

Rule Change 2006 (10)

COLORADO RULES OF CIVIL PROCEDURE

CHAPTER 18

RULES GOVERNING ADMISSION TO THE BAR

RULE 221. Out-of-State Attorney -- *Pro Hac Vice* Admission

An out-of-state attorney (as defined in Rule 220) may be permitted to appear on a particular matter in any state court of record under the following circumstances:

(1) through (2) [No Change]

~~**(3) Use of Fees.** All fees collected by the Clerk of the Colorado Supreme Court under this rule shall be used to fund the attorney regulation system.~~

~~**(4)**~~**(3) Frequency of Appearances.** A separate petition, fee, and order granting permission are required for each action in which an attorney appears in Colorado.

~~**(5)**~~**(4) Permission to Provide Information to Trial Court.** The Colorado Supreme Court offices may provide information to the trial court that it believes relevant for the trial court's ruling on the pending motion to appear. The trial court nevertheless retains all authority to rule on the motion as it deems appropriate.

~~**(6)**~~**(5) Appellate Matters and Other Forms of Review.**

(a) If an attorney wants to appear in a proceeding before a Colorado appellate court, and the attorney obtained permission to appear in a proceeding involving the same action in a Colorado state trial court, the attorney only needs to file an updated affidavit with the Clerk of the Supreme Court at the Attorney Registration Office. No additional filing fee is required.

(b) If an attorney wants to appear in a proceeding before a Colorado appellate court and the attorney did not obtain permission to appear in a proceeding involving the same action in a Colorado state trial court or administrative agency, the attorney shall file motion and affidavit with the Clerk of the Colorado appellate court, with a copy sent to the Clerk of Supreme Court at the Attorney Registration Office requesting permission to appear. The motion, affidavit, and filing fee must be submitted as otherwise provided in subsection (1) of this rule.

~~**(7)**~~**(6) Discipline and Disability Jurisdiction.**

Any attorney who has received *pro hac vice* admission under this rule shall be subject to all applicable provisions of the Colorado Rules of Professional Conduct, except for the

provisions of Colo. RPC 1.15 that require an attorney to have a business account and a trust account in a financial institution doing business in Colorado; and the Colorado Rules of Civil Procedure, except C.R.C.P. 227 (general registration fees) and C.R.C.P. 260 (mandatory continuing legal education).

Source: Entire rule amended and adopted December 4, 2002, effective January 1, 2003.

RULE 222. Single-Client Counsel Certification

(1) through (5) [No Change]

(6) **Fees.** An attorney approved under this rule shall also be required to pay annual registration fees and comply with all other provisions of C.R.C.P. 227, as well as comply with the mandatory legal education requirements of C.R.C.P. 260. ~~All fees collected by the Clerk of the Colorado Supreme Court at the Attorney Registration Office under this rule shall be used to fund the attorney regulation system.~~

(7) [No Change]

RULE 227. Registration Fee

A. Registration Fee of Attorneys and Attorney Judges

(1) **General Provisions.**

(a) through (b) [No Change]

(c) **Application of Fees.** The fee shall be divided. ~~Ten~~ Nine dollars shall be used to pay the costs of establishing and administering the mandatory continuing legal education requirement. A portion of the fee, to be determined and adjusted periodically by the Supreme Court, shall be used to support designated providers that have been selected by the Advisory Committee to provide assistance to attorneys needing help in dealing with physical, emotional, or psychological problems which may be detrimental to their ability to practice law. The remaining portion of the fee, and the entire fee of those on inactive status, shall be used only to establish and maintain an attorneys' fund for client protection, and to defray the costs of disciplinary administration and enforcement, the costs incurred with respect to unauthorized practice matters, and the expenses incurred in the administration of this rule.

(d) through (e) [No Change]

(2) through (8) [No Change]

Amended by the Court, En Banc, June 22, 2006, effective immediately.

BY THE COURT:

Justice Michael L. Bender
Colorado Supreme Court

Justice Nathan B. Coats
Colorado Supreme Court