

**ORDINANCE/RESOLUTION REQUEST**

Please email requests to the Mayor's Legislative Team  
at [MileHighOrdinance@DenverGov.org](mailto:MileHighOrdinance@DenverGov.org) by **3:00pm on Monday**.

***\*All fields must be completed.\****

*Incomplete request forms will be returned to sender which may cause a delay in processing.*

Date of Request: **August 11, 2014**

Please mark one:  **Bill Request** or  **Resolution Request**

**1. Has your agency submitted this request in the last 12 months?**

**Yes**  **No**

**If yes, please explain:**

**2. Title: Approve classification notice #1413**

**3. Requesting Agency:** Office of Human Resources

**4. Contact Person:** *(with actual knowledge of proposed ordinance)*

- **Name:** Seth Duhon-Thornton
- **Phone:** 720-913-5664
- **Email:** seth.duhon-thornton@denvergov.org

**5. Contact Person:** *(with actual knowledge of proposed ordinance who will present the item at Mayor-Council and who will be available for first and second reading, if necessary)*

- **Name:** Meredith Creme
- **Phone:** 720-913-5722
- **Email:** meredith.creme@denvergov.org

**6. General description of proposed ordinance including contract scope of work if applicable:**

The proposed change amends the Classification and Pay Plan by adding the classifications of Deputy Public Defender I 807-L (\$45,057-\$72,091), Deputy Public Defender II 809-L (\$51,489-\$82,382) and Chief Municipal Public Defender 816-L (\$82,142-\$131,427).

**7. Is there any controversy surrounding this ordinance? (groups or individuals who may have concerns about it?)  
Please explain.**

None known

**8. Budget Impact:**

The budget impact will consist of individual employee salaries once hired in the newly created Municipal Public Defender's Office.

**POSTING IS REQUIRED**

**Classification Notice No. 1413**

To: Agency Heads and Employees  
From: Natalie Landau, Deputy Director  
Date: July 24, 2014  
Subject: Proposed Change to the Classification and Pay Plan

**The proposed change amends the Classification and Pay Plan by adding the classifications of Deputy Public Defender I 807-L (\$45,057-\$72,091), Deputy Public Defender II 809-L (\$51,489-\$82,382) and Chief Municipal Public Defender 816-L (\$82,142-\$131,427).**

The Office of Human Resources (OHR) received a request from County Court to create three new attorney positions for their newly created Municipal Public Defender's Office. The Municipal Public Defender's Office will provide legal services to indigent defendants of Denver County who are facing the possibility of jail for municipal violations. Currently these services are contracted out through three different law firms. The goal of the County Court in creating this office is to: increase consistency with services provided, have better cost control, provide oversight of the Office and improve legal representation.

**NEW CLASS**

<u>Classification Title</u>	<u>Proposed Pay Grade &amp; Range:</u>
Deputy Public Defender I	807-L (\$45,057-\$72,091)
Deputy Public Defender II	809-L (\$51,489-\$82,382)
Chief Municipal Public Defender	816-L (\$82,142-\$131,427)

Per Career Service Rule 7-37 A – “If it is determined, as a result of an audit or maintenance study, that changes to the classification and pay plan are necessary, the effective date of any resulting changes to the classification and pay plan shall be the beginning of the first work week following approval by the Mayor or by the City Council over the Mayor's veto.”

The Career Service Executive Personnel Director shall provide those appointing authorities who are affected with a draft of proposed changes in the plan, and notice shall be posted on appropriate bulletin boards at least thirteen calendar days from the date of this notice.

**Public Notice of Changes:**

The scheduled time for the public hearing is **Thursday August 7, 2014 5:00 p.m.** in the OHR Board Room, Room 4.G.2, Webb Municipal Building, 201 West Colfax Avenue.

**Note:** Please submit any questions or comments on this proposal in writing to Meredith Crème [meredith.creme@denvergov.org](mailto:meredith.creme@denvergov.org) Office of Human Resources, in care of Seth Duhon-Thornton [seth.duhon-thornton@denvergov.org](mailto:seth.duhon-thornton@denvergov.org) by 8:00 a.m. on **Wednesday, August 6, 2014**. Please include a contact name and phone number so that we may respond directly.

If anyone wishes to be heard by the Board on this item, please call Frances Trujillo [frances.trujillo@denvergov.org](mailto:frances.trujillo@denvergov.org) at (720) 913-5168 no later than noon on **Tuesday August 5, 2014**.

NEW CLASS

<u>Job Code</u>	<u>Classification Title</u>	<u>Proposed Pay Grade &amp; Range:</u>
CL2882	Deputy Public Defender I	807-L (\$45,057-\$72,091)
CL2883	Deputy Public Defender II	809-L (\$51,489-\$82,382)
CL2884	Chief Municipal Public Defender	816-L (\$82,142-\$131,427)

<u>Supervisory Level:</u>	<u>EEO Code:</u>	<u>Medical Group:</u>	<u>FLSA:</u>
3- None/Incidental	2 – Professionals	S- Sedentary	Exempt
3- None/Incidental	2 – Professionals	S- Sedentary	Exempt
5- Director	1 – Officials & Administrators	S- Sedentary	Exempt

Synopsis:

The Office of Human Resources (OHR) received a request from County Court to create three new attorney positions for their newly created Municipal Public Defender’s Office. The Municipal Public Defender’s Office will provide legal services to indigent defendants of Denver County who are facing the possibility of jail for municipal violations. Currently these services are contracted out through three different law firms. The goal of the County Court in creating this office is to: increase consistency with services provided, have better cost control, provide oversight of the Office and improve legal representation.

Below is a summary of the work performed by each classification:

- **Deputy Public Defender I:** This classification provides entry level legal representation to indigent defendants charged with municipal violations. The type of cases handled at this level will be routine and of low complexity. Additionally, it will assist with more complex cases and learn the skills necessary to represent higher level cases.
- **Deputy Public Defender II:** This classification provides standard level legal representation to indigent defendants charged with municipal violations. The type of cases handled at this level will be more complex and may be part of a problem solving court team for repeat offenders/violations. This classification will also work with a wider scope of agencies and law enforcement in the defense of individuals. Additionally, it will assist the Chief Municipal Public Defender on complex cases as well as assisting other attorney’s with legal research of more complex cases.
- **Chief Municipal Public Defender:** This classification oversees the operation of the Municipal Public Defender’s Office. It will handle the most complex municipal cases and provide guidance to staff on issues arising from their cases, as well as review work to ensure consistency of representation. The Chief Municipal Public Defender will also contribute to developing work plans and set strategic goals for the Office, both annual and multi-year. Additionally, this classification will coordinate resources to ensure coverage of multiple courts, as well as off-site and special court sessions.

Pay Rationale:

To determine the appropriate pay grade for the Public Defender classification, OHR based its recommendations on both internal relationships and external market comparisons. A summary of the pay rationale appears below.

OHR conducted a pay survey of 44 municipalities and received responses from 4 that were comparable to the Deputy Public Defender II classification. The data provided was not sufficient to establish a pay rate based only on the market, but provided an initial starting point for the pay of the Deputy Public Defender II classification. From there, an internal relationship was established with the Associate Deputy District Attorney.

It is recommended to place the Deputy Public Defender II at pay grade 809-L (\$52,164-\$83,228) which is a -6 pay grade relationship to the Associate Deputy District Attorney classification. This is due to the fact that while both classifications practice law at a standard performance level, the type and level of cases handled by the Deputy Public Defender II are of

lower severity and complexity. The Deputy Public Defender II handles misdemeanor municipal violations while the Deputy District Attorney handles felony level cases.

It is recommended to place the Deputy Public Defender I at pay grade 807-L (\$44,805-\$71,688). This recommendation is based on a -2 pay grade relationship to the Deputy Public Defender II, which is consistent with internal compensation best practice for classifications in a series.

Finally, OHR recommends placing the Chief Municipal Public Defender at pay grade 816-L (\$81,683-\$130,693). This recommendation is based on a +7 pay grade relationship to the Deputy Public Defender II. The same relationship exists between the Associate Deputy District Attorney (815-L) and the Chief Deputy District Attorney (822-L). The Chief Deputy District Attorney and Chief Municipal Public Defender have similar levels of responsibility and oversight for their agency, but the type and level of cases handled by the Municipal Public Defender's Office are of less severity and complexity.

Employee Impact:

The agency will begin hiring for the positions immediately. There will be 1 Chief Municipal Public Defender and 5.5 Deputy Public Defenders.

Budget Impact:

The budget impact will consist of individual employee salaries once hired in the newly created Municipal Public Defender's Office.

Organizational Data:

The Deputy Public Defender I and II will report to the Chief Municipal Public Defender.

Proposed Effective Date:

Per Career Service Rule 7-37 A – "If it is determined, as a result of an audit or maintenance study, that changes to the classification and pay plan are necessary, the effective date of any resulting changes to the classification and pay plan shall be the beginning of the first work week following approval by the Mayor or by the City Council over the Mayor's veto".