

**RULE CHANGE 2021(04)**

**RULES GOVERNING ADMISSION TO THE PRACTICE OF LAW IN COLORADO**

**Rules 203.2, 203.3, 205.3, 205.4, 205.6, 208.2, and 209.5**

## Rule 203.2. Applications for Admission on Motion by Qualified Out-of-State Attorneys

(1) An applicant who meets the following requirements may, upon motion, be admitted by the Supreme Court to the practice of law in Colorado. An applicant under this rule shall:

(a) Have been admitted to practice law in another jurisdiction of the United States<sup>1</sup> through examination that allows admission to licensed Colorado attorneys on motion without the requirement of taking that jurisdiction's bar examination;

(b) – (g) [NO CHANGE]

(2) – (4) [NO CHANGE]

(5) For purposes of this rule, all applicants must pass the Multi-State Professional Responsibility Examination (MPRE) prior to admission. For applicants licensed in another jurisdiction of the United States and engaged in the active practice of law for 15 or more years at the time of application without any public discipline, a passing score previously accepted by another jurisdiction of the United States will be accepted for admission in Colorado without regard to when that passing score was achieved. For other applicants under this Rule, a passing score will be valid if it was achieved at an examination taken not more than five~~two~~ years before acceptance of the application for admission in Colorado. The Supreme Court shall review and determine the passing score for the MPRE for admission in Colorado.

(6) [NO CHANGE]

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<sup>1</sup> For purposes of these rules, a “jurisdiction of the United States” is defined as another state or territory of the United States or the District of Columbia.

### Rule 203.3. Applications for Admission on Motion based upon UBE Score Transfer

**(1) Score Transfer, Generally.** An applicant who has taken the Uniform Bar Examination (UBE) in a jurisdiction other than Colorado, and who meets the following requirements may, upon motion, be admitted to the practice of law in Colorado based upon UBE score transfer. The applicant under this rule shall:

(a) [NO CHANGE]

(b) ~~Hold a J.D. or LL.B. degree from a law school approved by the Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association;~~Be otherwise eligible to sit for the UBE in Colorado under C.R.C.P. 203.4;

(c) – (f) [NO CHANGE]

**(2)** [NO CHANGE]

**(3)** All Colorado UBE score transfer applicants must pass the Multi-State Professional Responsibility Examination (MPRE). For applicants licensed in another jurisdiction of the United States and engaged in the active practice of law for 15 or more years at the time of application without any public discipline, a passing score previously accepted by another jurisdiction of the United States will be accepted for admission in Colorado without regard to when that passing score was achieved. For other applicants who are licensed in another jurisdiction of the United States, as described in C.R.C.P. 203.2(5), prior to admission a passing score will be valid if it was achieved at an examination taken not more than five years before acceptance of the application for admission in Colorado. For applicants who are not licensed in another jurisdiction of the United States, a passing score will be valid if it was achieved at an examination taken not more than two years before acceptance of the application for admission in Colorado. The Supreme Court shall review and determine the passing score for the MPRE for admission in Colorado.

**(4)** [NO CHANGE]

### Rule 205.3. Pro Hac Vice Authority before State Courts--Out-of-State Attorney

#### (1) General Statement and Applicability.

(a) An out-of-state attorney (as defined in Rule 205.1) may be permitted to appear in a particular matter in any state court of record under the conditions listed in this rule.

(b) An out-of-state attorney who is domiciled in Colorado and has been authorized for practice pending admission under Rule 205.6 may be permitted to appear in a particular matter in any state court of record under the conditions listed in this rule.

(c) This rule does not apply to an attorney who has been authorized for practice pending admission under Rule 205.6 and is employed by one of the entities identified by Rule 205.6(3) as qualifying for court appearances.

(2) – (5) [NO CHANGE]

#### (6) Appellate Matters and Other Forms of Review.

(a) If an attorney wants to appear in a proceeding before a Colorado appellate court, and the attorney obtained permission to appear in a proceeding involving the same action in a Colorado state trial court, the attorney only needs to file an updated affidavit with the Clerk of the Office of Attorney Registration and a copy filed into the Appellate Court proceeding. No additional filing fee is required.

(b) If an attorney wants to appear in a proceeding before a Colorado appellate court and the attorney did not obtain permission to appear in a proceeding involving the same action in a Colorado state trial court, another Colorado appellate court or administrative agency, the attorney shall file a motion and affidavit with the clerk of the Colorado appellate court, with a copy sent to the Clerk of the Office of Attorney Registration, requesting permission to appear. The motion, affidavit, and filing fee must be submitted as otherwise provided in section (2) of this rule.

(7) [NO CHANGE]

#### **Rule 205.4. Pro Hac Vice Authority before State Agencies--Out-of-State Attorney**

(1) An out-of-state attorney (as defined in Rule 205.1) may, in the discretion of an administrative hearing officer in Colorado, be permitted to appear on a particular matter before any state agency in the hearings or arguments of any particular cause in which, for the time being, he or she is employed, under the same filing requirements as set forth in C.R.C.P. 205.3.

(2) An out-of-state attorney who is domiciled in Colorado and has been authorized for practice pending admission under Rule 205.6 may be permitted to appear in a particular matter in any state agency under the conditions listed in this rule.

(3) This rule does not apply to an attorney who has been authorized for practice pending admission under Rule 205.6 and is employed by one of the entities identified by Rule 205.6(3) as qualifying for court appearances.

## Rule 205.6. Practice Pending Admission

**(1) General Statement and Eligibility.** An attorney who currently holds an active license to practice law in another jurisdiction in the United States, and who has been engaged in the active practice of law for three of the last five years, may provide legal services in Colorado through an office or other place for the regular practice of law in Colorado for no more than 365 days, provided that the attorney:

(a) – (d) [NO CHANGE]

(e) Based on a conferral with the Office of Attorney Admissions regarding the application for admission,  
Reasonably expects to fulfill all of Colorado's requirements for that form of admission;

(f) - (i) [NO CHANGE]

**(2) Foreign Legal Consultants.** An attorney currently authorized as a foreign legal consultant in another jurisdiction in the United States may provide legal services in Colorado through an office or other place for the regular practice of law in Colorado for no more than 365 days, provided that the attorney:

(a) - (d) [NO CHANGE]

(e) Based on a conferral with the Office of Attorney Admissions regarding the application for admission,  
Reasonably expects to fulfill all of Colorado's requirements for admission as a foreign legal consultant;  
and

(f) [NO CHANGE]

**(3) Appearances.** Prior to admission on motion as a qualified out-of-state attorney (C.R.C.P. 203.2), on motion based upon UBE transfer score (C.R.C.P. 203.3), by examination (C.R.C.P. 203.4), or as a foreign legal consultant (C.R.C.P. 204.2), the attorney may not appear before a court of record or tribunal or state agency in Colorado that requires pro hac vice admission unless the attorney either is granted such admission pursuant to C.R.C.P. 205.3, 205.4, or 205.5, or the attorney is employed by the office of the state public defender, the state or any of its departments, agencies, or institutions, a county, a city, or a municipality, or a nonprofit legal services organization where poor or legally underserved persons receive legal advice.

(4) – (8) [NO CHANGE]

## **Rule 208.2. Character and Fitness General Requirements**

(1) [NO CHANGE]

(2) [NO CHANGE]

(2.5) Subpoenas. The Regulation Counsel or Chair of the Character and Fitness Committee may issue subpoenas to parties other than the applicant to compel the production of relevant documents and other evidence. Subpoenas issued under this section and challenges thereto are subject to C.R.C.P. 45. Challenges to subpoenas must be directed to the Presiding Disciplinary Judge.

(3) [NO CHANGE]

## Rule 209.5. Post-Hearing Procedures

(1) - (3) [NO CHANGE]

### (4) Proceedings Before the Supreme Court.

(a) *Docketing*. The matter shall be docketed by the Clerk of the Supreme Court as:

SUPREME COURT, STATE OF COLORADO

Case No.

ORIGINAL PROCEEDING IN ATTORNEY ADMISSIONS

IN THE MATTER OF (the name of the Applicant), APPLICANT

Once docketed, the matter will remain confidential unless written exceptions are filed, in which case the matter no longer remains confidential and instead becomes a public proceeding.

(b) - (d) [NO CHANGE]



## **Rule 203.2. Applications for Admission on Motion by Qualified Out-of-State Attorneys**

**(1)** An applicant who meets the following requirements may, upon motion, be admitted by the Supreme Court to the practice of law in Colorado. An applicant under this rule shall:

(a) Have been admitted to practice law in another jurisdiction of the United States<sup>1</sup> through examination;

(b) – (g) [NO CHANGE]

**(2) – (4)** [NO CHANGE]

**(5)** For purposes of this rule, all applicants must pass the Multi-State Professional Responsibility Examination (MPRE) prior to admission. For applicants licensed in another jurisdiction of the United States and engaged in the active practice of law for 15 or more years at the time of application without any public discipline, a passing score previously accepted by another jurisdiction of the United States will be accepted for admission in Colorado without regard to when that passing score was achieved. For other applicants under this Rule, a passing score will be valid if it was achieved at an examination taken not more than five years before acceptance of the application for admission in Colorado. The Supreme Court shall review and determine the passing score for the MPRE for admission in Colorado.

**(6)** [NO CHANGE]

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<sup>1</sup> For purposes of these rules, a “jurisdiction of the United States” is defined as another state or territory of the United States or the District of Columbia.

### **Rule 203.3. Applications for Admission on Motion based upon UBE Score Transfer**

**(1) Score Transfer, Generally.** An applicant who has taken the Uniform Bar Examination (UBE) in a jurisdiction other than Colorado, and who meets the following requirements may, upon motion, be admitted to the practice of law in Colorado based upon UBE score transfer. The applicant under this rule shall:

(a) [NO CHANGE]

(b) Be otherwise eligible to sit for the UBE in Colorado under C.R.C.P. 203.4;

(c) – (f) [NO CHANGE]

**(2)** [NO CHANGE]

**(3)** All Colorado UBE score transfer applicants must pass the Multi-State Professional Responsibility Examination (MPRE). For applicants licensed in another jurisdiction of the United States and engaged in the active practice of law for 15 or more years at the time of application without any public discipline, a passing score previously accepted by another jurisdiction of the United States will be accepted for admission in Colorado without regard to when that passing score was achieved. For other applicants who are licensed in another jurisdiction of the United States, a passing score will be valid if it was achieved at an examination taken not more than five years before acceptance of the application for admission in Colorado. For applicants who are not licensed in another jurisdiction of the United States, a passing score will be valid if it was achieved at an examination taken not more than two years before acceptance of the application for admission in Colorado. The Supreme Court shall review and determine the passing score for the MPRE for admission in Colorado.

**(4)** [NO CHANGE]

### **Rule 205.3. Pro Hac Vice Authority before State Courts--Out-of-State Attorney**

#### **(1) General Statement and Applicability.**

(a) An out-of-state attorney (as defined in Rule 205.1) may be permitted to appear in a particular matter in any state court of record under the conditions listed in this rule.

(b) An out-of-state attorney who is domiciled in Colorado and has been authorized for practice pending admission under Rule 205.6 may be permitted to appear in a particular matter in any state court of record under the conditions listed in this rule.

(c) This rule does not apply to an attorney who has been authorized for practice pending admission under Rule 205.6 and is employed by one of the entities identified by Rule 205.6(3) as qualifying for court appearances.

**(2) – (5) [NO CHANGE]**

#### **(6) Appellate Matters and Other Forms of Review.**

(a) If an attorney wants to appear in a proceeding before a Colorado appellate court, and the attorney obtained permission to appear in a proceeding involving the same action in a Colorado state trial court, the attorney only needs to file an updated affidavit with the Clerk of the Office of Attorney Registration and a copy filed into the Appellate Court proceeding. No additional filing fee is required.

(b) If an attorney wants to appear in a proceeding before a Colorado appellate court and the attorney did not obtain permission to appear in a proceeding involving the same action in a Colorado state trial court, another Colorado appellate court or administrative agency, the attorney shall file a motion and affidavit with the clerk of the Colorado appellate court, with a copy sent to the Clerk of the Office of Attorney Registration, requesting permission to appear. The motion, affidavit, and filing fee must be submitted as otherwise provided in section (2) of this rule.

**(7) [NO CHANGE]**

#### **Rule 205.4. Pro Hac Vice Authority before State Agencies--Out-of-State Attorney**

(1) An out-of-state attorney (as defined in Rule 205.1) may, in the discretion of an administrative hearing officer in Colorado, be permitted to appear on a particular matter before any state agency in the hearings or arguments of any particular cause in which, for the time being, he or she is employed, under the same filing requirements as set forth in C.R.C.P. 205.3.

(2) An out-of-state attorney who is domiciled in Colorado and has been authorized for practice pending admission under Rule 205.6 may be permitted to appear in a particular matter in any state agency under the conditions listed in this rule.

(3) This rule does not apply to an attorney who has been authorized for practice pending admission under Rule 205.6 and is employed by one of the entities identified by Rule 205.6(3) as qualifying for court appearances.

## Rule 205.6. Practice Pending Admission

**(1) General Statement and Eligibility.** An attorney who currently holds an active license to practice law in another jurisdiction in the United States, and who has been engaged in the active practice of law for three of the last five years, may provide legal services in Colorado through an office or other place for the regular practice of law in Colorado for no more than 365 days, provided that the attorney:

(a) – (d) [NO CHANGE]

(e) Based on a conferral with the Office of Attorney Admissions regarding the application for admission, reasonably expects to fulfill all of Colorado's requirements for that form of admission;

(f) – (i) [NO CHANGE]

**(2) Foreign Legal Consultants.** An attorney currently authorized as a foreign legal consultant in another jurisdiction in the United States may provide legal services in Colorado through an office or other place for the regular practice of law in Colorado for no more than 365 days, provided that the attorney:

(a) – (d) [NO CHANGE]

(e) Based on a conferral with the Office of Attorney Admissions regarding the application for admission, reasonably expects to fulfill all of Colorado's requirements for admission as a foreign legal consultant; and

(f) [NO CHANGE]

**(3) Appearances.** Prior to admission on motion as a qualified out-of-state attorney (C.R.C.P. 203.2), on motion based upon UBE transfer score (C.R.C.P. 203.3), by examination (C.R.C.P. 203.4), or as a foreign legal consultant (C.R.C.P. 204.2), the attorney may not appear before a court of record or tribunal or state agency in Colorado that requires pro hac vice admission unless the attorney either is granted such admission pursuant to C.R.C.P. 205.3, 205.4, or 205.5, or the attorney is employed by the office of the state public defender, the state or any of its departments, agencies, or institutions, a county, a city, or a municipality, or a nonprofit legal services organization where poor or legally underserved persons receive legal advice.

**(4) – (8)** [NO CHANGE]

## **Rule 208.2. Character and Fitness General Requirements**

(1) [NO CHANGE]

(2) [NO CHANGE]

(2.5) Subpoenas. The Regulation Counsel or Chair of the Character and Fitness Committee may issue subpoenas to parties other than the applicant to compel the production of relevant documents and other evidence. Subpoenas issued under this section and challenges thereto are subject to C.R.C.P. 45. Challenges to subpoenas must be directed to the Presiding Disciplinary Judge.

(3) [NO CHANGE]

## Rule 209.5. Post-Hearing Procedures

(1) - (3) [NO CHANGE]

### **(4) Proceedings Before the Supreme Court.**

(a) *Docketing*. The matter shall be docketed by the Clerk of the Supreme Court as:

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IN THE MATTER OF (the name of the Applicant), APPLICANT

Once docketed, the matter will remain confidential unless written exceptions are filed, in which case the matter no longer remains confidential and instead becomes a public proceeding.

(b) - (d) [NO CHANGE]

**Amended and Adopted by the Court, En Banc, April 15, 2021, effective July 1, 2021.**

**By the Court:**

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