



COLORADO JUDICIAL DEPARTMENT

Chief Justice Michael L. Bender

Gerald Marroney
State Court Administrator

March 7, 2013

FY 2013 SUPPLEMENTAL / FY 2014 BUDGET AMENDMENT

Department: Judicial Branch **Tracking Number:** R1
Request Title: Additional FTE **Priority:** 1 of 1

Long Bill Group: Independent Ethics Commission
Program: Independent Ethics Commission

Statutory Authority: Colorado Constitution Article XXIX and C.R.S. §24-18.5-101 et seq
Summary:

Emergency Technical Error New Data Unforeseen Contingency

		Actual	Approp	YTD Exp	Supplemental	FY2013	FY2014	FY2014	FY2014
	Fund	FY12	FY13	2/28/13	Request FY13	Revised Need	Nov 1st Request	Budget Amendment	Revised Request
Total All Line Items	Total	149,117	155,438	100,063	1,230	156,668	162,187	112,237	274,424
	FTE	1.0	1.0	-	1.0	2.0	1.0	1.0	2.0
	GF	149,117	155,438	100,063	1,230	156,668	162,187	112,237	274,424
Independent Ethics Commission:	FTE	1.0	1.0		1.0	2.0	1.0	1.0	2.0
Personal Services	GF	127,427	129,827	82,557	-	129,827	133,238	98,452	231,690
Independent Ethics Commission:	FTE	-	-		-	-	-	-	-
Operating	GF	9,932	15,807	9,422	-	15,807	15,807	950	16,757
Independent Ethics Commission:	FTE	-	-		-	-	-	-	-
Capital Outlay	GF	-	-	-	1,230	1,230	-	-	-
Independent Ethics Commission:	FTE	-	-		-	-	-	-	-
HLD	GF	6,090	5,254	3,903	-	5,254	6,064	6,624	12,688
Independent Ethics Commission:	FTE	-	-		-	-	-	-	-
STD	GF	167	142	125	-	142	166	168	334
Independent Ethics Commission:	FTE	-	-		-	-	-	-	-
AED	GF	3,070	2,376	2,198	-	2,376	3,456	3,176	6,632
Independent Ethics Commission:	FTE	-	-		-	-	-	-	-
SAED	GF	2,431	2,032	1,858	-	2,032	3,456	2,867	6,323

Problem or Opportunity Definition:

The Colorado Independent Ethics Commission (“IEC”) has had an unexpected increase in its workload since October 2012. It has two pending complaints which involve a substantial amount of work as well as five pending advisory opinion requests. For the first time since 2009, the IEC has a backlog and is not able

to perform its constitutionally-mandated responsibilities in a timely manner. The IEC therefore seeks restoration of the additional FTE which was abolished in FY2011.

Background:

The Colorado Independent Ethics Commission was authorized for 2.0 FTE in FY2009. Because of the State economic situation and the hiring freeze, a second employee was not hired until December 2009. The second position was abolished in FY2011. The Commission struggled to remain current on its workload since that time, but up until now has chosen not to ask for reinstatement of the FTE. The Commission now finds itself unable to perform all of the required duties with a sole employee, and asks for a restoration of the FTE as well as additional funding for FY2014.

Request Detail:

The IEC seeks to hire an Assistant Director who can investigate complaints and assist with training and advisory opinions. The Commission is also considering a revision of its Procedural Rules to allow this individual to also present cases to the Commission. The IEC has determined that they need a licensed attorney with a minimum of five years of experience, at least three of these years in a government prosecutorial or enforcement position. A review of comparable positions in the Department of Law and the Judicial Branch provides a range of \$73,516 to \$90,961, with anticipated hiring at 20% of the salary range.

	Assistant Director
FTE	1.00
Mo Salary	\$7,352
Annual Salary	88,219
PERA (10.15%)	8,954
Medicare (1.45%)	1,279
Health/Life/Dental	6,624
Short-Term Disability	168
AED/SAED (5.95%)	6,043
TOTAL PS	111,287

The IEC has sufficient funds in its personal services line to pay someone for the remainder of FY2013, but seeks authority for an additional FTE. The IEC also requests additional funds to pay that individual for FY2014 and ongoing.

Identification of Available Alternatives:

The IEC could utilize independent contractors for these services, but because of the unique nature of the IEC’s work, there would be a steep learning curve, and repeatedly hiring individuals may cost the Commission more in the long run. Moreover, the IEC believes that going forward there is sufficient work for two FTE.