

# COLORADO BAR ASSOCIATION

## SOLO AND SMALL FIRM SECTION

Minutes of January 26, 2011 meeting

Members present:

James Duve, Chair; Martha Karnopp, Past Chair; Joe Lusk, Chair Elect; Dave Spreccace; Andy Friedman; Barbara Hahn; Phil Shuey; Mark Larson

Joe Bernstein, YLD Rep. attended by phone

**Guest:** Mark Miller

**CBA/CLEC Staff present:** Reba Nance  
Lauren Eisenbach

**Not in attendance:** Chris Hayes, Secretary (excused); Eric Nesbitt, Treasurer; Keith Sandoval

**The meeting was called to order at 12:10**

- I. Self-Introduction of Council Members
  - a. Presentation of plaque to Martha Karnopp for outstanding leadership of the section in 2009-2010
- II. Minutes of October 27 Meeting

The minutes of the council meeting of October 27, 2010 were approved with the following changes:

  - Joe Lusk attended the CBA Section Officers Meeting [3(A) to be changed from CBA Board of Governors]
  - Joe Bernstein was in attendance by phone
  - From here on out, Meeting Minutes are to show who was absent as well as present
  - With these changes, the minutes were approved unanimously following a motion by Phil Shuey and seconded by Martha Karnopp
- III. Treasurer's Report
  - a. Eric Nesbitt was not in attendance
  - b. \$16,000 surplus was observed
  - c. Jim Duve observed that the minutes only represented the 3 months prior to the meeting and suggests a monthly report to observe spending each month
  - d. Andy Friedman motions for monthly reports to be presented
    - i. seconded, and accepted by the council
  - e. The Treasurer's report was approved unanimously following a motion by Phil Shuey.
- IV. Board of Governor's Report
  - a. Presented by Dave Spreccace
  - b. Meeting was called to order around 9:30 am
  - c. Discussed the new CBA Policies and Procedures and recognized an opening on the CLE Board
  - d. The Colorado Bar Foundation annual report was presented with approximately 25 grants in 2010
  - e. Juvenile Law Section reported changes to their by-laws
  - f. A 401K Investment Committee was created

- g. Break-out groups were formed to discuss Trust Accounts, Juvenile issues, etc.
  - i. Barb asked Dave to see about getting reports from some of the discussions to see what the Solo Small Firm Section can learn from them

V. CBA News

- a. Presented by Reba Nance
- b. Introduction of Lauren Eisenbach
  - i. New assistant to the Law Practice Management Department
- c. Update on CBA
  - i. Reba reported on proposed changes to Rules 1.15 and 1.16a concerning the practitioner's responsibility to retain client files that explain financial issues and that change the definition of "client property" to include client files. The changes to Rule 1.16a are still in draft and have not been finalized and promulgated. The existing rule 1.15 remains in force, but does not expressly address the issue of client file retention. The proposed new rule will provide a 10 year period after which the lawyer may dispose of client files as s/he sees fit.
    - 1. Still waiting to be approved and will update as soon as she knows more
  - ii. On December 31, 2012, LexisNexis will end its e-filing, and the Courts will take over
    - 1. There will be quite a few changes made to the process and the availability of e-filing
    - 2. Chief Justice Bender put together a task force of which Reba is a part of
      - a. They have discussed the idea of putting together a group of Solos to discuss rejected filings and the reasons.
        - i. It has dropped from 125 reasons for rejection to 25 and the task force and CJ Bender would like to decrease this number even more with the help of attorneys throughout the state.
        - ii. If you are interested in joining the focus group, or know someone who could be a great contribution to the group, talk to Reba.
        - iii. She is also requesting Lexis bills for e-filing to observe the "extra charges" by Lexis.
          - 1. The Courts hope to do away with these charges to make e-filing less of an expense for the Solos and Small Firms.
  - iii. Law Practice Management Listserv has brought up the idea of reminding members that the listservs are not private.
    - 1. Listservs have been subpoenaed due to inappropriate information being discussed
    - 2. Reba suggests that Rules be set up for the listserv reminding the users that there is no "group privilege"
      - a. Must click on "agree" in order to sign up for a listserv



- i. The party was a huge success and approximately 15 new members were registered at the door.
      - ii. Lauren will send out a more in-depth report with total numbers in the section to date
    - d. Newsletter—February
      - i. Barb Hahn is looking forward to the February Newsletter as it is all about blogging
      - ii. February 1<sup>st</sup> will be the soft launch of the new Solo Blog titled “Solo in Colo” with the hard launch happening February 15<sup>th</sup>
        - 1. Have blogs ready to post but if you’re interested in writing anything (200-500 words) talk to Barb
        - 2. Host site will be GoDaddy
      - iii. The Committee involved in the blog include Andrew Guetzkow, Carlos Migoya Jr., Thomas Stasiuk, Joe Bernstein, and Barb Hahn (Chief Promoter)
        - 1. Also receiving help from Diane Van Vorhees from MVL, Alli Gerkman from CLE, and Sara Crocker and Heather Clark from the CBA
    - e. Zoomerang Survey
      - i. Should be done soon, and Jim will send it out to the Council for comment
    - f. Section Membership numbers
      - i. Will be sent out by Lauren—approximately 450 total members
- VIII. New Business
  - a. New Member Mixer on January 28<sup>th</sup>
    - i. Sponsored by the YLD
    - ii. Jim and Reba will be attending and would like for one other Section Member to attend and assist him in promoting the Section.
    - iii. Free Ethics CLE credit available from 4-5pm
      - 1. Paul Chan will be the presenter
  - b. Nominating Committee for 2011-2012 Council
    - i. Positions to be filled are:
      - 1. All officers (excluding Chair and Past Chair)
      - 2. Phil Shuey and Mark Larson (Council Members at Large)
        - a. Both are eligible for re-election
      - 3. Joe Bernstein has served his allowable 3 years as YLD Rep.
      - 4. Board of Governors Rep.
        - a. Since Dave Spreccace was appointed to finish Andy Toft’s 2-year term, this position will be available as well
      - 5. 2 Legislative Liaisons
    - ii. Committee will consist of Joe Lusk; Jim Duve; Andy Friedman; Reba Nance who will have no vote (she is not a section member)
      - 1. Jim will send an e-mail to open up nominations for open positions
  - c. Plaques?
    - i. Recognition of Council Members and their terms of service with the Section

- ii. Cost for Plaques would range from 15-20 dollars (Reba will double check those numbers)
- iii. Could be something to consider
- d. Removal of Council member
  - i. By-Laws state that if a council member misses two consecutive meetings without informing the council, it is grounds for dismissal
    - 1. Keith Sandoval was informed that if he did not attend this meeting, he would be dropped from the council
    - 2. At this time, Keith is not present
      - a. Chris Hayes is to send Keith notice of dismissal within 10 days of this meeting
      - b. Motion made by Phil Shuey for dismissal
        - i. Seconded and accepted unanimously
    - 3. Will wait to replace Keith, as elections are just around the corner
      - a. Quorum is now 6
- e. Final business suggested by Reba
  - i. Looking to start a “10-minute Mentor” video program on the web page
    - 1. Texas Bar has something very similar
    - 2. Reba is looking for topic ideas and a title for the program as 10-minute mentor is already taken
      - a. Any suggestions welcome
        - i. Let Reba know if interested in recording a video or with any suggestions for topics

**Respectfully submitted: Lauren Eisenbach**  
**Meeting adjourned at 1:35 pm**