



COLORADO

Executive Director's Office

Department of Personnel
& Administration

1525 Sherman St.
Denver, CO 80203

PROPOSED STATEMENT OF BASIS AND PURPOSE

The Office of Administrative Court's General Services Procedural Rules ("Rules") are found at 1 CCR 104-1. A rulemaking hearing of the Executive Director was held on July 2, 2014, at 1525 Sherman Street, Room A, Third Floor, Denver, Colorado 80203. The rulemaking hearing was held by a Hearing Officer in order to conform the Office of Administrative Court's general services procedural rules with the Colorado Rules of Civil Procedure. The Executive Director is exercising her rulemaking authority as granted under §24-4-101 *et seq.*, C.R.S. and §24-30-2113, and Rule Change 2011 (18) of The Colorado Supreme Court.

The Notice of Rulemaking was issued May 29, 2014, for publication by the Secretary of State on June 10, 2014. The proposed rules and the proposed statement of basis and purpose have been available for review at the Executive Director's office and on the Executive Director's website since May 29, 2014. The proposed rules and the proposed statement of basis and purpose also have been available for review at the Office of Administrative Courts website since May 29, 2014. The Hearing Officer took testimony at the public rulemaking hearing on July 2, 2014. The Hearing Officer completed deliberations on the proposed rules on July 3, 2014. The rules were accepted through formal public hearing and approved by the Attorney General.

The general purpose of the Executive Director in conducting the rulemaking was to provide, with regards to the Office of Administrative Courts General Services Procedural Rules, for the following:

- (a) Implementation of the provisions of Rule Change 2011(18) of the Colorado Supreme Court to make consistent with the Colorado Rules of Civil Procedure the procedural timelines for filing and other activities before the Office of Administrative Courts for General Services matters found in 1 CCR 104-1.

The Executive Director adopted on a permanent basis, new rules contained within 1 CCR-104-1.

The Hearing Officer finds, as required by §24-4-103(4)(b), C.R.S. that the record of the rulemaking proceeding demonstrates the need for the rules; the proper constitutional and statutory authority exists for the rules; to the extent practicable, the rules are clearly and simply stated so that their meaning will be understood by any required to comply with the rules; the rules do not conflict with other provisions of the law; and any duplication or overlapping of the rules, if any, has been explained.

The specific authority of the Executive Director to promulgate these rules is found at §24-4-101 *et seq.*, C.R.S., §24-30-2113, C.R.S. and Rule Change 2011 (18) of the Colorado Supreme Court.

The permanent rules adopted shall become effective August 30, 2014.

Dated this 29th day of May, 2014



Kathy Nesbitt
Executive Director
Department of Personnel & Administration

