



Colorado Bar Association

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COBAR.ORG

CBA Ethics Committee Assistance Program for OARC Disciplinary Matters

A respondent lawyer seeking assistance through this Program is required to submit the enclosed application and financial affidavit, along with copies of all materials received from OARC, to ethicsinquiry@cobar.org. When reviewing applications, the Program's screening committee will determine whether a particular case is appropriate for inclusion within the Program, relying in part on the following minimum criteria:

1. Availability of disciplinary case defense coverage under an applicable insurance policy;
2. Financial need of the applicant (see attached);
3. Extraordinary assets, expenses, or circumstances affecting the applicant;
4. The number of cases currently in the program; and
5. The number of lawyers who are available to provide assistance through the program.

If accepted into the Program, the applicant is responsible for paying all costs associated with the case. However, applicants will not otherwise be charged for legal fees for the limited scope services.

This is a limited scope representation. *See* Colo.RPC 1.2(c) and Ethic's Committee Formal Opinion 101. The lawyer providing representation by referral of the Program may provide the following services to the applicant:

1. Reviewing the case file and relevant documentation provided by the applicant;
2. Conferring with the applicant to discuss the facts of the case;
3. Evaluating the allegations against the applicant and potential defenses to those allegations;
4. Outlining the applicant's options and discussing potential courses of action; and
5. Providing information regarding the applicable law and procedures for the course of action decided upon.

Once the above services are completed, the lawyer providing representation has no further obligation to assist the applicant.³ The applicant may request additional services from the participating lawyer. If the lawyer providing representation is unable or unwilling to provide additional services, the applicant can request that the screening committee identify another participating lawyer to provide the additional services requested. The screening committee will consider all such requests based on the criteria set forth above but is not obligated to designate counsel for additional services.

³The lawyer providing representation may terminate the representation prior to completion of the services provided such termination complies applicable law, including without limitation, ColoRPC 1.16.

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