

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

IN THE MATTER OF)
RULES OF PROFESSIONAL CONDUCT) Administrative Order 2007-6

D.C.COLO.LCivR 83.4 and D.C.COLO.LCrR 57.6 set forth the standards of professional responsibility applicable in this court. Those standards incorporate the Colorado Rules of Professional Conduct, as adopted by the Colorado Supreme Court, en banc, on April 12, 2007, and scheduled to take effect January 1, 2008. This court, however, will not incorporate or adopt the following provisions adopted by the Colorado Supreme Court:

- (1) Colo. RPC 1.2(c) (limiting scope of representation);
- (2) Colo. RPC 4.2, Comment [9A] (communication with person to whom counsel is providing limited representation);
- (3) Colo. RPC 4.3, Comment [2A] (dealing with person to whom counsel is providing limited representation); and
- (4) Colo. RPC 6.5 – Nonprofit and Court-Annexed Limited Legal Services Programs (*See Comment [2] [“A lawyer who provides short-term limited legal services pursuant to this Rule must secure the client's informed consent to the limited scope of the representation. See Rule 1.2(c).”]*)

Those rules were adopted to permit limited representation by counsel. They are not consistent with Fed. R. Civ. P. 11 and are also inconsistent with the view of the judges of this court concerning the ethical responsibility of members of the bar of this court.

Additionally, the Colorado Supreme Court adopted on April 12, 2007, Colo. RPC 1.16(b)(1) – Declining or Terminating Representation by Counsel – Permissive Withdrawal. The rule is inconsistent with D.C.COLO.LCivR 83.3D and D.C.COLO.LCrR 57.5D, Withdrawal of Appearance.

Finally, the Colorado Supreme Court adopted on April 12, 2007, Colo. RPC 4.4(b) – Respect for Rights of Third Persons – Inadvertent Disclosure. This court will not require adherence to Rule 4.4(b). Rule 26 of the Federal Rules of Civil Procedure and interpretive case law provide comprehensive procedures regarding the issue of inadvertent production of privileged and protected information. Accordingly, it is now

ORDERED that the above described changes to the Colorado Rules of Professional Conduct are not applicable:

a) in this court; and

b) in the United States Bankruptcy Court for the District of Colorado in adversary proceedings or matters governed by Fed. R. Bankr. P. 9014. In addition, any limitation in the scope of representation of a Debtor, whether in a bankruptcy case or adversary proceeding, shall be disclosed in the statement required by 11 U.S.C. § 329 and Fed. R. Bankr. P. 2016(b).

This Administrative Order supersedes Administrative Order 1999-6 and shall take effect January 1, 2008.

Dated this 15th of October, 2007.

BY THE COURT:

s/ Edward W. Nottingham
Edward W. Nottingham, Chief Judge