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## FOR IMMEDIATE RELEASE

On August 26, 2021, an important higher education ruling was issued in Colorado with a virtually unprecedented twist. The Colorado Court of Appeals reversed the Colorado District Court opinion by Judge Ross Buchanan against CollegeAmerica, Center for Excellence in Higher Education, and its senior executives for alleged Consumer Protection Act violations.

In a [rare judicial rebuke](#), the appellate Court removed Judge Buchanan from any further involvement in the case due (in part) to his nearly three-year delay in issuing his decision after the trial ended in October of 2017. The Court stated: “[W]e conclude that the significant delay in issuing the court’s order is an *extreme* circumstance that requires a new judge to take over the case on remand to ‘*preserve the appearance of justice.*’” (Emphasis added.) In reaching this finding, the Court quoted an earlier Colorado Court of Appeals decision that held: “A judge’s ‘*inexcusable delay*’ of two years and three months in issuing a decision after a bench trial ‘was *detrimental to the interests of the litigants*’ and . . . ‘*cast disrepute upon the entire judicial system.*’”

The Court of Appeals rebuked Judge Buchanan for plagiarizing the Colorado AG’s self-serving proposed order—including the typos from the order. As the Court stated:

*“Much of the Court’s order was copied verbatim from the Attorney General’s proposed order, and one of the reasons we know this is because the same typographical errors that appear in the trial court’s order are also found in the Attorney General’s proposed order.”*

In contradiction to Judge Buchanan’s now reversed opinion, earlier in the litigation, Presiding Judge Michael Mullins, back in 2015, rejected all 21 injunctions that Assistant Attorney General Libby DeBlasio Webster demanded against CollegeAmerica. Judge Mullins ruled that “the State has not met its burden” of proof and, remarkably, observed in open court that Webster had a “tainted” view and was “biased” against CollegeAmerica. Webster then redoubled her efforts to destroy CollegeAmerica.

*Justice delayed is justice denied.* The Court of Appeals’s reversal came too late for CollegeAmerica. Webster’s assault, coupled with Buchanan’s unconscionable delay and unjust decision, ultimately destroyed the reputation, credibility, and operations of CollegeAmerica. This travesty of justice forced the closure of and destroyed some of the best private career colleges in the country, including all CollegeAmerica colleges in Colorado, Independence University, and Stevens-Henager College in Utah, which had been operating since 1891.

The human toll and fallout has been disastrous. It has disrupted the lives of more than seven thousand students and caused 1,500 employees to lose their jobs.

These colleges join the thousands of other career colleges and universities forced out of business through a long-running political effort to destroy the entire sector of private career colleges.

CollegeAmerica  
Center for Excellence in Higher Education