

The Advocate

A Publication of the Colorado Women's Bar Association

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Announcing the 35th Annual CWBA Convention: June 8-10, 2012

by Advocate Staff

The CWBA is excited to host its 35th Annual Convention at the Vail Marriott Mountain Resort & Spa on June 8-10, 2012. Don't wait to plan your June Vail visit. June offers the potential of balmy weather, Vail summer season amenities, and freedom from end-of-school year schedules. All of this comes with a great lineup of CLEs presented by a distinguished faculty of local and international speakers. And... back by popular demand, an exciting team-based entertainment on Saturday evening.

The 2012 CWBA Convention will revolve around the theme "When Push Comes to Shove, Grace Under Pressure" and will provide a unique opportunity to hear from and interact with colleagues and leaders from the bench and bar. The CWBA Convention is a wonderful and unique opportunity to network with attorneys and members of the judiciary, obtain almost one-third of your compulsory CLE credits, and enjoy the company of good friends, all in a beautiful mountain setting.

One of the highlights of this year's Convention promises to be Friday evening's Mary Lathrop Reception. This year, we celebrate the accomplishments of two amazing women, Hon. Janice Davidson and Lynn Feiger. We hope that you will join us to help honor these remarkable women. Another "must-attend" Convention event will be Saturday's Keynote Luncheon, featuring members of the Colorado Supreme Court: Justice Nancy Rice, Justice Allison Eid, and Justice Monica Marquez.

Watch for all of the Convention details in the Convention brochure, coming to your mailbox soon, and on the CWBA's website at www.cwba.org.

We look forward to seeing you in June at the 2012 CWBA Convention! ♦

To plan your stay in Vail for the 2012 Convention, contact the Vail Marriott Mountain Resort & Spa at 1(800)648-0720 or 1(970)476-4444.

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President's Letter: by Kara Veitch "Volunteer Work Makes a Difference"

It's that time of year when you think about all that you have, how fortunate you are, and how you can help others. The Colorado Women's Bar Association has a long history of giving back to the community and you, too, can help those in need.



Kara Veitch,
CWBA President

The Legal Services Committee, chaired by Ryann MacDonald and Nicole Mundt, organized a clothing drive for the Center for Work Education and Employment (CWEE), which gives low-income single parents the skills and competencies to raise their confidence, improve their earning potential and move their families towards economic self-sufficiency. The CWBA's clothing drive collected several hundred pieces of clothing for CWEE's boutique that helps participants build a work-appropriate wardrobe. The Legal Services Committee is also coordinating a book drive for CWEE. You can volunteer for CWEE to be a guest speaker, GED tutor, or help with fundraising and the boutique.

The beneficiary of the CWBA's holiday party, organized by Catherine Shea and Monica Loseman, was SafeHouse Denver. SafeHouse Denver provides an emergency shelter and a non-residential counseling and advocacy center for victims of domestic violence and their children. SafeHouse Denver is also

looking for volunteers. If you are able to be a long-term volunteer, you can spend time with SafeHouse Denver's Children's Program and on the 24-Hour Crisis and Information Line. You may also volunteer at events and for fundraising activities.

Think of the advantages your law degree has given you, the doors it has opened, and the financial security it brings. There are many who are less fortunate. There are organizations where you, as an attorney, are especially helpful like Colorado Lawyers Committee, Rocky Mountain Children's Law Center, Colorado Court Appointed Special Advocates (CASA), and Colorado Legal Services.

If you think you don't have the right legal background for these opportunities, attend the CWBA's permanent protection order training in February. We will give you both the skills necessary to help those in domestic violence situations and give you an opportunity to help someone in need.

Please donate time or financial support to an organization that speaks to your heart. I promise you that your time volunteering will be some of the most rewarding in your legal career. ♦

CWBA Publications Committee At Work

by Shelly Dill Combs, Publications Committee Co-Chair

The Publications Committee is pleased to announce that it has been selected to compose a Special Edition of *The Colorado Lawyer* for March 2012. This special edition will be entitled “Women and the Law,” and will be authored entirely by CWBA members. We already have plans for article topics and authors, and we are seeking submissions from members for cover art and short creative writing or poetry for consideration and potential inclusion in the special edition. Cover art, short creative writing or poetry submissions need to follow *The Colorado Lawyer* guidelines and be related to the special edition topic. Please send submissions to the Publications Co-Chairs, Shelly Dill Combs at shelly.dill-combs@judicial.state.co.us and Ericka Houck Englert at e.englert@csc.state.co.us. Note that decisions on whether to include a submission are ultimately made by the editorial board of *The Colorado Lawyer*. We look forward to your artistic contributions and thank those of you who have agreed to author substantive pieces!

Contributing to *The Advocate*. The goal of the Publications Committee is to provide interesting, relevant, and up-to-date information in *The Advocate*, about CWBA activities as well as relevant issues in the legal community. To that end, we encourage CWBA members to consider writing a short article (300 to 750 words) for *The Advocate*. Submissions should be sent to Publications Co-Chairs Shelly Dill Combs at shelly.dill-combs@judicial.state.co.us and Ericka Houck Englert at e.englert@csc.state.co.us. We are striving to have each issue include at least one ‘substantive’ article about a relevant legal topic. We define ‘substantive’ loosely. *The Advocate* is only published quarterly with limited pages, so we cannot accommodate every request. As the only specialty bar in the state with both an on-line and in-print publication, we are proud of *The Advocate*. However, we know there is always room for improvement and we welcome your suggestions and comments on how to improve the publication. We look forward to more partnership with our members in the publication process as well as hearing any feedback you may have. ♦

NITA and the CWBA Present Trial Skills Training

by Advocate Staff



NITA is generously offering a top-notch, two-day trial skills program uniquely designed for the CWBA. This special program is a rare opportunity to spend two days learning from the best judges and the best trial attorneys in Colorado. Program Director, Colorado Court of Appeals Judge Diana Terry, has recruited as faculty: Supreme Court Justice Nancy Rice; Court of Appeals Judge Laurie Booras; Denver District Court Judges Shelley Gilman and Christina Habas; U.S. District Court Magistrate Judge Kristen L. Mix; and trial lawyers Lorraine Parker of Leventhal Brown & Puga PC, Lisa Hogan of Brownstein Farber Hyatt Schreck LLP, and Nancy Cohen, former Colorado Regulation Counsel, now with Wheeler Trigg O’Donnell LLP.

The program will be held on Saturday, February 25 and Sunday, February 26, 2012, at NITA’s Education Center in Boulder, Colorado. To maintain the optimum faculty-to-participant ratio, attendance is limited to 32 participants. Don’t be left on the waiting list while your colleagues take advantage of this great opportunity! NITA and the CWBA are offering this program to our members at a significant reduction from typical NITA programs of this caliber - only \$385.00 for members and \$460.00 for non-members. Contact the CWBA at (303) 831-1040 or execdir@cwba.org for more information. ♦

Social Security and Medicare: What You Need to Know

by Lucy Hojo Denson, Immediate Past President

In November, 2011, the CWBA sponsored "Seasons and Transitions," with two speakers presenting on retirement issues. C. Crispin Sargent, president of CS Advocare, Denver, Colorado addressed issues of Social Security and Medicare. Cynthia Hinds, president of Hinds Financial Group, of Lakewood, Colorado addressed issues of financial planning related to financial resources outside of Social Security and Medicare. Because this topic is important to our members, we wanted to share some of the information.

Social Security was established in 1935 to alleviate poverty among the elderly during the Great Depression.¹ The social security program is a "pay as you go" system, collecting payroll taxes from current workers to pay retired workers. The system provides benefits for the worker as well as dependent spouses and children. Social Security also provides a benefit for disabled workers based upon collecting payroll taxes from current workers to pay retired workers.

You are eligible for Social Security if you have 40 or more credits, which are earned by income. In 2011, you would receive four credits after earning \$4,480. Four credits is the maximum which you can earn for one year. You need to pay into Social Security for at least ten years to be eligible for benefits.

The earliest you can start receiving Social Security retirement benefits is age 62. If you elect to take social security between age 62 and "full retirement age," you will receive a reduced benefit. Full retirement age for those born between 1943 and 1954 is 66. This is the age where you begin to receive your full retirement. Persons born between 1954 and 1960 have full retirement between ages 66 and 67. Full retirement for persons born 1960 and later is age 67. If you apply for Social Security between the ages of 66 and 70, you are entitled to an increase of 8% per year of your full retirement benefit until you reach age 70 at which point such increases cease.

However, Social Security is not meant to provide for all your retirement needs. The amount you receive from Social Security is based upon a formula and takes into account the amount you have paid into the system. The maximum benefit for a worker retiring at age 66 in 2011 is \$2,366 per month. This figure is based on the earnings at the maximum taxable amount for every year after 21. Under this example, \$2366 is the maximum this worker would receive no matter if she made a million dollars per year since age 21. You cannot depend on social security for all your retirement

needs, and should develop a financial plan to have retirement monies outside of Social Security. You also need to keep a copy of all your tax returns (the IRS does not keep your tax returns forever) in order to compare the income figures Social Security has with your own records.

While Social Security is an entitlement benefit, it is not automatic. A beneficiary must apply by contacting Social Security. Applications can be made by requesting an in-office or telephone appointment. Contact Social Security at 1-800-772-1213. A beneficiary can also apply for benefits online at www.socialsecurity.gov.

A beneficiary is eligible for benefits on their own work record or the record of a spouse. A spouse can be a current spouse, or if not currently married, can be a spouse where the marriage was ten years or more. The benefit is 100% on the worker's record or 50% on the spouse's record, whichever is higher. Coordinating timing of benefits for a married couple, particularly when you have two high wage earners, can be complicated. This is where you need to consult with a professional.

Another government program affecting many of our members is Medicare.² Medicare is the government financed health insurance program for seniors eligible for Social Security or for disabled persons who have received Social Security Disability Income (SSDI) for twenty-four months.

There are three times when you can enroll in Medicare. The first is the IEP (initial enrollment period) at age 65. Enrollment begins three months before the 65th birthday and extends for three months following (a total of seven months). The coverage date is the first of the month unless your birthday is the first of the month and then it is the first of the prior month.

The second opportunity is the SEP (special enrollment period) for those beneficiaries who are active at work and covered under a group insurance plan. This beneficiary can delay enrollment until coverage is needed without penalty. The beneficiary can choose the date to go into Medicare under a SEP.

The third enrollment is GEP (general enrollment period) which enrollment result in penalties for late enrollment. A beneficiary who has not been actively at work, covered under a group plan, is still eligible to enroll but has a

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What You Need To Know

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beneficiary who has not been actively at work, covered under a group plan, is still eligible to enroll but has an enrollment period of January to March, effective July 1, with a 10% penalty for each year delayed past age 65. It is important to enroll in Medicare timely. This penalty will stay in place for the remainder of time you receive benefits.

Like Social Security, enrollment into Medicare is not automatic. You must initiate an application with Social Security.

Traditional Medicare has two parts, A and B. Part A is an entitlement benefit (funded by payroll taxes described above) and covers inpatient care in a hospital and skilled nursing facility. Part B covers outpatient services such as doctor visits, therapies, and durable equipment. All beneficiaries pay for Part B. The premium is means tested: higher income beneficiaries pay a higher premium. In 2012, the range will be \$99.90 to \$319.70 per month per person.

Parts A and B of Medicare have deductibles and coinsurance. A beneficiary has the option of supplementing Medicare and filling in the gaps, called a Medigap or Medicare supplement policy, and purchased through a private carrier. The options are standardized, all carriers offering a supplement have to provide the same benefit structure.

If a beneficiary chooses traditional Medicare and a supplement, a separate policy is available for outpatient prescription drugs. These plans are designated a Medicare Part D.

You also have the option of substituting your Medicare coverage with the purchase of a Medicare Advantage Plan referred to as Medicare Part C. These plans are available from private carriers and provide coverage equivalent to Medicare Parts A and B. The plans are managed care and have deductibles and co-insurance.

Knowing when to enroll in Medicare and choosing coverage is often confusing. Beneficiaries may be comparing benefits offered under an employer plan or may have options through retiree plans. Information is available online at www.socialsecurity.gov. In addition, information and assistance is available through State Health Insurance Assistance Program (SHIP), at 1-888-696-7213. ♦

1 The information regarding Social Security was provided by Crispin Sargent and found from an article entitled "The Baby Boomer's Guide To Social Security" published by Horses Mouth, LLC.

2 The information on Medicare was provided by C. Crispin Sargent

Protective Orders Training

by Sarah Parady, Legal Services Committee Member

Project Safeguard and the Family & Children's Law Unit at Colorado Legal Services (CLS) represent thousands of clients who have experienced domestic violence in obtaining protective orders against their abusers. CLS needs volunteer attorneys to represent clients at the final stage of the process, obtaining a permanent protective order (PPO) once a temporary protective order is in place.

To help meet this need, the CWBA Legal Services Committee is coordinating a training on February 23, 2012, on how to help CLS clients obtain a PPO. The day-long program is offered at reduced cost for attendees who agree to represent two women in PPO hearings. The CWBA will also apply for CLE credits. In the past, the program has been approved for 7 general and 2 ethics credits.

The PPO training covers every step of the process of representing a client in need of a protective order from initial interviews through the hearing. Materials include case studies, relevant statutory and caselaw, sample interview forms, and examples of evidentiary issues frequently arising in domestic violence cases.

Past attendee Ryann MacDonald says the PPO training was "invaluable." "As a young attorney, it provided me with an opportunity to get inside the courtroom. And, most importantly, I was given the opportunity to provide potentially life-saving legal services to those in our community who, otherwise, would not have had access to an attorney or known how to navigate the legal system." We hope that you will join us in supporting both the legal aid community, and clients seeking protection from domestic violence. Contact the CWBA at (303) 831-1040 or execdir@cwba.org for more information. ♦

CWBA Due Diligence and Endorsement Process

by Nina Wang and Wendy Weigler, Judicial Committee Co-Chairs

One of the Colorado Women's Bar Association's many committees is the Judicial Committee, which is currently made up of about 70 members. Behind the scenes of each vacancy for a Colorado state district, appellate, or supreme court judge, the CWBA Judicial Committee conducts due diligence on each of the three final nominees. The Governor has fifteen days from the announcement of the final nominees to fill the judicial vacancy. Between the time of nomination and the deadline for the Governor to appoint a new judge, members of the Judicial Committee contact judges, co-counsel and opposing counsel listed on each nominee's application and inquire about a variety of issues, including the nominee's professional qualifications, reputation for ethics, potential judicial demeanor, and contributions to the legal community. The CWBA also asks about the nominee's record on issues related to the CWBA's mission, such as the advancement of women leaders and service to vulnerable populations like children. The CWBA Judicial Committee also solicits input from CWBA members through an e-mail blast to CWBA members.

Once all the information for each nominee is received, the Judicial Committee Co-Chair compiles a memorandum for the Governor and his staff that reflects the feedback received during the due diligence process. Due to the sensitive nature of the process and to encourage honest feedback, the memorandum to the Governor is confidential and does not reflect the names of any of the individuals providing comments. The memorandum to the Governor is reviewed by the CWBA President before it is provided to the Governor's legal counsel.

If there are any requests for endorsement, the CWBA asks each nominee seeking endorsement to provide a statement as to why endorsement is sought from the CWBA and highlighting any particular work that the nominee has performed to advance the legal issues facing women and children. The CWBA Executive Committee then convenes and reviews the final due diligence memorandum, as well as the requests for

endorsement, to determine whether the organization will endorse a particular nominee. If an endorsement is made, an endorsement letter will accompany the due diligence memorandum. While the deliberations that accompany the endorsement process are confidential, any final endorsement is public. Recent endorsements include Supreme Court Justice Monica Marquez, Colorado Appeals Court Judge Terry Fox, and District Court Judge Ann Meinster.

This process relies heavily on the dedicated and enthusiastic members of the CWBA Judicial Committee. These members work tirelessly on very short deadlines to make sure that the CWBA provides valuable input to the Governor. Many thanks to our terrific volunteers! If you are interested in becoming a member of the Judicial Committee, or interested in receiving the endorsement of the CWBA for a judicial appointment, please contact Judicial Committee Co-Chairs Wendy Weigler (wweigler@lanskyweigler.com) or Nina Wang (nina.wang@faegrebd.com). ♦



CASA (Court Appointed Special Advocates) is recruiting volunteers in the Metro Denver community to become trained court advocates for children involved in child abuse and neglect cases. CASA volunteers are ordinary citizens who have a passion for protecting children. Many CASA's have full-time jobs and/or families, yet they have made time to become a child's voice in court.

Your time of 10-15 hours a month will give the abused and neglected children in your community a more hopeful future. Right now there's a child in your community who needs your help! You can be the difference, become a CASA Volunteer.

Call today to learn how you can become a CASA volunteer:
(303) 752-CASA (2272)

Legislator Appreciation

by Shannon Stevenson
Public Policy Committee Co-chair

On Wednesday, November 17, 2011, the CWBA's Public Policy Committee hosted its annual Legislator Appreciation Breakfast to honor our state legislators and to hear about their agendas for the upcoming legislative session. We were delighted to have more than 25 legislators in attendance, including Senate President Brandon Shaffer, as well as Governor Hickenlooper's Legislative Director, Christine Scanlan. More than 50 CWBA members came to hear each of these legislators speak about their views on legislation for the 2012 session, including budgetary issues, revenue and economic development, small business taxes, civil unions, proposed formulas for maintenance in dissolution of marriage cases, protections for juvenile prisoners, and education reform. With the upcoming election in 2012, it is sure to be a dynamic session.

The Legislator Appreciation Breakfast is our primary fundraiser to support our lobbyists, Amy Redfern and Ruth Aponte of Aponte & Busam. The legislators in attendance had extensive praise for the work that these lobbyists do at the Capitol, and the CWBA is privileged to be the only specialty bar with its own lobbyists.

The Public Policy Committee extends a special thanks to Holland & Hart for hosting this event; to High Elevations Personal Chef Services and Brandon Gummerson for their generous catering of the hot breakfast; to the many committee members who helped organize the event; to the many CWBA members in attendance; and to our terrific lobbyists, Ruth and Amy, who continue to keep us organized and active at the Capitol. ♦

CWBA Nominating Committee at Work

by Advocate Staff

The CWBA Nominating Committee is at work, busy with their task to select candidates for the CWBA Board of Directors for the 2012-2013 year. Nominating Committee members include:

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Service on the Board offers a great way to promote the mission of the CWBA, which is to work to advance the interests of women in the legal profession and women and children generally. Board service also provides an excellent opportunity to enhance leadership skills by chairing one of the CWBA's Committees. Committees include: Convention, Judicial, Legal Services, Membership, Professional Advancement, Programs, Publications, and Public Policy. Contact any one of the Nominating Committee members right away should you have an interest in CWBA Board service. ♦

The Advocate is published quarterly by the Colorado Women's Bar Association. The deadline for articles is the 1st 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. 52nd Avenue, Suite 125, Arvada, CO 80002-3950 or to execdir@cwba.org.

Send change of address notices to Executive Director, CWBA, 6870 W. 52nd Avenue, Suite 125, Arvada, CO 80002-3951. Phone: (303) 831-1040; Fax: (303) 831-1064; e-mail: execdir@cwba.org.

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