

**COLORADO SUPREME COURT
ATTORNEY REGULATION COUNSEL
JOB DESCRIPTION**

Job Title: Attorney Regulation Counsel for the Colorado Supreme Court

Status: A Supreme Court appointed, at-will position
Exempt
Full-Time

This position is not covered by the Colorado Judicial Department Personnel Rules.

Salary: \$172,194, plus state benefits

General Statement of Duties

Attorney Regulation Counsel is appointed by the Colorado Supreme Court to assist the Court in regulating all aspects of the practice of law in Colorado. Attorney Regulation Counsel maintains and oversees several permanent offices, including the Office of Admissions, the Office of Attorney Registration and Continuing Legal and Judicial Education, and the Office of Attorney Regulation Counsel. Within these offices, Attorney Regulation Counsel handles attorney admissions, attorney registration, mandatory continuing legal and judicial education, proactive educational programs and services, attorney discipline and diversion, regulation of administrative law judges, magistrates, and municipal court judges; administration of the Attorneys' Fund for Client Protection; regulation of the unauthorized practice of law; outreach; and inventory counsel matters.

Attorney Regulation Counsel currently employs 19 lawyers and 45 non-lawyers. Attorney Regulation Counsel collects attorney registration and other fees, and maintains and operates under a cash fund budget, derived from those fees, that must be approved by the Supreme Court Advisory Committee and the Court.

Attorney Regulation Counsel works closely with the Supreme Court Advisory Committee and its subcommittees, the Attorney Regulation Committee, the Colorado Board of Law Examiners (Law Committee and Character and Fitness Committee), the Board of Continuing Legal and Judicial Education, the Board of Trustees for the Attorneys' Fund for Client Protection, the Unauthorized Practice of Law Committee, the Standing Committee on the Rules of Professional Conduct, and the Chief Justice Commission on Professional Development. Attorney Regulation Counsel also serves as Counsel for the Colorado Commission on Judicial Discipline in investigations and formal discipline matters.

Attorney Regulation Counsel plays a vital and significant role in assisting the Court with meeting its objectives for regulating the practice of law in Colorado, as stated in the Preamble to the Rules Governing the Practice of Law in Colorado (effective April 2016). These objectives include:

1. Increasing public understanding of and confidence in the rule of law, the administration of justice and each individual's legal rights and duties;

2. Ensuring compliance with essential eligibility requirements, rules of professional conduct and other rules in a manner that is fair, efficient, effective, targeted and proportionate;
3. Enhancing client protection and promoting consumer confidence through Attorney Regulation Counsel functions, including assisting the Attorneys' Fund for Client Protection, providing inventory counsel services, regulating non-lawyer legal service providers, and other proactive programs;
4. Assisting providers of legal services in maintaining competence and professionalism through continuing legal education; professionalism, ethics and trust account schools; and other proactive programs;
5. Helping lawyers throughout the stages of their careers successfully navigate the practice of law and thus better serve their clients, through proactive programs;
6. Promoting access to justice and consumer choice in the availability and affordability of competent legal services;
7. Safeguarding the rule of law and ensuring judicial and legal service providers' independence sufficient to allow for a robust system of justice;
8. Promoting diversity, inclusion, equality and freedom from discrimination in the delivery of legal services and the administration of justice; and
9. Protecting confidential client information.

Attorney Regulation Counsel is responsible for all office outreach within and outside the State of Colorado, working to improve the legal profession to better serve Colorado public needs. This includes office outreach through the website (www.coloradosupremecourt.com), quarterly newsletters, social media, the three office schools, other educational programs and articles. This also includes educational programming on a national and international level in conjunction with membership in the National Organization of Bar Counsel (NOBC), ABA Center for Professional Responsibility (ABA CPR), International Conference of Legal Regulators (ICLR), National Client Protection Organization (NCPO) and other professional legal regulation organizations.

Attorney Regulation Counsel is responsible for ensuring the regulatory offices conform to state judicial policies and procedures, which includes preparing and operating under an annual regulatory offices budget that must be approved by the Advisory Committee and the Colorado Supreme Court (current budget is \$11,000,000).

Attorney Regulation Counsel is actively engaged in all rule-making functions that involve practice of law issues, primarily Chapters 18-20, C.R.C.P. Attorney Regulation Counsel is responsible for the development and implementation of new regulatory programs that focus on promoting the public interest in ensuring that all providers of legal services are competent, diligent, communicative, honest, in compliance with the Rules of Professional Conduct, and client-centric. Such programs include the lawyer self-assessment and peer professional review program, as well as lawyer well-being initiatives.

A listing of Attorney Regulation Counsel's duties are more particularly set forth in Colorado Rules of Civil Procedure (C.R.C.P.) 202.4, 227, 231, 251.3, 251.32(h), 252.7, 260 (and proposed Rule 250.4).

Essential Functions of the Position

Assists the Court in discharging its constitutional responsibility to regulate the practice of law in Colorado.

Implements and enforces the Court's rules governing the practice of law in Colorado. Assists the Court and the Advisory Committee in periodic review and amendment of the Court's objectives and rules as needed.

Handles all duties set forth in Colorado Rules of Civil Procedure (C.R.C.P.), Rules 202.4 (admissions duties), 227 (attorney registration duties), 231 (unauthorized practice of law duties), 251.3 (disciplinary enforcement duties), 251.32(h) (inventory counsel duties), 252.7 (client protection fund duties), and 260 (and proposed Rule 250.4) (continuing legal and judicial education duties).

Implements and enforces policies and procedures instituted by the regulatory boards and committees. Works closely with such boards and committees as they perform their Court-appointed duties.

Develops and administers professional development programming for new and active Colorado lawyers (e.g., professionalism school, ethics school, trust account school, lawyer self-assessment program and other educational programs), to ensure lawyer compliance with Court rules, further develop professionalism and competence, enhance client protection, and promote justified public confidence in the legal system.

Develops and implements organizational requirements and assigns personnel as needed to develop and maintain regulatory programming.

Develops and implements office policies and procedures in a manner consistent with Chief Justice Directives and Colorado Judicial Department policies and procedures.

Ensures that all participants in the regulatory process are treated with dignity and respect, and office functions are timely administered.

Prepares and submits an annual budget for the maintenance and operation of the Colorado Supreme Court Regulatory Offices; and oversees the expenditure of funds consistent with the regulatory offices' budgets. Collaborates with the Advisory Committee Chair and other regulatory offices to ensure those offices have sufficient staffing and funding consistent with Court objectives.

Maintains financial accounts in a manner consistent with all state law requirements, including an account for the Attorneys' Fund for Client Protection and a general Regulatory Offices account. These accounts are used for the collection of all revenues; maintaining all funds; and investment of those funds, when appropriate and with proper safeguards.

Develops and promotes new programs consistent with the Court's 2016 objectives in regulating the practice of law in Colorado (these objectives can be found in the Preamble to Chapters 18 to 20, the Rules Governing the Practice of Law in Colorado), including:

- **Programs that promote access to justice and the availability and affordability of competent legal services in Colorado.** For example, Attorney Regulation Counsel now acts as a resource to the Court, the Advisory Committee's Subcommittee on Providers of Alternative Legal Services (PALS Subcommittee), the Chief Justice Commission on Professional Development and its subcommittee on pro bono services, the State Court Administrators Office with programs for Self-Help Centers and Sherlocks, CBA pro bono groups, and unbundling programs and initiatives.
- **Programs that promote diversity and inclusion in the legal profession.** Attorney Regulation Counsel works with the Chief Justice Commission on Professional Development on diversity and inclusion initiatives, including surveys and potential re-writes of attorney registration rules to develop necessary data for such initiatives.
- **Programs that promote lawyer well-being.** Current Attorney Regulation Counsel is co-chair of the National Task Force on Lawyer Well-Being, a grass-roots coalition that includes entities inside and outside the American Bar Association, including the Conference of Chief Justices. That task force released a Report on Lawyer Well-Being, Practical Recommendations for Positive Change. Our Court is forming a Chief Justice Commission on Lawyer Well-Being, to review the recently released National Task Force report. This commission will review the task force report, inventory Colorado programs, and serve as the springboard to institute recommendations that improve the well-being of the legal profession.
- **Programs that promote professionalism.** Attorney Regulation Counsel works closely with the Colorado Bar Association Professionalism Coordinating Council (CBA PCC), the CBA Peer Professionalism Assistance Group (PPAG), the Colorado Attorney Mentoring Program (CAMP), the Colorado Lawyer Assistance Program (COLAP), judges, and others to develop programs that increase professionalism in the Colorado legal community.

Significant outreach efforts within Colorado, including maintaining a robust website that includes materials helpful to legal consumers, lawyers and future lawyers; an active social media presence; a quarterly newsletter distributed to all 41,500 Colorado lawyers; and presentations to outside groups, associations, conferences and workshops.

Active engagement in the U.S. and international legal communities. Presentations to national and international groups, associations, conferences and workshops.

Attends and participates in various state, national and international conferences, trainings and meetings. Serves on commissions, conferences, committees, boards, and panels involved in lawyer regulation, access to justice, diversity and inclusion, and professionalism matters.

Publishes an annual report, which describes the work of Attorney Regulation Counsel, the regulatory committees and staff.

Performs other duties as assigned by the Court or the Advisory Committee.

Supervisor Responsibilities

Attorney Regulation Counsel supervises a number of positions, including Chief Deputy Regulation Counsel, three Deputy Regulation Counsel, the Director of Continuing Legal and Judicial Education and Deputy Clerk of Attorney Registration, the Director of Information and Technology, the Director of Examinations, the Director of Character and Fitness, and all those involved in the offices' operations.

Minimum Qualifications

Bachelor's degree and Juris Doctorate. Admission to the practice of law in Colorado. A minimum five years of trial experience. A minimum five years of management-level administration, preferably in regulatory fields, with training responsibilities. Excellent written and oral communication skills, with substantial experience in public speaking and teaching. Significant experience in dealing with difficult personalities, and demonstrated de-escalation skills. A demonstrated and verifiable reputation for integrity. Knowledge and experience with the Colorado Rules of Professional Conduct, Rules of Civil Procedure and Rules of Evidence. Significant knowledge of investigative methods and procedures. A genuine interest in promoting the public interest and improving the legal profession.

Physical Demands

While performing the duties of this job, the employee is regularly required to sit, and talk or hear. The employee is occasionally required to climb or balance. The employee must frequently lift and/or move up to 15 pounds. This position requires frequent travel, within the state of Colorado, throughout the U.S., and sometimes international.

Work Environment

Attorney Regulation Counsel is subject to many interruptions, and may be required to handle multiple calls and inquiries simultaneously. Attorney Regulation Counsel regularly communicates with a broad spectrum of personalities, some of whom are angry, aggressive, and abusive. The noise level is moderate. Attorney Regulation Counsel sometimes handles absentee replacement on short notice. Attorney Regulation Counsel initiates, designs, develops and implements contemporary business practices and management practices for the offices.