

CBA LITIGATION COUNCIL
September 9, 2017 MEETING MINUTES

LOCATION: CBA Offices, Denver

COUNCIL MEMBERS PRESENT:

In Person: Chair: Lorraine Parker
 Vice-Chair: Jake Eisenstein
 Michael Mihm
 Lidiana Rios
 Jerry Pratt
 Kathy Riley
 Richard Caschette
 Patrick Wilson
 Michael Chapman
 Joe Rivera
 Natascha Gutierrez

By telephone: Peter Goldstein
 Secretary Luke Ritchie
 Kimberly Schutt
 Nicoal Sperrazza
 Courtney Braverman

CBA/CLE
Personnel: Elizabeth Akalin

1. **CALL TO ORDER:** 9:10 AM
2. **APPROVAL OF MINUTES:** June minutes to be reviewed at October meeting.
3. **FINANCIAL REPORT by TREASURER:**
 Ms. Sperrazza reported on budget. Discussion ensued regarding renewal of membership dues and generation of new membership dues and general financial health of the Section. Overall, Section is in good financial health.
4. **OLD BUSINESS: LITIGATION SECTION REBOOT.**
 Luke Ritchie and Chair Parker reported on conclusion of CBA Leadership Summit and best practices efforts being implemented by the CBA. The CBA has now completed and circulated the CBA's best practices handbook. Section is committed to implementing those best practices, and will do so over course of the year.

5. Co-Chair Eisenstein reported on last week's JAMS Settlement Seminar CLE, which was by all accounts a good success
6. **COMMITTEE AND SUB-COMMITTEE REPORTS:**
 - A. **Membership.** No report on membership letter.
 - B. **Micro-Seminar** – Ms. Schutt reported on judges who have committed to upcoming micro-seminar.
 - C. **Newsletter/Website** – Ms. Rios reported on efforts to revamp the Section's website, with the goal of making it more dynamic, useful, and visited. Currently, it is basically a dead website with no visits. Revamped website will include running blog from members on their CLE experiences, court experiences, etc., that will then be compiled into a monthly newsletter. Goal will be to increase member participation i.e., engage new volunteers, and spread the workload amongst more people. Anticipate having draft website update out within the next month or so. Request was made to have CBA IT representative attend November's Council meeting to brainstorm concerns and capabilities. Requested volunteer to update summary information on Section and Council.
 - D. **Events.** Jake Eisenstein reported again on last Spring's JAMS Settlement Seminar CLE, which was by all accounts a good success.
 - E. **Litigators' Handbook.** Discussion ensued regarding Litigators' Handbook and various preferences that the bar is required to accommodate depending on the particular court in which they are appearing. One suggestion was to make a central link to state and federal courts' judge-specific initial Delay Reduction Orders, initial Case Management Orders, Trial Management Orders, case management and trial management preferences.
 - F. **Listserve.** Ms. Sperrazza reported on issues faced by Listserve committee and ongoing efforts. Discussion also ensued regarding professionalism issues that arise from listserve and also technological complications and preferences. Suggestion was made to review Reba Nance emails regarding technology / listserve guidance. Another suggestion was made to contact Sue Bertram at CBA for additional guidance.
 - G. **Rules.** No developments to report from Rules committee.

H. Symposium. Luke Ritchie presented that preparation still under way and Litigation Symposium will be scheduled for October 2018. Barbara Hollingsworth and Vince Obrien from CBA/CLE are committed to collaborating on effort.

I. Supreme Court Rules. Peter Goldstein reported that committee has not yet met in the new term, so nothing to report.

J. Securities Subsection. Luke Ritchie reported that he was re-elected as Securities Co-Chair along with Tobin Kern – two litigators for the first time. After explaining there was no real need for the Securities Subsection of Business Section to report to Litigation Section on monthly developments, Mr. Ritchie moved to remove monthly update from Securities Subsection to the Litigation Council, seconded by Judge Caschette – approved.

K. Ethics Committee. Gerry Pratt reported on new opinion interpreting Rule 1.6. Discussion ensued regarding the significant complications that arise from the opinion – disclosure of information relating to representation of a client and the irrelevance of publically available information versus not publically available information. Mr. Mihm made motion to contact Chair of Colorado Supreme Court Standing Committee on Rules of Professional Conduct to discuss revising opinion on Rule 1.6, seconded by Eisenstein – approved. Mr. Pratt agreed to prepare blog entry regarding this development/issue. Mr. Pratt also reported on requests that the Ethics Committee has received requests regarding how attorneys may respond to online (e.g., Yelp, BBB, etc.) reviews.

L. Legislative. Nothing to report.

M. Brainstorm Litigation Section Mission Statement. To be taken up at next meeting.

7. NEW BUSINESS:

A. Brainstorm Re Speakers for Future Meetings: Next meeting on October 2, 2017, with Dean Anaya from Dean of CU Law School. Also approved having Dean Smith from DU Sturm College of Law attend February 2018 meeting.

8. ADJOURNED at 10:42 a.m.

Prepared by:

/s/ Luke Ritchie

Secretary

Approved: _____
(date)