

**RULE CHANGE 2009(16)**

**CHAPTER 29**

**COLORADO RULES OF CRIMINAL PROCEDURE**

**Rule 44. Appearance of Counsel**

**(e) Termination of Representation.**

(1) Unless otherwise directed by the trial court or extended by an agreement between counsel and a defendant, counsel's representation of a defendant, whether retained or appointed, shall terminate at the conclusion of trial court proceedings and after a final determination of restitution. Trial court proceedings shall conclude at the point in time:

(I) When dismissal is granted by the court and no timely appeal has been filed;

(II) When an order enters granting a deferred prosecution, deferred sentence, or probation;

(III) After a sentence to incarceration is imposed upon conviction when no motion has been timely filed pursuant to Crim.P. 35(b) or such motion so filed is ruled on; or

(IV) When a notice of appeal is filed by the defendant.

(2) At the time a deferred prosecution or deferred sentence is granted or at the time sentence is imposed upon conviction, the court shall inform the defendant when representation shall terminate.

**Amended and adopted by the Court, En Banc, September 10, 2009, effective January 1, 2010.**

**By the Court:**

**Alex J. Martinez  
Justice, Colorado Supreme Court**

