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STATE'S RETIRE/REHIRE LAW: Court administrator reinstated after retiring

Sun | Local

By Travis Baker, Sun Staff — [Apr 2nd, 2002](#)

Kitsap County's superior court judges, on a 5-2 vote, have allowed their court administrator, Madelyn Botta, to take advantage of the state's Retire/Rehire law.

Botta returned to work Monday at her previous \$76,000-a-year salary after retiring Feb. 28.

Presiding Judge Leonard Costello called Botta (pronounced Baw-TAY) the "best in the state" among court administrators.

It not only will keep a "very, very valuable" employee in her position, Costello said, but it will save the county money.

Even Judge Anna Laurie, who joined Judge Leila Mills in voting not to allow the move, conceded that the action was "lawful and proper."

Botta is believed to be the first Kitsap County employee to use the law, which took effect last July. It was intended to allow retention of valued employees who are eligible to retire.

Retention of teachers was a major goal of the law, and many here have used it. Bremerton schools have rehired 13 retired teachers and South Kitsap seven, a quick canvas revealed.

Botta said, "Kitsap County is very fortunate that it has a work force with so many people retired from military and government employment."

Laurie said in a statement that though the action is legal, "judges are often prohibited from doing lawful actions simply because we are held to a higher standard of care than other elected officials. It's critical that we avoid even the mere appearance of impropriety. This action was lawful and proper, but I don't think it met the higher standard."

Botta gave up some things in return for the judge's approval.

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She'll no longer get longevity pay of nearly \$2,000 each year. And she's started from scratch with sick leave and vacation time accumulation, leaving \$26,455 in sick leave and \$2,654 in vacation that she could have taken had she not retired. She was paid for 30 days of unused vacation, totalling \$8,563.

She will get her retirement check (60 percent of her highest average salary)only eight months a year.

The county saved a month of Botta's salary and benefits, about \$7,400, for the month since her retirement.

It all figures out to a slight savings of tax dollars, Costello said. But, as significant, he said, is retaining an administrator whose accomplishments take up a typewritten page.

"Ninety-five percent of our civil cases are completed within 18 months," that page said, in part. Only King and Pacific counties do better.

The judges made their decision before Russell Hartman was seated. William Kamps, since retired, joined in the vote to allow Botta to retire and come back.

The Retire/Rehire law also allows an employee to retire, then take a job with a different employer in the same retirement system.

For example, Harold Delia, who retired as head of Kitsap County's juvenile department, accepted a job comparable to Botta's in Yakima County last year. He administers the district and juvenile courts as well as superior courts there, for \$84,000 a year.

Between acceptance of the job and starting work in August, the Retire/Rehire bill took effect. "Ijust fell into it,"Delia said. He expected to have to give up his retirement checks to take the new job, but gets them nine months a year under Retire/Rehire, he said.



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