

**LARIMER COUNTY BAR ASSOCIATION FALL TERM DAY
MINUTES FROM THE SEPTEMBER 10, 2021**

HELD VIA WEBEX AND IN PERSON
Larimer County Justice Center, Jury Assembly Room
201 LaPorte Avenue, Fort Collins, Colorado

IN ATTENDANCE:

Executive Committee Members: Kara Clark- President, Rebekah Berry-Chaney – Vice President, Heidi Whitaker - Treasurer, Claire Havelda, Brooke Alexander, Cody Kneeble, Sarah Cure, Renee Doak, Jennifer Rice.

Judiciary:

Chief Judge Susan Blanco

Judge Laurie Dean

Judge Mary Berenato

Magistrate Cara Boxburger

Judge Michelle Brinegar

Magistrate Linda Connors

Magistrate Patrick Esser

Judge Julie Field

Judge Thomas Lynch

Magistrate Kandace Majoros

Judge Juan Villasenor

Court Administrator Kristin Sheeran, Court Staff Soozy Fredrickson and Janelle Brunin were also present.
Chief Probation Officer Chris Gastelle

Retired Judiciary in attendance:

Magistrate Joseph Coyte

Judge Christine Carney

Judge James Hiatt

Magistrate John Jostad

Judge Daniel Kaup

Magistrate Carolyn Pannell

Judge Peter Schoon

Magistrate Kent Spangler

Judge C. Edward Stirman

Judge Dave Williams

1. **CALL TO ORDER & INTRODUCTION:** Bar President Kara Clark called the meeting to order at 8:40a.m. Ms. Clark introduced the Executive Committee and Judges present including a large number of retired members of the judiciary. She thanked Kristin Sheeran for setting up the hybrid meeting arrangements made necessary by the pandemic.

2. **STATE OF THE JUDICIARY** – Chief Judge Susan Blanco reminds the bar that Mag. Esser is going to be sworn in 4pm in Courtroom 3A today and asks the bar to celebrate Judge Julie Field’s retirement on October 8th. Judge Blanco reminded us that we in the profession of law spend 1/3 of our lives together and that we can argue in court but in Larimer County we have unique collegiality of the bar outside of our job duties. The County commissioner has reminded the judiciary that Larimer County requires more judicial officers to adequately serve the community. The construction project is going to be in the courtroom 1C

area and where the collection department is currently located. Jackson County is designing a new courthouse building and solicits feedback from the community regarding the design. C.J. Blanco reported docket rotations: Judge Ecton will be in Courtroom L1 in January 2022; Judge Barenado will be coming back to Courtroom 3D from Loveland hearing parenting time disputes and small claims. C.J. Blanco reported a new district court judge will be hearing mental health cases, domestic relations, civil, some dependency and neglect cases. We should be hearing the announcement of the new judicial officer soon. The LatinX task force; going to be arranging for Ian Bonnor to leave the courthouse to serve the community with access to justice. 48 hour bond hearings are going into effect with means that bonds will now be set on the weekend. Regarding extreme risk protection orders, attorneys are still needed to contract to help represent individuals. The domestic relations best practice open house took place last night and C.J. Blanco thanks Judges Villaseñor, Dean and Brinegar for their presentation. C.J. Blanco also thanked Magistrate Christiansen and Majoros along with Sarah Liggett and Kate McNamara for their presentation on parental risk evaluations. C.J. Blanco reported that the Judge Conrad L. Ball Award and Banquet is going to be celebrated on October 1, 2021 and Kathryn Hay is going to be honored. C.J. Blanco reported that district court filings are down, domestic relations filings are up, civil filings are down, probate cases are up and D&N cases down with mental health cases holding steady and criminal cases down.

3. **HISTORICAL PERSPECTIVE:** Retired Magistrate Coyte presented stories to give the bench and bar a historical perspective on the 8th Judicial District. Magistrate Coyte notes a significant cultural shift in the practice of law. On August 1, 1974, there was only 1 woman attorney practicing in the 8th Judicial District. Today, the chief judge is female, 3 out of 4 of the Bar Association executive officers are female, and in the room it's now about ½ and ½ men and woman. Magistrate Coyte reported that used to work in Courtroom R. The "R" stood for referee, because the legislature did not want to pay for more judges so they compromised to hire referees. However, referees could not enter orders, they could only make recommendations that were then signed off on by the district court judges. After a few years it was clear that arrangement did not make sense and this role turned into the magistrate position. Magistrate Coyte also regaled some other stories of cases he handled in the 8th Judicial District over the years. Ms. Clark present that the senior attorneys would sit in the jury box to preside over Term Day. It was an opportunity for the attorneys to meet together to resolve cases. Up until xx that was still how term day operate. Term Day slowly transitioned into a business meeting to talk about business and to attorneys got together. There were no dockets scheduled and all of the attorneys would attend. One of the things Ms. Clark hopes we can do is to revitalize the presence of attorney and judicial presence. Roger Clark said that the Colorado Bar Association wrote about Term Day because it showed what a collegial bar we have. Larimer County is the ONLY county that still practices Term Day. As we expand, we don't want to lose this special part of our community.

4. **BENCH/BAR COMMITTEE** – Ms. Clark explained the purpose of the Bench/Bar Committee. Specifically, membership was intended to include the executive committee of the LCBA and representatives from DR, Juvenile, probate, criminal, county, district court, civil and meet 4 times a year to discuss the changes in the courthouse, what is working well, and the perspectives from the bench. In reexamining the Bench/Bar, we want to make what is going on behind the scenes visible to the rest of the bar. There are best practices committee for some of the other practice areas. The LCBA is considering a member section on the LCBA website that would be helpful to practitioners. Minutes from best practices could be posted for member review and to ensure that members can bring issues to their representative on the bench/bar committee that are not being addressed. Anyone who is a member of the bar would have an opportunity to sign up for those practice areas they desired and the representative for that area would send you an email to remind you of the best practices meetings to solicit questions and feedback.

5. **MEMBER SATISFACTION SURVEY** – Ms. Clark reported that those that responded said are satisfied or somewhat satisfied with the Bar Association. Fewer than 40% said they would be opposed to raising the bar dues.

6. **TREASURER'S REPORT** – Treasurer Heidi Whitaker reported on behalf of the LCBA. Ms. Whitaker reported that ethics seminar did not occur in 2020 so the LCBA made a donation to the Steven J. Roy scholarship foundation. Ms. Whitaker reported that the *pro bono* committee received the \$12,500 COTAF grant to fund the pro bono program. Ms. Whitaker explained that the LCBA's fiscal year is July 1 to June 30th and that to date, the Bar has received 60% of budgeted dues income and the biggest expenses have been for the *pro bono* program and Fall Term Day.

7. **MOCK TRIAL** – Magistrate Connors and David Ayraud reported that mock trial presented virtually. They are hoping to have mock trial February 11 and 12, 2022 and it will be hosted at the Larimer County Justice Center this year. They will need volunteer judges, and attorneys to act as jurors so please consider volunteering

8. **PRO BONO PROGRAM** –Cody Knebel reported he is looking for a co-chair for the Pro Bono program. Pro bono program connects low income *pro se* litigants with attorneys. Mr. Knebel reported that 10-15 litigants receive extended representation in 2020. Mr. Knebel thanks all LCBA members for support of the Pro Bono Program!

9. **COURT RESOURCE CENTER** – Ian Bonner, the self-represented coordinator reported about the activities of the Court Resource Center. Ask-a-lawyer clinics provide *pro se* litigants with 15 minutes of consultation with an attorney. The CRC is in great need of landlord/tenant attorneys and civil attorney volunteers. Emailed filings were being accepted but they stopped accepting emailed filings in August so that informs a lot of what things will look like going forward. The hours of the CRC are Monday, Wednesday, and Friday from 8:00 to 4:00 and Tuesday, Thursday from 8:00 to 2:00. Here is some information about the statistics of the CRC:

Since March:

1,266 in persons or 211/month. Trending upwards strongly since August. Average time with customers was 15-20 minutes

10,144 emails or 1,690/month. Trending down since August

473 one calls or 79/month Trending up since August. Average duration was 20 minutes

The CRC is looking for other ways to reach the community as C.J. Blanco mentioned. Ask-A-Lawyer day will be a hybrid this year.

10. **ACCESS TO JUSTICE** – Brooke Alexander reported that the Access to Justice Committee is preparing for Ask-A-Lawyer day on October 29th. Volunteer attorneys are needed for the civil, debt collection, L/T questions. Volunteers will provide 30 minute consultations to pro se litigants. In addition, small claims mediators are needed for landlord/tenant and other small claims civil matters. Ms. Alexander reports that the modest means attorney list is dwindling. Ms. Alexander encourages attorneys to consider offering unbundled services at a modest means rate. Ms. Alexander reports there is a City of Fort Collins program for landlord/tenant eviction diversion program and to contact Claire Havelda chavelda@fcgov.com for questions.

11. **CLE PROGRAM** – Renee Doak reported that it's been difficult to arrange Zoom CLEs but just yesterday the first in-person CLE related to domestic relations cases. Ms. Doak extended her thanks to Judges Villasenor, Brinegar, and Dean for their time for the panel on "View from the Bench" in which the judges provided valuable insights regarding presentation of domestic relations cases at trial, attorney methods and practices that were successful and unsuccessful. Ms. Doak reported that there is a problem with reporting the CLE credit from that event but she is calling to get this fixed this afternoon. Mag. Christiansen, Majoris, attorney Sarah Ligget and psychologist Kate McNammara presented at a CLE on Parental Risk Evaluations or PRE light on August 25, 2021. Ms. Doak welcomes suggestions from the bar for future CLEs.

12. **WOMEN'S BAR** – Renee Doak is the current president of the Larimer County's Woman's Bar. On October 1st there will be a woman's bar social. Attendees do not need to be female or a member of the woman's bar. Will be held at Claire Havelda's home. Please RSVP to Claire Havelda at chavelda@fcgov.com or to Renee Doak, doakrs@co.larimer.co.us. On October 21st the third in the series regarding trafficking will be held entitled Applying Harm Reduction and Trauma Responsivity Techniques which will be held through Mozaics in a virtual platform. On November 4, 2021, the LCWBA's virtual book club on the book, "How to Be and Anti-Racist" by Ibram Kendi will take place virtually over the noon hour. At the January 2022, the LCWBA plans to co-host a diversity and inclusion CLE with the Hispanic Bar Association. Please also keep an eye out for information in the spring on the podcast interview with Sonya Renee Taylor, author of "The body is not an apology" which will be sent out soon.

13. **HISPANIC BAR ASSOCIATION:** Jenny Lopez Filkins is in the process of revitalizing the HBA and announces the next social on September 16th at Odell Brewery. All are welcome to join.

14. **ETHICS SEMINAR** – Ms. Clark presented on behalf of Mag. Jostad that, "It's a great day to be alive." She also reported that the upcoming seminar will be the 30th Ethics Seminar that Mag. Jostad has helped to organize and that the committee is in the process of planning the event to take place in April, 2022.

15. **BOARD OF GOVERNORS** - Jennifer Rice who could not be present reports that the next meeting is December 3, 2021.

16. **NATIONAL ADOPTION DAY** – Heidi Whitaker reported the history of National Adoption Day which was formed by Wendy's Dave Thomas to celebrate the forming of families, especially those coming out of the foster care system. The celebration will take place on November 12, 2021, at the Larimer County Justice Center. Ms. Whitaker is looking for volunteers to help to decorate and donations for goodie bags for children are welcome. Suggestions for entertainment ideas or vendors are also welcome. Ms. Whitaker can be reached at heidi@burnhamlaw.com.

17. **YOUNG LAWYERS DIVISION** – Fred Long reported they had a social event in person at Equinox. Mr. Long indicated the YLD is hoping to have monthly social events with the next one at the end of September. They will also plan a winter social. Mr. Long reminds the bar that the "young" lawyers is not just for young attorneys but for attorneys new to the area. Mr. Long can be reached at fredl@bells.com.

18. **MENTORSHIP PROGRAM, GREATER COLORADO TASK FORCE, SCHOLARSHIP FUND AND LIBRARY PROGRAM** – Ian McCargar stated his first Term Day 32 years ago and is grateful to see people in person. Mr. McCargar is the facilitator of the mentorship program and pairs less experienced with more experienced attorneys. The greater Colorado task force: a group of people to study the virtues of practicing outside of the Denver Metro area. That task force report is not being implemented across the CBA. The LCBA is the envy of the state. Mr. McCargar also reported the Steven J Roy Scholarship handed out a scholarship of \$2500. The scholarship is available to graduating high school seniors who have expressed interest in a legally related field. The Steven J. Roy scholarship foundation is supported by the ethics seminar. Mr. McCargar extends his thanks to the LCBA for the \$5000 donation to the endowment. Mr. McCargar also extends his thanks to Cameron Banninga and Will Beyers for their work on the scholarship committee. Mr. McCargar reports that the Library Committee still meets on the 1st Tuesday of the month at 7 am at the Silver Grill. While the Library Committee no longer has any books or an actual library, it is still the longest standing committee of the LCBA.

19. **INTRODUCTION OF NEW LAWYERS** – Sara Stieben introduced David Hall who came to Larimer County from Nashville, TN and currently works in the area of immigration law and is working on obtaining his Colorado law license. Ms. Stieben reports that Mr. Hall is bilingual and while Mr. Hall did not specify

which two languages he speaks, she assumes, based on his having been all-things-Nashville in his prior life, that he speaks both Country and Western. Ms. Stieben also introduced Lisa Schwartz, a new associate at Massey, Mitchell and Kelly who practices in business and real estate. Ms. Schwartz came to us from Greenwood Village, known for traffic jams. Lastly, Ms. Siebens performed an impromptu introduction of Judge Field's new law clerk, Shelby Morbach.

20. TERM DAY ACTIVITIES – The following activities were announced:

- a. Bike Ride at Sara Stiebens
- b. Golf tee starts at 1pm.
- c. Food Truck Rally (bounce house and band) at 6pm in Civic Center Park

21. ADJOURNMENT – President Kara Clark adjourned the meeting at 9:59 a.m.

Respectfully submitted,



Rebekah Berry-Chaney
LCBA Vice President on behalf of Dan St. John, Secretary