

**RULE 1.4 COMMUNICATION  
RULES OF CIVIL PROCEDURE  
APPENDIX TO CHAPTERS 18 TO 20 COLORADO RULES OF PROFESSIONAL  
CONDUCT**

**RULE 1.4. COMMUNICATION**

(a) A lawyer shall:

(1) promptly inform the client of any decision or circumstance with respect to which the client's informed consent, as defined in Rule 1.0(e), is required by these Rules;

(2) reasonably consult with the client about the means by which the client's objectives are to be accomplished;

(3) keep the client reasonably informed about the status of the matter;

(4) promptly comply with reasonable requests for information; and

(5) consult with the client about any relevant limitation on the lawyer's conduct when the lawyer knows that the client expects assistance not permitted by the Rules of Professional Conduct or other law.

(b) A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

**COMMENT**

[1] Reasonable communication between the lawyer and the client is necessary for the client effectively to participate in the representation.

**Communicating with Client**

[2] If these Rules require that a particular decision about the representation be made by the client, paragraph (a)(1) requires that the lawyer promptly consult with and secure the client's consent prior to taking action unless prior discussions with the client have resolved what action the client wants the lawyer to take. For example, a lawyer who receives from opposing counsel an offer of settlement in a civil controversy or a proffered plea bargain in a criminal case must promptly inform the client of its substance unless the client has previously indicated that the proposal will be acceptable or unacceptable or has authorized the lawyer to accept or to reject the offer. See Rule 1.2(a).

[3] Paragraph (a)(2) requires the lawyer to reasonably consult with the client about the means to be used to accomplish the client's objectives. In some

situations--depending on both the importance of the action under consideration and the feasibility of consulting with the client--this duty will require consultation prior to taking action. In other circumstances, such as during a trial when an immediate decision must be made, the exigency of the situation may require the lawyer to act without prior consultation. In such cases the lawyer must nonetheless act reasonably to inform the client of actions the lawyer has taken on the client's behalf. Additionally, paragraph (a)(3) requires that the lawyer keep the client reasonably informed about the status of the matter, such as significant developments affecting the timing or the substance of the representation.

[4] A lawyer's regular communication with clients will minimize the occasions on which a client will need to request information concerning the representation. When a client makes a reasonable request for information, however, paragraph (a)(4) requires prompt compliance with the request, or if a prompt response is not feasible, that the lawyer, or a member of the lawyer's staff, acknowledge receipt of the request and advise the client when a response may be expected. Client telephone calls should be promptly returned or acknowledged.

**Explaining Matters**

[5] The client should have sufficient information to participate intelligently in decisions concerning the objectives of the representation and the means by which they are to be pursued, to the extent the client is willing and able to do so. Adequacy of communication depends in part on the kind of advice or assistance that is involved. For example, when there is time to explain a proposal made in a negotiation, the lawyer should review all important provisions with the client before proceeding to an agreement. In litigation a lawyer should explain the general strategy and prospects of success and ordinarily should consult the client on tactics that are likely to result in significant expense or to injure or coerce others. On the other hand, a lawyer ordinarily will not be expected to describe trial or negotiation strategy in detail. The guiding principle is that the lawyer should fulfill reasonable client expectations for information consistent with the duty to act in the client's best interests, and the client's overall requirements as to the character of representation. In certain circumstances, such as when a lawyer asks a client to consent to a representation affected by a conflict of interest, the client must give informed consent, as defined in Rule 1.0(e).

[6] Ordinarily, the information to be provided is that

appropriate for a client who is a comprehending and responsible adult. However, fully informing the client according to this standard may be impracticable, for example, where the client is a child or suffers from diminished capacity. See Rule 1.14. When the client is an organization or group, it is often impossible or inappropriate to inform every one of its members about its legal affairs; ordinarily, the lawyer should address communications to the appropriate officials of the organization. See Rule 1.13. Where many routine matters are involved, a system of limited or occasional reporting may be arranged with the client.

### **Withholding Information**

[7] In some circumstances, a lawyer may be justified in delaying transmission of information when the client would be likely to react imprudently to an immediate communication. Thus, a lawyer might withhold a psychiatric diagnosis of a client when the examining psychiatrist indicates that disclosure would harm the client. A lawyer may not withhold information to serve the lawyer's own interest or convenience or the interests or convenience of another person. Rules or court orders governing litigation may provide that information supplied to a lawyer may not be disclosed to the client. Rule 3.4(c) directs compliance with such rules or orders.

### **Explanation of Fees and Expenses**

[7A] Information provided to the client under Rule 1.4(a) should include information concerning fees charged, costs, expenses, and disbursements with regard to the client's matter. Additionally, the lawyer should promptly respond to the client's reasonable requests concerning such matters. It is strongly recommended that all these communications be in writing. As to the basis or rate of the fee, see Rule 1.5(b).

### **ANNOTATION**

**Law reviews.** For article, "The Evolving Doctrine of Informed Consent in Colorado", see 23 Colo. Law. 591 (1994). For article, "Confirm Attorney Fees in Writing: Court Changes Colo. RPC 1.4, 1.5", see 29 Colo. Law. 27 (June 2000). For article, "Ethical Concerns When Dealing With the Elder Client", see 34 Colo. Law. 27 (October 2005). For article, "The Duty of Loyalty and Preparations to Compete", see 34 Colo. Law. 67 (November 2005). For article, "Ethics in Family Law and the New Rules of Professional Conduct", see 37 Colo. Law. 47 (October 2008).

**Annotator's note.** Rule 1.4 is similar to Rule 1.4 as it existed prior to the 2007 repeal and re adoption of the Colorado rules of professional conduct. Relevant cases construing that provision have been included in the annotations to this rule.

**Public censure appropriate** where harm suffered by attorney's client was speculative, attorney retracted his

misrepresentations and admitted to his client before the institution of disciplinary proceedings that he had done nothing on the client's appeal, attorney had no prior discipline, he made full and free disclosure of his misconduct to the grievance committee, and he expressed remorse for his misconduct. *People v. Nelson*, 848 P.2d 351 (Colo. 1993).

**Public censure instead of private censure was appropriate** where attorney failed to respond to discovery requests and motions for summary judgment and the findings of the board did not support the applicability of ABA Standard 9.32(i) as a mitigating factor since there was no medical evidence that attorney was affected by chemical dependency or that alcohol contributed to or caused the misconduct. *People v. Brady*, 923 P.2d 887 (Colo. 1996).

**Aggravating and mitigating factors.** The following factors are considered aggravating when deciding the appropriate level of discipline: (1) Prior discipline, (2) a pattern of misconduct, and (3) bad faith obstruction of the disciplinary process through total non-cooperation with the disciplinary authorities. Failure to appear before the disciplinary board will cause one to lose the ability to present evidence of mitigating factors. *People v. Stevenson*, 980 P.2d 504 (Colo. 1999).

**Attorney's restitution agreement was neither an aggravating nor mitigating factor** since the attorney did not propose or attempt any form of restitution until after a request for investigation had been filed with the office of disciplinary counsel. *People v. Brady*, 923 P.2d 887 (Colo. 1996).

**Attorney's argument that public discipline is not appropriate because it would stigmatize a recovering alcoholic was rejected** since overriding concern in discipline proceedings is to protect the public through the enforcement of professional standards of conduct. *People v. Brady*, 923 P.2d 887 (Colo. 1996).

**Neglecting to file response to motion for summary judgment and to return client files upon request was sufficient to result in one-year and one-day suspension.** *People v. Honaker*, 847 P.2d 640 (Colo. 1993).

**Ninety-day suspension justified where attorney's failure to respond to discovery requests resulted in default and entry of judgment against client for \$816,613.** *People v. Clark*, 927 P.2d 838 (Colo. 1996).

**Attorney's inaction over a period of more than two years and other disciplinary violations warrant suspension for 30 days where there are mitigating factors.** *People v. LaSalle*, 848 P.2d 348 (Colo. 1993).

**Suspension for one year and one day appropriate when attorney neglected to return client files upon**

**request.** *People v. Honaker*, 847 P.2d 640 (Colo. 1993).

**Suspension for three years, rather than disbarment, was appropriate** where violation of this rule and others caused serious harm to attorney's clients, but mitigating factors were present, including no previous discipline in 14 years of practice, personal and emotional problems, and cooperation and demonstrated remorse in proceedings. *People v. Henderson*, 967 P.2d 1038 (Colo. 1998).

**Three-year suspension warranted for attorney who effectively abandoned and failed to communicate with clients.** *People v. Shock*, 970 P.2d 966 (Colo. 1999).

**Previously disbarred attorney** who violated this rule would be forced to pay restitution to clients as a condition of readmission. *People v. Vigil*, 945 P.2d 1385 (Colo. 1997).

**Conduct violating this rule in conjunction with other disciplinary rules is sufficient to justify public censure.** *People v. Titoni*, 893 P.2d 1322 (Colo. 1995); *People v. Doherty*, 908 P.2d 1120 (Colo. 1996); *People v. Woodrum*, 911 P.2d 640 (Colo. 1996); *People v. Barbieri*, 935 P.2d 12 (Colo. 1997); *People v. Williams*, 936 P.2d 1289 (Colo. 1997); *People v. Buckingham*, 938 P.2d 1157 (Colo. 1997); *People v. Todd*, 938 P.2d 1160 (Colo. 1997); *People v. Doherty*, 945 P.2d 1380 (Colo. 1997); *People v. Barr*, 957 P.2d 1379 (Colo. 1998).

**Conduct violating rule sufficient to justify public censure.** *People v. Smith*, 847 P.2d 1154 (Colo. 1993); *People v. Damkar*, 908 P.2d 1113 (Colo. 1996); *People v. Marsh*, 908 P.2d 1115 (Colo. 1996); *People v. Jenks*, 910 P.2d 688 (Colo. 1996); *People v. Pooley*, 917 P.2d 712 (Colo. 1996); *People v. Belsches*, 918 P.2d 559 (Colo. 1996).

**Conduct violating this rule in conjunction with other disciplinary rules is sufficient to justify suspension.** *People v. Crews*, 901 P.2d 472 (Colo. 1995); *People v. Kuntz*, 908 P.2d 1110 (Colo. 1996); *People v. Murray*, 912 P.2d 554 (Colo. 1996); *People v. Hohertz*, 926 P.2d 560 (Colo. 1996); *People v. Paulson*, 930 P.2d 582 (Colo. 1997); *People v. Bates*, 930 P.2d 600 (Colo. 1997); *People v. Reynolds*, 933 P.2d 1295 (Colo. 1997); *People v. Townshend*, 933 P.2d 1327 (Colo. 1997); *People v. Scott*, 936 P.2d 573 (Colo. 1997); *People v. Sather*, 936 P.2d 576 (Colo. 1997); *People v. Harding*, 937 P.2d 393 (Colo. 1997); *People v. Primavera*, 942 P.2d 496 (Colo. 1997); *People v. Field*, 944 P.2d 1252 (Colo. 1997); *People v. Johnson*, 946 P.2d 469 (Colo. 1997); *People v. Wright*, 947 P.2d 941 (Colo. 1997); *People v. Rishel*, 956 P.2d 542 (Colo. 1998); *In re Corbin*, 973 P.2d 1273 (Colo. 1999); *In re Bobbitt*, 980 P.2d 538 (Colo. 1999); *In re Demaray*, 8 P.3d 427 (Colo. 1999).

**Conduct violating this rule, in conjunction with other disciplinary rules, sufficient to justify disbarment** where the attorney continued to practice law while on suspension, repeatedly neglecting his clients and failing to take reasonable steps to protect clients' interests. *People v. Fager*, 938 P.2d 138 (Colo. 1997).

**Conduct violating this rule in conjunction with other disciplinary rules is sufficient to justify disbarment.** *People v. Jamrozek*, 921 P.2d 725 (Colo. 1996); *People v. Steinman*, 930 P.2d 596 (Colo. 1997); *People v. Wallace*, 936 P.2d 1282 (Colo. 1997); *People v. Mannix*, 936 P.2d 1285 (Colo. 1997); *People v. Madigan*, 938 P.2d 1162 (Colo. 1997); *People v. Swan*, 938 P.2d 1164 (Colo. 1997); *People v. Clyne*, 945 P.2d 1386 (Colo. 1997); *People v. Crist*, 948 P.2d 1020 (Colo. 1997); *People v. Roybal*, 949 P.2d 993 (Colo. 1997); *People v. Holmes*, 951 P.2d 477 (Colo. 1998); *People v. Holmes*, 955 P.2d 1012 (Colo. 1998); *People v. Hindman*, 958 P.2d 463 (Colo. 1998); *People v. Valley*, 960 P.2d 141 (Colo. 1998); *People v. Skaalerud*, 963 P.2d 341 (Colo. 1998); *In re Bilderback*, 971 P.2d 1061 (Colo. 1999); *In re Hugen*, 973 P.2d 1267 (Colo. 1999); *In re Tolley*, 975 P.2d 1115 (Colo. 1999); *In re Stevenson*, 979 P.2d 1043 (Colo. 1999); *In re Haines*, 177 P.3d 1239 (Colo. 2008).

**Conduct violating rule sufficient to justify disbarment.** *People v. Robnett*, 859 P.2d 872 (Colo. 1993).

#### **Cases Decided Under Former DR 9-102.**

**Law reviews.** For series of articles, "Interest on Lawyer Trust Accounts Program: A Primer for Lawyers", see 12 *Colo. Law* 577 (1983). For article, "Ethical Problem Areas for Probate Lawyers", see 19 *Colo. Law* 1069 (1990).

**Paragraphs (A) and (B)(3) require as a minimum standard of conduct** that a lawyer segregate his clients' funds from his own and keep them in identifiable bank trust accounts. *People v. Harthun*, 197 *Colo. 1*, 593 P.2d 324 (1979); *People v. Schubert*, 799 P.2d 388 (Colo. 1990).

**Most severe punishment is required when** a lawyer disregards his professional obligations and converts his clients' funds to his own use. *People v. Kluver*, 199 *Colo. 511*, 611 P.2d 971 (1980); *People v. Dohe*, 800 P.2d 71 (Colo. 1990); *People v. Whitcomb*, 819 P.2d 493 (Colo. 1991).

Misuse of funds by a lawyer strikes at the heart of the legal profession by destroying public confidence in lawyers. The most severe punishment is required when a lawyer disregards his professional obligations and converts his clients' funds to his own use. *People v. Buckles*, 673 P.2d 1008 (Colo. 1984); *People v. Wolfe*, 748 P.2d 789 (Colo. 1987).

Conversion of client funds is conduct warranting disbarment because it destroys the trust essential to the attorney-client relationship, severely damages the public's perception of attorneys, and erodes public confidence in our legal system. *People v. Radosevich*, 783 P.2d 841 (Colo. 1989).

**Disbarment is the presumed sanction for misappropriation of funds** barring significant mitigating circumstances. *People v. Young*, 864 P.2d 563 (Colo. 1993); *People v. Varallo*, 913 P.2d 1 (Colo. 1996); *People v. Coyne*, 913 P.2d 12 (Colo. 1996).

**Failure and refusal to refund unearned portions of fees collected from two clients constituted violations of C.R.C.P. 241(B) (now C.R.C.P. 241.6), DR 2-110, and this rule.** *People v. Gellenthien*, 621 P.2d 328 (Colo. 1981).

**Attorney obligated to forward client's file upon request.** Failure to forward client's file a year after a request is made constitutes conduct violative of disciplinary rules. *People v. Belina*, 765 P.2d 121 (Colo. 1988).

**Failing to provide a client with an accounting of charges applied against a retainer after the client's request therefor,** in conjunction with other instances of neglect, is conduct warranting public censure. *People v. Goodwin*, 782 P.2d 1 (Colo. 1989).

**Failure to make proper accounting to client** with respect to trust funds and failure to promptly deliver to the client funds to which she is entitled warrants public censure. *People v. Robnett*, 737 P.2d 1389 (Colo. 1987).

**Failure to deposit funds in trust account,** to notify client of receipt of funds and provide accounting, and to forward file promptly to new attorney constitute a violation of this rule and, with other offenses, warrants public censure. *People v. Swan*, 764 P.2d 54 (Colo. 1988).

**Violation of duty to account for and promptly return client property upon request** over a three-year period warrants public censure. *People v. Shunneson*, 814 P.2d 800 (Colo. 1991).

**Public censure for failure to promptly distribute proceeds of a settlement** is warranted since respondent's negligence did little or no actual or potential injury to client. *People v. Genchi*, 824 P.2d 815 (Colo. 1992).

**Conduct violating this rule in conjunction with other disciplinary rules is sufficient to justify public censure.** *People v. Ashley*, 796 P.2d 962 (Colo. 1990); *People v. Sadler*, 831 P.2d 887 (Colo. 1992).

**Converting estate or trust funds for one's personal use,** overcharging for services rendered, neglecting to return inquiries relating to client matters, failing to make

candid disclosures to grievance committee, and attempting to conceal wrongdoing during disciplinary proceedings warrants the severe sanction of disbarment. *People v. Gerdes*, 782 P.2d 2 (Colo. 1989).

**Conduct violating this rule sufficient to justify public censure.** *People v. Bollinger*, 648 P.2d 620 (Colo. 1982); *People v. Wright*, 698 P.2d 1317 (Colo. 1985); *People v. Mayer*, 716 P.2d 1094 (Colo. 1986); *People v. Schaiberger*, 731 P.2d 728 (Colo. 1987); *People v. Barr*, 748 P.2d 1302 (Colo. 1988); *People v. Danker*, 759 P.2d 14 (Colo. 1988).

**Two-year unjustified retention of one client's file,** coupled with failure to withdraw at request of said client and refusal to forward a second client's file to subsequent counsel, resulting in both clients sustaining injuries, justifies suspension for the period of a year and a day. *People v. Hodge*, 752 P.2d 533 (Colo. 1988).

**Failure to account for money collected on behalf of client,** despite numerous client requests for accounting, and failure to adhere to terms of agreement with client regarding representation, coupled with prior, ongoing suspension, warrants additional six-month suspension. *People v. Yost*, 752 P.2d 542 (Colo. 1988).

**Conduct violating this rule in conjunction with other disciplinary rules is sufficient to justify suspension.** *People v. Moya*, 793 P.2d 1154 (Colo. 1990); *People v. Creasey*, 793 P.2d 1159 (Colo. 1990); *People v. Schubert*, 799 P.2d 388 (Colo. 1990); *People v. Garrett*, 802 P.2d 1082 (Colo. 1990); *People v. Lamberson*, 802 P.2d 1098 (Colo. 1990); *People v. Crimaldi*, 804 P.2d 863 (Colo. 1991); *People v. Dunsmoor*, 807 P.2d 561 (Colo. 1991); *People v. Dash*, 811 P.2d 36 (Colo. 1991); *People v. Creasey*, 811 P.2d 40 (Colo. 1991); *People v. Wilson*, 814 P.2d 791 (Colo. 1991); *People v. Heilbrunn*, 814 P.2d 819 (Colo. 1991); *People v. Smith*, 828 P.2d 249 (Colo. 1992); *People v. Driscoll*, 830 P.2d 1019 (Colo. 1992); *People v. Regan*, 831 P.2d 893 (Colo. 1992); *People v. Denton*, 839 P.2d 6 (Colo. 1992). *People v. Smith*, 880 P.2d 763 (Colo. 1994); *People v. Banman*, 901 P.2d 469 (Colo. 1995); *People v. Crews*, 901 P.2d 472 (Colo. 1995); *People v. Dickinson*, 903 P.2d 1132 (Colo. 1995); *People v. Davis*, 911 P.2d 45 (Colo. 1996).

**Conduct violating this rule sufficient to justify suspension.** *People v. Vernon*, 660 P.2d 879 (Colo. 1982); *People v. Pilgrim*, 698 P.2d 1322 (Colo. 1985); *People v. Foster*, 716 P.2d 1069 (Colo. 1986); *People v. Coca*, 716 P.2d 1073 (Colo. 1986); *People v. Calvert*, 721 P.2d 1189 (Colo. 1986); *People v. Holmes*, 731 P.2d 677 (Colo. 1987); *People v. Geller*, 753 P.2d 235 (Colo. 1988); *People v. Griffin*, 764 P.2d 1166 (Colo. 1988); *People v. Goldberg*, 770 P.2d 408 (Colo. 1989); *People v. Goens*, 770 P.2d 1218 (Colo. 1989); *People v. Kaemingk*, 770 P.2d 1247, (Colo. 1989); *People v. McGrath*, 780

P.2d 492 (Colo. 1989).

**Derelictions in fiduciary duties by an attorney which go beyond mere negligence warrant disbarment.** People v. Roads, 180 Colo. 192, 503 P.2d 1024 (1972).

**Attorney failed to deliver property of a client** in violation of this rule by ignoring requests for client's files made by the client, the client's attorney, and the grievance committee. People v. Felker, 770 P.2d 402 (Colo. 1989).

**Refusal to provide accounting for money and jewelry** delivered to him and refusal to itemize the services performed and the costs incurred warrant disbarment. People v. Lanza, 660 P.2d 881 (Colo. 1983).

**Commingling and appropriation of funds warrants disbarment.** When a lawyer collects \$3000 on behalf of a client in connection with a sale of real estate and commingles it with his other trust funds and unlawfully converts it to his own use, his flagrant disregard of his professional obligation warrants disbarment. People v. McMichael, 199 Colo. 433, 609 P.2d 633 (1980).

Where a practicing attorney breached fiduciary duties to his client in misrepresenting his dealings and in handling of funds given to him in trust, his conduct warranted disbarment, and, before he may seek readmittance to the state bar association, he must first demonstrate to the grievance committee that rehabilitation has occurred and that he is entitled to a new start. People ex rel. Buckley v. Beck, 199 Colo. 482, 610 P.2d 1069 (1980).

**Commingling a client's funds with those of the lawyer** is a serious violation of the Code of Professional Responsibility, even in the absence of an actual loss to the client, because the act of commingling subjects the client's funds to the claims of the lawyer's creditors. People v. McGrath, 780 P.2d 492 (Colo. 1989).

**Misappropriation of funds, failure to account, and deceit and fraud** in handling the affairs of a client necessitate that an attorney be disbarred. People v. Bealmear, 655 P.2d 402 (Colo. 1982); People v. Costello, 781 P.2d 85 (Colo. 1989).

**Conduct which causes a client serious or potentially serious injury** and demonstrates a complete lack of concern for a client's interests and welfare warrants disbarment. People v. Lyons, 762 P.2d 143 (Colo. 1988).

**Alcoholism not excuse.** Efforts at alcoholism rehabilitation do not excuse conduct which includes dishonesty and fraud, failing to preserve identity of client funds, and failing to properly pay or deliver client funds, and which otherwise warrants disbarment. People v.

Shafer, 765 P.2d 1025 (Colo. 1988).

**Total disregard of obligation to protect a client's rights and interests over an extended period of time** in conjunction with the violation of a number of disciplinary rules and an extended prior record of discipline requires most severe sanction of disbarment. People v. O'Leary, 783 P.2d 843 (Colo. 1989).

**Disbarment was appropriate** where attorney removed \$5,000 from a client's trust account, refused to return money upon several request by the client which ultimately resulted in a suit against the attorney, and the attorney lied about the transaction to the attorney with whom he shared office space. Factors in aggravation included a history of prior discipline, including suspension for conversion of client funds, the dishonest motive of the attorney in removing and not returning the client's funds, the attorney's refusal to acknowledge the wrongful nature of his conduct, the vulnerability of the client, and the attorney's legal experience. Mitigating factors were insufficient for disciplinary action short of disbarment. People v. McGrath, 833 P.2d 731 (Colo. 1992).

**Disbarment is appropriate sanction where attorney knowingly converts client property** and causes injury or potential injury to a client. People v. Bowman, 887 P.2d 18 (Colo. 1994); People v. Varallo, 913 P.2d 1 (Colo. 1996).

**Rule is violated when attorney "knowingly" converts client funds;** there is no requirement that the attorney intend to permanently deprive the client of the funds. People v. Varallo, 913 P.2d 1 (Colo. 1996).

**Disbarment was appropriate** where attorney converted \$25,000 of client funds on seven different occasions over a period of four months and did not restore any of the missing funds until after he was detected. People v. Robbins, 869 P.2d 517 (Colo. 1994).

**Disbarment was appropriate** where the balance of the respondent's trust accounts fell below the amount necessary to pay settlements on at least 45 occasions and where the respondent withdrew attorney fees on at least 68 occasions from trust accounts before receiving the funds from which the fees were to be taken. People v. Lefly, 902 P.2d 361 (Colo. 1995).

**Conduct violating this rule in conjunction with other disciplinary rules is sufficient to justify disbarment.** People v. Nichols, 796 P.2d 966 (Colo. 1990); People v. Broadhurst, 803 P.2d 478 (Colo. 1990); People v. Rhodes, 814 P.2d 787 (Colo. 1991); People v. Vermillion, 814 P.2d 795 (Colo. 1991); People v. Ashley, 817 P.2d 965 (Colo. 1991); People v. Rouse, 817 P.2d 967 (Colo. 1991); People v. Whitcomb, 819 P.2d 493 (Colo. 1991); People v. Margolin, 820 P.2d 347 (Colo. 1991); People v. Bradley, 825 P.2d 475 (Colo. 1992);

People v. Mullison, 829 P.2d 382 (Colo. 1992); People v. Tanquary, 831 P.2d 889 (Colo. 1992); People v. McGrath, 833 P.2d 731 (Colo. 1992); People v. Brown, 840 P.2d 348 (Colo. 1992); People v. Walsh, 880 P.2d 766 (Colo. 1994); People v. Varallo, 913 P.2d 1 (Colo. 1996); People v. Coyne, 913 P.2d 12 (Colo. 1996); People v. Jamrozek, 921 P.2d 725 (Colo. 1996).

**Conduct violating this rule sufficient to justify disbarment.** People v. Kendrick, 646 P.2d 337 (Colo. 1982); People v. Dwyer, 652 P.2d 1074 (Colo. 1982); People v. Golden, 654 P.2d 853 (Colo. 1982); People v. Fitzke, 716 P.2d 1065 (Colo. 1986); People v. Quick, 716 P.2d 1082 (Colo. 1986); People v. Yost, 729 P.2d 348 (Colo. 1986); People v. James, 731 P.2d 698 (Colo. 1987); People v. Coca, 732 P.2d 640 (Colo. 1987); People v. Foster, 733 P.2d 687 (Colo. 1987); People v. Quintana, 752 P.2d 1059 (Colo. 1988); People v. Kengle, 772 P.2d 605 (Colo. 1989); People v. Frank, 782 P.2d 769 (Colo. 1989); People v. Dulaney, 785 P.2d 1302 (Colo. 1990); People v. Franks, 791 P.2d 1 (Colo. 1990); People v. Mulligan, 817 P.2d 1028 (Colo. 1991); People v. Young, 864 P.2d 563 (Colo. 1993).

**Failure to transfer file to new attorney** after repeated requests constitutes a violation of this rule. People v. Hebenstreit, 764 P.2d 51 (Colo. 1988).

**Conduct held to violate this rule.** People v. Goss, 646 P.2d 334 (Colo. 1982).

**Applied** in People v. Spiegel, 193 Colo. 161, 567 P.2d 353 (1977); People v. Good, 195 Colo. 177, 576 P.2d 1020 (1978); People v. Pacheco, 198 Colo. 455, 608 P.2d 333 (1979); People v. Belfor, 200 Colo. 44, 611 P.2d 979 (1980); People ex rel. Silverman v. Anderson, 200 Colo. 76, 612 P.2d 94 (1980); People v. Lanza, 200 Colo. 241, 613 P.2d 337 (1980); People v. Meldahl, 200 Colo. 332, 615 P.2d 29 (1980); People v. Davis, 620 P.2d 725 (Colo. 1980); People v. Dutton, 629 P.2d 103 (Colo. 1981); People v. Moore, 681 P.2d 480 (Colo. 1984); People v. Underhill, 683 P.2d 349 (Colo. 1984); People v. Franco, 698 P.2d 230 (Colo. 1985); People v. Blanck, 700 P.2d 560 (Colo. 1985); People v. Turner, 746 P.2d 49 (Colo. 1987).