

Rule 37

(e) Stipulated Resolution of Formal Proceedings. Special counsel and the Judge may propose that the Commission adopt ~~submit~~ a stipulated resolution of formal proceedings, which shall include summaries of the principal allegations, the Judge's response, and material facts that are agreed or remain disputed; relevant Canons, Canon Rules, or provisions of Colo. RJD; recommendations for dismissal or sanctions; and an acknowledgement that the to an Adjudicative Board Panel. A stipulated resolution and the record of proceedings will become public: ~~may be the first filing in a formal proceeding.~~ If the Commission finds that the terms of the stipulated resolution comply with these requirements, it shall file ~~the is the first filing,~~ the Commission must issue an order directing the State Court Administrator to appoint at random an Adjudicative Board Panel to adjudicate the formal proceeding. A stipulated resolution with the Supreme Court as its recommendations shall include the reasons for the stipulation; an admission of misconduct that constitutes grounds for discipline under this Rule. The recommendation, the stipulated resolution, the record of proceedings, relevant Canons, the Rules promulgated thereunder, or provisions of Colo. RJD; a request to impose a specific sanction; and any sanctions agreement as to payment of costs and fees. The Adjudicative Board Panel shall exercise its independent judgment, by majority vote, to approve or disapprove such a stipulation. The Adjudicative Board Panel may disapprove a stipulation when, for example and without limitation, the proposed ~~in~~ sanction bears no relation to the misconduct or is manifestly excessive or insufficient in relation to the stated reasons for the stipulation. The stipulated resolution shall become public ~~upon when it is filed with the Commission's filing of Adjudicative Board Panel.~~ If the recommendation with the Court. However, if it provides for dismissal Adjudicative Board Panel rejects the stipulated resolution, the rejected stipulated resolution and the record of proceedings shall be confidential pending the Court's consideration, and if approved by the Court, ~~on~~ the stipulated resolution and the record of proceedings shall remain confidential, subject to the provisions of Rule 6.5(g). ~~will not be admissible or used against the Judge in a formal proceeding.~~ An approved stipulated resolution is a final disposition of a judicial disciplinary proceeding for purposes of these Rules, but a rejected stipulated resolution is not a final disposition.