

Colorado Bar Association  
**Trust & Estate Summary**  
 For the Eight Months Ending February 28, 2021

	February	YTD	Budget	Variance	%	Last FY
Beginning balance	01-3160-31600	\$28,848.32		\$28,848.32	0%	\$22,262.87
<b>Trust &amp; Estate Section- General</b>						
Revenue	01-4???-31600	330.00	33,480.00	33,480.00	0%	32,190.00
Expenses	01-5???-31600	(7,270.00)	(14,766.51)	(14,766.51)	0%	(19,297.15)
<b>Statutory Revisions Committee</b>						
Expenses	015???3160...		(1,000.00)	1,000.00	0%	
<b>CLE</b>						
Expenses	015???3161...		(6,250.00)	6,250.00	0%	
<b>Council Notes</b>						
<b>Community &amp; Civic Affairs</b>						
Expenses	01-5???-31613		(2,750.00)	2,750.00	0%	
<b>Rules &amp; Forms Committee</b>						
<b>Orange Book Forms</b>						
Expenses	01-5???-31607		(500.00)	500.00	0%	
<b>Local Liaison</b>						
<b>Uniform Trust Code</b>						
<b>Admin. Chair</b>						
<b>Estate Planning Handbook</b>						
<b>Admin Council Dinner</b>						
Revenue	01-4???-31612				0%	1,480.00
Expenses	01-5???-31612		(4,500.00)	4,500.00	0%	(5,198.20)
<b>Legislative Liaison</b>						
<b>Internet Editor</b>						
<b>Technology Committee</b>						
<b>Real Estate Liaison</b>						
<b>Green Book</b>						
<b>The Colorado Lawyer</b>						
<b>Diversity Committee</b>						
Expenses	01-5???-31628		(1,000.00)	1,000.00	0%	
<b>Judicial Liaison</b>						
<b>Member Vouchers</b>						
<b>Uniform Trust Code</b>						
<b>Transfer Deposit</b>						
<b>Young Lawyer Society</b>						
Expenses	01-5???-31629				0%	(371.30)
Beginning Balance	01-3160-31600		28,848.32	28,848.32	0%	22,262.87
Total Revenue All Sources	01-4???-316??	330.00	33,480.00	33,480.00	0%	33,670.00
Total Expenses All Sources	01-5???-316??	(7,270.00)	(14,766.51)	(16,000.00)	92%	(24,866.65)
Ending Balance		(6,940.00)	47,561.81	(16,000.00)	-297%	31,066.22

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<b>Beginning balance</b>	<b>01-3160-31600</b>		<b>\$28,848.32</b>		<b>\$28,848.32</b>	<b>0%</b>	<b>\$22,262.87</b>
<b>Trust &amp; Estate Section</b>							
<b>Revenue</b>							
Dues Income Section	01-4050-31600	330.00	33,480.00		33,480.00	0%	32,190.00
<b>Total Revenue Trust &amp; Estate Sect</b>		<b>330.00</b>	<b>33,480.00</b>		<b>33,480.00</b>	<b>0%</b>	<b>32,190.00</b>
<b>Expenses</b>							
AWARDS	01-5007-31600					0%	(338.94)
Travel	01-5102-31600					0%	(60.44)
Postage	01-5304-31600					0%	(0.50)
Internet/E-Mail Access	01-5413-31600		(356.51)		(356.51)	0%	(544.99)
Meals (Not travel related)	01-5491-31600					0%	(4,318.92)
Administration Fee	01-5494-31600	(1,020.00)	(8,160.00)		(8,160.00)	0%	(4,033.36)
Grants/Contributions	01-5500-31600	(6,250.00)	(6,250.00)		(6,250.00)	0%	(10,000.00)
<b>Total Expenses Trust &amp; Estate Sec</b>		<b>(7,270.00)</b>	<b>(14,766.51)</b>		<b>(14,766.51)</b>	<b>0%</b>	<b>(19,297.15)</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>							
Other Expense	01-5000-31603			(1,000.00)	1,000.00	0%	
<b>Exp. Elderlaw Joint Task Force</b>							
<b>Exp. Uninform POA Act</b>							
<b>Exp. Uniform Trust Code</b>							
<b>Total Expenses Statutory Revisio</b>				<b>(1,000.00)</b>	<b>1,000.00</b>	<b>0%</b>	
<b>CLE</b>							
<b>Revenue</b>							
<b>Revenue Joint CLE</b>							

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	February	YTD	Budget	Variance	%	Last FY
<b>Revenue CLE Retreat</b>						
<b>Revenue CLE Section Only</b>						
<b>Expenses</b>						
Other Expense                      01-5000-31611			(\$6,250.00)	\$6,250.00	0%	
<b>Expenses Joint CLE</b>						
<b>Expenses CLE Retreat</b>						
<b>Expenses CLE Section Only</b>						
<b>Total Expenses CLE</b>			<b>(6,250.00)</b>	<b>6,250.00</b>	<b>0%</b>	
<b>Council Notes</b>						
<b>Revenue</b>						
<b>Expenses</b>						
<b>Community &amp; Civic Affairs</b>						
<b>Revenue</b>						
<b>Expenses</b>						
Other Expense                      01-5000-31613			(2,750.00)	2,750.00	0%	
<b>Total Expenses Community &amp; Civi</b>			<b>(2,750.00)</b>	<b>2,750.00</b>	<b>0%</b>	
<b>Rules &amp; Forms Committee</b>						
<b>Revenue</b>						
<b>Expenses</b>						
<b>Orange Book Forms</b>						
<b>Revenue</b>						
<b>Expenses</b>						
Other Expense                      01-5000-31607			(500.00)	500.00	0%	
<b>Total Expenses Orange Book For</b>			<b>(500.00)</b>	<b>500.00</b>	<b>0%</b>	
<b>Local Liaison</b>						
<b>Revenue</b>						

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	February	YTD	Budget	Variance	%	Last FY
<b>Expenses</b>						
<b>Uniform Trust Code</b>						
Revenue						
Expenses						
<b>Transfer Deposits</b>						
Revenue						
Expenses						
<b>Admin. Chair</b>						
Revenue						
Expenses						
<b>Estate Planning Handbook</b>						
Revenue						
Expenses						
<b>Admin Council Dinner</b>						
Revenue						
Meal Income	01-4051-31612				0%	\$1,480.00
<b>Total Revenue Admin Council Din</b>					<b>0%</b>	<b>1,480.00</b>
Expenses						
Other Expense	01-5000-31612		(4,500.00)	4,500.00	0%	
Travel	01-5102-31612				0%	(25.00)
Meals (Not travel related)	01-5491-31612				0%	(5,173.20)
<b>Total Expenses Admin Council Di</b>			<b>(4,500.00)</b>	<b>4,500.00</b>	<b>0%</b>	<b>(5,198.20)</b>
<b>Legislative Liaison</b>						
Revenue						
Expenses						
<b>Internet Editor</b>						
Revenue						

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	February	YTD	Budget	Variance	%	Last FY
<b>Expenses</b>						
<b>Technology Committee</b>						
Revenue						
Expenses						
<b>Real Estate Liaison</b>						
Revenue						
Expenses						
<b>Green Book</b>						
Revenue						
Expenses						
<b>The Colorado Lawyer</b>						
Revenue						
Expenses						
<b>T&amp;E Diversity Committee</b>						
Revenue						
Expenses						
Other Expense	01-5000-31628		(\$1,000.00)	\$1,000.00	0%	
<b>Total Expenses Diverstiy Comm.</b>			<b>(1,000.00)</b>	<b>1,000.00</b>	<b>0%</b>	
Judicial Liaison						
Revenue						
Expenses						
<b>Member Vouchers</b>						
Expenses						
<b>T&amp;E Young Lawyer Society</b>						
Revenue						
Expenses						
Meals (Not travel related)	01-5491-31629				0%	(371.30)

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**Trust & Estate**  
 For the Eight Months Ending February 28, 2021

		February	YTD	Budget	Variance	%	Last FY
<b>Total Expenses T7E YLS</b>						<b>0%</b>	<b>(\$371.30)</b>
<b>Beginning Balance</b>	<b>01-3160-31600</b>		<b>28,848.32</b>		<b>28,848.32</b>	<b>0%</b>	<b>22,262.87</b>
<b>Total Revenue All Sources</b>	<b>01-4???-316??</b>	<b>330.00</b>	<b>33,480.00</b>		<b>33,480.00</b>	<b>0%</b>	<b>33,670.00</b>
<b>Total Expense All Sources</b>	<b>01-5???-316??</b>	<b>(7,270.00)</b>	<b>(14,766.51)</b>	<b>(16,000.00)</b>	<b>1,233.49</b>	<b>92%</b>	<b>(24,866.65)</b>
<b>Ending Balance</b>		<b>(6,940.00)</b>	<b>47,561.81</b>	<b>(16,000.00)</b>	<b>63,561.81</b>	<b>-297%</b>	<b>31,066.22</b>

**Council of the Trust and Estate Section of the Colorado Bar Association  
Minutes of March 3, 2021, Meeting**

Council met on Wednesday, March 3, 2021 via audio-visual conference due to the ongoing COVID19 situation. The meeting was called to order at approximately 3:16p.m. by Spencer Crona, Chair.

The following members of Council participated by Zoom/phone and constituted a quorum:

Spencer Crona, Chair  
Tim Bounds, Vice Chair  
Molly Zwerdinger, Secretary  
Charles Spence (2<sup>nd</sup> year member)  
Georgine Kryda (1<sup>st</sup> year member), Tax Section Liaison  
Amy Symons (1<sup>st</sup> year member)  
Simon Tolbert (1<sup>st</sup> year member)

Also in attendance were:

Andy White, CBA Legislative Liaison  
Katie Roberts, CBA Staff  
Lauren Da Cunha  
Kristin Dittus  
Jonathan Haskell  
Louisa Ritsick  
Leia Ursery  
David Kirch  
Chad Rounds  
Darla Daniel  
Melissa Schwartz  
Patrick Thiessen  
Kim Willoughby  
Gregory Clifton  
Jennifer Hazelton

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

The Minutes of the February 3, 2021, Council meeting were approved unanimously.

**2. Chair's Report (Spencer Crona)**

Two bills have been brought before elder law and the legislature. Spencer questions why they have not been brought to T&E section attention. Leaving details to reports of others later in meeting. Mr. Clifton is joining panel for the first time. Melissa introduced him (attorney and professor).

**3. Secretary/Treasurer Report (Molly Zwerdinger)**

No updates.

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

No report. Had a good presentation from Larimer County Bar Assc. Now working with El Paso Bar for tax related CLEs.

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

Elder Law retreat may be test run for in-person retreat. Electronic conservator report training is coming up. Medicaid recovery CLE was presented by HMS.

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

Memo was provided to members. No additional report.

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

UPA – surrogacy piece is the only one left and is moving forward. Colorado Supreme Court came down with two cases: Marriage of Blane and Marriage of Zander (these are estate planning focused family law cases). Jamie Roth working on summary of these for Council Notes.

**8. Statutory Revisions Committee (Lauren Da Cunha)**

CUTC Part 5 introduced as SB 152 and UFIPA as SB 171. UPC updates should be ready to go by May. Electronic Wills change to correct Article is going to be submitted to sponsors. Gordon Williams looking for suggestions to be emailed to him on ways to lodge electronic wills.

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

UFIPA and CUTC Part 5 have bill status. Supportive decision making bill is going to have narrow changes to probate code. Bill likely going to pass regarding Colorado Unclaimed Property Act making a few small changes.

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

HB 1136 – just introduced – request by state judicial to bring in retired judges to fill backlog and meet needs of dockets.

CUTC Part 5 and UFIPA are bill status and will be on backend of schedule.

Advanced directives execution – needed to seek additional approval from legislative leadership and did receive it.

Uniform Unclaimed Property Act moving forward – supported by Colorado Bankers Assc.

Two bills as they relate to at risk adults (CBA has no position yet):

1. HB 1123 – result of an audit of DHS and APS division – recommendation was a way to improve a line of communication between findings of APS and the courts – Elder Law has identified a number of concerns and suggest amending the Bill.
2. SB 75 Supportive Decision Making – proposed by disability rights organizations – Elder Law has identified concerns – there are concerns and questions regarding notice and impaired fiduciary duty – first committee hearing is coming up.

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

Articles by Bill Schmidt and Georgine Kryda coming up. Call for nominations for executive council will be included but will be the same day as nominations are due.

**12. Continuing Legal Education & Estate Planning Retreat (Tim Bounds)**

Agenda for Retreat has been finalized. Details have come via email. Retreat will be virtual so sign-up online is the only way to register. Proposed a postcard to remind members that the only registration is online. Working with software platform to address issues that previously occurred. Spring Update is March 10<sup>th</sup>. Topics will be focused on Medicaid for estate planners. Program for lunch is set for April. In May there will be no lunch and learn. Going to fill in the lunch and learns for the fall.

**13. Orange Book Forms Committee (Lisa Hardin)**

There was no report.

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

There was no report.

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

There was no report.

**16. Equity, Diversity & Inclusivity Committee (Melissa Schwartz)**

Committee meeting canceled. Outreach to diverse members has gone well. Been able to get more members interested in involvement. Working on ideas for providing scholarship to diverse member and student. Good article in Colorado Lawyer by Ryan Peyton. Looking for more ambassadors.

**17. Probate Trial & Procedures Committee (Kathy Seidel & Norv Brasch):**

There was no report.

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

There was no report.

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

There was no report.

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

Jennifer said monthly calls are limited due to COVID. Mark Masters helped with practice development during COVID. Dylan Metzner is walking members through incapacity planning. A few new people keep coming each month.

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

There is more interest in people wanting to draft articles. Herb Tucker will draft one on E-wills. Working with Bill Schmidt on future practice of T&E law. Kim Willoughby may do an article case law update on new cases that deal with estate planning and marital agreements. There may be additional articles on common law same sex marriages.

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

There was no report. There have been more ambassadors recently.

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

There was no update from last month.

**24. Other Business**

None.

**ADJOURNMENT**

The meeting was adjourned at 4:23p.m. The next Council meeting will be held in April 2021.

Respectfully submitted

/s/ Molly T. Zwerdinger, Secretary

**KIRCH ROUNDS BOWMAN & DEFFENBAUGH PC**  
MEMORANDUM

**TO:** CBA Council of the Trust and Estate Section

**FROM:** Chad Rounds

**RE:** Summary of 03/16/21 CBA Real Estate Section Council Meeting

**DATE:** 03/17/21

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I attended the CBA Real Estate Section Council ("RESC") meeting on 03/16/21. It was conducted on Zoom. The following is my report on matters addressed which the CBA Trust and Estate Section Council ("TESC") might find of interest:

RESC is busy with reviewing proposed legislation affecting real estate.

There is concern about tenant rights bills drastically changing the established landlord tenant legal framework. For example, the right to a jury trial in an eviction proceeding would add additional strain on the judiciary.

RESC wants to make sure SB21-143 is narrowed to only affect family law practice. This legislation would regulate attorneys and could conflict with the Colorado Rules of Professional Conduct. There is general pushback against the Colorado legislature directly regulating how attorneys practice law.

Legislation (SB21-160) has been proposed to revise laws regulating special districts and their boards.

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

**Notice of and Agenda for the April 7, 2021 Meeting**

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

From: Molly T. Zwerdinger  
Secretary/Treasurer  
1901 W. Littleton Blvd.  
Littleton, CO 80120  
(303) 798-2525  
Mzwerdinger@m-s-lawyers.com

**Notice of Meeting**

The next monthly meeting of the 2020-2021 Council of the Trust and Estate Section of the Colorado Bar Association will be held:

Date and time: ***Wednesday, April 7, 2021, 3:15 p.m.***  
Place: ***THIS MEETING WILL BE CALL-IN ONLY DUE TO COVID 19***

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**Call-In Instructions**

Call-in instructions are as follows: 1.425.436.6390  
Access Code: 420360

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**Minutes of Previous Meeting, Financial Reports & Attachments**

1. Minutes of the March 3, 2021 meeting of the Council
2. Financial spreadsheets as of February 28, 2021
3. Memorandum from CBA Real Estate Section Council Meeting

**Trust and Estate Section Council Agenda**  
**April 7, 2021**

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 March 3, 2021, meeting of the Council
2. Chair's Report and Administrative Matters (Spencer Crona)
3. Secretary/Treasurer's report (Molly Zwerdinger)
4. Tax Section Liaison (Georgine M. Kryda)
5. Elder Law Section Liaison (Patrick Thiessen)
6. Real Estate Section Liaison (Chad Rounds)
7. Family Law Section Liaison (Kim Willoughby)
8. Statutory Revisions Committee (Lauren DaCunha)
9. Legislative Liaison (Darla Daniel & Steve Brainerd)
10. Council Notes (Kristin Dittus)
11. CLE/Estate Planning Retreat (Tim Bounds)
12. Orange Book Forms Committee (Lisa Hardin)
13. Rules and Forms Committee (Gordon Williams)
14. Civic and Community Affairs Joint Committee of the Elder Law Section (Sandra Sigler)
15. Equity, Diversity, and Inclusivity Committee (Melissa Schwartz)
16. Probate Trial and Procedures Committee (Kathy Seidel & Norv Brasch)
17. Colorado Estate Planning Handbook (David Johns)
18. Green Book (Josie Faix)
19. Trust & Estate Practice Support Committee (Jennifer Hazelton & William Ellison)
20. The Colorado Lawyer (Emily Bowman)

21. Communications Representative/Ambassador Program (Lindsay Andrew)

22. Board of Governors Representative (Jonathan Haskell)

23. Miscellaneous/FYI

24. Adjournment