



## **EXECUTIVE COUNCIL**

**Wednesday, March 8, 2017**

### **Meeting Minutes**

#### **1. Call to Order, Welcome, and Introductions**

Patricia Jarzowski

Laying the foundation for what the teams are bringing in April and May. 2 meetings left. Finishing strong and cementing progress.

#### **In Person**

Ilene Bloom  
Rebecca Briggs  
James Briscoe  
Sam Cheris  
Nancy Cohen  
Jake Eisenstein  
Patrick Flaherty  
Heather Folker  
Dick Gast  
Mary Jo Gross  
Courtney Holm  
Patricia Jarzowski  
Gina Koulchitzka  
Greg Martin  
Tyler Murray  
Kath Schoen  
Bonnie Schriner  
Jeremy Schupbach  
Amy Sreenen  
Mario Trimble  
Mariana Velma  
Alison Zinn

#### **Phone**

Loren Brown  
Vince Rahaman

## Guests

Nicole Black  
John Vaught

### **2. At the midway point through FY16, are the CBA's financials meeting our budget?**

Mary Jo Gross

Yes, we are. We are approximately .8% off of the budget with respect to compensation. This is due to the fact that we are reorganizing and reallocating responsibilities in order to accomplish many of the goals in the long range plan. We are down a couple hundred members. We expect to end the year at \$17,000 over the \$2 million payroll budget and we have two more employees than we did last year. There will a more comprehensive annual comparison at the April meeting. You will be asked to approve the CBA budget in April. Tyler Murray, Jessica Brown and Lance Ream will serve on the budget committee this year.

### **3. "R" Goal – Recruit and Retain Members: How are we improving member communication and what will the redesigned Colorado Lawyer look like?**

Heather Folker

We had a 15% response rate of the TCL readership survey last year. We analyzed the first 10%. The results said that the content is spot on. A subcommittee was developed and they worked for months analyzing the content. They worked with a company that just does magazine redesigns. We are conducting focus groups next week with the new redesign to see how readers will like it. We are keeping the cover photos taken by members. The new design is a lot fresher and prettier. Due to new technology, we are now able to move to full color throughout. The pages will be glossy and we are keeping the thick spine since people noted that they like to keep volumes on their bookshelves. The magazine will remain the same height but we are making it wider. The new look is launching with the June issue.

### **4. Young Lawyers Division**

Jake Eisenstein

Jake is nearing the end of his term. Casey Kannenberg will be taking over. The YLD is focusing on the ABA conference that they are hosting next year. They have been making an effort to branch out and work with the sections hosting events all around the state. Patricia and Nancy both said that Jake was inspirational at the DBA Presidential Visit.

### **5. "O" Goal – Optimizing Sections: What progress has the Section Summit Best Practices Team made since the 11.16 Section Summit?**

Nicole Black

Based on the results of the Section Summit in November 2016, a committee was appointed to come up with some best practices for all of the sections to follow. The team includes long time section members. Nicole Black is the chair. The 29 sections each have a different way of doing everything from nominations and elections to onboarding news members and running a meeting. The goal of this committee is to try to get everyone on the same page.

We have been meeting every two weeks and try to focus on a specific practice. 5-4 dozen goals came out of the section summit. Those were distilled down to 3 main topics—Leadership, Communication and Engagement. One of the main goals is to create a best practices playbook, which will be the equivalent of a handbook. Our hope is to implement this playbook in the next year.

They are trying to keep them very broad so that the sections have some flexibility within each best practice. So we are hoping there is not a lot of push back.

6. **"S" Goal - Strengthening Governance: Are we making progress:  
(1) elevating the Board of Governors as statewide ambassadors and  
(2) improving communication with the BOG?**

Courtney Holm

The Bog Ad Hoc committee has streamlined the results from the Oct. BoG meeting. One of the goals is to define what the Board of Governor reps role should be? The committee will present a strawman proposal to the BoG in May. They will begin by presenting a job description. The next component becomes what are the expectations of the representative and the CBA?

7. **"S" Goal - Strengthening Governance: How are we preparing for  
a CBA bylaw review?**

Patricia Jarzowski  
Patrick Flaherty

Sam Cheris is the chair—Bonnie Schriener, Vince Rahaman and Mary Jo Gross are the other members of the committee. The first meeting will be March 24<sup>th</sup>. There are many layers to the bylaw review. The goal is to clean things up and keep the bylaws consistent with the strategic plan.

8. **Executive Director Report: What is the update on the CBA Programs'  
review and what else does our executive director want us to know?** Patrick Flaherty

The Program Reports alternate with Strategic Planning Reports. The idea is to build a base of data from which to measure how we are doing. There has not been much change since the last report. We are rolling out a non-member newsletter. Cover wrap TCL to send to lapse members. May is member appreciation month. Patrick has been to all but 2 of the 27 local bars since he started. Jeremy has been working strengthening the Local Bar piece. We have appointed a fiscal agent for the justice for all grant. The federal pro se clinic has been green lighted. This will be run by the CBA but funded by the federal court. Patricia and Patrick have been doing a roadshow with sections. They will hit the 5 sections with big symposiums this summer. We are conducting reviews of departments and workloads. Vince O'Brien has been here for 30 days. Patrick has been helping get him situated. We are back in discussions with PARA for their building as well as hiring a broker to look new builds and leasable space. The BoG and EC webpages are up but still need significant content added to them.

9. **How did the meeting go today between the CBA/DBA  
Joint Task Force and the Professionalism Coordinating Council  
on Draft Rule 121-27 Professionalism and what are the next steps?** Alison Zinn

Peter Goldstein came to us to present a draft rule to sanction lawyers for unprofessional conduct. The EC voted to not support it. Judge Shamis and his team wanted to continue to discuss it because they have been working on it for 2 years. Alison Zinn and Mario Trimble agreed to participate in the discussion. This draft is modeled after a rule in Wyoming but it has not been adopted in any other state. This is about Professionalism not about ethics. Judges want guidelines to deal with professionalism in the courtroom so they have something to back them up. This group maintains that they already have those tools at their disposal and this is a rule looking for a problem. They are open to other ways of elevating the profession. Chief justice will not get involved because she does not want to micromanage courtrooms. They missed the step of having permission of the Bog and EC before taking it to the rules committee.

**10. Taking the EC's pulse: Should the CBA issue a statement in response to President Trump's Comments on Judges**

Patricia Jarzowski

Patrick has been gathering statements from across the country. Should we issue a statement? This is not our only chance. Judges should be free from political influence. Issue a statement with the Faculty of Federal Advocates? What tenor would the statement take and what bearing would it have? It should be something positive about judicial independence. What are the criteria that would demand a response? The more we respond the less effective it becomes. The decision was made to consider making a positive statement about the practice of law and the judiciary on Law Day instead.

**11. When do we expect CLE's new financial reporting and how is CLE's new Executive Director Vince O'Brian doing 30 days into his new role?**

Patricia Jarzowski  
Patrick Flaherty

It is a new day at CLE. Vince O'Brien solves a lot of problems. Patrick is building a new relationship. He is working hard to change the dynamic. We need to get out of the way and let Patrick and Vince do their jobs. It is going much better than expected. And the goal will be an extremely integrated CBA and CLE.

**12. "E" Goal: Engage Diverse and Statewide Populations: What are the updates from local bar associations?**

Vice Pres. Reports

DBA Presidential visit was great. The turnout was good and it set a precedent. Everyone was inspiring. BBB is coming up. DBA is going to start a Not in Our Town program to combat hate and discrimination.

The Aurora Bar is looking engage with student members. It has been doing some joint programs with other professionals. They are working on revising their bylaws. The Arapahoe Bar has its annual meeting on June 16<sup>th</sup>. The Adams County Bar's annual law day is the largest in the state. It is on April 5<sup>th</sup>. The Sean May Memorial Run is set. The Bar also formed a 501(c)3 specifically for access to justice initiatives.

The 4<sup>th</sup> JD continues to have monthly CLE luncheons. They are having a lot of issues getting young lawyers involved. There was a scandal that Dennis Mays had done a commercial and people wanted to take his name off of the judicial building. They held a debate and it lost but it did gather a lot of interest with young people.

The 5<sup>th</sup> JD's strategic plan was to recruit 200 new members. They are at 100 so far.

The 6<sup>th</sup> JD is hosting the Moot Court competition.

The Continental Divide Bar has its annual ski day on April 6<sup>th</sup> at A Basin. They have created a subcommittee to improve local bar outreach and work on onboarding for local bar presidents.

**13. President's Report: Finishing strong and cementing progress!** Patricia Jarzowski

The CBA is a tanker not a jet ski. The goal is to turn the tanker. Patricia has 2 more local bar visits left. Dick Gast's firm received the pro bono award. Patricia is speaking at BLI and has recruited more people from the specialty and diversity bars to go with her. Nico Brown was appointed to the statewide access to justice commission. She is speaking at DU in an effort to promote Mario's goal getting the bar into the law schools.

Meeting Adjourned at 8:30 p.m.