

Corrective Order No. 2 to Rule Change 1998(10)

COLORADO RULES OF CIVIL PROCEDURE  
CHAPTER 18. RULES GOVERNING ADMISSION TO THE BAR  
RULE 201

**Rule 201.10. Formal Hearings**

(1) If, under Rule 201.9, an inquiry panel finds probable cause to believe that an applicant is mentally unstable or ethically or morally unfit for admission to the Bar, a formal hearing shall be conducted by a hearing panel if the applicant makes a written request as specified in Rule 201.9 (6)(c). The issues at the formal hearing shall be limited to those in the inquiry panel findings and challenged in the applicant's request for a hearing unless, prior to the hearing, the disciplinary attorney regulation counsel requests the inquiry panel to reopen the probable cause determination to consider additional information. The chair of the Bar Committee shall designate one member of the hearing panel as its chair who shall rule on all motions, objections and other matters presented in connection with a formal hearing.

(2)(a) - (c) \*\*\*\*[NO CHANGE]\*\*\*\*

(d) Within thirty days after the conclusion of the hearing, the hearing panel shall prepare and file with the Supreme Court its report including findings of fact, conclusions of law and recommendations as to admission. Copies of the hearing panel's report shall be supplied to the disciplinary attorney regulation counsel and the applicant. Within fifteen days after service of the hearing panel's report, both the applicant and the disciplinary attorney regulation counsel shall have the right to file with the Supreme Court and serve on the opposing party written exceptions to the report.

(2)(e) \*\*\*\*[NO CHANGE]\*\*\*\*

(3) \*\*\*\*[NO CHANGE]\*\*\*\*

(4) At the formal hearing, the office of the disciplinary attorney regulation counsel shall represent the inquiry panel and shall present evidence in support of the inquiry panel's findings. The hearing panel shall take evidence and make findings of fact and conclusions of law. With the permission of the chair of the panel and upon sufficient notice to the applicant, the disciplinary attorney regulation counsel

may file amendments made by the inquiry panel to its findings. The burden of going forward initially shall be on the disciplinary attorney regulation counsel. On motion of the disciplinary attorney regulation counsel, and upon a showing of good cause, the hearing panel may require the applicant to submit to a mental status examination conducted by a psychiatrist or psychologist, or to submit to a substance abuse evaluation conducted by a qualified professional of the disciplinary attorney regulation counsel's choosing, the cost of which shall be borne by the applicant.

(5) - (6) \*\*\*\*[NO CHANGE]\*\*\*\*

**This Corrective Order is issued November 9, 1999, effective immediately.**

**BY THE COURT:**

**Gregory J. Hobbs, Jr.  
Justice, Colorado Supreme Court**