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Colorado Judicial Branch
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Supreme Court requires Colorado lawyers to disclose insurance status *Private-practice attorneys must make disclosure in annual registration*

DENVER – Beginning Jan. 1, 2009, all attorneys engaged in the private practice of law in Colorado must publicly disclose whether they are covered by professional liability insurance under a rule approved by the Colorado Supreme Court.

The court on Sept. 10 approved an amendment to Rule 227 of the Colorado Rules of Civil Procedure requiring the disclosure on annual attorney-registration forms. Attorneys who have professional liability insurance also will be required to state whether they intend to maintain the insurance while engaged in the private practice of law, and must notify the Supreme Court Office of Attorney Registration within 30 days if the coverage lapses or if they terminate the coverage.

“People every day entrust their liberty, their property and their livelihood to attorneys,” Supreme Court Chief Justice Mary Mullarkey said. “They should have the ability to know right away whether the counsel they choose to represent their interests has secured professional liability insurance.”

With the rule change, patterned on an American Bar Association model rule, Colorado joins 22 other states that require attorneys to disclose either on annual registration forms or directly to their clients whether they have professional liability insurance, according to the ABA.

Under the amended rule, attorneys' disclosures regarding insurance coverage will be available to the public through the Office of Attorney Registration and on the office's Web site (<http://www.coloradosupremecourt.com/Registration/Registration.asp>).

According to the American Bar Association, as of July 2008, Alaska, New Hampshire, Ohio, Pennsylvania and South Dakota require attorneys engaged in private law practice to disclose directly to clients whether they maintain professional liability insurance. Arizona, Delaware, Hawaii, Idaho, Illinois, Kansas, Massachusetts, Michigan, Minnesota, Nebraska, Nevada, New Mexico, North Carolina, North Dakota, Rhode Island, Virginia, Washington and West Virginia require attorneys to make such disclosures on registration forms.