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EXECUTIVE ORDER

Authorizing the Hiring of Outside Counsel

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I, Bill Owens, Governor of the State of Colorado, hereby issue this Executive Order authorizing and directing the hiring of outside counsel in the matter of Coulter v. Bill Owens, Governor and Troy Eid, Acting Director of the Colorado Department of Personnel and General Support Services.

1. Background and Need

On September 21, 2001, the Office of the Governor and the Department of General Support Services were served with a summons and complaint in the above captioned matter. On September 28, 2001, the Office of the Governor received notice via letter from the Attorney General that the office of the attorney general will not provide legal services in this lawsuit.

Colorado Revised Statutes §24-31-101(1)(e) states, “Whenever the attorney general is unable or has failed or refused to provide legal services to an agency of state government, as determined by the governor if the agency is in the executive branch or by the chief justice if the agency is in the judicial branch, such agency may employ counsel of its own choosing to provide such legal services. Any expense incurred by reason of the employment of counsel pursuant to this paragraph (e) shall be a lawful charge against appropriations for this purpose made by the general assembly to the department of law.”

2. Directive

Based on the facts recited above, I find that the requirements of C.R.S. §24-31-101(1)(e) are met. I authorize and direct the Office of the Governor and the Department of General Support Services to proceed to appoint counsel to provide representation in the above referenced matter.

GIVEN under my hand and the
Executive Seal of the State of
Colorado, this 3rd day of October, 2001.

Bill Owens
Governor

