
The MESSENGER

Larimer County Bar Association

June 2008

PRESIDENT'S MESSAGE

Summertime and the livin' is easy. Lazy evenings. Porch time. Tall tumblers of iced tea sporting a sprig or two of mint. Brushing up on those Bocce ball rules.

Alright, alright, so maybe your summer is moving at a more accelerated pace. Whatever your pace, I hope it's a pace of choice and a rewarding one. I also hope it includes the Larimer County Bar Association Term Day Island Party. The party is being held a bit earlier this year (August 22) to allow for the full array of warm weather water and social activities. The details, as well as an event registration form, are inside this issue. Thanks to Meg Brown for spearheading the Island Party. Her event organizational energy is unparalleled.

Assuming everyone recovers from the Island Party, the Fall Term Day itself will be held on Friday, September 5. The day will begin with coffee, tea, juice and the usual repast of fine pastries from 8:00 a.m. to 9:00 a.m. at the Justice Center, followed by our business meeting from 9:00 a.m. to 11:00 a.m. For those itching to get out on the links, David Johnson is organizing the Term Day golf tournament to be held that Friday afternoon at Harmony Club. The golf tournament details and registration form are also in this issue.

Updating you on the LCBA Pro Bono program, Larimer County lawyers do a terrific job of volunteering to staff the weekly intake sessions for qualifying low income persons (coordinated by our LCBA paralegal, Cindi Hendrix), as well as stepping up to accept those cases needing the active involvement of an attorney. The Fort Collins component of our Pro Bono program is now in the very capable hands of Avi Rocklin. Kudos to Avi for volunteering to take this on. For the past 20+ years, Loveland lawyer, Dwight Brummet and his assistant, Tina Thigpen, have run (and are continuing to run) the Loveland component of our Pro Bono program. That kind of double decade dedication is nothing short of remarkable. While Tina will continue coordinating the intake schedule for Loveland attorneys, we have expanded the services of our LCBA paralegal, Cindi, to handle referring cases in Loveland and Berthoud as well as in Fort Collins.

With regard to our Justice Center library, Ian McCargar and his merry band of Library Committee members have sold the last of the books and the

remaining computer terminals have been moved upstairs to Room 502. You will be able to access the full range of Westlaw legal research resources until the LCBA Westlaw subscription runs out in the Fall of 2009. So, what happened to those book sale proceeds? The first round of sales generated \$1,829 which has been donated to the Fort Collins office of Colorado Legal Services for their much needed purchase of new computers. The second round of sales generated about \$2,700. Your LCBA Executive Committee will be discussing the disposition of those proceeds at its July retreat.

Finally, let me touch on a few other LCBA good deeds:

- From the proceeds of this Spring's Ethics Seminar, \$1,000 college scholarships have been awarded to five Fort Collins and Loveland high school seniors who have expressed an interest in the law. Many thanks to Eric Sunness and the LCBA Professionalism Committee for putting together such a quality seminar year after year, and to the Scholarship Committee members (John Frey and Bill Beyers, with Ian McCargar sitting in ex officio) for distilling the numerous scholarship applications and identifying the most deserving recipients.
- In the wake of the devastation wrought by the May tornado disaster, Josh Zugish mobilized the Larimer County Young Lawyers for a special Call-A-Lawyer night on June 5 to field legal questions from victims.

Other tornado disaster relief volunteer opportunities still remain. As I mentioned in my late May email to you, FEMA has funded a toll-free hotline to answer law-related questions from those impacted by the tornado. Volunteer attorneys are needed to return the hotline calls. If you're interested in volunteering, please send your contact information to Erin Hickey at ehickey@geromeandhickey.com.

Enjoy your summer.

Dick Gast
LCBA President



**SAVE THE DATES – MARK YOUR CALENDARS
FALL TERM DAY**

Friday, August 22, 2008 – Island Party

Friday, September 5, 2008 – Business Meeting and Golf



Larimer County Bar Association Executive Committee 2008 - 2009

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Board of Governors - Representative

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(effective July 1, 2008)

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**LCBA Committees
2008 - 2009****Legal Aid**

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(970)308-3590 (cell)
E-mail: cindahendrix@yahoo.com

Young Lawyers - President

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E-mail: eric@northerncoloradolawyer.com

**BIG THANK YOU
TO THE YOUNG LAWYERS**

As some people know, the Young Lawyers Division of the Larimer County Bar Association came together on June 5, 2008 to respond to the Windsor Tornado Victims. Seven young lawyers were available to answer any legal questions that came in. I wanted to thank these young lawyers for responding to the need of our community. Thank you Tom Martin, Bill Cooney, Karin Troendle, Michael Krueger, Anne Haro Sipes, Josh Zugish and John Wells.

**Jennifer A. Stewart
Young Lawyers President**



Term Day Island Party

*Please join the
Larimer County Bar Association
for a Family Fun Event
Friday, August 22, 2008
5:00 p.m. - 10:00 p.m.*

Grab your favorite Island shirt and come enjoy an evening at the Island! Activities include swimming, volleyball, horseshoes, paddle boats and dancing.

*Dinner will be served around 6:30 p.m.
Dancing as the mood strikes.
Complimentary beer and wine will be available during the event.
Tips will be donated to Project Self-Sufficiency.*

*The party will go on come rain or shine!
Don't forget your swimsuits and towels.*

* Island Lake Marine and Sports is located at 5887 SW Frontage Road, Fort Collins, just North of the I-25 Windsor 262 exit along the West frontage road. The entrance to Island Lake is located on the North side of the lake on County Road 36.



Name: _____

Address: _____

Phone No: _____

_____ Adults X \$25 = \$ _____

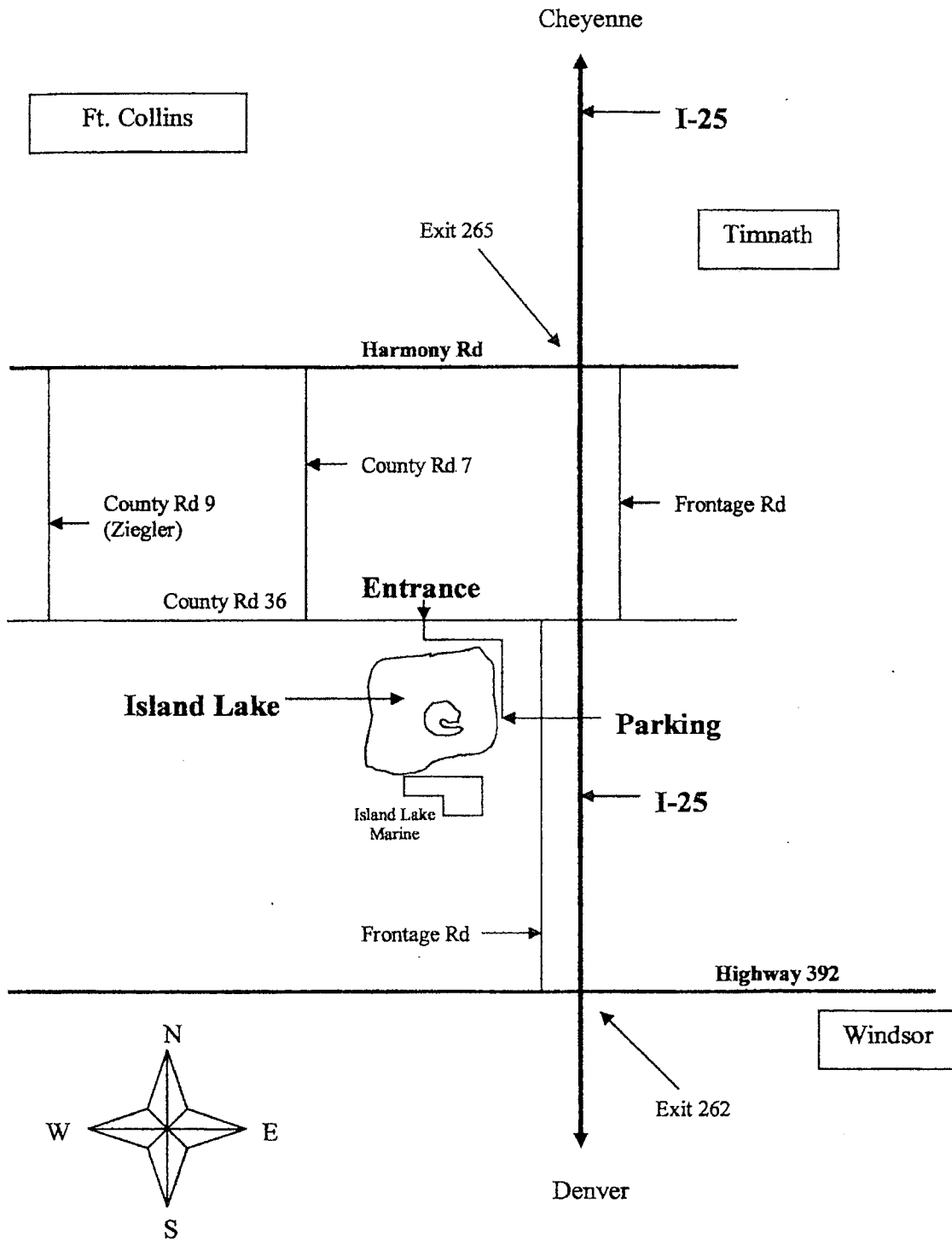
_____ Children (16 and under) X \$5 = \$ _____

Total Enclosed \$ _____

MAKE CHECKS PAYABLE TO LARIMER COUNTY BAR ASSOCIATION

Return To: Jamie Orstad at Fischer, Brown, Bartlett & Gunn, P.C., 1319 East Prospect Road, Fort Collins, Colorado 80525, 407-9000 or jamieorstad@fbgpc.com.

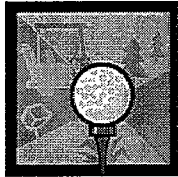
Deadline to register August 15, 2008



Enter North Side of Lake
Park on East Side
Wait For Pontoon Boat at dock



**FALL TERM DAY
SEPTEMBER 5, 2008
Golf Tournament at Harmony Club**



Tee times start at 11:30 a.m. Each team will consist of four players. The tournament format will be a best-ball scramble. Prizes will be awarded. David Johnson will contact you on September 5th with your tee time.



This year's tournament will be played at Harmony Club located at 4176 Club Drive, Timnath Colorado. We are fortunate to have the unique opportunity to play this private course.



Tee times are limited and cost is \$130.00 per player.



Registration for golf should be sent to:
David Johnson, 425 West Mulberry Street, Suite 112
Fort Collins, Colorado 80521, (970) 482-9770

Registration and payment must be received by August 28, 2008. (You can't wait to see what the weather is like).



Enclosed is my Term Day Golf Reservation for September 5, 2008 at Harmony Club

Name(s): _____

Phone No: _____ E-mail Address: _____

Preferred 4-some _____

Checks in the amount of \$130 per player made payable to Larimer County Bar Association

FALL TERM DAY Agenda

Friday, August 22, 2008

5:00 p.m. - 10:00 p.m.

Term Day Island Party

Family Fun Event at the Island. Grab your favorite Island shirt and come enjoy an evening at the Island! Activities include swimming, volleyball, horseshoes, paddle boats and dancing. Dinner will be served around 6:30 p.m. Send your check made payable to the LCBA in the amount of \$25/adults and \$5 child (16 and younger) to Jamie Orstad at 1319 East Prospect Road, Fort Collins, Colorado 80525, 407-9000.

Reservation deadline is August 15, 2008.

Friday, September 5, 2008

8:00 a.m. -9:00 a.m.

Coffee and donuts at the Justice Center second floor food court

9:00 a.m. - 11:00 a.m.

Business Meeting
in the Jury Assembly room.

11:30 a.m.

LCBA Term Day Golf

Harmony Club located at 4176 Club Drive, Timnath Colorado

Tee times will be assigned by David Johnson and he will contact you on September 5 of your tee time. Send your check in the amount of \$130 per player and reservation form to: David Johnson, 425 West Mulberry Street, Suite 112, Fort Collins, Colorado 80521, 482-9770.

Reservation deadline is August 28, 2008.



LARIMER COUNTY BAR ASSOCIATION WEBSITE UPDATE

Lisa Ritter is currently assisting us with updating the Larimer County Bar Association web site. Our site is a subsite on the web page of the Colorado Bar Association (cobar.org). We are currently working on updating the information posted for the Pro Bono Program and the Young Lawyers Division.

Although any address updates you may provide to the CBA will be changed in their master mailing list, members are responsible for updating the "Find-A-Lawyer" listing. Following is the process to update your CBA Online Directory listing:

All you need to do is log on to www.cobar.org using your CBA member number (found on your membership card) and password (by default your last name unless you've changed it) and once logged on, click the "My COBAR" button on the top-right of any page. On the My COBAR page you'll find a link to "[Change your listing in the CBA Online Membership Directory](#)" along with tabs to update your records with the bar, sign up for/unsubscribe from listservs, etc. Please remember that changing your information with the bar's membership department will not update your listing in the online membership directory.

Make sure to fill out all applicable fields in the directory so that you come up via the different search methods, for example, leaving "county" blank will leave you out of a search by city.

Be sure to update your areas of practice so that potential clients can find you from the "Find-A-Lawyer" search. This link is consistently in the top three for pages hit on the CBA site.

If you have any questions or difficulties updating your information, please call Lisa Ritter at 482-9770 or e-mail her at lritter@lswpc.com.



JUDICIAL NEWS AND UPDATES

(effective July 1, 2008)

Division	Judicial Officer	Telephone Number
Main/General Information		(970) 498-6100
1A	Magistrate Matthew R. Zehe	(970) 498-6203
2A	Magistrate John A. Jostad	(970) 498-6258
3A	Judge Stephen J. Schapanski	(970) 498-6210
3B	<u>Judge Gregory M. Lammons</u>	(970) 498-6216
3C	Judge Christine A. Carney	(970) 498-6213
3D	Magistrate Susan J. Winfield	(970) 498-6214
4A	Judge Dave Williams	(970) 498-6218
4B	Magistrate Mary Joan Berenato	(970) 498-6222
4C	<u>Judge Daniel J. Kaup</u>	(970) 498-6239
4D	Judge Ronald L. Schultz	(970) 498-6226
5A	<u>Judge Terence A. Gilmore</u>	(970) 498-6229
5B	<u>Judge James H. Hiatt</u>	(970) 498-6234
5C	<u>Judge Jolene C. Blair</u>	(970) 498-6244
5D	<u>Judge C. Edward Stirman</u>	(970) 498-6230
Small Claims	Magistrate Allen Schwartz	(970) 498-6128

Larimer County Court – Loveland

Division	Judicial Officer	Telephone Number
Main/General Information		(970) 679-4420
L1	Judge Peter E. Schoon, Jr.	(970) 679-4418
L2	<u>Judge Cynthia M. Hartman</u>	(970) 679-4404

<https://www.courts.state.co.us/main.cfm?webdiv=1653&top=8> This is the 8th Judicial District website that has numbers for the courts that include all the changes effective July 1, 2008

NEWS FROM CLERK'S OFFICE

1. All filing fees are going up as of July 1st. The web site is: www.courts.state.co.us. Go to "Today in our Courts" on the main page and click on the words "Filings Fees Increase of 7-1-08". This will take you to the fee chart. You can also get it by clicking "self help center" on the pillar on the left and then clicking on fees.
2. We are having an issue with the way parties are entered on e-filed case. No punctuation, including apostrophes, can be included in the name. I have included some instructions below. This was taken from the File & Serve Guide for Attorneys that is on LexisNexis. It might be helpful for attorneys to review this guide.

NOTE: When adding a new party, follow these simple rules:

- Do not include "The" in company names
- Use "&" instead of the word "and"
- Avoid punctuation in company names
- Always abbreviate Inc., Corp., Co.
- If you want to add aliases (dba's and aka's), add them as separate parties
- Place a space between parties with Initials in the name (i.e. A W Chesterson, A P Green, A I S Insurance)

3. HB08-1076 deals with copy fees for criminal justice records. This bill does not apply to the courts. Below is a memo that explains why.
4. HB08-1082 allows for the sealing of criminal justice records for offenses involving controlled substances. It also reduces the time for allowing sealing of records from 15 to 10 years. There is a new Petition to Seal Conviction form. The filing fee for sealing a conviction is \$200 more than the normal petition to seal.

Office of the State Court Administrator



June 1, 2008

To: Clerks of Court
District Administrators
Unit Supervisors

Gerald A. Marroney
State Court Administrator

Carol M. Haller
Legal Counsel

Troy C. Singleton
Administrative Assistant

DIRECTORS

Mindy Masias
Human Resources

Mary Flanigan, CFO
Financial Services

Robert T. Roper, CIO
*Judicial Business Integrated
With Technology Services*

Sherry Stwalley
*Planning & Analysis
Legislative Liaison*

Thomas Quinn
Probation Services

Notice Regarding Assessment of Copy Fees for State Courts

House Bill 08-1076, effective August 6, 2008, identifies the authority for criminal justice agencies to assess reasonable fees for copies and indicates that such agencies may charge a fee not to exceed twenty-five cents. This statutory change applies to criminal agencies pursuant to §24-72-306, C.R.S.

Last year Senate Bill 07-45, effective August 8, 2007, identified the authority for a custodian of a public record to assess a copy fee not to exceed twenty-five cents. This statutory change applies to any custodian of a public record for copies, printouts, or photographs of a public record pursuant to §24-72-205, C.R.S. Changes were also made to §30-1-103, C.R.S. – Fees of County Clerk and Recorders, as their copy fees are set pursuant to §24-72-205, C.R.S.

At this time, no changes have been made to §13-32-104,(1)(a), C.R.S. – Additional fees of Clerks of Court, which gives Clerks the authority to assess a copy fee of seventy-five cents per page.

If you have any questions please contact Cyndi Hauber at 720-921-7821 or Cyndi.Hauber@judicial.state.co.us.

NEWS FROM WELD COUNTY COURTS

The Weld County District Court will become a "paper on demand" district in Domestic Relations cases beginning July 1, 2008. What this means is that we will not produce a paper file. All pleadings will be electronic and reside on LEXIS. All pro se pleadings will be scanned and uploaded by the clerk's office. The public will have access to information by utilizing the public access computer in the Court file room.

If you have questions, please contact Marla Bohling, supervisor in the clerk's office at 351-7300 X 5596.



EASY WAY TO RAISE FUNDS FOR YOUR LARIMER COUNTY BAR ASSOCIATION

A \$2.00 donation per transaction to the Larimer County Bar Association will occur for all DHL Express shipments for LCBA members who sign up with United Shipping Solutions, a franchise of DHL owned by Fort Collins resident Don French. The \$2.00 per transaction applies to all overnight, second day, or international shipping. In order to participate in this program, you simply need to contact Don French at FrenchShipping@gmail.com or by phone at 970-222-9849 or by fax at 970-484-5112. Mr. French's business address is 116 North College, Suite 7, Fort Collins, Colorado 80524.

If you choose to sign up with United Shipping Solutions, you will be given a DHL account number (if you already have a DHL account number, they will switch it over so that it is noted that you are a member of the LCBA). United Shipping Solutions has offered to train staff at no charge. Shipments are tracked on the web and notification of delivery will be done by email or phone. DHL is a green organization. Bills are coded and can be emailed or mailed. DHL offers to match Fedex and UPS rates. All service and invoicing are handled locally so you do not need to call a 1-800 number.

As you know, our Bar Association provides many services to members of our community, including annual scholarship awards, Call-a-Lawyer events, elder law seminars, etc. Your Executive Committee decided to offer this opportunity to LCBA members who may be interested in helping raise funds for the LCBA through the \$2.00 donation for each shipment. There is no termination date for the \$2.00 donation and Mr. French has said he will continue the donation as long as LCBA members are working with United Shipping Solutions.

If you have any questions, Mr. French has indicated that he would be happy to answer them.



**INNS OF COURT
THE LARIMER-WELD COUNTY INN OF COURT
IS THE BYRON R. WHITE CHAPTER**

Meets at: Windsor, Colorado 80550

Specialty: [not specified]

President: Sunita Sharma, Esq.

Loveland City Attorney

500 East 3rd Street, Suite 330

Loveland, Colorado 80537-5773

Telephone: (970) 962-2434

Fax: (970) 962-2900

American Inns of Court (AIC) are designed to improve the skills, professionalism and ethics of the bench and bar. An American Inn of Court is an amalgam of judges, lawyers, and in some cases, law professors and law students. Each Inn meets approximately once a month both to "break bread" and to hold programs and discussions on matters of ethics, skills and professionalism.

Looking for a new way to help lawyers and judges rise to higher levels of excellence, professionalism, and ethical awareness, the American Inns of Court adopted the traditional English model of legal apprenticeship and modified it to fit the particular needs of the American legal system. American Inns of Court help lawyers to become more effective advocates and counselors with a keener ethical awareness. Members learn side-by-side with the most experienced judges and attorneys in their community.

An American Inn of Court is not a fraternal order, a social club, a course in continuing legal education, a lecture series, an apprenticeship system, or an adjunct of a law school's program. While an AK partakes of some of each of these concepts, it is quite different in aim, scope, and effect.

American Inns of Court actively involve more than 20,000 state, federal and administrative law judges, attorneys, legal scholars and law students. Membership is composed of the following categories: Masters of the Bench—judges, experienced lawyers, and law professors; Barristers—lawyers with some experience who do not meet the minimum requirements for Masters; Associates—lawyers who do not meet the minimum requirement for Barristers; and Pupils—law students. The suggested number of active members in an Inn is around 80.

Most Inns concentrate on issues surrounding civil and criminal litigation practice, and include attorneys from a number of specialties. However, there are several Inns that specialize in criminal practice, federal litigation, tax law, administrative law, white-collar crime, bankruptcy, intellectual property, family law, or employment and labor law.

The membership is divided into "pupillage teams," with each team consisting of a few members from each membership category. Each pupillage team conducts one program for the Inn each year. Pupillage team members get together informally outside of monthly Inn meetings in groups of two or more. This allows the less-experienced attorneys to become more effective advocates and counselors by learning from the more-experienced attorneys and judges. In addition, each less-experienced member *is assigned to a more-experienced attorney or judge who acts as a mentor and encourages* conversations about the practice of law.

In addition to the President, Sunita Sharma, anyone interested may call Judge Bill Starks at 970 962-2342 or attorney Alden Hill 970 482-3683 in Fort Collins.

They typically meet the third Thursday from 6:30 p.m. to 9:00 p.m. at a restaurant in Windsor. We do not meet June-August or in December.



OFFICE SPACE

ATTENTION ALL PROFESSIONALS

NEWLY REMODELED EXECUTIVE OFFICE SPACE, AVAILABLE JANUARY 15, 2008

GREAT AND CONVENIENT LOCATION CLOSE TO COURT HOUSE AND DOWNTOWN

FOUR BEAUTIFUL OFFICES LOCATED AT 417 WEST MOUNTAIN AVENUE FORT COLLINS

PERFECT FOR ATTORNEYS/PROFESSIONALS. WE CURRENTLY HAVE FOUR ATTORNEYS LEASING SPACE IN THE BUILDING.

STOP BY AND SEE THE OFFICES AT YOUR CONVENIENCE. CONTACT EITHER **BILL KNEELAND** OR HIS **PARALEGAL, PAULA PHILLIPS** FOR A TOUR OF THE BUILDING.

FEEL FREE TO CALL THE OFFICE AT (970) 493-6556

SEEKING LEGAL CONTRACT WORK

A research project or brief due? Temporary overload of work? Paralegal on maternity leave? I am an attorney with private practice and in-house counsel gas utility experience who formerly worked as a paralegal available for contract work. Areas of emphasis are: estate planning and administration; business and non-profit incorporations; tax; litigation; real estate and HOA; municipal; contractual and transactional; and collections.

Carol Johnson
669-1138

ASSOCIATE POSITION

Associate Position Available
General civil practice with emphasis on litigation. Salary commensurate with level of experience.

Send resume to Weaver & Associates, P.C.,
222 West Magnolia Street
Fort Collins, Colorado 80521 or
fax to 970-484-1170.