



# CITY OF ATLANTA

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## MEMORANDUM

TO: Board of Ethics  
FROM: Ginny Looney  
RE: 2009 Financial Disclosure Report  
DATE: May 14, 2009

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### Filing rates are down from 2008, a banner year.

This year's filing record is down from 2008, but consistent with the filing record in 2007 and earlier years. More persons were required to file in 2009, with 1,680 required filers. Of these, 87 percent filed by the deadline, 10 percent filed late, and two percent (31) have not yet filed. There are 44 delinquent filers – 31 nonfilers and 13 persons who filed after the end of the grace period.

### Comparison of Filing Rates, 2009 and 2008

Category	2009 Numbers	2009 Percentage	2008 Numbers	2008 Percentage
Timely filers	1,464	87	1,514	92
Late filers	165	9.8	104	6.3
Non-filers	31	1.8	10	.6
Reasonable cause	20	1.2	18	1.1
Incomplete	2	0.1		
TOTAL	1,680		1,646	

The reasons for the drop in filing rates can be attributed to several factors. First, last year was a banner filing year and will likely serve as the benchmark for comparison in the future. In 2008, the rate of persons filing by the deadline improved to 92 percent, and the number of delinquent filers was reduced to 11. Second, large numbers of employees have been laid off, terminated, or forced to retire during the past year due to the city's budget crisis, and former employees consistently file at a lower rate than current employees. Third, employees still on the payroll have had to assume more responsibilities at the same time that they are forced to take a 10 percent cut in pay. As one department liaison noted, employees are upset and less cooperative

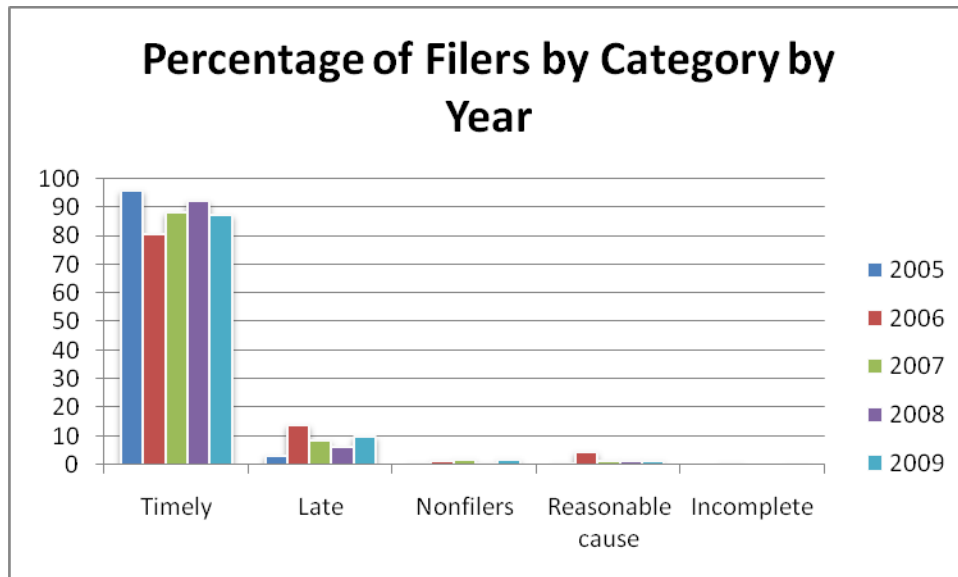
at the moment. Fourth, due to the reduction in force, the financial disclosure liaisons in some departments may have devoted less time to encouraging employees to file.

**Filing rates in 2009 are consistent with earlier years.**

When compared to other years, however, the record in 2009 is comparable. For example, the rate of timely filers is just one percent less than in 2007, and the percentage of nonfilers is the same at 1.8 percent. The difference is that the number of persons required to file has increased, with 200 more persons required to file in 2009 than 2007. This rise means that there are 31 nonfilers in 2009, compared to 27 in 2007.

**Number of Filers by Category, 2005 - 2009**

Year	Timely Filers	Late Filers	Non-filers	Reasonable Cause	Incomplete	Total Filers
2005	1190	39	8			1,237
2006	1059	181	18	57		1,315
2007	1301	126	27	24		1,478
2008	1514	104	10	18		1,646
2009	1464	165	31	20	2	1,680



**New Electronic Disclosure System had problems**

In 2009, an updated Electronic Disclosure System went into effect. The transition to the new system did not go as well as it should have because the developers did not understand the purpose of the system, the system was delivered late, there was insufficient testing, and there were serious flaws in the system that took weeks to correct. Most of the problems, however, did not affect the ability of an individual to gain access to the system or to file his or her statement, and all of the problems with the registration system and 2009 form were resolved before the filing deadline. Testing of the other three disclosure forms, the content management tool, and

the new public search tool continues at the vendor's development server. When finally implemented, the system will enable the general public to have easier and greater access to the information disclosed on the form.

**Grace period should not be extended beyond March 15**

This year the grace period was extended an additional 30 days until March 31. In future years, I recommend that the grace period never be extended beyond March 15. It is important that the Roll of Delinquent Filers be approved at the March meeting so that enforcement can begin immediately. The extra time given to filers this year did not necessarily capture more filers; it just gave the last-minute filers a chance to delay their filing. In addition, the extension beyond March 15 required our office to mail two extra delinquency letters while awaiting board approval this month of the Roll of Delinquent Filers. The most serious consequence is that the financial disclosure cases will not be concluded until September. My goal each year is to complete all financial disclosure cases by July, thus allowing the Ethics Office staff a few months before we must concentrate again on financial disclosure.