
The MESSENGER

Larimer County Bar Association

February 2010

PRESIDENT'S MESSAGE

As my term of office winds down, I want to thank all of you for supporting the Larimer County Bar Association, both with your dues and your time. The Association continues to support its members and the community through a variety of programs and initiatives relevant to the practice of law in northern Colorado.

LCBA's membership has come to expect that its small-community traditions distinguish us from bar associations operating within the larger metropolitan areas. LCBA leadership values the time-honored tradition of Term Day as essential to this unique mission. The Fall and Spring Term Day events assure that we meet, do business, and socialize in a collegial atmosphere so important to our success as lawyers. The Association offers continuing education opportunities that allow our membership to attend accredited programs locally as a complement to programs offered elsewhere. The Pro Bono program is supported by your dues and your investment of volunteer hours. The Association has made it a priority to serve the poor and working poor in our community. The benefits of the Pro Bono program reach the halls of justice, and enhance the reputation of generosity we cherish for our profession. The Association has donated some of its law library computers to provide access to justice at the Justice Center. The Association confers the Professionalism Award each year to recognize outstanding civility and competence within our membership. We also honor our past Presidents as a way of thanking those who have served and as a tool for encouraging the membership to stay involved with Association governance. The Executive Committee continues to evaluate programs and initiatives that serve the public and promote the professional image of its membership. On behalf of the Association, I thank you for your continued support.

I recommend that you take the time to join the Association for its Spring Term Day events scheduled for March 5, 2010. CBA President David Johnson will be with us for the day, and has even promised to join us for the bowling event in the afternoon. Please be sure to sign up and join us for this time-honored opportunity to celebrate the proud traditions of your Larimer County Bar Association.

Ian McCargar
LCBA President



NEW LAWYERS

If you are a new lawyer or know of a new lawyer, please remember to contact Roger Clark, at (970) 669-8668, no later than March 1, 2010, and provide him with your background information for your introduction at Term Day.



NOMINATIONS FOR PROFESSIONALISM AWARD

The Professionalism Committee will again announce the Professionalism Award at the Spring 2010 Term Day. The Professionalism Award is presented to a Larimer County attorney whom the Executive Committee selects as exemplifying adherence to high standards of ethics and professionalism. Candidates will be considered for recommendation on the following standards:

- Must be a member of the Larimer County Bar Association for not less than five years
- Demonstrated positive involvement in the legal profession
- Courteous and prompt in conducting business
- Adheres to the Principles of Professionalism in both attitude and actions
- Complies with the Colorado Rules of Professional Conduct including treating all individuals with respect and dignity regardless of their sex, race, national origin or sexual preference
- Performs pro bono public service by participating in improving the community or by providing legal services to clients of limited means without charge or in a manner that allows the client to participate in the legal process
- Committed to improving the profession when possible and to practicing law in a manner consistent with a commitment to providing quality legal services to the client
- In representing a client and rendering advice considers not only the law but other considerations such as moral, economic, social and political factors relevant to the situation

Please send nominations and supporting information, no later than February 10, 2010 to:

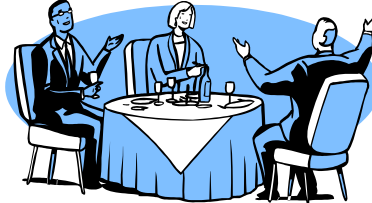
Jeanne Stadler Drake, P.C.
361 East 27th Street
Loveland, Colorado 80538
(970) 663-0898 - phone
(970) 461-1177 - fax



SPRING TERM DAY
MARCH 5, 2010
Agenda

8:00 a.m. Coffee, tea, donuts and bagels at the Justice Center – Jury Assembly Room

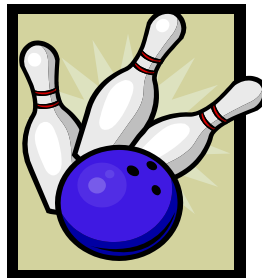
9:00 a.m. Business Meeting – Special Guest, CBA President David Johnson – Jury Assembly Room



12:00 p.m. Luncheon at the Rio Grande Restaurant – The Agave Room – Upstairs from back patio. Simpatico Burrito Buffet. Cost is \$10.00 per person

The Professionalism Award will be presented at lunch

Send check payable to LCBA and send reservations form to Lisa Ritter
425 West Mulberry, Street, Suite 112, Fort Collins, CO 80521; 482-9770



1:30 p.m. Calling all bowlers – time to stir up old rivalries and start some new ones! Bowling will start at 1:30 p.m. at Chipper’s Lanes on Horsetooth. Cost is \$15.00 for three games and shoes. We will have prizes for bowling and for the best dressed bowlers. No bowling skills required!

To register, please send a check made payable to LCBA to:

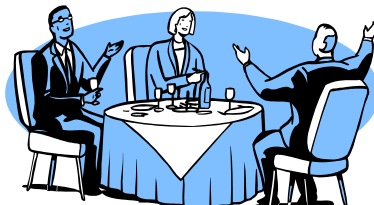
Kim Schutt, Wick & Trautwein, LLC, P.O. Box 2166, Fort Collins, CO 80522.

You may register as a team or as an individual, and we will assign you to a team if you don’t have one.

Contact Kim at kschutt@wicklaw.com or at 482-4011 with questions.

We had a great turn-out last year and we hope to see some more new faces this year. Come join the fun!

SPRING TERM DAY
MARCH 5, 2010
LUNCHEON



12:00 p.m. Luncheon at the Rio Grande – The Agave Room – Upstairs
 Simpatico Burrito Buffet – Cost is \$10.00 per person



Enclosed is my Luncheon Reservation for March 5, 2010 at the Rio Grande

Name(s): _____

Address: _____

Phone No: _____

**Check(s) in the amount of \$10.00 per person made payable to
Larimer County Bar Association**

_____ X \$10.00 = \$_____ (amount enclosed)

Return To: Lisa Ritter, 425 West Mulberry Street, Suite 112, Fort Collins,
Colorado 80521, 482-9770

Deadline to register February 23, 2010

EIGHTH JUDICIAL DISTRICT NEWS

- Effective immediately the Larimer County Combined Court Clerk's office at the Larimer County Justice Center will be closed at the noon hour on the 2nd and 4th Wednesday of each month for continuing education and training.
- The Colorado Judicial Department continues to strive to meet the needs of the public during these difficult economic times. The Clerk of Court Office in Fort Collins has experienced a significant loss of personnel (a 28.5% reduction in staff) due to the state legislative mandate to downsize to meet required state budget cuts. Rest assured court personnel will continue to serve the public in an effective and professional manner, however, you may notice a slower than normal response time in case processing due to reduced staff. Please contact the Clerk of Court, Sherlyn Sampson at 970-498-6115 or the appropriate division directly if you experience any inordinate delay.
- The judicial officers and staff of the 8th Judicial District wish to thank all attorneys for continuing to work toward resolving cases whenever possible.

Janelle J. Brunin
District Administrator

* * * * *

The Probate Registrar from Larimer County has asked me to send this out to all of you. It is regarding updating probate forms.

See the list below for any that have been amended. They can be found on the court's website www.courts.state.co.us These forms should replace any that the attorneys are now using. The forms were updated as of December 10, 2009.

RULE CHANGE 2009 (20)

APPENDIX A TO CHAPTER 27

COLORADO PROBATE CODE FORMS

AMENDED FORMS

- | | |
|---------|---|
| JDF 731 | Receipt and Release |
| JDF 783 | Petition Requesting Colorado to Accept Guardianship/Conservatorship |

- JDF 787 Petition to Transfer Guardianship/Conservatorship from Colorado to Receiving State
- JDF 812 Notice of Appointment of Guardian and/or Conservator
- JDF 824 Petition for Appointment of Guardian for Minor
- JDF 825 Consent of Parent
- JDF 826 Consent or Nomination of Minor
- JDF 827 Order Appointing Guardian for Minor
- JDF 835 Petition for Termination of Guardianship -- Minor
- JDF 841 Petition for Appointment of Guardian for Adult
- JDF 848 Order Appointing Guardian for Adult
- JDF 853 Notice of Death
- JDF 861 Petition for Appointment of Conservator for Minor
- JDF 862 Order Appointing Conservator for Minor
- JDF 876 Petition for Appointment of Conservator for Adult
- JDF 877 Order Appointing Special Conservator -- Adult or Minor
- JDF 878 Order Appointing Conservator for Adult
- JDF 888 Petition for Termination of Conservatorship
- JDF 889 Waiver of Hearing, Waiver of Final Conservator's Report, Waiver of Audit and Approval of Schedule of Distribution
- JDF 920 Petition for Formal Probate of Will and Formal Appointment of Personal Representative Notice and Order Closing Estate After Three Years
- JDF 930 Certificate of Ancillary Filing -- Decedent's Estate
- JDF 971 Notice and Order Closing Estate After Three Years

NEW FORM

- JDF 970 Response to Notice and Order Closing Estate After Three Years

Amended and Adopted by the Court, En Banc December 10, 2009, effective immediately.

**LARIMER COUNTY BAR ASSOCIATION CLE
THE PAPER-LESS LAW OFFICE
&
PAPER-LESS TRIALS**

Law Office Technology for Non-Geeks
Presented by Tom French

When: February 24, 2010, 1:00 p.m.- 4:00 p.m.

Where: Jury Assembly Room, Larimer County Justice Center

4 CLE credit hours applied for

THE COST IS ABSOLUTELY FREE!



**MISCELLANEOUS MEETINGS
AND UPDATES**

There is an informal group of "trust and estate" lawyers we call the LCBA Trust & Estate Bar. It meets five times a year, from September through May, usually on the fourth Wednesday of the month. The meetings are from 7:30 to 8:30 a.m. at First National Bank downtown. If you are interested you can email Pete Bullard at pete@estate-planning-help.com

* * * * *

The Colorado Criminal Defense Bar (Larimer Chapter) meets monthly. Stephanie Hewitt is the contact person at (970) 416-7312 or email her at hewittlawoffice@aol.com She sends out notices by email so if you would like to be included contact her.

* * * * *

The Larimer County Young Lawyers meets the third Wednesday of every month. If you are interested in their group, contact Sara Stieben at (970) 482-4322 or email her at sara@olivelaw.com for more details.

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For those that do not know Larimer County Bar has a web page. Lisa Ritter keeps our webpage current. If there is something you would like to see on the page, please contact her at lritter@ftccolaw.com.

If you haven't checked out our webpage, you can find it at the Colorado Bar Association website at [cobar.org](http://www.cobar.org) through Inside the Bar, Local Bar Associations links or <http://www.cobar.org/page.cfm/ID/20149/>.

WELD AND LARIMER COUNTIES
INVITATION

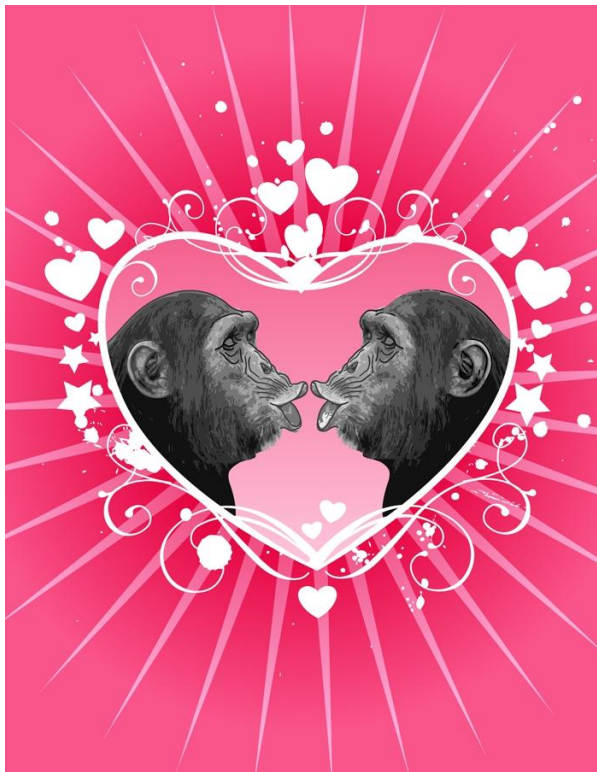
Please join us for the Byron White Inn of Court meeting

WHEN: February 18, 2010
6:30 p.m. - 9:00 p.m.

WHERE: Fire Side Restaurant
1149 Main Street
Windsor, CO 80550

SOCIAL TIME: 6:30 to 7:00 P.M.

DINNER TIME: Dinner begins promptly at 7:00 P.M.



MENU CHOICES

Prime Rib
Shrimp
Salmon
Grilled Chicken

All dinners served with salad, potato, vegetable, coffee, tea or nonalcoholic beverage

Please feel free to bring a guest. The guest dinner charge is \$20.00 payable the night of the dinner.

RSVP YOURSELF AND GUEST(S) TO: diane@h-mlegal.com or The Hagen & Melusky Law Firm (970) 686-6618 on or before Monday, February 15, 2010 to assist in planning. Thank you.

**ATTORNEY SEEKING CONTRACT
OR PERMANENT POSITION**

Licensed attorney seeking contract or permanent position. Experienced in estate planning/administration; tax; real estate and HOA; research and appellate brief writing; business and non-profit incorporations; municipal and utility; contractual and transactional; litigation and collections, etc.

**Carol Johnson in Loveland,
970-669-1138
carol-530@comcast.net**

OFFICE SPACE FOR RENT

FOR RENT: West facing large windowed office on 3rd floor of Opera Galleria Building, half block from Justice Center. Receptionist provided and use of kitchen and two conference rooms, Space for secretary also available. Diane Lathrop 484-5858

**Diane Lathrop
970-484-5858**



liggett • smith & johnson, p.c.

425 West Mulberry Street, Suite 112 • Fort Collins, Colorado 80521-2896 • Office: (970) 482-9770 • Facsimile: (970) 482-0339

The Law Firm of Liggett, Smith, Wilson & Johnson, P.C.
Is now: Liggett, Smith & Johnson, P.C.

We will continue to provide legal services related to:
Business Law, Civil Litigation, Criminal Law, Family Law and Real Estate

David H. Johnson • Michael D. Liggett • Sarah E. Liggett • Kelsey J. Smith

BROWN BAG CLE:

**PSYCHOLOGICAL EVALUATION: UTILIZATION
FOR THE PRE-PLEA PROCESS**

By: Brenna Tindall Psy. D.

Thursday, February 11, 2010 at 12:00p.m.

**Larimer County Court House
Jury Assembly Room**

This CLE will address:

- Cases that utilize evaluations
- How evaluations are used in your client's defense
- Different types of evaluations
- How to find psychologist \ professional to do these evaluations

1 Ethics CLE Credit

Brought to you by the Larimer County Bar Association Young Lawyers

**COLORADO ASSOCIATION OF LEGAL SUPPORT STAFF
(CALSS) NEWS**

CALSS is hosting a second board meeting in Golden, Colorado, on February 19 and 20. We are offering two CLE seminars (see notice below for details) for 4 general credits and 1.8 ethics credits. Please share this with your support staff. Deadline to register is February 5, 2010.



**Second Board Meeting
& Educational Conference**

**February 19 & 20, 2010
Courtyard Denver West/Golden**

Hosted by The Advisory Group
CLE Credits Applied For

Friday, February 19, 2010	
12:30 — 1:00 p.m.	Registration
1:00 — 2:30 p.m.	Music Piracy: A Review of the Recording Industry's File-Sharing Litigation Andrew Mohraz, Esq.
2:30 — 3:00 p.m.	Break
3:00 — 4:30 p.m.	Issues Involving the Unauthorized Practice of Law James C. Coyle, Esq.
Saturday, February 20, 2010	
8:00 a.m.	Breakfast Buffet
9:30 a.m.	CALSS Second Board Meeting

Conference Registration: The member registration fee for the seminars, breakfast buffet, and meeting is **\$30**; non-members may attend all or a portion of the activities for **\$40**. Please mail your registration form and payment to Cathy Hansen, PLS, 8270 Louise Drive, Denver, CO 80221-3966 (303-965-8088; cathy.hansen@qwest.com).

Conference registration deadline: February 5, 2010

Hotel: Courtyard Denver West/Golden, 14700 West 6th Avenue, Frontage Road, Golden, CO 80401. To receive the group rate of \$59 (single to quad), contact Jamie Baronfeld at 303-215-9218 (direct); 303-279-4930 (fax); jamie.baronfeld@whitelodging.com, and reference "CALSS Conference, February 19-20, 2010."

Hotel reservation deadline: January 25, 2010

 Name: _____ -ALS PLS CLA
 Address: _____ Other designation (please specify) _____
 _____ Phone: (w) _____ (h) _____ e-mail address _____

I plan to attend (please check all that apply):

- Seminar 1 *Music Piracy: A Review of the Recording Industry's File-Sharing Litigation*
- Seminar 2: *Issues Involving the Unauthorized Practice of Law*
- Breakfast Buffet Board Meeting

Enclosed is my registration fee (please check one box):

- CALSS member: \$30 Non-member: \$40

Please make checks payable to "The Advisory Group."

About the Seminars:

Music Piracy: A Review of the Recording Industry's File-Sharing Litigation

This seminar will provide an update on the recording industry's file-sharing litigation, including a review of the two 2009 cases that went to trial (the Thomas retrial in Minnesota and the Tenenbaum trial in Massachusetts). The key components of the presentation will include: a brief background of the file-sharing cases; an assessment of key legal principles associated with the cases; a review of the Jammie Thomas retrial (including a review of the first and second trials, key evidentiary issues, and lessons learned from the retrial); and a review of the Joel Tenenbaum trial.

Andrew Mohraz is an attorney in the Denver office of Holme Roberts & Owen (HRO). He is a member of the Complex Commercial Litigation and Intellectual Property practice groups. Much of Mr. Mohraz' practice has concentrated on the national litigation that HRO handles on behalf of the Recording Industry Association of America related to the recording industry's lawsuits against those who illegally copy and distribute the record companies' sound recordings through unauthorized file-sharing programs.

Issues Involving the Unauthorized Practice of Law

James C. Coyle is Deputy Regulation Counsel for the Colorado Supreme Court Office of Attorney Regulation Counsel. In that capacity, he supervises the trial division of the Office; prosecutes lawyers in disciplinary, disability and contempt proceedings; represents the Board of Law Examiners in defending admissions cases; represents the Unauthorized Practice of Law Committee in investigating and prosecuting injunctive and contempt proceedings against non-lawyers; and handles other functions delegated by Regulation Counsel. He has been a trial attorney with the Office since 1990. Prior to that, he was in private practice with a Denver law firm, representing police officers and other public officials in federal civil rights litigation, employment law, and other matters. He earned his law degree from the University of Colorado. Mr. Coyle has been an active member of the Colorado Bar Association and has served on committees and subcommittees that have handled attorney regulation and unauthorized practice of law issues. Mr. Coyle has also presented numerous speeches, lectures and workshops for the ABA, CBA, local bar associations, continuing legal education programs, law schools, law firms, civic organizations and community groups on various professional responsibility and unauthorized practice of law topics.

About the Hotel:

Courtyard Denver West/Golden
14700 W. 6th Ave., Frontage Road
Golden, CO 80401
Phone: 303-271-0776
Fax: 303-279-5094

<http://www.marriott.com/hotels/travel/dengl-courtyard-denver-west-golden/>

* * * * *

Gwendolyn S. Duran Memorial Scholarship Fund

Through the Gwendolyn S. Duran Memorial Scholarship Fund, CALSS awards an annual scholarship to a student pursuing a course of study in the area of law. The recipient may be a law school student or an individual attending a paralegal program or legal secretarial course at an institution of higher education or vocational training. The amount of the scholarship varies from year to year, depending upon funds available. When funds permit, a second scholarship is awarded to a CALSS member.

Application is below.



**GWENDOLYN S. DURAN
MEMORIAL SCHOLARSHIP FUND
SCHOLARSHIP APPLICATION**

The Colorado Association of Legal Support Staff (CALSS) established the Gwendolyn S. Duran Memorial Scholarship in 1999 to support students in need, pursuing a higher education degree. Based on eligibility criteria, one \$1,000 scholarship will be awarded annually.

The Award is for twelve (12) consecutive calendar months, covers tuition, books and fees, and is paid on a semester basis or as agreed upon by Recipient and CALSS.

In the event the Recipient withdraws from his/her legal courses/program during the term of the scholarship award, CALSS will determine the continuance of the Award and determine if Recipient must refund any unused portion of the Award.

APPLICATION FORM

Applications will be accepted from December 1 through April 15 of each school year. Decisions on the award will be made at the end of April, and the applicant will be notified after May 15. If you meet the eligibility criteria below, please submit a completed application to:

Pauli Ingwersen
CALSS Scholarship Chairman
c/o Holland & Hart LLP
90 South Cascade Avenue, Suite 1000
Colorado Springs, CO 80903
(719) 475-6487
email: pingwersen@hollandhart.com
www.calss.org

We must receive the completed application and accompanying documentation **postmarked on or before the deadline of April 15**. Incomplete applications will NOT be reviewed.

ELIGIBILITY: You are eligible to apply for a CALSS scholarship if you satisfy the following criteria:

- You have declared the legal field as your major or are enrolled in a legal program, such as secretary, court reporter, legal assistant, paralegal, or pre-law concentration.
- You are a full time student.
- You can demonstrate financial need



CALSS SCHOLARSHIP APPLICATION
(Please type or print neatly)

Name _____
First MI Last

Permanent Address: _____
Street Address

City State Zip

Telephone Email address

Financial Information:

- Check: _____ I have applied for federal or state student financial aid
_____ I intend to apply for federal or student financial aid
_____ I do not intend to apply for federal or student financial aid
_____ I have student financial aid but still have a need

Required Attachments (Must be Typed):

Application and the following required documents are due **April 15:**

- Copy of high school transcript or transcript of last four years' grades if presently enrolled in a school of higher education.
- One letter of recommendation signed by student's teacher or counselor outlining the student's leadership activities and/or community participation.
- One letter of recommendation signed by employer, teacher friend or other character reference.
- Autobiographical statement/resume including schools attended, employment, school activities (honors, clubs, etc.), family background, brief discussion of financial need, interests and/or hobbies.

INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED

Send completed applications and required attachments to:

Pauli Ingwersen
CALSS Scholarship Chairman
c/o Holland & Hart LLP
90 South Cascade Avenue, Suite 1000
Colorado Springs, CO 80903
pingwersen@hollandhart.com
www.calss.org

**Larimer County Bar Association
Executive Committee 2009 – 2010**

President

Ian McCargar
131 Lincoln Avenue, Suite 100
Fort Collins, CO 80524
Telephone: (970) 482-0212 x303
Fax: (970) 482-0236
Email: ian@freymccargar.com

Vice President/President Elect

Kathryn Lonowski
Post Office Box 2166
Fort Collins, Colorado 80522
Telephone: (970) 482-4011
Fax: (970) 482-8929
E-mail: klonowski@wicklaw.com

Treasurer

Steve Jouard
2038 Caribou, Suite 100
Fort Collins, Colorado 80525
Telephone: (970) 482-1977
Fax: (970) 225-6649
E-mail: steve@jouardpickering.com

Secretary

John Duval
500 East Third Street
Loveland, Colorado 80537
Telephone: (970) 962-2540
Fax: (970) 962-2900
E-mail: duvalj@ci.loveland.co.us

Past President

Richard S. Gast
323 South College Avenue, Suite 1
Fort Collins, Colorado 80524
Telephone: (970) 482-4846
Fax: (970) 482-3038
Email: rgast@verinet.com

Board of Governors - Representative

Randolph W. Starr
Post Office Box 642
Loveland, Colorado 80539-0642
Telephone: (970) 667-1029
Fax: (970) 669-3841
Email: rstarr8553@aol.com

**Members Appointed
by the President or EC**

Jennifer Stewart
224 Canyon Avenue, Suite 200
Fort Collins, Colorado 80521
Telephone: (970) 498-7450
Fax: (970) 498-7430
E-mail: jennifer.stewart@hshh.com

Jennifer L. Rice
19 Old Town Square, Suite 238
Fort Collins, Colorado 80524
Telephone: (970) 494-1700
Fax: (970) 419-8258
E-mail: ricelawjr@earthlink.net

Linda K. Connors
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Fort Collins, Colorado 80521
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Fax: (970) 498-7430
E-Mail: linda@hshh.com

Sunita Sharma
500 East Third Street, Suite 330
Loveland, Colorado 80537
Telephone: (970) 962-2434
Fax: (970) 962-2900
Email: sharms@ci.loveland.co.us

**LCBA Committees
2009 - 2010**

Legal Aid

Andrea Koppenhofer
600 17th Street, Suite 2800 South
Denver, Colorado 80202-5428
Telephone: 970-443-0059
E-mail: abkoppenhofer@yahoo.com

Cindi Hendrix (paralegal/coordinator)

Telephone: (970) 402-2075
(970) 308-3590 (cell)
E-mail: cindihendrix@yahoo.com

Young Lawyers - Liaison

Sara Stieben
110 East Oak Street, Suite 200
Fort Collins, Colorado 80524
Telephone: (970) 482-4322
Fax: (970) 482-5719
E-mail: sara@olivelaw.com

The Messenger

Cathy L. Vlasak
224 Canyon Avenue, Suite 200
Fort Collins, Colorado 80521
Telephone: (970) 498-7450
Fax: (970) 498-7430
E-mail: cathy@hshh.com

Access to Justice

Jennifer L. Rice
19 Old Town Square, Suite 238
Fort Collins, Colorado 80524
Telephone: (970) 494-1700
Fax: (970) 419-8258
E-mail: ricelawjr@earthlink.net

Ethics/Professionalism

Jeanne Drake
361 East 27th Street
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E-mail: jdrakelaw@msn.com

Web Administrator

Lisa Ritter
425 West Mulberry Street, Suite 112
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E-mail: lritter@ftccolaw.com