

Colo. Lic. Paraprofe. R. Profe. Cond. 1.0

Rule 1.0 - Terminology

- (a) "Belief" or "believes" denotes that the person involved actually supposed the fact in question to be true. A person's belief may be inferred from circumstances.
- (b) "Confirmed in writing," when used in reference to the informed consent of a person, denotes informed consent that is given in writing by the person or a writing that an LLP promptly transmits to the person confirming an oral informed consent. See paragraph (e) for the definition of "informed consent." If it is not feasible to obtain or transmit the writing at the time the person gives informed consent, then the LLP must obtain or transmit it within a reasonable time thereafter.
- (b-1) "Document" includes e-mail or other electronic modes of communication subject to being read or put into readable form.
- (c) "Firm" denotes a partnership, professional company, or other entity or a sole proprietorship through which a lawyer or lawyers, an LLP or LLPs, or a combination of lawyers and LLPs render legal services.
- (c-1) "Firm without lawyers" denotes a firm that renders legal services provided only by LLPs.
- (d) "Fraud" or "fraudulent" denotes conduct that is fraudulent under the substantive or procedural law of the applicable jurisdiction and has a purpose to deceive.
- (e) "Informed consent" denotes the agreement by a person to a proposed course of conduct after the LLP has communicated adequate information and explanation about the material risks of and reasonably available alternatives to the proposed course of conduct.
- (f) "Knowingly," "known," or "knows" denotes actual knowledge of the fact in question. A person's knowledge may be inferred from circumstances.
- (f-1) "Licensed Legal Paraprofessional" (LLP) denotes an individual authorized to practice law to the extent authorized by C.R.C.P. 207.1.
- (f-2) "Licensed Legal Paraprofessional Rules of Professional Conduct" (LLP RPCs or "these Rules") denotes these ethical rules applicable to LLPs, in contrast to the Colorado Rules of Professional Conduct applicable to lawyers.
- (g) "Partner" denotes a member of a partnership, an owner of a professional company, or a member of an association authorized to practice law, including practice as an LLP.
- (1) "Professional company" has the meaning ascribed to the term in C.R.C.P. 265.
- (h) "Reasonable" or "reasonably" when used in relation to conduct by an LLP denotes the conduct of a reasonably prudent and competent LLP.
- (i) "Reasonable belief" or "reasonably believes" when used in reference to an LLP denotes that the LLP believes the matter in question and that the circumstances are such that the belief is reasonable.
- (j) "Reasonably should know" when used in reference to an LLP denotes that an LLP of reasonable prudence and competence would ascertain the matter in question.
- (k) "Screened" denotes the isolation of an LLP from any participation in a matter through the timely imposition of procedures within a firm that are reasonably adequate under the

circumstances to protect information that the isolated LLP is obligated to protect under these Rules or other law.

(l) "Substantial" when used in reference to degree or extent denotes a material matter of clear and weighty importance.

(m) "Tribunal" denotes a court, an arbitrator in a binding arbitration proceeding or a legislative body, administrative agency or other body acting in an adjudicative capacity. A legislative body, administrative agency or other body acts in an adjudicative capacity when a neutral official, after the presentation of evidence or legal argument by a party or parties, will render a binding legal judgment directly affecting a party's interests in a particular matter.

(n) "Writing" or "written" denotes a tangible or electronic record of a communication or representation, including handwriting, typewriting, printing, photostating, photography, audio or videorecording, and electronic communications. A "signed" writing includes an electronic sound, symbol, or process attached to or logically associated with a writing and executed or adopted by a person with the intent to sign the writing.

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Amended and Adopted by the Court, En Banc, April 13, 2023, effective 7/1/2023.
