

RULE CHANGE 2023(09)

**RULES GOVERNING LAWYER DISCIPLINE AND DISABILITY PROCEEDINGS,
PROTECTIVE APPOINTMENT OF COUNSEL, CONTINUING LEGAL AND JUDICIAL
EDUCATION, ATTORNEYS' FUND FOR CLIENT PROTECTION, AND LAWYER
ASSISTANCE PROGRAMS**

Rules 241, 241.1, 242.3, 250, 250.1, 250.2, 250.3, 250.6, 250.7, 250.8, 250.9, and 250.10

Rule 241. Terminology

For purposes of C.R.C.P. 242 through C.R.C.P. 244, the following definitions apply:

“Administrative fee” is an amount equal to the civil filing fee in Colorado district courts, which is assessed to defray the costs of proceedings under C.R.C.P. 242.

“Advisory Committee” refers to the Supreme Court Advisory Committee on the Practice of Law, as identified in C.R.C.P. 242.3.

“Complaining witness” means a person who submits a request for investigation to the Regulation Counsel under C.R.C.P. 242.13(a)(1).

“Conviction” refers to any determination in a criminal matter, including at a federal, state, municipal, or other level, that a person is guilty, whether the determination rests on a verdict of guilty, a judicial finding of guilt, a plea of guilty, an Alford plea, or a plea of nolo contendere, irrespective of (1) whether entry of judgment or imposition of the sentence is suspended or deferred by the court, (2) whether the person is appealing the determination, and (3) whether sentencing has occurred.

“Costs” are those costs made available in civil cases, and may include travel expenses incurred by Hearing Board members and witnesses, fees for court reporters, fees for expert witnesses, and fees for independent medical examinations. “Costs” may also include expenses incurred during an investigation.

“Crime” refers to any offense that is punishable by imprisonment.

“Disciplinary proceeding” means any investigative or judicial proceeding under C.R.C.P. 242 except (1) preliminary investigations under C.R.C.P. 242.13 and (2) proceedings involving nondisciplinary suspensions under C.R.C.P. 242.23 and C.R.C.P. 242.24.

“Expunge” and “expungement” refer to the destruction of all files, records, and other items of any type in a given proceeding.

“Final decision” means an order entered or opinion issued under C.R.C.P. 242.23 (decision on petition for or reinstatement from nondisciplinary suspension based on noncompliance with child support or paternity order), C.R.C.P. 242.31 (disciplinary opinion), C.R.C.P. 242.39 (opinion on petition for disciplinary reinstatement or readmission), C.R.C.P. 243.6 (decision on transfer to disability inactive status), or C.R.C.P. 243.10 (decision on petition for reinstatement from disability inactive status), or a dispositive order entered by the Presiding Disciplinary Judge under C.R.C.P. 12 or 56 that imposes a sanction or dismisses a disciplinary or disability proceeding.

“Including” means including but not limited to.

“Lawyer” means any person who is or has been (1) licensed to practice law or otherwise authorized to practice law in any jurisdiction in the United States; (2) a “foreign attorney” as defined in C.R.C.P. 205.5(1); or (3) a “foreign legal consultant” as defined in C.R.C.P. 204.2. The terms “lawyer” and “attorney” are used interchangeably.

“Law firm” refers to a partnership, professional company, sole proprietorship, or other entity through which any lawyer renders legal services; it also refers to a corporation, organization, or government office in which the lawyer renders legal services.

Licensed legal paraprofessionals (“LLPs”) are individuals licensed by the Supreme Court pursuant to C.R.C.P. 207.1 to perform certain types of legal services only under the conditions set forth by the Court. They do not include individuals with a general license to practice law in Colorado.

“Mail” and “mailing” mean the sending of a document or other item through the U.S. Postal Service, through a commercial delivery service, or by electronic means.

“Notice,” “notify,” and derivatives of those terms are addressed in C.R.C.P. 242.42(a).

“Proceeding,” for purposes only of C.R.C.P. 242, means any investigative or judicial proceeding under C.R.C.P. 242, including preliminary investigations under C.R.C.P. 242.13 and matters involving nondisciplinary suspensions under C.R.C.P. 242.23 and C.R.C.P. 242.24.

“Regulation Committee” refers to the Legal Regulation Committee, as identified in C.R.C.P. 242.4.

“Regulation Counsel” refers to the Attorney Regulation Counsel, as identified in C.R.C.P. 242.5.

“Respondent” means a lawyer in a disciplinary proceeding under C.R.C.P. 242.

“Restitution” means the return of fees, money, or other things of value that were paid or entrusted to a lawyer.

“Rules Governing the Practice of Law” refers to Chapters 18 through 20 of the Colorado Rules of Civil Procedure.

“Serious crime” means any felony; any lesser crime a necessary element of which, as determined by its statutory or common law definition, involves interference with the administration of justice, false swearing, misrepresentation, fraud, extortion, misappropriation, or theft; an attempt or conspiracy to commit such a crime; or solicitation of another to commit such a crime.

“Supreme court” refers to the Colorado Supreme Court.

“This part” means a grouping of several sections of a rule under a Roman numeral heading, for example “Part VIII. Appeals to the Supreme Court.”

“This rule” means all sections of the broader rule in which the reference is found, for example C.R.C.P. 242 or C.R.C.P. 243.

“This section” means a single section of a rule, for example C.R.C.P. 242.1.

“This subsection” means a portion of a section, for example C.R.C.P. 242.1(a) or C.R.C.P. 242.1(a)(1).

“Tribunal” means a court, an arbitrator in a binding arbitration proceeding, or a legislative body, administrative agency, or other body acting in an adjudicative capacity. A legislative body, administrative agency, or other body acts in an adjudicative capacity when, after the party or parties are given the opportunity to present evidence or legal argument, a neutral official renders a binding legal judgment directly affecting a party’s interests in a particular matter.

Rule 241.1. Applicability of C.R.C.P. 241 through C.R.C.P. 244 to Licensed Legal Paraprofessionals (“LLPs”)

The terminology rule at C.R.C.P. 241 and the rules governing lawyer disciplinary proceedings (C.R.C.P. 242 et seq.), lawyer disability proceedings (C.R.C.P. 243 et seq.), and protective appointment of counsel

(C.R.C.P. 244 et seq.) apply to the regulation of LLPs. LLPs have all the obligations and rights of lawyers under those rules. When those rules are applied to LLPs, a reference to a Colorado Rule of Professional Conduct is construed as a reference to the parallel provision in the Colorado Rules of Professional Conduct for LLPs.

Rule 242. – 242.2. [NO CHANGE]

Rule 242.3. Advisory Committee

(a) - (b) [NO CHANGE]

(1) Members and Liaison Justices. Two supreme court justices serve as non-voting liaisons to the Advisory Committee. The Advisory Committee comprises up to 13 volunteer members, including a Chair and Vice-Chair. Members other than the Chair and Vice-Chair serve one term of up to seven years. The supreme court appoints the members. Diversity must be a consideration in making appointments. At least nine of the members must be lawyers admitted to practice in Colorado and at least two of the members must be nonlawyers. Members' terms should be staggered to provide, so far as possible, for the expiration each year of the term of at least one member. Members must include:

(A) The Chairs (or the annual designees) of the following committees: the Regulation Committee, the Law Committee, the Character and Fitness Committee, the Continuing Legal and Judicial Education Committee, the Licensed Legal Paraprofessional Committee, and the Board of Trustees for the Colorado Attorneys' Fund for Client Protection;

(B) - (D) [NO CHANGE]

(2) - (8) [NO CHANGE]

COMMENT

The Advisory Committee's powers and duties do not include making inquiries or providing oversight as to specific cases or matters. The Advisory Committee may develop protocols to govern other aspects of the legal regulation system. For example, the Advisory Committee has protocols to govern the handling of complaints about the conduct of the Regulation Counsel and staff of the Regulation Counsel. The Advisory Committee's protocols may be found at the Regulation Counsel's website.

Rule 242.4. - 242.43. [NO CHANGE]

Rule 243. – 242.13. [NO CHANGE]

Rule 244. – 244.4. [NO CHANGE]

Rule 250. Mandatory Continuing Legal and Judicial Education

PREAMBLE: Statement of Purpose

As society becomes more complex, the delivery of legal services likewise becomes more complex. The public rightly expects that lawyers and licensed legal paraprofessionals (“LLPs”), in their practice of law, and judges, in the performance of their duties, will continue their professional development throughout their legal careers. The purpose of mandatory continuing legal and judicial education requirements is to promote and sustain competence and professionalism and to ensure that lawyers, LLPs and judges remain current on the law, law practice management, and technology in our rapidly changing society.

Rule 250.1. Definitions

(1) - (3) [NO CHANGE]

(4) “CLE transcript” means the official record maintained by the CLJE Office of a registered lawyer’s, LLP’s or judge’s CLE credit hours earned during a CLE compliance period and will be used to verify a registered lawyer’s, LLP’s or judge’s compliance with the CLE requirements.

(5) [NO CHANGE]

(6) “Compliance period” means the three years during which a registered lawyer, LLP or judge is required to earn the minimum number of CLE credits.

(7) – (8) [NO CHANGE]

(9) “LLP” is a licensed legal professional who has been admitted by and is registered with the Colorado Supreme Court through payment of the registration fee required by C.R.C.P. 207.14 for the current year, and is not on inactive status, or suspended, disbarred, or placed on disability inactive status by the Court.

(9)10 “Office of Continuing Legal and Judicial Education” (CLJE Office) is the central office of the Office of Attorney Regulation Counsel that administers and implements these rules and the CLJE Committee’s Regulations Governing Mandatory Continuing Legal and Judicial Education.

(11)9 “Provider” means any individual or organization that offers continuing legal education activities.

(12)1 “Registered lawyer” is a lawyer who has paid the registration fee required by C.R.C.P. 227 for the current year and who is not on inactive status, or suspended, disbarred, or placed on disability inactive status by the Court.

(13)2 “Teaching” means participating as a speaker, lecturer, presenter, or moderator in any accredited CLE activity.

(14)3 “These rules” refer to rules 250.1 through 250.10 of the Colorado Rules of Civil Procedure.

(15)4 “CLJE Regulations” refer to the Continuing Legal and Judicial Education Committee’s Regulations Governing Mandatory Continuing Legal and Judicial Education.

Rule 250.2. CLE Requirements

(1) CLE Credit Requirement for Registered Lawyers and Judges. Every registered lawyer and every judge must complete 45 credit hours of continuing legal education during each applicable CLE compliance period as provided in these rules. The 45 credit hours must include at least seven credit hours devoted to professional responsibility.

(a) - (b) [NO CHANGE]

(2) CLE Credit Requirement for LLPs. Every LLP must complete 30 credit hours of continuing legal education during each applicable CLE compliance period as provided in these rules. The 30 credit hours must include at least five credit hours devoted to professional responsibility.

(a) Beginning January 1, 2023, the five credit hours devoted to professional responsibility must include the following:

(i) At least one credit hour in the area of equity, diversity, and inclusivity, and

(ii) At least four credit hours in the areas of legal ethics or legal professionalism.

(b) Failure to comply with these requirements in a timely manner as set forth in these rules may subject the LLP to a fee, a penalty, and/or administrative suspension.

(32) Compliance Period. All registered lawyers, LLPs and judges become subject to these rules on the date of their admission or certification to the bar or LLP rolls of the State of Colorado. The first compliance period begins on the date of admission or certification and ends on the 31st of December of the third full calendar year following the year of admission or certification to practice law in Colorado. For non-lawyer judges, the first CLE compliance period begins on the date of appointment as a judge and ends on the 31st of December of the third full calendar year following the year of appointment as a judge. Subsequent CLE compliance periods begin on the 1st of January immediately following a previous compliance period and end on the 31st of December of the third full calendar year thereafter. Compliance periods that commenced under the previous C.R.C.P. 260 will continue without interruption under these rules.

(43) Reporting. All registered lawyers, LLPs and judges must report compliance as set forth in C.R.C.P. 250.7.

(54) Lawyer Status and Compliance. Any registered lawyer who has been suspended under C.R.C.P. 227A(4), or who has elected to transfer to inactive status under C.R.C.P. 227A(6)(a), will, upon being reinstated pursuant to C.R.C.P. 227A(5) or (7), become subject to the minimum continuing legal educational requirements set forth in these rules on the date of reinstatement, pursuant to C.R.C.P. 250.2 and as set forth in paragraph (75) of this rule.

(6) LLP Status and Compliance. Any LLP who has been suspended under C.R.C.P. 207.14, or who has elected to transfer to inactive status under C.R.C.P. 207.14, will, upon being reinstated pursuant to C.R.C.P. 207.14, become subject to the minimum continuing legal educational requirements set forth in these rules on the date of reinstatement, pursuant to C.R.C.P. 250.2 and as set forth in paragraph (7) of this rule. Any coursework or CLE activities undertaken by the LLP to prepare for reinstatement do not count toward the continuing legal educational requirements for active-status LLPs pursuant to this rule.

(75) Modification of Compliance Period. A registered lawyer's or LLP's obligation to comply with these rules during a compliance period will be deferred if the lawyer or LLP has been suspended for any reason other than noncompliance with these rules, has elected to transfer to inactive status, or has been placed on

disability inactive status by Court order. However, upon reinstatement or return to active status, the compliance period will be calculated as follows:

(a) If the registered lawyer [or LLP](#) remains on suspension, inactive status, or disability inactive status for one year or longer, the start of the compliance period will begin on the date of reinstatement from suspension or disability inactive status, or date of transfer to active status, and will end on the 31st of December of the third full calendar year following the start of the compliance period.

(b) If the registered lawyer [or LLP](#) is suspended, on inactive status, or on disability inactive status for less than one year, the compliance period will not be recalculated. However, upon reinstatement or return to active status, the lawyer [or LLP](#) will have 91 days from the date of reinstatement or return to active status, or the remainder of the original compliance period, whichever is longer, to complete and report all deferred CLE requirements as otherwise set forth under C.R.C.P. 250.7, and to pay any penalties or fees that accrued before the suspension or transfer to inactive status. Failure to complete deferred CLE requirements or to pay related penalties or fees during this 91 day period will subject the lawyer to suspension pursuant to C.R.C.P. 250.7(8).

(c) No registered lawyer [or LLP](#) will be permitted to change status to circumvent these rules.

(86) No Roll-Over Credits. CLE credit hours completed in excess of the required 45 credit [hours for registered lawyers and judges or the required 30 credit hours for LLPs](#) in any applicable compliance period may not be used to meet the minimum educational requirements in any subsequent compliance period.

(97) Exemptions.

(a) **Inactive or Suspended Status.** A lawyer [or LLP](#) who is on inactive status, disability inactive status, or under suspension during his or her entire CLE compliance period is excused from the CLE requirements for that compliance period.

(b) **Age.** A registered lawyer, [LLP](#) or judge will be exempt from the CLE requirements of these rules starting on the registered lawyer's, [LLP's](#) or judge's 72nd birthday. On the effective date of these rules, all registered lawyers and judges who were exempt from the educational requirements under the previous C.R.C.P. 260.5 (Exemptions), will again become subject to the requirements in these rules. For all previously exempt registered lawyers and judges, the compliance period will begin on the effective date of these rules and end on December 31, 2021 (the end of the third full calendar year following the start of the compliance period). For all registered lawyers and judges who reach their 65th birthday in 2018, the compliance period will be extended through December 31, 2021. For all registered lawyers and judges who reach their 65th birthday in 2019, and whose compliance period otherwise would have ended in 2019 or 2020, the compliance period will be extended through December 31, 2021. Subsequent compliance periods will begin on the 1st of January of the year immediately following the end of the previous compliance period.

(108) Deferral.

(a) **Inability to Comply.** In cases of inability to comply with these rules for good cause shown, the CLJE Office may, in its discretion, defer individual compliance with the CLE requirements set forth in these rules. Good cause may include, for example, a registered lawyer, [LLP](#) or judge serving on full-time active duty in the armed forces of the United States who is deployed to a location outside the United States, and who provides to the CLJE Office a copy of military orders or other official paperwork listing the date, location, and duration of the deployment.

(b) **No Waiver.** Deferral does not constitute a waiver of the CLE requirements.

Rule 250.3. The Supreme Court Advisory Committee on the Practice of Law and the Continuing Legal and Judicial Education Committee

(1) Advisory Committee. The Supreme Court Advisory Committee on the Practice of Law (Advisory Committee) is a permanent committee of the Court. See C.R.C.P. 242.3. The Advisory Committee oversees the coordination of administrative matters for all programs of the lawyer and LLP regulation process, including the continuing legal and judicial education program set forth in these rules. The Advisory Committee reviews the productivity, effectiveness, and efficiency of the continuing legal and judicial education program, and recommends to the Court proposed changes or additions to these rules and the CLJE Committee's Regulations Governing Mandatory Continuing Legal and Judicial Education.

(2) The Continuing Legal and Judicial Education Committee. The Continuing Legal and Judicial Education Committee (CLJE Committee) serves as a permanent committee of the Supreme Court.

(a) **Members.** The CLJE Committee consists of nine members appointed by the Court, and is subject to oversight by the Advisory Committee. With the exceptions of the chair and the vice chair, members will be appointed for one term of seven years. Diversity will be a consideration in making the appointments. The terms of the members will be staggered to provide, so far as possible, for the expiration each year of the term of one member. At least six of the members must be volunteer lawyers or LLPs, at least one of whom must also be a judge, and at least two of the members must be volunteer citizen members who are not non-lawyers or LLPs (~~citizen members~~). All members serve at the pleasure of and may be dismissed at any time by the Court. A member of the CLJE Committee may resign at any time. In the event of a vacancy, a successor will be appointed by the Court for the remainder of the unexpired term of the member whose office is vacated.

(b) - (c) [NO CHANGE]

(3) [NO CHANGE]

Rule 250.4. Attorney Regulation Counsel [NO CHANGE]

Rule 250.5. Immunity [NO CHANGE]

Rule 250.6. Accreditation

(1) Objective. CLE must be an educational activity which has as its primary objective the promotion of professional competence of registered lawyers, LLPs and judges, and must deal with subject matter directly related to the practice of law or the performance of judicial duties. The CLJE Committee will develop criteria for the accreditation of CLE activities as set forth in the Regulations Governing Mandatory Continuing Legal and Judicial Education, and the CLJE Office will accredit a broad variety of educational activities that meet these requirements.

(2) Criteria. For an activity to be accredited, the following criteria must be met: (1) the subject matter must directly relate to legal subjects and the performance of judicial duties or the practice of law, including professionalism, leadership, equity, diversity, inclusivity, wellness, ethics, and law practice management, and (2) the activity must be directed to lawyers, LLPs and judges. The CLJE Office will consider, in accrediting educational activities, the contribution the activity will make to the competent and professional practice of law or administration of justice.

(3) [NO CHANGE]

(4) Non-accredited Activities. The CLJE Office will not accredit activities completed in the ordinary course of the practice of law, in the performance of regular employment, or in a lawyer's, [LLPs](#) or judge's service on a committee, section, or division of any bar-related organization except as provided in these rules.

(5) - (7) [NO CHANGE]

Rule 250.7. Compliance

(1) Reporting Requirement. Each registered lawyer, [LLP](#) and judge must report compliance with these rules. CLE credit hours must be reported by the online affidavit on the CLJE Office's website or other form approved by the CLJE Committee within a reasonable amount of time after the credit hours are earned. A registered lawyer, [LLP](#) or judge who is exempt from compliance under C.R.C.P. 250.2(97)(b) may nevertheless report CLE credit hours on a voluntary basis.

(2) Verification Requirement. It is the responsibility of each registered lawyer, [LLP](#) and judge to verify CLE credit hours completed during a compliance period, and to confirm that ~~his or her~~ [their](#) CLE transcript is accurate and complete by no later than the 31st of January following that compliance period. Failure to comply with these requirements in a timely manner as set forth in these rules may subject the registered lawyer, [LLP](#) or judge to a fee, a penalty, and/or administrative suspension.

(3) Make-up Plan. If a registered lawyer, [LLP](#) or judge fails to complete the required CLE credit hours by the end of the CLE compliance period, the registered lawyer, [LLP](#) or judge must do the following: (1) by the 31st of January following the end of the CLE compliance period, file a specific plan to make up the deficiency; and (2) complete the planned CLE credit hours no later than the 31st of May following the end of the CLE compliance period. The plan must be accompanied by a filing fee determined by the CLJE Committee. Such plan will be deemed accepted by the CLJE Office unless within 28 days after the receipt of the make-up plan the CLJE Office notifies the registered lawyer, [LLP](#) or judge to the contrary. Completion of the make-up plan must be reported by affidavit to the CLJE Office no later than the 14th of June following the end of the CLE compliance period. Failure of the registered lawyer, [LLP](#) or judge to complete the plan by the 31st of May or to file an affidavit demonstrating compliance constitutes grounds for imposing administrative remedies set forth in paragraph (8) of this rule.

(4) Statement of Noncompliance. If any registered lawyer, [LLP](#) or judge fails to comply with these rules, ~~or~~ C.R.C.P. 203.1(8) [or C.R.C.P. 207.8\(10\)](#), the CLJE Office will promptly provide a statement of noncompliance to the registered lawyer, [LLP](#) or judge. The statement will advise the registered lawyer, [LLP](#) or judge that within 14 days of the date of the statement, either the noncompliance must be corrected, or the registered lawyer, [LLP](#) or judge must request a hearing before the CLJE Committee. Upon failure to do either, the CLJE Office will file the statement of noncompliance with the Court, which may impose the administrative remedies set forth in paragraph (8) of this rule.

(5) [NO CHANGE]

(6) Hearing Before the CLJE Committee. If a hearing before the CLJE Committee is requested, the following apply:

(a) Notice of the time and place of the hearing will be given to the registered lawyer, [LLP](#) or judge by the CLJE Office at least 14 days prior thereto;

(b) The registered lawyer, [LLP](#) or judge may be represented by counsel;

(c) - (g) [NO CHANGE]

(h) The hearing will be recorded and a transcript may be provided to the registered lawyer, [LLP](#) or judge upon request and payment of the cost of the transcript.

(7) Determination by the CLJE Committee. Within 28 days after the conclusion of the hearing, the Panel will issue a written decision on behalf of the CLJE Committee setting forth findings of fact and the determination as to whether the registered lawyer, [LLP](#) or judge has complied with the requirements of these rules. A copy of such findings and determination will be sent to the registered lawyer, [LLP](#) or judge involved.

(a) If the Panel determines that the registered lawyer, [LLP](#) or judge complied, the registered lawyer's, [LLP's](#) or judge's record will reflect compliance and any previously assessed fees may be rescinded.

(b) If the Panel determines the registered lawyer, [LLP](#) or judge was not in compliance, the written decision issued by the Panel will be promptly filed with the Court.

(8) Supreme Court Review.

(a) When the Court receives either a statement of noncompliance or the written decision of a CLJE Committee hearing, the Court will enter such order as it deems appropriate, which may include an order of administrative suspension from the practice of law in the case of registered lawyers [and LLPs](#) or referral of the matter to the Colorado Commission on Judicial Discipline or the Denver County Court Judicial Discipline Commission in the case of judges.

(b) Orders suspending a lawyer [or LLP](#) for failure to comply with rules governing continuing legal education take effect on entry of the order, unless otherwise ordered.

(c) A lawyer [or LLP](#) who has been suspended under the rules governing continuing legal education need not comply with the requirements of C.R.C.P. 242.32(c) or C.R.C.P. 242.32(d) if the lawyer [or LLP](#) has sought reinstatement under the rules governing continuing legal education and reasonably believes that reinstatement will occur 14 days of the date of the order of suspension. If the lawyer [or LLP](#) is not reinstated within those 14 days, then the lawyer [or LLP](#) must comply with the requirements of C.R.C.P. 242.32(c) and C.R.C.P. 242.32(d).

(9) Notice. All notices given pursuant to these rules may be sent to any address provided by the registered lawyer, [LLP](#) or judge pursuant to C.R.C.P. 227 [and C.R.C.P. 207.14](#).

(10) Reinstatement. Any lawyer [or LLP](#) who has been suspended for noncompliance pursuant to C.R.C.P. 250.7(8) may be reinstated by order of the Court upon a showing that the lawyer's [or LLP's](#) CLE deficiency has been corrected. The lawyer must file with the CLJE Office a petition seeking reinstatement by the Court. The petition must state with particularity the CLE activities that the lawyer has completed, including dates of completion, which correct the deficiency that caused the lawyer's suspension. The petition must be accompanied by a reinstatement filing fee as determined by the CLJE Committee. The CLJE Office will file a properly completed petition with its recommendation with the Clerk of the Court within 14 days after receipt.

(11) Jurisdiction. All suspended and inactive lawyers [and LLPs](#) remain subject to the jurisdiction of the Court as set forth in C.R.C.P. 242.1(a) and C.R.C.P. 243.1.

(1) Compliance Information.

(a) CLE Transcript Maintenance. For each registered lawyer, [LLP](#) or judge, the CLJE Office will maintain CLE transcripts for the current and immediately preceding compliance periods as reported pursuant to C.R.C.P. 250.7(1).

(b) Compliance Records--Confidential. Records maintained by the CLJE Office pertaining to a registered lawyer's, [LLP's](#) or judge's compliance are confidential and will not be disclosed except upon written request or consent of the registered lawyer, [LLP](#) or judge affected or as directed by the Court.

(2) [NO CHANGE]

(3) Expunction of Records.

(a) **Expunction--Self-Executing.** All records maintained by the CLJE Office pursuant to these rules, in paper or electronic form, will be expunged from the files of the CLJE Office as follows:

(i) [NO CHANGE]

(ii) All records pertaining to requests for accreditation of activities submitted by a registered lawyer, [LLP](#) or judge will be expunged three months following the date the submission was processed by the CLJE Office, including but not limited to activities under C.R.C.P. 250.9 and 250.10, self-study, graduate study, and teaching or writing accreditation requests;

(iii) Affidavits submitted in paper form to the CLJE Office by registered lawyers, [LLP](#) or judges relating to completion of an approved CLE activity will be expunged seven days after the claimed credits have been entered on the CLE Transcript by the CLJE Office;

(iv) All records pertaining to proceedings under C.R.C.P. 250.7(3) - (10) will be expunged three years after the expiration of the registered ~~attorney's~~ [lawyer's, LLP's](#), or judge's current compliance period or after reinstatement, whichever time period is longer; and,

(v) All records pertaining to requests for deferrals pursuant to C.R.C.P. 250.2(8) will be expunged three years after the expiration of the registered ~~attorney's~~ [lawyer's, LLP's](#), or judge's current compliance period.

Rule 250.9. Representation in Pro Bono Legal Matters

(1) Maximum Credits. A registered lawyer may earn a maximum of nine CLE credit hours [and an LLP may earn a maximum seven CLE credit hours](#) during each three-year compliance period for providing uncompensated pro bono legal representation to indigent or near-indigent persons, or, [for a registered lawyer](#), supervising a law student providing such representation. Professional responsibility credit may not be earned under this rule.

(2) Eligibility. To be eligible for CLE credit hours, the pro bono legal matter in which a registered lawyer [or LLP](#) provides representation must have been assigned to the registered lawyer [or LLP](#) by: a court; a bar association or Access to Justice Committee-sponsored program; a law school; or an organized, non-profit entity, such as Legal Services Corporation, Metro Volunteer Lawyers, or Colorado Lawyers Committee, whose purpose is or includes the provision of pro bono representation to indigent or near-indigent persons. Prior to assigning the matter, the assigning court, program, law school, or entity will determine that the client is financially eligible for pro bono legal representation because (a) the client qualifies for participation in programs funded by the Legal Services Corporation, or (b) the client's income and financial resources are slightly above the guidelines utilized by such programs, but the client nevertheless cannot afford counsel.

(3) Computation of Credits. Subject to the reporting and review requirements specified herein, (a) a registered lawyer [or LLP](#) providing uncompensated, pro bono legal representation may receive one unit of credit for every five billable-equivalent hours of representation provided to the indigent client; and (b) a registered lawyer who acts as a supervisor to a law student may be awarded three CLE credit hours per completed matter.

(4) Claiming Credits. A registered lawyer [or LLP](#) wishing to receive CLE credit hours under this rule must submit to the assigning court, program, law school, or entity a completed form as designated by the CLJE Committee. As to supervising a law student, the registered lawyer will submit the form when the matter is fully completed. As to pro bono representation, if the representation will be concluded during a single three-year compliance period, then the registered lawyer [or LLP](#) will complete and submit the form when the representation is fully completed. If the representation will continue into another three-year compliance period, then the applying registered lawyer [or LLP](#) may submit an interim form seeking such credit as the lawyer [or LLP](#) may be eligible to receive during the three-year compliance period that is coming to an end. Upon receipt of an interim or final form, the assigning court, program, law school, or entity must in turn report to the CLJE Office the number of CLE credit hours that it recommends be awarded to the reporting registered lawyer [or LLP](#) under the provisions of this rule. The CLJE Committee has final authority to issue or decline to issue CLE credit hours to the registered lawyer [or LLP](#) providing representation or mentoring, subject to the other provisions of these rules.

(5) [NO CHANGE]

Rule 250.10. Participation in the Colorado Attorney Mentoring Program (CAMP)

(1) - (4) [NO CHANGE]

Rule 241. Terminology

For purposes of C.R.C.P. 242 through C.R.C.P. 244, the following definitions apply:

“Administrative fee” is an amount equal to the civil filing fee in Colorado district courts, which is assessed to defray the costs of proceedings under C.R.C.P. 242.

“Advisory Committee” refers to the Supreme Court Advisory Committee on the Practice of Law, as identified in C.R.C.P. 242.3.

“Complaining witness” means a person who submits a request for investigation to the Regulation Counsel under C.R.C.P. 242.13(a)(1).

“Conviction” refers to any determination in a criminal matter, including at a federal, state, municipal, or other level, that a person is guilty, whether the determination rests on a verdict of guilty, a judicial finding of guilt, a plea of guilty, an Alford plea, or a plea of nolo contendere, irrespective of (1) whether entry of judgment or imposition of the sentence is suspended or deferred by the court, (2) whether the person is appealing the determination, and (3) whether sentencing has occurred.

“Costs” are those costs made available in civil cases, and may include travel expenses incurred by Hearing Board members and witnesses, fees for court reporters, fees for expert witnesses, and fees for independent medical examinations. “Costs” may also include expenses incurred during an investigation.

“Crime” refers to any offense that is punishable by imprisonment.

“Disciplinary proceeding” means any investigative or judicial proceeding under C.R.C.P. 242 except (1) preliminary investigations under C.R.C.P. 242.13 and (2) proceedings involving nondisciplinary suspensions under C.R.C.P. 242.23 and C.R.C.P. 242.24.

“Expunge” and “expungement” refer to the destruction of all files, records, and other items of any type in a given proceeding.

“Final decision” means an order entered or opinion issued under C.R.C.P. 242.23 (decision on petition for or reinstatement from nondisciplinary suspension based on noncompliance with child support or paternity order), C.R.C.P. 242.31 (disciplinary opinion), C.R.C.P. 242.39 (opinion on petition for disciplinary reinstatement or readmission), C.R.C.P. 243.6 (decision on transfer to disability inactive status), or C.R.C.P. 243.10 (decision on petition for reinstatement from disability inactive status), or a dispositive order entered by the Presiding Disciplinary Judge under C.R.C.P. 12 or 56 that imposes a sanction or dismisses a disciplinary or disability proceeding.

“Including” means including but not limited to.

“Lawyer” means any person who is or has been (1) licensed to practice law or otherwise authorized to practice law in any jurisdiction in the United States; (2) a “foreign attorney” as defined in C.R.C.P. 205.5(1); or (3) a “foreign legal consultant” as defined in C.R.C.P. 204.2. The terms “lawyer” and “attorney” are used interchangeably.

“Law firm” refers to a partnership, professional company, sole proprietorship, or other entity through which any lawyer renders legal services; it also refers to a corporation, organization, or government office in which the lawyer renders legal services.

Licensed legal paraprofessionals (“LLPs”) are individuals licensed by the Supreme Court pursuant to C.R.C.P. 207.1 to perform certain types of legal services only under the conditions set forth by the Court. They do not include individuals with a general license to practice law in Colorado.

“Mail” and “mailing” mean the sending of a document or other item through the U.S. Postal Service, through a commercial delivery service, or by electronic means.

“Notice,” “notify,” and derivatives of those terms are addressed in C.R.C.P. 242.42(a).

“Proceeding,” for purposes only of C.R.C.P. 242, means any investigative or judicial proceeding under C.R.C.P. 242, including preliminary investigations under C.R.C.P. 242.13 and matters involving nondisciplinary suspensions under C.R.C.P. 242.23 and C.R.C.P. 242.24.

“Regulation Committee” refers to the Legal Regulation Committee, as identified in C.R.C.P. 242.4.

“Regulation Counsel” refers to the Attorney Regulation Counsel, as identified in C.R.C.P. 242.5.

“Respondent” means a lawyer in a disciplinary proceeding under C.R.C.P. 242.

“Restitution” means the return of fees, money, or other things of value that were paid or entrusted to a lawyer.

“Rules Governing the Practice of Law” refers to Chapters 18 through 20 of the Colorado Rules of Civil Procedure.

“Serious crime” means any felony; any lesser crime a necessary element of which, as determined by its statutory or common law definition, involves interference with the administration of justice, false swearing, misrepresentation, fraud, extortion, misappropriation, or theft; an attempt or conspiracy to commit such a crime; or solicitation of another to commit such a crime.

“Supreme court” refers to the Colorado Supreme Court.

“This part” means a grouping of several sections of a rule under a Roman numeral heading, for example “Part VIII. Appeals to the Supreme Court.”

“This rule” means all sections of the broader rule in which the reference is found, for example C.R.C.P. 242 or C.R.C.P. 243.

“This section” means a single section of a rule, for example C.R.C.P. 242.1.

“This subsection” means a portion of a section, for example C.R.C.P. 242.1(a) or C.R.C.P. 242.1(a)(1).

“Tribunal” means a court, an arbitrator in a binding arbitration proceeding, or a legislative body, administrative agency, or other body acting in an adjudicative capacity. A legislative body, administrative agency, or other body acts in an adjudicative capacity when, after the party or parties are given the opportunity to present evidence or legal argument, a neutral official renders a binding legal judgment directly affecting a party’s interests in a particular matter.

Rule 241.1. Applicability of C.R.C.P. 241 through C.R.C.P. 244 to Licensed Legal Paraprofessionals (“LLPs”)

The terminology rule at C.R.C.P. 241 and the rules governing lawyer disciplinary proceedings (C.R.C.P. 242 et seq.), lawyer disability proceedings (C.R.C.P. 243 et seq.), and protective appointment of counsel

(C.R.C.P. 244 et seq.) apply to the regulation of LLPs. LLPs have all the obligations and rights of lawyers under those rules. When those rules are applied to LLPs, a reference to a Colorado Rule of Professional Conduct is construed as a reference to the parallel provision in the Colorado Rules of Professional Conduct for LLPs.

Rule 242. – 242.2. [NO CHANGE]

Rule 242.3. Advisory Committee

(a) - (b) [NO CHANGE]

(1) Members and Liaison Justices. Two supreme court justices serve as non-voting liaisons to the Advisory Committee. The Advisory Committee comprises up to 13 volunteer members, including a Chair and Vice-Chair. Members other than the Chair and Vice-Chair serve one term of up to seven years. The supreme court appoints the members. Diversity must be a consideration in making appointments. At least nine of the members must be lawyers admitted to practice in Colorado and at least two of the members must be nonlawyers. Members' terms should be staggered to provide, so far as possible, for the expiration each year of the term of at least one member. Members must include:

(A) The Chairs (or the annual designees) of the following committees: the Regulation Committee, the Law Committee, the Character and Fitness Committee, the Continuing Legal and Judicial Education Committee, the Licensed Legal Paraprofessional Committee, and the Board of Trustees for the Colorado Attorneys' Fund for Client Protection;

(B) - (D) [NO CHANGE]

(2) - (8) [NO CHANGE]

COMMENT

The Advisory Committee's powers and duties do not include making inquiries or providing oversight as to specific cases or matters. The Advisory Committee may develop protocols to govern other aspects of the legal regulation system. For example, the Advisory Committee has protocols to govern the handling of complaints about the conduct of the Regulation Counsel and staff of the Regulation Counsel. The Advisory Committee's protocols may be found at the Regulation Counsel's website.

Rule 242.4. - 242.43. [NO CHANGE]

Rule 243. – 242.13. [NO CHANGE]

Rule 244. – 244.4. [NO CHANGE]

Rule 250. Mandatory Continuing Legal and Judicial Education

PREAMBLE: Statement of Purpose

As society becomes more complex, the delivery of legal services likewise becomes more complex. The public rightly expects that lawyers and licensed legal paraprofessionals (“LLPs”), in their practice of law, and judges, in the performance of their duties, will continue their professional development throughout their legal careers. The purpose of mandatory continuing legal and judicial education requirements is to promote and sustain competence and professionalism and to ensure that lawyers, LLPs and judges remain current on the law, law practice management, and technology in our rapidly changing society.

Rule 250.1. Definitions

(1) - (3) [NO CHANGE]

(4) “CLE transcript” means the official record maintained by the CLJE Office of a registered lawyer’s, LLP’s or judge’s CLE credit hours earned during a CLE compliance period and will be used to verify a registered lawyer’s, LLP’s or judge’s compliance with the CLE requirements.

(5) [NO CHANGE]

(6) “Compliance period” means the three years during which a registered lawyer, LLP or judge is required to earn the minimum number of CLE credits.

(7) – (8) [NO CHANGE]

(9) “LLP” is a licensed legal professional who has been admitted by and is registered with the Colorado Supreme Court through payment of the registration fee required by C.R.C.P. 207.14 for the current year, and is not on inactive status, or suspended, disbarred, or placed on disability inactive status by the Court.

(10) “Office of Continuing Legal and Judicial Education” (CLJE Office) is the central office of the Office of Attorney Regulation Counsel that administers and implements these rules and the CLJE Committee’s Regulations Governing Mandatory Continuing Legal and Judicial Education.

(11) “Provider” means any individual or organization that offers continuing legal education activities.

(12) “Registered lawyer” is a lawyer who has paid the registration fee required by C.R.C.P. 227 for the current year and who is not on inactive status, or suspended, disbarred, or placed on disability inactive status by the Court.

(13) “Teaching” means participating as a speaker, lecturer, presenter, or moderator in any accredited CLE activity.

(14) “These rules” refer to rules 250.1 through 250.10 of the Colorado Rules of Civil Procedure.

(15) “CLJE Regulations” refer to the Continuing Legal and Judicial Education Committee’s Regulations Governing Mandatory Continuing Legal and Judicial Education.

Rule 250.2. CLE Requirements

(1) CLE Credit Requirement for Registered Lawyers and Judges. Every registered lawyer and every judge must complete 45 credit hours of continuing legal education during each applicable CLE compliance period as provided in these rules. The 45 credit hours must include at least seven credit hours devoted to professional responsibility.

(a) - (b) [NO CHANGE]

(2) CLE Credit Requirement for LLPs. Every LLP must complete 30 credit hours of continuing legal education during each applicable CLE compliance period as provided in these rules. The 30 credit hours must include at least five credit hours devoted to professional responsibility.

(a) Beginning January 1, 2023, the five credit hours devoted to professional responsibility must include the following:

(i) At least one credit hour in the area of equity, diversity, and inclusivity, and

(ii) At least four credit hours in the areas of legal ethics or legal professionalism.

(b) Failure to comply with these requirements in a timely manner as set forth in these rules may subject the LLP to a fee, a penalty, and/or administrative suspension.

(3) Compliance Period. All registered lawyers, LLPs and judges become subject to these rules on the date of their admission or certification to the bar or LLP rolls of the State of Colorado. The first compliance period begins on the date of admission or certification and ends on the 31st of December of the third full calendar year following the year of admission or certification to practice law in Colorado. For non-lawyer judges, the first CLE compliance period begins on the date of appointment as a judge and ends on the 31st of December of the third full calendar year following the year of appointment as a judge. Subsequent CLE compliance periods begin on the 1st of January immediately following a previous compliance period and end on the 31st of December of the third full calendar year thereafter. Compliance periods that commenced under the previous C.R.C.P. 260 will continue without interruption under these rules.

(4) Reporting. All registered lawyers, LLPs and judges must report compliance as set forth in C.R.C.P. 250.7.

(5) Lawyer Status and Compliance. Any registered lawyer who has been suspended under C.R.C.P. 227A(4), or who has elected to transfer to inactive status under C.R.C.P. 227A(6)(a), will, upon being reinstated pursuant to C.R.C.P. 227A(5) or (7), become subject to the minimum continuing legal educational requirements set forth in these rules on the date of reinstatement, pursuant to C.R.C.P. 250.2 and as set forth in paragraph (7) of this rule.

(6) LLP Status and Compliance. Any LLP who has been suspended under C.R.C.P. 207.14, or who has elected to transfer to inactive status under C.R.C.P. 207.14, will, upon being reinstated pursuant to C.R.C.P. 207.14, become subject to the minimum continuing legal educational requirements set forth in these rules on the date of reinstatement, pursuant to C.R.C.P. 250.2 and as set forth in paragraph (7) of this rule. Any coursework or CLE activities undertaken by the LLP to prepare for reinstatement do not count toward the continuing legal educational requirements for active-status LLPs pursuant to this rule.

(7) Modification of Compliance Period. A registered lawyer's or LLP's obligation to comply with these rules during a compliance period will be deferred if the lawyer or LLP has been suspended for any reason other than noncompliance with these rules, has elected to transfer to inactive status, or has been placed on

disability inactive status by Court order. However, upon reinstatement or return to active status, the compliance period will be calculated as follows:

(a) If the registered lawyer or LLP remains on suspension, inactive status, or disability inactive status for one year or longer, the start of the compliance period will begin on the date of reinstatement from suspension or disability inactive status, or date of transfer to active status, and will end on the 31st of December of the third full calendar year following the start of the compliance period.

(b) If the registered lawyer or LLP is suspended, on inactive status, or on disability inactive status for less than one year, the compliance period will not be recalculated. However, upon reinstatement or return to active status, the lawyer or LLP will have 91 days from the date of reinstatement or return to active status, or the remainder of the original compliance period, whichever is longer, to complete and report all deferred CLE requirements as otherwise set forth under C.R.C.P. 250.7, and to pay any penalties or fees that accrued before the suspension or transfer to inactive status. Failure to complete deferred CLE requirements or to pay related penalties or fees during this 91 day period will subject the lawyer to suspension pursuant to C.R.C.P. 250.7(8).

(c) No registered lawyer or LLP will be permitted to change status to circumvent these rules.

(8) No Roll-Over Credits. CLE credit hours completed in excess of the required 45 credit hours for registered lawyers and judges or the required 30 credit hours for LLPs in any applicable compliance period may not be used to meet the minimum educational requirements in any subsequent compliance period.

(9) Exemptions.

(a) **Inactive or Suspended Status.** A lawyer or LLP who is on inactive status, disability inactive status, or under suspension during his or her entire CLE compliance period is excused from the CLE requirements for that compliance period.

(b) **Age.** A registered lawyer, LLP or judge will be exempt from the CLE requirements of these rules starting on the registered lawyer's, LLP's or judge's 72nd birthday. On the effective date of these rules, all registered lawyers and judges who were exempt from the educational requirements under the previous C.R.C.P. 260.5 (Exemptions), will again become subject to the requirements in these rules. For all previously exempt registered lawyers and judges, the compliance period will begin on the effective date of these rules and end on December 31, 2021 (the end of the third full calendar year following the start of the compliance period). For all registered lawyers and judges who reach their 65th birthday in 2018, the compliance period will be extended through December 31, 2021. For all registered lawyers and judges who reach their 65th birthday in 2019, and whose compliance period otherwise would have ended in 2019 or 2020, the compliance period will be extended through December 31, 2021. Subsequent compliance periods will begin on the 1st of January of the year immediately following the end of the previous compliance period.

(10) Deferral.

(a) **Inability to Comply.** In cases of inability to comply with these rules for good cause shown, the CLJE Office may, in its discretion, defer individual compliance with the CLE requirements set forth in these rules. Good cause may include, for example, a registered lawyer, LLP or judge serving on full-time active duty in the armed forces of the United States who is deployed to a location outside the United States, and who provides to the CLJE Office a copy of military orders or other official paperwork listing the date, location, and duration of the deployment.

(b) **No Waiver.** Deferral does not constitute a waiver of the CLE requirements.

Rule 250.3. The Supreme Court Advisory Committee on the Practice of Law and the Continuing Legal and Judicial Education Committee

(1) Advisory Committee. The Supreme Court Advisory Committee on the Practice of Law (Advisory Committee) is a permanent committee of the Court. See C.R.C.P. 242.3. The Advisory Committee oversees the coordination of administrative matters for all programs of the lawyer and LLP regulation process, including the continuing legal and judicial education program set forth in these rules. The Advisory Committee reviews the productivity, effectiveness, and efficiency of the continuing legal and judicial education program, and recommends to the Court proposed changes or additions to these rules and the CLJE Committee's Regulations Governing Mandatory Continuing Legal and Judicial Education.

(2) The Continuing Legal and Judicial Education Committee. The Continuing Legal and Judicial Education Committee (CLJE Committee) serves as a permanent committee of the Supreme Court.

(a) Members. The CLJE Committee consists of nine members appointed by the Court, and is subject to oversight by the Advisory Committee. With the exceptions of the chair and the vice chair, members will be appointed for one term of seven years. Diversity will be a consideration in making the appointments. The terms of the members will be staggered to provide, so far as possible, for the expiration each year of the term of one member. At least six of the members must be volunteer lawyers or LLPs, at least one of whom must also be a judge, and at least two of the members must be volunteer citizen members who are not lawyers or LLPs. All members serve at the pleasure of and may be dismissed at any time by the Court. A member of the CLJE Committee may resign at any time. In the event of a vacancy, a successor will be appointed by the Court for the remainder of the unexpired term of the member whose office is vacated.

(b) - (c) [NO CHANGE]

(3) [NO CHANGE]

Rule 250.4. Attorney Regulation Counsel [NO CHANGE]

Rule 250.5. Immunity [NO CHANGE]

Rule 250.6. Accreditation

(1) Objective. CLE must be an educational activity which has as its primary objective the promotion of professional competence of registered lawyers, LLPs and judges, and must deal with subject matter directly related to the practice of law or the performance of judicial duties. The CLJE Committee will develop criteria for the accreditation of CLE activities as set forth in the Regulations Governing Mandatory Continuing Legal and Judicial Education, and the CLJE Office will accredit a broad variety of educational activities that meet these requirements.

(2) Criteria. For an activity to be accredited, the following criteria must be met: (1) the subject matter must directly relate to legal subjects and the performance of judicial duties or the practice of law, including professionalism, leadership, equity, diversity, inclusivity, wellness, ethics, and law practice management, and (2) the activity must be directed to lawyers, LLPs and judges. The CLJE Office will consider, in accrediting educational activities, the contribution the activity will make to the competent and professional practice of law or administration of justice.

(3) [NO CHANGE]

(4) Non-accredited Activities. The CLJE Office will not accredit activities completed in the ordinary course of the practice of law, in the performance of regular employment, or in a lawyer's, LLPs or judge's service on a committee, section, or division of any bar-related organization except as provided in these rules.

(5) - (7) [NO CHANGE]

Rule 250.7. Compliance

(1) Reporting Requirement. Each registered lawyer, LLP and judge must report compliance with these rules. CLE credit hours must be reported by the online affidavit on the CLJE Office's website or other form approved by the CLJE Committee within a reasonable amount of time after the credit hours are earned. A registered lawyer, LLP or judge who is exempt from compliance under C.R.C.P. 250.2(9)(b) may nevertheless report CLE credit hours on a voluntary basis.

(2) Verification Requirement. It is the responsibility of each registered lawyer, LLP and judge to verify CLE credit hours completed during a compliance period, and to confirm that their CLE transcript is accurate and complete by no later than the 31st of January following that compliance period. Failure to comply with these requirements in a timely manner as set forth in these rules may subject the registered lawyer, LLP or judge to a fee, a penalty, and/or administrative suspension.

(3) Make-up Plan. If a registered lawyer, LLP or judge fails to complete the required CLE credit hours by the end of the CLE compliance period, the registered lawyer, LLP or judge must do the following: (1) by the 31st of January following the end of the CLE compliance period, file a specific plan to make up the deficiency; and (2) complete the planned CLE credit hours no later than the 31st of May following the end of the CLE compliance period. The plan must be accompanied by a filing fee determined by the CLJE Committee. Such plan will be deemed accepted by the CLJE Office unless within 28 days after the receipt of the make-up plan the CLJE Office notifies the registered lawyer, LLP or judge to the contrary. Completion of the make-up plan must be reported by affidavit to the CLJE Office no later than the 14th of June following the end of the CLE compliance period. Failure of the registered lawyer, LLP or judge to complete the plan by the 31st of May or to file an affidavit demonstrating compliance constitutes grounds for imposing administrative remedies set forth in paragraph (8) of this rule.

(4) Statement of Noncompliance. If any registered lawyer, LLP or judge fails to comply with these rules, C.R.C.P. 203.1(8) or C.R.C.P. 207.8(10), the CLJE Office will promptly provide a statement of noncompliance to the registered lawyer, LLP or judge. The statement will advise the registered lawyer, LLP or judge that within 14 days of the date of the statement, either the noncompliance must be corrected, or the registered lawyer, LLP or judge must request a hearing before the CLJE Committee. Upon failure to do either, the CLJE Office will file the statement of noncompliance with the Court, which may impose the administrative remedies set forth in paragraph (8) of this rule.

(5) [NO CHANGE]

(6) Hearing Before the CLJE Committee. If a hearing before the CLJE Committee is requested, the following apply:

(a) Notice of the time and place of the hearing will be given to the registered lawyer, LLP or judge by the CLJE Office at least 14 days prior thereto;

(b) The registered lawyer, LLP or judge may be represented by counsel;

(c) - (g) [NO CHANGE]

(h) The hearing will be recorded and a transcript may be provided to the registered lawyer, LLP or judge upon request and payment of the cost of the transcript.

(7) Determination by the CLJE Committee. Within 28 days after the conclusion of the hearing, the Panel will issue a written decision on behalf of the CLJE Committee setting forth findings of fact and the determination as to whether the registered lawyer, LLP or judge has complied with the requirements of these rules. A copy of such findings and determination will be sent to the registered lawyer, LLP or judge involved.

(a) If the Panel determines that the registered lawyer, LLP or judge complied, the registered lawyer's, LLP's or judge's record will reflect compliance and any previously assessed fees may be rescinded.

(b) If the Panel determines the registered lawyer, LLP or judge was not in compliance, the written decision issued by the Panel will be promptly filed with the Court.

(8) Supreme Court Review.

(a) When the Court receives either a statement of noncompliance or the written decision of a CLJE Committee hearing, the Court will enter such order as it deems appropriate, which may include an order of administrative suspension from the practice of law in the case of registered lawyers and LLPs or referral of the matter to the Colorado Commission on Judicial Discipline or the Denver County Court Judicial Discipline Commission in the case of judges.

(b) Orders suspending a lawyer or LLP for failure to comply with rules governing continuing legal education take effect on entry of the order, unless otherwise ordered.

(c) A lawyer or LLP who has been suspended under the rules governing continuing legal education need not comply with the requirements of C.R.C.P. 242.32(c) or C.R.C.P. 242.32(d) if the lawyer or LLP has sought reinstatement under the rules governing continuing legal education and reasonably believes that reinstatement will occur 14 days of the date of the order of suspension. If the lawyer or LLP is not reinstated within those 14 days, then the lawyer or LLP must comply with the requirements of C.R.C.P. 242.32(c) and C.R.C.P. 242.32(d).

(9) Notice. All notices given pursuant to these rules may be sent to any address provided by the registered lawyer, LLP or judge pursuant to C.R.C.P. 227 and C.R.C.P. 207.14.

(10) Reinstatement. Any lawyer or LLP who has been suspended for noncompliance pursuant to C.R.C.P. 250.7(8) may be reinstated by order of the Court upon a showing that the lawyer's or LLP's CLE deficiency has been corrected. The lawyer must file with the CLJE Office a petition seeking reinstatement by the Court. The petition must state with particularity the CLE activities that the lawyer has completed, including dates of completion, which correct the deficiency that caused the lawyer's suspension. The petition must be accompanied by a reinstatement filing fee as determined by the CLJE Committee. The CLJE Office will file a properly completed petition with its recommendation with the Clerk of the Court within 14 days after receipt.

(11) Jurisdiction. All suspended and inactive lawyers and LLPs remain subject to the jurisdiction of the Court as set forth in C.R.C.P. 242.1(a) and C.R.C.P. 243.1.

Rule 250.8. Access to Information

(1) Compliance Information.

(a) CLE Transcript Maintenance. For each registered lawyer, LLP or judge, the CLJE Office will maintain CLE transcripts for the current and immediately preceding compliance periods as reported pursuant to C.R.C.P. 250.7(1).

(b) Compliance Records--Confidential. Records maintained by the CLJE Office pertaining to a registered lawyer's, LLP's or judge's compliance are confidential and will not be disclosed except upon written request or consent of the registered lawyer, LLP or judge affected or as directed by the Court.

(2) [NO CHANGE]

(3) Expunction of Records.

(a) **Expunction--Self-Executing.** All records maintained by the CLJE Office pursuant to these rules, in paper or electronic form, will be expunged from the files of the CLJE Office as follows:

(i) [NO CHANGE]

(ii) All records pertaining to requests for accreditation of activities submitted by a registered lawyer, LLP or judge will be expunged three months following the date the submission was processed by the CLJE Office, including but not limited to activities under C.R.C.P. 250.9 and 250.10, self-study, graduate study, and teaching or writing accreditation requests;

(iii) Affidavits submitted in paper form to the CLJE Office by registered lawyers, LLP or judges relating to completion of an approved CLE activity will be expunged seven days after the claimed credits have been entered on the CLE Transcript by the CLJE Office;

(iv) All records pertaining to proceedings under C.R.C.P. 250.7(3) - (10) will be expunged three years after the expiration of the registered lawyer's, LLP's, or judge's current compliance period or after reinstatement, whichever time period is longer; and,

(v) All records pertaining to requests for deferrals pursuant to C.R.C.P. 250.2(8) will be expunged three years after the expiration of the registered lawyer's, LLP's, or judge's current compliance period.

Rule 250.9. Representation in Pro Bono Legal Matters

(1) Maximum Credits. A registered lawyer may earn a maximum of nine CLE credit hours and an LLP may earn a maximum seven CLE credit hours during each three-year compliance period for providing uncompensated pro bono legal representation to indigent or near-indigent persons, or, for a registered lawyer, supervising a law student providing such representation. Professional responsibility credit may not be earned under this rule.

(2) Eligibility. To be eligible for CLE credit hours, the pro bono legal matter in which a registered lawyer or LLP provides representation must have been assigned to the registered lawyer or LLP by: a court; a bar association or Access to Justice Committee-sponsored program; a law school; or an organized, non-profit entity, such as Legal Services Corporation, Metro Volunteer Lawyers, or Colorado Lawyers Committee, whose purpose is or includes the provision of pro bono representation to indigent or near-indigent persons. Prior to assigning the matter, the assigning court, program, law school, or entity will determine that the client is financially eligible for pro bono legal representation because (a) the client qualifies for participation in programs funded by the Legal Services Corporation, or (b) the client's income and financial resources are slightly above the guidelines utilized by such programs, but the client nevertheless cannot afford counsel.

(3) Computation of Credits. Subject to the reporting and review requirements specified herein, (a) a registered lawyer or LLP providing uncompensated, pro bono legal representation may receive one unit of credit for every five billable-equivalent hours of representation provided to the indigent client; and (b) a registered lawyer who acts as a supervisor to a law student may be awarded three CLE credit hours per completed matter.

(4) Claiming Credits. A registered lawyer or LLP wishing to receive CLE credit hours under this rule must submit to the assigning court, program, law school, or entity a completed form as designated by the CLJE Committee. As to supervising a law student, the registered lawyer will submit the form when the matter is fully completed. As to pro bono representation, if the representation will be concluded during a single three-year compliance period, then the registered lawyer or LLP will complete and submit the form when the representation is fully completed. If the representation will continue into another three-year compliance period, then the applying registered lawyer or LLP may submit an interim form seeking such credit as the lawyer or LLP may be eligible to receive during the three-year compliance period that is coming to an end. Upon receipt of an interim or final form, the assigning court, program, law school, or entity must in turn report to the CLJE Office the number of CLE credit hours that it recommends be awarded to the reporting registered lawyer or LLP under the provisions of this rule. The CLJE Committee has final authority to issue or decline to issue CLE credit hours to the registered lawyer or LLP providing representation or mentoring, subject to the other provisions of these rules.

(5) [NO CHANGE]

Rule 250.10. Participation in the Colorado Attorney Mentoring Program (CAMP)

(1) - (4) [NO CHANGE]

Amended and Adopted by the Court, En Banc, April 13, 2023, effective July 1, 2023.

By the Court:

**Brian D. Boatright
Chief Justice, Colorado Supreme Court**