

RULE CHANGE 2021(13)

RULES GOVERNING ADMISSION TO THE PRACTICE OF LAW IN COLORADO

Rules 202.2, 204.1, 204.2, 204.3, 204.4, 204.5, 204.6, 205.1, 205.2, 209.2, 210.2, 227

Rule 202.2. Supreme Court Advisory Committee

(1) The Supreme Court Advisory Committee (Advisory Committee) is a permanent committee of the Supreme Court. See C.R.C.P. ~~24251.34~~. The Advisory Committee oversees the coordination of administrative matters for all programs of the attorney regulation process.

(2) – (4) [NO CHANGE]

Rule 204.1. Single-Client Counsel Certification

(1) – (4) [NO CHANGE]

(5) Discipline and Disability Jurisdiction. An attorney certified under this rule is subject to the Colorado Rules of Professional Conduct and C.R.C.P. ~~241-24351.1 et seq.~~ (Rules [Governing Lawyer of Procedure Regarding Attorney Discipline and Disability Proceedings](#)). ~~In addition to the forms of discipline contained in C.R.C.P. 251.6, the attorney may also be enjoined from further practice of law in Colorado.~~

(6) – (10) [NO CHANGE]

Rule 204.2. Foreign Legal Consultant Certification

(1) – (5) [NO CHANGE]

(6) Discipline and Disability Jurisdiction. A person certified to practice law as a foreign legal consultant under this rule is subject to the Colorado Rules of Professional Conduct and C.R.C.P. ~~241-24351.1 et seq.~~ (Rules [Governing Lawyer of Procedure Regarding Attorney Discipline and Disability Proceedings](#)). ~~In addition to the forms of discipline contained in C.R.C.P. 251.6, the attorney may also be enjoined from further practice of law in Colorado.~~

(7) – (13) [NO CHANGE]

Rule 204.3. Judge Advocate Certification

(1) – (3) [NO CHANGE]

(4) Discipline and Disability Jurisdiction. An attorney certified under this rule is subject to the Colorado Rules of Professional Conduct and C.R.C.P. ~~241-24351.1 et seq.~~ (Rules [Governing Lawyer of Procedure Regarding Attorney Discipline and Disability Proceedings](#)). ~~In addition to the forms of discipline contained in C.R.C.P. 251.6, the attorney may also be enjoined from further practice of law in Colorado.~~

(5) – (10) [NO CHANGE]

Rule 204.4. Military Spouse Certification

(1) – (3) [NO CHANGE]

(4) Discipline and Disability Jurisdiction. An attorney certified under this rule is subject to the Colorado Rules of Professional Conduct; C.R.C.P. 241-243~~51.1 et seq.~~ (Rules of Procedure Regarding Attorney [Governing Lawyer](#) Discipline and Disability Proceedings); and C.R.C.P. 210 (Revocation of License). ~~In addition to the forms of discipline contained in C.R.C.P. 251.6, the attorney may also be enjoined from further practice of law in Colorado.~~

(5) – (10) [NO CHANGE]

Rule 204.5. Law Professor Certification

(1) – (3) [NO CHANGE]

(4) Discipline and Disability Jurisdiction. An attorney certified under this rule is subject to the Colorado Rules of Professional Conduct; C.R.C.P. 241-243~~51.1 et seq.~~ (Rules of Procedure Regarding Attorney [Governing Lawyer](#) Discipline and Disability Proceedings); and C.R.C.P. 210 (Revocation of License). ~~In addition to the forms of discipline contained in C.R.C.P. 251.6, the attorney may also be enjoined from further practice of law in Colorado.~~

(5) – (10) [NO CHANGE]

Rule 204.6. Pro Bono Counsel Certification

(1) – (3) [NO CHANGE]

(4) Discipline and Disability Jurisdiction. An attorney certified under this rule is subject to the Colorado Rules of Professional Conduct; C.R.C.P. 241-243~~51.1 et seq.~~ (Rules of Procedure Regarding Attorney [Governing Lawyer](#) Discipline and Disability Proceedings); and C.R.C.P. 210 (Revocation of License). ~~In addition to the forms of discipline contained in C.R.C.P. 251.6, the attorney may also be enjoined from further practice of law in Colorado.~~

(5) – (9) [NO CHANGE]

Rule 205.1. Temporary Practice by Out-of-State Attorney--Conditions of Practice

(1) – (2) [NO CHANGE]

(3) Discipline and Disability Jurisdiction. An out-of-state attorney practicing law under this rule is subject to the Colorado Rules of Professional Conduct; C.R.C.P. ~~241-243~~^{51.1 et seq.} (Rules of ~~Procedure Regarding Attorney~~^{Governing Lawyer} Discipline and Disability Proceedings); and C.R.C.P. 210 (Revocation of License). ~~In addition to the forms of discipline contained in C.R.C.P. 251.6, the attorney may also be enjoined from further practice of law in Colorado.~~

Rule 205.2. Temporary Practice by Foreign Attorney--Conditions of Practice

(1) – (4) [NO CHANGE]

(5) Discipline and Disability Jurisdiction. A foreign attorney providing legal services under this rule is subject to the Colorado Rules of Professional Conduct; C.R.C.P. ~~241-243~~⁵¹ (Rules of ~~Procedure Regarding Attorney~~^{Governing Lawyer} Discipline and Disability Proceedings); and C.R.C.P. 210 (Revocation of License). ~~In addition to the forms of discipline contained in C.R.C.P. 251.6, the attorney may also be enjoined from further practice of law in Colorado.~~

Rule 209.2. Hearing Board

(1) Presiding Disciplinary Judge. The Presiding Disciplinary Judge, appointed by the Supreme Court pursuant to C.R.C.P. ~~242~~^{51.16}, shall have the duties and powers, in addition to those set forth in C.R.C.P. ~~242~~^{51.16}, to preside over hearings conducted pursuant to C.R.C.P. 209.

(2) – (3) [NO CHANGE]

Rule 210.2. Revocation Proceedings

(1) – (7) [NO CHANGE]

(8) Not Exclusive Remedy. In addition to or in lieu of initiating revocation proceedings, the Office of Attorney Regulation Counsel may in its discretion choose to institute disciplinary proceedings against the respondent for conduct described in subparagraph (1) of this rule, and a C.R.C.P. ~~242.51.18~~ hearing board may order revocation of the law license as an alternative to discipline. Nothing in this rule precludes the Office of Attorney Regulation Counsel from pursuing disciplinary proceedings against the respondent attorney if the Supreme Court does not order revocation of the attorney's law license pursuant to this rule.

Rule 227. Registration Fee

A. Registration Fee of Attorneys and Attorney Judges

(1) – (3) [NO CHANGE]

(4) Suspension.

(a) Failure to Pay Fee or File Statement--Notice of Delinquency. An attorney shall be summarily suspended if the attorney either fails to pay the fee or fails to file a complete statement or supplement thereto as required by this rule prior to May 1, provided a notice of delinquency has been issued by the Clerk and mailed to the attorney addressed to the attorney's last known mailing address at least 28 days prior to such suspension, unless an excuse has been granted on grounds of financial hardship. [Orders suspending an attorney for failure to comply with rules governing attorney registration take effect on entry of the order, unless otherwise ordered.](#)

(b) [Duties to Notify Clients and Duties in Litigation Matters. An attorney who has been suspended under the rules governing attorney registration need not comply with the requirements of C.R.C.P. 242.32\(c\) or C.R.C.P. 242.32\(d\) if the attorney has sought reinstatement under the rules governing attorney registration and reasonably believes that reinstatement will occur within 14 days of the date of the order of suspension. If the attorney is not reinstated within those 14 days, then the attorney must comply with the requirements of C.R.C.P. 242.32\(c\) and C.R.C.P. 242.32\(d\).](#)

(c) Failure of Judge to Pay Fee or File Statement. Any judge subject to the jurisdiction of the Commission on Judicial Discipline or the Denver County Court Judicial Discipline Commission who fails to timely pay the fee or file a complete statement or supplement thereto as required by this rule shall be reported to the appropriate commission, provided a notice of delinquency has been issued by the Clerk and mailed to the judge addressed to the judge's last known business address at least 28 days prior to such reporting, unless an excuse has been granted on grounds of financial hardship.

(5) – (7) [NO CHANGE]

~~(8) Resignation. An attorney may resign from the practice of law in Colorado upon order of the Supreme Court and thereby be excused from paying the annual registration fee provided that no disciplinary or disability matter or order is pending against the attorney. Any attorney who wishes to resign must petition the Supreme Court pursuant to this Rule and tender the attorney's certificate of admission with the petition. Any attorney who so resigns is not eligible for reinstatement or transfer to active or inactive status and may be admitted to the practice of law in Colorado only by complying with the rules governing admission to the practice of law. Any attorney who so resigns remains subject to the jurisdiction of the Supreme Court as set forth in Rule 251.1(b) with respect to the attorney's practice of law in Colorado.~~

(a) Criteria. The supreme court may permit an attorney to resign from the practice of law in Colorado. The Regulation Counsel must inform the supreme court whether any disciplinary or disability matter involving the attorney should preclude the attorney's resignation and whether any pre-complaint proceeding pending against the attorney under C.R.C.P. 242 should be dismissed. An attorney may not resign if a complaint under C.R.C.P. 242.25 is pending against the attorney.

(b) Procedure. An attorney who wishes to resign must request permission of the supreme court under this section by submitting a request to the Office of Attorney Registration, and must tender the attorney's certificate of admission along with a certification as to whether the attorney is subject to disciplinary proceedings in any other jurisdiction. A request to resign and an order of resignation are public information.

(c) Effect. An attorney who has been permitted to resign:

(1) Must comply with the duties listed in C.R.C.P. 242.32;

(2) Is excused from paying the annual registration fee;

(3) Is not eligible for reinstatement or transfer to active or inactive status and may be admitted to the practice of law in Colorado only by complying with the rules governing admission to the practice of law;

(4) May not hold herself or himself out as a Colorado attorney; and

(5) Remains subject to the supreme court's jurisdiction as set forth in C.R.C.P. 242.1 as to the attorney's practice of law in Colorado.

B. Registration Fee of Non-Attorney Judges – Comment [NO CHANGE]

Rule 202.2. Supreme Court Advisory Committee

(1) The Supreme Court Advisory Committee (Advisory Committee) is a permanent committee of the Supreme Court. See C.R.C.P. 242.3. The Advisory Committee oversees the coordination of administrative matters for all programs of the attorney regulation process.

(2) – (4) [NO CHANGE]

Rule 204.1. Single-Client Counsel Certification

(1) – (4) [NO CHANGE]

(5) Discipline and Disability Jurisdiction. An attorney certified under this rule is subject to the Colorado Rules of Professional Conduct and C.R.C.P. 241-243 (Rules Governing Lawyer Discipline and Disability Proceedings).

(6) – (10) [NO CHANGE]

Rule 204.2. Foreign Legal Consultant Certification

(1) – (5) [NO CHANGE]

(6) Discipline and Disability Jurisdiction. A person certified to practice law as a foreign legal consultant under this rule is subject to the Colorado Rules of Professional Conduct and C.R.C.P. 241-243 (Rules Governing Lawyer Discipline and Disability Proceedings).

(7) – (13) [NO CHANGE]

Rule 204.3. Judge Advocate Certification

(1) – (3) [NO CHANGE]

(4) Discipline and Disability Jurisdiction. An attorney certified under this rule is subject to the Colorado Rules of Professional Conduct and C.R.C.P. 241-243 (Rules Governing Lawyer Discipline and Disability Proceedings).

(5) – (10) [NO CHANGE]

Rule 204.4. Military Spouse Certification

(1) – (3) [NO CHANGE]

(4) Discipline and Disability Jurisdiction. An attorney certified under this rule is subject to the Colorado Rules of Professional Conduct; C.R.C.P. 241-243 (Rules Governing Lawyer Discipline and Disability Proceedings); and C.R.C.P. 210 (Revocation of License).

(5) – (10) [NO CHANGE]

Rule 204.5. Law Professor Certification

(1) – (3) [NO CHANGE]

(4) Discipline and Disability Jurisdiction. An attorney certified under this rule is subject to the Colorado Rules of Professional Conduct; C.R.C.P. 241-243 (Rules Governing Lawyer Discipline and Disability Proceedings); and C.R.C.P. 210 (Revocation of License).

(5) – (10) [NO CHANGE]

Rule 204.6. Pro Bono Counsel Certification

(1) – (3) [NO CHANGE]

(4) Discipline and Disability Jurisdiction. An attorney certified under this rule is subject to the Colorado Rules of Professional Conduct; C.R.C.P. 241-243 (Rules Governing Lawyer Discipline and Disability Proceedings); and C.R.C.P. 210 (Revocation of License).

(5) – (9) [NO CHANGE]

Rule 205.1. Temporary Practice by Out-of-State Attorney--Conditions of Practice

(1) – (2) [NO CHANGE]

(3) Discipline and Disability Jurisdiction. An out-of-state attorney practicing law under this rule is subject to the Colorado Rules of Professional Conduct; C.R.C.P. 241-243 (Rules Governing Lawyer Discipline and Disability Proceedings); and C.R.C.P. 210 (Revocation of License).

Rule 205.2. Temporary Practice by Foreign Attorney--Conditions of Practice

(1) – (4) [NO CHANGE]

(5) Discipline and Disability Jurisdiction. A foreign attorney providing legal services under this rule is subject to the Colorado Rules of Professional Conduct; C.R.C.P. 241-243 (Rules Governing Lawyer Discipline and Disability Proceedings); and C.R.C.P. 210 (Revocation of License).

Rule 209.2. Hearing Board

(1) Presiding Disciplinary Judge. The Presiding Disciplinary Judge, appointed by the Supreme Court pursuant to C.R.C.P. 242.6, shall have the duties and powers, in addition to those set forth in C.R.C.P. 242.6, to preside over hearings conducted pursuant to C.R.C.P. 209.

(2) – (3) [NO CHANGE]

Rule 210.2. Revocation Proceedings

(1) – (7) [NO CHANGE]

(8) Not Exclusive Remedy. In addition to or in lieu of initiating revocation proceedings, the Office of Attorney Regulation Counsel may in its discretion choose to institute disciplinary proceedings against the respondent for conduct described in subparagraph (1) of this rule, and a C.R.C.P. 242 hearing board may order revocation of the law license as an alternative to discipline. Nothing in this rule precludes the Office of Attorney Regulation Counsel from pursuing disciplinary proceedings against the respondent attorney if the Supreme Court does not order revocation of the attorney's law license pursuant to this rule.

Rule 227. Registration Fee

A. Registration Fee of Attorneys and Attorney Judges

(1) – (3) [NO CHANGE]

(4) Suspension.

(a) Failure to Pay Fee or File Statement--Notice of Delinquency. An attorney shall be summarily suspended if the attorney either fails to pay the fee or fails to file a complete statement or supplement thereto as required by this rule prior to May 1, provided a notice of delinquency has been issued by the Clerk and mailed to the attorney addressed to the attorney's last known mailing address at least 28 days prior to such suspension, unless an excuse has been granted on

grounds of financial hardship. Orders suspending an attorney for failure to comply with rules governing attorney registration take effect on entry of the order, unless otherwise ordered.

(b) Duties to Notify Clients and Duties in Litigation Matters. An attorney who has been suspended under the rules governing attorney registration need not comply with the requirements of C.R.C.P. 242.32(c) or C.R.C.P. 242.32(d) if the attorney has sought reinstatement under the rules governing attorney registration and reasonably believes that reinstatement will occur within 14 days of the date of the order of suspension. If the attorney is not reinstated within those 14 days, then the attorney must comply with the requirements of C.R.C.P. 242.32(c) and C.R.C.P. 242.32(d).

(c) Failure of Judge to Pay Fee or File Statement. Any judge subject to the jurisdiction of the Commission on Judicial Discipline or the Denver County Court Judicial Discipline Commission who fails to timely pay the fee or file a complete statement or supplement thereto as required by this rule shall be reported to the appropriate commission, provided a notice of delinquency has been issued by the Clerk and mailed to the judge addressed to the judge's last known business address at least 28 days prior to such reporting, unless an excuse has been granted on grounds of financial hardship.

(5) – (7) [NO CHANGE]

(8) Resignation.

(a) Criteria. The supreme court may permit an attorney to resign from the practice of law in Colorado. The Regulation Counsel must inform the supreme court whether any disciplinary or disability matter involving the attorney should preclude the attorney's resignation and whether any pre-complaint proceeding pending against the attorney under C.R.C.P. 242 should be dismissed. An attorney may not resign if a complaint under C.R.C.P. 242.25 is pending against the attorney.

(b) Procedure. An attorney who wishes to resign must request permission of the supreme court under this section by submitting a request to the Office of Attorney Registration, and must tender the attorney's certificate of admission along with a certification as to whether the attorney is subject to disciplinary proceedings in any other jurisdiction. A request to resign and an order of resignation are public information.

(c) Effect. An attorney who has been permitted to resign:

(1) Must comply with the duties listed in C.R.C.P. 242.32;

(2) Is excused from paying the annual registration fee;

(3) Is not eligible for reinstatement or transfer to active or inactive status and may be admitted to the practice of law in Colorado only by complying with the rules governing admission to the practice of law;

(4) May not hold herself or himself out as a Colorado attorney; and

(5) Remains subject to the supreme court's jurisdiction as set forth in C.R.C.P. 242.1 as to the attorney's practice of law in Colorado.

B. Registration Fee of Non-Attorney Judges – Comment [NO CHANGE]

Amended and Adopted by the Court, En Banc, May 20, 2021, effective July 1, 2021.

By the Court:

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