

**RULE CHANGE 2020(19)**

**COLORADO RULES OF PROFESSIONAL CONDUCT**

## Rule 1.6. Confidentiality of Information

(a) – (c) [NO CHANGE]

### Comment

[1] – [4] [NO CHANGE]

#### *Authorized Disclosure*

[5] Except to the extent that the client's instructions or special circumstances limit that authority, a lawyer is impliedly authorized to make disclosures about a client when appropriate in carrying out the representation. In some situations, for example, a lawyer may be impliedly authorized to admit a fact that cannot properly be disputed or to make a disclosure that facilitates a satisfactory conclusion to a matter, [including disclosures made by the lawyer pursuant to the Colorado Electronic Preservation of Abandoned Estate Planning Documents Act](#). Lawyers in a firm may, in the course of the firm's practice, disclose to each other information relating to a client of the firm, unless the client has instructed that particular information be confined to specified lawyers.

#### *Disclosure Adverse to Client*

[6] – [20] [NO CHANGE]

## Rule 1.15A. General Duties of Lawyers Regarding Property of Clients and Third Parties

(a) – (d) [NO CHANGE]

### Comment

Note: The following ~~six~~[eight](#) comments are applicable to this Rule 1.15A and to Rule 1.15B, Rule 1.15C, Rule 1.15D, and Rule 1.15E.

[1] – [7] [NO CHANGE]

[8] [A lawyer should hold property of others with the care required of a professional fiduciary. Securities should be kept in a safe deposit box, except when some other form of safekeeping is warranted by special circumstances. A lawyer's compliance with the Colorado Electronic Preservation of Abandoned Estate Planning Documents Act is consistent with the lawyer's duty to safeguard property in paragraph 1.15A\(a\).](#)

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## **Rule 1.15A. General Duties of Lawyers Regarding Property of Clients and Third Parties**

(a) – (d) [NO CHANGE]

### **Comment**

Note: The following eight comments are applicable to this Rule 1.15A and to Rule 1.15B, Rule 1.15C, Rule 1.15D, and Rule 1.15E.

[1] – [7] [NO CHANGE]

[8] A lawyer should hold property of others with the care required of a professional fiduciary. Securities should be kept in a safe deposit box, except when some other form of safekeeping is warranted by special circumstances. A lawyer's compliance with the Colorado Electronic Preservation of Abandoned Estate Planning Documents Act is consistent with the lawyer's duty to safeguard property in paragraph 1.15A(a).

**Amended and Adopted by the Court, En Banc, May 14, 2020, effective January 1, 2021.**

**By the Court:**

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