**MINUTES**

Meeting of the Executive Council Elder Law Section of the Colorado Bar Association

April 3, 2024 - 11:00am

Location: **In-person at CBA Offices or Virtual**

<https://cba-cle.zoom.us/j/81010370491?pwd=Qy9jSzEwZ0ZwOENwS2tDbEJycVVIQT09>

Meeting ID: 810 1037 0491

**Passcode: 314653**

Call in

+ 1 719 359 4580 US

1. Call to Order: 11:07am
2. Roll Call for Voting Members:

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| X | Emily McDaniel,  Chair | X | Scott Challinor, Chair-Elect | X | Angela Rockwood, Secretary | X | Cathleen Giovannini, Treasurer | X | Shauna Clemmer, Past Chair |
| X | David Imbler,  At Large Member | X | Patricia Rankin, At Large Member |  | Amy Wegner-Kho, At Large Member | X | Chelsea Ziegler,  At Large Member | X | Tammy Conover,  Opt-In Past Chair |
| X | Lisa Blattner,  Co-LPC Liaison | X | Arlene Barringer, Opt-In Past Chair |  | Marco Chayet,  Opt-In Past Chair | X | Charles Connell,  Opt-In Past Chair | X | Carl Glatstein,  Opt-In Past Chair |
| X | Spencer Crona,  Opt-In Past Chair | X | Claire Dineen,  Opt-In Past Chair |  | Brandon Fields,  Opt-In Past Chair | X | Susie Germany,  Opt-In Past Chair |  | Catherine Seal,  Opt-In Past Chair |
|  | Jennifer Gormley,  Opt-In Past Chair |  | Lori Hulbert,  Opt-In Past Chair | X | Marcie McMinimee,  Opt-In Past Chair |  | Martha Ridgway,  Opt-In Past Chair |  | Shari Caton,  Opt-In Past Chair |
| X | Tamara Trujillo,  Opt-In Past Chair | X | Kris Zumalt,  Opt-In Past Chair |  |  |  |  |  |  |

1. Confirm Quorum
   1. 19 voting members present so quorum is reached if needed today
2. Topics for Discussion:
   1. Legislative Update/UGCOPAA Discussion – Emily McDaniel, Tyler Mounsey & Co-Legislative Liaisons

Tyler remarks re UGCOPPA:

* + - * Bill was unanimously voted out of committee – still needs to go through the Finance and Appropriations Committees in the Senate and then repeat the entire process in the House. Judge Leith and Judge (retired) Martinez testified individually. Letty Maxfield, Andrew Rogers, and Marcie McMinimee testified on behalf of the CBA. Cathie Giovannini offered testimony on behalf of Denver County APS.
      * Bill has a large fiscal note attached – this year in particular any bill above $100,000 that is not already included in the legislative budget will be difficult to pass. Right now, UGCOPPA has a fiscal note of $2.9M for the first year; and $2.6M for the second year and beyond.
      * There is some possibility that the legislature may pass this bill but not fund it until 2025. This would create financial hardship for state judicial because it would have to start implementing the bill right away.
      * The fiscal note does not address subsidizing Court Visitors – which the entire bill rises and falls on. This issue will need to be addressed.
      * The budget in the Senate is not complete yet - Senate Budget Committee Meeting is scheduled for April 9, 2024.
      * There is the opportunity within the next several weeks that we will see some unusual lobbying occur specifically in regards to not funding UGCOPPA the first year, but then starting in the second year.
      * Letty and Andrew are not in attendance at this ELS Executive Council meeting as they are currently on a telephone call with ARC of Colorado and Elizabeth Moran to outline the major concerns and possible amendments to UGCOPPA.
      * It may be time to start thinking about worst case scenario and what we as the CBA can and should do if UGCOPPA is going to pass. Sometimes we have to take something we don’t like and make it better – might not be able to do that here but need to start thinking about all our options.
      * There may be another opportunity for testimony at a later date – Tyler will continue to keep the committee posted. If anyone is interested in testifying, if and when an opportunity arises – please reach out to Tyler, Letty or Andrew directly.
    - Sandra Sigler was under the impression that the Senate Committee had not worked their way through all 200 pages of the proposed bill – believes there might be an opportunity to question and point out line by line the issues during our next testimony
    - Emily McDaniel stated that the entirety of the CBA’s policy memo along with a client story was given as part of our testimony to the members of the committee. It was slightly disheartening that someone involved with ULC stated during the testimony period that the individuals who turned up against UGCOPPA were attorneys and judges. Leading the legislature to the conclusion that current laws only work for attorneys and judges. Senator Gardner stated that he did not agree with that point; however, it was continually brought up throughout the remainder of the day.
    - Marcie McMinimee stated that we just need to be ready to act when the opportunity arises.
    - Tammy Conover commented that she has never before filed a response to a Court Visitor report before and now she has filed 2 within the last several months due to Court Visitors filing reports that are not in alignment with case law, statutes, and due process. Tammy stated that the Court Visitor reports are flying in the face of what respondents are entitled to under Colorado Law. Concerned that this new Court Visitor role under UGCOPPA eradicates GALs completely. Tammy ends by stating that there is a vast difference between a GAL and a Court Visitor.

Adjourn: 11:49 am