

**COLORADO SUPREME COURT
Judicial Ethics Advisory Board
Minutes of the April 20, 2012 Meeting**

The meeting was convened at 1:00 p.m. in the Broadway conference room at the Supreme Court, 101 West Colfax Avenue, Suite 800, by Chair Hon. Pattie P. Swift.

In addition to the Chair, the following members of the Board were present in person or by conference telephone for all or part of the meeting: Hon. Charles Greenacre, Hon. Christina Habas, Melissa Hart, Peggy Kerns, and Alec Rothrock. Hon. Dennis Graham was unable to attend. Christine Markman, Supreme Court Staff Attorney, was also present.

I. Minutes of Previous Meeting

The Board approved the minutes of the December 15, 2011 meeting, which will be finalized and posted on the Board's website.

II. Pending Requests for Advisory Opinions

The Board discussed and reached a conclusion regarding the pending request for an advisory opinion. The Board will issue an opinion in due course.

III. Board Member Terms

The terms of Hon. Charles Greenacre and Alec Rothrock will expire in October and September 2012, respectively. Both indicated that they would like to serve for another term, and the Chair approved their reappointment, subject to approval by Chief Justice Bender. The Supreme Court Staff Attorney will discuss the reappointment issue with Chief Justice Bender.

IV. Other Business

Alec Rothrock reported that proposed amendments to Colorado Rule of Professional Conduct 3.5(b) and comment [2] to the rule have been submitted to the Supreme Court for approval. The amendments are designed to ensure consistency between RPC 3.5(b), which defines the permissible scope of an attorney's ex parte communications with a judge, and Rule 2.9 of the Colorado Code of Judicial Conduct, which addresses the circumstances under which a judge may engage in ex parte communications with an attorney.

V. Adjournment; Next Scheduled Meeting

The meeting was adjourned at approximately 2:00 p.m. The next meeting of the Board is scheduled for June 22, 2012 at 1:00 p.m. in the Broadway conference room at the Colorado Supreme Court. The meeting will be held only if necessary to discuss a pending request or other matters.