

**Council of the Trust and Estate Section of the Colorado Bar Association**

**Notice of and Agenda for the January 5, 2022, Meeting**

To: Council Members  
Trust and Estate Section of the Colorado Bar Association

From: Lauren da Cunha  
Secretary/Treasurer  
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**Notice of Meeting**

The next monthly meeting of the 2021-2022 Council of the Trust and Estate Section of the Colorado Bar Association will be held:

Date and time: ***Wednesday, January 5, 2022, 3:15 p.m.***  
Place: 1290 Broadway, Suite 1700, Denver, CO 80203  
or Call-In/Zoom

**Minutes of Previous Meetings & Attachments**

1. Minutes of the December 1, 2021 meeting of the Council
2. November Financial Statement

**Trust and Estate Section Council Agenda**  
**January 5, 2022**

In an attempt to adhere to the allotted meeting duration of one (1) hour and thirty (30) minutes, the Chair will exercise his/her prerogative to limit the time for any report or discussion on a topic to ten (10) minutes. This conforms to Robert's Rules of Order.

1. Review/approval of Minutes of the December 1, 2021 meeting of the Council
2. Chair's Report and Administrative Matters (Tim Bounds)
3. Secretary/Treasurer's report (Lauren da Cunha)
4. Tax Section Liaison (Georgine M. Kryda)
5. Elder Law Section (Patrick Thiessen)
6. Real Estate Section Liaison (Chad Rounds)
7. Family Law Section Liaison (Kim Willoughby)
8. Statutory Revisions Committee (Dylan Metzner)
9. Legislative Liaison (Darla Daniel & Steve Brainerd)
10. Legislative Update (TBD)
11. Council Notes (Kristin Dittus)
12. CLE/Estate Planning Retreat (Molly Zwedlinger)
13. Orange Book Forms Committee (Hayley Lambourn and Rikke Liska)
14. Rules and Forms Committee (Gordon Williams)
15. Civic and Community Affairs Joint Committee of the Elder Law Section (Sandra Sigler)
16. Equity, Diversity, and Inclusivity Committee (Tristan Younghaus)
17. Probate Trial and Procedures Committee (Marcie McMinimee & Lindsay Andrew)
18. Colorado Estate Planning Handbook (David Johns)

19. Green Book (Josie Faix)
20. Trust & Estate Practice Support Committee (Jessica Hazleton)
21. The Colorado Lawyer (Emily Bowman & David Kirch)
22. Communications Representative/Ambassador Program (Lindsay Andrew)
23. Board of Governors Representative (Jonathan Haskell)
24. Miscellaneous/FYI
25. Adjournment

**Council of the Trust and Estate Section of the Colorado Bar Association  
Minutes of the December 1, 2021, Meeting**

Council met on Wednesday, December 1, 2021 in person and via audio-conference due to the ongoing COVID 19 pandemic. The meeting was called to order at approximately 3:24 p.m. by Tim Bounds, Chair.

The following member of Council participated by Zoom/phone or in-person and constituted a quorum:

In attendance were:

Tim Bounds, Chair  
Molly Zwerdlinger, Vice Chair  
Lauren da Cunha, Secretary  
Georgine Kryda (2<sup>nd</sup> year member), Tax Section Liaison  
Amy Symons (2<sup>nd</sup> year member)  
Simon Tolbert (2<sup>nd</sup> year member)  
Marianne Luu-Chen (1<sup>st</sup> year member)  
Tristan Younghaus (1<sup>st</sup> year member)  
Kristin Piniero (1<sup>st</sup> year member)  
Spencer Crona, (Immediate Past Chair)

Also in attendance were:

Amy Larson, CBA Executive Director  
Joi Kush, CBA President  
Andy White, CBA Legislative Liaison  
Emma Baxter, CBA Staff  
Chad Rounds  
Darla Daniel  
Kristin Dittus  
Marc Summers  
Hayley Lambourn  
Kim Willoughby  
Suzanne Nelson

**1. Approval of Minutes of Prior Meeting**

The minutes were approved unanimously.

**2. Chair's Report (Tim Bounds)**

**a Amy Larson, CBA Executive Director and Joi Kush, CBA President**

Joi's emphasis as CBA President has been on engaging all members across the state. Everyone has been going through a lot this year, with the pandemic and the resulting isolation. The best way to connect with people, colleagues or clients, is with story-telling; explaining who you are as a person rather than what you do for a living. We

need to connect in a more meaningful way in order to move forward and work on a common goal.

Amy and the rest of the CBA team are having daily discussions on how to deal with the technology needs of the moment. CBA membership has been steady, and in fact, people who had left the CBA are coming back now. Huge thank you for your leadership in the section, it is invaluable and has a positive impact on the community at large. Special thanks to Molly Zwerdinger for her presentation at the ABA Conference and all of Darla Daniel's hard work. The Section's presence is everywhere. There is an open invitation for leadership positions within the Bar Association at large. Information is on the CBA website. There is also information on the website about Presidential appointments; if interested reach out to Joi at 719-47-4034 or [joi@johnsonkush.com](mailto:joi@johnsonkush.com).

The CBA is in the process of reviewing a draft bill from Representative Ransom. This is a working group between Disability Law and Elder Law focusing on this. Not overly optimistic that we will find common ground and the it will likely be an uphill climb for the bill to pass out of it's first legislative committee.

#### **b Regular Report and Administrative Matters**

In January, Tim will be sending an email out regarding nominations for first year Council Members and the Executive Council slate. If your section or subcommittee has a budget request, please reach out to Lauren da Cunha, [lauren.dacunha@jpmorgan.com](mailto:lauren.dacunha@jpmorgan.com), as soon as possible.

### **3. Secretary/Treasurer Report (Lauren da Cunha)**

Due to when our meetings are held and when the CBA can run a final report for the month, our financial reports run a month behind.

### **4. Tax Section Liaison (Georgine M. Kryda)**

No report.

### **5. Elder Law Section Liaison (Patrick Thiessen)**

No report.

### **6. Real Estate Section Liaison (Chad Rounds)**

Memo was provided to members. Two real estate attorneys want to be added to the subcommittee on beneficiary deeds, chaired by Carl Stevens. Darla will send Carl Steven's email to Chad and Chad will send on the names to Carl.

### **7. Family Law Section Liaison (Kim Willoughby)**

No report.

**8. Statutory Revisions Committee (Dylan Metzner)**

Reviewed and approved revisions to UPC 2019 provisions. It passed mostly how it was submitted with two amendments. One was to correct a typo and the other was to revise the title of 15-11-113 for clarification purposes. The Colorado Uniform Law Commission meets Friday and Darla would like to present a final version approved by Executive Council.

Motion to approve UPC 2019 provisions as approved by SRC was moved and seconded. The motion passed unanimously.

**9. Legislative Liaison (Stephen M. Brainerd & Darla Daniel)**

No report; turning over time to Andy White.

**10. Legislative Update (Andy White)**

Legislative Session begins Jan 12. Legislators are finalizing the topics of their first three, of five, bills. We will be presenting at the Commission for Uniform State Laws on the CBA's recommended changes to the 2019 UPC provisions this Friday. Legislative training for Legislative Liaisons will be on December 10 and will be recorded if other people are interested in watching.

**11. Council Notes (Kristin Dittus)**

Dr. Mosby Tyler is writing an article for December. If you have anything to include, please reach out to Kristin.

**12. Continuing Legal Education & Estate Planning Retreat (Molly Zwerdlinger)**

Lunches are planned through May. Still working through the retreat, which will be hybrid this year. It will still be a 2 day retreat with the virtual option only available for Day 1 (Friday). Day 2 will be in person only. The retreat will be in Beaver Creek on June 16-18.

The Spring Update will focus on insolvent estates.

**13. Orange Book Forms Committee (Hayley Lambourn)**

Still working on trust director language.

**14. Rules & Forms Committee (Gordon Williams)**

No report.

**15. Civic & Community Affairs (Sandra Sigler)**

No report.

**16. Equity, Diversity & Inclusivity Committee (Tristan Younghaus)**

Reminder that Council Members are members of the EDI committee. The EDI committee and Council Officers are committed to reaching out to diverse section members and to that end, a spreadsheet will go out breaking down who to call. The leadership application is not yet ready for distribution, but if someone you talk to is interested, reach out to Amy Symons to connect with them.

The Committee has also been working on an update to the Section's website to reduce the difficulty in finding the EDI links and to place more emphasis on EDI on the website. Presentation is attached. Motion to move the Equity, Diversity & Inclusivity links under the Navigation tab to make them more visible was moved and seconded with an amendment that EDI be spelled out as Equity, Diversity & Inclusivity. The motion passed unanimously.

**17. Probate Trial & Procedures Committee (Marcie McMinimee & Lindsay Andrew)**

Their annual holiday event is tonight at the University Club from 4:30-6:30 pm. They are continuing to look at probate bench book as well as HCPF regulations.

**18. Colorado Estate Planning Handbook (David Johns)**

No report.

**19. Green Book (Josie Faix)**

No report.

**20. New T&E Practice Support Committee (Jennifer Hazelton)**

Guest speaker this month.

**21. The Colorado Lawyer (Emily Bowman & David Kirch)**

Article on Trustee's duties in the most recent Colorado Lawyer.

**22. Communications Representative & Ambassador Coordinator (Lindsey Andrew)**

No report. No additional requests for ambassadors.

**23. Board of Governors Representative (Jonathan Haskell)**

Meeting this Friday, Dec 3. Will have a report at the January meeting.

**24. Other Business**

Be on the lookout for email from Tim regarding nominations.

**ADJOURNMENT**

The meeting was adjourned at 4:11 p.m. The next Council meeting will be held in January 2022.

Respectfully submitted

/s/ Lauren da Cunha, Secretary

# EDI Subcommittee CBA Trust & Estate Section Website Update

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Simon Tolbert 12/1/2021

# Background for Updating Website

- Problem
  - Current Website is fine but navigating to links is difficult to find
  - Current Website does not emphasize importance of EDI
- Goals
  - Increase access to EDI Weblinks
  - Increase visibility of T&E effort

# Current Landing Page

Home > For Members > CBA Sections > Trust & Estate

## Trust & Estate Section

The Trust & Estate Section addresses the interests and problems of both specialists and general practitioners in the area of wills, trusts, estates, guardianships and conservatorships. Members can always find a place on one of the Section's many active committees, including the planning and preparation of CLE programming, writing for Council Notes (quarterly newsletter for members), preparing forms for the Orange Book (wills and trusts), writing for the Estate and Trust column in The Colorado Lawyer, working on legislative issues and changes in the Statutory Revisions Committee and its many subcommittees, addressing issues relating to probate rules and procedure, giving back to the community through Senior Law Day and other projects of the Civic and Community Affairs Committee, or growing your network and learning with our New Lawyers Committee. Members of the Section work closely with the CBA's Elder Law Section in areas of mutual concern and also hold topical luncheons and regularly work with the Tax, Real Estate, Business and Family Law Sections.

### Council Notes



#### In the Fall 2020 issue:

- Message from the Chair
- The New Engagement and Non-Engagement/Termination Letter Orange Book Forms



#### CBA Community

Login with your CBA member info to access the Trust & Estate Online Community.

### Navigation

COMMITTEES

FIRST WEDNESDAY

EXECUTIVE COUNCIL

LEADERSHIP

COUNCIL NOTES

BYLAWS

### Additional Info

COLORADO RULES OF PROBATE  
PROCEDURE  
Effective Sept 1, 2018

ETHICS PRACTICE AREA  
ADVISORY

EVENTS & HOMESTUDIES

COMMUNITY BASICS  
PRESENTATIONS

R. STERLING AMBLER AWARD  
NOMINATION

# Current Committees Page

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## Trust & Estate Section

🏠 > For Members > CBA Sections > Trust & Estate > Committees

### Trust & Estate Section Committees

CIVIC AND COMMUNITY AFFAIRS COMMITTEE

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T&E EDI COMMITTEE

---

NEW T&E LAWYERS COMMITTEE

---

ORANGE BOOK FORMS COMMITTEE

---

PROBATE TRIAL AND PROCEDURE COMMITTEE (LITIGATION)

---

RULES & FORMS COMMITTEE

---

STATUTORY REVISIONS COMMITTEE

---

UFIPA

---

UNIFORM TRUST CODE SUBCOMMITTEE

---

ELECTRONIC WILLS

---

OBFC CUTC REVISIONS SUBCOMMITTEE

# Current D&I Committee Page

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## Trust & Estate Section

Home > For Members > CBA Sections > Trust & Estate > Committees > Diversity And Inclusion Committee

### Diversity and Inclusion Committee

#### Mission Statement

The Diversity & Inclusion Subcommittee is dedicated to promoting full and equal participation in the Trust & Estate Section of the CBA by all attorneys and law students, including those historically under-represented groups such as women, racial and ethnic minorities, persons with disabilities, and lesbian, gay, bi-sexual, and transgender persons.

- ▶ Contact Info
- ▶ Our Work
- ▶ Meeting Time and Place
- ▶ Links

#### Additional Info

GUARDIAN AD LITEM

AUGUST 7, 2019

#### Meeting Materials

AUGUST 7, 2019

About Us  
Membership  
For Lawyers  
Young Lawyers Division  
Volunteer  
Classifieds  
Social Media Policy and User Agreement  
Privacy Policy

Calendar  
For the Public  
From the Courts

📞 LICENSED LAWYER    🏠 JOIN CBA    🏠 CLE HOME    📞 SIMON TOLBERT    🚪 LOGOUT    ✉️ CONTACT

## Estate Section

The Estate Section addresses the interests and problems of both specialists and practitioners in the area of wills, trusts, estates, guardianships and conservatorships. Members can always find a place on one of the Section's many active committees, including the planning and preparation of CLE programming, writing for Council Notes (quarterly newsletter for members), preparing forms for the Orange Book (wills and trusts), writing for the Estate and Trust column in The Colorado Lawyer, working on legislative issues and changes in the Statutory Revisions Committee and its many subcommittees, addressing issues relating to probate rules and procedure, giving back to the community through Senior Law Day and other projects of the Civic and Community Affairs Committee, or growing your network and learning with our New Lawyers Committee. Members of the Section work closely with the CBA's Elder Law Section in areas of mutual concern and also hold topical luncheons and regularly work with the Tax, Real Estate, Business and Family Law Sections.

### Council Notes



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- The New Engagement and Non-Engagement/Termination Letter Orange Book Forms



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### Navigation

- COMMITTEES
- FIRST WEDNESDAY
- EXECUTIVE COUNCIL
- LEADERSHIP
- COUNCIL NOTES
- BYLAWS

### Additional Info

- COLORADO RULES OF PROBATE PROCEDURE  
Effective Sept 1, 2018
- ETHICS PRACTICE AREA ADVISORY
- EVENTS & HOMESTUDIES
- COMMUNITY BASICS PRESENTATIONS
- R. STERLING AMBLER AWARD NOMINATION

# Red Arrow Proposal

- 1 - Move the EDI Links “front and center” under the “Committees” Section on the First Landing Page;
- 2 – Shows the importance of doing the links, and makes it easier to find.

# NEXT STEPS

- 1) Vote on Plan, or alternate(s)
- 2) Give Simon links to share
- 3) Simon will coordinate with Website Update on CBA side

Colorado Bar Association  
**Trust & Estate**  
 For the Five Months Ending November 30, 2021

		November	YTD	Budget	Variance	%	Last FY
<b>Beginning balance</b>	<b>01-3160-31600</b>		<b>\$38,466.81</b>		<b>\$38,466.81</b>	<b>0%</b>	<b>\$28,848.32</b>
<b>Trust &amp; Estate Section</b>							
<b>Revenue</b>							
Dues Income Section	01-4050-31600	180.00	32,385.00		32,385.00	0%	32,775.00
<b>Total Revenue Trust &amp; Estate Sect</b>		<b>180.00</b>	<b>32,385.00</b>		<b>32,385.00</b>	<b>0%</b>	<b>32,775.00</b>
<b>Expenses</b>							
Internet/E-Mail Access	01-5413-31600					0%	(356.51)
Meals (Not travel related)	01-5491-31600	(4,920.84)	(5,103.70)		(5,103.70)	0%	
Administration Fee	01-5494-31600	(1,077.96)	(5,389.80)		(5,389.80)	0%	(5,100.00)
<b>Total Expenses Trust &amp; Estate Sec</b>		<b>(5,998.80)</b>	<b>(10,493.50)</b>		<b>(10,493.50)</b>	<b>0%</b>	<b>(5,456.51)</b>
<b>Statutory Revisions Committee</b>							
<b>Revenue</b>							
<b>Rev. Elderlaw Joint Task Force</b>							
<b>Rev. Uninform POA Act</b>							
<b>Rev. Uniform Trust Code</b>							
<b>Expenses</b>							
<b>Exp. Elderlaw Joint Task Force</b>							
<b>Exp. Uninform POA Act</b>							
<b>Exp. Uniform Trust Code</b>							
<b>CLE</b>							
<b>Revenue</b>							
<b>Revenue Joint CLE</b>							
<b>Revenue CLE Retreat</b>							
<b>Revenue CLE Section Only</b>							

Colorado Bar Association  
**Trust & Estate**  
 For the Five Months Ending November 30, 2021

	November	YTD	Budget	Variance	%	Last FY
<b>Expenses</b>						
<b>Expenses Joint CLE</b>						
<b>Expenses CLE Retreat</b>						
<b>Expenses CLE Section Only</b>						
<b>Council Notes</b>						
<b>Revenue</b>						
<b>Expenses</b>						
<b>Community &amp; Civic Affairs</b>						
<b>Revenue</b>						
<b>Expenses</b>						
<b>Rules &amp; Forms Committee</b>						
<b>Revenue</b>						
<b>Expenses</b>						
<b>Orange Book Forms</b>						
<b>Revenue</b>						
<b>Expenses</b>						
<b>Local Liaison</b>						
<b>Revenue</b>						
<b>Expenses</b>						
<b>Uniform Trust Code</b>						
<b>Revenue</b>						
<b>Expenses</b>						
<b>Transfer Deposits</b>						
<b>Revenue</b>						

Colorado Bar Association  
**Trust & Estate**  
 For the Five Months Ending November 30, 2021

	November	YTD	Budget	Variance	%	Last FY
<b>Expenses</b>						
<b>Admin. Chair</b>						
Revenue						
<b>Expenses</b>						
<b>Estate Planning Handbook</b>						
Revenue						
<b>Expenses</b>						
<b>Admin Council Dinner</b>						
Revenue						
<b>Expenses</b>						
<b>Legislative Liaison</b>						
Revenue						
<b>Expenses</b>						
<b>Internet Editor</b>						
Revenue						
<b>Expenses</b>						
<b>Technology Committee</b>						
Revenue						
<b>Expenses</b>						
<b>Real Estate Liaison</b>						
Revenue						
<b>Expenses</b>						
<b>Green Book</b>						
Revenue						
<b>Expenses</b>						

Colorado Bar Association  
**Trust & Estate**  
 For the Five Months Ending November 30, 2021

		November	YTD	Budget	Variance	%	Last FY
<b>The Colorado Lawyer</b>							
Revenue							
Expenses							
<b>T&amp;E Diversity Committee</b>							
Revenue							
Expenses							
<b>Judicial Liaison</b>							
Revenue							
Expenses							
<b>Member Vouchers</b>							
Expenses							
<b>T&amp;E Young Lawyer Society</b>							
Revenue							
Expenses							
<b>Beginning Balance</b>	<b>01-3160-31600</b>		<b>\$38,466.81</b>		<b>\$38,466.81</b>	<b>0%</b>	<b>\$28,848.32</b>
<b>Total Revenue All Sources</b>	<b>01-4???-316??</b>	<b>180.00</b>	<b>32,385.00</b>		<b>32,385.00</b>	<b>0%</b>	<b>32,775.00</b>
<b>Total Expense All Sources</b>	<b>01-5???-316??</b>	<b>(5,998.80)</b>	<b>(10,493.50)</b>		<b>(10,493.50)</b>	<b>0%</b>	<b>(5,456.51)</b>
<b>Ending Balance</b>		<b>(5,818.80)</b>	<b>60,358.31</b>		<b>60,358.31</b>	<b>0%</b>	<b>56,166.81</b>