

**COLORADO SUPREME COURT  
CONTINUING LEGAL AND JUDICIAL EDUCATION COMMITTEE  
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**REGULATIONS GOVERNING  
MANDATORY CONTINUING LEGAL AND JUDICIAL EDUCATION  
FOR THE STATE OF COLORADO**

(As adopted by the Colorado Supreme Court, August 14, 1978;  
Amended by the Court, En Banc, March 15, 2018, effective July 1, 2018;  
Amended by the Colorado Supreme Court Advisory Committee, December 14, 2018,  
effective January 1, 2019.)

**REGULATIONS OF THE COLORADO SUPREME COURT  
CONTINUING LEGAL AND JUDICIAL EDUCATION COMMITTEE**

**REGULATION 101. PREAMBLE**

These regulations are adopted pursuant to Rule 250 of the Colorado Rules of Civil Procedure (hereinafter “C.R.C.P.”). They provide a framework for accrediting a wide variety of continuing legal education activities. It is the intent of these regulations that each Colorado lawyer and judge has ample opportunity to participate in quality educational activities that fit individual professional needs.

**REGULATION 102. COMPLIANCE**

1) **Online Affidavit System.** Registered lawyers and judges must report compliance with the Continuing Legal Education (“CLE”) requirements described in C.R.C.P. 250.2 using the online affidavit system (<https://cletrack.com/>) or other forms approved by the Colorado Supreme Court’s Continuing Legal and Judicial Education Committee (“CLJE Committee”).

2) **Timely Reporting.** CLE credits should be reported and claimed, to the extent possible, as they are earned. To that end, the CLJE Committee encourages all registered lawyers and judges to submit credits to the Attorney Regulation Counsel’s Office of Continuing Legal and Judicial Education (“CLJE Office”) within ninety days of the program or activity date whenever possible, or as prescribed in C.R.C.P. 250.7, whichever is earlier. This procedure allows the CLJE Committee to track credits for each registered lawyer and judge, and affords each registered lawyer and judge access to compliance information through the Attorney Regulation Counsel website.

3) **Comity for Out-of-State Attorneys Licensed in Colorado.** An attorney otherwise subject to Rule 250, who has an active license to practice law in another state may show compliance with Rule 250 if the attorney meets all of these criteria:

- a) the attorney has an active license issued by another state that has mandatory continuing legal education requirements;
- b) the attorney’s only or primary office is in that other state or, if the attorney has no office, the attorney’s only or primary residence is in that other state and these are the official addresses that are and have been on file with the Colorado Office of Attorney Registration for a minimum of 45-days prior to the end of the attorney’s Colorado CLE compliance period;
- c) the attorney is required by that other state to complete credits to be in compliance with the continuing legal education requirements established by court rule or legislation in that state; and
- d) the attorney provides a certificate of good standing verifying CLE compliance in that state and a copy of the attorney’s CLE transcript of their activities undertaken during their three-year Colorado compliance period to the CLJE Office.

## **REGULATION 103. PURPOSE**

To maintain public confidence in the legal profession and the rule of law, and to promote the fair administration of justice, it is essential that lawyers and judges be competent regarding the law, legal and practice-oriented skills, the standards and ethical obligations of the legal profession, and practice management. Continuing legal education must be an activity that has significant intellectual or practical content and its primary objectives are to increase an attendee's professional competence and skills as a lawyer or judge, and to improve the quality of legal services rendered to the public.

### **REGULATION 103.1 STANDARDS FOR ACCREDITATION OF CLE PROGRAMS**

- 1) A program may be accredited as a CLE activity if it meets all of the following criteria:
  - a) It is an organized program of legal education dealing with:
    - i) Substantive or procedural subjects of law;
    - ii) Legal skills and techniques, such as legal writing and litigation skills;
    - iii) Ethics as defined in C.R.C.P. 250.6(3);
    - iv) Legal professionalism, including training on issues of leadership, diversity and wellness;
    - v) Law practice management; or
    - vi) Alternative dispute resolution.

A component of the program may be coverage of technical, scientific or other bodies of knowledge that are directly related to any of the subjects listed in this section.

- b) The instructors are qualified in the subject area by knowledge, skill, training or education.
  - c) Thorough, high quality written materials must be distributed to all attendees at or before the time the program is presented. A mere agenda will not be sufficient.
  - d) Programs must be conducted in a setting physically suitable to the educational component of the program. A suitable writing surface should be provided where feasible.
  - e) The program is primarily designed for, and targeted to, lawyers and judges.
- 2) An accredited program is either "live" or "home study" depending on the following criteria:
  - a) **Live programs.** A program is "live" if it is an activity that a lawyer or judge may attend in person or via an electronic medium, such as teleconferences, videoconferences, and live or real-time webcasts, and in which there are presenters available to all course attendees at the time the course is initially presented, and all attendees can contemporaneously hear or see other attendees' questions as well as any responses and discussion.

- b) **Home study programs.** A program is “home study” if it consists of viewing or listening to pre-recorded audio, video, or digital media, or such other programs as may be approved by the CLJE Office.
- 3) Accreditation of any home study program is for a period of two years from the date of accreditation through December 31 of the second, full calendar year (e.g., accreditation issued on 11/21/2018 will be valid through 12/31/2020 (expiring on 1/1/2021). After the initial two-year period of accreditation, a home study that continues to meet the requirements of Regulation 103.1(1) may be reaccredited only once for a period of one year, if the application for reaccreditation is received before expiration of the initial accreditation, and will be accredited through December 31 of the full calendar year (e.g., application for reaccreditation received 11/21/2018 for a program valid until 12/31/2018, can be reaccredited through 12/31/2019).
- 4) The following activities will NOT be accredited as CLE programs in Colorado:
- a) A meeting of a bar association, committee, section or other entity composed of lawyers or judges, that is intended primarily to be a general business meeting or work session as opposed to a CLE program;
  - b) A program that is intended primarily to market a product or service to lawyers;
  - c) A program that is intended primarily to attract clients;
  - d) A program that teaches non-legal skills; general communication skills such as public speaking; individual money management or investing; general investment principles; career building, rainmaking, marketing or social media networking skills; or supervisory or general office management skills;
  - e) A program that consists primarily of reviewing or reading written materials in printed or electronic format, legal articles, legal journals, case summaries, audio books and text only online courses;
  - f) Authoring a legal article, newsletter, blog or other written product that is published by the authoring lawyer, his or her law firm or other employer or that is not subject to peer review; or
  - g) A course attended in preparation of admission to practice law in any jurisdiction.

**REGULATION 103.2 STANDARDS FOR ACCREDITATION OF TEACHING ACTIVITIES**

- 1) Credit may be earned through teaching an accredited CLE program. In addition, credit may be earned through teaching a non-accredited CLE program that contributes to the continuing legal education of the applicant and other lawyers or judges. A registered lawyer or judge may earn a maximum of four CLE credit hours for every 50 minutes spent in teaching a CLE activity, inclusive of preparation time. Credit for teaching will be prorated accordingly.
- 2) Educational activity of lawyers and judges who present programs to a public audience may

be accredited as a teaching activity, if the program's primary purpose is to inform the public about the workings of the Colorado Judiciary and the functions of judges and courts.

### **REGULATION 103.3 STANDARDS FOR ACCREDITATION OF RESEARCH ACTIVITIES**

The CLJE Office may accredit research activities of registered lawyers or judges provided the activity: (1) has produced published findings in the form of articles, chapters, monographs or books, personally authored, in whole or part, by the applicant; (2) contributes to the continuing legal education of the applicant and other lawyers or judges; and, (3) is not done in the ordinary course of the practice of law, the performance of judicial duties, or other regular employment. In order to be accredited as a research activity, all articles, chapters, monographs and books must be published by someone other than the author, the author's law firm or employer, and must be subject to peer review.

### **REGULATION 103.4 STANDARDS FOR ACCREDITATION OF COMMITTEE RESEARCH ACTIVITIES**

The CLJE Office may accredit committee research activities of registered lawyers or judges provided the activity: (1) has produced written materials, personally authored, in whole or part, by the applicant on behalf of a committee qualified under this regulation; (2) contributes to the continuing legal education of the applicant and other lawyers and judges outside of the committee; and, (3) is not done in the ordinary course of the practice of law, the performance of judicial duties, or other regular employment.

### **REGULATION 103.5 INDEPENDENT STUDY ACTIVITIES**

1) Independent study credit may be claimed for any of the following types of activities:

- a) Attending or teaching a non-accredited, structured course that was produced for law-related or practice management educational purposes;
- b) Attending or teaching a non-accredited professional educational course that trains participants in the use of non-legal software or technology skills;
- c) Required training in preparation for serving as a judge or evaluator in any type of mock trial, moot court or client counseling competition, class or program;
- d) Participating in Access to Justice clinics held for the public, sponsored by a state judicial entity, a bar association, or an entity defined in C.R.C.P. 250.9(2); or
- e) Actively engaging as a legislator in the Colorado General Assembly.

2) Independent study must involve active participation in an educational endeavor which is beneficial to the applicant's practice and is not part of the applicant's ordinary practice of law. A maximum of nine independent study credit hours can be earned in each CLE compliance period. Ethics credits may not be earned through independent study.

3) Independent study credit may be claimed by submitting the appropriate form under

Regulation 106, and must include a certificate of completion explaining how the independent study was beneficial to the lawyer or judge.

**REGULATION 103.6. ATTORNEY REQUEST FOR INDIVIDUAL ACCREDITATION OF LIVE OUT-OF-STATE CLE ACTIVITY**

An attorney may seek individual accreditation for attending a live out-of-state CLE program that has not been previously submitted for accreditation to the CLJE Office by the CLE provider by completing application Form 1B. See Regulation 103.1(2)(a) (definition of live program). The application may be submitted either before or after the activity is conducted and must include a brochure or other outline describing the course content, identifying the instructors, listing the topics by title, and showing the time schedule for each topic. An accreditation fee of \$5 per request must be submitted with Form 1B. An attorney may not seek individual accreditation for home study activities as defined by Regulation 103.1(2)(b).

**REGULATION 104. COMPUTATION OF CREDITS**

- 1) CLE credit hours will be awarded on the basis of one CLE credit hour for each 50 minutes actually spent engaged in the activity, unless otherwise specified.
- 2) CLE credit hours will not be awarded for any program that in its entirety lasts less than 50 minutes exclusive of question and answer periods.
- 3) CLE credit hours will not be given for time spent on non-substantive matters such as introductory remarks, breaks, or business meetings.
- 4) The CLE credit hours awarded to a CLE activity is the maximum that may be earned for that activity. A registered lawyer or judge may claim partial credit for partial attendance or completion.
- 5) In awarding CLE credit hours for a research activity under Regulations 103.3 and 103.4, the CLJE Office will consider in its discretion the following factors: (a) the content and length of the published findings or committee papers; (b) the originality of the published findings or committee papers with the individual applicant; and (c) the nature of the publication in which the findings or committee papers are published.

**REGULATION 105.** Deleted by court action - year 1984.

**REGULATION 105.1 CERTIFIED PROVIDERS**

The CLJE Office may extend “Certified Provider” status to a provider as set forth below:

- 1) **Eligibility for Certified Provider Status.** To be eligible, a provider must demonstrate the following: (a) a history of consistently providing quality CLE programming for lawyers and judges that meets the requirements of Rule 250 and these Regulations for a period of at least two years, and, (b) a history of consistently providing ten or more live CLE programs accredited in Colorado per calendar year. Additionally, the provider must submit any other information the CLJE Committee deems relevant, including, but not limited to, course submission and compliance history, approvals and denials of accreditation, complaints

concerning programs or the marketing of programs, and payment history of the provider to the CLJE Office.

- 2) **Application for Certified Provider Status.** To obtain Certified Provider status, a provider must submit an Application for Certified Provider Status (“Application”) for approval by the CLJE Office. Applications must be made on the form designated by the CLJE Committee in Regulation 106 and be accompanied by fees as set forth in Regulation 111.
- 3) **Certified Provider Fees.** Certified Providers must pay an annual fee as set by the CLJE Committee in Regulation 111. This fee must accompany the provider’s application for Certified Provider status, and be paid on or before July 1 in the subsequent years unless the provider requests to withdraw from that status prior to the renewal date. Certified Providers are responsible for payment of all applicable fees.
- 4) **Responsibilities of Certified Providers.**
  - a) Certified Providers must submit any applicable fees and provide specific information related to each live CLE program at least seven days prior to the live activity in a format approved by the CLJE Committee (*See* Regulation 106). Certified Providers should also obtain accreditation for any replay (by audio, video or digital media) when seeking accreditation of the live program. However, if a Certified Provider does not seek accreditation of a replay initially, the Certified Provider may submit any applicable fees and provide specific information related to accreditation of the audio/video/digital replay CLE program within one year after the recording of the program by use of the form designated by the CLJE Committee pursuant to Regulation 106. The information required for both live and replay CLE programs includes, but is not limited to, the following:
    - i) Activity title and description;
    - ii) Date(s) and location(s) of the activity;
    - iii) Method of presentation;
    - iv) Activity registration fee information; and
    - v) Total accredited CLE credit hours, including ethics credit hours.
  - b) For two years following the accreditation date of each program Certified Providers must keep the following: (i) copies of any course materials, (ii) a brochure or outline that describes the course content, (iii) names of the instructors, (iv) time devoted to each topic, (v) the date and location of each presentation, (vi) any course evaluation forms filled out by the attendees, and, (vii) attendance records showing lawyer and judge attendees and the number of any non-lawyer attendees. The Certified Provider, upon request of the Committee, must submit this information for review.
  - c) At any program sponsored by a Certified Provider, the Certified Provider must provide to each attendee a copy of the Committee’s official Notice of Accreditation of the program, and advise each attendee how to submit CLE credits to the Committee or provide a means at the program for individuals to submit a completed Notice and Report to the

Committee.

5) **Benefits of Certified Provider Status.** Certified Providers may receive the following benefits of Certified Provider status:

- a) Certified Providers may indicate in promotional materials that they are Certified by including the following statement in those promotional materials: “\_\_\_\_\_ is a Certified Provider, as recognized by the Colorado Supreme Court Continuing Legal and Judicial Education Committee.”
- b) Certified Providers pay reduced fees as set forth in Regulation 111, below.
- c) Certified Providers may elect to receive a monthly invoice from the CLJE Office for program accreditation and late filing fees.
- d) Certified Providers submit an abbreviated accreditation form regarding each sponsored program.

6) **Renewal/Revocation.** Certified Providers will be reviewed for renewal after an initial two-year period of certification, and again after each subsequent five-year period of certification, or at such other times as the CLJE Office deems reasonable. The CLJE Office may revoke certification at any time when it finds that a provider has not complied with the responsibilities of Certified Provider status. Additional conditions that may cause revocation of Certified Provider status include, but are not limited to:

- a) Submission of an activity or activities that do not qualify for accreditation as set forth in Rule 250 and these Regulations;
- b) Failure to pay certification fees, accreditation fees or late filing fees;
- c) Submission of jointly-provided activities or activities provided by other organizations that do not comply with Regulation 105.3; or
- d) Substantiated complaint(s) documented against the Certified Provider or an activity offered by a Certified Provider.

## **REGULATION 105.2 NON-CERTIFIED PROVIDERS**

1) Any provider not recognized as a “Certified Provider” must submit a form designated by the CLJE Committee in Regulation 106.3 to be recognized as a non-certified provider and must submit individual programs for accreditation. Programs sponsored by a non-certified provider may be accredited upon written application on an individual program basis. All applications for accreditation of a program sponsored by a non-certified provider must:

- a) Be submitted on a form approved by the CLJE Committee (*see* Regulation 106), and contain all information requested on the form;
- b) Be accompanied by a sample brochure or course outline that describes the program content, identifies the instructors, lists the time devoted to each topic, and shows each

date and location where the program will be offered;

- c) Include a program evaluation form that must be provided to all attendees;
  - d) Include a detailed calculation of the total CLE credit hours, including live and ethics credit hours;
  - e) Include designation on the program outline or brochure of any parts or sessions of the activity that are sought to be accredited for ethics credit hours; and,
  - f) Be submitted at least twenty-one days, and preferably longer, in advance of the program, although the CLJE Office may grant approval of applications filed less than 21 days prior or grant retroactive approval if the proper fee for late filing is paid, as specified in Regulation 111.
- 2) The provider of any program accredited by the CLJE Office must provide to each attendee a copy of the official Notice of Accreditation of the program, and advise each attendee how to submit CLE credits to the CLJE Office or provide a means at the program for individuals to submit a completed Notice and Report to the CLJE Office.

### **REGULATION 105.3 JOINTLY SPONSORED ACTIVITIES**

- 1) Any CLE activities that are jointly offered by two or more providers must comply with one of the following:
  - a) If all the providers that are jointly offering the activity are Certified Providers, then Regulation 105.1 applies.
  - b) All other jointly offered activities must be accredited under Regulation 105.2.
- 2) The provider of any program accredited by the CLJE Office must provide to each attendee a copy of the official Notice of Accreditation of the program, and advise each attendee how to submit CLE credits to the CLJE Office or provide a means at the program for individuals to submit a completed Notice and Report to the CLJE Office.

### **REGULATION 106. APPLICATION PROCEDURES FOR ACCREDITATION OF ACTIVITIES**

In order to apply for accreditation of a continuing legal education activity, a registered lawyer, judge or provider must submit to the CLJE Office all information called for by the required form.

- 1) Application for accreditation of a live program by non-certified providers must be made 21 days prior to the program date on Form 1.
- 2) Application for accreditation of a live program by Certified Providers must be made seven days prior to the program date on Form 1A.
- 3) An attorney's self-submission for credit for attending an out-of-state live CLE program not submitted for accreditation to Colorado by the provider should submit for

accreditation on a Form 1B.

- 4) An attorney's self-submission for credit for attending graduate-level legal study towards a certification or LLM degree should submit for accreditation on a Form 1C.
- 5) Application for recognition as a non-certified provider must be made on Form 2.
- 6) Application for recognition as a Certified Provider must be made on a Form 2A.
- 7) For non-certified providers, application for accreditation of an audio, video or digital replay of a live program that has already been accredited must be made within one year of the original presentation date on Form 3.
- 8) For Certified Providers, application for accreditation of an audio, video or digital replay of a live program that has already been accredited must be made within one year of the original presentation date on Form 3A.
- 9) Application for accreditation of a home study program must be made on Form 4.
- 10) Application for accreditation of teaching activity must be made on Form 5.
- 11) Application for accreditation of research activity must be made on Form 6.
- 12) Application for accreditation of committee research activity must be made on Form 6A.
- 13) Application for independent study credits must be made on Form 7.
- 14) Application for CLE credit for pro bono representation must be made on Form 8.

#### **REGULATION 107. DELEGATION**

Pursuant to C.R.C.P. 250.4, Attorney Regulation Counsel will maintain and supervise a permanent office, the Continuing Legal and Judicial Education Office, to administer all mandatory CLE functions.

#### **REGULATION 108. REVIEW OF ADVERSE INTERPRETATIONS AND ACCREDITATION DETERMINATIONS**

- 1) **Review of Adverse Interpretations.** All questions of interpretation of these Regulations or Rule 250, other than compliance issues covered by C.R.C.P. 250.7, by the Regulation Counsel will be subject to review by the CLJE Committee upon written application by the person or provider adversely affected. The affected registered lawyer, judge or provider may, at the discretion of the CLJE Committee, present information to the CLJE Committee in person. If the CLJE Committee finds that the Regulation Counsel erred, it may take such action as it deems appropriate. The CLJE Committee will advise the affected registered lawyer, judge or provider of its findings and any action taken.
- 2) **Review of Adverse Accreditation Determinations.** A registered lawyer, judge or provider may seek reconsideration or appeal a denial of accreditation as follows:

- a) **Reconsideration.** If any registered lawyer, judge or provider (“applicant”) is notified that accreditation has been denied, the applicant may file a written request for reconsideration within 21 days of the denial. If no request is filed within 21 days, the denial of accreditation is final. The written request for reconsideration may be submitted in letter form, must include any argument the applicant wishes to make as to why credit should be granted and the initial determination was erroneous, and may be supported by additional documents or other evidence that was not presented previously. Regulation Counsel will review the request and may grant accreditation. Regulation Counsel’s decision to uphold a denial of accreditation will be communicated to the applicant in writing, and will include an explanation why the decision was made.
- b) **Appeal to the CLJE Committee.** If Regulation Counsel denies accreditation, the applicant may appeal an adverse accreditation decision to the CLJE Committee within 14 days of the decision issued by Attorney Regulation Counsel. An appeal to the CLJE Committee must be filed in the CLJE Office, and will be forwarded to the CLJE Committee for consideration along with all documents submitted in support of the request for accreditation and the request for reconsideration. The CLJE Committee may, in its discretion, allow or require the applicant to appear and provide testimony in support of the request for accreditation. At least three members of the CLJE Committee must participate in the review of any appeal. After consideration and discussion of the appeal, those members of the CLJE Committee hearing the appeal will vote, and the majority position will constitute the CLJE Committee’s decision. The CLJE Committee’s decision on the appeal will be communicated to the applicant in writing and a copy of the decision must be provided to Regulation Counsel. The CLJE Committee’s decision is final.

#### **REGULATION 109. MAKE-UP PLANS**

- 1) Any plan for making-up a deficiency filed after December 31, pursuant to C.R.C.P. 250.7(3), must be specific and include the title, course identification number, and format (e.g. live program) of such accredited activities, the number and type of credits that will be earned, and the dates on which such credits will be earned.
- 2) The credits to be earned must be sufficient to make-up any deficiency,
- 3) The credits must be earned not later than May 31st of the year following the end of the compliance period.
- 4) The plan must be accompanied by the fee specified in Regulation 111.

**REGULATION 110.** Deleted by court action - year 1986.

#### **REGULATION 111. FEES**

##### **1) Provider Fees.**

- a) Fees for Certified Providers are as follows:
  - i) A one-time, non-refundable application fee of \$250 to be paid at the time of application for Certified Provider status;

- ii) An annual fee of \$2,500 upon acceptance as a Certified Provider and to be paid each year thereafter to maintain Certified Provider status;
  - iii) Fifteen dollars (\$15) for each live program presentation if the information required under Regulation 105.1 is submitted at least seven days before the date the program is offered;
  - iv) Thirty dollars (\$30) for each live program presentation if the information required under Regulation 105.1 is submitted fewer than seven days before the program is offered;
  - v) Ten dollars (\$10) per replay date for video replays of a live program. Video replay dates should be submitted for accreditation at the same time as the live program.
  - vi) Fifteen dollars (\$15) for each home-study program.
  - vii) Certified Providers may request monthly billing by the CLJE Office for all applications submitted in that month, instead of paying per application. The CLJE Office has discretion to grant or deny such requests.
- b) Fees for non-certified providers who are Colorado local bar associations, non-profit organizations whose primary purpose is to provide free or low cost legal services, or government agencies are as follows:
- i) Twenty-five dollars (\$25) for each live program presentation if the information required under Regulation 105.2 is submitted at least 21 days before the date the program is offered;
  - ii) Fifty dollars (\$50) for each live program presentation if the information required under Regulation 105.2 is submitted fewer than 21 days before the date the program is offered;
  - iii) Ten dollars (\$10) per replay date for video replays of a live program. Video replay dates should be submitted for accreditation at the same time as the live program.
  - iv) Twenty-five dollars (\$25) for each home study program.
- c) Fees for all other non-certified providers are as follows:
- i) Fifty dollars (\$50) for each live program presentation if the information required under Regulation 105.2 is submitted at least 21 days before the date the program is offered;
  - ii) One hundred dollars (\$100) for each live program presentation if the information required under Regulation 105.2 is submitted less than 21 days before the date the program is offered;
  - iii) Ten dollars (\$10) per replay date for video replays of a live program. Video replay dates should be submitted for accreditation at the same time as the live program.

iv) Fifty dollars (\$50) for each home study program.

**2) Other Fees.**

- a) **Late Fees.** Any registered lawyer or judge who fails to comply with C.R.C.P. 250.7(3) will be subject to the following late reporting fees:
  - i) One hundred dollars (\$100) if received after January 31 of the year following the end of the applicable compliance period;
  - ii) Two hundred dollars (\$200) if received after March 1 of the year following the end of the applicable compliance period.
- b) **Make-up Plan Fees.** Fees for make-up plans submitted by registered lawyers or judges are as follows:
  - i) One hundred dollars (\$100) if the make-up plan is filed with the CLJE Office by January 31 of the year following the end of the applicable compliance period; and
  - ii) Two hundred dollars (\$200) if the make-up plan is filed with the CLJE Office after January 31 of the year following the end of the applicable compliance period.
- c) **Reinstatement Fee.** Petitions for reinstatement from suspension for failure to comply with C.R.C.P. 250 must be accompanied by a fee of one hundred dollars (\$100), in addition to all applicable late fees and make-up plan fees.