

COLORADO BAR ASSOCIATION
BOARD OF GOVERNORS
Minutes of Meeting
May 9, 2015
Vail, Colorado

Action Items

- The Board approved the minutes of the November 1, 2014 Board of Governors meeting.
- The Board approved the 2015-16 CBA budget as presented.
- The Board approved the re-appointment of CBA Treasurer Mary Jo Gross for the 2015-16 fiscal year, the appointments of Mariana Vielma and Jina Koulchitzka to the Executive Council, and the re-appointments of LaKisha Cook, David Lytle and Randy Starr as ABA delegates.
- The Board approved an amendment to the CBA bylaws to create the Cannabis Law Committee as a standing committee.
- The Board approved an amendment to the CBA bylaws changing the Awards Committee description to reflect the criteria for the “Six of the Greatest” honorees from 10 years to 7 years.
- The Board approved an amendment to the CBA bylaws to give seats on the Board of Governors to the Governor’s Office of Legal Counsel and the Colorado Attorney General’s Office.
- The Board approved CLE’s 2015 budget.

Administrative Matters

- **President’s Report-** Charley Garcia reported on the following:
 - **Executive Council Action** – Mr. Garcia reported that the Council had approved an allocation of up to \$50,000 in matching funds to the Rocky Mountain Immigrant Advocacy Network to assist with representing the influx of unaccompanied immigrant children. RMIAN had raised nearly \$35,000; the deadline to raise the remaining matching funds was July 1, 2015.
 - **Report on Local Bar Visits** – Mr. Garcia discussed his bar visits, stating they had been the highlight of his presidency and left him with a greater sense of how important local bars are to the organization. He thanked Chief Justice Rice for her efforts in coordinating attendance by judges at those local bar events.
 - **Acknowledgement of Outgoing Executive Council members**– Mr. Garcia presented outgoing Executive Council members with certificates of appreciation and thanked them for their service on the Council and Board of Governors.
 - **Ceremonial passing of the gavel** – Mr. Garcia presented incoming CBA President Loren Brown with a gavel and Mr. Brown outlined his goals for the 2015-16 year. Mr. Brown will take office July 1, 2015.
- **Executive Director’s Report** – Patrick Flaherty reported on the following:
 - **First four months report** – He provided an overview of his work history noting that being at the CBA joined his work as a lawyer with the non-profit work he had done most recently. He stated he was very pleased to be working for an organization that is well respected by the judiciary, is unique in comparison to other volunteer bar organizations, and is financially solid and equipped with a dedicated staff. He then discussed what he had accomplished to date, including meeting with each staff member on an

individual basis to learn of their duties, impending meetings with key stakeholders, and the beginning of a thorough and professional process of strategic planning in the coming year.

Informational Reports

- **Remarks by Supreme Court Chief Justice** – Chief Justice Nancy Rice reported a busy year and a more active legislative session than years past. She noted a separate budget was now in place for issues concerning children, and there had been an increase in the number of family court facilitators. Other topics she discussed included addressing juvenile detention procedures and the implementation of Chief Justice Directive 15-0, governing public access to administrative records maintained by the state Judicial Branch. Chief Justice Rice concluded her report by announcing the retirements of Supreme Court Justice Gregory Hobbs and Court of Appeals Judge James Casebolt.
- **Report from Colorado's Attorney General** – Cynthia Coffman reported on changes she had made in upper management positions by implementing the split of her former role as Chief Deputy into two positions. Ms. Coffman noted that she had sought funds to assist the judicial branch and prosecutors with cold and homicide cases, but was turned down noting the state thought individual counties should fund the venture. She then highlighted a success by forming the "Office of Community Engagement" to assist in promoting and educating the public about the importance of the Attorney General's office. Ms. Coffman closed her report by noting her office had recently awarded a gift of \$1 million dollars recouped from the National Mortgage Settlement to the Rose Andom Center to help assist victims of domestic violence.
- **Report from Attorney Regulation Council** – Jim Coyle stated that admissions to law schools were dropping and that lower LSAT scores were a good indicator of that trend. He referred the representatives to view the Annual Report which contained information about attorney retention in Colorado. Mr. Coyle announced a few upcoming programs, including a discussion regarding the topic of 'Limited Legal Liability Technicians,' occurring on May 22, 2015 at the Supreme Court.
- **CBA Young Lawyers Division Report** – Lance Timbreza reported on the success of the group's Bullying Project wherein young lawyers made presentations to schools to discuss this topic with students. He noted the low cost of the project and the group's future focus on bullying in sports. Mr. Timbreza also highlighted the success of the Young Lawyer Regional Summit in Aspen held on April 9-13, 2015. He concluded by announcing an upcoming fundraiser benefiting the Colorado Bar Foundation on June 12, 2015.
- **Update on Unclaimed Property Act Legislation** – Sarah Clark provided an update on the Board's 2013 resolution to pursue legislation in response to the need to find alternate sources of funding for legal aid. She explained that HB 15-1371 had passed and thanked all of the bill sponsors, especially Representative Dan Pabon, Representative Yuelin Willett, Senator Ellen Roberts, and Senator Mike Johnston. She explained the new law exempts COLTAF funds from the state Unclaimed Property Act, clears the way for the Colorado Supreme Court to direct lawyers to direct distributable funds to COLTAF, and is estimated to provide approximately \$100,000 in additional funding for legal aid annually. She also thanked Senator Pat Steadman for securing an additional \$500,000 appropriation for the Family Violence Justice Cash fund.

- **Colorado Lawyers for Colorado Veterans** – John Vaught provided the board with a video highlighting the program formed in 2011 with 275 volunteers from the legal community to assist veterans with *pro bono* legal services. He thanked the Board for their support.
- **Casemaker Demonstration** – Reba Nance provided the board with an overview of several new Casemaker features, including the addition of Casemaker’s suite of premium services, Casecheck, CiteCheck and Casemaker Digest now available to all members at no additional cost.
- **CBA Website Update** – Greg Martin provided the board with background on the CBA’s website, noting it was the first bar association website to be launched in the country. He announced the move to a new web platform and the recent update of the Find-A-Lawyer directory. He noted that website optimization is a very expensive process and encouraged representatives to visit the site to view the recent update.
- **Our Courts Report** – Lino Lipinsky provided background on the Our Courts program, which was established in 2007. It is comprised of volunteer attorneys and judges who provide educational presentations to the public about State and Federal courts in Colorado. The program had reached 15,000 Colorado residents to date. As an example of the need to continually reach out to the community, he mentioned presenting the topic of ‘Retention of Judges’ to a group of 200 people who knew very little of the subject. Mr. Lipinsky closed by stating the American Bar Association had awarded the Our Court’s program with the Burnham “Hod” Greeley award in 2010 in recognition of outreach efforts to the public.
- **Legislative Report** – Legislative Director Jeremy Schupbach reported on the recent legislative session, indicating the CBA weighed in on 53 different bills, the majority of which were passed. He remarked that he anticipated next session as another fairly partisan year and that he would spend the remaining portion of this year traveling around the state providing general updates to local bar association members. He thanked members of the Legislative Policy Committee for their strong support.
- **Law School Reports:**
 - Marci Fulton, CU Assistant Dean of Outreach, Engagement and Alumni, announced recent partnership efforts with DU Law School such as the Legal Residency Program, which provides recent graduates with employment and training opportunities. Ms. Fulton stated that, while applications into the law program had increased, admissions into law school had decreased and were at the bottom of a five-year slide. She closed by announcing the launch of a new Master’s Program in the study of law in the fall of 2016.
 - DU Assistant Dean Viva Moffat provided statistics on DU bar passage rate which was 19% above the statewide average. She addressed employment challenges facing recent graduates. Ms. Moffat further highlighted that a reduction in class size had occurred in response to low applications into the program.
- **ABA Delegate Report**– Clarissa Collier referred the representatives to a web link on the ABA’s website to review action taken at the ABA House of Delegates Midyear Meeting. She indicated there had been little debate at that meeting, and announced the next annual meeting would be in Chicago, July 30 - August 4, 2015.

- **New Business** –State Representative Beth McCann reminded representatives to cast their votes regarding the TABOR refund that would allow the State of Colorado to keep funds in the amount of \$58 million already collected from marijuana excise and sales tax.

There being no further business, the meeting was adjourned.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Leah Achen", with a long horizontal flourish extending to the right.

Leah Achen
CBA Program Coordinator