

# **PROCLAMATION**

## **First Judicial District Bar Association**

### **MAY 2020**



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## PRESIDENT'S COLUMN

RYAN HUTTON

### A Time of Certain Uncertainty

Well what can I say about the past two months? I, like many/all of you, have never experienced anything like it. The unknown. The fear. The frustration. The anger. The loneliness. The idleness. The feeling of being trapped. The laughter. The games. The frequent re-organizing. The little things. The free time. The odd sensation of being separated from the day to day grind of society. The extra time with family. The memories. The idiosyncrasies.

A pandemic so horrible that is responsible for the loss of countless lives, has left financial markets in flux and left people reeling for work. My thoughts and prayers go out to all of you who have been impacted by this pandemic in any manner. Whether that be with a loved one or friend; or yourself physically, financially or mentally. Remember that lawyers have a broad support system. Should you need any assistance or just want to talk, you can always find assistance through the Colorado Bar Association COLAP program, which you can find more information on here: <http://coloradolap.org/>. I also know there are countless colleagues through the 1<sup>st</sup> JD who are willing to take some time to chat if you just reach out. Lastly, you can always turn to Tiger King on Netflix to put your mind on something else.

I have found it reassuring that during these uncertain times, people seem to be turning to certainty that may take a back seat in our "normal" lives. In my observations, emphasis is being placed more on the immediate family. I saw siblings playing together in the neighborhood, families out for walks, dinners on the patio and families completing yard and home projects together. I honestly did not even know who some of my neighbors were or that people actually lived in some of these houses near me.

During my uncertain times, I too found myself communicating more with family and friends. Our technology today enables us to stay in close contact with others regardless of where they are in the world. I was spending evenings with just my wife and son and doing weekly online poker games with old college buddies. I have personally spoken with my grandmother more the last six weeks than I probably did the past six months prior. With my grandmother living five-hundred miles away and being over ninety years old, I felt powerless, yet fortunate to be able to speak with her during these times. On one call I asked how she was doing, and being the tough lady that she is, she said "everything is great". She mentioned how she had lived through times like this before and it took her back to her childhood when things were simpler. When people were not always "busy" and there was a focus on family activities, dinners and quality time together.

My grandma also mentioned to me the other day how there are still good people in this world. I told her I could not agree more. While I have been limited in my ability to assist her, she has seen an outpouring of support from her local neighborhood. They have assisted her with getting food, wine, and simply made her still feel included in the community. I know we have all seen similar outpourings in our local areas. These times continually test our resolve as human beings. However, it is times like this that can make us stronger as families and as communities despite our difficulties. I have seen this occurring on a fundamental level and hopefully it will continue over the coming months. As my high school principal ended every morning PA announcement, "take care of yourself and take care of each other."



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## THANK YOU TO 2020 MOCK TRIAL VOLUNTEERS

From the co-chairs of the 1<sup>st</sup> JD Mock Trial Committee, Judge Jennifer Melton, Jenna Kruszka and Magistrate Joel Schaefer

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Judge Randall Arp  
Magistrate Jason Carrithers  
Judge Diego Hunt  
Judge\_Russell Klein  
Magistrate Ryan Loewer  
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A SPECIAL  
**THANK YOU**  
TO:  
Marni Walsh  
and  
Veronica Mabry-James

Jean Arnold  
Alex Boguniwicz  
Rebekah Brown  
Marie Bustamante  
Jackie Calicchio  
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Amber St. Clair  
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Bill Tuthill  
Brittany Tyler  
Meghan Upshaw  
Joel Varnell  
Chelsea Warren  
Susanne Weid  
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Murray Wilkening  
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Luke Zafferini

## STRANDED AT SEA

### By Maureen O'Brien

About a year ago, my friend Steve, who had traveled with me and my boyfriend and law partner Fred Bibik before, asked me to plan a trip to Asia. In my usual obsessive way, I planned a cruise from Singapore to Hong Kong on March 1st that included private guides and leaving the ship for a few days to fly to Angkor Wat. In January we started hearing about the coronavirus, but thought it was confined to Asia. About 2 weeks before the cruise, we decided Asia was a bad idea, but since all 3 of us had planned the time off, and the rest of the world seemed safe, I quickly planned a cruise on the Celebrity Eclipse to South America. Fred and I had a 3 day trial the week before we left, so I didn't have time to do my usual extensive research, but we figured it would still be fun. And it was, in the beginning!

We flew to Buenos Aires, which we absolutely loved, and then got on the ship and sailed around Cape Horn, and saw lots of great places including Uruguay, Ushuaia, the "End of the World", and Tierra del Fuego. Our last port before the end of the cruise was Puerto Montt Chile on March 13th, and the night before stopping there we heard that flights to the US from Europe were being stopped, and some cruise ships in other areas were being turned away from ports. Our cruise was due to end on March 15<sup>th</sup> in Santiago, Chile, after a day at sea getting there, and then we were going to fly to Lima, Peru for 3 days before coming home. We talked about whether we should get off the ship in Puerto Montt in case we were turned away from Santiago, but since there was supposedly hardly any coronavirus in South America yet, that seemed like a remote possibility. Also, Puerto Montt was a tender port, where we had to use the ship's lifeboats to get to shore, making getting luggage off difficult, and the ship had our passports, so we decided to just stay onboard.

On the night before Santiago, we put our luggage outside our rooms at 10 pm as required, and we were prepared to get off at 8 am. At 5:30 am we woke up to the loud voice of Captain Leo booming into the cabin, telling us that Chile had declined to let us dock. He said they were going to try to "compel" them to let us dock, which seemed strange – how could they be compelled? I spent the day trying to reach anyone I could

think of from our Congressmen to our Governor and the US Embassy in Santiago. After a day of uncertainty, with everyone kind of milling about the ship, without their possessions as the luggage had been collected, the Captain announced that we would not be getting off that day, but they were still working to compel Chile to take us. That evening they announced they would be returning our luggage, which took quite awhile, because the luggage was marked with colors according to what time you were getting off the ship, and not with the cabin numbers. The next day the US Embassy finally returned my email, telling me that we were not going to be allowed into Chile. When I showed it to the Captain, he was surprised and said he hadn't heard that. Throughout the day, they had us all on several occasions go to various places on the ship to give them information about our flights out of Chile. Most people scrambled to do this as quickly as possible. Then there would be announcements saying that they couldn't get approval from Chile because some people still had not given the information. One woman actually bragged to others with her in the hot tub that she was not going to bother because she was enjoying herself! Other people ratted her out and security came and she was still refusing, but finally agreed to do it. The captain continued to tell us they were working on getting us off in Santiago, but that night announced that Chile had made a "final decision" not to let us in.

Now the plan was to take us to San Diego, which would take 10 days. The ship was not able to go through the Panama Canal because, while it would fit, the lifeboats could not be deployed inside the canal, so it was not allowed. This floored me, because why would we need lifeboats if the walls of the canal were right there! Anyway, to be able to get to San Diego we needed fuel and supplies, and some people needed medications. We were floating around in a bay within sight of shore, but Chile would not let us come into the port for fuel and supplies, so we spent one entire day getting fueled up by a tanker alongside us, which could not be done at the same time as supplies. Then for 2 days, they sent a small boat with 3 crewmen out to give us supplies. They had to offload them with a small crane and often by hand – it seemed to take forever! This was after the supplies were held up for quite awhile by Chilean customs. The Captain referred to the "political situation" and "labor unions" in Chile as the problem. Then Chile decided that the Chilean passengers could get off, maybe 100 people, so they sent some small boats to get them. People on the ship were lined up to watch

Continued on page 6



and take pictures as they departed, waving and blowing kisses. One woman about 5 decks up proceeded to drop her iPad onto the platform where they were getting off, almost hitting a man in the head. The iPad shattered of course, and the man was understandably angry. We have learned that the airports were closed in Santiago and Lima, so maybe it was good that we didn't try to get off early and go there. At least we are on a ship with beds and food! We hear that there is mandatory quarantine in Chile and Peru, enforced with militia.

We finally set off for San Diego at 12:30 am on March 20<sup>th</sup>. At least we were on the way. It was very stressful because we really didn't know if we would be allowed to dock there, and even if we were, whether we would have to go into a quarantine facility for 2 weeks. Celebrity decided to give free internet and liquor to everyone on board at this point. We noticed that the staff removed all the expensive liquor and replaced it with cheap bottles! It became much harder to connect on the internet with everyone using it. We tried to relax and enjoy ourselves, but I spent almost every waking moment searching for information on the internet.

Every day the Captain would announce that everyone on the ship was healthy, and there was no virus on our ship. We all felt like maybe we were in a safer place than at home, and that we should actually be grateful as we could still go to the restaurants and bars on the ship, while everyone at home could not go out. And we had toilet paper! I was having asthma and went to the medical center several times about medication. Every time the staff would be setting up folding chairs to handle all the people there, and many people were coughing. This made me wonder whether they were telling us the truth about no one having the virus. We didn't realize they had no tests onboard! We had heard that other ships had the virus on them, but it was life as usual on the ship – no social distancing, shows every night and activities during the day. The day we crossed the Equator there was a huge party at the pool. The second to last night there was a huge farewell party, and the popular Captain Leo gave a very moving speech thanking the passengers and crew. He said this was the longest cruise in Celebrity's history, and we were the last passengers on a Celebrity ship. We had gone over 8000 miles.

The last night we again put out our suitcases. The Captain announced that we would be arriving about 5 am, so we all got up to watch

the sail-in. I was never so happy to see land! We went to the front of the ship and had champagne! We had prevailed in our daily efforts to be among the first people off the ship. Celebrity had made flight reservations for all the passengers, some on charter flights, but United kept cancelling the flights they gave us. We made our own reservations and had 2 flights on Southwest, one on United, and a rental car reserved just in case. We were pests at the front desk, telling them we needed to get off the ship quickly as we had one early flight. I was concerned that if anyone had a fever getting off the ship they would stop letting people off. We met with customs & immigration officers on the ship – this was our first exposure to anyone wearing a mask! The ship was to give us back our passports before meeting with immigration, but when Fred and I got there, they had lost our passports. I almost had a heart attack. After I pestered everyone I could find, they finally located them. We managed to get on the second bus to the airport. They took our temperatures before we could get off and we had to fill out medical questionnaires. They gave us masks and a bag lunch. We were the lead story on the news in San Diego, as the last ship to be allowed to dock there. I didn't relax until the plane took off. Of course, we arrived home to a world vastly changed from the one we left.

After getting home, we got an email from Celebrity saying that a person on the ship had tested positive for COVID-19. We later learned that this woman was actually removed from the ship by ambulance, and was on a ventilator for 22 days. Through a Facebook group of passengers, I have learned that actually at least 136 people have tested positive, and many more are presumed positive. Five that I know of have died, and several are in ICU. Symptoms are greatly varied among the passengers, and clearly taking temperatures is not an effective method for determining if people have it, since we were all allowed off after having temperatures taken. What I thought was my lifelong asthma is apparently COVID, according to my doctor, but my only symptoms are shortness of breath and chest pain. No fever, no cough. Apparently, the cruise line decided to get us home, which I am grateful for, without telling anyone that people onboard might be ill. However, this strategy was probably not the best way to keep people healthy, both on the ship and when we got off. After looking at nothing but ocean for 15 days, stressing about whether we would ever get home, I am not too anxious to ever get on a cruise ship again!

The 2020-2021 1st Judicial District Board members are shown below. The Nominating Committee submits this slate of board members for approval. You may participate in the virtual board meeting on June 19 at 5:30 pm to make additional nominations. If you wish to attend, send an email to [admin@1stjd.org](mailto:admin@1stjd.org) to obtain access information for the virtual meeting.

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Joseph Maher	Zenisek

#### **BOARD OF GOVERNORS**

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#### ***Obituary—Robert Earl Conklin***

**Carol Conklin** skillfully served as Executive Director of the 1st JD from 1990 to 2005. Many of you fondly remember Carol and her contribution to the bar. She and her husband Bob attended many bar association events. Our sympathies go out to Carol and her family. The bar association will be making a donation to Story Corps in Bob's honor.

#### ***Conklin, Robert Earl***

Bob Conklin was born in Greeley, Colorado May 2, 1933. He graduated from Greeley High School and attended college in both Greeley and Ft. Collins. He worked summers on a ranch and in his spare time became quite a fisherman. In 1953 he joined Burroughs Corp (later Unisys) where he worked his entire career. In December 1953 he married the love of his life, Carol Hafkey. They had two children. The family enjoyed traveling and camping. Bob enjoyed watching sports on TV or in person and going to the theater. He was a member of the Arvada Elks. He loved computers and tinkering in his shop. March 17, 1993 he made the bold decision to give up drinking. He was incredibly proud of that life changing choice that allowed him to renew relationships and truly enjoy life. He became incredibly personable and treasured his time connecting with others at garage sales, mountain casinos or the neighborhood McDonalds. Bob was passionate and loving. He had a wonderful sense of humor and a charming smile even in difficult times. His family honors the doctors, nurses, aides, therapists and support staff that helped Bob through recent years. We thank the skilled and caring staff that took care of him at Brookdale Lakewood Meridian, where he was president of the Resident Council and Welcome Ambassador. Bob passed peacefully Sunday, May 3, 2020 a day after his 87th birthday. He is survived by wife Carol, daughter Jan Booch (Grady) of Maui and son Steve of Edgewater. Donations in his honor may be made to [StoryCorps.org](http://StoryCorps.org).



SAVE THE DATE FOR A FREE CLE  
Tuesday, July 14, 2020  
12:00 pm

LEGISLATIVE UPDATE  
ANDREW WHITE  
CBA Director Legislative Relations

This will be an interactive virtual presentation

More information to come

YOUR MEMBERSHIP DUES ARE BEING  
UTILIZED TO SUPPORT  
LOCAL NON-PROFITS

The 1st JD Bar Association Board recently completed the grant request process for 2020 and voted to allocate \$2,500 to each of the following non-profit agencies in support of their hard work and dedication to the local communities in Jefferson and/or Gilpin county.

***Family Tree***

***Justice & Mercy Legal Aid Center***

***Ralston House Child Advocacy Center***

***Rocky Mountain Victim Law Center***



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