

RULE CHANGE 2020(10)
UNAUTHORIZED PRACTICE OF LAW RULES

Rule 229. Legal Regulation Committee APPOINTMENT AND ORGANIZATION OF
UNAUTHORIZED PRACTICE OF LAW COMMITTEE

~~(a) Legal Regulation Committee. The Legal Regulation Committee (Regulation Committee) is a permanent committee of the Supreme Court. See C.R.C.P. 251.2. There is hereby established a committee to be known as the Unauthorized Practice of Law Committee of the Supreme Court of the State of Colorado (Committee) and which shall be an adjunct to the Supreme Court. The Committee shall be composed of nine members, six of whom shall be members of the Bar of Colorado. The members of the Committee shall be appointed by the Supreme Court for terms of three years, beginning on the 1st day of January, and the terms of three members shall commence each year; provided, that terms may be for shorter periods to accommodate changes in the size of the Committee by amendments to this rule. Membership on the Committee may be terminated by the Supreme Court at its pleasure, and members may resign at any time. Any vacancies shall be filled by appointment by the Supreme Court for the unexpired term. The Committee and members thereof shall be entitled to reimbursement for reasonable travel, lodging, and other expenses incurred in the performance of their official duties.~~

~~(b) Powers and Duties. In addition to the powers and duties set forth in C.R.C.P. 251.2, the Regulation Committee is authorized and empowered to act in accordance with this rule by: The Supreme Court shall designate a member of the Committee as Chair.~~

~~(1) Requesting investigations as authorized by Chapter 19, Unauthorized Practice of Law Rules (“these Rules”);~~

~~(2) Determining whether to authorize filing petitions for injunction or contempt, to authorize entry into stipulations with respondents, to place proceedings in abeyance, to direct further investigation, or to dismiss proceedings with or without conditions, or to make other determinations as authorized by these Rules;~~

~~(3) Reviewing dismissals by Regulation Counsel under these Rules; and~~

~~(4) Recommending to the Advisory Committee proposed changes to these Rules.~~

~~(c) Disqualification. Regulation Committee members must refrain from taking part in a proceeding under this rule in which a judge, similarly situated, would be required to abstain. A Regulation Committee member must also refrain from making determinations under C.R.C.P. 232.5 where a lawyer associated with the member’s law firm is in any way connected with the matter pending before the Regulation Committee. The Committee may adopt rules providing for the time and place of its meetings, the selection of a Vice Chair and other officers, and such other rules not in conflict with the rules of the Supreme Court as may be deemed necessary or expedient for the conduct of the Committee's business. The Clerk of the Supreme Court shall have copies of the rules for interested persons.~~

(d) **Special Counsel.** If the Regulation Counsel has been disqualified or if other circumstances so warrant, the Regulation Committee or its Chair may appoint special counsel to conduct or assist with investigations and prosecutions in accordance with these Rules. ~~The Committee may enlist the assistance of other duly licensed members of the Bar of Colorado in the performance of the activities of the Committee.~~

Rule 229. Legal Regulation Committee

(a) Legal Regulation Committee. The Legal Regulation Committee (Regulation Committee) is a permanent committee of the Supreme Court. See C.R.C.P. 251.2.

(b) Powers and Duties. In addition to the powers and duties set forth in C.R.C.P. 251.2, the Regulation Committee is authorized and empowered to act in accordance with this rule by:

(1) Requesting investigations as authorized by Chapter 19, Unauthorized Practice of Law Rules (“these Rules”);

(2) Determining whether to authorize filing petitions for injunction or contempt, to authorize entry into stipulations with respondents, to place proceedings in abeyance, to direct further investigation, or to dismiss proceedings with or without conditions, or to make other determinations as authorized by these Rules;

(3) Reviewing dismissals by Regulation Counsel under these Rules; and

(4) Recommending to the Advisory Committee proposed changes to these Rules.

(c) Disqualification. Regulation Committee members must refrain from taking part in a proceeding under this rule in which a judge, similarly situated, would be required to abstain. A Regulation Committee member must also refrain from making determinations under C.R.C.P. 232.5 where a lawyer associated with the member’s law firm is in any way connected with the matter pending before the Regulation Committee.

(d) Special Counsel. If the Regulation Counsel has been disqualified or if other circumstances so warrant, the Regulation Committee or its Chair may appoint special counsel to conduct or assist with investigations and prosecutions in accordance with these Rules.

Amended and Adopted by the Court, En Banc, April 16, 2020, effective immediately.

By the Court:

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