. It would only be $250.00 more. Bonnie proposed that we make it $3,250 and that the officers decide how to give away the seats to young lawyers and people who took pro bono cases. Joan seconded the motion, and it passed.

Jennifer: FLI brochure should be ready in mid April.

Robin: Talked about Jeffco and El Paso lunches. Eric Bentley is a new judge in El Paso District Court – he attended lunch and was pleased that we came down and that the Family Law Section works so hard.

Laura A. Treasurer’s report. Bench Book income is coming in, accounting person retired and replacement quit. Only one scholarship was used for basic skills so we saved about $300.00. Budget approved.

Todd Stahly: No report.

Peggy Walker: Listserve is set to launch on April 1. There is a letter announcing the listserv e that Laura needs to sign. Question about whether listserve can refer to Beagle website. Objection was raised that there are commercial links on the website, such as Denver Post, news channel, Harris Law Firm. General purpose website that owner has offered to donate to the Family Law Section. Melissa is concerned that we are sending people to non-CBA website. Bonnie suggests we get the listserve launched without the Beagle website.

Joan McWilliams: When they did the ADR amendment to the rules, they created a brochure that explained the purpose of ADR, then lawyers could give the flyers to their clients. Joan has created a new brochure for people describing the way that unresolved parental conflict hurts the children. Cost is $155 for 2,000 14 point copies. Joan thinks that they will run about $.10 each. Joan wants facilitators and judges to hand these out. Joan will prepare a proposal for next month’s meeting. Meredith Cord asks how she will determine who will have access to the flyers. Meredith says nobody reads the materials they get, not even orders. Suggests sending a link that people can access and print off at their discretion. Bonnie suggested that Joan’s name and copyright should not be on the flyer. Copyright is because information is from Joan’s book. Possible solution is to give attribution to Joan – say that it is printed with her permission. David suggests changes to the content, such as committing to support the other parent, change behavior by collaborating. Joan wants to get it translated into Spanish. Suggestion that brochure should go to the people who teach the Parenting after Divorce class too, as well as pediatricians.

Terri Harrington – Marianne Tims asked if the private bar or executive committee could launch some sort of child support registry where child support judgments could be searched by title companies. IT would have to be an active child support case. Kristi suggested that child support judgment could be filed in county where real estate is held. Diana suggested that we find out how it works in other states. Onus is taken off of the obligee and onto the title company and homeowner. Conceptually this sounds like a good idea, but what is the exact fallout and cost.

David Littman: Sorenson committee will be proposing significant revisions to CRCP 17(c). Committee will state that GAL is not a fiduciary to the individual or that person’s legal representative. This will mean that a conservator or special conservator may need to stand in that person’s place. Ann Gushurst says it does not make sense to have a GAL and special conservator to protect the client – it is too expensive. GAL can advise the court whether legal conservator is needed. By statute, this would require the agreement to go to probate court, then back to divorce court. Who will stand in the place of someone who cannot deal with their own affairs? Mike thought the purpose of revising 17 was to clear this up, and appoint a GAL who can do everything that the protected person could do. Ann suggests that GAL orders should be clear as to the GAL responsibilities and appointment should be tailored to needs of that individual. There is so much room for malpractice here because some judges are applying estate laws and some are saying estate law does not apply. Decided to put this on agenda for next meeting. Ann raises issue of deprivation of rights and due process issues. Trish gives historical context to situation – this came about when trust and estate section created committee and invited family lawyers to join the committee. Issue is not limited to the practice of family law and we need to be careful not to disenfranchise ourselves by suggesting that our interests are greater than the interests of other sections and legal areas. Ann suggests that the solution should not be one size fits all.

1. Amicus – Anne Gill – she is concerned about time limits on cases in family law cases. She is doing a pro bono appeal in which the litigants in a relocation case were limited to 90 minutes, then criticized for lack of evidence. Ann Gushurst is seeing the same problem and thinks this is a due process issue and a systematic problem. She wants to put together a committee to look at this. We are the best people to look at this issue. Todd suggests that we collect data about timing when we collect data from courts in general, but wonders how we would know. Jennifer wonders if the judicial liaison can find out this information from each district. Laura suggests that we send questions to our section, so that it can be a broader base of information. Ann Gushurst and Anne Gill will be on committee and Anne Gill will bring it up with Amicus Committee. Jennifer offered to help on committee. Peggy also offered to help.
2. Book Sales – no report
3. Budget – no report
4. Bylaws – no report
5. Education – Young Lawyers - date for first Breakfast CLE for young lawyers has been set. Will start with every other month. Bonnie suggests that this should be free. Laura P. explains that when prior events were free people rsvp’d then did not show up.
6. Expert Directory – no report.
7. FLI – see Chair Elect report
8. Grants – no report
9. Judicial Liaison – no report
10. Legislative – Jerremy – there are 2 bills that were just introduced. Senate Bill 131 Uniform Wage Garnishment Act – they will report back. Also Senate Bill 191 which is bill to eliminate 8% floor of interest for judgment and reduce it to market rates. This would affect interest on maintenance and child support. Preliminarily they are thinking of opposing this bill – we want to incentivize litigants to pay their maintenance and child support with the higher interest rate. Last year, interest rates were tied into another bill that did not go anywhere. Committee will take a closer look at the bill.

Next two bills are HB 17-1110 – concerning juvenile court jurisdiction over parental responsibilities in a D & N and juvenile delinquency case. Expands juvenile court’s ability to resolve child support matters. Joe says that the juvenile court already has this authority and that this bill is duplicative. Joe would oppose this bill. Bonnie points out that juvenile court is more able to deal with these matters quickly than a district court. Marie gives background – says both of the bills were brought forward through an association of counties. Joe may be right that this is not necessary but she thinks county court attorneys brought it forward because the county attorneys are saying they would like to have this authority but courts are telling them they do not have the authority. These bills do not clarify that the juvenile court can order a PRE or CFI investigation.

HB 17-1111 – Joe states that he would oppose this bill as well because court already has this power as well.

Committee moved to support both bills. Motion passed.

Marie updates us on house bills. HB 1185 talks about mandatory reporters and states that if a mandatory reporter continues to interact with the family, they would be entitled to DHS report of abuse and neglect and adds DHS as a mandatory reporter. Also, between conviction and sentencing, criminals can post bail during this time. New bill prohibits someone convicted of stalking from being able to post bill during this time. Another bill modifies 14-10-107 and stats that courts only have to post notification on website not bulletin board. Another bill allows for change of gender identification on birth certificate.

1. Membership –no report
2. Newsletter – went out and was good.
3. Nominating – announcements went out this morning.
4. Scholarship – no report.
5. Judicial Nomination Committee – no report.
6. Board of Governors – no report
7. Colorado Lawyer – no report
8. AAML – No report.
9. ICON –No report.
10. Alternative Solutions – no report.

How do we want to handle report from child support commission? Page 23. Kevin and Kristi will look at the report and summarize their recommendations.

Diana Powell – 11 people reached out for mentoring – it seems that this is beginning to be used. No one she has approached to serve as a mentor has turned her down.