



**COLORADO SUPREME COURT  
ATTORNEY REGULATION ADVISORY COMMITTEE**

**MEETING MINUTES**

May 13, 2016, 12:00 p.m. – 1:45 p.m.  
Extra Large Conference Room  
Office of Attorney Regulation Counsel  
1300 Broadway, Suite 500  
Denver, CO 80203

**Members present:** Chair David W. Stark, Nancy L. Cohen (telephone), Cynthia F. Covell, Steven Jacobson, Rich Nielson, Dick Reeve, Cheryl Martinez-Gloria, Daniel Vigil, and Brian Zall.

**Members absent:** David Little, Alexander (Alec) Rothrock, Barbara Miller, Chris Markman.

**Liaison Justices present:** Justices Monica Márquez and Nathan Coats.

**Office of the Presiding Disciplinary Judge:** William Lucero.

**Staff present:** James C. Coyle, Attorney Regulation Counsel; James S. Sudler, Chief Deputy Regulation Counsel; Matthew A. Samuelson, Chief Deputy Regulation Counsel; John Baker, Director of Colorado Attorney Mentoring Program (CAMP); Ryann Peyton, Incoming Director of CAMP; Barbara Ezyk, Director of Colorado Lawyer Assistance Program (COLAP); Melissa Meirink, Supreme Court Staff Attorney; and James Carlson, Information Resources Coordinator.

**1. Approval of March 11, 2016, meeting minutes**

The Chair asked if everyone had read the minutes and asked if there was a motion to approve. Cynthia Covell so moved, Mac Danford seconded, all were in favor, and the minutes were approved.

**2. Preamble Update (Coyle).**

On April 7, 2016, the Supreme Court adopted preamble to the Rules Governing the Practice of Law in Colorado. States are interested in what Colorado did and have been disappointed in what ABA did. Emphasis is that all must be done in the public interest. Mr. Coyle and others have been circulating the preamble to various committees and have received favorable feedback.

### **3. New Website.**

The OARC website is now live, and approximately has received 50,000 visits per month. This number is anticipated to increase during May because of attorney admission questions.

The website is designed to be a resource of information for members of the public, legal consumers, lawyers and applicants. Some of the information is in Spanish. The purpose of the website was to make it more accessible to the public and to others. OARC has noticed a drop in phone calls, likely attributable to the new site.

Ms. Covell noted that the new website makes it difficult to access the Colorado Supreme Court's website because OARC's website appears in a Google search.

Mr. Stark asked a question about the Bar exam results. Both July and February passage rates were lower, which is consistent not just with Colorado trends but national trends. This was expected, as LSAT scores are also lower. Colorado test-takers for MBE did better than the rest of the country.

### **4. Budget.**

Delay in getting budget done because of the controller's retirement.

In process of transferring data into State's court system. OARC has completed the personnel portion of the budget.

OARC is requesting a June telephone conference with the Advisory Committee to discuss the regulatory offices' budget on June 8, 9, or 10.

The call has been scheduled for June 8 at 4:00 p.m. Mr. Coyle will provide the budget prior to the call as well as the call-in information.

### **5. Other updates:**

#### **a. Colorado Attorney Mentoring Program report**

Last week, CAMP, the Sturim College of Law, and the National Mentoring Consortium (composed primarily of law schools and bar associations) sponsored a mentoring convention. Approximately 109 persons attended. Paulette Brown (ABA President) gave the keynote address. Dean of University of Arkansas spoke at the convention and used CAMP as a focus group. Center for Legal Inclusiveness participated, and there were several plenaries and breakout groups on diversity, inclusiveness, and resiliency.

The event was held at the Carr Center, and the space worked very well.

Ms. Peyton joined CAMP in April, and the transition between Mr. Baker and Ms. Peyton has gone very smoothly. Ms. Peyton went to St. Thomas for law school, which has an excellent mentoring program, and this reflects in her fresh ideas for mentoring. One of the focuses in the transition is to reinvigorate participation in the program.

Mr. Baker will be a volunteer with CAMP.

Ms. Peyton says that she has enjoyed her time with CAMP thus far and agrees that the transition is going smoothly. One of her focuses is developing metrics to show the value added of the mentoring program and to continue looking for ways to increase inclusivity and diversity.

June 23, 2016, will be a going-away event for Mr. Baker to thank him for his time and contributions to CAMP.

Mr. Stark noted that one metric would be retention—how satisfied are people with their jobs, how many have left, etc.

b. Colorado Lawyer Assistance Program report

COLAP has been very busy since January 1, 2016.

COLAP's clinical director passed the Bar, and the rest of the staff is doing well.

ABA's LAP Conference will be held in October.

c. Office of Attorney Regulation Counsel report

Mr. Coyle noted that Chip Mortimer has been employed with OARC for 16 years but has decided to leave and be a part-time Chaffee County Attorney. OARC is discussing whether it will immediately fill his position or whether it will restructure and reorganize the office.

Several immediate needs include administrative assistant for Admissions Department. Sue Gleason will likely retire at the end of 2017, and the administrative assistant will focus on the minutia of the admissions process. A staff attorney is also needed, which will likely be a temporary position.

Several members of OARC are traveling and giving presentations. Mr. Coyle will be presenting in Washington next week and Philadelphia in June. The annual ABA meeting is scheduled for August 2016.

d. LLLT subcommittee report

Mr. Stark notes that the next subcommittee meeting is on May 27, 2016. The meeting is open to the public. There is a suggestion to change the name of LLLT subcommittee to the “Alternative Legal Providers” subcommittee.

Judge Fisher from the New York court system presented at a recent subcommittee meeting and discussed the navigator programs in New York. Judge Fisher’s presentation will be posted on the LLLT website soon.

In Colorado, the 5<sup>th</sup> Judicial District (Summit County) will hopefully soon start a pilot program, which is akin to the Navigator Program.

Mr. Vigil believes several meetings are still necessary to formulate the program.

Ms. Covell indicated that she was uncertain what purpose navigators served, but they do serve a purpose because they put the parties at ease and make it less likely that litigants will be intimidated.

Mr. Stark noted the value in having pro se parties feel supported, which is a different issue than whether to license navigators. Mr. Neilson noted that there’s value in persons providing support—not necessarily legal representation or acting on behalf of someone but providing information on the legal process.

e. Project Management Based Regulation (PRMB) subcommittee report.

Next meeting is on May 18.

Now that supreme court adopted preamble, the 10 working groups will be working to address the objectives and making presentations on their status. The idea is to create a product that will be useful to create an ethical infrastructure before conflicts arise between clients and lawyers. Eventually, there will be a system with resources to help lawyers create this infrastructure.

Mr. Coyle demonstrated Bayesia Simulator, which helps attorneys assess their risk of receiving a complaint. The simulator is really designed to help sole practitioners given better client service and design resources for an infrastructure.

Mr. Stark said that purpose of the subcommittee is to help attorneys be aware of ways in which they can find themselves in bad predicaments, and it’s unknown if it will be mandatory or just an encouragement.

f. Conditional Admission report.

Mr. Zall thanked Judge Lucero and his staff for their work.

**6. Other business.**

Proposed dates for 2016:

- June 8 (4:00 p.m. teleconference)
- June 23 (5:00 p.m. for Mr. Baker's retirement party)
- September 9, 2016
- December 9, 2016 (annual dinner)

Meeting adjourned at 1:23 p.m.

Melissa Meirink  
Supreme Court Staff Attorney