

RULE CHANGE 2019(14)
THE COLORADO RULES OF PROFESSIONAL CONDUCT

Rule 8.4. Misconduct

It is professional misconduct for a lawyer to:

(a) – (f) [NO CHANGE]

(g) engage in conduct, in the representation of a client, that exhibits or is intended to appeal to or engender bias against a person on account of that person's race, gender, religion, national origin, disability, age, sexual orientation, or socioeconomic status, whether that conduct is directed to other counsel, court personnel, witnesses, parties, judges, judicial officers, or any persons involved in the legal process;~~or~~

(h) engage in any conduct that directly, intentionally, and wrongfully harms others and that adversely reflects on a lawyer's fitness to practice law; ~~or~~

(i) engage in conduct the lawyer knows or reasonably should know constitutes sexual harassment where the conduct occurs in connection with the lawyer's professional activities.

COMMENT

[1]-[5] [NO CHANGE]

[5A] Sexual harassment may include, but is not limited to, sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that a reasonable person would perceive as unwelcome. The substantive law of employment discrimination, including anti-harassment statutes, regulations, and case law, may guide, but does not limit, application of paragraph (i). "Professional activities" are not limited to those that occur in a client-lawyer relationship.

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Amended and Adopted by the Court, En Banc, September 19, 2019, effective immediately.

By the Court:

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