

POINT-BY-POINT RESPONSE TO THE OFFICE'S JUNE 30, 2026 DETERMINATION

*Request for Investigation of Bonnie E. Saltzman, [REDACTED]
Attachment 1 to the Request for Regulation Committee Review — submitted by [REDACTED], Complainant
Witness, July 8, 2026*

This response addresses, in order, each rationale stated in the Office's June 30, 2026 letter, and shows why the conduct described in my Request for Investigation constitutes a violation of the Colorado Rules of Professional Conduct that warrants investigation.

Non-abandonment. The Office's June 30, 2026 letter did not address every allegation in my Request for Investigation. This response is organized around the Office's stated reasons, but to the extent it does not separately discuss a particular count or rule, I do not abandon, narrow, or waive it. I preserve and re-assert every allegation and every rule violation set out in my Request for Investigation and in the accompanying Count-by-Count Analysis, and I request a written response addressing each of them.

1. "The available information does not establish by clear and convincing evidence a violation."

The letter states: *"The available information does not establish by clear and convincing evidence a violation."*

Clear and convincing evidence is the burden of proof at a disciplinary hearing — the standard the Presiding Disciplinary Judge applies after a hearing on the merits. C.R.C.P. 242.31(b)(3). It is not the screening standard. At intake the only question is whether an allegation, "if proved, would constitute grounds for discipline." C.R.C.P. 242.13(b)(1)(A). An intake attorney is not the Presiding Disciplinary Judge; applying the PDJ's hearing burden at intake evaluates the allegations under the evidentiary burden reserved for adjudication rather than the preliminary screening standard. Either way it is not a proper screening disposition.

In any event, the standard is met as to the November 14, 2024 motion. Ms. Saltzman told the court, in a signed filing, that the children's absences "were excused." The absences were unexcused; she had the attendance records; and her stated basis — that she, the CLR, had been notified — is not a form of excused absence the truancy statutes recognize. C.R.S. § 22-33-104. That is a knowing false statement of material fact to a tribunal. Colo. RPC 3.3(a)(1).

2. "You have alleged that Ms. Saltzman failed to adequately represent your children's best interests."

The letter states: *"You have alleged that Ms. Saltzman failed to adequately represent your children's best interests."*

That is not the substance of the complaint. The complaint alleges specific, documented violations: a knowing false statement to the court about truancy (Rule 3.3(a)(1)); misrepresentations about the cost of therapy contradicted by her own records (Rule 8.4(c)); a motion to suppress the records that documented her own performance (Rules 1.7 and 8.4(d)); and conduct toward a non-party, including a Secretary-of-State name reservation against the advocate's organization (Rules 4.4(a) and 8.4(d)). These are rule violations, not a general complaint about the quality of her advocacy.

3. The CLR "was required to advocate for your children's best interests — even if that meant advocating a position with which you or the children disagree," and concerns about her "recommendations" are "outside of this office's jurisdiction."

The letter states: *"Any concerns regarding the CLR's recommendations are legal issues that are outside of this office's jurisdiction."*

I have not asked the Office to review a best-interests recommendation. I have asked it to determine whether Ms. Saltzman made false statements, suppressed records, and engaged in conduct toward third persons in violation of the

Rules. A Child's Legal Representative is fully bound by the Rules of Professional Conduct. Chief Justice Directive 04-06, § V.B (a CLR "shall be subject to all of the rules and standards of the legal profession"); *In re Marriage of Redmond*, 131 P.3d 1167 (Colo. App. 2005); *People v. Gabriesheski*, 205 P.3d 441 (Colo. App. 2008). A "best interests" mandate is not a license to make false statements to a tribunal, and a protective motive is not a defense to deception. *In re Pautler*, 47 P.3d 1175 (Colo. 2002).

4. The misrepresentation test — "(1) the attorney made a false statement; (2) the attorney knew the statement was false at the time that it was made; and (3) the statement was material" — is not met.

The letter states: *"What you have reported to us about Ms. Saltzman's statements fails to meet these standards."*

Element (1), false statement: In the November 14, 2024 motion, Ms. Saltzman represented that the children's absences "were excused." They were not.

Element (2), knowledge: the truancy was communicated to Ms. Saltzman by three independent sources — the Complainant, the Child and Family Investigator (whose March 13, 2024 report she reviewed), and the mother herself — and she requested the children's attendance records directly on February 28, 2024. She knew of the eldest child's truancy by January–February 2024, when he was sixteen, and later shifted to the inconsistent claim that he was "over seventeen" and could elect not to attend. Her own records and her shifting positions establish knowledge. For Rule 8.4(c), knowledge is not even required — recklessness suffices. *People v. Layton*, 494 P.3d 693 (Colo. 2021).

Element (3), materiality: The children's truancy was central to the court's best-interests and records-access rulings. Materiality requires only potential to influence the decision-maker. *In re Fisher*, 202 P.3d 1186 (Colo. 2009). All three elements are satisfied.

5. "There is no evidence the court made findings that Ms. Saltzman made misrepresentations and the court was in the best position to consider Ms. Saltzman's representations."

The letter states: *"I note there is no evidence the court made findings that Ms. Saltzman made misrepresentations and the court was in the best position to consider Ms. Saltzman's representations."*

No rule conditions the Office's authority on a prior judicial finding. C.R.C.P. 242.9 defines grounds for discipline as "an act or omission that violates the Colorado Rules of Professional Conduct" — not an act a court has first adjudicated. Attorney discipline is an independent process. Requiring a predicate judicial finding would place most professional misconduct beyond the Office's reach. The Office invoked this same rationale on a prior complaint I brought concerning an associate of Mr. Heckenbach; declining to investigate on that basis is not a neutral application of the Rules — it abandons the Office's core function under C.R.C.P. 242 of enforcing them.

6. "We do not have authority to address legal concerns or to review or reverse any court order. We also do not have the authority to appoint or remove a CLR."

The letter states: *"We also do not have the authority to appoint or remove a CLR."*

This answers a question I never asked. Ms. Saltzman was already removed in December 2025, and I have not asked the Office to reverse any order or to remove anyone. The relief I seek — a determination that Ms. Saltzman violated the Rules and the imposition of discipline — is squarely within the Office's authority. C.R.C.P. 242.9 (grounds for discipline); C.R.C.P. 242.10 (forms of discipline). The recitation of powers the Office lacks does not address the violations actually alleged.

7. The reproach that I submitted a written packet by email.

The letter states: *“Although we requested that you refrain from making a written submission ... you nonetheless emailed a ninety-two-page submission ... The intake division of this office does not accept email submissions.”*

The online submission portal was inoperative; I was told the office had been physically closed to the public for over a year and was discouraged from mailing; and I received no outreach for roughly three weeks before emailing the head of the Office. No rule required a particular submission format under those conditions, and the Office states in the same letter that it in fact reviewed the submission and its attachments. This does not bear on the merits: even a fully and properly submitted complaint was judged under the wrong standard.

If the Office responds, these are the replies.

If the Office answers that its decision was a preliminary screen under C.R.C.P. 242.13(b): then it applied the hearing burden of proof (clear and convincing evidence) to a stage whose only question is whether an allegation, “if proved, would constitute grounds for discipline,” C.R.C.P. 242.13(b)(1)(A) — which is itself the error, and the truancy allegation clears that lower bar.

If the Office answers that the CLR’s best-interests role removes her statements from its jurisdiction: a CLR “shall be subject to all of the rules and standards of the legal profession,” CJD 04-06 § V.B, and Colorado courts have applied the Rules to child representatives, *In re Marriage of Redmond*, 131 P.3d 1167 (Colo. App. 2005); *People v. Gabriesheski*, 205 P.3d 441 (Colo. App. 2008). A best-interests mandate is not a privilege to make false statements to a tribunal, *In re Pautler*, 47 P.3d 1175 (Colo. 2002).

If the Office answers that no court found a misrepresentation: no rule requires a predicate judicial finding; grounds for discipline are defined by C.R.C.P. 242.9 as an act or omission that violates the Rules, and the Office determines that question independently.

Conclusion.

Each rationale in the June 30, 2026 letter either applies the wrong standard, mischaracterizes the complaint, or answers a question that was never asked. The conduct described in my Request for Investigation — beginning with a knowing false statement to the court about the children’s truancy — states violations of the Colorado Rules of Professional Conduct that, at a minimum, warrant a formal investigation.