

Colorado Supreme Court Rules Committees

Rule Change 2019(15) Colorado Rules of Criminal Procedure

Rule 44. Appearance of Counsel

(a)–(d) [NO CHANGES]

(e) Termination of Representation.

(1) Unless otherwise directed by the trial court or extended by an agreement between counsel and a defendant, counsel's representation of a

defendant, whether retained or appointed, shall terminate when trial court proceedings have concluded. Trial court proceedings "have concluded" when restitution, if applicable, is finally determined and at the point in time:

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

(II) When the parties have entered into an agreement for pretrial diversion or when an order enters granting a deferred sentence or

probation if no sentence to incarceration is imposed;

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

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

(2) At the time a pretrial diversion order is entered or deferred sentence is granted or at the time sentence is imposed upon conviction, the court shall inform the defendants when representation shall terminate.

**Amended and Adopted by the Court, En Banc,
October 24, 2019, effective immediately.**

By the Court:

Carlos A. Samour, Jr.

Justice, Colorado Supreme Court 



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