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COLORADO SUPREME COURT

Case. No. 2025LE94

IN RE:
NOTICE OF NONCOMPLIANCE INVOLVING
DONALD T. TRINEN

ORDER OF COURT – AMENDED
DATED JULY 21, 2025
("THE SUSPENSION ORDER")

ORDER OF COURT - AMENDED

The court has reviewed the Notice of the Continuing Legal and Judicial Education ("CLJE") Committee Recommendation Regarding Noncompliance with CLE Requirements Pursuant to CRCP 250.7 and Request for Order of Administrative Suspension ("the Request") filed on July 16, 2025 in the above-captioned matter. Pursuant to CRCP 250.7(8)(a), the court grants the Request and orders that Donald Terrence Trinen, attorney registration number 9218, is administratively suspended from the practice of law. Mr. Trinen may seek reinstatement as contemplated CRCP 250.7(10).

BY THE COURT, JULY 21, 2025.

COLORADO SUPREME COURT

Case. No. 2025LE94

IN RE:
NOTICE OF NONCOMPLIANCE INVOLVING
DONALD T. TRINEN.

ORDER OF COURT DATED AUGUST 5, 2025

ORDER OF COURT

The court exercises its authority to treat Attorney Respondent Donald T. Trinen's Petition/Motion to Set Aside filed July 22, 2025 as a petition for this court to exercise its original jurisdiction under C.A.R. 21. After considering all the relevant pleadings, the court denies the petition. The court waives any filing fee ordinarily required based on the court's reframing of the petition. Mr. Trinen's motion for stay is denied as moot.

BY THE COURT, EN BANC, AUGUST 5, 2025.

COLORADO SUPREME COURT COMMITTEE ON CONTINUING LEGAL AND JUDICIAL EDUCATION

IN RE: NOTICE OF NONCOMPLIANCE WITH CLE REQUIREMENTS — DONALD TERRENCE TRINEN, REGISTRATION NO. 9218

FINDING OF NONCOMPLIANCE WITH CLE REQUIREMENTS — DONALD TERRENCE TRINEN, REGISTRATION NO. 9218, ISSUED JULY 14, 2025

FINDING OF NONCOMPLIANCE WITH CLE REQUIREMENTS - DONALD TERRENCE TRINEN, REGISTRATION NO. 9218

THIS MATTER came before a hearing panel of the Continuing Legal and Judicial Education ("CLJE") Committee ("the Hearing Panel") on June 16, 2025 for a hearing under Colorado Rule of Civil Procedure 250.7(6). The Petitioner appeared on his own behalf, and Jessica Yates, Esq. appeared on behalf of the Office of Attorney Regulation Counsel ("OARC"). The hearing was held via Webex Conferencing.

Procedural Background

The undersigned was appointed by the Chair of the CLJE Committee, the Honorable Andrew McCallin, to preside over the hearing and, pursuant to C.R.C.P. 250.7(5)(e), Judge McCallin appointed the following members of the CLJE Committee to the Hearing Panel: Colleen McManamon, LLP and Martha Rubi.

On April 14, 2025, a scheduling conference was held in this matter. At the time, Chair McCallin was the presiding hearing panel member and required the parties to file pre-hearing briefs and other materials, such as exhibits, by May 19, 2025. At the time, the hearing panel consisted of Chair McCallin, the undersigned, Ms. McManamon, and CLJE Committee co-chair, Nathifa Miller.

Both sides timely filed their pre-hearing disclosures. It was at that time that the Petitioner's arguments concerning the constitutionality of the requirement that two hours of professional responsibility continuing legal education (CLE") credit in the area of equity, diversity, and inclusivity (the "EDI requirement") became clear. Chair McCallin and Co-Chair Miller then made the decision to recuse themselves from the hearing panel in this matter as both were very involved in the drafting of the EDI requirement. *See Notice of Recusal* (5/29/2025).

A pre-hearing conference was held on June 12, 2025 via Webex Conferencing.[1] The parties discussed logistical matters including that the hearing would remain set for June 16, 2025 but it would now need to be held virtually as the undersigned was unable to physically travel to Denver to participate on the hearing panel. The Petitioner objected to the virtual hearing on several grounds, including that he had a right to an in-person trial, which he argued this hearing was, and that he had a constitutional right to confront his accuser in person. After hearing the arguments of

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[1] Recorded via FTR in Courtroom A, Saguache County, Colorado.

both sides, the undersigned denied the Petitioner's demand for an in-person hearing.

The hearing commenced on June 16, 2025 via Webex Conferencing.[2] The only two witnesses were as noted below. The only exhibits that were admitted were offered by OARC and are attached to this Finding of Noncompliance.

After considering the testimony and exhibits offered, the argument of the parties, and the applicable rules, the Hearing Panel unanimously determined that Petitioner, Donald Terrence Trinen, was required to complete two CLE credit hours in the area of equity, diversity, and inclusivity pursuant to C.R.C.P. 250.2(1)(a)(i) (as amended April 15, 2021); that he failed to do so. He is, therefore, not in compliance with the CLE requirements for the compliance period ending December 31, 2024. The Hearing Panel recommends that the Supreme Court take all appropriate action as a result of this noncompliance, including suspending his license until he comes into compliance. The Hearing Panel enters the following findings and conclusions in support of its decision.

Findings of Fact

The Petitioner was admitted to practice on September 29, 1978 and has continuously held an active license to practice law in Colorado since that time. Other than the present issue, he has never before been accused of failing to comply with his continuing legal education credits.

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[2] Recorded via FTR in Courtroom C, Alamosa, County, Colorado.

OARC called Elivia Mondragon to testify. Ms. Mondragon is, among other duties, the Director of Continuing Legal Education ("CLE")-an arm of the OARC. Ms. Mondragon has more than a decade of experience working in continuing legal education compliance. Part of Ms. Mondragon's role in this regard is to ensure compliance with C.R.C.P. 250 concerning mandatory CLE and she also is involved with the accreditation of programing.

Ms. Mondragon described the process of identifying compliance or not following the end of a compliance period for an active Colorado attorney. If the attorney has met their obligation by the end of the three year period, Ms. Mondragon's office will send an email indicating as much. If the attorney has not met their compliance obligations at the end of the three year period, Ms. Mondragon's office will begin by sending an email notification regarding the same which also includes a transcript of the attorney's compliance period credits and instructions on what steps the attorney must take to cure the issue and avoid suspension. If the attorney does not correct the noncompliance, other notices including those via postal delivery are sent. Ms. Mondragon's office makes several attempts to contact delinquent attorneys to cure the problem.

Ms. Mondragon's staff, with the assistance when needed from attorneys from the OARC, also accredits programs that qualify for CLE credit.

Finally, as pertinent to this matter, Ms. Mondragon also directs notification to attorneys when there are policy and rule changes that impact an attorney's requirements and compliance with CLE requirements. This is generally accomplished both by posting notices regarding the change to CLE's website and including

the changes in OARC's quarterly newsletter, which is delivered by email to registered Colorado attorneys.

It is in the context of one of these announced rule changes that the Petitioner objects to a finding of non-compliance.

In April 2021, the Supreme Court issued its amendment and adoption to C.R.C.P. 250.2. CLE Requirements. Prior to the amendment, Colorado attorneys were required to complete 45 credit hours of CLE including at least seven hours of "ethics" credits during their compliance period every three years. The amendment did not change the number of hours required or the length of the compliance period but it did rename and restructure how the "ethics" credits were to be earned. *See OARC 3.* Now called "professional responsibility," attorneys must still have at least five hours in the areas of legal ethics or legal professionalism but the additional two hours must now be in the area of "equity, diversity, and inclusivity." *Id.* at p. 2.

The rule change was effective on July 1, 2021 but was not applicable, i.e., attorneys were not required to comply with the changed rule, until January 1, 2023. Therefore, the first attorneys who were required by rule to obtain EDI credits had a compliance period ending on December 31, 2023. Ms. Mondragon testified that the delay between the effective date of the rule and required compliance was to give her office time to determine accreditation criteria and then to make available enough courses for attorneys to comply. *See OARC* 4 at p. 2 ¶¶ (1)(a)(iii)(1) - (3). Ms. Mondragon was also a part of a subcommittee of the CLJE that drew up the Rule; however, she did not specifically come up with or write any of the specific language of the Rule and she did not know who did.

Colorado attorneys were advised of the rule change in several ways. First, information about the change was published on the first page of OARC's May 2021 newsletter. *See OARC* 5. Second, OARC published information regarding the change on its website in April 2021. *See OARC* 6. Third, a reminder regarding the change and new EDI requirement was included in the compliance notices received by attorneys whose compliance period ended on December 31, 2021, which included the Petitioner. *See OARC* 7. Finally, attorneys were again reminded of the applicability of the EDI requirement in an email they received on June 16, 2023 concerning CLE's new tracking system that included an ability to track EDI credits. *See OARC 8.*

Another part of Ms. Mondragon's duties included providing annual statistical information about accredited CLE programs as a part of OARC's Annual Report. In that vein, Ms. Mondragon reported that, in 2021 alone, there were 471 courses that qualified for EDI credit. *See OARC* 9. There were 596 courses that qualified for EDI credit in 2022; 790 in 2023; and 741 in 2024. *Id.*

Petitioner's most recent compliance period ended on December 31, 2024 and the above-described process for notifying him of his lack of compliance commenced.

On March 6, 2025, a letter was mailed to the Petitioner again advising him of a failure to comply with CLE requirements. *See OARC 1.* A transcript was included with the letter that indicated the Petitioner completed 43 of 45 general credits and 7.6 of 7 professional responsibility credits but 0 of those credits were in EDI. *Id.* Petitioner essentially asked for a recount because he completed all 45 general credits but never

alleged that he completed any EDI credits. On April 15, 2025, Ms. Yates issued a letter and a corrected transcript indeed finding that Petitioner completed all general CLE credits and 7.6 of 7 professional responsibility credits but with 0 EDI credits. *See OARC 2.* Ms. Mondragon believed the miscalculation occurred because the new tracking system had issues with converting credits for courses that did not have a sponsor but also noted that the Petitioner's online transcript was correct. The Petitioner completed all his CLE requirements for the most recent compliance period between January 7-11, 2022 - seven to eleven days after the three year compliance period began. *Id.*

The Petitioner testified on his own behalf; however, much of his testimony consisted instead of his argument, including the reading of his pre-hearing brief into the record.

Donald Terrence Trinen was admitted to practice law in Colorado in 1978. His registration number is 9218. He was born on June 9, 1953, making him seventy-one years old at the end of his most recent compliance period.

The Petitioner has never before received a notice that he did not complete his CLE requirements timely. The only notices he has ever received were standard reminders that the end of the compliance period was approaching.

The Petitioner agreed that he did not complete the EDI requirement nor did he attempt to do so. The only knowledge he had of programs offered that would meet the requirement were advertisements received from professional associations such as the Colorado Bar Association, but he did not pay any

attention to those advertisements as, according to the Petitioner, he'd already fulfilled his CLE requirement for the most recent compliance period.

CLE Rules

All lawyers with an active license to practice law in the State of Colorado are required to comply with CLE requirements. *See* C.R.C.P. 250.2. A lawyer must obtain 45 general credits and 7 professional responsibility credits during a three year compliance period. *See* C.R.C.P. 250.2(1). Beginning January 1, 2023, the professional responsibility credits must include 2 credits devoted to equity, diversity and inclusivity education. C.R.C.P. 250.2(1)(a)(i).

A lawyer who fails to take all the credits during a three-year compliance period may make up the credits under a make-up plan. C.R.C.P. 250.7(3). A make-up plan must be submitted to OARC by January 31st following the end of the CLE compliance period. C.R.C.P. 250.7(3). The make-up plan must include a specific plan to make up the deficiency. *Id.* A filing fee must accompany the make-up plan. The make-up plan is deemed accepted unless notified otherwise by OARC. *Id.* Under an approved make-up, all CLE credits must be earned no later than May 31st. *Id.*

A lawyer failing to meet these requirements will receive a statement of noncompliance. C.R.C.P. 250.7(4). Within 14 days of receiving the statement of noncompliance the lawyer must correct the noncompliance or request a hearing. *Id.*

If a lawyer requests a hearing, a hearing panel is assembled of at least two members of the CLJE Committee. C.R.C.P. 250.7(6)(e). OARC shall prosecute

the matter and bears the burden of proving noncompliance. *See* C.R.C.P. 250.7(6)(d). The hearing is conducted in accordance with the Colorado Rules of Civil Procedure and the Colorado Rules of Evidence. *See* C.R.C.P. 250.7(6)(c). A lawyer may be represented by counsel and present evidence and compel attendance of witnesses. *See* C.R.C.P. 250.7(6)(b) & (f).

After the hearing, the Hearing Panel shall enter a written order within 28 days in which it determines whether a lawyer is in compliance with the CLE requirements. C.R.C.P. 250.7(7). If the Hearing Panel determines that a lawyer is not in compliance with the CLE requirements, the Supreme Court may take appropriate action, which may include an order administratively suspending the lawyer from the practice of law. C.R.C.P. 250.7(8)(a).

Argument of the Petitioner

The Petitioner had several elements to his argument that he should be found in compliance with the rules on continuing legal education.

The Petitioner argued that the rule change does not refer to a compliance period. When Ms. Mondragon noted during cross-examination that C.R.C.P. 250.2(1) states, "Every registered lawyer [. . .] must complete 45 credit hours of continuing legal education [of which two hours must be in the area of EDI] during each applicable CLE compliance period," the Petitioner argued that subparagraph (1) of the Rule (where this language appears) is not related to and is separate and distinct from subparagraph (1)'s subparagraph (a) (i) in which the EDI requirement appears. Therefore, because the subparagraph with the EDI requirement does not specifically say that it must be

completed during the compliance period, the Rule is vague and attorneys should not be expected to determine when those EDI credits must be earned.

The Petitioner argued that he had no way of knowing that the effective date was July 1, 2021 because the only mention of that date came at the end of the notice of the rule change but which included several other, unrelated rule changes. The rule requiring EDI credits says the "effective date" was January 1, 2023 which, the Petitioner argued, meant that the Rule applied to attorneys whose compliance period began on January 1, 2023. The Petitioner also argued that the various ways in which the OARC advised attorneys of the new EDI requirement also did not specify the "compliance period." Ms. Mondragon or Ms. Yates pointed out that OARC's newsletter that went out in May 2021 stated in the first paragraph about the Rule, "Starting with attorneys with the three-year CLE compliance period that began January 1, 2021 [. . .]." The Petitioner's compliance period began on January 1, 2022.

These arguments belie the rules of statutory interpretation of which the Petitioner is presumed to be well aware. *See, e.g.*, *State ex rel. Coffman v. Robert J. Hopp & Associates, LLC*, 4420 P.3d 986, 998 (Colo. App. 2018)(An administrative regulation or rule is construed using the rules of statutory interpretation. The provisions are read together, interpreting the regulation as a whole. We must first look at the regulation's plain language and, if it is unambiguous, we need not apply any other canons of construction). Furthermore, despite the mischaracterizations and abject misrepresentations of the language in the Rule by the Petitioner, he nevertheless persisted in making these

arguments. For example, it was repeatedly pointed out to the Petitioner that C.R.C.P. 250.1(1)(a) says, "Beginning January 1, 2023 [. . .]" but the Petitioner continued to argue that it said the effective date of January 1, 2023.

The Petitioner argued that he was not on notice of the language of the rule change because that language was never included in any of the email communications from OARC about the change. Ms. Mondragon conceded that the language was not included in the body of any of the communications, but several if not all included links to both the actual language of the Rule and to summaries of the change. *See, e.g.*, *OARC* 5 and *OARC* 6, respectively. The Petitioner further argued that, because the language of the rule change was not included in the body of any of the communications about it from the OARC, he is not required to know the content of the rule change, but this ignores the Rules of Professional Conduct of which the Petitioner is subject. *See Comment* [8] to R.P.C. 1.1 ("To maintain the requisite knowledge and skill, a lawyer should keep abreast of changes in the law and its practice, and changes in communications and other relevant technologies, engage in continuing study and education, and comply with all continuing legal education requirements to which the lawyer is subject.").

The Petitioner argued that he should be found in compliance because he completed all his CLE requirements in the way required at the time he completed the credits. The Petitioner completed 45 general CLE including 7.6 professional responsibility over a few days in January 2022. This was before the January 1, 2023 "beginning" date; however, it was not before the

effective date of the requirement. Therefore, because the Petitioner's compliance period began in 2022, not ended, he was required to comply with the EDI requirement.

Finally, the Petitioner argued that the EDI requirement fails in its stated purpose because it is unconstitutional. He claimed that none of the programs that qualify for EDI credit makes lawyers any more competent and that the requirement assumed that every lawyer who is not a "minority" is biased against minorities. The Petitioner argued that this assumption is an unconstitutional one and thus the study of the unconstitutional and biased content does not serve the stated purpose of the requirement. The Petitioner's argument, however, assumes that all the 1200 plus courses offered that satisfied the requirement contained content directed at the evils of the "straight white male" (Petitioner's words), but there were several courses that discussed the very philosophical position shared by the Petitioner. *See OARC 10a* through *OARC 12b*. For example, one of the programs that would have fulfilled the Petitioner's EDI requirement was called "Is DEI Legal After the Harvard Case?" - based on *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College and University of North Carolina, et al*, 600 U.S. 181 (2023) , the very United States Supreme Court case upon which the Petitioner has based his constitutionality argument. *See OARC 11b*.

Nonetheless, no one argued nor does the Hearing Panel believe it has jurisdiction to determine the constitutionality of the EDI requirement. That is a matter left to the sound discretion of the Supreme

Court should the Petitioner decide to appeal the Hearing Panel's decision.

Finding of Noncompliance

The Hearing Panel considered all the arguments, evidence, and testimony submitted by both sides. The Hearing Panel ultimately determined that there were only two questions before it. First, was the Petitioner required to comply with the EDI requirement found in C.R.C.P. 250.2(1)(a)(i) as adopted and amended on April 15, 2021? The Hearing Panel determined that he was. Second, did the Petitioner comply with the requirement? The Hearing Panel determined that he did not.

Therefore, pursuant to C.R.C.P. 250.7(7) the Hearing Panel determines that Mr. Trinen is not in compliance with his CLE requirements for the compliance period that ended on December 31, 2024. The Hearing Panel recommends that the Supreme Court determine if it should suspend Mr. Trinen's license to practice law until he comes into full compliance with the CLE requirements.

SO ORDERED AND DATED this July 14, 2025.

ON BEHALF OF THE CONTINUING LEGAL EDUCATION JUDICIAL EDUCATION COMMITTEE:

/s/ Amanda C. Hopkins
Presiding Hearing Officer

COLO. R. CIV. P. 250.7

C.R.C.P. 250.7

This document reflects all rule changes adopted and effective as of July 31, 2025

Rule 250.7. Compliance.

(1)Reporting Requirement. Each registered lawyer, LLP and judge must report compliance with these rules. CLE credit hours must be reported by the online affidavit on the CLJE Office's website or other form approved by the CLJE Committee within a reasonable amount of time after the credit hours are earned. A registered lawyer, LLP or judge who is exempt from compliance under C.R.C.P. 250.2(9)(b) may nevertheless report CLE credit hours on a voluntary basis.

(2)Verification Requirement. It is the responsibility of each registered lawyer, LLP and judge to verify CLE credit hours completed during a compliance period, and to confirm that their CLE transcript is accurate and complete by no later than the 31st of January following that compliance period. Failure to comply with these requirements in a timely manner as set forth in these rules may subject the registered lawyer, LLP or judge to a fee, a penalty, and/or administrative suspension.

(3)Make-up Plan. If a registered lawyer, LLP or judge fails to complete the required CLE credit hours by the end of the CLE compliance period, the registered lawyer, LLP or judge must do the following: (1) by the 31st of January following the end of the CLE compliance period, file a specific plan to make up the deficiency; and (2) complete the planned CLE credit

hours no later than the 31st of May following the end of the CLE compliance period. The plan must be accompanied by a filing fee determined by the CLJE Committee. Such plan will be deemed accepted by the CLJE Office unless within 28 days after the receipt of the make-up plan the CLJE Office notifies the registered lawyer, LLP or judge to the contrary. Completion of the make-up plan must be reported by affidavit to the CLJE Office no later than the 14th of June following the end of the CLE compliance period. Failure of the registered lawyer, LLP or judge to complete the plan by the 31st of May or to file an affidavit demonstrating compliance constitutes grounds for imposing administrative remedies set forth in paragraph (8) of this rule

(4) Statement of Noncompliance. If any registered lawyer, LLP or judge fails to comply with these rules, C.R.C.P. 203.1(8) or C.R.C.P. 207.8(10), the CLJE Office will promptly provide a statement of noncompliance to the registered lawyer, LLP or judge. The statement will advise the registered lawyer, LLP or judge that within 14 days of the date of the statement, either the noncompliance must be corrected, or the registered lawyer, LLP or judge must request a hearing before the CLJE Committee. Upon failure to do either, the CLJE Office will file the statement of noncompliance with the Court, which may impose the administrative remedies set forth in paragraph (8) of this rule.

(5)Failure to Correct Noncompliance. If the noncompliance is not corrected within 14 days, or if a hearing is not requested within 14 days, the CLJE Office will promptly forward the statement of noncompliance to the Court, which may impose the sanctions set forth in paragraph (8) of this rule.

(6) Hearing Before the CLJE Committee. If a hearing before the CLJE Committee is requested, the following apply:

(a) Notice of the time and place of the hearing will be given to the registered lawyer, LLP or judge by the CLJE Office at least 14 days prior thereto;

(b) The registered lawyer, LLP or judge may be represented by counsel;

(c) The hearing will be conducted in conformity with the Colorado Rules of Civil Procedure and the Colorado Rules of Evidence;

(d) The Office of Attorney Regulation Counsel will prosecute the matter and bear the burden of proof by a preponderance of the evidence;

(e) The chair will preside at the hearing, or will appoint another lawyer member of the CLJE Committee to act as presiding officer, and will appoint at least two other CLJE Committee members to the hearing panel;

(f) Upon the request of any party to the hearing, the chair or vice chair may issue subpoenas for the use of a party to compel attendance of witnesses and production of pertinent books, papers, documents, or other evidence, and any such subpoenas will be subject to the provisions of C.R.C.P. 45;

(g) The presiding officer will rule on all motions, objections, and other matters presented in connection with the hearing; and,

(h) The hearing will be recorded and a transcript may be provided to the registered lawyer, LLP or judge upon request and payment of the cost of the transcript.

(7) Determination by the CLJE Committee. Within 28 days after the conclusion of the hearing, the Panel will issue a written decision on behalf of the CLJE Committee setting forth findings of fact and the determination as to whether the registered lawyer, LLP or judge has complied with the requirements of these rules. A copy of such findings and determination will be sent to the registered lawyer, LLP or judge involved.

(a) If the Panel determines that the registered lawyer, LLP or judge complied, the registered lawyer's, LLP's or judge's record will reflect compliance and any previously assessed fees may be rescinded.

(b) If the Panel determines the registered lawyer, LLP or judge was not in compliance, the written decision issued by the Panel will be promptly filed with the Court.

(8) Supreme Court Review.

(a) When the Court receives either a statement of noncompliance or the written decision of a CLJE Committee hearing, the Court will enter such order as it deems appropriate, which may include an order of administrative suspension from the practice of law in the case of registered lawyers and LLPs or referral of the matter to the Colorado Commission on Judicial Discipline or the Denver

County Court Judicial Discipline Commission in the case of judges.

(b) Orders suspending a lawyer or LLP for failure to comply with rules governing continuing legal education take effect on entry of the order, unless otherwise ordered.

(c) A lawyer or LLP who has been suspended under the rules governing continuing legal education need not comply with the requirements of C.R.C.P. 242.32(c) or C.R.C.P. 242.32(d) if the lawyer or LLP has sought reinstatement under the rules governing continuing legal education and reasonably believes that reinstatement will occur 14 days of the date of the order of suspension. If the lawyer or LLP is not reinstated within those 14 days, then the lawyer or LLP must comply with the requirements of C.R.C.P. 242.32(c) and C.R.C.P. 242.32(d).

(9) Notice. All notices given pursuant to these rules may be sent to any address provided by the registered lawyer, LLP or judge pursuant to C.R.C.P. 227 and C.R.C.P. 207.14.

(10) Reinstatement. Any lawyer or LLP who has been suspended for noncompliance pursuant to C.R.C.P. 250.7(8) may be reinstated by order of the Court upon a showing that the lawyer's or LLP's CLE deficiency has been corrected. The lawyer must file with the CLJE Office a petition seeking reinstatement by the Court. The petition must state with particularity the CLE activities that the lawyer has completed, including dates of completion, which correct the deficiency that caused the lawyer's suspension. The

petition must be accompanied by a reinstatement filing fee as determined by the CLJE Committee. The CLJE Office will file a properly completed petition with its recommendation with the Clerk of the Court within 14 days after receipt.

(11) Jurisdiction. All suspended and inactive lawyers and LLPs remain subject to the jurisdiction of the Court as set forth in C.R.C.P. 242.1(a) and C.R.C.P. 243.1.

RESPONDENT TRINEN'S
HEARING BRIEF FILED WITH
THE COLORADO SUPREME COURT
CONTINUING LEGAL AND JUDICIAL
EDUCATION COMMITTEE ON
MAY 19, 2025

IN RE:
NOTICE OF NONCOMPLIANCE INVOLVING
DONALD T. TRINEN, REGISTRATION NO. 9218.

RESPONDENT'S HEARING BRIEF

RESPONDENT Donald T. Trinen ("Trinen"), pro se, provides this hearing brief with respect to the continuing legal education ("CLE") dereliction claim against him before the Continuing Legal and Judicial Education Committee ("the Committee") of the Colorado Supreme Court ("the Court"):

A. Trinen Completed his CLE Obligation for the Relevant Compliance Period Prior to the Effective Date of the DEI Rule

1. Trinen was born on June 9, 1953. Thus Trinen turned 65 in 2018. Pursuant to C.R.C.P. 250.2(7)(b)[1] lawyers who turned 65 in 2018 were assigned a three-

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[1] Various C.R.C.P. 250 subparts were amended in 2023. Trinen is unable to readily determine with certainty if any of those amendments (including deletions) would alter the outcome here as of January 11, 2022 — the date Trinen asserts to be determinative. He has therefore attached hereto as Attachment "A" the version of C.R.C.P. 250 existing as of January 11, 2022, and all references to C.R.C.P. 250 herein will be to this version.

year CLE compliance period ending December 31, 2021. This means that Trinen's subsequent three-year compliance period (and the one at issue in this proceeding) began January 1, 2022 and ended December 31, 2024.[2] Trinen will refer to this 2022-2024 compliance period as "the Relevant Compliance Period".

2. As is reflected in the attached (and admission-stipulated) Trinen's Exhibit "1", Trinen completed his entire 45-hour CLE requirement for the Relevant Compliance Period on January 11, 2022 — including the seven professional responsibility hours required at that time.

3. On April 15, 2021 the Court adopted C.R.C.P. 250.2(1)(a):

> "Beginning January 1, 2023, the seven credit hours devoted to professional responsibility must include the following:
>
> i. At least two credit hours in the area of equity, diversity, and inclusivity . . . " ("DEI" and "the DEI Rule") (emphasis added).

3. That the DEI Rule did not by its terms take effect until January 1, 2023 is dispositive here, because by then Trinen had already completed his full 45-hour CLE obligation for the Relevant Compliance Period. In other words, at the time Trinen completed his CLE obligation for the Relevant Compliance Period there was no DEI Rule.

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[2] C.R.C.P. 250.2(2) — "Subsequent CLE compliance periods begin on the 1st of January immediately following a previous compliance period and end on the 31st of December of the third full calendar year thereafter".

4. If the Court had wanted to make the DEI Rule effective beginning with a particular compliance period it could have done so by rule. But it didn't. If the Committee had wanted to make the DEI Rule effective beginning with a particular compliance period it could have done so by regulation. But it didn't. Here, the Office of Attorney Regulation Counsel seeks to make the DEI Rule effective beginning with a particular compliance period beginning two years before the effective date of the DEI Rule. But it can't. It has no regulation-making, much less rule-making, authority — and Attorney Regulation Counsel's pronouncements on this issue have no legal force whatsoever.

5. Lawyers who entered 2023 with unmet professional responsibility CLE obligations are probably subject to the DEI Rule (assuming its validity). But that's not Trinen.

6. Trinen fully complied with his CLE obligation for the Relevant Compliance Period. The Committee should prepare and issue findings that say so, and enter an order of dismissal.

B. The DEI Rule Fails to Promote Lawyer Competence, and is Therefore Void

1. In early 2021 the Court was seduced by a hijacked state bar association into enacting the DEI Rule in the wake of the hysteria generated by the radical Left following the death of George Floyd.

2. In 2023 the blatant racism promoted by DEI (which is insulting to both blacks and whites)[3] was

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[3] At the heart of DEI's overarching racial component are the notions that all whites are racists, that all blacks are victims of white racism, and that racial discrimination is good as long as it

held unconstitutional as to college admissions and, by extension, employment.[4] And in 2025 DEI was banished entirely from the federal government.[5]

3. DEI's vilification of white men (more specifically heterosexual white men) is well known.[6] They are "the oppressors" As things stand now Colorado lawyers, if they want to keep being Colorado lawyers,

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operates in favor of blacks and against whites. Indeed, racial preferences, racial set asides, and racial quotas are DEI's ("didn't earn it") stock in trade. Under DEI the solution to racism is more racism. Common slogans, catch-phrases, and concepts associated with DEI include: "white privilege". "white fragility", "white supremacy", "white exceptionalism", that meritocracy is inherently racist, that the English language is racist because it is the "oppressor's" language, that capitalism is racist and oppressive, that theft committed by blacks can be excused as amounting to "reparations", that equity" means equality of outcome rather than equality of opportunity, and that racism is everywhere and in everything (i.e. critical race theory).

[4] *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College*, 600 U.S. 181, 213 (2023) (["Respondents' race-influenced admissions systems] must . . . be invalidated under the Equal Protection Clause of the Fourteenth Amendment") (bracketed material added).

[5] In Executive Order 14151 (1/20/25), Fed. Reg. Doc. No. 2025-0-1953, "Ending Radical and Wasteful Government DEI Programs and Preferencing", DEI programs were found to be "illegal and immoral", and to demonstrate "immense public waste and shameful discrimination". The order further concluded that "Americans deserve a government committed to serving every person with equal dignity and respect . . . " (Attachment "B").

[6] *Marshall v. Bramer*, 828 F.2d 355, 358 (6th Cir. 1987) (Court approves the taking of judicial notice that "(t)he nature of the Ku Klux Klan and its historic commitment to violence against blacks in particular, is generally known throughout this country and is not subject to reasonable dispute").

are obliged to sit still for periodic force-feedings of propaganda hectoring "the oppressors" among them to confess and atone for their shameful inbred racism and insensitivity toward a veritable menagerie of victims.[7]

4. The DEI Rule has not resulted in Colorado's lawyers becoming more competent.[8] Rather it has served only to divide, cow, and embitter them. From what Trinen can glean from DEI's mishmash of tenets, the acronym "DEI" should more aptly stand for "division", "exclusion", and "inequity" DEI is wholly at odds with the color blindness and merit reward that are long-aspired-to American ideals, as recognized by the Supreme Court in *Students for Fair Admissions*, *supra*. That the purveyors of this vile ideology have succeeded in imposing fealty to it on Colorado's lawyers, who are among society's defenders of liberty and justice, is abominable.

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[7] These include not only black victims, but other racial minority victims, sexism/gender preference minority victims, economic minority victims, and various other "underrepresented", "marginalized", and "disadvantaged populations" victims.

[8] To be valid, CLE requirements must bear "a rational connection with the attorney's fitness or capacity to practice law." *Verner v. Colorado*, 716 F.2d 1352, 1353 (10th Cir. 1983), *cert. denied* 466 U.S. 960 (1984); and C.R.C.P. 250.6(1) ("CLE must be an educational activity which has as its primary objective the promotion of professional competence of . . . lawyers . . . ").

5. The DEI Rule was wrong in 2021, and it's wrong today. It should be invalidated or repealed[9] and this proceeding dismissed.[10]

/s/ Donald T. Trinen

May 19, 2025
Date

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[9] And while the Court's at it, it should scrap the provision of C.R.C.P. 250.3(2)(a) that "(d)iversity will be a consideration in making the (Committee) appointments". This provision is just as wrong as the DEI Rule, and for the same reasons.

[10] Trinen realizes that the Committee may determine that it lacks jurisdiction to invalidate the DEI Rule. The Court of course has such power, but C.R.C.P. 250.7(8) (dealing with Court action following adverse Committee CLE determinations) does not on its face contemplate an attorney's raising this or any other issue with the Court as a matter of right. Trinen has therefore sought to preserve his invalidity claim as best he can by raising it before the Committee. Of course if Trinen prevails before the Committee on his actual compliance claim the invalidity claim becomes moot. (C.R.C.P. 250.7(7)(a) (Committee determination of CLE compliance ends the proceeding)).

OFFICE OF ATTORNEY REGULATION COUNSEL
HEARING EXHIBIT NO. 3,
ADMITTED BY THE HEARING PANEL
ON JUNE 16, 2025

IN RE:
NOTICE OF NONCOMPLIANCE INVOLVING
DONALD T. TRINEN, REGISTRATION NO. 9218.

RULE CHANGE 2021(05)

Colorado Rules of Procedure Regarding Attorney Discipline and Disability Proceedings, Colorado Attorneys' Fund for Client Protection, and Mandatory Continuing Legal Education and Judicial Education

Rules 250.1, 250.2, 250.6, 250.9 and 250.10

Rule 250.1. Definitions

(1) – (13) [NO CHANGE]

(14) "CLJE Regulations" refer to the Continuing Legal and Judicial Education Committee's Regulations Governing Mandatory Continuing Legal and Judicial Education.

Rule 250.2. CLE Requirements

(1) CLE Credit Requirement. Every registered lawyer and every judge must complete 45 credit hours of continuing legal education during each applicable CLE compliance period as provided in these rules. The 45 credit hours must include at least seven credit hours devoted to ~~ethics~~ professional responsibility. ~~Failure to comply with these requirements in a timely~~

~~manner as set forth in these rules may subject the registered lawyer or judge to a fee, a penalty, and/or administrative suspension~~.

(a) Beginning January 1, 2023, the seven credit hours devoted to professional responsibility must include the following:

i. At least two credit hours in the area of equity, diversity, and inclusivity, and

ii. At least five credit hours in the areas of legal ethics or legal professionalism.

(b) Failure to comply with these requirements in a timely manner as set forth in these rules may subject the registered lawyer or judge to a fee, a penalty, and/or administrative suspension.

(2) – (8) [NO CHANGE]

Rule 250.6. Accreditation

(1) [NO CHANGE]

(2) Criteria. For an activity to be accredited, the following criteria must be met: (1) the subject matter must directly relate to legal subjects and the performance of judicial duties or the practice of law, including professionalism, leadership, equity, diversity, inclusivity, wellness, ethics, and law practice management, and (2) the activity must be directed to lawyers and judges. The CLJE Office will consider, in accrediting educational activities, the contribution the activity will make to the competent and professional practice of law or administration of justice.

(3) ~~Ethics. For an activity or portion within an activity to be accredited as "ethics" it must deal with the~~

~~Colorado Rules of Professional Conduct, the Colorado Code of Judicial Conduct, similar rules of other jurisdictions, the ABA Model Rules of Professional Conduct, the ABA Model Rules of Judicial Conduct, or legal authority related to any of the above specified rules~~. Professional Responsibility. For an activity or portion of an activity to be accredited as professional responsibility it must address legal ethics, legal professionalism, or equity, diversity, and inclusivity as these terms are defined in CLJE Regulation 103.1.

(4) – (7) [NO CHANGE]

Rule 250.9. Representation in Pro Bono Legal Matters

(1) Maximum Credits. A registered lawyer may earn a maximum of nine CLE credit hours during each three-year compliance period for providing uncompensated pro bono legal representation to indigent or near-indigent persons, or supervising a law student providing such representation. ~~Ethics~~ Professional responsibility credit may not be earned under this rule.

(2) – (5) [NO CHANGE]

Rule 250.10. Participation in the Colorado Attorney Mentoring Program (CAMP)

(1) One-Year CAMP Program. A registered lawyer or judge may earn a maximum of nine CLE credit hours, two hours of which will count toward the legal ethics portion of the professional responsibility requirement of C.R.C.P. 250.2 (1), for successful completion of the one-year CAMP program curriculum (pursuant to C.R.C.P. 255) as either a mentor or as a mentee.

(2) Six-Month CAMP Program. A registered lawyer or judge may earn a maximum of four CLE credit hours, one hour of which will count toward the legal ethics portion of the professional responsibility requirement of C.R.C.P. 250.2 (1), for successful completion of the six-month CAMP program curriculum (pursuant to C.R.C.P. 255) as either a mentor or a mentee.

(3) CLE Credit Participation Criteria. To receive CLE credit hours as a mentor or mentee:

(a) – (b) [NO CHANGE]

(c) Mentors may participate in a CAMP program, one mentor relationship at a time, as often as they wish, but may receive a maximum of nine total CLE credit hours, including a maximum of two legal ethics credit hours of the professional responsibility requirement of C.R.C.P. 250.2 (1), per compliance period.

(d) – (g) [NO CHANGE]

(4) [NO CHANGE]

Rule 250.1. Definitions

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of continuing legal education during each applicable CLE compliance period as provided in these rules. The 45 credit hours must include at least seven credit hours devoted to professional responsibility.

(a) Beginning January 1, 2023, the seven credit hours devoted to professional responsibility must include the following:

i. At least two credit hours in the area of equity, diversity, and inclusivity, and

ii. At least five credit hours in the areas of legal ethics or legal professionalism.

(b) Failure to comply with these requirements in a timely manner as set forth in these rules may subject the registered lawyer or judge to a fee, a penalty, and/or administrative suspension.

(2) – (8) [NO CHANGE]

Rule 250.6. Accreditation

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(a) – (b) [NO CHANGE]

(c) Mentors may participate in a CAMP program, one mentor relationship at a time, as often as they wish, but may receive a maximum of nine total CLE credit hours, including a maximum of two legal ethics credit hours of the professional responsibility requirement of C.R.C.P. 250.2 (1), per compliance period.

(d) – (g) [NO CHANGE]

(4) [NO CHANGE]

Amended and Adopted by the Court, En Banc, April 15, 2021, effective July 1, 2021.

By the Court:

/s/ Monica M. Márquez
Justice, Colorado Supreme Court

ATTORNEY RESPONDENT DONALD T. TRINEN'S MOTION TO SET ASIDE THE COLORADO SUPREME COURT CONTINUING LEGAL AND JUDICIAL EDUCATION COMMITTEE'S FINDING OF NONCOMPLIANCE WITH CLE REQUIREMENTS – DONALD TERRENCE TRINEN, REGISTRATION NO. 9218, FILED ON JULY 22, 2025 ("THE PETITION")

THE COLORADO SUPREME COURT, CASE NO. 2025LE94

IN RE: NOTICE OF NONCOMPLIANCE INVOLVING DONALD T. TRINEN.

ATTORNEY RESPONDENT DONALD T. TRINEN'S PETITION/MOTION TO SET ASIDE THE COLORADO SUPREME COURT CONTINUING LEGAL AND JUDICIAL EDUCATION COMMITTEE'S FINDING OF NONCOMPLIANCE WITH CLE REQUIREMENTS — DONALD TERRENCE TRINEN, REGISTRATION NO. 9218

ATTORNEY RESPONDENT[1] DONALD T. TRINEN ("Trinen"), pro se, submits this petition/motion

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[1] Trinen is referred to throughout the Determination as "Petitioner". However, this proceeding was instituted by the Colorado Supreme Court Office of Attorney Regulation Counsel and it had

to set aside the July 14, 2025 Colorado Supreme Court Continuing Legal and Judicial Education Committee's ("the Committee") "Finding of Noncompliance with CLE Requirements — Donald Terrence Trinen, Registration No. 9218" ("the Determination"). Presumably the Determination has already been forwarded to the Court as is required by C.R.C.P. 250.7(8)(a).

I. Introduction, Statement of Jurisdiction, and Summary of Arguments

The Determination concludes that Trinen is in dereliction of his 2022-2024 compliance period CLE obligation solely for failure to comply with the two-hour requirement of C.R.C.P. 250.2(1)(a) ("DEI" or "the DEI Rule"). C.R.C.P. 250.7(8)(a) provides that upon receipt of a finding of CLE noncompliance this Court "will enter such order as it deems appropriate".

Although no formal procedure is set forth for appeal of Committee CLE noncompliance determinations, Trinen asks the Court, in the exercise of its discretion and in the interests of justice, to provide a right of appeal, to adjudicate this petition/motion on the merits, and to set aside the Determination. It is unheard of for an interest as substantial as a law license held for 46 years to be subject to state deprivation with no right of appeal. The absence of a right of appeal may also violate Equal Protection, inasmuch as both disciplined and CLE-derelict lawyers are subject to suspension, yet only disciplined lawyers have a right of appeal. C.R.C.P. 242.33.

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the burden of proof. (C.R.C.P. 250.7(6)(d)). Thus Trinen was in fact the respondent before the Committee.

As grounds for reversal/setting aside the Determination Trinen asserts that the Determination is flat wrong as to Trinen's noncompliance,[2] in that as a matter of law Trinen fully completed his CLE obligation for the relevant compliance period in accordance with the requirements then existing, and prior to the beginning/effective date of the DEI Rule provided in the rule itself. Further, and in the event actual compliance is not found, Trinen asserts that the DEI Rule is void for failure to promote attorney competence because the over-arching reverse discrimination tenet of DEI has been declared unconstitutional by the U.S. Supreme Court. The Committee declined to address this claim for lack of subject matter jurisdiction (Determination pg. 11); and as such Trinen raises it, in the alternative, for adjudication here.

II. Arguments

A. As a Matter of Law Trinen Completed his CLE Obligation for the Relevant Compliance Period Prior to the Effective /Beginning Date of the DEI Rule

1. Trinen was born on June 9, 1953. Thus Trinen turned 65 in 2018. Pursuant to C.R.C.P. 250.2(7)(b) lawyers who turned 65 in 2018 were assigned a three-year CLE compliance period ending December 31,

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[2] Lest the Court conclude that a "committee" association with the Determination connotes a large consensus, it should be understood, first, that by operation of C.R.C.P. Rule 250.7(7) the Hearing Panel's determination constitutes the Committee's determination; and second, that by operation of human nature the Hearing Panel presiding officer district judge's determination constitutes the Hearing Panel's determination. In reality, the Determination is the product of a committee of one.

2021. This means that Trinen's subsequent three-year compliance period (and the one at issue in this proceeding) began January 1, 2022 and ended December 31, 2024.[3] All of this is undisputed. Trinen will refer to this 2022-2024 compliance period as "the Relevant Compliance Period".

2. As is reflected in the admission-stipulated Office of Attorney Regulation Counsel ("OARC") Exhibit "2", Trinen completed his entire 45-hour CLE requirement for the Relevant Compliance Period on January 11, 2022 — including the seven professional responsibility hours required at that time. (Determination pg. 10 — "The Petitioner completed 45 general CLE including 7.6 professional responsibility over a few days in January 2022").

3. On April 15, 2021 the Court adopted the DEI Rule:

> "Beginning January 1, 2023, the seven credit hours devoted to professional responsibility must include the following:
>
> i. At least two credit hours in the area of equity, diversity, and inclusivity . . ." (emphasis added).

4. That the DEI Rule did not by its terms take effect/begin until January 1, 2023 is dispositive because by then Trinen had already completed his full 45-hour CLE obligation for the Relevant Compliance Period. In other words, at the time Trinen completed his CLE

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[3] C.R.C.P. 250.2(2) — "Subsequent CLE compliance periods begin on the 1st of January immediately following a previous compliance period and end on the 31st of December of the third full calendar year thereafter".

obligation for the Relevant Compliance Period on January 11, 2022, as a practical matter there was no DEI Rule (or, in the alternative, the DEI Rule did not then impose any obligation on Trinen).

5. The Determination conclusion that Trinen had DEI Rule obligations as of July 1, 2021 (Determination pg. 10), is simply inexplicable. To so conclude, the Committee in effect changed the beginning/effective 2023 date provided in the Rule itself to July 1, 2021—the general effective date provided for changes to various rules made in 2021. (OARC Exh. 3). Moreover, the Committee's conclusion (Determination pg. 10) that "(Trinen's compliance) was before the (DEI Rule's) January 1, 2023 beginning date; however it was not before the effective date of the requirement," is gibberish. An obligation cannot logically be "effective" before the obligation has "begun". And when a general effectiveness enactment dealing with a number of rules conflicts with a specific beginning/effectiveness provision within a particular rule, the general must give way to the specific (generalia specialibus non derogant). This is elementary.

6. If the Court had wanted to make the DEI Rule effective beginning with a particular compliance period it could have done so by rule. But it didn't. If the Committee had wanted to make the DEI Rule effective beginning with a particular compliance period it could have done so by regulation. But it didn't. Here, OARC sought by fiat to make the DEI Rule effective beginning with a particular compliance period beginning two years before the effective beginning date of the DEI Rule (or, if you will, before the DEI Rule imposed any obligation on Trinen). But it can't. It had and has no regulation-making, much less rule-making,

authority — and Attorney Regulation Counsel's pronouncements or email announcements to the bar on this issue have no legal force whatsoever.

7. Lawyers who entered 2023 with unmet professional responsibility CLE obligations were subject to the DEI Rule (assuming its validity). But that's not Trinen.

8. The Committee found that Trinen made "abject misrepresentations" to the effect that the DEI Rule provided an "effective" rather than a "beginning" date of January 1, 2023. (Determination pg. 9). What is the difference between statutes that provide "Effective on date . . . " and "Beginning on date . . . "? If there is a difference it was not explained by the Committee — notwithstanding that it constitutes the sole support for the noncompliance result reached in the Determination. In Trinen's view it matters not a whit which of these words is used in the DEI Rule. Using either word it's clear that no DEI CLE hours were required before January 1, 2023 — period.

9. The Determination seeks to prejudice the reader against Trinen by painting him as a person who makes silly arguments (Determination pg. 9 — "Petitioner argued that he had no way of knowing that the effective date (of the DEI Rule) was July 1, 2021"; Determination pg. 10 — "Petitioner argued that he was not on notice of the language of the rule change because that language was never included in any of the email communications from OARC about the change"; and Determination pg. 10 — "Petitioner further argued that, because the language of the rule change was not included in the body of any of the communications about it from the OARC, he is not required to know the content of the rule change"). In

fact, Trinen did not contend any of these things. Rather, he sought to establish through Ms. Mondragon that the actual language of the DEI Rule was concealed from the Bar in order to avoid difficult questions from being asked about which compliance periods OARC contended were burdened by the DEI Rule. (Like "If the DEI Rule doesn't require hours before 2023, why can't I avoid such by completing my compliance period obligation in 2022?"). This interrogation purpose should have been obvious to the Committee at the hearing, and any "abject misrepresentations" present in this case (Determination pg. 9) were made by the Committee in the Determination and not by Trinen at the hearing.

10. If the DEI Rule means what it says Trinen wins. As a matter of law Trinen fully complied with his CLE obligation for the Relevant Compliance Period in accordance with the rules existing on the date of such compliance. And whether the DEI Rule was enacted "effective" in 2021 (or 1921) is legally insignificant in view of the fact that, under the DEI Rule itself, no obligations arose until January 1, 2023. The Committee's determination to the contrary was erroneous and should be set aside, and this proceeding dismissed.

B. If Trinen's Compliance Defense Fails, He Asserts that the DEI Rule Fails to Promote Lawyer Competence and is Therefore Void

1. In early 2021 the Court was seduced by a hijacked state bar association into enacting the DEI Rule in the wake of the hysteria generated by the radical Left following the death of George Floyd.

2. In 2023 the blatant racism promoted by DEI (which is insulting to both blacks and whites)[4] was held unconstitutional as to college admissions and, by extension, employment.[5] And in 2025 DEI was banished entirely from the federal government.[6]

3. DEI's vilification of white men (more specifically heterosexual white men) is well known.[7] They

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[4] At the heart of DEI's overarching racial component are the notions that all whites are racists, that all blacks are victims of white racism, and that racial discrimination is good as long as it operates in favor of blacks and against whites. Indeed, racial preferences, racial set asides, and racial quotas are DEI's ("didn't earn it") stock in trade. Under DEI the solution to racism is more racism. Common slogans, catch-phrases, and concepts associated with DEI include: "white privilege", "white fragility", "white supremacy", "white exceptionalism", that meritocracy is inherently racist, that the English language is racist because it is the "oppressor's" language, that capitalism is racist and oppressive, that theft committed by blacks can be excused as amounting to "reparations", that "equity" means equality of outcome rather than equality of opportunity, and that racism is everywhere and in everything (i.e. critical race theory).

[5] *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College*, 600 U.S. 181, 213 (2023) (["Respondents' race-influenced admissions systems] must . . . be invalidated under the Equal Protection Clause of the Fourteenth Amendment") (bracketed material added).

[6] In Executive Order 14151 (1/20/25), Fed. Reg. Doc. No. 2025-01953, "Ending Radical and Wasteful Government DEI Programs and Preferencing", DEI programs were found to be "illegal and immoral", and to demonstrate "immense public waste and shameful discrimination". The order further concluded that "Americans deserve a government committed to serving every person with equal dignity and respect . . . "

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are "the oppressors". As things stand now Colorado lawyers, if they want to keep being Colorado lawyers, are obliged to sit still for periodic force-feedings of propaganda hectoring "the oppressors" among them to confess and atone for their shameful inbred racism and insensitivity toward a veritable menagerie of victims.[8]

4. The DEI Rule has not resulted in Colorado's lawyers becoming more competent.[9] Rather it has served only to divide, cow, and embitter them. From what Trinen can glean from DEI's mishmash of tenets, the acronym "DEI" should more aptly stand for "division", "exclusion", and "inequity". DEI is wholly at odds with the color blindness and merit reward that are long-aspired-to American ideals, as recognized by the Supreme Court in Students for Fair Admissions, supra. That the purveyors of this vile ideology have succeeded in imposing fealty to it on Colorado's lawyers, who are among society's defenders of liberty and justice, is abominable.

Klux Klan and its historic commitment to violence against blacks in particular, is generally known throughout this country and is not subject to reasonable dispute").

[8] These include not only black victims, but other racial minority victims, sexism/gender preference minority victims, economic minority victims, and various other "underrepresented", "marginalized", and "disadvantaged populations" victims.

[9] To be valid, CLE requirements must bear "a rational connection with the attorney's fitness or capacity to practice law." *Verner v. Colorado*, 716 F.2d 1352, 1353 (10th Cir. 1983), *cert. denied* 466 U.S. 960 (1984); and C.R.C.P. 250.6(1) ("CLE must be an educational activity which has as its primary objective the promotion of professional competence of . . . lawyers . . . ").

5. A duty to study an ideology primarily advocating conduct found to be unconstitutional (here, reverse discrimination) does not, as a matter of law, promote attorney competence. Thus, insofar as its suitability for inclusion in CLE obligations goes, DEI cannot be touted as "good" for lawyers to embrace when it has been found by the U.S. Supreme Court to be "bad" for anyone to embrace. The DEI Rule was wrong in 2021, and it's wrong today. It should be invalidated or repealed[10], and this proceeding dismissed.

III. Conclusion

The Determination should be reversed or set aside and this proceeding dismissed.

Respectfully submitted this 16th day of July, 2025.

/s/ Donald T. Trinen
Respondent
pro se

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[10] And while the Court's at it, it should scrap the provision of C.R.C.P. 250.3(2)(a) that "(d)iversity will be a consideration in making the (Committee) appointments". This provision is just as wrong as the DEI Rule, and for the same reasons.