

Colorado Attorneys' Fund for Client Protection Board of Trustees to determine whether to fund a claim and the amount of any reimbursement. The Board consists of seven trustees, both attorneys and non-attorneys, who serve without compensation.

### How Long Will the Claim Process Take?

Typically the Trustees make determinations whether to pay claims four times a year. The investigation and analysis of the claim may take as long as one year. It is important that claimants keep the Office of Attorney Regulation Counsel informed as to their current mailing address and telephone number.

### Is There a Charge to Make a Claim?

No, there is no charge to make a claim with the Fund. In fact, attorneys may not charge a fee to assist you in making a claim.

### Are There Rules That Govern The Administration of This Fund?

Yes, the Colorado Supreme Court has adopted rules that explain the eligibility requirements to secure payments from this fund and the procedures followed by the Trustees. A copy of the Rules can be obtained from the Office of the Attorney Regulation Counsel at 1300 Broadway, Suite 500, Denver, Colorado 80203 or online at [www.coloradosupremecourt.com](http://www.coloradosupremecourt.com).

### What if I Disagree With a Decision Made by the Board of Trustees?

#### Can I File an Appeal?

All decisions of the Trustees are final; no appeals are permitted.

PLACE  
STAMP  
HERE

Colorado Supreme Court  
Attorney Regulation Counsel  
1300 Broadway, Suite 500  
Denver, CO 80203



(303) 457-5800 Toll Free: (877) 888-1370



Colorado Attorneys'  
Fund for Client  
Protection





PHOTOS BY BRYAN LOPEZ

### **What If You Do Not Speak English?**

The Office of Attorney Regulation Counsel will assist by providing translation services to any non-English speaking person.

### **¿Que Pasa Si Yo No Hablo Ingles?**

La Oficina Regulamentaria de Abogados asistirá en proporcionar servicios de traducción a cualquier persona que tenga queja y no habla inglés.

### **What Is the Colorado Attorneys' Fund for Client Protection?**

The Colorado Attorneys' Fund for Client Protection was established in 1998 by the Colorado Supreme Court to reimburse clients who suffer loss of money or other property from the dishonest conduct of their attorney. The Fund may also pay claims in certain circumstances when an attorney has died or become disabled. The Fund is a remedy of last resort for clients who cannot be repaid from other sources, such as from insurance or from the attorney involved or from others who may have caused or contributed to the loss. Claimants are expected to make reasonable efforts to collect from these other sources first.

### **Why Was the Fund Established?**

The legal profession depends upon the trust of clients. In a very small number of cases where attorneys betray that trust and improperly handle client funds or property, it is important that the legal profession's reputation for honesty be maintained and protected by helping clients who have been victimized by the dishonesty of their lawyer to recover their losses.

### **How is the Fund Financed?**

The Fund is financed by an annual license fee paid by all active Colorado attorneys. No tax dollars are used. None of the money in the Fund comes from clients' fees. The nature of the Fund demonstrates the genuine desire of the Colorado legal professional to compensate clients for the dishonest actions of a few of its members.

### **Who Is Eligible to Apply to the Fund?**

In order to be an eligible claimant, a person must prove the existence of an attorney-client relationship between a client and or a court-appointed fiduciary relationship between a client and an attorney authorized to practice law by the Colorado Supreme Court.

### **What Kinds of Losses Are Considered?**

The Trustees of the Fund consider paying clients for the actual loss of money or property resulting from the dishonest conduct by their lawyer. The Fund may also pay claims when client funds are no longer in an attorney's client trust account and that attorney has died or become disabled and there is no way to determine if the funds were earned or misappropriated.

### **What Losses Are Not Considered?**

Claims involving professional negligence or malpractice, fee disputes, and unfortunate or ill-advised investments

placed through attorneys are not eligible. The Fund does not pay interest on claims.

### **What Are the Limits on the Payment of Claims?**

The fund attempts to pay all claims in full; however, to properly manage the money available to pay claims, there is a limit of \$50,000 per claim and an aggregate maximum limit of \$100,000 for all claims against a single attorney.

### **How Are Claims Filed?**

A person may request a claim form in writing or by telephone from the Colorado Supreme Court's Office of Attorney Regulation Counsel. The completed claim form must be signed by the claimant and the claimant's signature must be notarized. There is no filing fee.

### **What Proof of Dishonest Conduct Is Necessary?**

A claimant must submit specific proof of payment of funds to an attorney, such as copies of checks and other supporting documents such as bills, receipts or retainer agreements. Although the staff will assist in identifying the proof necessary to proceed, the primary burden is on the claimant to demonstrate that a claim qualifies to be considered for reimbursement.

### **What Happens When a Claim is Filed?**

Each claim is initially reviewed by the Office of Attorney Regulation Counsel to determine eligibility for payment. The attorney against whom the claim has been filed will receive a copy of each claim including the documentation provided together with an invitation to reply. All claims will then be reviewed by the