

**In This Issue**

CWBA Lift!..... 4  
 CWBAF Raising The Bar ..... 5  
 Deposition Tips..... 9  
 Convention Highlights ..... 10  
 Public Policy Update..... 14  
 Upcoming Events ..... 18

**Features**

President's Letter..... 2  
 Perspectives..... 3  
 Someone's Gotta Say It ..... 6  
 Inside The CWBA..... 7  
 Confetti ..... 17

the **Advocate**



*A Publication of the Colorado Women's Bar Association*

**“Wings Level  
 And A  
 Steady Climb”**





## President's Letter || Jessica Brown

# Walking Together: Supporting Each Other And Advancing Our Mission

As President-Elect last year, I thought a lot about theme. I considered **Women Supporting Women**. It's important to me that we support one another as women, to help each other find positions, mentor each other for skills development, sponsor each other for promotions, value and recognize each other's work and efforts, refer business to one another, advocate for pay equity, address the leadership gap, help each other through hard times, and honor each other's individuality and choices. The CWBA will focus on these objectives through the launch of our "CWBA LIFT" mentoring program, a second "Storming the Bench" program, a Sixth Annual Moms Luncheon, the "Confetti" section of *The Advocate*, our exclusive listserv, our work with our lobbyists, our community service projects and fundraisers, and numerous other programs and social events.

But I wanted a theme with multiple meanings, like our 2015 Convention theme, **Up Where We Belong**. When I made that suggestion, I knew we wanted Lieutenant General Michelle Johnson, Superintendent of the Air Force Academy, to be our keynote speaker; that we would be at the beautiful Sebastian Hotel in Vail for our sessions; and that, although we are making progress, we still have work to do before women as a demographic are "up where we belong."

So I looked for another theme with literal and symbolic meaning. And I read that the DC Women's Bar Association's theme was **Standing Together**, which the DC Women's Bar President explained in part as follows: "Whether you are just starting your law career or have been practicing for many years... Whether you work in a large or small law firm or work in government, nonprofit or in-house, the WBA is here for you... Regardless of your individual circumstances, as women in the legal profession we all need to stand together and support each other."

Seeing this, my mind immediately leapt from Standing Together to **Walking Together**.

Walking Together, for me, connotes not only (1) women supporting each other, but also (2) making forward progress on issues of importance to women, and (3) literally walking together, for better health and wellness – another area of importance to me.

In fact, I have thought about trademarking the phrase "walk 'n' talk—the healthy alternative to a traditional meeting." I am a huge proponent of walking meetings, and it turns out I'm not the only one. Steve Jobs was known for having them; Mark Zuckerberg reportedly holds walking meetings as well. An international group of experts recommends that full-time employees accumulate from two to **four hours** of standing and moving, **during their working hours**. It has been said that "sitting is the smoking of our generation."

According to Dr. Martin Seligman, former President of the American Psychological Association, lawyers are "disproportionately unhappy and unhealthy. And lawyers know it; many are retiring early or leaving the profession altogether." When women leave the profession, they generally do not become judges, general counsel, equity partners, etc., potentially exacerbating the leadership gap.

Walking is not a cure-all, but the benefits of walking are numerous and well-documented: Walking curbs weight gain, protects us from heart disease, may decrease some cancer risks, staves off dips in energy, lifts our spirits, improves memory, and even enhances creativity. According to a Stanford University study, **workers are 60% more creative when they are walking versus sitting.**

So our theme this year is **Walking Together: Supporting Each Other and Advancing Our Mission**. We hope to make a difference for women and that each of our 1000 plus members will walk with us!

*Jessica Brown is a partner at Gibson, Dunn & Crutcher, LLP specializing in employment law, e-discovery, and class action litigation.*

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|| Perspectives ||

Magistrate Judge Kristen L. Mix || Justice Rebecca Love Kourlis



## Roadmap To The Bench And Beyond

**Magistrate Judge Kristen L. Mix** was appointed to the federal bench in 2007. Prior to her appointment, she specialized in labor and employment law. In addition to being a frequent writer and speaker on the law, Judge Mix participates in the community in a variety of ways, including serving on several judicial committees, associations, and boards.

**Justice Rebecca Love Kourlis** is Executive Director of the Institute for the Advancement of the American Legal System (IAALS). Before founding IAALS, Justice Kourlis served Colorado's judiciary for nearly two decades, including 17 years as a trial court judge and 11 years on the Colorado Supreme Court. At IAALS, Justice Kourlis's work focuses on continuous improvement of the American legal system.

### What inspired you to leave private practice and become a judge?

*Magistrate Mix:* The idea started to form in my head when my mother became a judge. She was elected to the family court bench in Buffalo, New York, in 1992. My mother loved being a judge, and this inspired me. The more I saw her success and fulfillment, the more the idea of becoming a judge appealed to me and resonated as a possibility for myself. Thus, in early 2007, when Magistrate Judge Coan was retiring, I applied for the position, and the pieces fell into place.

*Justice Kourlis:* I placed great value on the role of a judge in the system of justice, and felt that the job would be rewarding and challenging. I loved representing my clients, but I was attracted to the notion of being a part of a larger goal: the goal of assuring that people who end up in court are indeed treated fairly and that the rule of law is honored.

### What advice do you have for CWBA members who aspire to be on the bench?

*Magistrate Mix:* I recommend gaining experience with the particular court or the work performed by the specific judge or court. The competition can be

### We asked two judges:

How they got to the bench, what motivates and challenges them, and where to go from there.

step. To set yourself apart, you need to have some experience with the areas of law or type of work performed by the court. It also helps to have an interest in public service and to participate in the bar and the larger community. Being a judge means being a public servant.

*Justice Kourlis:* Apply. And, do not be discouraged if you do not get the nod the first time. What a particular bench needs, or what a particular commission or Governor are looking for changes over time. You may be just right for the job the second or third time you apply. Also, make sure you understand what the job entails. Spend time in court watching judges who hold the position you think you want. Some people do not enjoy the work, and are thus not good at it.

### What are the challenges and rewards of being a judge?

*Magistrate Mix:* Like many legal jobs, my job can be extremely demanding in terms of flow. I have no control over the number of cases that are filed, and I have an obligation to keep the cases moving forward. We take whatever gets filed. It can be hard to plan your life when you cannot predict your caseload. Also, there is a self-imposed demand for excellence; I don't ever want to fall down on my responsibilities. I take my role very seriously and want to do my best. This drives me ceaselessly.

**“Being a judge means being a public servant.”**

Challenges aside, I really enjoy the variety of the work, as well as the reading, writing, and thinking. I like being a decision-maker rather than an advocate. Further, I believe in our legal system and the pursuit of justice. Justice is important; it is the thin line between anarchy and adequate self-governance. Although not perfect, I believe our legal system is the best system in the world. I am motivated by the role that I play – as insignificant or significant it may be depending on the case. As a judge, you have to be dedicated and believe in our system.

*continued on page 15*

# CWBA Lift! Mentoring Strengthens The Legal Community

## *New Program Launched At Convention*

*By Whitney Beck & Diane Wozniak,  
CWBA Membership Committee Co-Chairs*

The CWBA Lift! Mentoring Program officially launched at Convention in May and is well underway with its pilot program. CWBA Lift! is a partnership with the Colorado Supreme Court Colorado Attorney Mentoring Program (CAMP) and John Baker, CAMP's director. Organizers of CWBA Lift!, along with CAMP, have been busy pairing mentors and mentees in preparation for the official kickoff in January 2016. The mentoring pairings matched during 2015 will serve as a pilot program for the 2016 program.

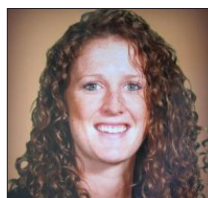
CWBA Lift! has specific objectives designed to create meaningful, long-lasting relationships to further strengthen the legal community. Among those objectives are the following:

- Promote excellence in the practice of law;
- Promote professionalism and collegiality among members of the bar through exercise of ethical and civil behavior;
- Inclusion and involvement of attorneys in the Colorado legal community, including teaching the value of networking and developing mentor relationships;
- Promote high standards for client representation through early instruction regarding competency, the exercise of sound and reasoned judgment, and best practices; and,
- Promote public service as an indispensable component of professionalism, and instill pride in the profession and the role lawyers have played and continue to play in shaping and preserving our nations' values.

Ready to get involved? To serve as a **mentor**, you must have been admitted to practice law in Colorado for at least five years and must submit a mentor application for approval. **Mentees** may be licensed, active Colorado lawyers, judicial law clerks, or law students.

**CWBA Lift!** is a one-year commitment that begins in January of each year. Once mentors and mentees are matched, the mentors and mentees will attend orientation in January 2016 at the Colorado Supreme Court to learn more about program's requirements and benefits. Upon satisfactory completion of the one-year commitment, each mentor and mentee will receive 15 CLE credits, 2 of which are ethics credits. The 2015 pilot pairings will be able to satisfy their one-year commitment during 2016, once they complete 12 months from the date of their matching.

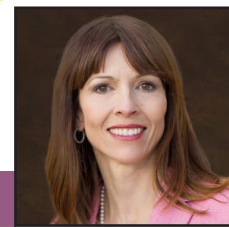
The CWBA is proud and excited to offer this valuable benefit to our membership. We hope that you will participate as a mentor or mentee with **CWBA Lift!**



*Whitney Beck is co-chair of the CWBA Membership Committee and owns her own firm, Whitney K. Beck, Attorney At Law where she focuses her practice in the areas of personal injury and family law.*



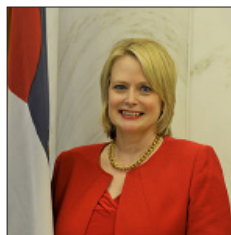
*Diane Wozniak is co-chair of the CWBA Membership Committee and an attorney in Berenbaum Weinshienk's litigation group.*



## CWBA Foundation “Raising The Bar” Dinner Planned for September 10, 2015

*Please join us at The Brown Palace for the CWBA Foundation’s 10th annual “Raising the Bar” dinner.* Each year, we honor women lawyers who have made a difference in our communities and have “raised the bar” for all of us. The evening is always memorable, with nearly 400 attendees gathering to celebrate the accomplishments of our honorees and to thank them for paving the way for other women.

This year, in honor of the 10th anniversary of the dinner, we are celebrating **“Women to Watch: Five Female Attorneys Who Will Make an Impact Over the Next 10 Years.”** They are:



**Cynthia Coffman**, Colorado Attorney General. Since coming to Colorado in the late 1990s, Cynthia has taken the public service sector by storm, including working as chief counsel for Governor Bill Owens, and serving many years as Chief Deputy At-

torney General before being elected to her current position. Prior to moving to Colorado, Cynthia was a trial attorney for the Georgia Attorney General and helped lead a much needed overhaul of the state’s juvenile justice system.

**Janet Stansberry Drake**, Senior Assistant Attorney General, Special Prosecutions Unit, Colorado Attorney General’s Office. Janet is President of the Denver Bar Association and a CWBA Past President. She is an exceptional leader and champion of women and children. Janet is a prosecutor of organized and complex, multi-jurisdictional crimes, with a heavy caseload that has included human trafficking,



homicide, drug trafficking, motor vehicle theft, mortgage fraud, trademark infringement and identity theft.

**Cristal Torres DeHerrera**, Deputy City Attorney, City and County of Denver. A former shareholder at Brownstein Hyatt Farber Schreck, LLP where her practice focused on complex transactional work, including mergers and acquisitions, private



equity and securities advice, Cristal now manages the day-to-day operations of more than 200 attorneys and staff in one of the largest public law offices in the Western U.S. She is a community leader who works to get the job done, including co-chairing the Hispanic National Bar Association 2013 Annual Convention which drew more than 2,000 people to Denver.

**Carolyn J. Fairless**, Managing Partner, Wheeler Trigg O’Donnell LLP. Carolyn is being recognized for her exceptional leadership at WTO, including her tireless efforts to use her position to advance women and mentor attorneys inside and outside of WTO. An accomplished trial attorney, she balances law firm management with a national practice focused on professional liability and complex commercial litigation. In 2014, *Benchmark Litigation* named her one of the Top 250 Women in Litigation nationwide, and *Law Week Colorado* recognized her as a Lawyer of the Year.



**Patricia M. Jarzobski**, The Law Office of Patricia Jarzobski. Patty is an innovative and tireless leader, who brings effective change to the organizations she leads. She is incoming President of the Colorado Bar Association and a CWBA Past President and Board Member. Patty continues to mentor countless women through the CWBA and has demonstrated an extraordinary ability to provide guidance and insight for the leaders of that organization. A seasoned litigator, Patty’s legal practice focuses on personal injury and wrongful death cases.

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**Register online today!**

*Victoria V. (Vicki) Johnson is Secretary of the CWBA Foundation, Co-Chair of “Raising The Bar” and a CWBA Past President. She is Of Counsel for Davis Graham & Stubbs LLP as a member of its employee benefits and tax practice.*

# Someone's Gotta Say It

## *Antiquated Etiquette*

By Nicole Schowalter

This edition of “Someone’s Gotta Say It” results from a lively discussion on the CWBA ListServ in May with the subject Telephone Etiquette and generally summarizes the expressed sentiments from members.



Nicole Schowalter,  
owner of  
Cadence Consulting

Maybe it’s because “Mad Men” is officially over and someone has to carry the torch. Maybe it’s because technology is making it increasingly easy to get a hold of each other at a moment’s notice, and nothing is sacred anymore. Or maybe it’s

because some folks haven’t yet realized it’s 2015, not 1975. Or maybe it’s just ego, or tradition, or habit.

Whatever it is, someone’s gotta say it: The days of having your secretary\* place a call to another attorney, only to have the receiving party answer and be placed on hold to await the calling party to come to the line, are long, long over. That practice faded away, coinciding (correlated or not) with the dawn of pagers and the advent of the Internet. It is no longer appropriate to assume the person you’re calling is willing to sit on hold and wait for you, the person who reached out in the first place, to get around to coming to the phone.

With email, instant messenger, Slack, WebEx, texting, Skype, video conference and social media becoming communication norms, it won’t be long until regular old phone calls are obsolete. Yet, there are the precious few still holding on to outdated telephonic practices. And while, in certain instances, being old fashioned may be charming, this is not one of those instances. Simply put, it is

perceived as distasteful and out of touch to make a call to someone else through a third party.

You don’t have to use all the fancy new forms of technology to communicate. You may continue to rely on phone calls to coordinate and negotiate with opposing counsel. You don’t have to change all that much. But when it comes to making a phone call, it’s a DIY\*\* world these days.



\* “Secretary,” rather than “Executive or Legal Assistant” only because those who engage in this type of antiquated behavior probably also still refer to their assistant as a secretary.

\*\* Do It Yourself

*“Someone’s Gotta Say It” is a regular fun feature of the The Advocate, committed to bringing you true, relevant and/or hilarious information.*

*Nicole Schowalter loves writing and is a member of the CWBA Publications Committee. She is the Director of Business Transformation at DigitalGlobe and leads lean and re-engineering change initiatives in the satellite technology industry.*



## Inside The CWBA: Meet Sarah Chase-McRorie

### Board Member Spotlight



C o l o r a d o transplant and CWBA President-Elect Sarah Chase-McRorie knew from a young age she wanted to be a lawyer, in part because her father is an attorney and her mother insisted she do the same.

“In fourth grade, we had a girl’s club on the playground, and I was the lawyer for the club,” she says proudly. “I was in charge of regulating things on the playground, and settling disputes at sleepovers. I tried to keep everybody in line, and I lobbied the teachers for special activities and outings. My other friend was in charge of club dues and the piggy bank. She eventually became a CPA, so it’s funny how we both followed those paths.”

Fast-forward from elementary school, and Sarah is Senior Legal Counsel at Matrix Financial Solutions, Inc. a Broadridge Company. As an in-house attorney, she really enjoys the diversity in work.

“Even though I am lawyer, I get to wear many different hats and be a part of sales, compliance, operations, and management. I help move a real

product out the door, and that gives me great satisfaction.”

After attending law school in California and then moving back to Colorado, Sarah became involved in the CWBA right away.

“I was new to Denver, and I worked in a small in-house legal department. I craved the network, the support, and the promotion of like-minded lawyers. I joined the CWBA’s Professional Advancement committee, and the rest is history! Several years later, while undergoing treatment for Stage III breast cancer, the CWBA raised more than \$12,000 for the Young Women’s Breast Cancer Translational Program at the University of Colorado, a program that saved my life, really. I am forever grateful to this network of lawyers.”

Not only is the CWBA great for making connections, the members are genuinely interested and supportive of each other, frequently looking for opportunities to promote their work and the work of the CWBA committees. Sarah is no exception, speaking excitedly about the Public Policy Committee’s fundraising and legislative events to be held this fall and winter.

“They are going to be new forums for us, with powerful talks from local leaders and thought-provokers designed to spread ideas and cast a wide net on a variety of topics.”

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**“I am forever grateful to this network of lawyers.”**

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*continued on page 8*

*Inside The CWBA* continued from page 7

In addition to the CWBA, Sarah is also a member of the Emerging Leaders Group of the Association of Corporate Counsel Colorado Chapter as well as her company's Women's Leadership Forum, a corporate initiative that focuses on attracting, developing, retaining and supporting a diverse work force group.



In her free time, Sarah enjoys spending time with her husband, Patrick, and taking her 3-year-old daughter, Sloane, to the park.

This summer she saw the Grateful Dead one last time in concert. Sarah and her husband are also big skiers, so they plan to check off one bucket-list activity: a heli-skiing trip in either Salt Lake or Vancouver in the near future.



*Sarah's daughter Sloane, her "little gymnast."*

Sarah Chase-McRorie will bring the perfect blend of experience, perspective and enthusiasm to the job when she takes the helm of the CWBA as president next year.



*Sarah with her mother Patricia Chase at Red Rocks for a concert.*

*Sarah Chase-McRorie is President-Elect of the CWBA and is a member of the CWBA Foundation Board. She is Senior Legal Counsel for Matrix Settlement & Clearance Services, LLC, a Broadridge company, and one of the nation's largest providers of back-office, trust, custody, trading and mutual fund settlement services for financial institutions. Her practice focuses on the financial services industry and the corporate retirement and institutional services business. Sarah is a graduate of Colorado State University and California Western School of Law.*

*Andrea LaFrance is a second-year law student at the University of Denver, Sturm College of Law, focusing on intellectual property and commercial litigation.*

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and password to gain online access to  
The Advocate.***



# 6 Deposition Tips Court Reporters Want Attorneys to Know

By Judy Stevens

*"I wish I could have been a fly on the wall during that deposition..."* Through the ages, the proverbial "fly on the wall" has been the quiet keeper of confidential (and important) information. I guess in some ways, you could say court reporters are like 'flies on the wall' because we're generally seen and not heard in the deposition setting. However, don't let our quiet and focused demeanors fool you. We take our job as the 'keeper of the record' very seriously, and we understand that our role is vital to the overall litigation process.

As a court reporting firm owner, my goal is to deliver the highest quality record possible to our clients. After all, each case relies on a clear, useable and succinct record of the proceedings. With that goal in mind, here are 6 tips every attorney should know that will improve the deposition process:

1. **Uh-huh and Huh-uh:** Most attorneys start a deposition by saying, "Keep in mind that the court reporter can't write uh-huh and huh-uh." We often have witnesses come into our office to read and sign their deposition and they'll comment, "Hmmm, you CAN write uh-huh and huh-uh!!" We've found that attorneys who clearly articulate their need for an audible record are more likely to have a clearer record during the deposition. Instead, try telling them "every sound you utter will be part of this record. Please speak clearly and loud enough for the court reporter to capture the best record of today's proceedings."

2. **Marking Exhibits:** The reporter's primary function is to capture an accurate record of all communications during the proceedings. Too often attorneys continue asking questions after requesting that an exhibit be marked, which makes it impossible for the reporter to mark the exhibit. By allowing the reporter to have the few seconds needed to complete the exhibit sticker, you'll streamline the process AND ensure an accurate record has been made.

3. **Lunch Breaks:** In an effort to streamline the process, many attorneys will have food delivered so they can work through lunch. Please remember that court reporters need a brain break, stretch and nourishment too. It's physically impossible to eat and report at the same time. Even a short 15-minute break allows the

reporter to eat, run to the restroom, and walk around a bit. A refreshed reporter is better poised to capture the best record of all proceedings.

#### 4. **Quoting From Documents:**

When quoting from a document, please read in your normal questioning speed, not at the speed of light! While most of the parties in the room are familiar with the document, the court reporter still has to write verbatim what is said. If the details are mumbled and skimmed over, the reporter will likely stop you and ask that you repeat a portion of the quote. This can waste valuable time.



Judy Stevens

5. **Terminology:** If you know the deposition is going to be technical in nature due to expert testimony or will have many acronyms or tricky names of people or companies, please provide a listing to the reporting firm at least a day before so the reporter can become familiar with those terms. Acronyms can be particularly difficult to write stenographically. Providing them ahead of time helps ensure a cleaner record of the proceedings, particularly if a rough draft should be needed.

6. **Support Your Reporter:** In some circles, a 'talking stick' is used as a tool for clear communication. The person with the stick has the floor and the voice in the room. While a talking stick isn't appropriate during a deposition, it is critical that only one person speak at a time. Otherwise, it's impossible for the reporter to accurately capture who said what. By supporting your reporter throughout the process, you help ensure the best possible record.

Your record will be cleaner, more readable and succinct by following these simple rules and reminding your deponents to do the same.

*Judy Stevens is the owner of Stevens-Koenig Reporting, a full-service court reporting agency located in the heart of downtown Denver. She is a CWBA Board Member and co-chair of the Non-Attorney Legal Professionals Ad Hoc Committee.*



Ryann Fogel || Tiffany Updegraff



## “Up Where We Belong”

### *The CWBA’s 38th Annual Convention*

The 38th Annual Convention in May raised the CWBA community “Up Where We Belong!” and like other CWBA events this year, saw record breaking attendance as almost 200 attendees descended on the Sebastian-Vail hotel for a weekend full of inspiration, education, networking and relaxation.

The weekend kicked off with returning speaker Kendall Colman’s workshop on branding and self-promotion, followed by the Welcome Reception and launch of the CWBA’s new mentorship program, “CWBA Lift!” Presenters John Baker (Director, Colorado Supreme Court’s CAMP Program), CWBA Board Member Diane Wozniak, and former CWBA Board Member and federal Immigration Judge Melanie Corrin-Haggerty delved into professionalism and the benefits of mentorship at every career stage. Friday night celebrated Judge Sandra Rothenberg, CWBA past president and retired Colorado Court of Appeals judge, who accepted this year’s Mary Lathrop Award.

rights for lesbian, gay, bisexual and transgender people. Concurrently, Sarah Branam and Erica Gann Kitaev provided advice about privacy and security pitfalls that practitioners face, as well as tips for mitigating risk. Attendees then re-convened and “geeked-out” to a writing seminar presented by world-renowned legal writing guru Bryan Garner, where everyone received a copy of his acclaimed book, *Legal Writing in Plain English*.



Saturday morning started early for some attendees with an invigorating yoga/pilates workout called “willPower & grace” led by fitness instructor Jennifer Gentry. The breakfast keynote speaker was Lieutenant

General Michelle D. Johnson, Superintendent, U.S. Air Force Academy, who spoke about her journey to the top of the ranks in the male-dominated military world, and balancing life and family along the way. After breakfast, attendees chose from several dual-tracked CLE courses. Susannah Pollvogt and Mari Newman explored the rapidly evolving area of legal

During lunch, the CWBA listened to the wisdom of former corporate executive/business attorney Caroline Turner, now the Principal of DifferenceWORKS, LLC. She taught attendees how one can move along the masculine-feminine continuum while remaining authentic.

Afternoon CLE choices included Karen Steinhauser’s practical and effective strategies for negotiations, applicable in both litigation and transactional settings. A panel about Colorado’s marijuana industry and its impact on the practice of law included Daniel Garfield (Partner at Foster Graham Milstein & Calisher, LLP), Barbara Brohl (Executive Director of the Colorado Department of Revenue and Marijuana Task Force Co-Chair), and Jamie Sudler (Chief Deputy Regulation Counsel at the Office of Attorney Regulation).



Saturday afternoon concluded with Cindy Fleischner and Nancy Cohen leading an interactive discussion about practical tips for avoiding legal malpractice claims and grievances.

Throughout the weekend, we awarded fabulous prizes, including a weekend in a Range Rover, a Kate Spade bag, 3-month memberships to the Denver

Saturday evening we celebrated the CWBA's successes over the past year at our annual business meeting. We thanked outgoing President Alison Zinn for her outstanding leadership and welcomed Jessica Brown as our new President. Then the boas and glitter came out over dessert for some raucous games of BINGO with the drag queens from Hamburger Mary's!



U.S. District Court Magistrate Judge Kristen L. Mix was our Judge in Residence for this year's Convention, making herself available to chat with attendees

Athletic Club, gift certificates for restaurants and retail establishments, and much more. And let's not forget those fabulous swag bags stuffed with goodies from our sponsors.



on an informal basis throughout the weekend. She also served on our Sunday morning Judicial Panel, along with Colorado Court of Appeals Judge Karen Ashby, Colorado Supreme Court Justice Brian Boatright, and Denver Probate Court Judge Elizabeth Leith, who provided advice about and insight on paths to the bench, the



unique aspects of their particular courts, practice pointers for attorneys, and how to get more women appointed to the bench.

Thank you so much to all of the attendees, speakers, Convention Committee Members, and CWBA Board Members for helping to make this year's Convention so successful!

For the second year in a row kid activities were offered, including a slumber party-style movie night featuring Big Hero 6, face painting and balloon animals, and decorating bags used by Project Angel Heart to deliver food to seriously ill individuals.

*[Ryann Fogel](#) is a CWBA Board Member and an associate at McConnell Fleischner Houghtaling, LLC, where her practice includes representation of professionals involved in both medical and legal malpractice actions.*

*[Tiffany Updegraff](#) is a CWBA Board Member and an associate at Brownstein Hyatt Farber Schreck, LLP, where she practices labor and employment law.*

# “Up Where We Belong” Thank You To Our Generous Convention Sponsors

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Lt. Gen. Michelle D. Johnson, Superintendent, U.S. Air Force Academy

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***39th Annual CWBA Convention***  
***May 20-22, 2016***  
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Alli Gerkman || Angie Schmitz



# A (Long) Day at the Capitol: Testifying Before a Legislative Committee

## CWBA Public Policy Committee

*From helping legislators assess legal issues with potential bills, working with the committee to determine the CWBA's position on bills, and testifying before legislative committees, CWBA Public Policy committee members made their voices heard at the Capitol this year.*

*Rachel Catt, a Denver family law attorney at Harrington, Brewster & Clein, P.C. and CWBA Public Policy Committee member, raised her hand at a meeting this year and volunteered to testify at a legislative committee hearing. Here she shares her experience testifying on the continuation of the Pay Equity Commission—the good and bad, the inspiring and frustrating—to let our members see one way the CWBA engages with policymakers.*

### What bill did you testify on?

**RC:** The bill would have approved the continuation of a legislatively-created Pay Equity Commission.

### Why did you decide to volunteer to testify?

**RC:** The issue is important to me and so is the CWBA. The opportunity to advocate for women on behalf of the CWBA was very exciting.

### Were you nervous? If so, what about? If not, why not?

**RC:** I had the opportunity to testify three times this session. Once on behalf of the CWBA and twice on a family law bill. I was extremely nervous the first time, which was on the family law bill. My hands and voice were shaking. You'd think I had never spoken in public before. By the time I testified on behalf of the CWBA with regard to the Pay Equity Commission, I was much calmer.

### How did you prepare?

**RC:** I reviewed the bill, asked our lobbyists [from Aponte and Busam] about the politics surrounding the issue in Colorado, and reviewed numerous studies and reports regarding pay equity. I then developed a short statement summarizing our position on the issue.

### What surprised you about the experience?

**RC:** It took a really long time. We had to wait through hours of testimony on another bill before this one was heard. Our bill had only a few witnesses and was heard in about 30 minutes. Some witnesses for the Pay Equity Commission bill did leave as the hour grew late, which is a disservice to everyone.

### What didn't surprise you?

**RC:** The testimony, particularly from women who had experienced pay disparity based solely on gender, was very compelling. Small business owners (some of whom were women themselves) made compelling points as well. While ultimately largely partisan, the individual legislators were thoughtful, and really tried hard to understand the issues. I appreciated that.

### How is legislative participation different from your day-to-day legal work?

**RC:** It was a wonderful diversion. It was meaningful but easy to prepare for!

### Why do you think it's important for CWBA members to bring their voices to the state legislature?

**RC:** CWBA offers a unique, powerful and credible perspective. Collectively and as individuals, our input is very persuasive.

### Would you testify on a bill again?

**RC:** Definitely!

*continued on page 15*

**Interested in getting involved in the CWBA's Public Policy Committee? Contact our co-chairs for more information.**

*Alli Gerkman is a CWBA Board Member and Co-Chair of the Public Policy Committee. She is Director of Educating Tomorrow's Lawyers, a national initiative of IAALS, the Institute for the Advancement of the American Legal System.*

*Angie Schmitz is a CWBA Board Member and Co-Chair of the Public Policy Committee. She is an associate attorney with The Drake Law Firm, P.C., representing businesses and individuals in creditors' rights, insurance, and general business disputes.*

**Perspectives continued from page 3**

**Justice Kourlis:** I was a trial court judge first. The challenges of that job were that it was incredibly demanding: from calls in the middle of the night to weekend hearings and late-night preparation. It was also sometimes tough to be a trial court judge in a small community where everyone knew me. However, the rewards were huge. On a good day, I felt that I was truly making the system work for the people appearing in front of me—and that they believed they had been treated fairly.

When I reached the Supreme Court, the challenges and rewards were different. The challenges included isolation, enormous amounts of reading, and never being able to make a decision alone. The rewards were the ability to impact the development of the law. When I wrote an opinion that I thought was good, which reached a difficult result but explained it sufficiently, there was great satisfaction. Having a role in the evolution of the common law, or the interpretation of a statute, or the determination of constitutionality is a weighty responsibility but also a great honor.

**After being on the bench, what's next? What does the future hold?**

**Magistrate Mix:** I was recently appointed for another eight-year term, so I have no plans to go elsewhere. I am where I want and need to be at this stage of my career. Beyond that, I have stopped trying to predict the future.

**Justice Kourlis:** I loved being on the Court. I enjoyed the writing, the research, working with other Justices and with young lawyers, and making important decisions. What I also loved was the opportunity to work on system improvements, such as jury reform, attorney regulation reform, and family court process reform. When I was offered the chance to start IAALS, it promised the possibility of building something that would continue that system reform for years to come. For me, it was a logical move and I have not looked back. But for IAALS, I would most certainly have remained on the Court.

**Perspectives Authors:**

*Justine Pierce is a member of the CWBA Publications Committee and is an Assistant Attorney General in the Health Care Unit at the Colorado Attorney General's office.*



*Lynn Noesner is a Senior Deputy Public Defender in the Appellate Division of the Colorado State Public Defender. She is a new member of the CWBA Publications Committee.*

**Public Policy Update continued from page 14**

On May 6, 2015, after 120 days of debate and discourse, the Colorado General Assembly adjourned their 70th session. Of the 682 bills initiated during this very busy session, the table below depicts a few bills the CWBA took a position on:

Bill	Title	CWBA Position	Final Disposition
HB 15-1133	Reauthorization and continuation of Pay Equity Commission	Strongly supported; CWBA leadership priority issue; members provided testimony	Failed
HB 15-1161	Public Accommodation First Amendment Rights	Opposed; members provided testimony	Failed
HB 15-1171	State Freedom of Conscience Protection Act	Strongly opposed; members provided testimony	Failed
HB 15-1172	Repeal Punitive Damages Employment Discrimination	Strongly opposed; members provided testimony	Failed
HB 15-1194	Authorize General Fund Dollars for LARC Services	Supported	Failed
HB 15-1258	FAMLI Act	Strongly supported; members provided testimony	Failed
SB 15-20	Education to Prevent Child Sexual Abuse & Assault	Supported	Passed
SB 15-69	Repeal Job Protection Civil Rights Enforcement Act	Strongly opposed; members provided testimony	Failed
SB 15-129	Preserving Parent-Child Relationships	Strongly opposed	Failed
SB 15-268	Offenses Against Unborn Children	Opposed; members provided testimony	Failed

**Support the CWBA's public policy and lobbying efforts! Attend the *September 29, 2015* fundraising event with very special guest speaker *Helen Thorpe*. Details and registration coming soon at [cwba.org](http://cwba.org).**

# It's Membership Renewal Time!

## Renew By August 1

Did you know the Colorado Women's Bar Association is one of the largest and most highly respected women's bar associations in the country? The CWBA is the only bar association in Colorado dedicated solely to advancing women as leaders in the law. If you haven't yet renewed, do not forget to renew by August 1, 2015. After the one-month grace period, membership benefits will end for non-renewing members.



### Membership Benefits

- Continuing Legal Education (CLE) programs, at a discount to members, focusing on developing legal skills and topics of special interest to women practitioners.
- The opportunity to work toward the CWBA's goals by joining one of our committees or to develop leadership skills by becoming a CWBA Board member.
- *The Advocate*, the CWBA's re-designed quarterly newsletter, which keeps members informed of matters of interest at the state and national levels, and provides members with opportunities for publication.
- Exclusive member-benefit education, networking, and social events.
- Access to the CWBA ListServ, a vibrant online forum exclusive to CWBA members for the exchange of information, ideas, and referrals.
- Opportunities to give back to the community through legal services.
- Annual Convention participation and networking.
- Involvement in shaping public policy that is important to women and children.
- Promote women in the law and judiciary.
- And so much more!

**JOIN OR RENEW  
TODAY!**

It's easier than ever to renew or join online at [www.cwba.org/join-us](http://www.cwba.org/join-us). Log in with your user name and password, and you'll be ready to start gaining membership benefits in no time.



# Confetti!

Submit your Confetti news to [publications@cwba.org](mailto:publications@cwba.org)

## Bench Strength

- Elizabeth Harris was appointed to the Colorado Court of Appeals.

## On the Move

- CWBA Board Member Judy Stevens (Stevens-Koenig Reporting) moved June 1 to new offices at 700 17th St, Suite 1750.
- CWBA Board Member Megan Rose will be joining Gordon & Rees.
- Hannah Proff is now a staff attorney at the Colorado Juvenile Defender Center.
- Sadie Sullivan, Esq., has joined the Denver office of Hall, Render, Killian, Heath & Lyman where her practice will focus on advising health care providers.
- Erica Gutherz joined Sherman & Howard as an associate in the firm's Labor and Employment practice group.
- CWBA Immediate Past President Alison Zinn joined Lindquist & Vennum, LLP as a Partner in the Trust & Fiduciary Practice Group.
- Anne Zellner Nolte joined Godfrey Johnson, PC.
- CWBA Board Member Nancy Rodgers is now a Senior Assistant City Attorney with the City of Aurora.
- CWBA President-Elect Sarah Chase-McRorie was promoted to Senior Legal Counsel for Matrix Financial Solutions.
- CWBA Board Member Stephanie Donner is now General Counsel for Galvanize.
- Leeah Lechuga joined Fisher & Phillips, LLP.
- Josie Faix and Merry Balson started Balson & Faix, LLP, an estate planning firm.

- CWBA Board Member Casey Cassinis' firm name has changed to Schaden & Cassinis, PLLC to reflect her status as partner.
- Jennifer L. Keel joined Bogue Paoli & Thomas as Special Counsel.
- Jennifer Poynter opened Poynter Law LLC, handling family law cases, personal injury and insurance subrogation matters.
- Donna Gonzalez moved to Lathrop & Gage's IP department.
- Michelle Sylvain is Of Counsel to Sylvain Dubois, LLC, and ADR and leadership training firm serving Vail, Aspen and Eagle, CO.
- CWBA Marketing Director Kim Sporrer was promoted as the CWBA's new Executive Director.

## You Were Recognized

- Marie Drake won the CBA lawyer writing contest for a non-fiction piece.
- Barbara Brohl and Stephanie Villafuerte were named 2015 Trailblazer Honorees by the Latinas First Foundation.
- CWBA Vice President Shannon Stevenson was featured in *Law Week Colorado's* "Top Verdicts 2014" issue.
- CWBA Historian Patty Jarzowski and CWBA Board Member Stephanie Donner were featured in *Law Week Colorado's* "Top Women Lawyers" issue. Stephanie and CWBA Foundation Secretary Vicki Johnson also participated in the "Women's Roundtable" featured in the same issue.
- Correlle M. Spettigue received the prestigious "HNBA Top Lawyer Under 40 Award" during the Hispanic National Bar Association Corporate Counsel Conference in San Antonio.

- Christina Fiflis was among the group of Artesia Pro Bono Volunteer Awardees to receive the Michael Maggio Memorial Pro Bono Award at the American Immigration Lawyers Association Annual Conference in National Harbor, MD.
- CWBA Board Member Debbie O'Neil was featured in "Momentum," the national magazine of the MS Society, in an article about how people with MS can get life insurance.

## Leading The Way

- CWBA Board Member Catherine Shea, Kyle Velte and Michelle Sylvain graduated from the Colorado Bar Association Leadership Training (COBOLT) program on June 19.
- CWBA Board Member Kristi Dorr presented at the 61st Annual Rocky Mountain Mineral Law Institute in Anchorage, Alaska.
- Michelle Sylvain completed Vicarious Trauma Training at the Colorado Collaborative Judicial Conference.

## Congratulations!

- CWBA Board Member Jenna Klos is expecting her first baby, a girl, in October.
- Kristin Bronson is the new CWBA Foundation President.
- Kristi Dorr was married on July 10 and became Kristi Dorr Gilkes.
- CWBA Board Member Sally Pennington married Tom Roller on June 20 in Vail.
- Vicki Johnson and Shelly Dill Combs ran the Colfax Half-Marathon in May.
- Genet Tekeske was married and became Genet Johnson.

# UPCOMING EVENTS

## August

- 5 - Legal Night | Centro San Juan Diego
- 20 - Summer Members Networking Luncheon | Il Fornaio DTC
- 25 - Boulder Chapter Summer Networking Social | Ten20, Boulder

## September

- 2 - Legal Night | Centro San Juan Diego
- 10 - CWBA Foundation 10th Annual "Raising The Bar" Dinner | The Brown Palace
- 29 - Annual Public Policy Fundraiser | Location TBD

## October

- 7 - Legal Night | Centro San Juan Diego
- 7 - Self-Promotion Workshop | Location TBD
- 27 - Fall Social Event | Tony P's

## November

- 12 - Storming The Bench CLE Workshop | Gibson Dunn
- TBD - Annual Legislative Breakfast | Location TBD

## December

- 3 - Annual Holiday Party | Haddon Morgan & Foreman, P.C.



## Register now for these August events!

**August 20** - Members Summer Networking Luncheon in the DTC



**August 25** - Boulder Chapter Summer Networking Social



COLORADO WOMEN'S BAR ASSOCIATION

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Arvada, CO 80002



*The Advocate* is published quarterly by the Colorado Women's Bar Association. The deadline for articles is the first day of the month prior to the publication month. *The Advocate* staff reserves the right to edit any material submitted for publication.

Submit articles or comments to the CWBA, Attention: Advocate Editors, 6870 W. 52<sup>nd</sup> Avenue, Suite 125, Arvada, CO 80002 or to [publications@cwba.org](mailto:publications@cwba.org).

Send email and address changes to Executive Director, CWBA, 6870 W. 52<sup>nd</sup> Avenue, Suite 125, Arvada, CO 80002. Phone: (303) 831-1040; e-mail: [execdir@cwba.org](mailto:execdir@cwba.org).

For more information about CWBA events, membership and activities, visit the website at [www.cwba.org](http://www.cwba.org) or contact the CWBA office at (303) 831-1040.