

## CHAPTER 18: RULES GOVERNING ADMISSION TO THE BAR

### RULE 227. REGISTRATION FEE

#### A. REGISTRATION FEE OF ATTORNEYS AND ATTORNEY JUDGES

##### (1) General Provisions.

(a) **Fees.** On or before February 28 of each year, every attorney admitted to practice in Colorado (including judges, those admitted on a provisional or temporary basis and those admitted as judge advocate) shall annually file a registration statement and pay a fee as set by the Colorado Supreme Court. As of 2014, the fees set by the court are as follows: the fee for active attorneys is \$325.00; the fee of any attorney whose first admission to practice is within the preceding three years is \$190.00; the fee for attorneys on inactive status is \$130.00. All persons first becoming subject to this rule shall file a statement required by this rule at the time of admission, but no annual fee shall be payable until the first day of January following such admission. As necessary to defray the costs of regulating attorneys, judges and those engaged in unauthorized practice of law, the Supreme Court will authorize periodic increases to the annual fee for every Colorado attorney.

(b) **Collection of Fee.** The annual fee shall be collected by the Clerk of the Supreme Court of Colorado, who shall send and receive the notices and statements provided for hereafter.

(c) **Application of Fees.** The fee shall be divided. Twenty-five dollars shall be used to maintain an Attorneys' Fund for Client Protection. The remaining portion of the fee, and the entire fee of those on inactive status, shall be used only to defray the costs of the Office of Attorney Regulation Counsel (admissions, registration, mandatory continuing legal and judicial education, attorney diversion and discipline, counsel to Commission on Judicial Discipline, unauthorized practice of law and inventory counsel functions), the Office of the Presiding Disciplinary Judge, the Commission on Judicial Discipline, the Colorado Lawyers Assistance Program, the Colorado Attorney Mentoring Program, the Advisory and other regulatory committees and any other practice of law function deemed appropriate by the Supreme Court.

##### (2) Statement.

(a) **Contents.** The annual registration statement shall be on a form prescribed by the Clerk, setting forth:

- (1) date of admission to the Bar of the Colorado Supreme Court;
- (2) registration number;
- (3) current residence and office addresses and, if applicable, a preferred mailing address for the Colorado Courts, along with current telephone numbers and email addresses;
- (4) certification as to (a) whether the attorney has been ordered to pay child support and, if so, whether the attorney is in compliance with any child support order, (b) whether the attorney or the attorney's law firm has established one or more interest-bearing accounts for client funds as provided in Colo. RPC 1.15B and if so, the name of the financial institution, account number and location of the

financial institution, or, if not, the reason for the exemption, and (c) with respect to attorneys engaged in the private practice of law, whether the attorney is currently covered by professional liability insurance and, if so, whether the attorney intends to maintain insurance during the time the attorney is engaged in the private practice of law; and

(5) such other information as the Clerk may from time to time direct.

(b) *Notification of Change.* Every attorney shall file a supplemental statement of change in the information previously submitted, including home and business addresses, within 28 days of such change. Such change shall include, without limitation, the lapse or termination of professional liability insurance without continuous coverage.

(c) *Availability of Information.* The information provided by the lawyer regarding professional liability insurance shall be available to the public through the Supreme Court Office of Attorney Registration and on the Supreme Court Office of Attorney Registration website.

### **(3) Compliance.**

(a) **Late Fee.** Any attorney who pays the annual fee or files the annual registration statement after February 28 but on or before March 31 shall pay a late fee of \$50.00 in addition to the registration fee. Any attorney who pays the annual fee or files the annual registration statement after March 31 shall pay a late fee of \$150.00 for each such year, in addition to the registration fee.

(b) **Receipt--Demonstration of Compliance.** Within 28 days of the receipt of each fee and of each statement filed by an attorney in accordance with the provisions of this rule, receipt thereof shall be acknowledged on a form prescribed by the Clerk in order to enable the attorney on request to demonstrate compliance with the requirement of registration pursuant to this rule. (c) **Initial Pleading Must Contain Registration Number.** Whenever an initial pleading is signed by an attorney, it shall also include thereon the attorney's registration number. Whenever an initial appearance is made in court without a written pleading, the attorney shall advise the court of the registration number. The number need not be on any subsequent pleadings

### **(4) Suspension.**

(a) **Failure to Pay Fee or File Statement--Notice of Delinquency.** An attorney shall be summarily suspended if the attorney either fails to pay the fee or fails to file a complete statement or supplement thereto as required by this rule prior to May 1, provided a notice of delinquency has been issued by the Clerk and mailed to the attorney addressed to the attorney's last known mailing address at least 28 days prior to such suspension, unless an excuse has been granted on grounds of financial hardship. Orders suspending an attorney for failure to comply with rules governing attorney registration take effect on entry of the order, unless otherwise ordered.

(b) **Duties to Notify Clients and Duties in Litigation Matters.** An attorney who has been suspended under the rules governing attorney registration need not comply with the requirements of C.R.C.P. 242.32(c) or C.R.C.P. 242.32(d) if the attorney has sought reinstatement under the rules governing attorney registration and reasonably believes that reinstatement will occur within 14 days of the

date of the order of suspension. If the attorney is not reinstated within those 14 days, then the attorney must comply with the requirements of C.R.C.P. 242.32(c) and C.R.C.P. 242.32(d).

(c) **Failure of Judge to Pay Fee or File Statement.** Any judge subject to the jurisdiction of the Commission on Judicial Discipline or the Denver County Court Judicial Discipline Commission who fails to timely pay the fee or file a complete statement or supplement thereto as required by this rule shall be reported to the appropriate commission, provided a notice of delinquency has been issued by the Clerk and mailed to the judge addressed to the judge's last known business address at least 28 days prior to such reporting, unless an excuse has been granted on grounds of financial hardship.

**(5) Reinstatement.**

(a) **Application--Reinstatement Fee.** Any attorney suspended under the provisions of section (4)(a) above shall not be reinstated until application for reinstatement is made in writing and the Clerk acts favorably on the application. Each application for reinstatement shall be accompanied by a reinstatement fee of \$100.00 and payment of all arrearages and late fees to the date of the request for reinstatement.

(b) **Report Judge's Payment.** If any judge who is reported to a commission under the provisions of section (4)(b) above subsequently makes payment of all arrearages, such payment shall be reported to the commission by the Clerk.

**(6) Inactive Status.**

(a) **Notice.** An attorney who has retired or is not engaged in practice shall file a notice in writing with the Clerk that he or she desires to transfer to inactive status and discontinue the practice of law.

(b) **Payment of Fee--Filing of Statement.** Upon the filing of the notice to transfer to inactive status, the attorney shall no longer be eligible to practice law but shall continue to pay the fee required under section (1)(a) above and file the statements and supplements thereto required by this rule on an annual basis.

(c) **Exemption--Age 65.** Any registered inactive attorney over the age of 65 is exempt from payment of the annual fee.

**(7) Transfer to Active Status.**

Upon the filing of a notice to transfer to inactive status and payment of the fee required under section (1)(a) above and any arrearages, if owed, an attorney shall be removed from the roll of those classified as active until and unless a request for transfer to active status is made and granted. Transfer to active status shall be granted, unless the attorney is subject to an outstanding order of suspension or disbarment, upon the payment of any assessment in effect for the year the request is made and any accumulated arrearages for non-payment of inactive fees.

**(8) Resignation.**

(a) **Criteria.** The supreme court may permit an attorney to resign from the practice of law in Colorado. The Regulation Counsel must inform the supreme court whether any disciplinary or disability

matter involving the attorney should preclude the attorney's resignation and whether any pre-complaint proceeding pending against the attorney under C.R.C.P. 242 should be dismissed. An attorney may not resign if a complaint under C.R.C.P. 242.25 is pending against the attorney.

(b) **Procedure.** An attorney who wishes to resign must request permission of the supreme court under this section by submitting a request to the Office of Attorney Registration, and must tender the attorney's certificate of admission along with a certification as to whether the attorney is subject to disciplinary proceedings in any other jurisdiction. A request to resign and an order of resignation are public information.

(c) **Effect.** An attorney who has been permitted to resign:

- (1) Must comply with the duties listed in C.R.C.P. 242.32;
- (2) Is excused from paying the annual registration fee;
- (3) Is not eligible for reinstatement or transfer to active or inactive status and may be admitted to the practice of law in Colorado only by complying with the rules governing admission to the practice of law;
- (4) May not hold herself or himself out as a Colorado attorney; and
- (5) Remains subject to the supreme court's jurisdiction as set forth in C.R.C.P. 242.1 as to the attorney's practice of law in Colorado.

## **B. REGISTRATION FEE OF NON-ATTORNEY JUDGES**

(1) Every non-attorney judge who is subject to the jurisdiction of the Commission on Judicial Discipline shall pay an annual fee of \$10.00. The annual fee shall be collected by the Clerk of the Supreme Court of Colorado, who shall send and receive, or cause to be sent and received, the notices and fees provided for hereafter. The ten-dollar fee shall be used to pay the costs of establishing and administering the mandatory continuing legal education requirement. The clerk shall account for and forward these receipts to the Board of Continuing Legal and Judicial Education.

(2) Any non-attorney judge who fails to timely pay the fee required under subparagraph (1) above shall be reported to the Commission on Judicial Discipline, provided a notice of delinquency has been issued by the Clerk and mailed to the non-attorney judge by certified mail addressed to the county court in the respective county seat at least 28 days prior to such reporting, unless an excuse has been granted on grounds of financial hardship.

(3) If any non-attorney judge who is reported to the Commission on Judicial Discipline under the provisions of subparagraph (2) above subsequently makes payment of arrearages, such payment shall be reported to the Commission by the Clerk.

(4) On or before January 31 of each year, all non-attorney judges shall file any affidavit required by Rule 260.5 and shall pay the annual fee required by this rule.

(5) Within 21 days after the receipt of each fee in accordance with the provisions of subparagraph (4) above, receipt thereof shall be acknowledged on a form prescribed by the Clerk.

**Amended and Adopted by the Court, En Banc, May 20, 2021, effective July 1, 2021.**