

RULE CHANGE 2022(08)

COLORADO RULES OF PROFESSIONAL CONDUCT

Rule 1.16A. Client File Retention

(a) – (e) [NO CHANGE]

COMMENT

[1] – [2] [NO CHANGE]

[3] Rule 1.16A does not supersede obligations imposed by other law, court order or rules of a tribunal. The maintenance of law firm financial and accounting records is governed exclusively by Rules 1.15A and 1.15D. Similarly, Rule 1.16A does not supersede specific retention requirements imposed by other rules, such as Rule 5.5(d)(2) (two-year retention of written notification to client of utilization of services of suspended or disbarred lawyer), [Rule 1.5\(c\)\(3\) \(seven-year retention of contingent fee agreement following earlier of final resolution of case or termination of lawyer's services\)](#)~~Rule 4, Chapter 23.3 C.R.C.P. (six year retention of contingent fee agreement and proof of mailing following completion or settlement of the case)~~ and C.R.C.P. 121, § 1-26(7) (two year retention of signed originals of e-filed documents). A document may be subject to more than one retention requirement, in which case the lawyer should retain the document for the longest applicable period. Rule 1.16A does not prohibit a lawyer from maintaining a client's files beyond the periods specified in the Rule.

[4] – [5] [NO CHANGE]

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[4] – [5] [NO CHANGE]

Amended and Adopted by the Court, En Banc, April 28, 2022, effective immediately.

By the Court:

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