



EXECUTIVE COUNCIL JUNE MEETING MINUTES

Tuesday, June 13, 2017 at 5:30 p.m. – 7:30 pm
Denver Beer Company, 1695 Platte St. Denver, CO 80202

The CBA Executive Council meeting started at approximately 5:25 p.m. on June 13th.

In attendance: Ilene Bloom, James Briscoe, Sam Cheris, Nancy Cohen, Patrick Flaherty, Dick Gast, Mary Jo Gross, Steve Hahn, Courtney Holm, Patricia Jarzobski, Virginia Koulchitzka, Greg Martin, Tyler Murray, Brandi Nieto, Vince Rahaman, Kath Schoen, Bonnie Schriener, Amy Sreenen, Mario Trimble, Mariana Vielma.

Guests: Randy Alt, Nicole Black, Michele Clark, John Dunn (by phone), John Vaught.

The minutes from the April meeting were approved.

John Dunn, Chair of the Amicus committee presented by phone regarding the Semler Case. The committee would like to write a brief regarding this case and they have the volunteers to do it. They had to get an extension from the court in order to have time to write the brief. The EC just approves the committee to write the brief, they do not approve the final product. The amicus request came from the Professional Liability Committee. After some discussion, a motion was called to approve the brief request. The EC approved the motion. Bonnie Schriener was against this position and Mario Trimble abstained from the vote. The motion passed.

Randy Alt presented on changes to the Title Standards for the Real Estate Section. The changes are just to clean up some things in the Standards and are minor. A motion to approve was passed unanimously.

Michele Clark, Chair of the Solo Small Firm Section presented a draft of a letter to the Office of Attorney Regulation Counsel's Jim Coyle regarding the collection and distribution of malpractice insurance carrier information. OARC wants to ask who attorney's malpractice carrier is and give that information to the public. Most of the concern came from giving this information to the public. After some discussion, Jim Coyle has agreed not to publish the names on the website but OARC will still give that information to someone if they ask for it. Solo Small Firm is asking for permission to send the letter that has been approved by a number of other sections. With some minor changes, a motion was made to allow Solo Small Firm to send the letter on behalf of the undersigned CBA Sections. The motion passed unanimously.

CBA reviews programs occasionally and after reviewing the Legal Fee Arbitration Group they noticed that there should be some changes to the group's rules to put them in line with other governing documents. Kath Schoen of the CBA presented the changes. A motion to approve with one change was made and unanimously approved.

Mary Jo Gross, CBA Treasurer presented on the financial outlook as the fiscal year comes to a close. It looks good. Year to date budget revenue over expenses should be better than what we thought at the April meeting.

Patricia and Courtney discussed what is next for the BoG Ad Hoc team. Amy is working on summarizing the notes from the BOG meeting. They are deciding who will stay on the committee and who will be added. Patrick has drafted an orientation video script that will be used to teach the new BOG reps how to represent their constituents. There was a recommendation that if regular presenters are cut from the agenda, that they be notified on advance of the meeting and materials going out.

Nicole Black, Chair of the Section Best Practices Team presented on the draft of the Best Practices Playbook. Nicole received buy in from the sections in attendance of the 2nd Section Summit on May 24th. Nicole presented the draft as well as a timeline implementation of required changes as well as benchmark items to be sure all sections are on track. Nicole asked that the EC be prepared to allow extra time at their December meeting to approve numerous bylaw changes that are expected to be drafted by sections. There was a motion to approve the draft and timeline. The motion passed unanimously.

As the discussion of the Shield's case came up, Patricia Jarzowski left the room. Patrick and Dick Gast gave a brief update that the case has not been dismissed but they do expect that it will be dismissed. Patricia has been named as a defendant in the case. She has signed an and indemnification certifying that she has done nothing wrong and a resolution asking the CBA to pay for her defense. Dick confirmed that she has met the standard of conduct. A motion to approved the signed resolution was made and passed unanimously.

Patricia would like to make the President's Diversity Council a standing committee. This can only be done the Board of Governors because it requires amending the appendix of the CBA bylaws. She asked the EC to recommend to the BoG that this group be made a standing committee so that it's great work ca continue in the future. A motion was made to recommend to the BOG that the President's Diversity Council be made a Standing Committee. It was passed unanimously.

The LPC had a great year and won 90% of its fights. The group has a great reputation of responding to requests and remaining an expert in the legal arena. These new guidelines help the CBA remain and expert and keep our reputation intact. These changes will align the LPC around the strategic plan. They were left broad for a reason. A motion was made to pass the new LPC guidelines with one change clarifying Colorado political climate and was approved unanimously.

Alison Zinn and Mario Trimble have been working with the Rule 121 Professionalism subcommittee, a small working group writing a professionalism rule for Judges. Is it worth fighting over our issues with the rule? The alternative approach would be to have a rule that would authorize the courts to use the principles of professionalism. Give them something to point to when they need to. Judge Shamis has agreed to discuss the approach with Mario and Alison. They are scheduled to meet with him next week. It is a rule that we don't we need but does solve some problems with the first rule. They have been fair and listened. We want to do right be everybody. This is not on a fast track. The group agreed to let Mario and Alison move forward with Judge Shamis. Bonnie Schriener was not in agreement.

Patrick updated the group on a couple of office updates. We have too many action steps in the Strategic Plan Report. Under each goal there is now a year one level accomplishments. We made a lot of progress on the strategic plan this year. Change with the leadership at CLE—we now have 15 minutes at the big symposiums. Board performance is tied to organization performance. Changes are essential for the health of the organization.

This Board has strategically positioned the Bar Association for years to come.

Meeting adjourned at 8:00 p.m.

Respectfully submitted by,

Amy Sreenen