



Dora
Department of Regulatory Agencies

STRATEGIC PLAN

2009-2010





Executive Director's Office
D. Rico Munn
Executive Director

Bill Ritter, Jr.
Governor

3.2 EXECUTIVE LETTER

August 21, 2008

I am pleased to present the Department of Regulatory Agencies' (DORA) Strategic Plan for 2009-2010. Although this plan technically begins a year from now, DORA began implementing the plan last fiscal year. Following are some of DORA's highlights toward our goals outlined in our strategic plan.

- 1) **Consumer Outreach** – A key goal of DORA, as a knowledgeable resource of Colorado's marketplace, is to share information to educate consumers about their rights. We do this because smart consumers are not only protected consumers, but they are good for business. Smart consumers are more confident, and confident consumers are more apt to engage in the marketplace. DORA and its ten divisions recently developed the first-ever department-wide communications plan. While some of these plans relate to internal communications, most of the plan addresses consumer and professional outreach efforts. DORA also received support of its consumer outreach goals last legislative session with the passage of HB08-1216 establishing the Consumer Education Fund, which is comprised of surcharges placed on fines collected from professionals. This Fund, which cannot exceed \$200,000, will help us make a much larger impact in this area, not only for outreach to the consumers, but also to the professionals who are paying these fines.
- 2) **Professional Outreach** – DORA's outreach efforts will also concentrate on improving communications with the professionals we regulate to educate them of their responsibilities and consumers' rights. Every year that DORA regulates a new profession, a great effort must go

into informing the entire profession of the steps for licensure or registration. In the case of mortgage brokers, which were recently changed from registration to licensure, DORA's Division of Real Estate has worked tirelessly to set standards of continuing education, and communicate new requirements for 20,000 brokers to complete by January 1, 2009. DORA is also embarking on an initiative to form a continued competency program that will help increase continued professional development and further ensure consumer protection. We are contacting professional associations now to receive input on the new program that will likely be proposed in the coming legislative session.

- 3) **Complaint Resolution** – Several of DORA's divisions experienced significant backlogs of processing complaints a couple of years ago. Through reorganization of staff and a concentrated triage effort of processing complaints, we have all but eliminated backlogs that were, in some divisions, as high as 85%. DORA continues to work on improving its complaint resolution processes and shares best practices across divisions in order to timely process complaints. One other improvement in this area is that we are now using the data from the types of complaints we receive to drive our outreach efforts to both professionals and consumers.
- 4) **Timely Access** – With 100% of licensure applications made available online now, DORA offers a valuable service 24/7 to all professionals needing to apply for or renew licenses. Also, most of DORA's divisions allow complaints to be filed online. DORA continues to seek ways to be more accessible to consumers and professionals, including modifying our website to be more consumer-friendly, and writing brochures and tip sheets with the consumer in mind. Another significant way DORA has increased access to its services is by re-opening the regional Civil Rights Offices in Pueblo and Grand Junction. We also hope to re-open the Greeley Regional Office in this coming year. In addition, DORA's Division of Real Estate will have a presence in those regional offices on a part-time basis to help consumers in those areas with real estate concerns.
- 5) **Qualified Professionals** – Through a significantly enhanced training program and a new department-wide orientation session for new employees, DORA aims to accomplish its goal of its employees having the knowledge, skills, and abilities to effectively and fairly regulate Colorado professionals and industries. This past fiscal year, we held the first meetings of cross-functional employee groups across divisions (i.e., all investigators, complaint resolution staff, examiners, etc.), to identify training needs for the particular job function. Through the continuation of these cross-functional meetings on a quarterly basis, we can implement job-specific training opportunities, a mentor program, and the sharing of best practices to help all divisions.
- 6) **Economic Environment** – In order for DORA to play a larger part in Colorado's economic environment, we need to first educate Coloradans of DORA's role in furthering the economic environment. DORA will be issuing a series of reports, the first of which is an annual report on FY 07-08, which will describe our role as Colorado's main regulator and the importance of regulation in improving Colorado's economy. We are also conducting outreach to chambers of commerce, economic development organizations and policy makers across the state to initiate partnerships on economic initiatives. Whether it be from controlling rising utility rates to negotiating multi-million dollar settlement agreements to removing bad actors from taking advantage of innocent consumers, there is no doubt that DORA plays a role in enhancing Colorado's economy.

While DORA continues to thoughtfully implement regulatory programs for the professions we regulate, we also see a greater role we can play when it comes to consumers. We at DORA intend to be the “go-to” place for consumers, and we want to be seen as a knowledgeable resource that is easy to access. Through these efforts and our promotion of a fair and competitive business environment in Colorado, DORA will preserve the integrity of the marketplace.

Sincerely,



D. Rico Munn
Executive Director

3.3 INTRODUCTION

The mission of the Colorado Department of Regulatory Agencies (DORA) is consumer protection, and DORA seeks to preserve marketplace integrity in which consumers and businesses can thrive. The Department carries out regulatory programs that license, establish standards, approve rates, investigate complaints, and conduct enforcement across numerous professions, occupations, and institutions. The Department includes 10 separate divisions with 40 boards or commissions and 580 professional regulatory staff, including program administrators, professional examiners, inspectors, financial analysts, and administrative staff.

DORA’s programs are organized in the general appropriations act (‘Long Bill’) as follows:

Executive Director’s Office
Division of Banking
Division of Civil Rights
Office of Consumer Counsel
Division of Financial Services

Division of Insurance
Public Utilities Commission
Division of Real Estate
Division of Registrations
Division of Securities

The Department is primarily cash funded by regulated entities through fees and assessments flowing to cash funds set based on appropriations made by the General Assembly. Additionally, two key areas involve the state General Fund: the Division of Civil Rights, which is partially funded by the General Fund, and the Division of Insurance, which is supported by a combination of license fees and insurance premium tax revenues that would otherwise be credited to the General Fund.

The number of people living and working in Colorado and the amount of legal services required by the Department's various agencies are the two largest factors driving DORA's budget. Population affects the number of professional and occupational licenses issued, as well as the number of complaints filed by consumers against licensed businesses and individuals. Additionally, DORA is unique in its demand for legal services, which under the Oregon Plan are obtained centrally from the Colorado Department of Law under the State Attorney General. DORA accounts for approximately 36.5 percent of all legal hours appropriated to state agencies, a fact that is driven by the nature of regulatory oversight and enforcement.

In addition to its existing statutory duties, during FY 2008-09 the Department will focus on implementation of targeted regulation and new regulatory programs and activities including:

- A new Consumer Outreach and Education Program to enhance consumer protection;
- Newly regulated occupations including Massage Therapists, Uniform Athlete Agents, and Occupational Therapists;
- New and stronger standards for health insurance; and
- The establishment of conservation easements.

3.4 STATUTORY AUTHORITY

The statutory authority for the Department is found at Title 24, Section 34, Colorado Revised Statutes. More specific statutory authority by Division can be found in Titles 10, 11, 12, 24, 40, and 42.

3.6 MISSION STATEMENT

DORA is dedicated to preserving the integrity of the marketplace and is committed to promoting a fair and competitive business environment in Colorado. Consumer protection is our mission.

3.7 A NARRATIVE ON THE DEPARTMENT'S VISION

The Colorado Department of Regulatory Agencies (DORA) has established a bold vision for how the Department interacts with consumers, professionals, government officials and the general public. DORA's vision is that Colorado's economy will thrive through a regulatory framework that protects Colorado's consumers, while fostering fair and rigorous standards for professionals and businesses.

There is a new way of thinking about DORA and the many functions performed within the ten divisions housed at the Department. It is a vision of collaboration and education; it is a vision that seeks out efficiencies; it is a vision demonstrating the importance of even-handed regulation to enhance Colorado's economy. Under this new vision, DORA is becoming a valuable resource in state government where consumers as well as professionals can go to have their issues addressed and questions answered.

First, the stated mission of DORA is 'consumer protection.' This includes making consumers aware of wrongdoing in the marketplace and how they can avoid harm. This also means working with professional organizations and the professionals themselves to create an understanding of their rights and responsibilities. This approach makes the marketplace safe for consumers, while increasing the awareness of working professionals in Colorado to their responsibilities.

Consumer protection is the common thread running through all of our operations at DORA. Working toward this end demonstrates the value Colorado places on a safe and competitive business environment. Adhering to the consumer protection mission also requires that DORA promotes fair standards across the professions.

Under the leadership of DORA Executive Director Rico Munn, the priority at DORA is to create a "go to" resource for consumers. Whether it is a question about utility rates in Colorado, where one can attain the best value in health insurance, or if one has questions about their professional license or certification, DORA is the place to call. A "no wrong door" philosophy creates a new identity for DORA, making it a one-stop shop to have professional questions addressed and consumer complaints resolved.

This new vision and the use of modern technology allow DORA to give consumers 24/7 access to information on their doctors or plumbers as well as those who provide their insurance or real estate transactions. DORA's knowledgeable and accessible personnel are being trained to answer questions across divisions and implement efficiencies wherever possible.

The DORA vision is progressive and positive for the State of Colorado. The goals of increasing consumer and professional outreach, timely access to information, and improving complaint resolution are being achieved with renewed vigor and thoughtfulness. Through these efforts and our efforts to promote a fair and competitive business environment in Colorado, DORA will preserve the integrity of the Colorado economy.

In order to be achievable, this vision must be supported by corresponding budget initiatives. At the same time, this also requires budget initiatives that are informed by an acknowledgement of statewide budget constraints. For this reason, the Department's budget is focused on embracing all aspects of the mission of consumer protection and the strategies for achievement – not only in the form of specific increase requests, but also in the form of sustainable utilization of base resources.

In terms of making consumers aware of wrongdoing in the marketplace and how they can avoid harm – and also working with professional organizations and the professionals themselves to create an understanding of their rights and responsibilities – the Department has devoted considerable time and effort from existing staff to enhance communications activities, including dedicated staff for consumer education and outreach, specific improvements made to include consumer tips on DORA's consumer-friendly website, and a recent legislative initiative (HB 08-1216) to provide a steady base of resources for a new consumer education and outreach program. Even as these communication efforts have been considerable, the Department has approached them with a view to what is reasonable from a budget standpoint – by balancing the use of existing resources first and foremost, and by ensuring that the newly created consumer education and outreach program includes reasonable funding levels (a maximum of \$200,000 annually) rather than funding levels that are not annually sustainable.

Additionally, the Department has placed a focus on planning for and implementing training opportunities for Department staff, because qualified employees are an essential part of a regulatory structure that truly protects consumers. This has been made possible by effectively planning the use of base resources, and has not required any budget increase.

In terms of requests for budget increases, both recent successful budget requests as well as presently requested budget initiatives reinforce the accomplishment of the Department's consumer protection mission while remaining within an achievable budget.

During FY 2007-08, the Department leveraged federal funding and an increased federal FTE allotment from the General Assembly to restore a regional civil rights presence in both Pueblo and Grand Junction. Presently the Department is seeking to further this effort via a request to enable the restoration of its important Northern Colorado office in Greeley. Increasing regional presence directly facilitates consumer outreach and education while also leveraging federal funds is an example of the Department placing its budget priorities squarely in line with its mission in a way that is not prohibitive from a budget standpoint.

In fact, the Department’s commitment to managing to its goals within realistic budget constraints is visible in its current list of requests for FY 09-10, each of which seek to meet administrative needs or bolster enforcement in a way that minimizes budget impact. For instance, the Department’s request for a Security Officer seeks to utilize a contract officer rather than permanent FTE because it costs less to do so. Similarly, the Department’s request to bolster expedited settlement efforts is underwritten by quantifiable legal cost avoidance, an important issue in light of ongoing legal increases that occur for DORA as the state’s biggest consumer of legal services. Even where the budget is presently deemed insufficient to accomplish statutory objectives as is the case in the request for Division of Securities field examiners for investment advisory firms, the Department has decided first to shift in-house resources, and then to supplement with a budget request – even as this will require an increase in risk-based strategies in other enforcement areas. All told, the Department envisions present and future budget requests will continue to embrace realistic assessments of budget constraints.

3.8 CORE OBJECTIVES & 3.9 PERFORMANCE MEASURES

DEPARTMENT OF REGULATORY AGENCIES

1. Consumer Outreach.

Objective: Consumers are educated about their rights and understand how the violation of those rights can be addressed and resolved.

Performance Measure #1	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
10% increase in number of web hits.	Benchmark			+10%	+10%
	Hits Visitors	189,624,238 9,220,436	113,431,184 8,679,158	Unknown	Unknown

Strategy:

Consumers are educated about their rights and responsibilities through awareness campaigns, electronic publications, enhanced use of technology, public information events and media coverage.

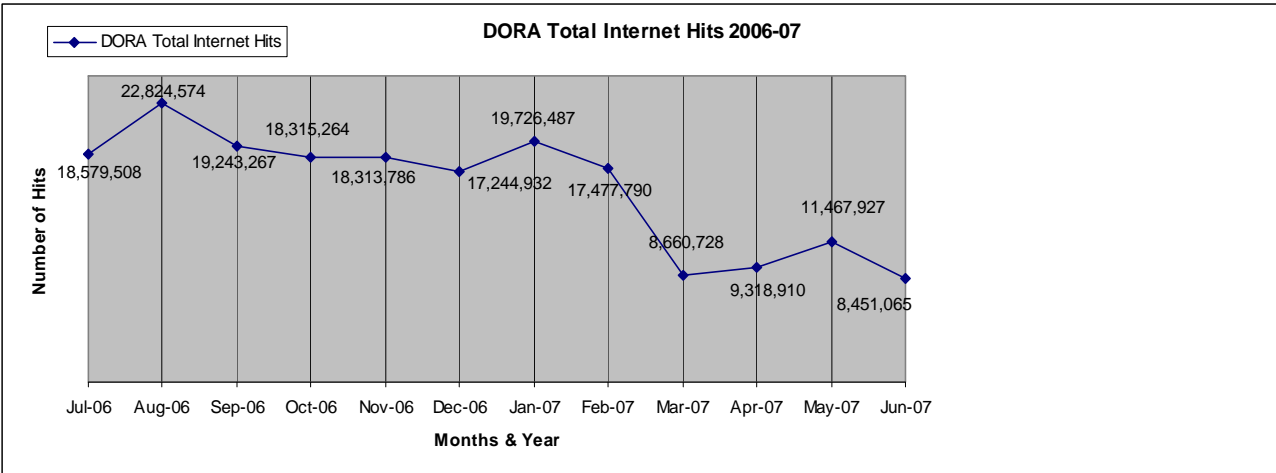
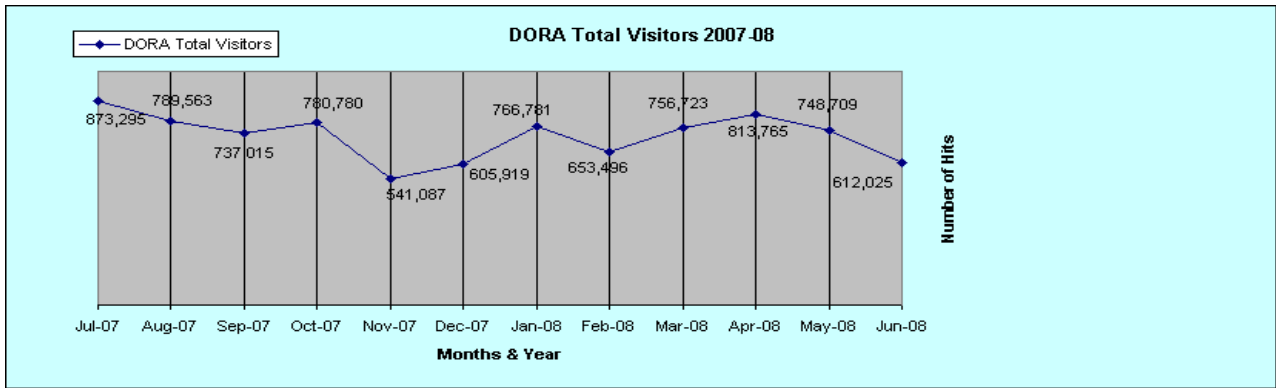
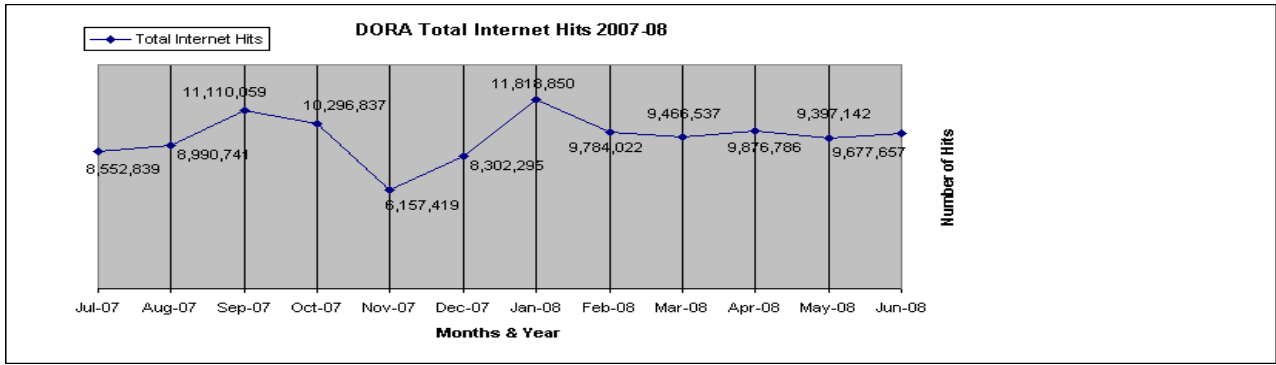
Evaluation of Prior Year Performance:

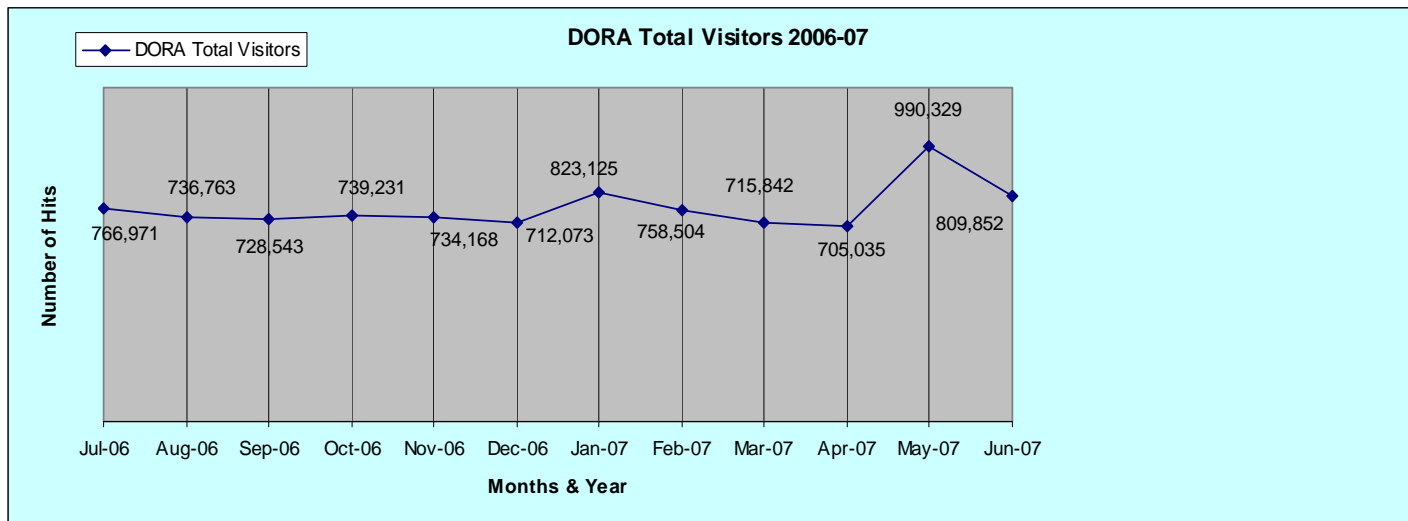
This measure is a new measure for the FY 2009-10 Strategic Plan.

This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates consumers valuing the Department’s educational outreach and helpful information as provided through its website.

Key Workload Indicators: Relevant workload indicators to this measure include:

Month and Year	Total Internet Hits	DORA Unique Visitors	Month and Year	Total Internet Hits	DORA Total Visitors
Entire DORA Website Usage (2007-08)			Entire DORA Website Usage (2006-07)		
Jul-07	8,552,839	873,295	Jul-06	18,579,508	766,971
Aug-07	8,990,741	789,563	Aug-06	22,824,574	736,763
Sep-07	11,110,059	737,015	Sep-06	19,243,267	728,543
Oct-07	10,296,837	780,780	Oct-06	18,315,264	739,231
Nov-07	6,157,419	541,087	Nov-06	18,313,786	734,168
Dec-07	8,302,295	605,919	Dec-06	17,244,932	712,073
Jan-08	11,818,850	766,781	Jan-07	19,726,487	823,125
Feb-08	9,784,022	653,496	Feb-07	17,477,790	758,504
Mar-08	9,466,537	756,723	Mar-07	8,660,728	715,842
Apr-08	9,876,786	813,765	Apr-07	9,318,910	705,035
May-08	9,397,142	748,709	May-07	11,467,927	990,329
Jun-08	9,677,657	612,025	Jun-07	8,451,065	809,852
	<u>113,431,184</u>	<u>8,679,158</u>		<u>189,624,238</u>	<u>9,220,436</u>





DEPARTMENT OF REGULATORY AGENCIES

2. Professional Outreach.

Objective: Businesses and professionals are educated about consumer rights and the standards and regulations that apply.

Performance Measure #2	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
10% increase in professionals opting-in on listservs to receive regulatory updates/newsletters.	Benchmark			10%	10%
	Actual	N/A	N/A	Unknown	Unknown

Strategy:

Businesses and professionals are educated about their rights and responsibilities through awareness campaigns, electronic publications, enhanced use of technology, public information events and media coverage.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08.

This new measure for the FY 2009-10 Strategic Plan is an important measure because it directly and specifically illustrates a desire to opt-in to receive information from DORA and this demonstrates the Department’s effectiveness in consumer protection by communicating with and educating professionals and businesses about their responsibilities.

Key Workload Indicators: Because this is a new measure, no relevant workload indicators to this measure are currently collected and tracked. Beginning in FY 08-09 and beyond, the number of professionals opting in on DORA’s listservs will be the most relevant workload indicator for this measure, and this data will be reported in future years.

DEPARTMENT OF REGULATORY AGENCIES

3. Complaint Resolution.

Objective: Consumer complaints are resolved in a timely and efficient manner.

Performance Measure #3	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
75% of all complaints are resolved within 180 days.	Benchmark			75%	75%
	Actual	N/A	N/A	Unknown	Unknown

Strategy:

Identify and share efficiency strategies across divisions in order to process complaints and applications more efficiently.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08.

This new measure for the FY 2009-10 Strategic Plan represents an improved measure because it directly and more specifically illustrates to consumers a more meaningful measure and how efficient the Department’s complaint resolution process is.

Key Workload Indicators: Because this is a new measure, more relevant workload indicators to this measure will be collected and tracked. Beginning in FY 08-09 and beyond, the percentage of complaints resolved within 180 days will be the most relevant workload indicator for this measure, and this data will be reported in future years. However, the overall number of complaints for the Department is included below:

	Actual	Actual	Estimate	Estimate
	FY 06-07	FY 07-08	FY 08-09	FY 09-10
Complaints	9,226	10,333	10,333	10,333

DEPARTMENT OF REGULATORY AGENCIES

4. Timely Access.

Objective: Businesses and professionals can access the regulatory process in a timely and efficient manner.

Performance Measure #4	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
75% licensed within 30 days.	Benchmark			75%	75%
	Actual	N/A	N/A	Unknown	Unknown

Strategy:

Enhance DORA’s website to be more consumer focused and ease access to DORA’s services. Make regulatory actions more easily accessible to the public.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. This new measure for the FY 2009-10 Strategic Plan represents an improved measure because it directly and more specifically illustrates a more meaningful number to professionals and shows how the Department’s performance ties in with consumer protection by efficiently licensing businesses and professions.

Key Workload Indicators: Because this is a new measure, more relevant workload indicators to this measure are currently collected and tracked. Beginning in FY 08-09 and beyond, the percentage of licenses issued within 30 days will be the most relevant workload indicator for this measure, and this data will be reported in future years. However, the overall numbers of new and renewal licenses across the Department are included below:

	Actual	Actual	Estimate	Estimate
	FY 06-07	FY 07-08	FY 08-09	FY 09-10
New Licenses	107,445	107,056	107,056	107,056
Renewal Licenses	367,080	414,519	414,519	414,519

DEPARTMENT OF REGULATORY AGENCIES

5. Qualified Professionals.

Objective: DORA’s employees have the knowledge, skills, and abilities to effectively and fairly regulate Colorado professionals and industries.

Performance Measure #5	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
% employees who received job-specific training.	Benchmark			85%	90%
	Actual	N/A	N/A	Unknown	Unknown

Strategy:

DORA’s implementing a department-wide training program that will address the job specific needs of its employees.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08.

This new measure for the FY 2009-10 Strategic Plan represents an important measure, because it directly and specifically illustrates how the Department’s performance reflects the abilities and training of its employees.

Key Workload Indicators: Because this is a new measure, no relevant workload indicators to this measure are currently collected and tracked. Beginning in FY 08-09 and beyond, the number of department training sessions and the number of employees who attend these sessions within a fiscal year will be the most relevant workload indicator for this measure, and this data will be reported in future years.

DEPARTMENT OF REGULATORY AGENCIES

6. Economic Environment.

Objective: DORA plays an active part in improving Colorado’s economic environment.

Performance Measure #6	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
Amount of savings and return on investment achieved through regulation, settlements and rate reviews.	Benchmark			100%	100%
	Actual	172.2%	216.3%	Unknown	Unknown

Strategy:

DORA plays an active role in economic development through regulation, settlement agreements and rate review and approval.

Evaluation of Prior Year Performance:

This measure continues from FY 2007-08. Comparing DORA’s cost to estimated savings as a performance measure is intended to assess the extent to which DORA is meeting its objective to play an active part in improving Colorado’s economic environment. Last year the Department reported an overall savings figure of \$162.2 million for FY 2006-07 based on estimated savings rates for rate cases, rate approvals, miscellaneous enforcement, and penalties, which reflected a 172.2% return on investment compared to a baseline appropriation of \$59.6 million. For FY 2007-08, the estimated savings figure is \$205.5 million, which compares to a baseline appropriation of \$65.0 million and translates to a 216.3% return on investment. Savings are estimated and will fluctuate by year based on the timing and significance of matters before DORA entities – therefore, the Department’s benchmark conservatively targets that savings exceed costs each year. The FY 2007-08 benchmark for this measure was a target of 100%, and the actual performance was 216.3%.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
	FY 06-07	FY 07-08	FY 08-09	FY 09-10
Total Savings (in millions)	\$162.2	\$205.6	\$133.4	\$133.4
Baseline Appropriation (in millions)	\$59.6	\$65.0	\$66.7	\$66.7
Total Return (in millions)	\$102.6	\$140.6	\$66.7	\$66.7
Percent Return	172.2%	216.3%	100.0%	100.0%

EXECUTIVE DIRECTOR'S OFFICE

1. Commitment to Mission.

Objective: DORA employees understand the mission of DORA and their role in implementing it.

Performance Measure #1	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
100% of new employees complete orientation within 30 days of beginning work.	Benchmark			100%	100%
	Actual	0%	20%	Unknown	Unknown

Strategy:

DORA's Executive Director's office will work with each of the Divisions and Section heads to develop a DORA-wide orientation that helps new employees understand the role of DORA as Colorado's consumer protection agency. This will include helping staff understand the broad nature of the services and protections that DORA provides and the role their Division and their section plays as part of the whole consumer protection mission of DORA.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08.

This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates how the Division's performance translates to the effectiveness of the Department by educating employees on the shared mission.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
	FY 06-07	FY 07-08	FY 08-09	FY 09-10
Number of new appointments	138*	125	125	125

*estimated based on data available November 2006 – June 2007, excludes internal transfers.

EXECUTIVE DIRECTOR’S OFFICE

2. Public Access.

Objective: DORA’s divisions and systems are easily accessible to the public.

Performance Measure #2	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
100% of DORA's licensing and registration functions are available on the internet.	Benchmark			100%	100%
	Actual	N/A	100%	Unknown	Unknown

Strategy:

DORA ensures technology stays current with business needs through a variety of mechanisms. Information technology staff, both managerial and technical, regularly meet with Division business program staff to scope, plan and implement technology enhancements to business systems. Other meetings and dialog are continually occurring to ensure new legislation and business funding needs (fiscal notes) are addressed appropriately. DORA uses a project management methodology to ensure that both the business managers and technology staff are engaged and aware of technology upgrades supporting DORA’s licensing and other business systems.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. However, in last year’s Strategic Plan, a comparable measure was included as follows: “Provide secure, Internet-based access to DORA’s licensing, regulation, education and enforcement applications. Percent of applications accessible via internet.” The FY 2007-08 benchmark for this measure was a target of 100%, and the actual performance was 100%. This new measure for the FY 2009-10 Strategic Plan represents an improved measure because it directly and more specifically illustrates how the Division’s effectiveness can be maximized by public accessibility.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Number of Licensing and Registration Systems	2	2	2	2

Note: This data includes the Department’s two major licensing/registrations systems: DLS for the Division of Registrations, and RMS for the Division of Real Estate, both of which are electronic.

EXECUTIVE DIRECTOR’S OFFICE

3. Qualified Professionals.

Objective: DORA’s employees have the knowledge, skills and abilities and ongoing training to succeed in their jobs.

Performance Measure #3	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
% of employees who receive job specific training	Benchmark			85%	90%
	Actual	N/A	N/A	Unknown	Unknown

Strategy:

The DORA Human Resources Section will utilize information collected by previous studies and assessments, and input from the workforce to identify training needs and interests. A training and development program will be implemented, and will continue to be refined and expanded, to include both formal (classroom, workshops, seminars, etc.), and informal (handbooks, manuals, electronic materials, etc.), opportunities for employees to receive job specific and transferrable skills training.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08.

This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates how the Division’s performance can be maximized by proper employee training.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
	FY 06-07	FY 07-08	FY 08-09	FY 09-10
Number of Department Employees	491.6	558.5	579.6	578.3

Note: this data includes the Department’s actual FTE use during FY 2006-07, and the total appropriation for FY 2007-08 pending the availability of actual year data.

EXECUTIVE DIRECTOR’S OFFICE

4. DORA is a Trusted Resource.

Objective: The Legislature accepts DORA as a trusted resource for sunset, sunrise, rules review, budgetary and other policy matters.

Performance Measure #4	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
80% of DORA's recommendations are adopted by the Legislature.	Benchmark			80%	80%
	Actual	N/A	N/A	Unknown	Unknown

Strategy:

Relying upon well-trained and professional staff ensures that each recommendation is sound and well researched with sufficient information to support the request or conclusions. DORA seeks to empower the legislature or legislative or fiscal analyst with enough information on a given analysis to agree with DORA’s analysis, to disagree with DORA’s analysis, or to ask informed questions. This includes four primary activities: stating clear assumptions behind each and every quantified cost or impact; tracing each assumption to specific bill language and omitting any assumption that is not driven by bill language; indicating the minimum cost thought to be necessary; and, being willing to update or correct an assumption that turns out to be inaccurate, with or without being prompted by questions. In this way, DORA’s primary interest is not in simply convincing outside entities that DORA’s analysis is correct, but rather in ensuring that the analysis itself is correct in the first place. This affords credibility that serves as a basis for being a trusted resource.

Evaluation of Prior Year Performance: This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically emphasizes the importance of trust in the Department as a resource.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
Number of:	FY 06-07	FY 07-08	FY 08-09	FY 09-10
Sunrise Reviews	5	8	5	5
Sunset Reviews	8	15	19	16
Fiscal Note Assessments	191	194	200	200

EXECUTIVE DIRECTOR’S OFFICE

5. Fair Standards.

Objective: DORA’s procurement and contracting processes are perceived as fair and understandable.

Performance Measure #5	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
85% of evaluators rate the procurement process as having been understandable and fair.	Benchmark			85%	85%
	Actual	N/A	N/A	Unknown	Unknown

Strategy:

The DORA Procurement Office will survey all department staff who requested solicitations during the planning period as well as all evaluation team members. This survey will ask for feedback on the process, such as how easy the process was to understand; did the procurement office provide adequate guidance and information during the process; does the customer feel that the solicitation process was fair.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08.

This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates the fairness and clarity of the Division’s processes and performances.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
Number of:	FY 06-07	FY 07-08	FY 08-09	FY 09-10
Contracts	102	54	50	50
Purchase Orders	654	524	550	550

EXECUTIVE DIRECTOR’S OFFICE

6. Consumer outreach.

Objective: Consumers are educated about their rights and understand how the violation of those rights can be addressed and resolved.

Performance Measure #6	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
% increase in web hits to DORA's website.	Benchmark			+10%	+10%
	Actual	189,624,238	113,431,184	Unknown	Unknown

Strategy:

In all meetings, outreach events, correspondence with consumers and consumer groups, and in media contacts, the EDO will include the DORA brand and emphasize the mission and any applicable mandates. The “call to action” for consumers will be to visit the DORA website for helpful tips, complaint processes and to verify licenses or disciplinary action.

Evaluation of Prior Year Performance:

In last year’s Strategic Plan, a comparable measure was included as follows: “% increase in web hits to consumer portion of website.” The FY 2007-08 actual performance for the entire DORA website was 113,431,184. The measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates how effective the Department was in leading the consumers to the Department’s informative website to increase their own education and protection.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
	FY 06-07	FY 07-08	FY 08-09	FY 09-10
Number of hits to DORA’s website	189,624,238	113,431,184		

DIVISION OF BANKING

1. Professional Outreach.

Objective: Bankers are aware of statutory and regulatory requirements.

Performance Measure #1	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
Division annually conveys key regulatory issues and guidelines to 80% of bank officers/directors.	Benchmark			80%	80%
	Actual	N/A	N/A	Unknown	Unknown

Strategy:

The Commissioner will attend and participate in the regulatory update seminars hosted by the FRB, director training sessions sponsored by the FDIC, and banker roundtables arranged by the bank trade groups. All examination exit conferences will be attended by a Division manager. Alerts, interpretive opinions, and operating agreements will be posted on the Division's website, and an industry list serve will be utilized to electronically communicate key issues.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates how the Division's performance translates to the education of financial institutions.

Key Workload Indicators:

Relevant workload indicators to this measure include:

DIVISION OF BANKING	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Days to Complete Report and Submit to Institution (Safety and Soundness Examinations)				
Target	36	35	35	35
Actual	33	35.6		
Days to Complete Report and Submit to Institution				

DIVISION OF BANKING	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
(Specialty Examinations)				
Target	16	14	14	14
Actual	14	15.6		
Processing Correspondence				
Estimate	10	10	10	10
Actual	6	3		
Complaint Processing*				
Estimate	3 – 30	3 – 30	3 – 20	3 – 20
Actual	1 – 16	1 – 19		

* The Division measures its performance in two ways: (1) From the day a written complaint about a financial services institution chartered or licensed by the Division is received by the Division to the date it sends out its letter regarding the complaint to the subject financial services institution, and (2) To measure the number of days from the beginning of the process until the complaint is closed.

DIVISION OF BANKING

2. Complaint resolution.

Objective: Consumer complaints are resolved in a timely and efficient manner.

Performance Measure #2	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
100% of Consumer complaints are resolved within 20 days.	Benchmark			100%	100%
	Actual	N/A	100%	Unknown	Unknown

Strategy:

The importance of quick complaint resolutions will continue to be emphasized with Division staff. The time allowed for the bank to respond to the Division’s notice and details of the complaint will be shortened from 10 to 7 days. The Division will utilize interagency agreements with federal banking regulators to monitor trends and refer consumers to the appropriate agency as necessary.

Evaluation of Prior Year Performance:

This measure is continued from FY 2007-08, and performance for this period was 100%. While the average increased from 17 days to 19 days between FY 2006-07 and FY 2007-08, they remain within the target benchmark and are projected to do so if the Division meets its 20-day benchmark.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
	FY 06-07	FY 07-08	FY 08-09	FY 09-10
Number of consumer complaints	42	50	50	50
Average Processing Time	17 days	19 days	18 days	18 days

DIVISION OF BANKING

3. Access to capital.

Objective: Colorado’s low-income and under-banked consumers have better access to diverse products to meet their needs.

Performance Measure #3	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
An increase of 10% in the number of state-chartered banks that offer products targeted to the needs of under-served consumers.	Benchmark			+10%	+10%
	Actual	N/A	N/A	Unknown	Unknown

Strategy:

A survey of products offered by state chartered banks targeted to the needs of under-served consumers will be conducted to identify successful bank strategies, and to establish a baseline from which we can measure improvement. Based on the survey findings, rules will be promulgated that encourage state banks to expand product offerings, while maintaining safe and sound operating standards.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08.

This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates how the Division’s performance provides product and capital to challenged consumers.

Key Workload Indicators: Because this is a new measure, no relevant workload indicators to this measure are currently collected and tracked. Beginning in FY 08-09 and beyond, the “number of state-chartered banks that offer targeted products” will be the most relevant workload indicator for this measure, and this data will be reported in future years.

DIVISION OF BANKING

4. Responsive government.

Objective: The executive and legislative branches of Colorado government are able to influence banking policy.

Performance Measure #4	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
78% of Colorado banks are state-chartered & 95% of new charters are state-chartered.	Benchmark			>78% of Colorado Banks & >95% of new charters	>78% of Colorado Banks & >95% of new charters
	Actual	N/A	N/A	Unknown	Unknown

Strategy: The measure will be achieved through the provision of fair and prompt regulatory oversight, streamlined application processing, and maintaining assessments at rates significantly below the levels applicable to national banks. Division managers will be evaluated based on prompt responses to bank inquiries, requests for interpretive opinions, and providing high quality supervisory oversight to regulated institutions. Delegated applications will be processed in under 10 business days. The Division’s application manager will work closely with new bank charter organizing groups to streamline the process and coordinate efforts with the FDIC officials reviewing the deposit insurance application. The Commissioner will meet with national bank management teams, and volunteer to attend board of director meetings of all national banks that express interest in the state charter. Expenditures will be tightly controlled in order to preserve at least a 50 percent cost advantage for state assessments compared to national bank rates.

Evaluation of Prior Year Performance: This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates how the Division’s performance reflects the influence government has on banking policy.

Key Workload Indicators: Relevant workload indicators to this measure include:

DIVISION OF BANKING	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Regulated Institutions (as of 6/30)				
Commercial and Industrial Banks	113	110	113	117
Trust Companies	7	8	6	6
Money Order/Transmitter Licensees	35	41	43	46
Foreign Capital Depositories	2	0	0	0
Total Assets and other funds under supervision (000s omitted)				
Target	\$129,641,400	\$123,866,925	\$151,074,000	\$167,692,140
Actual	\$117,968,500	\$138,600,000	9% increase	11% increase

Division of Banking

5. Economic Environment.

Objective: Public confidence is promoted, depositor funds are protected, and access to credit is facilitated by the safe and sound conduct of the business of state banks.

Performance Measure #5	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
Fewer than 7% of state-chartered banks are adversely rated in the fiscal year	Benchmark			<7%	<7%
	Actual	N/A	N/A	Unknown	Unknown

Strategy: The Division will continue to strengthen its cooperative working relationship with the federal banking agencies to ensure thorough, full-scope examinations are conducted in a timely manner. The scope of examinations will be risk-focused based on off-site monitoring and surveillance reports, with particular attention focused on poorly performing banks with identified weaknesses. Enforcement actions ranging from board resolutions to cease & desist orders will be implemented promptly as warranted. In order to strengthen the regulatory process in the current economic environment and keep pace with industry growth, the Division will pursue an increase in authorized FTE and examiner training funding.

Evaluation of Prior Year Performance: This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. However, in last year's Strategic Plan, a comparable measure was included as follows: "Performance Measure #4: State-chartered and licensed banks are operating in a safe and sound manner and in compliance with applicable laws and regulations or the Division has taken appropriate supervisory or enforcement action." The FY 2007-08 benchmark for this measure was a target of 100%, and the actual performance was 100%. This new measure for the FY 2009-10 Strategic Plan represents an improved measure because it directly and more specifically illustrates how the Division's performance translates to the financial health of institutions. This more closely meets the objective noted above.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Percentage of Required Examinations Completed	100.0%	100.0%	107.4%	100.0%
Additional Discretionary Examinations Performed	1	1	3	3

CIVIL RIGHTS DIVISION

1. Consumer complaint intake.

Objective: Consumers' complaints are received and processed in an efficient and timely manner preserving consumer rights.

Performance Measure #1	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
80% of fully completed intake packets received will result in the drafting of a formal complaint within 15 days.	Benchmark			80%	80%
	Actual	N/A	N/A	Unknown	Unknown

Strategy:

In addition to expeditiously processing intake packets, the Division initiated a reorganization of the intake unit to more closely align it with the work the investigatory units complete. Cross training of intake staff has been initiated to more efficiently meet stakeholder needs.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08.

This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates how the Division's performance translates to the preservation of consumer rights and efficiency of response.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
	FY 06-07	FY 07-08	FY 08-09	FY 09-10
Number of new cases opened	760	717	815	815

CIVIL RIGHTS DIVISION

2. Consumer complaint intake.

Objective: Consumers' complaints are received and processed in an efficient and timely manner preserving consumer rights.

Performance Measure #2	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
100% of charges filed are served on the Respondent within 10 days of filing	Benchmark			100%	100%
	Actual	N/A	N/A	Unknown	Unknown

Strategy:

In addition to expeditiously processing intake packets, the Division initiated a reorganization of the intake unit to more closely align it with the work the investigatory units complete. Cross training of intake staff has been initiated to more efficiently meet stakeholder needs.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08.

This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates how the Division's performance translates to the preservation of consumer rights and efficiency of response.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
	FY 06-07	FY 07-08	FY 08-09	FY 09-10
Number of new cases opened	760	717	815	815

CIVIL RIGHTS DIVISION

3. Enforcement of consumer civil rights.

Objective: Investigations and mediations are resolved in a timely manner.

Performance Measure #3	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
Complete 80% of investigations within 270 days. Complete 80% of mediations within 30 days.	Benchmark			80%	80%
	Actual	N/A	79%	Unknown	Unknown

Strategy:

The enforcement unit's work processes are being evaluated and streamlined. In addition, all investigators will receive updated training on appropriate techniques to utilize in Civil Rights investigations. A formal orientation and on-going legal education protocol will be implemented to ensure timely investigations.

Evaluation of Prior Year Performance:

This measure continues from FY 2007-08. The FY 2007-08 benchmark for this measure was a target of 100%, and the actual performance was 79%. The Department has since determined that in practice this former benchmark was not realistic, and has revised the measure to 80%. Based on recent actual performance, this benchmark will require improvement in future years. As noted above, improvements are being made to ensure success with regard to this measure.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
	FY 06-07	FY 07-08	FY 08-09	FY 09-10
Number of cases closed	649	748	875	875

This indicator will be supplemented in future years by also including the number of investigations and mediations completed.

CIVIL RIGHTS DIVISION

4. Consumer education.

Objective: Public awareness of state and federal civil rights laws is increased with a key emphasis on predatory lending and sexual orientation.

Performance Measure #4	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
100% of outreach efforts convey at least one of the Division's identified key messages.	Benchmark			100%	100%
	Actual	N/A	N/A	Unknown	Unknown

Strategy: The Division has a formal training and outreach schedule on its website. In addition, Division staff and the Director conduct education and outreach activities as requested from communities of interest and the business community. The Director speaks frequently at conferences and before trade organizations and at continuing legal education events. The Division has created brochures to inform the public about the addition of sexual orientation as a basis to housing and public accommodation statutes, as well as other issues, that will be of assistance in future education efforts.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates the Division's consumer outreach as a means to protect consumers.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
	FY 06-07	FY 07-08	FY 08-09	FY 09-10
Number of Training/education sessions and presentations conducted by staff	59	67	90	90
Number of Persons Trained	1,400	1,440	2,000	2,000

CIVIL RIGHTS DIVISION

5. Outreach, intake and conflict diffusion.

Objective: Community and business groups partner with the Division on outreach to diffuse community conflicts, conduct targeted intakes and promote targeted messages.

Performance Measure #5	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
30% of the Division's activities where a partner was involved.	Benchmark			30%	30%
	Actual	N/A	N/A	Unknown	Unknown

Strategy:

This year the Division received a grant from HUD to investigate discriminatory predatory lending in Colorado. The Division has partnered with community groups to provide anti-predatory lending training to citizens. As a result, the Director has established many positive working relationships with community groups that he will use to conduct further work. The Division seeks out opportunities to partner with other state agencies, and is currently working with the Divisions of Housing in DOLA, and DORA's Divisions of Real Estate, and Financial Services to educate housing consumers about their rights and services available to them.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08.

This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates the Division's outreach efforts and the affect on community conflicts.

Key Workload Indicators: Because this is a new measure, no relevant workload indicators to this measure are currently collected and tracked. Beginning in FY 08-09 and beyond, the number of relevant Division activities upon which the measure is calculated will be the most relevant workload indicator, and this data will be reported in future years.

OFFICE OF CONSUMER COUNSEL

1. Consumer Savings.

Objective: Consumers save money through OCC's advocacy to reduced utility rates, obtain refunds, and decrease utilities' rate increase requests.

Performance Measure #1	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
Maintain a positive "Return on Investment" representing consumer savings of \$30 for every \$1 spent, based on a 4-year rolling average.	Benchmark			\$30 savings for each \$1 spent	\$30 savings for each \$1 spent
	Actual	\$52	\$28	Unknown	Unknown

Strategy:

Following the final disposition of any filing or application in which the OCC participated on behalf of consumers, the designated OCC analyst will complete, within 30 days, an internal report of any savings and/or benefits achieved. The reports' results will then be accumulated on an annual fiscal year basis at which time an updated rolling 4-year average will be computed and reported to EDC.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. However, actual data has been collected by this Division, and it shows annual savings figures of \$38.9 million and \$73.1 million in the most recent two actual years. Compared to OCC's annual appropriation of \$1.4 million, this suggests a range of between \$28 and \$52 per dollar spent and an average of \$40 over the last two years.

This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates how the Division's performance brings savings to the Consumer.

Key Workload Indicators: Relevant workload indicators to this measure include:

Office of Consumer Counsel Savings to Consumer	Actual FY 06-07	Actual FY 07-08
Solely Responsible (in millions)		
Actual	\$0.11	\$0.04
Actual	\$0.00	\$0.00
Jointly Responsible (in millions)		
Actual	\$73.04	\$38.90

Note: The OCC does not estimate target numbers, as it cannot anticipated annual savings as a result of unknown interventions that may be required as a result of various utility actions.

OFFICE OF CONSUMER COUNSEL

2. Fair Rates.

Objective: Consumers receive high quality and reliable services at fair and reasonable rates.

Performance Measure #2	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
Review utilities' rate filings within 10 days to determine whether to participate in dockets affecting consumers' rates and/or quality of service.	Benchmark			10 days	10 days
	Actual	N/A	N/A	Unknown	Unknown

Strategy:

On a daily basis, the OCC will assign to an analyst all pertinent rate-impacting filings received. The OCC will hold weekly meetings to discuss each filing. The analyst will recommend the disposition of said filing and the appropriate action will be taken. A database, using *Access 2000* reporting program, will be maintained that will validate when all filings were received in the entire year, when they were reviewed, what the disposition was and other pertinent information.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08.

This new measure for the FY 2009-10 Strategic Plan represents an improved measure because it directly and more specifically illustrates how the Division’s performance translates to high quality service at a reasonable rate.

Key Workload Indicators: Relevant workload indicators to this measure include:

Office of Consumer Counsel	Actual FY 06-07	Actual FY 07-08
Utility Filings Reviewed		
Actual	847	708
Actual	71	66
Actual	22	54
Actual	1	0

Note: The OCC does not estimate target numbers, as it cannot anticipate the filings or cases that may be brought before the PUC in any given year.

OFFICE OF CONSUMER COUNSEL

3. Education/Outreach.

Objective: Consumers are knowledgeable about the OCC’s mission, scope and its consumer protection efforts.

Performance Measure #3	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
100% of outreach efforts convey the OCC’s key messages of mission, statutory mandate, and consumer protection.	Benchmark			100%	100%
	Actual	N/A	N/A	Unknown	Unknown

Strategy:

Strategy to achieve: In all meetings, OCC-sponsored outreach events, correspondence with consumers and consumer groups, and in media contacts, the OCC will include the DORA brand and emphasize the mission and any applicable mandates.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08.

This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates the Division’s performance in educating consumers about its mission and scope.

Key Workload Indicators: Relevant workload indicators to this measure include:

Office of Consumer Counsel	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Outreach Program				
Research, prepare and distribute informational materials	5	6	6	6
Develop a speakers bureau	6	11	8	8

DIVISION OF FINANCIAL SERVICES

1. Complaint Resolution.

Objective: Consumers and businesses have quick and easy access to the Division’s resources for information and to file complaints.

Performance Measure #1	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
100% of consumer complaints will be resolved within 20 days.	Benchmark			100%	100%
	Actual	N/A	89.29%	Unknown	Unknown

Strategy:

The Division will respond to initial complaints within 24 hours. Incoming complaints and response times will be recorded to ensure measurable outcomes.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. However, in last year’s Strategic Plan, a comparable measure was included as follows: “Consumer complaints are resolved within 20 business days of receipt of the complaint.” The FY 2007-08 benchmark for this measure was a target of 100%, and the actual performance was 89.29%.

This new measure for the FY 2009-10 Strategic Plan represents an improved measure because it directly and more specifically illustrates how the Division’s performance translates to consumer protection through complaint resolution.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
	FY 06-07	FY 07-08	FY 08-09	FY 09-10
Number of complaints resolved	N/A	56	100	100

DIVISION OF FINANCIAL SERVICES

2. Outreach.

Objective: Consumers and businesses are educated about the risks that exist in the marketplace and the regulatory framework that protects them.

Performance Measure #2	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
90% of communication the Division has with the public will address consumer protection, and the Division's identified key messages: having faith in financial institutions, information on contractual relationships, and educational resources.	Benchmark			90%	90%
	Actual	N/A	N/A	Unknown	Unknown

Strategy:

The Commissioner will write quarterly web-based newsletters that educate the public. Examiner knowledge of the consumer protection mission will be measured in an annual employee survey.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08.

This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates how the Division's performance reinforces faith in financial institutions and educational resources.

Key Workload Indicators: Given the qualitative nature of this measure, no workload indicator is thought to relate to this measure specifically.

DIVISION OF FINANCIAL SERVICES

3. Government Efficiency.

Objective: State-chartered institutions realize greater efficiencies than federally-chartered institutions.

Performance Measure #3	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
The average cost of regulation for state-chartered credit unions is at least 10% less than those of federally-chartered credit unions	Benchmark			>10%	>10%
	Actual	N/A	N/A	Unknown	Unknown

Strategy:

The annual assessment will ensure that the same discount applies across all state-charters.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08.

This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates how the Division’s performance creates increased government efficiencies.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Cost of regulation (cents per \$1,000)				
State Chartered	11.38	12.3	15.28	18.39
Federally Chartered	20.62	20.39	20.39	20.39

DIVISION OF FINANCIAL SERVICES

4. Access to Capital.

Objective: Colorado’s low income and under-banked consumers have better access to diverse products to meet their needs.

Performance Measure #4	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
1 additional credit union each year is designated as a community development provider.	Benchmark			+1	+1
	Actual	2	3	Unknown	Unknown

Strategy:

The Commissioner will attend at least two annual events dedicated to educating him about how to award a credit union as a community development provider. The Commissioner will sponsor or participate in an annual training session that will teach credit unions how to become a community development provider and how to apply for grants.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08.

This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates how the Division’s performance translates to increased community development.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Number of community development provider credit unions	2	3	2	3

DIVISION OF FINANCIAL SERVICES

5. Economic Environment.

Objective: Public confidence is promoted by the safe and sound conduct of state-chartered credit unions, life care institutions, and savings and loans.

Performance Measure #5	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
Fewer than 10% of regulated institutions will experience a reduction in rating during any fiscal year.	Benchmark			<10%	<10%
	Actual	N/A	N/A	Unknown	Unknown

Strategy: The Division will maintain an ongoing watch list of regulated institutions showing financial weakness. The Division will take a proactive regulatory approach via off-site monitoring and interim visits to ensure problem institutions remain financially strong.

Evaluation of Prior Year Performance: This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. However, in last year’s Strategic Plan, a comparable measure was included as follows: “State-chartered and licensed financial institutions are operating in a safe and sound manner and in compliance with applicable laws and regulations or the Division has taken appropriate supervisory or enforcement action.” The FY 2007-08 benchmark for this measure was a target of 100%, and the actual performance was 100%. This new measure for the FY 2009-10 Strategic Plan represents an improved measure because it directly and more specifically illustrates how the Division’s performance translates to increased consumer confidence.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Number of institutions				
Regulated	62	57	54	54

Beginning in FY 2008-09, the number of regulated institutions with a reduction in rating will be reported as an ongoing workload indicator associated with this measure.

DIVISION OF INSURANCE

1. Complaint Resolution.

Objective: Timely resolution of complaints allows consumers to get the insurance they paid for to protect their assets.

Performance Measure #1	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
85% of consumer complaints will be resolved within 90 days.	Benchmark			85%	85%
	Actual	N/A	N/A	Unknown	Unknown

Strategy: We have shortened the companies’ response time to consumer complaints; Analysts are evaluated on timely handling of complaints in accordance with the 90-day goal; Consumer complaints and response times are monitored and reported monthly.

Evaluation of Prior Year Performance: This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates how the Division’s performance translates to consumer protection through complaint resolution.

Key Workload Indicators: Relevant workload indicators to this measure include:

DIVISION OF INSURANCE	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Investigation Complaint Files Opened				
Actual	442	325	350	350
Investigation Closed Complaint Files				
Actual	731	516	525	525
Investigation Closed Complaint Files/Average Days Open				
Actual	339.53	291	180	180
Investigation Closed Inquiry Files/Average Days Open				
Actual	33.74	16.62	50	50
Investigation Incoming Telephone Calls				
Actual	967	980	950	950
Investigation Walk-Ins				
Actual	23	22	25	25

DIVISION OF INSURANCE

2. Carrier Stability.

Objective: Colorado’s consumers and economy are protected through competitive and stable insurance carriers.

Performance Measure #2	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
100% of examinations, analyses, and processes comply with national financial and market regulation standards and statutory requirements.	Benchmark			100%	100%
	Actual	N/A	N/A	Unknown	Unknown

Strategy: We have adopted the NAIC standards and state requirements; We assess and adjust as changes occur to NAIC or state standards throughout the year; We update rules, regulations and bulletins related to state and national standards on an “as needed” basis.

Evaluation of Prior Year Performance: This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates how the Division’s performance translates to insurance carrier stability.

Key Workload Indicators: Relevant workload indicators to this measure include:

DIVISION OF INSURANCE	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Examinations Given				
Actual – All License Types	19,994	18,616	18,000	18,000
Annual Financial Statements Received *				
Actual	1,465	1,472	1,480	1,480
Domestic Annual Financial Statements Analyzed				
Actual	49	48	47	46
Premium Tax Annual Returns Received				
Actual	1,481	1,486	1,500	1,500
Annual Premium Tax Returns Audited				
Actual	782	702	750	750
Financial Examinations Conducted				

Actual	15	13	10	7
Policy Forms Reviewed				
Actual	505	411	500	500
Rate & Rule Filings Reviewed				
Actual	1,505	1,639	1,700	1,700
Rate & Rule Filings Processed				
Actual	5,331	4,074	4,500	4,500

DIVISION OF INSURANCE

3. Consumer Outreach and Education.

Objective: Consumers are educated about responsibilities, rights and choices, and the complaint resolution process.

Performance Measure #3	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
100% of outreach conveys key messages above.	Benchmark			100%	100%
	Actual	N/A	N/A	Unknown	Unknown

Strategy: Staff will be educated about key messages; Key messages are incorporated in all printed material: brochures, handouts, signage, trade show booth design, etc; Key messages are incorporated in website design and information; Key messages are included in talking points, speeches, panel discussions; Availability of complaint resolution process will be highlighted on the web and in one-on-one contact with consumers.

Evaluation of Prior Year Performance: This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates how the Division's performance protects consumers through education.

Key Workload Indicators: Given the qualitative nature of this measure, no workload indicator is thought to relate to this measure specifically.

DIVISION OF INSURANCE

4. Business Education.

Objective: Insurance providers and companies can access the regulatory process in a timely and efficient manner.

Performance Measure #4	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
In 2010, 100% of all required filings are done electronically.	Benchmark			100%	100%
	Actual	N/A	N/A	Unknown	Unknown

Strategy:

We have enacted rules, regulations, and bulletins with regard to electronic filing requirements; We will contact and communicate with the company/individual to determine why they have not followed electronic filing requirements;

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08.

This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates how the Division's performance provides insurance providers and companies important access to the regulatory process.

Key Workload Indicators: Several different workload indicators to this measure are currently collected and tracked, ranging from insurance rate filings to premium tax filings to financial statements. Additionally, recent legislation has specified new filings that must be accomplished electronically. However, given the complexity and volume associated with the different filings and the fact that these filings are not tracked to identify manual versus electronic filings, the most relevant workload indicators associated with this measure must be tracked beginning in FY 08-09 and beyond, including the number of overall filings and the number of electronic filings.

PUBLIC UTILITIES COMMISSION

1. Dispute Resolution.

Objective: Consumers are protected through timely and fair resolution of complaints and disputes and other issues among and between utilities and consumers.

Performance Measure #1	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
95% of informal consumer complaints resolved in 15 business days.	Benchmark			95%	95%
	Actual	N/A	96.3%	Unknown	Unknown

Strategy: Consumer Affairs staff is trained in proper complaint handling procedures. Timeliness of complaint resolution is tracked through the Consumer Complaints Tracking System. Work with regulated utilities to ensure information is provided to staff and consumers in a timely fashion.

Evaluation of Prior Year Performance: This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. However, in last year's Strategic Plan, a comparable measure was included as follows: "Consumer complaints are resolved within 15 business days of receipt of the complaint." The FY 2007-08 benchmark for this measure was a target of 100%, and the actual performance was 96.3% of the time, slightly exceeding the objective. This new measure for the FY 2009-10 Strategic Plan represents an improved measure because it directly and more specifically illustrates how the Division's performance translates to consumer protection through timely dispute resolution.

Key Workload Indicators: Relevant workload indicators to this measure include:

Public Utilities Commission	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Fixed Utilities Complaints Closed**	3,036	2,624	3000	3000
Transportation Complaints Closed**	187**	326	300	300
Investigations Closed	302**	266	300	300

PUBLIC UTILITIES COMMISSION

2. Economic Oversight.

Objective: Colorado utilities maintain financial viability through just and reasonable rates.

Performance Measure #2	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
Measured over a 5-year period, the savings the PUC secures for consumers outweighs the cost of the agency.	Benchmark			5 year net savings	5 year net savings
	Actual	N/A	N/A	Unknown	Unknown

Strategy: Vigorously analyze rate filing data to ensure the filing is justified and the resulting rates are reasonable. Negotiate settlements with utilities on rate cases when appropriate. Compare Colorado utilities “rate of return” with other national utilities to ensure rates are providing the companies the opportunity to earn a profit and thus maintain financial viability. Track savings for consumers as a result of complaint resolution.

Evaluation of Prior Year Performance: This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. However, actual data has been collected by this Division, and it shows annual savings figures of \$108.9 million and \$100.3 million in the most recent two actual years. Compared to PUC’s recent actual costs of \$18.1 million (FY 2006-07) and \$20.2 million (FY 2007-08), estimated savings have exceeded the costs of the agency over the last two years.

This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates how the Division’s performance translates to just and reasonable utility rates for consumers.

Key Workload Indicators: Relevant workload indicators to this measure include:

	Actual	Actual	Estimate	Estimate
	FY 06-07	FY 07-08	FY 08-09	FY 09-10
Savings (in millions)	\$100.3	\$108.9	\$20.2	\$20.2
Costs (in millions)	\$18.1	\$20.2	\$20.2	\$20.2

PUBLIC UTILITIES COMMISSION

3. Outreach.

Objective: Consumers and utilities are educated about their rights and responsibilities and the effect of PUC decisions.

Performance Measure #3	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
100% of outreach is consistent with the key messages of consumer protection, education and public participation.	Benchmark			100%	100%
	Actual	N/A	N/A	Unknown	Unknown

Strategy: Consumers are provided the opportunity to address the Commission at every weekly meeting and prior to all major rate cases a public hearing is held. Commission holds frequent information meetings to educate the public on important utility issues. Commission regularly publishes and revises “Consumer FYI” publications, which inform ratepayers how PUC decisions will affect them. Commission holds town meetings when feasible.

Evaluation of Prior Year Performance: This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates how the Division’s performance translates to consumer protection through education of consumer and utility responsibilities.

Key Workload Indicators: Relevant workload indicators to this measure include:

Public Utilities Commission	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Fixed Utilities				
Complaints Closed**	3,036	2,624	3000	3000
Transportation				
Complaints Closed**	187**	326	300	300
Investigations Closed	302**	266	300	300

PUBLIC UTILITIES COMMISSION

4. Safety and Compliance.

Objective: Utilities provide reliable, safe, equitable, adequate, and quality services.

Performance Measure #4	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
100% score from the Office of Pipeline Safety annual review.	Benchmark			100%	100%
	Actual	N/A	N/A	Unknown	Unknown

Strategy: Pipeline inspectors spend at least the minimum required time in the field and follow approved pipeline safety inspection procedures and conduct thorough investigations of jurisdictional incidents. Similarly, transportation safety and rail safety inspectors follow appropriate federal and state laws and procedures in conducting inspections and safety audits.

Evaluation of Prior Year Performance: This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08.

This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates how the Division's performance results in reliable and safe utilities.

Key Workload Indicators: No specific workload indicator is thought to be relevant given the nature of the measure.

PUBLIC UTILITIES COMMISSION

5. Motor Carrier Permits.

Objective: All over-the-counter applications are timely processes to verify qualifications to operate.

Performance Measure #5	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
Process 100% of completed applications within 5 business days of receipt.	Benchmark			100%	100%
	Actual	N/A	N/A	Unknown	Unknown

Strategy: Customer Care staff is trained in proper application processing procedures. Timeliness of application processing is tracked through the Operating Rights system. Application processing is contingent upon the filing of proper proof of insurance. This process is no longer reliant upon the mail, as all proof of insurance filings are now electronically filed with an accuracy rate of 99%.

Evaluation of Prior Year Performance: This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. This new measure for the FY 2009-10 Strategic Plan represents an improved measure because it directly and specifically illustrates how the Division’s performance ensures consumer protection through verification of motor carrier permits.

Key Workload Indicators: Relevant workload indicators to this measure include:

Public Utilities Commission	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Fixed Utilities				
Applications Processed	149	133	130	130
Transportation				
Authority Applications Processed – Intrastate Regulated Carriers	132	133	140	140
Permits, Registrations and Stamps Processed/Issued	31,982	26,049	25,000	25,000

Division of Real Estate

1. Enforcement.

Objective: Coloradans are protected by eliminating bad actors and creating a level playing field by achieving compliance with all applicable laws.

Performance Measure #3	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
75% of all complaints are investigated and resolved within 180 days. Any complaints not completed within 180 days are considered "backlog."	Benchmark			75%	75%
	Actual	N/A	75%	Unknown	Unknown

Strategy:

The Division of Real Estate intends to meet this performance measure through streamlining the complaint process across all programs. At the intake phase acknowledgement of the complaint will be made within five business days. The project manager will then review and assign the complaint to an investigator within five business days and the complainant will be notified. Investigations will be completed within six months of intake. After the investigation is complete the program manager will review the investigation and determine how to handle it and what recommendations will be made to the commission, board or director within five business days. Fining matrixes will be created and published for all three programs housed within the division to ensure recommendations and final results are consistent and properly tracked. Cases will be presented to the commission, board or director at a maximum of 30 days after the investigation is complete. The resolution of cases will be complete within five days and may include referral to the Office of the Attorney General or sending out a settlement agreement to the respondent. Final disposition of cases may take up to three months after the investigation is complete if a case goes to hearing or is referred to another regulatory agency. Payment policies for efficient compliance will be established for the final disposition stage and respondents will be notified of non-compliance within five business days.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. However, in last year's Strategic Plan, a comparable measure was included as follows: "Complaints are investigated and referred to the Real Estate Board, Commission or Division Director for action or dismissal within 180 days of receipt of the complaint. Any complaints not

completed within 180 days are considered ‘backlog’.” The FY 2007-08 benchmark for this measure was a target of 75%. The Division of Real Estate has been successful in meeting this performance measure. The Real Estate Broker Program has on average a 14% backlog of cases not complete within 180 days. The Mortgage Broker Program has on average a 0% of cases not complete within 180 days. The appraiser program is subject to federal requirements in the investigation of complaints, the federal government’s Appraisal Subcommittee (ASC) requires cases to be investigated and completely resolved in twelve months. The current management team took over the appraiser program in late 2006. At that time, there were 244 appraiser cases outstanding. We have reduced this number to 98 outstanding appraiser cases (a 60% reduction) as of the close of the second quarter. At the time of the ASC’s follow-up review in August of 2007, there were 99 cases that were outstanding for more than one year. As of the March 2008 quarterly report, we had reduced this number to 48 (a 51% reduction). As of this quarterly report, the number of complaints outstanding for more than one year has been further reduced to 31 cases. This represents a 69% reduction since the ASC follow-up review in August of 2007. The average backlog for the Appraiser Program is approximately 40%.

This new measure for the FY 2009-10 Strategic Plan represents an improved measure because it directly and more specifically illustrates how the Division’s performance translates to consumer protection through enforcing compliance of applicable laws.

Key Workload Indicators: Relevant workload indicators to this measure include:

DIVISION OF REAL ESTATE	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Brokers				
Complaints in Progress	287	219	250	300
Complaints Received (respondents)	892	843	900	1,100
Completed Investigations (respondents)	894	730	900	900
Appraisers				
Complaints in Progress	255	305	250	300
Complaints Received (respondents)	206	341	300	350
Completed Investigations (respondents)	316	294	300	350

DIVISION OF REAL ESTATE

2. Outreach.

Objective: Stakeholders are educated to ensure the public and regulated community know and can exercise their rights and responsibilities

Performance Measure #2	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
Reduce the number of complaints we receive where we do not have jurisdiction by 10%.	Benchmark			-10%	-10%
	Actual	N/A	N/A	Unknown	Unknown

Strategy:

Division of Real Estate will sponsor outreach events, increase correspondence with consumers and consumer groups, enhance media relations, and the Division will include the DORA brand and emphasize the mission, its jurisdiction, and any applicable mandates.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08.

This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates how the Division's performance in providing education increases regulated community responsibility and met expectations.

Key Workload Indicators:

Although the overall number of complaints by profession is currently tracked, the number of complaints dismissed for non-jurisdictional reasons is not explicitly tracked as a separate indicator associated with this new measure. Therefore, this data must be collected and reported beginning in FY 08-09 forward.

DIVISION OF REAL ESTATE

3. Proactive Regulation.

Objective: Proactive and interactive outreach with stakeholders leads to necessary regulation.

Performance Measure #3	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
Create a DRE Advisory Council of licensees and consumers to provide feedback regarding recommended regulatory changes and hold quarterly meetings.	Benchmark			Council Creation	Council Creation / Maintain
	Actual	N/A	N/A	Unknown	Unknown

Strategy:

Advisory counsel is in place and we are exploring feedback tools as well as a regularly held meeting.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08.

This new measure for the FY 2009-10 Strategic Plan represents an improved measure because it directly and more specifically illustrates how the Division's performance translates to creation and maintenance of necessary regulation.

Key Workload Indicators: No specific workload indicator is thought to be relevant given the nature of the measure.

DIVISION OF REAL ESTATE

4. Timely Access.

Objective: All license applications and renewals are efficiently processed.

Performance Measure #4	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
License applications are processed within 5 business days of receipt of completed application.	Benchmark			100%	100%
	Actual	N/A	100%	Unknown	Unknown

Strategy:

To meet this measure the Division of Real Estate first intends to ensure smooth implementation of the new mortgage broker regulatory program. The division also is focusing on resolving fingerprint problems and ensuring applicants are educated on obtaining E&O coverage. The licensing applications will be redesigned for better efficiency, an on-line application will be designed for the mortgage broker program, credit card processing will be implemented for renewal applications and a cash management process will be created and implemented.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. However, in last year's Strategic Plan, a comparable measure was included as follows: "License applications are processed within 5 business days of receipt of completed application." The FY 2007-08 benchmark for this measure was a target of 100%, and the actual performance was 100%. The Division of Real Estate has been successful in meeting this performance measure. Real estate and mortgage broker licenses are continuously processed within 5 business days with a completion average of 85 to 90% for all applications received. Due to a major change in the federal requirements for obtaining appraiser credentials, an extremely large number of applications for appraiser licenses are being received. In addition, federal government policies changed to require a technical review of the work products of appraiser applicants. This resulted in a backlog in the processing of appraiser applications of approximately 10 to 15%. Subdivision applications are processed well within 60 days per statute requirements with 0% backlog.

This new measure for the FY 2009-10 Strategic Plan represents an improved measure because it directly and more specifically illustrates how the Division’s performance translates to timeliness of processed applications, efficiently keeping the regulation process moving to protect consumers.

Key Workload Indicators: Relevant workload indicators to this measure include:

DIVISION OF REAL ESTATE	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
New Broker Licenses Issued	4,533	3,146	3,500	4,000
New Corporations/Partnerships	847	697	750	750
Broker and Salesperson License Renewals	14,321	18,292	18,000	18,000
New Subdivisions	25	27	30	30
Subdivision Renewals	153	160	175	200
New Appraisers—Certified General	80	95	75	75
New Appraisers—Certified Residential	183	169	150	150
New Appraisers—Licensed	127	82	100	100
New Appraisers—Registered	249	189	200	2,500
Appraisal Renewals	1,744	1,540	1,500	1,600

DIVISION OF REAL ESTATE

5. Complaint Processing.

Objective: Consumer complaints are resolved in a manner ensuring consumer confidence in the process while preserving market integrity.

Performance Measure #5	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
Complaints are investigated and referred to the Real Estate Board, Commission or Division Director for action or dismissal within 180 days of receipt of the complaint. Any complaints not completed within 180 days are considered "backlog."	Benchmark			100%	100%
	Actual	N/A	100%	Unknown	Unknown

Strategy:

The Division of Real Estate intends to meet this performance measure through streamlining the complaint process across all programs. At the intake phase acknowledgement of the complaint will be made within five business days. The project manager will then review and assign the complaint to an investigator within five business days and the complainant will be notified. Investigations will be completed within six months of intake. After the investigation is complete the program manager will review the investigation and determine how to handle it and what recommendations will be made to the commission, board or director within five business days. Fining matrixes will be created and published for all three programs housed within the division to ensure recommendations and final results are consistent and properly tracked. Cases will be presented to the commission, board or director at a maximum of 30 days after the investigation is complete. The resolution of cases will be complete within five days and may include referral to the Office of the Attorney General or sending out a settlement agreement to the respondent. Final disposition of cases may take up to three months after the investigation is complete if a case goes to hearing or is referred to another regulatory agency. Payment policies for efficient compliance will be established for the final disposition stage and respondents will be notified of non-compliance within five business days.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. However, in last year's Strategic Plan, a comparable measure was included as follows: "License applications are processed within 5 business days of

receipt of completed application.” The FY 2007-08 benchmark for this measure was a target of 100%. The Division of Real Estate has been successful in meeting this performance measure. The Real Estate Broker Program has on average a 14% backlog of cases not complete within 180 days. The Mortgage Broker Program has on average a 0% of cases not complete within 180 days. The appraiser program is subject to federal requirements in the investigation of complaints, the federal government’s Appraisal Subcommittee (ASC) requires cases to be investigated and completely resolved in twelve months. The current management team took over the appraiser program in late 2006. At that time, there were 244 appraiser cases outstanding. We have reduced this number to 98 outstanding appraiser cases (a 60% reduction) as of the close of the second quarter. At the time of the ASC’s follow-up review in August of 2007, there were 99 cases that were outstanding for more than one year. As of the March 2008 quarterly report, we had reduced this number to 48 (a 51% reduction). As of this quarterly report, the number of complaints outstanding for more than one year has been further reduced to 31 cases. This represents a 69% reduction since the ASC follow-up review in August of 2007. The average backlog for the Appraiser Program is approximately 40%.

This new measure for the FY 2009-10 Strategic Plan represents an improved measure because it directly and more specifically illustrates how the Division’s performance translates to timeliness of processed applications, efficiently keeping the regulation process moving to protect consumers.

Key Workload Indicators: Relevant workload indicators to this measure include:

DIVISION OF REAL ESTATE	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Brokers				
Complaints in Progress	287	219	250	300
Complaints Received (respondents)	892	843	900	1,100
Completed Investigations (respondents)	894	730	900	900
Appraisers				
Complaints in Progress	255	305	250	300
Complaints Received (respondents)	206	341	300	350
Completed Investigations (respondents)	316	294	300	350

DIVISION OF REGISTRATIONS

1. Complaint Resolution.

Objective: Consumer complaints are resolved in a timely and accountable manner.

Performance Measure #1	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
In the Office of Investigations, 95% of High Priority cases will be investigated within 90 days and 90% of Standard cases will be investigated within 180 days.	Benchmark			95% / 90%	95% / 90%
	Actual	N/A	84.3%	Unknown	Unknown

Strategy:

The Division will work with DORA IT Services and vendors to ensure that the computer system generates accurate and reliable reports to facilitate the efficient management of all complaints. We will dedicate sufficient staffing resources and will work with the Office of Attorney General, Boards, and Committees to achieve the Strategic Result. We will ensure that our performance expectations toward achieving this result are clear and consistent.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. However, in last year's Strategic Plan, a comparable measure was included as follows: "Cases referred to the Division's Office of Investigations are investigated within 180 days. (For FY 06-07, the timeframe was 240 days)." The FY 2007-08 benchmark for this measure was a target of 100%, and the actual performance was 84.3%.

This new measure for the FY 2009-10 Strategic Plan represents an improved measure because it directly and more specifically illustrates how the Division's performance translates to timely resolution of consumer complaints in an effort toward consumer protection.

Key Workload Indicators: Two relevant workload indicators to this measure include:

Complaints Received and Handled	Actual FY 05-06	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Accountancy	103	121	63	130	130
Acupuncturists	22	6	11	13	13
Addiction Counselors	97	48	84	78	78
Architects/Engineers/Land Surveyors	0	122	105	125	125
Architects (combined Board as of FY07)	36	N/A	N/A	N/A	N/A
Athlete Agents	N/A	N/A	N/A	6	6
Barber/Cosmetology	662	500	487	500	500
Boxing	25	19	14	25	25
Chiropractic	79	53	117	85	85
Dental	265	301	301	295	295
Electrical	183	147	124	150	150
Engineers/Land Surveyors (combined Board as of FY07)	107	N/A	N/A	N/A	N/A
Hearing Aid Providers/Audiologists	28	21	22	24	24
Landscape Architects	N/A	N/A	1	10	15
Lay Midwives	17	2	7	10	10
Massage Therapists	N/A	N/A	N/A	195	195
Mental Health – Licensed Professional Counselors	84	63	101	84	84
Mental Health – Marriage and Family Therapists	19	12	19	17	17
Mental Health – Psychology	59	62	74	66	66
Mental Health – Social Work	77	86	95	88	88
Mental Health – Grievance/Unlicensed Psychotherapists	90	74	87	85	85
Medical	1,110	1,039	1,133	1,116	1,116
Nursing	1,143	559	585	650	650
Nurse Aides	381	158	249	300	300
Nursing Home Administrators	48	25	23	32	32
Occupational Therapists	N/A	N/A	N/A	40	40

Complaints Received and Handled					
	Actual FY 05-06	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Optometric	19	14	30	21	21
Outfitters	41	55	30	50	50
Passenger Tramway	7	12	5	6	6
Pharmacy	170	161	283	180	180
Physical Therapy	18	26	32	26	26
Plumbers	153	96	85	100	100
Podiatry	15	20	16	20	20
Respiratory Therapy	6	12	25	15	15
Veterinarians	114	98	61	93	93
TOTAL DIVISION OF REGISTRATIONS					
Total Actual	5,178	3,912	4,269	4,635	4,640

(1) Complaints include (a) those that are received externally from the public, consumers, licensees, etc. (b) those that are generated internally by board members or staff, and (c) non-jurisdictional complaints.

Board or Program	July 1, 2007 - June 30, 2008			As of June 30, 2008		Pending Hearing
	Carried over from FY 07	Received	Investigated	Under investigation	Over 8 months old	
Accountancy	0	13	6	7	0	14
Acupuncturists	0	3	1	2	0	0
Architects/Engineers/Land Surveyors	12	5	17	0	0	16
Athlete Agents	0	0	0	0	0	0
Barber/Cosmetology	2	3	5	0	0	6
Boxing	0	0	0	0	0	0
Chiropractic	2	20	20	2	0	10
Dental	25	79	73	31	0	70
Electrical	0	11	11	0	0	17
Hearing Aid Providers/Audiologists	0	7	5	2	0	1
Lay Midwives	0	1	0	1	0	0

FY 08 Complaints Investigated						
Board or Program	July 1, 2007 - June 30, 2008			As of June 30, 2008		Pending Hearing
	Carried over from FY 07	Received	Investigated	Under investigation	Over 8 months old	
Massage Therapists	0	0	0	0	0	0
Mental Health						
Addiction Counselors	7	16	16	7	0	14
Licensed Professional Counselors	2	7	8	1	0	8
Marriage and Family Therapists	2	0	2	0	0	2
Psychology	2	16	14	4	1	13
Social Work	2	8	8	2	0	5
Grievance	1	16	10	7	0	8
Medical	22	47	50	19	0	78
Nursing	52	125	101	76	3	75
Nurse Aides	29	81	76	34	1	23
Nursing Home Administrators	1	7	5	3	0	1
Occupational Therapists	0	0	0	0	0	0
Optometric	1	3	4	0	0	2
Outfitters	1	6	6	1	0	8
Passenger Tramway	0	0	0	0	0	0
Pharmacy	0	1	1	0	0	14
Physical Therapy	3	10	8	5	0	5
Plumbers	2	2	4	0	0	13
Podiatry	0	2	0	2	0	0
Respiratory Therapists	0	5	5	0	0	4
Veterinarians	3	6	8	1	0	6
TOTAL DIVISION OF REGISTRATIONS						
FY 07-08 Actual	171	500	464	207	5	413
FY 06-07 Actual	315	494	638	171	8	374

DIVISION OF REGISTRATIONS

2. Consumer Education.

Objective: Consumers are educated about their rights and ways in which to access the Division and its services.

Performance Measure #2	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
100% of Boards and Programs will make a presentation to a consumer group and/or participate in media events.	Benchmark			100%	100%
	Actual	N/A	N/A	Unknown	Unknown

Strategy:

We will dedicate additional staffing and fiscal resources for Education and Outreach, rely upon technology to gather consumer feedback and facilitate Education and Outreach and work with a consultant and EDO to develop consumer feedback models.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08.

This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates how the Division’s performance translates to consumer awareness and usage of the services provided by the Division.

Key Workload Indicators: No presently collected workload indicator is thought to relate to this measure specifically.

DIVISION OF REGISTRATIONS

3. Fair Standards.

Objective: Public health, safety and welfare are enhanced through fair and consistent oversight and enforcement of regulatory standards.

Performance Measure #3	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
20% increase in the number of programs that will evaluate complaint trends and develop targeted outreach to licensees and consumers.	Benchmark			+20%	+20%
	Actual	N/A	N/A	Unknown	Unknown

Strategy:

We will dedicate sufficient resources for training of contractors and employees and work with the legislature and our Boards to seek consistency in statutes across the Division.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08.

This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates how the Division’s performance ensures the public’s best interests through regulation.

Key Workload Indicators: Given the qualitative nature of this measure, no presently collected workload indicator is thought to relate to this measure specifically.

DIVISION OF REGISTRATIONS

4. Timely Access.

Objective: The public is protected by licensing qualified applicants in a timely and efficient manner.

Performance Measure #4	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
90% of qualified applicants are licensed or approved for exam within 14 days of receipt of an application that includes all required documentation.	Benchmark			90%	90%
	Actual	N/A	96%	Unknown	Unknown

Strategy:

We will use online applications and credit card payments as well as the electronic transmission of application and examination data to help speed up the process. We will work with the Office of the Attorney General, Boards and Committees to achieve the Strategic Result.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. However, in last year's Strategic Plan, a comparable measure was included as follows: "Licenses to practice are issued within 7 days of review of completed applications." The FY 2007-08 benchmark for this measure was a target of 100%, and the actual performance was 96%.

This new measure for the FY 2009-10 Strategic Plan represents an improved measure because it directly and more specifically illustrates how the Division's performance affects access to timely applications such that consumers can be protected.

Key Workload Indicators: Relevant workload indicators to this measure include:

New Licenses	Actual FY 05-06	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Accountancy	916	927	1,009	1,050	1,100
Acupuncturists	86	99	101	103	105

New Licenses	Actual FY 05-06	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Addiction Counselors	332	359	396	395	393
Architects/Engineers/Land Surveyors	0	1,992	2,020	2,048	2,077
Architects (combined Board as of FY07)	295	N/A	N/A	N/A	N/A
Athletic Agents	N/A	N/A	N/A	130	20
Barber/Cosmetology	4,010	3,281	3,260	3,259	3,259
Boxing	359	638	794	800	800
Chiropractic	156	151	170	176	183
Dental	396	524	502	554	612
Electrical	3,536	3,292	3,253	3,353	3,456
Engineers/Land Surveyors (combined Board as of FY07)	1,336	N/A	N/A	N/A	N/A
Hearing Aid Providers/Audiologists	99	85	82	87	93
Landscape Architects	N/A	N/A	469	100	100
Lay Midwives	5	8	8	9	11
Massage Therapists	N/A	N/A	N/A	6,500	300
Mental Health – Licensed Professional Counselors	325	405	330	350	372
Mental Health – Marriage and Family Therapists	43	47	49	55	61
Mental Health – Psychology	91	123	101	125	154
Mental Health – Social Work	283	353	390	432	478
Mental Health – Grievance/Unlicensed	520	480	662		
Psychotherapists				765	884
Medical	1,566	1,556	1,575	1,584	1,593
Nursing	6,001	6,320	5,792	6,046	6,311
Nurse Aides	4,552	4,173	4,815	5,065	5,328
Nursing Home Administrators	33	44	35	37	38
Occupational Therapists	N/A	N/A	N/A	2,040	215
Optometric	49	62	76	86	97
Outfitters	47	69	57	59	60
Passenger Tramway	19	9	20	13	13
Pharmacy	678	1,083	902	987	1,079
Physical Therapy	347	356	401	446	495
Plumbers	1,362	1,159	3,012	1,500	1,600

New Licenses	Actual FY 05-06	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Podiatry	8	9	9	9	10
Respiratory Therapy	219	201	261	275	300
Veterinarians	170	230	339	240	250
TOTAL DIVISION OF REGISTRATIONS	27,839	28,035	30,890	38,678	31,847

License Renewals	Actual FY 05-06	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Accountancy	13,510	219	14,983	375	14,906
Acupuncturists	724	0	812	0	925
Addiction Counselors	239	1,752	389	0	2,697
Architects/Engineers/Land Surveyors	0	11,460	16,764	9,124	14,810
Architects (combined Board as of FY07)	2,292	N/A	N/A	N/A	N/A
Athlete Agents	N/A	N/A	N/A	0	135
Barber/Cosmetology	27,801	11,469	28,806	12,073	28,769
Boxing	0	9	50	45	45
Chiropractic	2,104	503	1,609	0	2,231
Dental	7,795	0	8,016	0	8,110
Electrical	0	17,710	0	18,134	0
Engineers/Land Surveyors (combined Board as of FY07)	9,002	N/A	N/A	N/A	N/A
Hearing Aid Providers/Audiologists	324	0	399	0	415
Landscape Architects	N/A	N/A	0	570	598
Lay Midwives	45	46	48	53	57
Massage Therapists	N/A	N/A	N/A	0	6,120
Mental Health – Licensed Professional Counselors	278	2,822	433	0	4,407
Mental Health – Marriage and Family Therapists	58	416	80	0	621
Mental Health – Psychology	138	1,806	217	0	2,293
Mental Health – Social Work	236	2,916	406	0	4,221
Mental Health – Grievance/Unlicensed	181	897	238	0	2,753

License Renewals	Actual FY 05-06	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Request FY 09-10
Psychotherapists					
Medical	1,802	16,323	352	18,403	1,632
Nursing	31,480	25,426	31,738	27,550	31,000
Nurse Aides	21,210	0	22,176	0	21,675
Nursing Home Administrators	343	304	350	310	382
Occupational Therapists	N/A	N/A	N/A	0	2,029
Optometric	0	1,057	0	1,096	0
Outfitters	717	693	692	707	711
Passenger Tramway	342	351	345	360	370
Pharmacy	5,951	1,445	6,562	2,244	6,879
Physical Therapy	0	4,793	0	5,300	5
Plumbers	6,076	0	6,171	0	0
Podiatry	178	180	186	190	190
Respiratory Therapy	0	1,907	0	1,944	0
Veterinarians	0	3,515	0	3,547	0
TOTAL DIVISION OF REGISTRATIONS	132,826	108,019	141,822	102,025	158,986

DIVISION OF REGISTRATIONS

5. Efficient Government.

Objective: Efficiency and security are improved through the use of technology.

Performance Measure #5	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
50% increase in the number of Boards-Programs that use electronic means for distribution of agenda packets.	Benchmark			+50%	+50%
	Actual	N/A	N/A	Unknown	Unknown

Strategy:

We will dedicate additional staffing and fiscal resources to acquire technologies that allow our Boards to conduct business electronically.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08.

This new measure for the FY 2009-10 Strategic Plan represents an improved measure because it directly and specifically illustrates how the Division’s successful use of technology can increase efficiency, improve the security of sensitive information, and protect consumers.

Key Workload Indicators: In the future, the Division will track its number of paperless boards. Presently, there are no fully-paperless boards.

DIVISION OF SECURITIES

1. Licensing.

Objective: Citizens of Colorado are protected from investment fraud through fair and just enforcement of licensure standards for stockbrokers and investment advisors.

Performance Measure #2	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
Contact for additional information all broker-dealers who have special review applications pending for stockbrokers within one week of receipt of the application by the Division.	Benchmark			125	125
	Actual	N/A	N/A	Unknown	Unknown

Strategy:

A monitoring system will identify special review applications and monitor those in need of additional information. Once established, additional information will be requested.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08.

This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates how the Division’s performance protects consumers through enforcement of regulation and licensing standards.

Key Workload Indicators: Relevant workload indicators to this measure include:

DIVISION OF SECURITIES	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Broker-Dealer and Investment Adviser Licensing (SEC = Securities and Exchange Commission)				

DIVISION OF SECURITIES	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
SEC Broker-Dealer Applications	186	160	160	160
Investment Adviser Applications	262	301	300	300
SEC Broker-Dealer Renewals	2,349	2,352	2,300	2,300
Investment Adviser Renewals	1884	1,987	1,950	1,950
Non-SEC Broker-Dealer Applications	1	1	1	1
Non-SEC Broker-Dealer Renewals	6	6	10	10
Sales Representative and Investment Adviser Representative Licensing				
(NASD = National Association of Securities Dealers, Inc.)				
NASD Sales Representative Applications	40,887	42,100	42,500	42,500
NASD Sales Representative Renewals	134,053	143,772	143,800	143,800
NASD Disciplinary Withdrawals	453	256	275	275
Non-NASD Sales Representative Applications	7	2	5	5
Non-NASD Sales Representative Renewals	12	11	11	11
Investment Adviser Representative Applications	2,701	2,541	2,700	2,700
Investment Adviser Representative Renewals	7,468	8,458	8,500	8,500

DIVISION OF SECURITIES

2. Examinations.

Objective: Investors are protected from dishonest and unethical sales practices through examinations, which ensure that brokerage and investment advisory firms comply with the law.

Performance Measure #3	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
Annually examine 125 licensed Investment Advisor Representatives and brokerage firms in Colorado.	Benchmark			125	125
	Actual	N/A	N/A	Unknown	Unknown

Strategy:

The Division has submitted a decision item for additional examiners. With the additional examiners, we should be able to accomplish this measure.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08.

This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates how the Division’s performance protects consumers through enforcement of regulation and licensing standards.

Key Workload Indicators: Relevant workload indicators to this measure include:

DIVISION OF SECURITIES	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Field Examinations	40	46	48	48

DIVISION OF SECURITIES

3. Enforcement.

Objective: Citizens are protected by deterring investment fraud activity through timely and thorough investigations and enforcement actions.

Performance Measure #4	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
Upon receipt of a complaint, within 15 days make a determination as to whether justification exists to open an active investigative case.	Benchmark			15 days	15 days
	Actual	N/A	98%	Unknown	Unknown

Strategy: Once the complaint form is received, a review will be performed to determine if there is a violation of the Colorado Securities Act. If so, an investigation will be opened. If not, the staff will attempt to refer the complaint to the appropriate regulatory or law enforcement agency.

Evaluation of Prior Year Performance: This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08. However, in last year’s Strategic Plan, a comparable measure was included as follows: “Investor complaints that do not require an investigation are resolved within 30 days of receipt.” The FY 2007-08 benchmark for this measure was a target of 100%, and the actual performance was 98%. This new measure for the FY 2009-10 Strategic Plan represents an improved measure because it directly and more specifically illustrates how the Division’s performance ensures investor protection through regulatory enforcement.

Key Workload Indicators: Relevant workload indicators to this measure include:

DIVISION OF SECURITIES	Actual FY 06-07	Actual FY 07-08	Estimate FY 08-09	Estimate FY 09-10
Enforcement Statistics and Projections				
Total Caseload	382	357	408	408
New Cases	132	137	132	132
Files Closed	178	146	144	144
Total Legal Actions	180	179	168	168

DIVISION OF SECURITIES

4. Investor Education.

Objective: Public awareness is heightened about basic financial principles, investor protection issues and regulatory safeguards to help make sound investment decisions.

Performance Measure #5	Outcome	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Approp.	FY 09-10 Request
Establish a baseline for 2008 for use of the Division's interactive web games which improve investor awareness skills and increase participation by 10 percent for 2009.	Benchmark			+10%	+10%
	Actual	N/A	N/A	Unknown	Unknown

Strategy:

Using DORA's website analysis, a baseline can be established for current statistics of usage. We expect to utilize partners, such as the Jumpstart Coalition, the National Financial Literacy Network, and Newspapers in Education, to publicize the availability of the web games in order to generate web traffic.

Evaluation of Prior Year Performance:

This measure is a new measure for the FY 2009-10 Strategic Plan and was not in existence during FY 2007-08.

This new measure for the FY 2009-10 Strategic Plan represents an important measure because it directly and specifically illustrates how the Division's performance ensures investor protection through education.

Key Workload Indicators: No presently collected workload indicator is thought to relate to this measure specifically.

3.11 EVALUATION OF SUCCESS IN MEETING BENCHMARKS

Because many of the measures in the DORA 2009-2010 Strategic Plan are new, it is not possible to assess prior year performance, because in many cases data is not yet available and benchmarks are effective beginning in FY 2008-09. For this reason, many of the cells include an “N/A” for FY 2007-08. Further, in some cases, measures are based on the year-over-year change for a given set of data – and while FY 2007-08 data is available, FY 2006-07 data is not, making it impossible to assess the year-over-year change as a part of the new performance measure.

However, some important and continuing measures do carry forward from previously existing measures, and for these it is possible to comment on the Department’s success in meeting those measures.

One such measure is the amount of savings and return on investment achieved through regulation, settlements, and rate reviews, and it has been in place since FY 2007-08. DORA’s appropriation and its ultimate cost to fee-payers and tax-payers is easily reported, and similarly, the amount of savings being achieved by DORA divisions is also tracked. Comparing the two as a performance measure is intended to assess the extent to which DORA is meeting its objective to play an active part in improving Colorado’s economic environment. Last year, the Department reported an overall savings figure of \$162.2 million for FY 2006-07 based on estimated savings rate for rate cases, rate approvals, miscellaneous enforcement, and penalties. Compared to a baseline appropriation of \$59.6 million, this reflected a 172.2 % return on investment in the form of quantifiable consumer protection. For FY 2007-08, the estimated savings figure is \$205.5 million, which compared to a baseline appropriation of \$65.0 million translates to a 216.3 % return on investment. Savings are estimated and will fluctuate by year based on the timing and significance of matters before DORA entities – therefore, the Department’s benchmark conservatively targets that savings exceed costs each year. Nevertheless, the Department’s ability to report on this indicates that it continues to play an active part in improving Colorado’s economic environment.

In addition to this important measure, various other measures that have been continued demonstrate success in meeting benchmarks, among them:

- 100% of Department licensing and registration functions are available on the internet;

- 100% of Division of Banking consumer complaints were resolved within the 20 day benchmark;
- 100% of Division of Financial Services regulated institutions are operating in a safe and sound manner. While this measure was met for FY 2007-08, it was thought to be too high-level to be meaningful, and a new measure was designed to more closely gauge Division performance in this area.
- 96.3% of PUC informal consumer complaints were resolved in 15 business days, within the 95% benchmark;
- 75% of all complaints in Division of Real Estate were investigated and referred for action or dismissal within 180 days, meeting the 75% benchmark.
- 96% of licenses to practice were issued within 7 days of completed application review, with a benchmark of 100%. This measure was revised to a more meaningful measure and benchmark that 90% of qualified applicants are licensed or approved for exam within 14 days of completed application receipt.

Other measures showed some room for improvement or for adjustment of the benchmark. For example:

- 79% of Civil Rights investigations and mediations were completed within 270 days/30 days, while the benchmark was 100%. The Department has since determined that in practice this former benchmark was not realistic, and revised it to 80%, which nevertheless required improvement in the future;
- 89.3% of Financial Services complaints were resolved within 20 days, while the benchmark was 100%. The Department has not determined that this benchmark is unreasonable, and 100% remains the benchmark.
- 84.3% of Division of Registrations cases were investigated within 180 days, while the benchmark was 100%; this measure was not met for FY 2007-08, and simultaneously the measure was thought to be too high-level to be meaningful and the benchmark not realistic. A new measure was designed to more closely gauge Division performance in this area, and targets were adjusted to 95% (High Priority) and 90% (Standard).

In summary, while the Department is transitioning into new measures in the FY 2009-10 plan and did not track many of these new measures in FY 2007-08, the measures that were continued have confirmed successful performance in some areas, identified room for

improvement in others, and suggested more realistic benchmarks or more specific measures in further areas. This illustrates that the Department's planning efforts themselves are meeting their purpose in serving to realistically define the Department's targets for success and performance in achieving it.