

Rule 37

(e) Stipulated Resolution of Formal Proceedings. Special counsel and the Judge may submit a stipulated resolution of formal proceedings to an Adjudicative Board Panel. A stipulated resolution may be the first filing in a formal proceeding. If the stipulated resolution 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 shall include the reasons for the stipulation; an admission of misconduct that constitutes grounds for discipline under relevant Canons, the Rules promulgated thereunder, or provisions of Colo. RJD; a request to impose a specific sanction; and any 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 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 when it is filed with the Adjudicative Board Panel. If the Adjudicative Board Panel rejects the stipulated resolution, the rejected stipulated resolution and the record of proceedings on the stipulated resolution 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.