

STATE PERSONNEL BOARD, STATE OF COLORADO
Case No. 2016B075

ORDER OF THE STATE PERSONNEL BOARD

LAURA SARURINI
Complainant,

vs.

DEPARTMENT OF CORRECTIONS, OFFICE OF CLINICAL & CORRECTIONAL SERVICES,
DIVISION OF CLINICAL SERVICES,

Respondent.

This matter is before the Colorado State Personnel Board ("Board") at its regularly scheduled meeting held on February 20, 2018. During this public session, the Board considered the record on appeal, including but not limited to:

1. Initial Decision of the Administrative Law Judge;
2. Complainant's Opening Brief, including Complainant's Pre-statement/issues and Remedies Sought;
3. Respondent's Answer Brief;
4. Complainant's Reply Brief

As a preliminary matter, the Board considered Complainant's Pre-statement issues and Remedies Sought, filed with Complainant's Opening Brief, in which Complainant asserted that the Administrative Law Judge should have specifically disclosed the Judge's prior experience as an Administrative Hearing Officer for the Colorado Department of Corrections from 2007 to 2014, as a conflict of interest. Complainant's remedies included a request for a new hearing. Complainant also requested removal of the Initial Decision of the Administrative Law Judge from the Board's official web site.

Based upon the Board's review and consideration,

The Board FINDS that Complainant did not file a timely motion for a new trial pursuant to C.R.C.P. 59 or a timely motion for disqualification, with the affidavit of personal bias required by Section 24-4-105(3), C.R.S., with the Administrative Law Judge. The Board FURTHER FINDS that Complainant has not alleged well-supported grounds that would have disqualified the Administrative Law Judge from hearing the case. To the extent Complainant has made an untimely motion for a new trial or disqualification of the Administrative Law Judge, the Board hereby DENIES Complainant's motion. Complainant's request to remove the Initial Decision of the Administrative Law Judge from the Board's website is DENIED.

IT IS HEREBY ORDERED that the findings of fact and conclusions of law in the Initial Decision of the Administrative Law Judge and the Initial Decision of the Administrative Law Judge are **ADOPTED** and made an Order of the Board.

Dated this 23rd day
Of February, 2018.



Neil Peck, Board Chair
State Personnel Board
1525 Sherman Street, 4th Floor
Denver, CO 80203

NOTICE OF APPEAL

1. To abide by the decision of the State Personnel Board; or
2. To appeal this decision to the Colorado Court of Appeals within 49 days pursuant to Section 24-50-125.4(3), C.R.S., in the method described at Section 24-4-106(11), C.R.S., and in accordance with applicable Colorado Appellate Rules.

In the event this decision is appealed, the party filing the appeal with the Court of Appeals must name in the appeal and serve such appeal upon the State Personnel Board and all other parties who have appeared as parties to this action. See Section 24-4-106(11)(d), C.R.S. The State Personnel Board can be served at: 1525 Sherman Street, 4th Floor, Denver, Colorado 80203.

CERTIFICATE OF MAILING

This is to certify that on the 26th day of Feb., 2018, I electronically served a true copy of the foregoing ORDER OF THE STATE PERSONNEL BOARD as follows:

Laura Saurini
Lsaurini@comcast.net

Eric Freund
Senior Assistant Attorney General
Civil Litigation & Employment Law Section
1300 Broadway, 10th Floor
Denver, CO 80203
Eric.Freund@coa.gov

A handwritten signature in blue ink, appearing to read "Eric Freund", is written over a horizontal line.