

RULE CHANGE 2019(04)

**COLORADO RULES OF PROCEDURE REGARDING ATTORNEY DISCIPLINE AND
DISABILITY PROCEEDINGS, COLORADO ATTORNEYS' FUND FOR CLIENT
PROTECTION, AND MANDATORY CONTINUING LEGAL EDUCATION AND JUDICIAL
EDUCATION**

Rules 250.7, 251.31, and 252.5

Rule 250. Mandatory Continuing Legal and Judicial Education

Rule 250.7. Compliance

(1) – (3) [NO CHANGE]

(4) Statement of Noncompliance. If any registered lawyer or judge fails to comply with these rules, or ~~C.R.C.P. 203.2(6) or 203.3(4) in any respect~~ [C.R.C.P. 203.1\(8\)](#), the CLJE Office will promptly provide a statement of noncompliance to the registered lawyer or judge. The statement will advise the registered lawyer or judge that within 14 days of the date of the statement, either the noncompliance must be corrected, or the registered lawyer or judge must request a hearing before the CLJE Committee. Upon failure to do either, the CLJE Office will file the statement of noncompliance with the Court, which may impose the administrative remedies set forth in paragraph (8) of this rule.

(5) – (9) [NO CHANGE]

(10) Reinstatement. Any lawyer who has been suspended for noncompliance pursuant to C.R.C.P. 250.7(8) may be reinstated by order of the Court upon a showing that the lawyer's CLE deficiency has been corrected. The lawyer must file with the CLJE Office a petition seeking reinstatement by the Court. The petition must state with particularity the CLE activities that the lawyer has completed, including dates of completion, which correct the deficiency that caused the lawyer's suspension. The petition must be accompanied by a reinstatement filing fee as determined by the CLJE Committee. The CLJE Office will file a properly completed petition with its recommendation with the Clerk of the Court within 14 days after receipt. ~~However, a lawyer suspended for noncompliance pursuant to C.R.C.P. 250.7(8) for five continuous years or longer must apply for and successfully complete the Colorado bar examination pursuant to C.R.C.P. 203.4, in addition to satisfying the other requirements of this rule, to be eligible for reinstatement.~~

(11) [NO CHANGE]

Rule 251.31. Access to Information Concerning Proceedings Under These Rules

(a) – (q) [NO CHANGE]

[\(r\) For matters that are confidential under subsection \(b\) of this rule and that involve allegations of sexual harassment, Regulation Counsel's investigation records regarding the sexual harassment allegations, not otherwise privileged or protected by court rule or court order, shall be available to the complainant and respondent, subject to the provisions of C.R.C.P. 251.33.](#)

Rule 252. Colorado Rules of Procedure Regarding Attorneys' Fund for Client Protection

Rule 252.5. Composition and Officers of the Board

~~(a) The Board of Trustees shall consist of five attorneys and two public members appointed by the Supreme Court for initial terms as follows:~~

- ~~(1) Two attorneys for one year;~~
- ~~(2) One public member for two years;~~
- ~~(3) Two attorneys for two years;~~
- ~~(4) One public member for three years; and~~
- ~~(5) One attorney for three years.~~

~~Subsequent appointments shall be for a term of three years. Members of the Board shall be eligible to serve no more than two consecutive terms.~~

~~(b) Trustees shall serve without compensation but shall be reimbursed for their actual and necessary expenses incurred in the discharge of their duties.~~

~~(c) Vacancies shall be filled by appointment by the Supreme Court for any unexpired terms.~~

~~(d) The Board shall select a chairperson, secretary, treasurer and such other officers as the Board deems appropriate.~~

~~(e) The treasurer and any other officer designated to endorse and execute checks and other financial instruments of the fund shall be bonded in such manner and amount as the Board shall determine.~~

(a) The Board of Trustees shall consist of five member Trustees, a Chair and a Vice Chair.

(1) The Board shall be composed of five attorneys and two public members appointed by the Supreme Court. Diversity shall be a consideration in making the appointment.

(2) Trustees may serve one term of seven years but may be dismissed from the Board at any time by order of the Supreme Court.

(3) The terms of the Trustees shall be staggered to provide, so far as possible, for expiration each year of the term of one Trustee. Trustees may resign at any time. In the event of a vacancy on the Board, the Supreme Court shall appoint a successor to serve the remainder of the unexpired term.

(4) The Chair and Vice-Chair shall be members of the Bar of Colorado. The Supreme Court shall appoint the Chair and Vice-Chair. The Chair and Vice-Chair may be appointed to a second seven-year term.

(b) Trustees shall serve without compensation, but shall be reimbursed for actual and necessary expenses incurred in the discharge of their duties.

Rule 250. Mandatory Continuing Legal and Judicial Education

Rule 250.7. Compliance

(1) – (3) [NO CHANGE]

(4) Statement of Noncompliance. If any registered lawyer or judge fails to comply with these rules, or C.R.C.P. 203.1(8), the CLJE Office will promptly provide a statement of noncompliance to the registered lawyer or judge. The statement will advise the registered lawyer or judge that within 14 days of the date of the statement, either the noncompliance must be corrected, or the registered lawyer or judge must request a hearing before the CLJE Committee. Upon failure to do either, the CLJE Office will file the statement of noncompliance with the Court, which may impose the administrative remedies set forth in paragraph (8) of this rule.

(5) – (9) [NO CHANGE]

(10) Reinstatement. Any lawyer who has been suspended for noncompliance pursuant to C.R.C.P. 250.7(8) may be reinstated by order of the Court upon a showing that the lawyer's CLE deficiency has been corrected. The lawyer must file with the CLJE Office a petition seeking reinstatement by the Court. The petition must state with particularity the CLE activities that the lawyer has completed, including dates of completion, which correct the deficiency that caused the lawyer's suspension. The petition must be accompanied by a reinstatement filing fee as determined by the CLJE Committee. The CLJE Office will file a properly completed petition with its recommendation with the Clerk of the Court within 14 days after receipt.

(11) [NO CHANGE]

Rule 251.31. Access to Information Concerning Proceedings Under These Rules

(a) – (q) [NO CHANGE]

(r) For matters that are confidential under subsection (b) of this rule and that involve allegations of sexual harassment, Regulation Counsel's investigation records regarding the sexual harassment allegations, not otherwise privileged or protected by court rule or court order, shall be available to the complainant and respondent, subject to the provisions of C.R.C.P. 251.33.

Rule. 252. Colorado Rules of Procedure Regarding Attorneys' Fund for Client Protection

Rule 252.5. Composition and Officers of the Board

(a) The Board of Trustees shall consist of five member Trustees, a Chair and a Vice Chair.

(1) The Board shall be composed of five attorneys and two public members appointed by the Supreme Court. Diversity shall be a consideration in making the appointment.

(2) Trustees may serve one term of seven years but may be dismissed from the Board at any time by order of the Supreme Court.

(3) The terms of the Trustees shall be staggered to provide, so far as possible, for expiration each year of the term of one Trustee. Trustees may resign at any time. In the event of a vacancy on the Board, the Supreme Court shall appoint a successor to serve the remainder of the unexpired term.

(4) The Chair and Vice-Chair shall be members of the Bar of Colorado. The Supreme Court shall appoint the Chair and Vice-Chair. The Chair and Vice-Chair may be appointed to a second seven-year term.

(b) Trustees shall serve without compensation, but shall be reimbursed for actual and necessary expenses incurred in the discharge of their duties.

Amended and Adopted by the Court, En Banc, January 24, 2019, effective immediately.

By the Court:

**Monica M. Márquez
Justice, Colorado Supreme Court**