

**Colorado Access to Justice Commission  
Accomplishments 2003-2009  
By Constance C. Talmage (with a little help from Daniel M. Taubman)**

Since its establishment in 2003, the Colorado Access to Justice Commission has made significant accomplishments, described below. Created with the support of the Colorado Supreme Court and the Colorado Bar Association (CBA), the Commission has 20 members, appointed by the Supreme Court, the CBA, Colorado Legal Services, the Legal Aid Foundation of Colorado, the Colorado Lawyers Trust Account Foundation (Colorado's IOLTA program), the Governor, the Speaker of the House of Representatives, and the President of the Senate.

The accomplishments listed below follow other achievements by Colorado's access to justice community, including persuading the Supreme Court (1) to adopt civil procedure and ethics rules to permit unbundling of legal services, and (2) to add a comment to Canon 4 of the Code of Judicial Conduct stating expressly that judges may participate in activities to encourage lawyers to perform pro bono service.

Here are the Commission's accomplishments. For more information, including annual reports to the assigning entities, see the Commission's website, [www.ColoradoJustice.org](http://www.ColoradoJustice.org).

1. During 2007, the Access to Justice Commission held ten hearings throughout the state to assess the civil legal needs of the indigent in Colorado. In addition to members of the Colorado ATJ Commission and local ATJ committees, invited panelists who participated in the hearings included members of the Colorado Legislature, representatives of other elected officials, Colorado Supreme Court justices, Colorado Court of Appeals judges, district and county court judges, CBA leaders. Testimony was provided by legal services clients, low-income individuals with legal needs who did not receive legal assistance, attorneys who provide civil legal services to the poor, judges, and employees of organizations that serve the indigent.

As a result of these hearings, the ATJ Commission concluded that Colorado faces a serious crisis in civil legal representation of the indigent. Many Coloradans who need legal assistance to secure or maintain health care, housing, custody or other necessities do not receive help because there are too few lawyers at Colorado Legal Services (CLS), Colorado's statewide legal aid program. Among the most significant findings from these hearings are:

- Low income individuals do not automatically have access to free legal assistance in civil matters, as they do in virtually all serious criminal matters in Colorado.
- Most civil legal assistance for the indigent in Colorado is provided by CLS. During the last twenty years, the number of CLS lawyers has been cut in half, while the number of poor people has increased by almost 75 percent. In 1980, there was one legal services attorney for every 4,839 eligible clients. Today, there is one CLS attorney for every 16,890 eligible individuals. As a result, most low income individuals in Colorado are unable to get civil legal assistance when they need it. It is estimated that only one indigent person in five who needs civil legal help will receive some legal assistance.
- Colorado's only state funding for civil legal services is a \$500,000 appropriation to provide civil legal services to victims of family violence. The amount of this funding has not increased since July 1, 2002. Colorado ranks fortieth in state funding for civil legal services for the indigent, and would need to provide another \$1.82 million in state funding to reach the national average.

A full report on the findings from the hearings was published in January 2008 and began distribution in March. The report, *The Justice Crisis in Colorado—January 2008. A Report On The Civil Legal Needs Of The Indigent In Colorado*, is available on the Colorado Access to Justice Commission website, [www.coloradojustice.org](http://www.coloradojustice.org).

2. Rule 223, Pro Bono Emeritus. On July 1, 2007, the Colorado Supreme Court adopted new Rule 223, *Pro Bono/Emeritus Attorney*. This rule creates a *pro bono/emmeritus* attorney licensing status and permits retired or inactive attorneys to provide *pro bono* services through recognized providers of legal services to the indigent, without maintaining an active license and paying the annual license fee. The CBA has waived annual dues for these lawyers. ([www.courts.state.co.us/Courts/Supreme\\_Court/Rule\\_Changes/2007.cfm](http://www.courts.state.co.us/Courts/Supreme_Court/Rule_Changes/2007.cfm)). See, *New Rule Allows Retired and Inactive Lawyers to Provide Pro Bono Legal Services*, by Judge JoAnn Vogt, 36 *The Colorado Lawyer* 95 (July 2007). [www.cobar.org/tcl/tcl\\_articles.cfm?articleid=5228](http://www.cobar.org/tcl/tcl_articles.cfm?articleid=5228)
3. Rule 6.1, Supreme Court Pro Bono Recognition Program. (Inclusion of two model law firm pro bono policies in the comment to Rule 6.1 of the Rules of Professional Conduct. As far as we know, no other state has done

this. In 2006, the Court implemented a two-part program to recognize law firms and solo practitioners. ([www.courts.state.co.us/Courts/Supreme\\_Court/Rule\\_Changes/2005.cfm](http://www.courts.state.co.us/Courts/Supreme_Court/Rule_Changes/2005.cfm)). Part one of the program recognizes those firms who commit to:

- the Colorado Rule of Professional Conduct 6.1 annual goal of 50 hours of pro bono legal service by each Colorado-licensed attorney in the firm, primarily for indigent persons and/or organizations serving indigent persons; and
- valuing at least 50 hours of such pro bono service per year for all purposes of attorney evaluation, advancement, and compensation in the firm as the firm values compensated client representation.

By the end of 2006, 42 firms and solo practitioners had indicated to the Supreme Court their agreement with these commitments. By 2008, this number had increased to 105 law firms.

The second part of the Supreme Court recognition program honors those law firms and solo practitioners whose Colorado-licensed attorneys on average during the previous year performed 50 hours of *pro bono* legal services primarily for indigent persons and/or organizations serving indigent persons. In 2007, the Colorado Supreme Court for the first time honored law firms that met this goal. On March 16, 2007, Chief Justice Mullarkey presented certificates of recognition to 34 firms and solo practitioners at a reception at the Colorado Supreme Court. By 2009, the number of firms and solo practitioners who achieved their annual goal had increased to 85. The Supreme Court recognized these firms in a ceremony on April 13, 2009.

4. Rule 260.8, CLE Credit for Pro Bono Work. The Colorado Supreme Court adopted new Rule of Civil Procedure 260.8, effective January 1, 2005. The Rule allows a lawyer to be awarded a maximum of nine units of general continuing legal education credit, for each three-year compliance period, for providing *pro bono* legal representation to an indigent or near indigent client or clients in a civil legal matter, or for mentoring another lawyer or a law student who is providing such representation. Lawyers receive 1 hour of credit for each 5 hours of representation. ([www.courts.state.co.us/Courts/Supreme\\_Court/Rule\\_Changes/2004.cfm](http://www.courts.state.co.us/Courts/Supreme_Court/Rule_Changes/2004.cfm))
5. Chief Justice Directive 98-01. This directive was modified twice to: (1) allow “legal services providers” to certify indigency (November 2005) and (2) waive electronic filing fees for lawyers representing indigent clients on a pro bono basis (August 2008). ([www.courts.state.co.us/Courts/Supreme\\_Court/Directives](http://www.courts.state.co.us/Courts/Supreme_Court/Directives))
6. Pro Bono Service is narrowly defined for (a) Rule 6.1 (the Supreme Court’s pro bono recognition program), (b) C.R.C.P. 260.8 (CLE credit for pro bono work), (c) CJD 98-01 (costs for indigent persons), and (d) Rule 223 (pro bono emeritus rule). This is significant because it circumscribes the pro bono service that qualifies for each of these four provisions.
7. Rule 6.5 of the Colorado Rules of Professional Conduct was adopted effective January 1, 2008. This rule permits lawyers to provide limited representation at legal clinics sponsored by nonprofits or the courts without jeopardizing their firm’s relationship with adverse parties, so long as they are not aware of the conflict. [www.courts.state.co.us/Courts/Supreme\\_Court/Rule\\_Changes/2007.cfm](http://www.courts.state.co.us/Courts/Supreme_Court/Rule_Changes/2007.cfm)
8. Establishment of a network of local access to justice committees that have (a) increased awareness of access to justice issues at the local level throughout the state, (b) involved members of the judiciary to a greater extent in access to justice issues, and (c) increased access to justice locally through numerous projects, including preparation of the Know Your Rights DVD (in English and Spanish) for defendants in criminal cases, presentation of seminars on legal issues televised on local public access cable TV, and encouragement of pro bono service. A model charter for ATJ Committees (organized by judicial district to address local needs) has been developed. [www.cobar.org/repository/ATJModelCharter.pdf?ID=3238](http://www.cobar.org/repository/ATJModelCharter.pdf?ID=3238)
9. During 2008, state funding for legal services was increased from \$500,000 to \$750,000.
10. The Commission enhances access to the judicial system for pro se litigants in various ways, including, most recently, recommending changes to the judicial branch website.
11. The Commission has supported proposed changes to Sections 2.2 and 2.6 of the Colorado Code of Judicial Conduct to enable judges to provide greater assistance to pro se litigants.

**Rule 223 Pro Bono/Emeritus Attorney**  
**RULES OF CIVIL PROCEDURE**  
**CHAPTER 18 RULES GOVERNING ADMISSION TO THE BAR**

**Rule 223. Pro Bono/Emeritus Attorney**

Statement of Purpose. To provide a licensing status to allow retired or inactive attorneys to provide pro bono legal services to the indigent through nonprofit entities as defined in part 1, below.

(1) A pro bono/emergitus attorney may, under the auspices of a Colorado nonprofit entity whose purpose is or includes the provision of pro bono legal representation to indigent or near-indigent persons, act as legal counsel on behalf of a person seeking representation through such entity.

(2) To act in such a capacity the pro bono/emergitus attorney must be either:

(a) An attorney admitted to practice law in Colorado who:

- (i) is now on inactive status;
- (ii) is in good standing;
- (iii) has no pending disciplinary proceeding; and

(iv) will not receive or expect compensation or other direct or indirect pecuniary gain for the legal services rendered; or

(b) An attorney not admitted to practice in Colorado who meets the following conditions:

(i) is licensed to practice law and is on active, inactive, or equivalent status in another jurisdiction in the United States;

(ii) is in good standing in all courts and jurisdictions in which he or she is admitted to practice;

(iii) has no pending disciplinary proceeding;

(iv) agrees to be subject to the Colorado Rules of Professional Conduct, the rules of procedure regarding attorney discipline and disability proceedings, and the remedies set forth in C.R.C.P. 234(a);

(v) limits his or her practice to acting as pro bono counsel as set forth in this rule and will not receive or expect compensation or other direct or indirect pecuniary gain for the legal services rendered hereunder; and

(vi) completes the application described herein and pays a one-time administrative fee of \$50.00, payable to

The Clerk of the Colorado Supreme Court and collected by the Attorney Registration Office. The application shall contain:

(A) A certification that the attorney agrees to the provisions of paragraphs (2)(b)(iv) & (v), above; and

(B) A certification that the attorney is in good standing in all courts and jurisdictions in which he or she is admitted to practice, and has no pending disciplinary proceeding in any jurisdiction.

(c) An attorney approved under this rule shall be assigned a certification number, which shall be used to identify the attorney's status as a pro bono/emergitus attorney.

(3) All fees collected by the Attorney Registration Office under this rule shall be used to fund the Attorney Regulation System.

(4) Pro bono/emergitus attorneys shall not be required to pay annual registration fees.

(5) All pro bono/emergitus attorneys shall annually file a registration statement on or before February 28 of each year identifying the organized nonprofit entity or entities, as described in section (1) of this rule, for which the attorney is currently volunteering at the time of filing the registration statement or volunteered in the prior calendar year. In lieu of filing such a registration statement, the attorney may pay the registration fee that was applicable in the prior calendar year for registered inactive attorneys pursuant to C.R.C.P. 227(A) and, thereby, avoid termination of her or his pro/bono emergitus status. Failure of a pro bono/emergitus attorney to file a registration statement or pay the applicable prior year's inactive attorney registration fee by February 28 of each year shall result in automatic termination of pro bono/emergitus status.

(6) This Rule shall not preclude a nonprofit entity from receiving court-awarded attorney fees for representation provided by a pro bono/emergitus attorney and shall not preclude a pro bono/emergitus attorney from receiving reimbursement for otherwise recoverable costs incurred in representing a pro bono client.

**Source:** Entire rule added and adopted June 28, 2007, effective July 1, 2007.

**Law reviews.** For article, "New Rule Allows Retired and Inactive Lawyers to Provide Pro Bono Legal Services", see 36 Colo. Law. 75 (September 2007).



**PROCEDURES FOR THE WAIVER OF COURT COSTS IN CIVIL CASES ON THE  
BASIS OF INDIGENCY**

As set forth in CJD 98-01, Section II., all persons requesting waiver of court costs in civil actions or proceedings on the basis of indigency must follow the following procedures:

**I. Procedures for the Determination of Indigency by Court Staff or Legal Service Provider**

**A. Process for Evaluating Indigency**

The following procedures are used for applicants in cases addressed in CJD 98-01 where the applicant is not represented by an attorney or the applicant is represented by an attorney of or obtained through a legal service provider qualified to certify CLE hours for pro bono representation pursuant to C.R.C.P. 260.8 (Legal Service Provider).

**1. Completion of JDF 205 form by Applicant**

Persons requesting waiver of court costs must complete, or have completed on their behalf, the Motion to File Without Payment and Supporting Financial Affidavit, form JDF 205, and submit it to the court or to the Legal Service Provider.

**2. Review of Financial Information by Court Staff or Legal Service Provider**

Court staff or Legal Service Provider reviews the applicant's information on form JDF 205 to determine whether the applicant is indigent on the basis of three factors:

- Income\*
- Liquid assets\*\*
- Expenses\*\*\*

**3. Filing of Order for Indigent Persons Not Represented through a Legal Service Provider**

Once indigency status is determined for a person not represented through a Legal Service Provider, court staff completes Finding and Order Concerning Payment of Costs, form JDF 206.

**4. Filing of Notice for Indigent Persons Represented by an Attorney of or Obtained Through a Legal Service Provider**

Once indigency status is determined by the Legal Service Provider, the Provider completes JDF Form 203, which the attorney representing the indigent person files in the case with the court by e-filing or other authorized filing method. Upon filing of form JDF 203, the waivable costs are waived. The Legal Service Provider shall maintain the completed JDF 205 form for a period of three years following conclusion of the case or representation of the client, whichever is the later date. The State Court Administrator's Office may request to view any such records, and such request may not be refused.

**B. Criteria for Indigency**

An applicant qualifies for waiver of court costs in civil cases if his or her financial circumstances meet either set of criteria described below.

**1. Income is at or below guidelines / Liquid assets equal \$0 to \$1,500**

• If the applicant's income is at or below the income eligibility guidelines (see the "Monthly Income Guideline" and "Yearly Income Guideline" columns in the chart on the following page) and he or she has liquid assets of \$1,500 or less, as determined on form JDF 205, the applicant is indigent and eligible for waiver of court costs in civil cases.

**2. Income is up to 25% above guidelines / Liquid assets equal \$0 to \$1,500 / Monthly expenses equal or exceed monthly income**

• If the applicant's income is up to 25% above the income eligibility guidelines (see the "Monthly Income Guideline plus 25%" and "Yearly Income Guideline plus 25%" columns in the chart on the following page); the applicant has assets of \$1,500 or less; and the applicant's monthly expenses equal or exceed monthly income, as determined on form JDF 205, the applicant is indigent and eligible for waiver of court costs.

## **II. Procedures for the Determination of Indigency When Applicant is Represented by an Attorney of an agency funded by the Legal Services Corporation pursuant to 45 C.F.R., Chapter XVI.**

### **Process for Evaluating Indigency**

Legal Services Corporation is a federally funded program for representation of indigent persons. The Code of Federal Regulations determines how applications for representation by attorneys employed by the agencies funded by the Legal Services Corporation shall be filed, reviewed, maintained, and when an applicant is deemed indigent for the purposes of representation. Because that review already takes place in order to determine eligibility for representation, and because the Legal Services Corporation may not represent someone in court who has not been deemed indigent under the Code of Federal Regulations, a further application for indigency for the purpose of waiving the filing fee under §13-16-103, C.R.S. is not necessary.

An attorney employed by an agency funded by the Legal Services Corporation or obtained through such an agency may file form JDF 203 certified by that agency. That agency shall maintain its completed determination of indigency documentation for a period of three years following conclusion of the case or representation of the client, whichever is the later date, for which waiver of court costs is obtained under these provisions. The State Court Administrator's Office may request to view any such records, and such request may not be refused.

## **III. Court procedures upon receipt of JDF 206 or JDF 203**

**A.** When the court receives a JDF 206 form completed by court staff, the court enters an order concerning the applicant's payment of fees. **In cases in which the criteria above are not met and extraordinary circumstances exist, the court may find the applicant indigent and waive the payment of fees. In such cases, the court shall enter a written order setting forth the reasons for the finding of indigency.**

**B.** Upon filing by an attorney for an indigent person of a JDF 203 form certified by a Legal Service Provider or an agency funded by the Legal Services Corporation, the clerk of the court in which the case is filed is authorized and directed to allow the applicant to proceed in forma pauperis in court proceedings without any additional court order. **The clerk of the court may refer any notice filed by an attorney appointed by a Legal Service Provider or an agency funded by the Legal Services Corporation to a judge of the court in which the matter is pending if there is a question about the eligibility of the applicant.**

## **IV. Appeals from Civil Cases**

A standard application and motion to proceed in forma pauperis with verification of eligibility will be required in any appeal of a civil case.

\* *Income* is gross income from all members of the household who contribute monetarily to the common support of the household. Income categories include wages, salary, commissions, profits, interest/investment earnings, social security benefits (including disability), Supplemental Security Income (SSI), maintenance (alimony), pension, workers' compensation, and unemployment benefits. NOTE: Income from roommates should not be considered if such income is not commingled in accounts or otherwise combined with the applicant's income in a fashion which would allow the applicant proprietary rights to the roommate's income.

Gross income does not include TANF payments, food stamps, subsidized housing assistance, veteran's benefits or child support.

\*\**Liquid assets* include cash on hand or in accounts, stocks, bonds, certificates of deposit, equity, and personal property or investments which could readily be converted into cash without jeopardizing the applicant's ability to maintain home and employment.

\*\*\**Expenses* for nonessential items such as cable television, club memberships, entertainment, dining out, alcohol, cigarettes, etc., shall not be included. Allowable expense categories are listed on form JDF 205.

#### INCOME ELIGIBILITY GUIDELINES (amended March 2008)

Family Size	Monthly Income Guidelines*	Monthly Income Guideline plus 25%	Yearly Income Guideline*	Yearly Income Guideline plus 25%
1	\$ 1,083	\$ 1,354	\$ 13,000	\$ 16,250
2	\$ 1,458	\$ 1,823	\$ 17,500	\$ 21,875
3	\$ 1,833	\$ 2,291	\$ 22,000	\$ 27,500
4	\$ 2,208	\$ 2,760	\$ 26,500	\$ 33,125
5	\$ 2,583	\$ 3,229	\$ 31,000	\$ 38,750
6	\$ 2,958	\$ 3,698	\$ 35,500	\$ 44,375
7	\$ 3,333	\$ 4,166	\$ 40,000	\$ 50,000
8	\$ 3,708	\$ 4,635	\$ 44,500	\$ 55,625

\* 125% of poverty level as determined by the Department of Health and Human Services

For family units with more than eight members, add \$375 per month to "monthly income" or \$4,500 per year to "yearly income" for each additional family member.

Source: FEDERAL REGISTER (73 FR 3971, 2008)

<input type="checkbox"/> County Court <input type="checkbox"/> District Court <input type="checkbox"/> Denver Juvenile Court <input type="checkbox"/> Denver Probate Court _____ County, Colorado Court Address: _____ Plaintiff/Petitioner: _____ v. Defendant/Respondent: _____	<b>▲ COURT USE ONLY ▲</b> Case Number: _____ Courtroom: _____
<b>MOTION TO: <input type="checkbox"/> FILE WITHOUT PAYMENT OF FILING FEE <input type="checkbox"/> APPOINT AND PAY INTERPRETER COSTS AND SUPPORTING FINANCIAL AFFIDAVIT</b>	

I, \_\_\_\_\_ respectfully move the Court for an order to waive the following filing fee(s):  
 complaint    petition    answer    response    motion to modify    other: \_\_\_\_\_ and/or  to appoint and pay for an interpreter for the following language \_\_\_\_\_ pursuant to CJD 06-03 and as grounds state that I am without funds, have no adequate funds available, and have a meritorious claim.

**All items must be fully completed. Print or type neatly. If an item does not apply, please write "N/A"**

Name of Applicant			Other Responsible Party (Spouse, Parent, Other Persons in Household)		
Last Name	First Name	MI	Last Name	First Name	MI
Street Address (Include Apt. # if applicable) _____			Street Address (Include Apt. # if applicable) _____		
City _____ State _____ Zip Code _____			City _____ State _____ Zip Code _____		
<input type="checkbox"/> Own <input type="checkbox"/> Rent Home Phone #: _____			<input type="checkbox"/> Own <input type="checkbox"/> Rent Home Phone #: _____		
Social Security #	Driver's Lic. # & State	Date of Birth	Social Security #	Driver's Lic. # & State	Date of Birth
Most Recent Employer: _____			Most Recent Employer: _____		
Work Address: _____			Work Address: _____		
Work Phone #: (    ) _____			Work Phone #: (    ) _____		
Dates Employed: _____			Dates Employed: _____		
Hours/Week: _____ Pay Rate: \$ _____			Hours/Week: _____ Pay Rate: \$ _____		
Pay Dates: _____			Pay Dates: _____		

**Marital Status:**  Single    Married    Divorced    Separated    Widowed   **Number in Household:** (including yourself) \_\_\_\_\_  
 Identify Name, Age, and Relationship:

Gross Monthly Income (See Information on page 2)		Monthly Expenses (See Information on Page 2)	
Self (wages, salary, commission)	\$	Rent or Mortgage	\$
Spouse/Other Household Members	\$	Groceries	\$
Parents (if same household)	\$	Utilities	\$
Unemployment Benefits	\$	Clothing	\$
Social Security/Retirement Funds	\$	Maintenance/Alimony and/or Child Support	\$
Maintenance/Alimony	\$	Medical/Dental	\$
Other Income (identify)	\$	Other Expenses (identify)	\$
Other Income (identify)	\$	Other Expenses (identify)	\$
<b>Total Income</b>	<b>\$</b>	<b>Total Expenses</b>	<b>\$</b>

If incarcerated, amount in Inmate Account \$ \_\_\_\_\_. (Attach copy of Inmate Trust Fund Account statement for a six-month period immediately preceding filing pursuant to §13-17.5-103, C.R.S.)

Cash on Hand (Cash you are carrying or which is stored at home, etc.)	\$	Credit Cards: (Show type and balance owed)
Checking Account Balance	\$	Name/Address of Bank
Savings Account Balance	\$	Name/Address of Bank:
Stocks, Bonds, or other Investments Held Balance	\$	Type of Investment, Name/Location of Company/Corporation
Vehicles Owned (Autos, boats, recreational vehicles, etc.) - Estimate Value	\$	Identify Year _____ Model _____ License Plate _____ Identify Year _____ Model _____ License Plate _____
House(s) or other Property - Estimate Value	\$	Amount owed, Year Purchased

**IF ADDITIONAL SPACE IS NEEDED TO PROVIDE COMPLETE INFORMATION, ATTACH A SEPARATE PAGE.**

I swear under penalty of perjury that all information provided is true and complete. In addition, I authorize the Court to make any necessary contacts to verify the information.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# MOTION TO FILE WITHOUT PAYMENT AND SUPPORTING FINANCIAL AFFIDAVIT

## General Information

It is important that you accurately complete all sections of this form as appropriate based on your personal circumstances. If a section does not apply, please write N/A.

**A. Gross Monthly Income.** Includes income from all members of the household who contribute monetarily to the common support of the household.

◆ **Income categories to include:**

Wages, including tips, salaries, commissions, payments received as an independent contractor for labor or services, bonuses, dividends, severance pay, pensions, retirement benefits, royalties, interest/investment earnings, trust income, annuities, capital gains, unemployment benefits, Social Security Disability (SSD), Social Security Supplemental Income (SSI), Workman's Compensation Benefits, and alimony.

**Note:** Income from roommates should not be considered if such income is not commingled in accounts or otherwise combined with the applicant's income in a fashion which would allow the applicant proprietary rights to the roommate's income.

◆ **Income categories do not include:**

TANF payments, food stamps, subsidized housing assistance, veteran's benefits earned from a disability, child support payments, or other public assistance programs.

**B. Liquid Assets.** Includes cash on hand or in accounts, stocks bonds, certificates of deposit, equity, and personal property or investments which could readily be converted into cash without jeopardizing the applicant's ability to maintain home and employment.

**C. Expenses.** Nonessential items such as cable television, club memberships, entertainment, dining out, alcohol, cigarettes, etc., **shall not** be included. Allowable expense categories are listed on JDF 205.



<input type="checkbox"/> County Court <input type="checkbox"/> District Court <input type="checkbox"/> Denver Juvenile Court <input type="checkbox"/> Denver Probate Court _____ County, Colorado Court Address: _____		<b>▲ COURT USE ONLY ▲</b>
Plaintiff/Petitioner: v. Defendant/Respondent/Co-Petitioner:		
Attorney or Party Without Attorney (Name and Address):  Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____		Case Number:  Division _____ Courtroom _____
<b>CERTIFICATION OF DETERMINATION OF INDIGENCY</b>		

I, \_\_\_\_\_, (name of authorized person to sign for Legal Service Provider) have determined under the provision of CJD 98-01, as amended August 2008 that \_\_\_\_\_ (name of client to be represented) is indigent based on:

a review of his/her application under the Legal Services Corporation Act of 1974.

**or**

a review of the client's Motion to File without Payment and Supporting Financial Affidavit (JDF 205). I understand that JDF 205 shall be maintained for three years following conclusion of the case or representation of the client, whichever is the later date, for which waiver of courts costs is obtained under CJD 98-01. The State Court Administrator's Office may request to view any such records, and such request may not be refused.

Based on that determination, the above-name party is eligible to have the filing fee, jury fee, if applicable, reasonable copy fees, E-file and E-service fees, and research fees waived as they relate to this case, pursuant to CJD 98-01, as amended August 2008, without additional findings or orders of the Court. If the Court delivers the documents for service of process to the Sheriff, the Court can waive the sheriff's fee and pay such fees from mandated costs.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Attorney filing this form with the Court

\_\_\_\_\_  
Signature and Name of Legal Services Provider  
Certifying Indigency Determination

**Rule 260.8 Direct Representation and Mentoring in Pro Bono Civil Legal Matters**  
**RULES OF CIVIL PROCEDURE**  
**CHAPTER 20 COLORADO RULES OF PROCEDURE REGARDING ATTORNEY**  
**DISCIPLINE AND DISABILITY PROCEEDINGS, COLORADO ATTORNEYS' FUND**  
**FOR CLIENT PROTECTION, AND MANDATORY CONTINUING LEGAL EDUCATION**  
**AND JUDICIAL EDUCATION**

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**Rule 260.8. Direct Representation and Mentoring in Pro Bono Civil Legal Matters**

(1) A lawyer may be awarded a maximum of nine (9) units of general credit during each three-year compliance period for providing uncompensated pro bono legal representation to an indigent or near-indigent client or clients in a civil legal matter, or mentoring another lawyer or a law student providing such representation.

(2) To be eligible for units of general credit, the civil pro bono legal matter in which a lawyer provides representation must have been assigned to the lawyer by: a court; a bar association or Access to Justice Committee-sponsored program; an organized non-profit entity, such as Colorado Legal Services, Metro Volunteer Lawyers, or Colorado Lawyers Committee whose purpose is or includes the provision of pro bono representation to indigent or near-indigent persons in civil legal matters; or a law school. Prior to assigning the matter, the assigning court, program, entity, or law school shall 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) Subject to the reporting and review requirements specified herein, (a) a lawyer providing uncompensated, pro bono legal representation shall receive one (1) unit of general credit for every five (5) billable-equivalent hours of representation provided to the indigent client; (b) a lawyer who acts as a mentor to another lawyer as specified in this Rule shall be awarded one (1) unit of general credit per completed matter; and (c) a lawyer who acts as a mentor to a law student shall be awarded two (2) units of general credit per completed matter. A lawyer will not be eligible to receive more than nine (9) units of general credit during any three-year compliance period via any combination of pro bono representation and mentoring.

(4) A lawyer wishing to receive general credit units under this Rule shall submit to the assigning court, program, or law school a completed Form 8. As to mentoring, the lawyer shall submit Form 8 only once, 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 lawyer shall complete and submit Form 8 only once, when the representation is fully completed. If the representation will continue into another three-year compliance period, then the applying lawyer may submit an interim Form 8 seeking such credit as the lawyer 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 8, the assigning court, program, entity, or law school shall in turn report to the Board the number of general CLE units that it recommends be awarded to the reporting lawyer under the provisions of this Rule. It shall recommend an award of the full number of units for which the lawyer is eligible under the provisions of this Rule, unless it determines after review that such an award is not appropriate due to the lawyer's lack of diligence or competence, in which case it shall recommend awarding less than the full number of units or no units. An outcome in the matter adverse to the client's objectives or interests shall not result in any presumption that the lawyer's representation or mentoring was not diligent or competent. The Board shall have final authority to issue or decline to issue units of credit to the lawyer providing representation or mentoring, subject to the other provisions of these Rules and Regulations, including without limitation the hearing provisions of Regulation 108.

(5) A lawyer who acts as a mentor to another lawyer providing representation shall be available to the lawyer providing representation for information and advice on all aspects of the legal matter, but will not be required to file or otherwise enter an appearance on behalf of the indigent client in any court. Mentors shall not be members of the same firm or in association with the lawyer providing representation to the indigent client.

(6) A lawyer who acts as a mentor to a law student who is eligible to practice law under C.R.S. §§ 12-5-116 to -116.5 shall be assigned to the law student at the time of the assignment of the legal matter with the consent of the mentor, the law student, and the law school. The matter shall be assigned to the law student by a court, a program or entity as described in Rule 260.8(2), or an organized student law office program administered by his or her law school, after such court, program, entity, or student law office determines that the client is eligible for pro bono representation

in accordance Rule 260.8(2). The mentor shall be available to the law student for information and advice on all aspects of the matter, and shall directly and actively supervise the law student while allowing the law student to provide representation to the client. The mentor shall file or enter an appearance along with the law student in any legal matter pursued or defended for the client in any court. Mentors may be acting as full-time or adjunct professors at the law student's law school at the same time they serve as mentors, so long as it is not a primary, paid responsibility of that professor to administer the student law office and supervise its law-student participants.

**Source:** Entire rule added and adopted November 10, 2004, effective January 1, 2005.

**RULE 6.1 VOLUNTARY PRO BONO PUBLICO SERVICE  
RULES OF CIVIL PROCEDURE  
APPENDIX TO CHAPTERS 18 TO 20 COLORADO RULES OF PROFESSIONAL  
CONDUCT**

**RULE 6.1. VOLUNTARY PRO BONO PUBLICO SERVICE**

**PUBLIC SERVICE**

Every lawyer has a professional responsibility to provide legal services to those unable to pay. A lawyer should aspire to render at least fifty hours of pro bono publico legal services per year. In fulfilling this responsibility, the lawyer should:

(a) provide a substantial majority of the fifty hours of legal services without fee or expectation of fee to:

(1) persons of limited means or

(2) charitable, religious, civic, community, governmental and educational organizations in matters that are designed primarily to address the needs of persons of limited means; and

(b) provide any additional legal or public services through:

(1) delivery of legal services at no fee or a substantially reduced fee to individuals, groups or organizations seeking to secure or protect civil rights, civil liberties or public rights, or charitable, religious, civic, community, governmental and educational organizations in matters in furtherance of their organizational purposes, where the payment of standard legal fees would significantly deplete the organization's economic resources or would be otherwise inappropriate;

(2) delivery of legal services at a substantially reduced fee to persons of limited means; or

(3) participation in activities for improving the law, the legal system or the legal profession.

In addition, a lawyer should voluntarily contribute financial support to organizations that provide legal services to persons of limited means.

Where constitutional, statutory or regulatory restrictions prohibit government and public sector lawyers or judges from performing the pro bono services outlined in paragraphs (a)(1) and (2), those individuals should fulfill their pro bono publico responsibility by performing services or participating in activities outlined in paragraph (b).

**COMMENT**

[1] Every lawyer, regardless of professional prominence or professional workload, has a responsibility to provide legal services to those unable to pay. Indeed, the oath that Colorado lawyers take upon admittance to the Bar requires that a lawyer will never "reject, from any consideration personal to myself, the cause of the defenseless or oppressed." In some years a lawyer may render greater or fewer hours than the annual standard specified, but during the course of his or her legal career, each lawyer should render on average per year, the number of hours set forth in this Rule. Services can be performed in civil matters or in criminal or quasi-criminal matters for which there is no government obligation to provide funds for legal representation, such as post-conviction death penalty appeal cases.

[2] Paragraphs (a)(1) and (2) recognize the critical need for legal services that exists among persons of limited means by providing that a substantial majority of the legal services rendered annually to the disadvantaged be furnished without fee or expectation of fee. Legal services under these paragraphs consist of a full range of activities, including individual and class representation, the provision of legal advice, legislative lobbying, administrative rule making and the provision of free training or mentoring to those who represent persons of limited means.

[3] Persons eligible for legal services under paragraphs (a)(1) and (2) are those who qualify for participation in programs funded by the Legal Services Corporation and those whose incomes and financial resources are slightly above the guidelines utilized by such programs but nevertheless, cannot afford counsel. Legal services can be rendered to individuals or to organizations such as homeless shelters, battered women's centers and food pantries that serve those of limited means. The term "governmental organizations" includes, but is not limited to, public protection programs and sections of governmental or public sector agencies.

[4] Because service must be provided without fee or expectation of fee, the intent of the lawyer to render free legal services is essential for the work performed to fall within the meaning of paragraphs (a)(1) and (2). Accordingly, services rendered cannot be considered pro bono under paragraph (a) if an anticipated fee is uncollected, but the award of statutory lawyers' fees in a case originally accepted as pro bono would not disqualify such services from inclusion under this section. Lawyers who do receive fees in such cases are encouraged to

contribute an appropriate portion of such fees to organizations or projects that benefit persons of limited means.

[5] While it is possible for a lawyer to fulfill the annual responsibility to perform pro bono services exclusively through activities described in paragraphs (a)(1) and (2), to the extent that any hours of service remain unfulfilled, the lawyer may satisfy the remaining commitment in a variety of ways as set forth in paragraph (b).

[6] Paragraph (b)(1) includes the provision of certain types of legal services to those whose incomes and financial resources place them above limited means. It also permits the pro bono lawyer to accept a substantially reduced fee for services. Examples of the types of issues that may be addressed under this paragraph include First Amendment claims, Title VII claims and environmental protection claims. Additionally, a wide range of organizations may be represented, including social service, medical research, cultural and religious groups.

[7] Paragraph (b)(2) covers instances in which lawyers agree to and receive a modest fee for furnishing legal services to persons of limited means. Acceptance of court appointments in which the fee is substantially below a lawyer's usual rate is encouraged under this section.

[8] Paragraph (b)(3) recognizes the value of lawyers engaging in activities that improve the law, the legal system or the legal profession. Serving on bar association committees, serving on boards of pro bono or legal services programs, taking part in Law Day activities, acting as a continuing legal education instructor, a mediator or an arbitrator and engaging in legislative lobbying to improve the law, the legal system or the profession are a few examples of the many activities that fall within this paragraph.

[9] Because the provision of pro bono services is a professional responsibility, it is the individual ethical commitment of each lawyer. However, in special circumstances, such as death penalty cases and class action cases, it is appropriate to allow collective satisfaction by a law firm of the pro bono responsibility. There may be times when it is not feasible for a lawyer to engage in pro bono services. At such times a lawyer may discharge the pro bono responsibility by providing financial support to organizations providing free legal services to persons of limited means. Such financial support should be reasonably equivalent to the value of the hours of service that would have otherwise been provided.

[10] Because the efforts of individual lawyers are not enough to meet the need for free legal services that exists among persons of limited means, the government and the profession have instituted additional programs to provide

those services. Every lawyer should financially support such programs, in addition to either providing direct pro bono services or making financial contributions when pro bono service is not feasible.

[11] The responsibility set forth in this Rule is not intended to be enforced through disciplinary process.

## **Recommended Model Pro Bono Policy for Colorado Licensed**

### **Attorneys and Law Firms**

Preface. Providing pro bono legal services to persons of limited means and organizations serving persons of limited means is a core value of Colorado licensed attorneys enunciated in Colorado Rule of Professional Conduct 6.1. Adoption of a law firm pro bono policy will commit the firm to this professional value and assure attorneys of the firm that their pro bono work is valued in their advancement within the firm.

The Colorado Supreme Court has adopted the following recommended Model Pro Bono Policy that can be modified to meet the needs of individual law firms. References are made to provisions that may not apply in a small firm setting. Adoption of such a policy is entirely voluntary.

At the least, a pro bono policy would:

(1) clearly set forth an aspirational goal for attorneys, as well as the number of hours for which billable credit will be awarded for firms that operate on a billable hour system (the attached model policy uses the figure of at least 50 hours per attorney per year, which mirrors the aspirational goal set out in Rule 6.1);

(2) demonstrate that pro bono service will be positively considered in evaluation and compensation decisions; and

(3) include a description of the processes that will be used to match attorneys with projects and monitor pro bono service, including tracking pro bono hours spent by lawyers and others in the firm.

The Colorado Supreme Court will recognize those firms that make a strong commitment to pro bono work by adopting a policy that includes:

(1) an annual goal of performing 50 hours of pro bono legal service by each Colorado licensed attorney in the firm, pro-rated for part-time attorneys, primarily for persons of limited means and/or organizations serving persons of limited means consistent with the definition of pro bono services as set forth in this Model Pro Bono Policy; and

(2) a statement that the firm will value at least 50 hours of such pro bono service per year by each Colorado

licensed attorney in the firm, for all purposes of attorney evaluation, advancement, and compensation in the firm as the firm values compensated client representation.

The Colorado Supreme Court will also recognize on an annual basis those Colorado law firms that voluntarily advise the Court by February 15 that their attorneys, on average, during the previous calendar year, performed 50 hours of pro bono legal service, primarily for persons of limited means or organizations serving persons of limited means consistent with the definition of pro bono services as set forth in this Model Pro Bono Policy.

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## I. Introduction

The firm recognizes that the legal community has a unique responsibility to ensure that all citizens have access to a fair and just legal system. In recognizing this responsibility, the firm encourages each of its attorneys to actively participate in some form of pro bono legal representation.

This commitment mirrors the core principles enunciated in the Colorado Rules of Professional Conduct:

A lawyer should be mindful of deficiencies in the administration of justice and of the fact that the poor, and sometimes persons who are not poor, cannot afford adequate legal assistance. Therefore, all lawyers should devote professional time and resources and use civic influence to ensure equal access to our system of justice for all those who because of economic or social barriers cannot afford or secure adequate legal counsel. A lawyer should aid the legal profession in pursuing these objectives and should help the bar regulate itself in the public interest. . . . A lawyer should strive to attain the highest level of skill, to improve the law and the legal profession and to exemplify the legal profession's ideals of public service.

Preamble, Colorado Rules of Professional Conduct.

The firm understands there are various ways to provide pro bono legal services in our community. In selecting among the various pro bono opportunities, the firm encourages and expects that attorneys (both partners and associates or other designation) will devote a minimum of fifty (50) hours each year to pro bono legal services, or a proportional amount of pro bono hours by attorneys on alternative work schedules. In fulfilling this responsibility, firm attorneys should provide a substantial majority of the fifty (50) hours of pro bono legal services to (1) persons of limited means, or (2) charitable, religious, civic, community, governmental and educational organizations in matters which are designed primarily to address the needs of persons of limited means. Rule 6.1. The firm strongly believes that this level of participation lets our attorneys make a meaningful contribution to our legal community, and provides important opportunities to further their professional development.

II. Firm Pro Bono Committee/Coordinator (see suggested change for small firms below)

The firm has established a Pro Bono Committee

responsible for implementing and administering the firm's pro bono policies and procedures. The Pro Bono Committee consists of a representative group of attorneys of the firm. In addition, the firm has designated a Pro Bono Coordinator. The Pro Bono Committee/Pro Bono Coordinator has the following principal responsibilities:

1 encouraging and supporting pro bono legal endeavors;

2 reviewing, accepting and/or rejecting pro bono legal projects;

3 coordinating and monitoring pro bono legal projects, ensuring, among other things, that appropriate assistance, supervision and resources are available;

4 providing periodic reports on the firm's pro bono activities; and

5 creating and maintaining a pro bono matter tracking system.

Attorneys are encouraged to seek out pro bono matters that are of interest to them.

\*\* [Small firms may wish to designate only a Pro Bono Coordinator and can introduce the above paragraph as follows: "The firm has designated a Pro Bono Coordinator responsible for implementing and administering the firm's pro bono policies and procedures" and then delete the next two sentences.]

### III. Pro Bono Services Defined

The foremost objective of the firm pro bono policy is to provide legal services to persons of limited means and the nonprofit organizations that assist them, in accordance with Rule 6.1. The firm recognizes there are a variety of ways in which the firm's attorneys and paralegals can provide pro bono legal services in the community. The following, while not intended to be an exhaustive list, reflects the types of pro bono legal services the firm credits in adopting this policy:

A. Representation of Low Income Persons. Representation of individuals who cannot afford legal services in civil or criminal matters of importance to a client;

B. Civil Rights and Public Rights Law. Representation or advocacy on behalf of individuals or organizations seeking to vindicate rights with broad societal implications (class action suits or suits involving constitutional or civil rights) where it is inappropriate to charge legal fees; and

C. Representation of Charitable Organizations. Representation or counseling to charitable, religious, civic, governmental, educational, or similar organizations in matters where the payment of standard legal fees

would significantly diminish the resources of the organization, with an emphasis on service to organizations designed primarily to meet the needs of persons of limited income or improve the administration of justice.

D. Community Economic Development. Representation of or counseling to micro-entrepreneurs and businesses for community economic development purposes, recognizing that business development plays a critical role in low income community development and provides a vehicle to help low income individuals to escape poverty;

E. Administration of Justice in the Court System. Judicial assignments, whether as pro bono counsel, or a neutral arbiter, or other such assignment, which attorneys receive from courts on a mandatory basis by virtue of their membership in a trial bar;

F. Law-related Education. Legal education activities designed to assist individuals who are low-income, at risk, or vulnerable to particular legal concerns or designed to prevent social or civil injustice.

G. Mentoring of Law Students and Lawyers on Pro Bono Matters. Colorado Supreme Court Rule 260.8 provides that an attorney who acts as a mentor may earn two (2) units of general credit per completed matter in which he/she mentors a law student. An attorney who acts as a mentor may earn one (1) unit of general credit per completed matter in which he/she mentors another lawyer. However, mentors shall not be members of the same firm or in association with the lawyer providing representation to the client of limited means.

Because the following activities, while meritorious, do not involve direct provision of legal services to the poor, the firm will not count them toward fulfillment of any attorney's, or the firm's, goal to provide pro bono legal services to persons of limited means or to nonprofits that serve such persons' needs: participation in a non-legal capacity in a community or volunteer organization; services to non-profit organizations with sufficient funds to pay for legal services as part of their normal expenses; client development work; non-legal service on the board of directors of a community or volunteer organization; bar association activities; and non-billable legal work for family members, friends, or members or staff of the firm who are not eligible to be pro bono clients under the above criteria.

IV. Firm Recognition of Pro Bono Service (see suggested change for small firms below).

A. Performance Review and Evaluation. The firm recognizes that the commitment to pro bono involves a personal expenditure of time. In acknowledgment of this commitment and to support firm goals, an attorney's efforts to meet this expectation will be considered by the firm in measuring various aspects of the attorney's

performance, such as yearly evaluations and bonuses where applicable. An attorney's pro bono legal work will be subject to the same criteria of performance review and evaluation as those applied to client-billable work. As with all client work, there should be an emphasis on effective results for the client and the efficient and cost-effective use of firm resources.

B. Credit for Pro Bono Legal Work. The firm will give full credit for at least fifty (50) hours of pro bono legal services, and additional hours as approved by the Pro Bono Committee and/or Coordinator, in considering annual billable hour goals, bonuses and other evaluative criteria based on billable hours.

\*\* [Small firms may wish to only include the following paragraph in lieu of the above provisions: The firm recognizes that the commitment to pro bono involves a personal expenditure of time. In acknowledgment of this commitment and to support firm goals, your pro bono service will be considered a positive factor in performance evaluations and compensation decisions and will be subject to the same criteria of performance review and evaluation as those applied to client-billable work. As with all client work, there should be an emphasis on effective results for the client and the efficient and cost-effective use of firm resources.]

V. Administration of Pro Bono Service (see suggested change for small firms below).

A. Approval of Pro Bono Matters. The Pro Bono Committee/Coordinator will review all proposed pro bono legal matters to ensure that:

1. there is no client or issue conflict or concern;
2. the legal issue raised is not frivolous or untenable;
3. the client does not have adequate funds to retain an attorney; and
4. the matter is otherwise appropriate for pro bono representation.

All persons seeking approval of a pro bono project must: (1) submit a request identifying the client and other entity involved; (2) describe the nature of the work to be done; and (3) identify who will be working on the matter. Once the firm undertakes a pro bono matter, the matter is treated in the same manner as the firm's regular paying work.

B. Opening a Pro Bono Matter. It is the responsibility of the attorney seeking to provide pro bono legal services to complete the conflicts check and open a new matter in accordance with regular firm procedures.

C. Pro Bono Engagement Letter. After a matter has received initial firm approval, the principal attorney on a pro bono legal matter must send an engagement letter to

the pro bono client. Typically, the engagement letter should be sent after the initial client meeting during which the nature and terms of the engagement are discussed.

D. Staffing of Pro Bono Matters. Pro bono legal matters are initially staffed on a voluntary basis. It may become necessary to assign additional attorneys to the matter if the initial staffing arrangements prove to be inadequate, and the firm reserves the right to make such assignments.

E. Supervision of Pro Bono Matters. As appropriate, partner shall supervise any associate working on a pro bono legal matter and the supervising partner shall remain informed of the status of the matter to ensure its proper handling. In addition, it may be appropriate to use assistance or resources from outside the firm. The firm will assist attorneys in finding a supervisor if necessary.

F. Professional Liability Insurance. Attorneys may provide legal assistance through those pro bono organizations that provide professional liability insurance for their volunteers. The firm also carries professional liability insurance for its attorneys in instances where no coverage is available on a pro bono matter through a qualified legal aid organization. Before undertaking any pro bono legal commitments, the professional liability implications should be reviewed with the Pro Bono Committee or the Pro Bono Coordinator.

G. Paralegal Pro Bono Opportunities. Approved pro bono legal work for paralegals includes: (1) work taken on in conjunction with and under the supervision of an attorney working on a specific pro bono legal matter, or (2) work handled independently for an organization that provides pro bono legal opportunities, provided, however, that such participation does not create an attorney-client relationship and/or involve the paralegal's provision of legal advice.

H. Disbursements in Pro Bono Matters. The firm can and should bill and collect disbursements in pro bono legal matters where it is appropriate to do so based on the client's resources. The firm encourages attorneys to pursue petitions for the waiver of filing fees in civil matters (Chief Justice Directive 98-01) when applicable, and to use pro bono experts, court reporters, investigators and other vendors when available to minimize expenses in pro bono legal matters. The firm may advance or guarantee payment of incidental litigation expenses, and may agree that the repayment of such expenses may be contingent upon the outcome of the matter in accordance with Rule 1.8(e). The Pro Bono Committee/Pro Bono Coordinator must approve in advance any expense of a non-routine, significant nature, such as expert fees or translation costs. The supervising partner in a pro bono legal matter should participate in decisions with respect to disbursements.

I. Attorney Fees in Pro Bono Matters. The firm encourages its attorneys to seek and obtain attorney fees in pro bono legal matters where possible. In the event of a recovery of attorney fees, the firm encourages the donation of these fees to an organized non-profit entity whose purpose is or includes the provision of pro bono representation to persons of limited means.

J. Departing Attorneys. When an attorney handling a pro bono case leaves the firm, he or she should work with the Pro Bono Committee/Coordinator to (1) locate another attorney in the firm to take over the representation of the pro bono client, or (2) see if the referring organization can facilitate another placement.

\*\* [Small firms may wish to title this section "Pro Bono Procedures" and include only the following paragraph in lieu of the above provisions: All pro bono legal matters will be opened in accordance with regular firm procedures, including utilization of a conflicts check and a client engagement letter. Pro bono matters should be supervised by a partner, as appropriate. The firm encourages its attorneys to seek and obtain attorney fees in pro bono legal matters whenever possible.]

#### VI. CLE Credit for Pro Bono Work

C.R.C.P. 260.8 provides that attorneys may be awarded up to nine (9) hours of CLE credit per three-year reporting period for: (1) performing uncompensated pro bono legal representation on behalf of clients of limited means in a civil legal matter, or (2) mentoring another lawyer or law student providing such representation.

A. Amount of CLE Credit. Attorneys may earn one (1) CLE credit hour for every five (5) billable-equivalent hours of pro bono representation provided to the client of limited means. An attorney who acts as a mentor may earn one (1) unit of general credit per completed matter in which he/she mentors another lawyer. Mentors shall not be members of the same firm or in association with the lawyer providing representation to the client of limited means. An attorney who acts as a mentor may earn two (2) units of general credit per completed matter in which he/she mentors a law student.

B. How to Obtain CLE Credit. An attorney who seeks CLE credit under C.R.C.P. 260.8 for work on an eligible matter must submit the completed Form 8 to the assigning court, program or law school. The assigning entity must then report to the Colorado Board of Continuing Legal and Judicial Education its recommendation as to the number of general CLE credits the reporting pro bono attorney should receive.