

**MINUTES
OF
LARIMER COUNTY BAR ASSOCIATION
EXECUTIVE COMMITTEE MEETING**

**Date: May 10, 2005
Location: Bluebird Café**

ATTENDING: Jeanne Drake, Linda Miller, Dan Muffly, David Johnson, Dick Gast, Randy Starr, Cathy Vlasak, Ian McCarger and Julie Stencel.

CALL TO ORDER: President Jeanne Drake called the meeting to order at 7:08 a.m.

APPROVAL OF MINUTES: The minutes of the April 12, 2005 Executive Committee meeting were approved.

TREASURER'S REPORT: Dave Johnson distributed the LCBA financial statements for January 31, 2005 compiled by C.W. Decker & Company, CPA (copy attached to the original of these minutes). Dave reported that the current operating account balance is \$22,700, and the Legal Aid account balance is \$5,000. The \$10,000 donation to Colorado Legal Services was paid in April. A check for \$3,932.36, representing the profit from the April 21, 2005 LCBA Professionalism Seminar, has been sent to the Community Foundation of Northern Colorado to be placed into the LCBA's Scholarship Fund. The Executive Committee discussed the need to address at the upcoming retreat an appropriate reserve level for the library and other LCBA needs.

BOARD OF GOVERNERS: Randy Starr had previously circulated to the Committee members his report on the May 7, 2005 CBA Board of Governors meeting (copy attached to the original of these minutes). Thoroughly engaged in consuming his eggs and toast, Randy mumbled something to the effect that the report spoke for itself.

YOUNG LAWYERS: Julie Stencel reported that the annual meeting of the Young Lawyers Section had been held. The Section decided not to organize a Law Day event this year. Julie will be the Young Lawyers Section chair next year.

PROFESSIONALISM COMMITTEE: Kudos were extended to the Professionalism Committee for sponsoring the well attended, profitable and otherwise successful Professionalism Seminar on April 21, 2005.

WOMEN'S BAR: It was noted that the meth brown bag seminar was scheduled for May 11, 2005.

PRO BONO PROGRAM: Julie Stencel reported that Becky Brelsford has agreed to chair the Pro Bono Committee for the coming year. In addition, Jessica R. Virgil-Retana has been hired as the new paralegal/program coordinator. Dave Johnson will order a standard employee background check on Jessica. Julie also reported that the annual professional liability insurance application for the pro bono program had been submitted.

RETREAT: Jeanne Drake will be contacting Tamasag regarding availability for the LCBA retreat in July.

SENIOR LAW DAY: Pete Bullard is requesting \$2,000 to fund a Senior Law Day event in Larimer County this fall. Jeanne will invite Pete to the June Executive Committee meeting to either make his final funding pitch in person, or to submit a written funding request if he cannot attend the meeting.


SMALL CLAIMS COURT MEDIATION PROGRAM: Jeanne Drake reported that a full complement of pro bono mediators had volunteered to serve in Loveland, and a good number of participants had volunteered in Fort Collins. Linda Miller provided anecdotal evidence of the program's success with a story about her husband George Blau successfully resolving a faulty motor home claim. The meeting then took an unexpectedly creative turn as Ian McCarger provided an abbreviated rendition of James Brown's 1971 soul hit "Hot Pants" in belated honor of the singer's 72nd birthday.

MEETING WITH DU LAW SCHOOL DEAN OF CAREER SERVICES: Jeanne Drake reported that the DU Law School is looking to place law students with judges in Larimer County for clerkship positions. It was decided that the LCBA would not send a representative to the meeting between DU's Dean of Career Services and the judges since it does not provide a direct benefit to the LCBA membership.

CASEMAKER: Randy Starr reported on the new Casemaker legal research service being implemented by the CBA. Randy described the Casemaker legal research library as similar to a simplified LoisLaw, and indicated it would be available on the CBA website later in May. The CBA is interested in doing a seminar on Casemaker in Larimer County, and it was noted this would be a good Young Lawyers Section Brown Bag opportunity.

ADJOURNMENT: The meeting adjourned at 7:50 a.m.

Respectfully submitted,



Richard S. Gast, Secretary




LARIMER COUNTY BAR ASSOCIATION

Compiled Financial Statements

January 31, 2005



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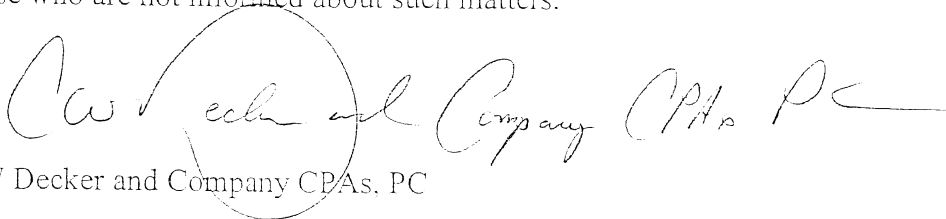
April 20, 2005

Larimer County Bar Association
Fort Collins, Colorado

We have compiled the accompanying statement of assets, liabilities, and equity-cash basis of Larimer County Bar Association (a non-profit organization) as of January 31, 2005, and the related statements of revenue and expenses-cash basis for the one month and seven months then ended, and the accompanying supplementary information contained in the attached schedules for revenue and expenses by class, profit & loss- budget vs. actual, and the check detail, which are presented only for supplementary purposes in accordance with the Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants.

A compilation is limited to presenting in the form of financial statements and supplementary schedules information that is the representation of the organization's management. We have not audited or reviewed the accompanying financial statements and, accordingly, do not express an opinion or any other form of assurance on them.

Management has elected to omit substantially all of the disclosures required by Generally Accepted Accounting Principles. If the omitted disclosures were included in the financial statements, they might influence the user's conclusions about the Organization's financial position and results of operations. Accordingly, these financial statements are not designed for those who are not informed about such matters.



CW Decker and Company CPAs, PC

CW Decker and Company CPAs, PC

Larimer County Bar Association
Statement of Assets, Liabilities and Equity-Cash Basis
As of January 31, 2005

	Jan 31, 05
ASSETS	
Current Assets	
Checking/Savings	
Checking	
Legal Aid Account	7,365.97
General Checking Account	20,026.89
Total Checking	27,392.86
CD'S	
CD #6-FNB 04/18/05	16,919.06
CD #3-Home State 11/27/04	25,441.33
CD #2-Home state 10/10/05	22,245.51
CD #4-FNB 02/07/05	57,261.86
Total CD'S	121,867.76
Total Checking/Savings	149,260.62
Other Current Assets	
Artwork	1,475.00
Deposits	250.00
Total Other Current Assets	1,725.00
Total Current Assets	150,985.62
TOTAL ASSETS	150,985.62
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
Payroll Liabilities	9.98
Total Other Current Liabili...	9.98
Total Current Liabilities	9.98
Total Liabilities	9.98
Equity	
Retained Earnings	142,298.23
Net Income	8,677.41
Total Equity	150,975.64
TOTAL LIABILITIES & EQUITY	150,985.62

Larimer County Bar Association
Statement of Revenues and Expenses-Cash Basis by Class
July 2004 through January 2005

	<u>General</u>	<u>Legal Aid</u>	<u>Library</u>	<u>TOTAL</u>
Ordinary Income/Expense				
Income				
Donation		10.00		10.00
Dues-CBA	37,245.00			37,245.00
COLTAF-Legal Aid		6,500.00		6,500.00
Fall Term Day	3,810.00			3,810.00
Interest Income	1,185.98	7.59		1,193.57
Copier Coin	99.30			99.30
Ads/Messenger	200.00			200.00
Other Income	847.27			847.27
Total Income	<u>43,387.55</u>	<u>6,517.59</u>		<u>49,905.14</u>
Expense				
Scholarship	1,473.94			1,473.94
Penalties	0.28			0.28
Telephone -Library & computer			1,250.88	1,250.88
Phone-Legal Service	361.85	252.56		614.41
Software-Library			199.60	199.60
Books-Library			14,163.67	14,163.67
Mock Trial	225.00			225.00
Computer hardware library			552.50	552.50
Bank Charges	89.82	53.00		142.82
Payroll Expenses		468.92		468.92
Copier-Library			2,863.53	2,863.53
Library book maintenance			4,563.42	4,563.42
Office	177.74	149.20		326.94
Wages		5,587.41		5,587.41
Payroll Taxes		54.92		54.92
Fall Term Day Exp	5,881.76			5,881.76
Spring Term Day Exp	148.00			148.00
Professional Seminar Expense	224.00			224.00
Messenger	37.00			37.00
Retreat	150.00			150.00
CLE	298.73			298.73
Accounting Exp	2,000.00			2,000.00
Total Expense	<u>11,068.12</u>	<u>6,566.01</u>	<u>23,593.60</u>	<u>41,227.73</u>
Net Ordinary Income	<u>32,319.43</u>	<u>-48.42</u>	<u>-23,593.60</u>	<u>8,677.41</u>
Net Income	<u><u>32,319.43</u></u>	<u><u>-48.42</u></u>	<u><u>-23,593.60</u></u>	<u><u>8,677.41</u></u>

Larimer County Bar Association
Statement of Revenue and Expenses-Cash Basis
January 2005

	General	Legal Aid	Library	TOTAL
Ordinary Income/Expense				
Income				
Dues-CBA	450.00	0.00	0.00	450.00
Interest Income	201.86	1.48	0.00	203.34
Total Income	651.86	1.48	0.00	653.34
Expense				
Scholarship	1,473.94	0.00	0.00	1,473.94
Telephone -Library & computer	0.00	0.00	229.17	229.17
Phone-Legal Service	0.00	33.12	0.00	33.12
Software-Library	0.00	0.00	199.60	199.60
Computer hardware library	0.00	0.00	255.00	255.00
Bank Charges	10.75	0.00	0.00	10.75
Payroll Expenses	0.00	76.74	0.00	76.74
Copier-Library	0.00	0.00	657.54	657.54
Library book maintenance	0.00	0.00	248.86	248.86
Office	56.74	0.00	0.00	56.74
Wages	0.00	803.60	0.00	803.60
Payroll Taxes	0.00	0.00	0.00	0.00
Spring Term Day Exp	148.00	0.00	0.00	148.00
Accounting Exp	225.00	0.00	0.00	225.00
Total Expense	1,914.43	913.46	1,590.17	4,418.06
Net Ordinary Income	-1,262.57	-911.98	-1,590.17	-3,764.72
Net Income	-1,262.57	-911.98	-1,590.17	-3,764.72

Larimer County Bar Association
Profit & Loss Budget vs. Actual
 January 2005

	Jan 05	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Dissolution books income	0.00	4.67	-4.67	0.0%
Dues-CBA	450.00	3,333.34	-2,883.34	13.5%
COLTAF-Legal Aid	0.00	541.67	-541.67	0.0%
Fall Term Day	0.00	250.00	-250.00	0.0%
Spring Term Day	0.00	50.00	-50.00	0.0%
Professional Seminars	0.00	333.34	-333.34	0.0%
Interest Income	203.34	150.00	53.34	135.6%
Copier Cards Renewal	0.00	8.34	-8.34	0.0%
Copier Coin	0.00	8.34	-8.34	0.0%
Ads/Messenger	0.00	10.42	-10.42	0.0%
Total Income	653.34	4,690.12	-4,036.78	13.9%
Expense				
Scholarship	1,473.94			
Telephone -Library & compu...	229.17	166.67	62.50	137.5%
Phone-Legal Service	33.12	40.00	-6.88	82.8%
Software-Library	199.60	41.67	157.93	479.0%
Discretionary Exp	0.00	41.67	-41.67	0.0%
Books-Library	0.00	1,250.00	-1,250.00	0.0%
Computer hardware library	255.00	41.67	213.33	612.0%
Bank Charges	10.75	20.84	-10.09	51.6%
Payroll Expenses	76.74			
Copier-Library	657.54	333.34	324.20	197.3%
Brochures Pro Bono	0.00	12.50	-12.50	0.0%
Library book maintenance	248.86	500.00	-251.14	49.8%
Office	56.74	83.34	-26.60	68.1%
Malpractice Insurance	0.00	116.67	-116.67	0.0%
Wages	803.60	1,213.34	-409.74	66.2%
Payroll Taxes	0.00	92.84	-92.84	0.0%
Spring Term Day Exp	148.00			
Professional Seminar Expen...	0.00	116.67	-116.67	0.0%
Messenger	0.00	41.67	-41.67	0.0%
Retreat	0.00	18.75	-18.75	0.0%
Accounting Exp	225.00	333.34	-108.34	67.5%
Total Expense	4,418.06	4,464.98	-46.92	98.9%
Net Ordinary Income	-3,764.72	225.14	-3,989.86	-1,672.2%
Net Income	-3,764.72	225.14	-3,989.86	-1,672.2%

Larimer County Bar Association
Profit & Loss Budget vs. Actual
 July 2004 through January 2005

	Jul '04 - Jan 05	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Dissolution books income	0.00	32.69	-32.69	0.0%
Donation	10.00			
Dues-CBA	37,245.00	23,333.38	13,911.62	159.6%
COLTAF-Legal Aid	6,500.00	3,791.69	2,708.31	171.4%
Fall Term Day				
Golf	1,760.00			
Dinner	2,050.00			
Fall Term Day - Other	0.00	1,750.00	-1,750.00	0.0%
Total Fall Term Day	3,810.00	1,750.00	2,060.00	217.7%
Spring Term Day	0.00	350.00	-350.00	0.0%
Professional Seminars	0.00	2,333.38	-2,333.38	0.0%
Interest Income	1,193.57	1,050.00	143.57	113.7%
Copier Cards Renewal	0.00	58.38	-58.38	0.0%
Copier Coin	99.30	58.38	40.92	170.1%
Ads/Messenger	200.00	72.94	127.06	274.2%
Other Income	847.27			
Total Income	49,905.14	32,630.84	17,074.30	152.0%
Expense				
Scholarship	1,473.94			
Penalties	0.28			
Telephone -Library & compu...	1,250.88	1,166.69	84.19	107.2%
Phone-Legal Service	614.41	280.00	334.41	219.4%
Software-Library	199.60	291.69	-92.09	68.4%
Discretionary Exp	0.00	291.69	-291.69	0.0%
Books-Library	14,163.67	8,750.00	5,413.67	161.3%
Mock Trial	225.00			
Computer hardware library	552.50	291.69	260.81	189.4%
Bank Charges	142.82	145.88	-3.06	97.9%
Payroll Expenses	468.92			
Copier-Library	2,863.53	2,333.38	530.15	122.7%
Brochures Pro Bono	0.00	37.50	-37.50	0.0%
Library book maintenance	4,563.42	3,500.00	1,063.42	130.4%
Office	326.94	533.38	-206.44	56.0%
Malpractice Insurance	0.00	816.69	-816.69	0.0%
Wages	5,587.41	8,493.38	-2,905.97	65.8%
Payroll Taxes	54.92	649.88	-594.96	8.5%
Fall Term Day Exp				
Golf exp	2,040.00			
Lunch	2,416.72			
Fall Term Day Exp - Other	1,425.04			
Total Fall Term Day Exp	5,881.76			
Spring Term Day Exp	148.00			
Professional Seminar Expen...	224.00	816.69	-592.69	27.4%
Messenger	37.00	291.69	-254.69	12.7%
Retreat	150.00	131.25	18.75	114.3%
CLE	298.73			
Accounting Exp	2,000.00	2,333.38	-333.38	85.7%
Total Expense	41,227.73	31,254.86	9,972.87	131.9%
Net Ordinary Income	8,677.41	1,575.98	7,101.43	550.6%
Net Income	8,677.41	1,575.98	7,101.43	550.6%

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MICHAEL A. WESTBROOK

Saturday, May 7, 2005

Report on CBA Board of Governors Meeting held Saturday, May 7, 2005, at Colorado University Law School, Boulder, Colorado starting at 9 a.m. and ended 12:30 p.m. with one break. Those in attendance from Larimer County were Randy Starr, Bruce Fickel and Zach Wilson with Roger Clark attending as a CBA President-Elect.

The meeting had the following action items and reports:

1. Call To Order.
2. Approved Minutes of November, 2004, meeting.
3. Colorado University Law School Report—Dean David Getches
Denver University Law School Report—Vice-President Stan Reese
4. Colorado Judicial Institute—Rich Gabriel gave a presentation about the Institute, a 501(c)(3) corporation formed to promote merit selection and retention of judges. It is a nonpartisan group that engages in educational aspects of the subject.
5. Treasurer's Report / Budget—John Holt presented the fiscal year information and also presented the 2005-06 Budget for CBA. He reviewed the highlights of the Budget, and the written version is attached. The Budget was unanimously approved.
6. Bylaw Amendment—An amendment to merge the Court Liaison Committee and the Judiciary Section to become the Judicial Liaison Section was approved.
7. Appointments To Executive Council—President Elect Roger Clark appointed John Holt (incumbent) as Treasurer and appointed two persons to the Executive Council based on the power to do so under the bylaws: Randolph W. Starr (Loveland) and Valerie Haines (Pueblo). Roger also reported on a lobbying trip to Washington D.C. for funding for legal Services Corporation. He also reported on an initiative to return social events to the CBA – HUZZAHS FOR ROGER!!!!
8. Real Estate Section—Diane Davies requested approval of the attached new Title Standard regarding altered instruments. The motion to approve the standard was unanimously approved.

9. CLE Budget—Judge Terry Ruckreigle and Gary Abrams presented 2005-06 Budget for CLE in Colorado. The Budget was unanimously approved.
10. President's Report—Steve Briggs gave a report on the CBA's spending regarding the promotion of the TABOR override plebiscite and a report on the student loan repayment assistance program. He then passed the gavel to Roger Clark in a short ceremony.
11. Executive Director's Report—Chuck Turner was feted with his 25th year as director of the CBA/DBA. He announced that Dianne Hartman was retiring.
12. A break was taken and the Section Representatives chose nominees for the Executive Council and Legislative Policy Committee.
13. Access to Justice Commission—David Butler gave a report on the status of the Commission and its effort to form a local Access to Justice Committee in each region of the CBA.
14. Casemaker® Report—Reba Nance gave a presentation about the new FREE Casemaker legal research program. Local educational seminars about how to use the program will be given.
15. PR Report—Dianne Hartman gave a good bye speech as she departed her position as the CBA's representative in media and media relations.
16. Local Bar Relation & Access to Justice Department Report—Kath Schoen reported on the merger of these two areas of the CBA.
17. Supreme Court Report—Justice Hobbs recited a poem about Chuck Turner and he reported on various matters that occurred in the past year of interest to judicial administration.
Federal Court Report—Judge Weinshenk reported on the mandatory e-filing system instituted by the federal courts. The judicial panel is at full strength.
18. ABA Delegate Report—Judy Holmes reported on the ABA Mid-Year meeting. Karen Mathis of Denver is the President-Elect of the ABA.
19. CBA Lobbyist Michael Valdez reported on the 2005 regular session of the Legislature. Bills of interest to lawyers were described by him.
20. Membership Report—Mary Dilworth reported that the Bar-endorsed malpractice insurance carrier was changed to CAN. Membership in the CBA has risen 2%.

The meeting was adjourned at 12:30 p.m.; and the next CBA Board of Governors meeting will be November 12, 2005, in Colorado Springs at the Broadmoor.

Randolph W. Starr

2005 – 2006 CBA BUDGET OVERVIEW

The 10-person CBA Budget Committee, chaired by the Treasurer, has worked with the staff for several months to develop the attached budget. The budget for the next fiscal year (05-06) is the column on the far right-hand side of the spreadsheet. When comparing next year's budget to this year's budget, projected income is up by 3.6% and expenses are up by 4.3%.

The Budget Committee unanimously approved this budget and is presenting it to the Executive Council for approval. Below is a list of some individual line items on the spreadsheet and explanatory information on those items:

Lines 16, 17 & 20

Lexis has been a strong supporter of the CBA for many years. Their annual support the last few years has been \$90,000, with \$20,000 of that amount earmarked for joint marketing of bar programs. Under the new agreement Lexis will pay the CBA \$75,000 annually.

Line 26

Last year the Board of Governors approved a gradual increase in the section administration fee. This year the fee went from \$1.50/section member to \$3.00 and next year it goes to \$5.00/section member. In return the CBA has increased staff support for the sections and committees.

Line 46

The auditors went back several years and made some adjustments, resulting in lower depreciation. All of our computer hardware and most of our software is depreciated over 2 years, keeping depreciation very current.

Line 57

Credit card fees continue to increase as more members pay dues with their credit cards.

Line 60

The bar had a large increase in income taxes last year. This was discovered after the budget for this year had been finalized so the taxes this year will be over-budget. The big jump was a result of the increase in dues. The IRS has a formula that it uses to calculate the portion of dues counted towards our magazine revenue, which is taxable.

Line 67

Managed fund expense has been eliminated this year by a change in the way the bank handles our investments.

Line 100

Printing and postage costs have been reduced for *The Colorado Lawyer* by switching all but 1800 members (out of 15,000) over to the smaller book, which contains just the summaries of the appellate cases. We could save an additional \$27,000/year if we decided to not print the full-text version of the book.

Lines 104, 136 & 140

CBA reorganized the staff in the Communications, Membership, and Sections and Committees Departments. One of the positions in Communications was moved to Membership and a person was added to the Sections and Committees Department.

Lines 111 & 148

The Family Violence Department and Public and Legal Services Department were combined into the new Local Bar Relations and Access to Justice Department. In addition to combining these two departments, next year's budget includes the salary expenses that had been previously paid by the Attorney's General Family Violence grant the last three years.

Line 204

Only a few of the larger committees have budgets. The rest are asked to submit a request any time they have a project that merits funding. This allows the committees to introduce new projects and programs during the year even though funding had not been included in the budget.

Line 224

ADA requires attorneys to provide sign language interpreters for deaf clients. The CBA reimburses members up to \$250/client for interpreter services.

Line 225

The Access to Justice Commission is not a bar committee or section. CBA has some appointments to the commission and our staff helps with many of the projects that are directly related to bar programs and activities. The bar hosts the commission meetings, provides lunches and conference calls, and pays some travel expenses for the chair and certain committee members.

Line 226

Casemaker, the CBA's new legal research library, will be up and running by mid-May. All costs associated with the program will be tracked in this account. In the current 04-05 fiscal year, we will have two months of Casemaker costs plus the rollout costs for the program.

Line 239

The CBA will be rolling out a new Leadership Program to provide training and guidance to members who are interested in leadership roles.

Line 249

The issues of TABOR and its effect on our legal system will continue into next year. This time around, it appears that there is much broader statewide support for some changes to TABOR. The CBA will want to continue to encourage changes that could increase funding of our judicial system. Note: Any funds the bar provides to these types of activities creates a 35% tax obligation.

Line 257

This year (04-05) our revenues over expense will be greater than what was budgeted. Most of this is because we didn't have Casemaker expenses until May. Next year's budget is projected to be in the black and the Budget Committee believes that this proposed budget provides a fair and accurate expectation.