

IN THE SUPREME COURT, STATE OF WYOMING

April Term, A.D. 2019

In the Matter of the Amendments to)
Rule 1.15A of the Wyoming)
Rules of Professional)
Conduct for Attorneys at Law)

**ORDER AMENDING RULE 1.15A OF THE RULES OF PROFESSIONAL
CONDUCT FOR ATTORNEYS AT LAW**

This matter came before the Court upon its own motion following communication with Bar Counsel for the Wyoming State Bar. On June 25, 2019, this Court, upon the recommendation of the Officers and Commissioners of the Wyoming State Bar, entered an “Order Amending the Rules of Professional Conduct for Attorneys at Law.” Those rule amendments were ordered to be become effective on September 1, 2019.

Subsequent to entry of this Court’s order, Bar Counsel informed the Court he received comment regarding newly-amended Rule 1.15A(f), which governs client file retention in criminal matters. Bar Counsel recommended that Rule 1.15A(f) be amended further before the June 25th amendments go into effect. Now, having carefully reviewed the proposed further amendments to Rule 1.15A(f), this Court finds the proposed amendments should be adopted. It is, therefore,

ORDERED that the amendments to Rule 1.15A of the Rules of Professional Conduct for Attorneys at Law, attached hereto, be, and hereby are, adopted by the Court to be effective September 1, 2019; and it is further

ORDERED that this order and the amendments be published in the advance sheets of the Pacific Reporter; the amendments be published in the Wyoming Court Rules Volume; and that this order and the amendments be published online at the Wyoming Judicial Branch’s website, <http://www.courts.state.wy.us>. The amendments to Rule 1.15A of the Rules of Professional Conduct for Attorneys at Law shall also be recorded in the journal of this Court.

DATED this 30th day of July, 2019.

BY THE COURT:

/s/

MICHAEL K. DAVIS
Chief Justice

RULES OF PROFESSIONAL CONDUCT FOR ATTORNEYS AT LAW

Rule 1.15A. Client Files.

(f) Criminal defense counsel, counsel in juvenile cases and protective counsel appointed pursuant to the Wyoming Rules of Disciplinary Procedure shall retain a client's files as follows:

(1) for the life of the client if the matter resulted in a conviction and a sentence of death or life imprisonment with or without the possibility of parole;

~~(2) in all other criminal matters, for ten years after the latest of the completion of the representation, the conclusion of all direct appeals, or the running of an incarcerated defendant's maximum period of incarceration, but in no event longer than the life of the client; and~~

(2) in criminal matters that resulted in a conviction and a period of incarceration, for five years after the later of the completion of the representation, the conclusion of all direct appeals, or the end of the client's maximum period of incarceration, but in no event longer than the life of the client; and

(3) in all other criminal matters and in all juvenile matters, for five years after the later of the completion of the representation or the conclusion of all direct appeals, but in no event longer than the life of the client.
