

Colorado Bar Association-- Solo-Small Firm Practice Section
Minutes of Council meeting, March 12, 2008

Council members present in person were:

Brian Popp, Council Chair
Scott Stauffer
Jim Duve
Michelle Gersick, CBA staff
Martha Karnopp, Secretary

Council members present by telephone were:

Andrew Toft, Board of Governors representative
Andy Friedman
Trent Ongert, DBA-YLD representative
Scott Walker, chair elect

I. Brian informed us that Eric Nesbitt was attending a technology show.

II. a. Approval of December 12, 2007 minutes: Minutes were tabled.

b. Treasurer's report: Brian Popp provided the Treasurer's report from Eric Nesbitt. As of November February 29, 2008, the section had a balance of \$8,833.82.

III. Old Business:

a. Andy Toft reported on the Board of Governor's meeting. They are reserving money to fight an anticipated initiative by John Andrews calling for term limits for judges.

b. The Holiday Networking Party: Not as many people attended as last year. Monday didn't work well for a party date. Most of the door prizes have not been claimed. We got 10-15 new members as a result of the party. Jim Duve suggested maybe we should choose the date for our holiday party for 2008. Gary Abrams, who is in charge of booking the 3rd floor CLE room, should be asked to release the room if dates for which it is being held are not going to be used. We discussed the possibility of changing the date, theme, format. No decisions were made.

c. There has been no response from Tiffany Warner regarding being the CBA-YLD representative.

d. Trent Ongert is Social Chair for the DBA_Yld, and is our liaison with that group. They were invited to the Holiday Party. The question was raised about what the Solo-Small Firm section offers beginning attorneys that YLD doesn't offer. Networking and experience were the answers. The program scheduled for March 26, 2008, should be stressed to them.

e. Mike Valdez, CBA legislative representative, reported. He said the initiative on terms limits for judges sponsored by John Andrews has been filed, with "clean" title (i.e., it meets the criterion of a single subject, so it can't be challenged on that basis). He needs to obtain 74,000+ good signatures, which translates to about 110,000 total signatures. The new initiative applies to

all levels of courts, limiting judges to 12 years, or three 4-year terms after the first 2-year provisional term. Mike has received no word of any signatures being gathered and expects that to happen starting in May. Members are encouraged to observe those seeking signatures and listen to claims being made. If any misleading claims are made, report them to Mike Valdez because they can be used to challenge the initiative. Also, please don't sign the petition. Two procedural challenges are available: misleading solicitation, and validity of signatures. The Board of Governors has earmarked up to \$250,000 to fight the initiative. Surveys have shown that public confidence in the judiciary is high. People don't want to politicize the judiciary. Term limits is a concept that is somewhat favored. If anyone has any good ideas for language or concepts to use in fighting the initiative should send them to Mike. "Losing experience" didn't work, although 5 of 7 justices on the Court of Appeals would have been kicked off. Language will be tested by polls. In Nevada, changes in the constitution require 2 consecutive successful general elections.

f. CU and DU presentations. Scott Stauffer and Andy Toft went to CU. Michelle and Reba said they did a great job; it was casual and less structured. Brian Popp, Scott Stauffer and Kerry Parker went to DU. The audience asked lots of questions.

g. Revision of the bylaws has been tabled indefinitely.

IV. New Business.

a. The March 26 program will consist of some of the vignettes on professionalism. The networking meeting in Colorado Springs in February used 4-5 of them. Jim Duve facilitated the discussion. All present wanted to do it again. Although the situations of most of them centered around litigation, the attitudes presented carry over to more situations than that. The affidavits for watching these vignettes can be signed multiple times. Michelle will send out notice of the March 26 meeting. A box lunch will be offered. There will be a 5-10 minute business meeting of the EC. Scott Stauffer will take the minutes.

b. The slate of officers for next year must be posted by April 1, on the Bar website. Scott Walker will be the new chair. We have a vacancy for chair-elect. For secretary, Martha Karnopp agreed to stay, unless she is elected county commissioner in November. In that event, Scott Stauffer will step in. Eric Nesbitt will be asked to continue as treasurer. We still need a newsletter editor, because no response has been received from Jeanette Gray Gilbert, despite Michelle's offers of help. Joe Lusk will replace Scott Stauffer for the at-large term on the Board. Andy Friedman will continue his 2-year term. Jim Duve has one year left, as does Julian Izbiky. Andy Toft has one year left and agreed to 2 more 2-year terms. We have just under 400 members.

c. The networking meetings were discussed. Henry Smith is no longer participating, so Brian will ask Henry for his email list. A new group will be starting in Parker on April 1.

d. Eric Bono will talk at the March 26 meetings about using CU students for internships and externships..

The meeting was then adjourned.

Minutes submitted by Martha J. Karnopp, secretary.