



**COLORADO SUPREME COURT  
ADVISORY COMMITTEE ON THE PRACTICE OF LAW**

**MEETING MINUTES**

December 6, 2024, 12:10 p.m. – 2:22 p.m.

Hybrid meeting conducted in person and via Zoom at the offices of Faegre Drinker Biddle & Reath, LLP

**Members present in person:** Chair David W. Stark, David Beller, Cynthia Covell, Hon. Andrew McCallin

**Members present via Zoom:** Hon. Angela Arkin (Ret.), Nancy Cohen, Hon. Adam Espinosa, Henry (Dick) Reeve, Sunita Sharma, Alison Zinn

**Liaison Justices in attendance:** Justices Maria Berkenkotter and William Hood (in person)

**Office of the Presiding Disciplinary Judge:** Presiding Disciplinary Judge Bryon Large (in person)

**Staff in attendance** (attending in person unless noted): Jessica Yates, Attorney Regulation Counsel; Margaret Funk, Chief Deputy Regulation Counsel; Ryann Peyton, Executive Director, Colorado Attorney Mentoring Program (CAMP); Sarah Myers, Executive Director, Colorado Lawyer Assistance Program (COLAP) (via Zoom); Liz Lembo, Incoming Executive Director, COLAP; Amy Phillips, Assistant Director, COLAP (via Zoom); Jonathan White, Assistant Regulation Counsel, Office of Attorney Regulation Counsel (OARC); Kim Pask, Executive Assistant, OARC

**1. Approval of the September 6, 2024, Meeting Minutes**

The Chair welcomed members. He asked members if there were any proposed changes to the draft of the September 6, 2024, meeting minutes provided in the packet of materials distributed in advance of the meeting. A member suggested a minor addition on page two, section four, to have a line begin with the phrase “in addition,” rather than “addition,” as written in the draft. Mr. Reeve moved to approve the minutes with this revision. Mr. Beller seconded. The committee approved the minutes unanimously with the proposed revision on page two, section four.

**2. Consideration of Proposed Changes to C.R.C.P. 242.5 to Address Duties of Regulation Counsel**

Ms. Yates included a document detailing proposed changes to C.R.C.P. 242.5 in the packet of materials distributed prior to the meeting. She explained that even though the Colorado Supreme Court has given Attorney Regulation Counsel authorization to take certain administrative actions,

including actions related to various financial obligations, there is no rule expressly referencing this authority. The proposed edits to C.R.C.P. 242.5 seek to memorialize these duties. Judge Large participated in review of the proposals to ensure the suggested language reflects that his office operates independent of OARC. A member suggested that the word “reasonably” be added before the word “necessary” in the suggested additions to C.R.C.P. 242.5(c)(3). Following discussion, Judge Arkin moved to recommend the proposed changes to the court with the addition of the word “reasonably” in C.R.C.P. 242.5(c)(3). Mr. Beller seconded, and the motion passed unanimously. Afterwards, members determined to pause referral of the proposed rule changes to the court until after the March 2025 meeting because at that point in time, there may also be other recommended revisions to C.R.C.P. 242 based on the work of the subcommittee exploring updates to the rules related to attorney discipline.

### **3. Consideration of Recent Changes to The Colorado Rules of Professional Conduct for Lawyers and Amending the Licensed Legal Paraprofessionals (LLP) Rules of Professional Conduct Accordingly**

The Colorado Supreme Court recently amended certain of the Colorado Rules of Professional Conduct, including rule commentary. The amendments include changes to Colo. RPC 1.15B, Colo. RPC 5.4, and Colo. RPC 8.4(g). Accordingly, there is a need to modify the Colorado Licensed Legal Paraprofessional Rules of Professional Conduct to mirror these changes where appropriate. Ms. Yates distributed proposed changes to the Colorado Licensed Legal Paraprofessional Rules of Professional Conduct in advance of the meeting for members’ review. Judge Espinosa motioned to recommend the court adopt the proposed changes. Judge McCallin seconded. The motion carried unanimously.

### **4. Discussion of New or Renewed Drafting Subcommittee to Review LLP Eligibility and Scope of Practice Rules**

Judge Arkin, Chair of the LLP Committee, discussed forming a new subcommittee with members from LLP Committee to review the scope of practice and eligibility rules for LLPs. This subcommittee will determine if any adjustments need to be made, including possible additional rules or clarifying rules. Judge Arkin said it may be that rule changes are not necessary, but it is important to look at the rules and to do so with input from practicing LLPs and specialty bar associations.

### **5. Discussion of CAMP Rebranding**

Ms. Peyton reviewed CAMP’s history since she became Executive Director in 2016. She emphasized the program’s growth and change. It now runs three programs under its umbrella including Legal Entrepreneurs for Justice and the Colorado Well-Being Recognition Program for Legal Employers. Given CAMP’s growth and the array of services that it now provides beyond only attorney mentoring, it is appropriate to consider rebranding the program to reflect the breadth of its current work. Accordingly, Ms. Peyton provided in the packet of materials distributed in advance of the meeting a proposal for rebranding the program as the Colorado Office of Attorney Professional Excellence (APEX). Ms. Peyton emphasized that having one name and one brand will help alleviate confusion, streamline procedures for CAMP’s current staff, and allow for marketing in a space where there are many programs offering skills development. In response to questions, Ms. Peyton said that she does not anticipate the rebranding to require additional staffing.

Following discussion and positive feedback from members on the proposal, Ms. Peyton said she will revisit the proposal with the committee in March with suggestions for rule changes and other implementation steps.

Following discussion of the proposal for the Colorado Office of Attorney Professional Excellence, the Chair introduced Liz Lembo. Ms. Lembo is the new executive director of the Colorado Lawyer Assistance Program (COLAP).

## **6. Consideration of Recommendations and Approval of New Hearing Board Members**

### Character & Fitness Committee

Mr. Zall, Chair of the Character & Fitness Committee, requests approval of David Beller as Vice-Chair of the Character & Fitness Committee, serving a term of seven years effective January 1, 2025, through December 31, 2031. Current Vice-Chair Porya Mansorian is stepping down as Vice-Chair, though he will remain on the Character & Fitness Committee.

Meanwhile, Mr. Zall nominated Judge Peter Cannici to fill an opening created by resignation of Character & Fitness Committee member Angela White. The packet of materials distributed in advance of the meeting contained Judge Cannici's resume. Judge Cannici is an administrative law judge who has also graded the bar examination for a number of years. He would serve a seven-year term beginning January 1, 2025, continuing through December 31, 2031.

### Law Committee

Ms. Sharma, Chair of the Law Committee, nominated Stacey Aurzada to fill an opening created by the term completion of Law Committee member Vincent Morscher effective December 31, 2024. Ms. Aurzada is an attorney for the City of Greeley, and her resume was included in the packet of materials distributed to members prior to the meeting. Her term would begin January 1, 2025, and expire December 31, 2031.

Ms. Sharma also requested members approve the nomination of April Palma Roberts to fill an opening created by member Djenita Svinjar's resignation. Ms. Roberts practices immigration law and works for Denver Catholic Charities. Her resume was also included in the materials distributed prior to the meeting. She would also serve a seven-year term beginning January 1, 2025.

### Attorneys' Fund for Client Protection

Judge Espinosa, Chair of the Board of the Attorneys' Fund for Client Protection, nominated Sonnie Fleming to fill an opening on the Board. This follows the term competition of Susan Coykendall on December 31, 2024. Ms. Fleming would fill a non-lawyer position on the Board. She is an LLP and has a background as a paralegal. She would serve a seven-year term beginning January 1, 2025. Judge Espinosa included her resume for members' review in the packet of materials distributed prior to the meeting.

Ms. Sharma moved to approve the slate of committee member nominations. Judge Espinosa seconded. The committee unanimously approved the nominations.

## 7. **Other Updates**

### a. Office of the Presiding Disciplinary Judge

Judge Large reported that it has been a busy year for the court. He hosted a bench-bar meeting in November that went well. He informed members his office will soon launch a new database allowing the public to search opinions and orders issued by the court. It will improve public access to court orders and opinions. The database will be available on his office's website.

### b. CAMP

Ms. Peyton reported her office finished the 2024 strong with metrics showing wide engagement. She distributed an update on CAMP's current metrics, as well as its outreach and upcoming presentations, in the materials sent prior to the meeting. She told members that the incoming 2025 Legal Entrepreneurs for Justice cohort is the largest class yet fielded with participants having notable professional and geographic diversity. The Colorado Well-Being Recognition Program for Legal Employers saw greater engagement in 2024, which included a sold-out symposium in September.

### c. COLAP

Ms. Myers reported COLAP continues to receive a high volume of calls. She has noted an increase in requests for help related to secondary trauma and empathic strain.

The ABA Commission on Lawyer Assistance Programs held its annual conference in Colorado Springs in September. Among the highlights was a judicial panel on recovery. COLAP played an active role in presenting and assisting with meeting planning.

Today's meeting will be Ms. Myers' last in attendance as Executive Director of COLAP. She thanked members for their support of, and their commitment to, COLAP's important work. The Chair thanked Ms. Myers for her service and for maintaining COLAP as a national leader among state lawyer assistance programs.

### d. Office of Attorney Regulation Counsel

Ms. Yates discussed the office's recent launch of its new website: [coloradolegalregulation.com](http://coloradolegalregulation.com). The office's former website, [coloradosupremecourt.com](http://coloradosupremecourt.com), has a redirect that sends users to the new site. She hopes that the new site and its address reduce confusion between the office and the actual supreme court's website. The new OARC website complies with all ADA requirements.

The office conducted an LLP admissions examination in November. Thirty-five applicants sat for the examination. Results will be announced in coming weeks. Meanwhile, the Colorado Supreme Court will hold a hearing the week of December 9 regarding proposed codification of licensure disability accommodations in C.R.C.P. 203.5. Ms. Yates informed members there will be a financial impact to the office's budget to comply with accommodation requirements.

At this point in time, the office does not have a date by which it will be able to reoccupy its space in the Ralph Carr Building.

e. LLP Oversight Committee

There will be a swearing on January 6 at 3:30 p.m. for individuals who successfully passed the November LLP admissions examination, followed by a reception. Judge Arkin informed members that a committee has formed to evaluate the LLP program. The committee will look at how LLPs are serving the public and consider whether the program has furthered its mission. This committee has scheduled a meeting in January.

Overall, Colorado now has more LLPs than any other jurisdiction. A subcommittee of the LLP Oversight Committee continues to work on communications and outreach to inform the public about these practitioners and educate lawyers and judges about the licensure and its scope.

**7. Upcoming Meeting Dates**

2025 proposed dates: March 7, June 6, September 19, December 12

**8. Executive Session**

The meeting concluded at 2:22 p.m. after which members met in Executive Session.

/s/ Jessica E. Yates  
Jessica E. Yates  
Attorney Regulation Counsel