

REPORT OF THE COMMITTEE ON FINANCE

JUNE 14, 2011

The Honorable,
The Board of Commissioners of Cook County

ATTENDANCE

Present: President Preckwinkle and Chairman Daley, Commissioners Butler, Collins, Fritchey, Gainer, Garcia, Gorman, Goslin, Murphy, Reyes, Schneider, Silvestri, Suffredin and Tobolski (14)

Absent: Vice Chairman Sims, Commissioners Beavers and Steele (3)

Ladies and Gentlemen:

SECTION 1

Your Committee has considered the following court orders submitted by attorneys for payment of fees earned by said attorneys for defending indigent defendants.

Your Committee, therefore, recommends that the County Comptroller and County Treasurer be, and by the adoption of this report, authorized and directed to issue checks to said attorneys in the amounts recommended.

NON-CAPITAL CASE

313103 BARRY A. SPECTOR, Attorney, submitting an Order of Court for payment of \$2,672.50 attorney fees for the defense of an indigent defendant, Dondre Clark. Indictment No. 10-CR-16928-03 (Non-Capital Case).

NON-CAPITAL CASES APPROVED FISCAL YEAR 2011 TO PRESENT: \$898,294.57

NON-CAPITAL CASE TO BE APPROVED: \$2,672.50

JUVENILE CASES

313018 AUDREY COSGROVE, Attorney, submitting an Order of Court for payment of \$600.00 attorney fees for the defense of an indigent defendant, Peter Lewis, Father, re: the Lewis children, minors. Indictment Nos. 08-JA-305, 08-JA-306, 08-JA-307, 09-JA-793, 09-JA-794 and 11-JA-0019 (Juvenile Cases).

313019 AUDREY COSGROVE, Attorney, submitting an Order of Court for payment of \$400.00 attorney fees for the defense of an indigent defendant, Shamyarakalesia McKinney-Jackson, Mother, re: the Jackson children, minors. Indictment Nos. 09-JA-1046 and 09-JA-1047 (Juvenile Cases).

- 313020 AUDREY COSGROVE, Attorney, submitting an Order of Court for payment of \$412.50 attorney fees for the defense of an indigent defendant, Antoine Carpenter, Father, re: D. Farr, a minor. Indictment No. 09-JA-579 (Juvenile Case).
- 313021 AUDREY COSGROVE, Attorney, submitting an Order of Court for payment of \$762.50 attorney fees for the defense of an indigent defendant, Ashley Russo, Mother, re: the Flores children, minors. Indictment Nos. 09-JA-1092 and 09-JA-1093 (Juvenile Cases).
- 313022 AUDREY COSGROVE, Attorney, submitting an Order of Court for payment of \$393.75 attorney fees for the defense of an indigent defendant, Daniel Cordova, Father, re: A. Quezada, a minor. Indictment No. 09-JA-544 (Juvenile Case).
- 313023 AUDREY COSGROVE, Attorney, submitting an Order of Court for payment of \$806.25 attorney fees for the defense of an indigent defendant, Dele Henderson, Mother, re: A. Henderson, a minor. Indictment No. 09-JA-339 (Juvenile Case).
- 313024 AUDREY COSGROVE, Attorney, submitting an Order of Court for payment of \$387.50 attorney fees for the defense of an indigent defendant, Angela Oss, Mother, re: B. Auterberry, a minor. Indictment No. 09-JA-575 (Juvenile Case).
- 313025 AUDREY COSGROVE, Attorney, submitting an Order of Court for payment of \$575.00 attorney fees for the defense of an indigent defendant, Maryanne King, Mother, re: J. King, a minor. Indictment No. 09-JD-3836 (Juvenile Case).
- 313026 AUDREY COSGROVE, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$400.00 attorney fees for the defense of an indigent defendant, N. Levy, a minor. Indictment No. 09-JA-626 (Juvenile Case).
- 313027 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$1,168.75 attorney fees for the defense of an indigent defendant, Deonte Frazier, Father, re: D. Frazier, a minor. Indictment No. 10-JA-670 (Juvenile Case).
- 313028 RAYMOND A. MORRISSEY, Attorney, submitting an Order of Court for payment of \$1,837.50 attorney fees for the defense of an indigent defendant, Jose Sanchez, Father, re: the Sanchez children, minors. Indictment Nos. 09-JA-899, 09-JA-901 and 09-JA-902 (Juvenile Cases).
- 313029 PATRICK K. SCHLEE, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$450.00 attorney fees for the defense of an indigent defendant, N. Thomas, a minor. Indictment No. 09-JA-00438 (Juvenile Case).
- 313030 PAUL D. KATZ, Attorney, submitting an Order of Court for payment of \$675.00 attorney fees for the defense of an indigent defendant, David Flores, Father, re: G. Flores, a minor. Indictment No. 09-JA-00545 (Juvenile Case).
- 313045 PAUL D. KATZ, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$775.00 attorney fees for the defense of an indigent defendant, S. Dellar, a minor. Indictment No. 05-JA-01050 (Juvenile Case).

- 313046 DEAN N. BASTOUNES, Attorney, submitting an Order of Court for payment of \$337.50 attorney fees for the defense of an indigent defendant, Pierre Agee, Sr., Father, re: P. Agee, a minor. Indictment No. 07-JA-00605 (Juvenile Case).
- 313047 MELINDA MACGREGOR, Attorney, submitting an Order of Court for payment of \$425.00 attorney fees for the defense of an indigent defendant, John Williams, Father, re: J. Gant, a minor. Indictment No. 08-JA-418 (Juvenile Case).
- 313048 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$636.25 attorney fees for the defense of an indigent defendant, Talonda Jackson, Mother, re: L. Hampton, a minor. Indictment No. 04-JA-1197 (Juvenile Case).
- 313049 AUDREY COSGROVE, Attorney, submitting an Order of Court for payment of \$450.00 attorney fees for the defense of an indigent defendant, Rudolph Terrell, Father, re: D. Epps, a minor. Indictment No. 10-JA-149 (Juvenile Case).
- 313050 AUDREY COSGROVE, Attorney, submitting an Order of Court for payment of \$387.50 attorney fees for the defense of an indigent defendant, Calvin Moore, Sr., Father, re: C. Moore, a minor. Indictment No. 10-JA-32 (Juvenile Case).
- 313051 AUDREY COSGROVE, Attorney, submitting an Order of Court for payment of \$625.00 attorney fees for the defense of an indigent defendant, Guillermo Gonzalez, Father, re: E. Gonzalez, a minor. Indictment No. 10-JA-1011 (Juvenile Case).
- 313052 AUDREY COSGROVE, Attorney, submitting an Order of Court for payment of \$1,087.50 attorney fees for the defense of an indigent defendant, Celerino Martinez, Father, re: the Martinez children, minors. Indictment Nos. 10-JA-938 and 10-JA-939 (Juvenile Cases).
- 313053 AUDREY COSGROVE, Attorney, submitting an Order of Court for payment of \$1,200.00 attorney fees for the defense of an indigent defendant, Jolene Logsdon, Mother, re: M. Logsdon, a minor. Indictment No. 10-JA-965 (Juvenile Case).
- 313054 CRYSTAL B. ASHLEY, Attorney, submitting an Order of Court for payment of \$1,350.00 attorney fees for the defense of an indigent defendant, Rosie Guider, Adoptive Mother, re: D. Guider, a minor. Indictment No. 10-JA-1019 (Juvenile Case).
- 313055 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$552.00 attorney fees for the defense of an indigent defendant, Shirley Johnson, Mother, re: C. Johnson, a minor. Indictment No. 09-JD-4918 (Juvenile Case).
- 313056 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$3,476.25 attorney fees for the defense of an indigent defendant, Frederick Jones, Father, re: the Jones children, minors. Indictment Nos. 10-JA-0083, 10-JA-0084 and 10-JA-0085 (Juvenile Cases).
- 313057 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$656.25 attorney fees for the defense of an indigent defendant, Justin Quinones, Father, re: M. North, a minor. Indictment No. 07-JA-270 (Juvenile Case).

- 313058 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$762.50 attorney fees for the defense of an indigent defendant, Frank Nitti, Father, re: G. Nitti, a minor. Indictment No. 05-JA-614 (Juvenile Case).
- 313062 ADAM J. JAFFE, Attorney, submitting an Order of Court for payment of \$456.25 attorney fees for the defense of an indigent defendant, Jason Shelton, Father, re: M. Martin, a minor. Indictment No. 08-JA-118 (Juvenile Case).
- 313063 ADAM J. JAFFE, Attorney, submitting an Order of Court for payment of \$418.75 attorney fees for the defense of an indigent defendant, James Stewart, Sr., Father, re: the Stewart children, minors. Indictment Nos. 04-JA-1487 and 04-JA-1488 (Juvenile Cases).
- 313064 BRIAN J. O'HARA, Attorney, submitting an Order of Court for payment of \$350.00 attorney fees for the defense of an indigent defendant, Roylia McNeal, Mother, re: R. Wilkinson, a minor. Indictment No. 06-JA-00657 (Juvenile Case).
- 313065 BRIAN J. O'HARA, Attorney, submitting an Order of Court for payment of \$705.54 attorney fees for the defense of an indigent defendant, Daryl Phillips, Father, re: D. Nunez, a minor. Indictment No. 09-JA-00261 (Juvenile Case).
- 313066 ROBERT L. FRIEDMAN, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$412.50 attorney fees for the defense of an indigent defendant, J. Lee, a minor. Indictment No. 09-JA-00149 (Juvenile Case).
- 313067 STEPHEN JAFFE, Attorney, submitting an Order of Court for payment of \$531.25 attorney fees for the defense of an indigent defendant, Howard Junious, Father, re: the Junious children, minors. Indictment Nos. 99-JA-967 and 99-JA-2530 (Juvenile Cases).
- 313068 STEPHEN JAFFE, Attorney, submitting an Order of Court for payment of \$762.50 attorney fees for the defense of an indigent defendant, Justyna Tetlak, Mother, re: G. Tetlak, a minor. Indictment No. 09-JA-539 (Juvenile Case).
- 313069 PAUL S. KAROLL, Attorney, submitting an Order of Court for payment of \$887.50 attorney fees for the defense of an indigent defendant, Carl Moses, Father, re: T. Moses, a minor. Indictment No. 10-JA-979 (Juvenile Case).
- 313070 DONNA JEAN RAMEY, Attorney, submitting an Order of Court for payment of \$768.75 attorney fees for the defense of an indigent defendant, Raymond Woodfork, Father, re: L. Barry, a minor. Indictment No. 08-JA-498 (Juvenile Case).
- 313071 DONNA JEAN RAMEY, Attorney, submitting an Order of Court for payment of \$781.25 attorney fees for the defense of an indigent defendant, Troy Ross, Father, re: the Bowman child, a minor. Indictment No. 09-JA-819 (Juvenile Case).
- 313077 SHELDON B. NAGELBERG, Attorney, submitting an Order of Court for payment of \$412.50 attorney fees for the defense of an indigent defendant, Gloria Walls, Mother, re: the Tanksley and Walls children, minors. Indictment Nos. 03-JA-1177, 03-JA-1178, 03-JA-1179 and 03-JA-1180 (Juvenile Cases).

- 313078 PAUL S. KAYMAN, Attorney, submitting an Order of Court for payment of \$550.00 attorney fees for the defense of an indigent defendant, Liliana Osorio, Mother, re: A. Suren, a minor. Indictment No. 09-JA-00713 (Juvenile Case).
- 313079 MELANIE M. PETTWAY, Attorney, submitting an Order of Court for payment of \$350.00 attorney fees for the defense of an indigent defendant, Chester Dalton, Father, re: the Dalton and Harper children, minors. Indictment Nos. 03-JA-889, 03-JA-890, 03-JA-891 and 03-JA-892 (Juvenile Cases).
- 313080 MELANIE M. PETTWAY, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$400.00 attorney fees for the defense of indigent defendants, the Neely children, minors. Indictment Nos. 04-JA-1084 and 04-JA-1085 (Juvenile Cases).
- 313081 STEVEN SILETS, Attorney, submitting an Order of Court for payment of \$981.25 attorney fees for the defense of an indigent defendant, Alzonía Magruder, Mother, re: the Magruder and Starnes children, minors. Indictment Nos. 01-JA-1045 and 01-JA-1046 (Juvenile Cases).
- 313082 STEVEN SILETS, Attorney, submitting an Order of Court for payment of \$256.25 attorney fees for the defense of an indigent defendant, Louis Robinson, Sr., Father, re: L. Robinson, a minor. Indictment No. 95-JA-1004 (Juvenile Case).
- 313083 STEVEN SILETS, Attorney, submitting an Order of Court for payment of \$750.00 attorney fees for the defense of an indigent defendant, Derrick Gregg, Father, re: K. Buchmeier, a minor. Indictment No. 09-JA-677 (Juvenile Case).
- 313084 STEVEN SILETS, Attorney, submitting an Order of Court for payment of \$1,687.50 attorney fees for the defense of an indigent defendant, Larry Basemore, Father, re: the Barker and Basemore children, minors. Indictment Nos. 06-JA-716, 06-JA-717, 06-JA-718, 07-JA-306 and 08-JA-765 (Juvenile Cases).
- 313085 STEVEN SILETS, Attorney, submitting an Order of Court for payment of \$237.50 attorney fees for the defense of an indigent defendant, Artie Falls, Mother, re: I. Falls, a minor. Indictment No. 07-JA-593 (Juvenile Case).
- 313094 MICHAEL D. STEVENS, LTD., presented by Michael D. Stevens, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$905.00 attorney fees for the defense of indigent defendants, C. Alexander and C. Wilson, minors. Indictment Nos. 07-JA-734 and 07-JA-735 (Juvenile Cases).
- 313095 MICHAEL D. STEVENS, LTD., presented by Michael D. Stevens, Attorney, submitting an Order of Court for payment of \$750.00 attorney fees for the defense of an indigent defendant, Sandra Escarcega, Mother, re: R. Escarcega, a minor. Indictment No. 07-JA-329 (Juvenile Case).

- 313096 MICHAEL D. STEVENS, LTD., presented by Michael D. Stevens, Attorney, submitting an Order of Court for payment of \$562.50 attorney fees for the defense of an indigent defendant, Greg Binford, Father, re: A. Grant, a minor. Indictment No. 07-JA-313 (Juvenile Case).
- 313098 MICHAEL D. STEVENS, LTD., presented by Michael D. Stevens, Attorney, submitting an Order of Court for payment of \$715.00 attorney fees for the defense of an indigent defendant, Andre Moten, Father, re: A. Moten, a minor. Indictment No. 10-JA-381 (Juvenile Case).
- 313099 MICHAEL D. STEVENS, LTD., presented by Michael D. Stevens, Attorney, submitting an Order of Court for payment of \$660.00 attorney fees for the defense of an indigent defendant, Verna Glenn, Guardian, re: A. Glenn, a minor. Indictment No. 02-JA-527 (Juvenile Case).
- 313100 MATTHEW A. INGRAM, Attorney, submitting an Order of Court for payment of \$337.50 attorney fees for the defense of an indigent defendant, D. Christmas, a minor. Indictment Nos. 10-JD-60477, 10-JD-60799 and 10-JA-60800 (Juvenile Cases).
- 313101 STEVEN O. ROSS, Attorney, submitting an Order of Court for payment of \$747.50 attorney fees for the defense of an indigent defendant, Reimundo Dominguez, Father, re: the Dominguez and Garcia children, minors. Indictment Nos. 10-JA-610, 10-JA-611, 10-JA-612, 10-JA-613 and 10-JA-614 (Juvenile Cases).
- 313102 STEVEN O. ROSS, Attorney, submitting an Order of Court for payment of \$403.88 attorney fees for the defense of an indigent defendant, Jose Juarez, Father, re: the West children, minors. Indictment Nos. 02-JA-1726 and 02-JA-1727 (Juvenile Cases).
- 313104 DEAN C. MORASK, Attorney, submitting an Order of Court for payment of \$931.25 attorney fees for the defense of an indigent defendant, Antonio White, Father, re: the White children, minors. Indictment Nos. 09-JA-851, 09-JA-852, 09-JA-853 and 09-JA-854 (Juvenile Cases).
- 313105 DEAN C. MORASK, Attorney, submitting an Order of Court for payment of \$150.00 attorney fees for the defense of an indigent defendant, Ernest Finch, Father, re: A. Rivera, a minor. Indictment No. 09-JA-797 (Juvenile Case).
- 313106 DEAN C. MORASK, Attorney, submitting an Order of Court for payment of \$862.60 attorney fees for the defense of an indigent defendant, Harry Keith Hardy, Father, re: K. Hardy, a minor. Indictment No. 10-JA-606 (Juvenile Case).
- 313107 SHELDON B. NAGELBERG, Attorney, submitting an Order of Court for payment of \$312.50 attorney fees for the defense of an indigent defendant, Diana Benavides, Mother, re: E. Benavides and K. Harris, minors. Indictment Nos. 02-JA-1431 and 02-JA-1432 (Juvenile Cases).

- 313108 SHELDON B. NAGELBERG, Attorney, submitting an Order of Court for payment of \$555.00 attorney fees for the defense of an indigent defendant, Veronica Escoe, Mother, re: the Boyd, Dudley, Escoe and Gaddis children, minors. Indictment Nos. 09-JA-0777, 09-JA-0778, 09-JA-0779, 09-JA-0780, 09-JA-0781 and 09-JA-0782 (Juvenile Cases).
- 313109 SHELDON B. NAGELBERG, Attorney, submitting an Order of Court for payment of \$471.25 attorney fees for the defense of an indigent defendant, Melinda Hill, Mother, re: the Hill children, minors. Indictment Nos. 10-JA-0200 and 10-JA-0201 (Juvenile Cases).
- 313110 SHELDON B. NAGELBERG, Attorney, submitting an Order of Court for payment of \$306.25 attorney fees for the defense of an indigent defendant, Frank Johnson, Father, re: the Johnson children, minors. Indictment Nos. 94-JA-0044 and 94-JA-0876 (Juvenile Cases).
- 313111 SHELDON B. NAGELBERG, Attorney, submitting an Order of Court for payment of \$748.75 attorney fees for the defense of an indigent defendant, Charlotte Saunders, Mother, re: D. Saunders, a minor. Indictment No. 10-JA-412 (Juvenile Case).

JUVENILE CASES APPROVED FISCAL YEAR 2011 TO PRESENT: \$1,696,846.55

JUVENILE CASES TO BE APPROVED: \$42,707.77

SPECIAL COURT CASES

- 313038 QUERREY & HARROW, LTD., Daniel F. Gallagher, Paul O'Grady, Larry S. Kowalczyk and Patrick G. Connelly, Special State's Attorneys, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$9,810.69 attorney fees and expenses regarding United States of America v. Cook County, et al., Case No. 10-C-2946 (Petition for Appointment of Special State's Attorney, Case No. 10-CH-25533), for the period of March 23 through April 20, 2011. To date \$207,345.19 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting of May 4, 2011. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.
- 313039 DONOHUE, BROWN, MATHEWSON & SMYTH, LLC, Richard H. Donohue, Timothy L. Hogan and Cortney S. Closey, Special State's Attorneys, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$19,331.44 attorney fees and expenses regarding Victor Santana v. Cook County Board of Review, et al., Case No. 09-C-5027 (Petition for Appointment of Special State's Attorney, Case No. 09-CH-39547), for the period of July 9 through December 27, 2010. To date \$28,132.06 has been paid. This invoice was approved by the Litigation Subcommittee at its meetings of March 2, 2011 and April 7, 2011. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.

- 313040 QUERREY & HARROW, LTD., Daniel F. Gallagher, Terrence F. Guolee, Larry S. Kowalczyk, Paul O'Grady, Dominick L. Lanzito and Kevin Casey, Special State's Attorneys, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$1,881.10 attorney fees and expenses regarding Streeter v. Sheriff of Cook County, et al., Case No. 08-C-732 (Petition for Appointment of Special State's Attorney, Case No. 08-CH-20570), for the period of December 23, 2010 through April 22, 2011. To date \$153,987.06 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting of May 4, 2011. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.
- 313072 HINSHAW & CULBERTSON, LLP, Matthew P. Walsh, II, James M. Lydon, Steven L. Klaczynski and Frank J. Marsico, Special State's Attorneys, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$39,914.41 attorney fees and expenses regarding Fairley, et al. v. Andrews, et al., Case No. 03-C-5207 (Petition for Appointment of Special State's Attorney, Case No. 03-CH-13088), for the period of February 21 through March 31, 2011 (attorney fees), and March 4-31, 2011 (expenses). To date \$1,479,117.68 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting of May 4, 2011. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.
- 313073 QUERREY & HARROW, LTD., Daniel F. Gallagher, Terrence F. Guolee, Larry S. Kowalczyk and Dominick L. Lanzito, Special State's Attorneys, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$4,213.50 attorney fees and expenses regarding Hernandez v. Cook County Sheriff's Department, et al., Case No. 07-C-855 (Petition for Appointment of Special State's Attorney, Case No. 07-CH-05603), for the period of March 23 through April 19, 2011. To date \$376,954.71 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting on May 4, 2011. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.
- 313074 QUERREY & HARROW, LTD., Daniel P. Duffy, Special State's Attorney, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$26,121.84 attorney fees and expenses regarding Fairley, et al. v. Andrews, et al., Case No. 03-C-5207 (Petition for Appointment of Special State's Attorney, Case No. 03-CH-13088), for the month of March 2011. To date \$457,387.54 has been paid. This invoice was approved by the Litigation Subcommittee at its meeting on May 4, 2011. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.

- 313088 MARK J. VOGEL, Complaint Administrator, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$37,287.40 fees and expenses regarding Shakman, et al. v. Cook County, USDC No. 69-C-2145. On February 12, 2009, the United States District Court entered an Order appointing Mark J. Vogel the Post Supplemental Relief Order Complaint Administrator for Cook County. As part of this Order, Cook County is required to pay the reasonable fees and expenses incurred by the Complaint Administrator for Cook County. On May 25, 2011, Magistrate Judge Sidney I. Schenkier entered an order approving fees and expenses for the 53rd Unopposed Petition in the amount of \$37,287.40 made payable to Mark J. Vogel, Complaint Administrator. To date, Mark J. Vogel has been paid \$1,231,770.57. Mr. Vogel has accumulated total fees and expenses of \$1,269,057.97 as of today's date. Please forward the check to Lisa M. Meador, Assistant State's Attorney, for transmittal.
- 313089 CARDELLE SPANGLER, Compliance Administrator for the Recorder of Deeds, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$28,207.00 fees and expenses regarding Shakman, et al. v. Cook County Recorder of Deeds, USDC No. 69-C-2145. On July 30, 2010, the United States District Court entered a Supplemental Relief Order (SRO) for the Recorder of Deeds in this matter requiring the appointment of a Compliance Administrator. As part of the SRO, Cook County is required to pay the reasonable fees and expenses incurred by the Compliance Administrator for the Recorder of Deeds. Settlement of this matter was approved by the Finance Committee's Subcommittee on Litigation at its meeting of July 21, 2010. On May 11, 2011, Magistrate Judge Sidney I. Schenkier entered an order approving fees and expenses for the 17th Unopposed Petition in the amount of \$28,207.00 made payable to Cardelle Spangler, Compliance Administrator for the Cook County Recorder of Deeds. To date, Ms. Spangler has been paid \$337,511.34. Ms. Spangler has accumulated total fees and expenses of \$365,718.34 as of today's date. Please forward the check to Lisa M. Meador, Assistant State's Attorney, for transmittal.
- 313091 CARDELLE SPANGLER, Compliance Administrator for the Recorder of Deeds, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$20,867.70 fees and expenses regarding Shakman, et al. v. Cook County Recorder of Deeds, USDC No. 69-C-2145. On July 30, 2010, the United States District Court entered a Supplemental Relief Order (SRO) for the Recorder of Deeds in this matter requiring the appointment of a Compliance Administrator. As part of the SRO, Cook County is required to pay the reasonable fees and expenses incurred by the Compliance Administrator for the Recorder of Deeds. Settlement of this matter was approved by the Finance Committee's Subcommittee on Litigation at its meeting of July 21, 2010. On May 24, 2011, Magistrate Judge Sidney I. Schenkier entered an order approving fees and expenses for the 18th Unopposed Petition in the amount of \$20,867.70 made payable to Cardelle Spangler, Compliance Administrator for the Cook County Recorder of Deeds. To date, Ms. Spangler has been paid \$337,511.34. Ms. Spangler has accumulated total fees and expenses of \$386,586.04 as of today's date. Please forward the check to Lisa M. Meador, Assistant State's Attorney, for transmittal.

313116 THE KAPLAN GROUP, LTD., Raymond D. Pijon and Paul A. Wagner, Special State's Attorneys, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$32,691.50 attorney fees and expenses regarding *United States District Court of the Northern District of Illinois Special December 2005 Grand Jury Subpoena*, Case No. 05-GJ-1472, for the months of December 2005 through August 2010. These fees were the result of a Federal Special Grand Jury Investigation of 2005 into the operations of the Bureau of Human Resources. This investigation has concluded with no action having been taken. No funds have been expended to date by Cook County in this matter. To date zero dollars has been paid. The invoices were approved by the Litigation Subcommittee at its meeting of March 2, 2011. State's Attorney recommends payment of \$32,691.50, made payable in five (5) separate checks as follows:

1. the first check in the amount of \$1,675.00 made payable to "The Law Office of Mark Rotert";
2. the second check in the amount of \$12,500.00 made payable to "Jeffrey B. Steinback";
3. the third check in the amount of \$3,587.50 made payable to "The Kaplan Group, Ltd.";
4. the fourth check in the amount of \$11,766.00 made payable to "Law Office of Raymond D. Pijon" and;
5. the fifth check in the amount of \$3,163.00 made payable to "Paul A. Wagner".

Please forward the checks to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.

SPECIAL COURT CASES APPROVED FISCAL YEAR 2011 TO PRESENT: \$4,030,019.80

SPECIAL COURT CASES TO BE APPROVED: \$220,326.58

COMMISSIONER GOSLIN, SECONDED BY COMMISSIONER GARCIA, MOVED APPROVAL OF THE COURT ORDERS, AS AMENDED. THE MOTION CARRIED.

SECTION 2

Your Committee has considered the following numbered and described bills and recommends that they be, and upon the adoption of this report, approved and that the County Comptroller and County Treasurer are authorized and directed to issue checks to said claimants in the amounts recommended.

- 312962 ORACLE USA, INC., Chicago, Illinois, submitting invoice totaling \$286,242.70, full payment for Contract No. 06-45-207, for annual software maintenance services for the Financial Management Information System (FMIS) for the Bureau of Technology, for the months of January through April 2011 (009-441 Account). Purchase Order No. 176201, approved by County Board May 16, 2006, December 6, 2006, January 9, 2007, November 6, 2007, April 1, 2009, November 4, 2009, and January 19, 2011.
- 313017 STANDARD PARKING, Chicago, Illinois, submitting invoice totaling \$351,364.80, part payment for Contract No. 08-53-279, for parking management services at the Juvenile Temporary Detention Center garage for the Department of Facilities Management, for the months of November 2010 through March 2011 (499-260 Account). Purchase Order No. 176844, approved by County Board September 3, 2008.
- 313031 CATALYST CONSULTING GROUP, INC., Chicago, Illinois, submitting invoice totaling \$160,009.75, part payment for Contract No. 11-41-44, for service, maintenance and hosting of web based applications for the County Clerk's Office, Election Division, for the months of December 2010 through April 2011 (524-260 Account). Purchase Order No. 176808, approved by County Board December 1, 2010.
- 313032 THE CHICAGO BAR FOUNDATION, Chicago, Illinois, submitting invoice totaling \$321,580.00, full payment for Contract No. 10-41-33, to provide legal aid and mediation services for the court's Mortgage Foreclosure Mediation Program for the Circuit Court of Cook County, Office of the Chief Judge, for the period of March 15 through July 14, 2011 (310-260 Account). Purchase Order No. 176650, approved by County Board March 2, 2010, December 5, 2010, December 14, 2010 and March 1, 2011.

COMMISSIONER COLLINS VOTED NO ON THE ABOVE ITEM.

- 313033 ACCENTURE, LLP, Chicago, Illinois, submitting invoice totaling \$250,000.00, full payment for Contract No. 11-50-006, for strategic sourcing consulting services for the Office of the Purchasing Agent (030-260 Account). Purchase Order No. 176536, approved by County Board April 6, 2011.

COMMISSIONERS COLLINS, GAINER AND SUFFREDIN VOTED NO ON THE ABOVE ITEM.

- 313037 DOMINION VOTING SYSTEMS, INC., Charlotte, North Carolina, submitting invoice totaling \$230,000.00, part payment for Contract No. 09-41-287, for support and maintenance of the ballot tabulation system for the 2011 Consolidated Election for the County Clerk's Office, Election Division (524-260 Account). (See Comm. No. 311966). Purchase Order No. 175644, approved by County Board July 21, 2009.

- 313112 INTERNATIONAL BUSINESS MACHINES CORPORATION (IBM), Oakbrook Terrace, Illinois, submitting two (2) invoices totaling \$421,420.00, part payment for Contract No. 10-41-157, for the planning implementation and maintenance of a Countywide Business Continuity Plan and Disaster Recovery capabilities for the Bureau of Technology, for the period of November 3, 2010 through November 2, 2011 (715/009-579 Account). Purchase Order No. 174721, approved by County Board June 1, 2010.
- 313117 UNIVERSITY OF ILLINOIS EXTENSION, Matteson, Illinois, submitting invoice totaling \$250,000.00, 1st part payment to assist in delivering educational programs to residents of Cook County by the University of Illinois (formerly Cooperative Extension Service). Funds are for 4-H community workers; travel for staff; telephone and other utilities; and office space in several locations (490-298 Account). Approved by County Board February 25, 2011.

**COMMISSIONER GOSLIN, SECONDED BY COMMISSIONER COLLINS,
MOVED APPROVAL OF THE BILLS AND CLAIMS. THE MOTION CARRIED.**

SECTION 3

Your Committee has considered the following communications from State's Attorney, Anita Alvarez with reference to the workers' compensation claims hereinafter mentioned.

Your Committee, therefore, recommends that the County Comptroller and County Treasurer be, and by the adoption of this report, are authorized and directed to issue checks to the Workers' Compensation Commission to be paid from the Workmen's Compensation Fund.

- 313034 CONSTANCE REYNOLDS, in the course of her employment as a Probation Officer for the Adult Probation Department sustained accidental injuries on December 1, 2005. The Petitioner experienced an allergic reaction due to the location of her work environment in close proximity to a large mold deposit in the basement of Cook County Criminal Courts Building, and as a result she developed severe nasal allergies (chronic rhinitis, chronic sinusitis, occlusion of the right nasal passage secondary to hypertrophy of the mucosa over the turbinates). Prior/Pending claims: none. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 07-WC-42863 in the amount of \$11,834.40 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: William H. Martay, Law Firm of Sandman, Levy & Petrich and Martay & Martay.

- 313035 MARQUIS BEAUCHAMP, in the course of his employment as a Correctional Officer for the Department of Corrections sustained accidental injuries on May 13, 2008. The Petitioner was attacked by a combative inmate, and as a result he injured his back, wrist and hand (lumbar strain and right wrist sprain). Prior/pending claims: none. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 10-WC-04317 in the amount of \$2,000.00 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Anthony J. Cuda, Cuda Law Offices, Ltd.
- 313036 GILBERT ALDAPE, in the course of his employment as a Building Services Worker for Oak Forest Hospital of Cook County sustained accidental injuries on May 19, 2007 and June 21, 2007. The May 19, 2007 accident occurred when the Petitioner injured his back while moving furniture in order to clean the floor. The June 21, 2007 accident occurred when the Petitioner bent over to pick up cleaning tools when he felt a strain in his lower back, and as a result of these accidents he injured his back (lumbosacral sprain). Prior/Pending claims: none. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order Nos. 07-WC-34666 and 07-WC-34667 in the amount of \$4,100.00 and recommends its payment. This settlement is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: John J. Cronin, Law Firm of Cronin, Peters & Cook, P.C.

WORKERS' COMPENSATION CLAIMS APPROVED FISCAL YEAR 2011**TO PRESENT:****\$2,981,982.47****WORKERS' COMPENSATION CLAIMS TO BE APPROVED:****\$17,934.40**

COMMISSIONER SCHNEIDER, SECONDED BY COMMISSIONER TOBOLSKI, MOVED APPROVAL OF THE WORKERS' COMPENSATION CLAIMS. THE MOTION CARRIED.

SECTION 4

Your Committee has considered the following communications from the Cook County Department of Risk Management requesting the County Board to authorize subrogation recoveries.

Your Committee, concurring in the requests of the Cook County Department of Risk Management recommends the authorization of subrogation recoveries be granted.

- 313059 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Subrogation Recovery of \$1,452.67. Claim No. 20050461, Telecommunication Operations Department.

Responsible Party: Laura D. Hrubec (Owner and Driver), 3015 Brossman Street, Naperville, Illinois 60564

Damage to: Telecommunication Operations Department vehicle

Our Driver: Robert L. Zemke, Unit #M180763

Date of Accident: September 20, 2010
 Location: 203 North LaSalle Street, Chicago, Illinois
 (016-444 Account).

313060 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Subrogation Recovery of \$422.40. Claim No. 20050502, Sheriff's Police Department.

Responsible Party: Melvin Krejci (Owner and Driver), 1425 Raymond Street, LaGrange Park, Illinois 60525
 Damage to: Sheriff's Police Department vehicle
 Our Driver: Christopher Rago, Unit #1014
 Date of Accident: February 16, 2011
 Location: 31st Street near Kemman Avenue, LaGrange Park, Illinois
 (211-444 Account).

313061 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Subrogation Recovery of \$2,988.36. Claim No. 20050504, Sheriff's Police Department.

Responsible Party: Courtney E. Lang (Owner and Driver), 7 Brittany Court, South Elgin, Illinois 60177
 Damage to: Sheriff's Police Department vehicle
 Our Driver: Ronald P. Russell, Unit #3804
 Date of Accident: March 24, 2011
 Location: Wilke Road near Central Road, Arlington Heights, Illinois
 (211-444 Account).

SUBROGATION RECOVERIES APPROVED FISCAL YEAR 2011 TO PRESENT: \$19,537.74

SUBROGATION RECOVERIES TO BE APPROVED: \$4,863.43

**COMMISSIONER SILVESTRI, SECONDED BY COMMISSIONER MURPHY,
 MOVED APPROVAL OF THE SUBROGATION RECOVERIES. THE MOTION
 CARRIED.**

SECTION 5

Your Committee has considered the following communications from the Cook County Department of Risk Management requesting that the County Board authorize payment of said claims.

Your Committee, concurring in the requests of the Cook County Department of Risk Management, recommends that the County Comptroller and County Treasurer be, and by the adoption of this report, authorized and directed to issue checks to claimants in the amounts recommended.

313076 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Self-Insurance Program Settlement Claim payment of \$7,300.59. Claim No. 97008679, Clerk of the Circuit Court.

Claimant: The CEI Group a/s/o GE Fleet Services, 4850 Street Road, Suite 220, Trevoise, Pennsylvania 19053
Claimant's Vehicle: 2007 Utilmaster Workhorse Van
Our Driver: Stanislaw Gil, Unit #M126451
Prior Accident(s): 0
Date of Accident: September 3, 2010
Location: 26th Street and California Avenue, Chicago, Illinois

The Clerk of the Circuit Court vehicle was traveling eastbound on 26th Street in Chicago, and failed to stop at a red signal, striking the Claimant's vehicle and causing damage to front left bumper (542-846 Account). Investigated by Cannon Cochran Management Services, Inc. We concur and recommend payment of the above charge.

313090 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Self-Insurance Program Settlement Claim payment of \$900.00. Claim No. 97008893, Highway Department.

Claimant: Aaron Reichlin, 630 North State Street, Apt. 2407, Chicago, Illinois 60654
Claimant's Vehicle: 2008 Honda Fit
Date of Accident: February 22, 2011
Location: Northbound on Crawford Avenue at Hull Street, Skokie, Illinois

Claimant was traveling northbound on Crawford Street between Hull Street and Mulford Street in Skokie, and hit several potholes causing damage to vehicle's left front and rear tires, front strut and rear shock absorber (542-846 Account). Investigated by Cannon Cochran Management Services, Inc. We concur and recommend payment.

313092 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Self-Insurance Program Settlement Claim payment of \$350.00. Claim No. 97008892, Highway Department.

Claimant: Roberta B. Nuss, 8717 Springfield Avenue, Skokie, Illinois 60076
Claimant's Vehicle: 2001 Oldsmobile Alero
Date of Accident: February 19, 2011
Location: Southbound on Crawford Avenue near Oakton Avenue, Skokie, Illinois

Claimant was traveling southbound on Crawford Street near Oakton Avenue in Skokie, and struck a pothole causing damage to right front tire and rim (542-846 Account). Investigated by Cannon Cochran Management Services, Inc. We concur and recommend payment of the above charge.

313093 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Self-Insurance Program Settlement Claim payment of \$1,502.02. Claim No. 97008909, Sheriff's Police Department.

Claimant: Fabian M. Amancha, 1776 Norwood Avenue, Itasca, Illinois 60143
 Claimant's Vehicle: 2002 Jeep Cherokee
 Our Driver: Adam M. Dowdell, Unit #2331
 Prior Accident(s): 1
 Date of Accident: March 16, 2011
 Location: Elmhurst Road and Landmeier Road, Elk Grove Township

The Sheriff's Police vehicle was traveling northbound on Elmhurst Road in Elk Grove Township. Claimant stopped his vehicle abruptly and the County driver struck his vehicle causing damages to the rear bumper of Claimant's vehicle (542-846 Account). Investigated by Cannon Cochran Management Services, Inc. We concur and recommend payment of the above charge.

313097 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Self-Insurance Program Settlement Claim payment of \$1,526.05. Claim No. 97008801, Bureau of Health Service.

Claimant: Patricia Anne Weber, 2380 Klock Court, Montgomery, Illinois 60538
 Claimant's Vehicle: 2007 Nissan Altima
 Our Driver: William T. Foley, Unit #30400
 Prior Accident(s): 0
 Date of Accident: February 14, 2011
 Location: Orchard Road and Indian Trail Road, Aurora, Illinois

The claim in this matter was previously paid in the amount of \$1,038.84 (See Comm. No. 311606). This bill represents an amount due after additional repair work was performed. The amount of the supplemental repair estimate written by Glen Ellyn Auto Body, Inc. is for an additional \$1,526.05. The damages outlined in the original and supplemental estimates were reviewed carefully by Cannon Cochran Management Services, Inc. and coincide with damage to the Claimant's rear bumper and there was no reference to pre-existing damage (542-846 Account). Investigated by Cannon Cochran Management Services, Inc. We concur and recommend payment of the above charge of \$1,526.05.

SELF-INSURANCE CLAIMS APPROVED FISCAL YEAR 2011 TO PRESENT: \$65,567.82

SELF-INSURANCE CLAIMS TO BE APPROVED: \$11,578.66

COMMISSIONER SILVESTRI, SECONDED BY COMMISSIONER MURPHY, MOVED APPROVAL OF THE SELF-INSURANCE PROGRAM SETTLEMENT CLAIMS. THE MOTION CARRIED.

SECTION 6

Your Committee has considered the following communications from State's Attorney, Anita Alvarez.

Your Committee, concurring in the recommendations of the State's Attorney, recommends that the County Comptroller and County Treasurer prepare checks in the amounts recommended in order that the payments may be set in accordance with the request of the State's Attorney upon proper release from the Office of the State's Attorney.

313041 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$6,500,000.00 for the release and settlement of suit regarding Amelia Saragosa v. County of Cook, Case No. 05-L-5814 and Appellate Court No. 10-1302. We have settled this alleged medical negligence case for the sum of \$6,500,000.00, which is within the authority granted to this office by the Finance Committee's Subcommittee on Litigation at its meeting of May 4, 2011. State's Attorney recommends payment of \$6,500,000.00, made payable in three (3) separate checks as follows:

1. the first check in the amount of \$4,000,000.00, payable to "Amelia Saragosa, as Plenary Guardian of Gabriel Saragosa, and Hurley, McKenna & Mertz";
2. the second check in the amount of \$1,250,000.00 made payable to "PASSCorp. (Prudential Assignment Settlement Services Corporation)" and;
3. the third check in the amount of \$1,250,000.00 made payable to "John Hancock Assignment Company".

Please forward the checks to Joyce E. Schoonover, Assistant State's Attorney, Deputy Supervisor, Medical Litigation Section, for transmittal.

313042 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$45,000.00 for the release and settlement of suit regarding Michael R. v. Nick Martinez, et al., Case No. 09-C-7818. This matter involves an allegation of a civil rights violation at the Juvenile Temporary Detention Center. The matter has been settled for the sum of \$45,000.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$45,000.00, made payable to Parts & Spencer and Michael Rosellini. Please forward the check to Ronald Weidhuner, Assistant State's Attorney, for transmittal.

313043 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$15,000.00 for the release and settlement of suit regarding Tomeika Burse v. Sheriff, et al., Case No. 08-C-5761. This matter involves an allegation of civil rights violations. The matter has been settled for the sum of \$15,000.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$15,000.00, made payable to Martin L. Glink Law Offices and Tomeika Burse. Please forward the check to Michael L. Gallagher, Assistant State's Attorney, for transmittal.

- 313044 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$2,700.00 for the release and settlement of suit regarding Mickey Mason v. Officer Rottar, et al., Case No. 09-C-6701. This matter involves allegations of a civil rights violation while Plaintiff was a pretrial detainee at the Department of Corrections. The matter has been settled for the sum of \$2,700.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$2,700.00, made payable to Mickey Mason. Please forward the check to Aaron R. Bond, Assistant State's Attorney, for transmittal.
- 313086 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$1,500.00 for the release and settlement of suit regarding Carlton Coleman v. Godinez, et al., Case No. 08-C-5974. This matter involves allegations of civil rights violations while Plaintiff was detained at the Department of Corrections. The matter has been settled for the sum of \$1,500.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$1,500.00, made payable to Carlton Coleman. Please forward the check to Paul W. Groah, Assistant State's Attorney, for transmittal.
- 313087 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$30,000.00 for the release and settlement of suit regarding Lanza v. City of Chicago, et al., Case No. 08-C-5103. This matter involves an allegation of a civil rights violation. The matter has been settled for the sum of \$30,000.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$30,000.00, made payable to Loevy & Loevy. Please forward the check to R. Seth Shippee, Assistant State's Attorney, Special Projects & Assignments Unit, for transmittal.
- 313114 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$500.00 for the release and settlement of suit regarding John Hopkins v. Thomas Dart, et al., Case No. 10-C-2820. This matter involves allegations of a civil rights violation while Plaintiff was a pretrial detainee at the Department of Corrections. The matter has been settled for the sum of \$500.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$500.00, made payable to John Hopkins. Please forward the check to Aaron R. Bond, Assistant State's Attorney, for transmittal.
- 313115 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$3,000.00 for the release and settlement of suit regarding Matthew Taylor v. Cook County, et al., Case No.10-C-4099. This matter involves allegations of a civil rights violation while Plaintiff was a pretrial detainee at the Department of Corrections. The matter has been settled for the sum of \$3,000.00, which is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. State's Attorney recommends payment of \$3,000.00, made payable to Meyer and Kiss, LLC and Matthew Taylor. Please forward the check to Aaron R. Bond, Assistant State's Attorney, for transmittal.

PROPOSED SETTLEMENTS APPROVED FISCAL YEAR 2011 TO PRESENT: \$12,022,604.22

PROPOSED SETTLEMENTS TO BE APPROVED: \$6,597,700.00

COMMISSIONER SILVESTRI, SECONDED BY COMMISSIONER MURPHY, MOVED APPROVAL OF THE PROPOSED SETTLEMENTS. THE MOTION CARRIED.

SECTION 7

Your Committee has considered the following communications from the Cook County Department of Risk Management requesting that the County Board authorize payment of said claims.

Your Committee concurring in the requests of the Cook County Department of Risk Management, recommends that the County Comptroller and County Treasurer be, and by the adoption of this report, are authorized and directed to issue checks to claimants in the amounts recommended.

313075 PATIENT/ARRESTEE SETTLEMENT PROGRAM CLAIMS. The Department of Risk Management is submitting invoices totaling \$61,439.56, for payment of medical bills for services rendered to patients while in the custody of the Cook County Sheriff's Office. Their services were rendered under the Patient/Arrestee Settlement Program (542-274 Account). Bills were approved for payment after review and re-pricing by Cambridge Integrated Services Group or the Illinois Department of Healthcare and Family Services, and by the Department of Risk Management, who recommends payment based on Cook County State's Attorney's Legal Opinion No. 1879, dated July 14, 1987. Individual checks will be issued by the Comptroller in accordance with the attached report prepared by the Department of Risk Management.

	YEAR TO DATE	TO BE APPROVED
TOTAL BILLED	\$3,645,486.17	\$142,372.89
UNRELATED	\$1,272,549.80	\$49,034.47
IDHFS DISCOUNT	\$407,787.96	\$19,559.48
PROVIDER DISCOUNT	\$410,067.05	\$12,339.38
AMOUNT PAYABLE	\$1,555,081.36	\$61,439.56

COMMISSIONER SILVESTRI, SECONDED BY COMMISSIONER MURPHY, MOVED APPROVAL OF THE PATIENT/ARRESTEE CLAIMS. THE MOTION CARRIED.

SECTION 8

Your Committee has considered the following communications received from the Employees' Injury Compensation Committee requesting that the County Board authorize payment of expenses regarding claims of Cook County employees injured while in the line of duty.

Your Committee, concurring in said requests, recommends that the County Comptroller and County Treasurer be, and upon the adoption of this report, are authorized and directed to issue checks in the amounts recommended to the claimants.

313113 THE EMPLOYEE'S INJURY COMPENSATION COMMITTEE, submitting invoice totaling \$225,035.99, for payment of medical bills for Workers' Compensation cases incurred by employees injured on duty. Individual checks will be issued by the Comptroller in accordance with the attached report prepared by the Department of Risk Management, Workers' Compensation Unit. This request covers bills received and processed from June 2-14, 2011.

**EMPLOYEES' INJURY COMPENSATION CLAIMS APPROVED FISCAL YEAR 2011
TO PRESENT:**

\$4,161,343.38

EMPLOYEES' INJURY COMPENSATION CLAIMS TO BE APPROVED:

\$225,035.99

**COMMISSIONER SILVESTRI, SECONDED BY COMMISSIONER MURPHY,
MOVED APPROVAL OF THE EMPLOYEES' INJURY COMPENSATION
CLAIMS. THE MOTION CARRIED.**

SECTION 9

Your Committee has considered the following items and upon adoption of this report, the recommendation are as follows:

312495 **CIRCUIT COURT OF COOK COUNTY**, by Timothy C. Evans, Chief Judge, transmitting a Communication, dated March 17, 2011:

requesting authorization for the Purchasing Agent to advertise for bids for court-ordered drug testing services for adult probationers.

Contract period: October 1, 2011 through September 30, 2014. (532-278 Account).
Requisition No. 15324038.

Sufficient funds are available in the Adult Probation/Probation Service Fee Fund.

Referred to the Committee on Finance on 5/4/11.

**COMMISSIONER SILVESTRI, SECONDED BY COMMISSIONER SUFFREDIN,
MOVED APPROVAL OF COMMUNICATION NO. 312495. THE MOTION
CARRIED.**

313016

AN AMENDMENT TO CHAPTER 2 - ADMINISTRATION, ARTICLE VII - ETHICS, SECTION 2-585. - LIMITATIONS OF CONTRIBUTIONS TO CANDIDATES AND ELECTED OFFICIALS (PROPOSED ORDINANCE AMENDMENT). Submitting a Proposed Ordinance Amendment sponsored by Elizabeth "Liz" Doody Gorman ~~and Larry Suffredin~~, Earlean Collins, Joan Patricia Murphy, Deborah Sims, Robert B. Steele and Edwin Reyes, County Commissioners.

PROPOSED ORDINANCE AMENDMENT

BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 2 Administration, Article VII Ethics, Section 2-585 of the Cook County Code of Ordinances is hereby amended as follows:

Sec. 2-585. Limitations of contributions to candidates and elected officials.

(a) No person shall make contributions exceeding the limits established by the Election Code, 10 ILCS 5/9-1 et. seq., when making contributions to any of the following elected officials or candidates for such office: County Board President; Cook County Commissioner; Cook County State's Attorney; Cook County Clerk of the Circuit Court; Cook County Assessor; Cook County Treasurer; Cook County Board of Review Commissioner; Cook County Clerk; and Cook County Recorder of Deeds except as otherwise provided in Sec. 2-585.

(b) No person who does business with the County or who has done business with the County within the preceding four years or is seeking to do business with the County or is a lobbyist registered with the County shall make contributions in an aggregate amount exceeding \$750.00:

- (1) To any candidate for County office or elected County official during a single candidacy; or
- (2) To an elected official of the government of the any County elected official during any nonelection year of his or her term.
- (3) To any local, state, or federal campaign committee that is controlled by, or established in support of, a candidate for County office or an elected County official.

The combined effect of these provisions is intended to permit total contribution up to, but not exceeding, \$1,500.00 in a year in which a candidacy occurs. A year, for purposes of this section, is from January 1 to December 31 of each year.

~~(b)~~ (c) For purposes of Subsection ~~(a)~~ of this section, an entity and its subsidiaries, parent company or otherwise affiliated companies, and any of their employees, officers, directors and partners who make a political contribution for which they are reimbursed by the entity or its affiliates shall be considered a single person. However, nothing in this provision shall be construed to prohibit such an employee, officer, director or partner from making a political contribution for which he is not reimbursed by a person with whom he or she is affiliated, even if that person has made the maximum contribution allowed under Subsection ~~(a)~~ of this section.

~~(e)~~ (d) Any contributions made under this section shall be reported as required by the Election Code, 10 ILCS 5/1-1 et seq.

~~(d)~~ (e) For purposes of Subsection ~~(a b)~~ of this section, "done business" or "doing business" means any one or any combination of sales, purchases, leases or contracts to, from or with the County or any County agency in excess of \$10,000.00 in any 12 consecutive months or during the previous four years. ~~"Done business" or "doing business" also means representation involving real property assessments, property tax appeals, zoning matters, and property tax incentives in any 12 consecutive months during the previous four years.~~

~~(e)~~ To the extent that the Zoning Board, Zoning Administrator, Board of Review and County Assessor may be covered by the provisions herein each shall provide notice of the ethics disclosure requirements as set forth above. The notice should include a statement that any attorney or tax representative who has done business with any of these agencies in any 12 consecutive months during the previous four years as result, must adhere to the campaign contribution limitations set forth by the Cook County Ethics Ordinance. The Zoning Board, Zoning Administrator, Board of Review and County Assessor shall provide a list to the Board of Ethics, updated quarterly, of attorneys, law firms, and tax representatives filing appeals at their office.

~~The Board of Ethics shall adopt such rules and regulations as necessary to implement this section.~~

(f) For purposes of Subsection ~~(a b)~~ of this section, "seeking to do business" means taking action within the past six months to obtain a contract or business with the County when, if such action were successful, it would result in the person doing business with the County as defined in Subsection ~~(d e)~~ of this section.

(g) Any firm, or its officers, directors or partners, contracted by the County to provide financial audits of county finances are prohibited from making campaign contributions to any County official or candidate for County office.

(h) Any firm, or its officers, directors or partners, contracted by the County to act as financial counsel, bond counsel, underwriter's counsel, legal counsel, or financial manager for the issuance of any bond is prohibited from making campaign contributions to any county official or candidate for county office.

(i) Any candidate for any county office or any current elected official in Cook County government shall return contributions found in excess of the limitations set forth in this section within 30 days of notification from the Board of Ethics. Failure to return contributions within 30 days shall be a violation of this section and subject to fines under Section 2-602(d).

***Referred to the Committee on Finance on 6/1/11.**

COMMISSIONER GORMAN, SECONDED BY COMMISSIONER MURPHY, MOVED TO ACCEPT THE SUBSTITUTE ORDINANCE AMENDMENT FOR COMMUNICATION NO. 313016. THE MOTION CARRIED, AND COMMUNICATION NO. 313016 WAS AMENDED BY SUBSTITUTION, AS FOLLOWS:

SUBSTITUTE ORDINANCE AMENDMENT FOR COMMUNICATION NO. 313016

PROPOSED SUBSTITUTE ORDINANCE AMENDMENT

Sponsored by Elizabeth "Liz" Doody Gorman, ~~Cook County Commissioner, Earleen Collins, Co-Sponsored by Joan Patricia Murphy, Edwin Reyes, Deborah Sims, Robert B. Steele and Larry Suffredin, Cook County Commissioners~~

SUBMITTING A PROPOSED SUBSTITUTE ORDINANCE AMENDMENT TO SECTION 2-585 OF THE COOK COUNTY CODE

BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 2 Administration, Article VII Ethics, Section 2-585 of the Cook County Code of Ordinances is hereby amended as follows:

Sec. 2-585. – Limitations of contributions to candidates and elected officials.

- (a)** No person shall make contributions exceeding the limits established by the Election Code, 10 ILCS 5/9-1 et. seq., when making Contributions to any of the following elected officials or candidates for such office: County Board President, Cook County Commissioner; Cook County State's Attorney; Cook County Sheriff; Cook County Clerk of the Circuit Court; Cook County Assessor; Cook County Treasurer; Cook County Board of Review Commissioner; Cook County Clerk; and Cook County Records of Deeds except as otherwise provided in Sec. 2-585.
- (b) (a)** No person who does business with the County or who had done business with the County within the preceding four years or is seeking to do business with the County or is a person required to register as a lobbyist registered with the County shall make contributions in an aggregate amount exceeding \$750.00:
- (1) To any candidate for County office or elected County official during a single candidacy; or
 - (2) To an elected official of the government of the County during any nonelection year of his or her term.
 - (3) To any local, state, or federal campaign committee that is controlled by, or established in support of, a candidate for County office or an elected County official.

The combined effect of these provisions is intended to permit total contribution up to, but not exceeding, \$1,500.00 in a year in which a candidacy occurs. A year, for purposes of this section, is from January 1 to December 31 of each year.

- (c) (b)** For purposes of Subsection ~~(b)~~ of this section, an entity and its subsidiaries, parent company or otherwise affiliated companies, and any of their employees, officers, directors and partners who make a political contribution for which they are reimbursed by the entity or its affiliates shall be considered a single person. However, nothing in this

provision shall be construed to prohibit such an employee, officer, director or partner from making a political contribution for which he is not reimbursed by a person with whom he or she is affiliated, even if that person has made the maximum contribution allowed under Subsection (ba) of this section.

- (d) (e) Any contributions made under this section shall be reported as required by the Election Code, 10 ILCS 5/1-1 et seq.
- (e) (d) For purposes of Subsection (ba) of this section, "done business" or "doing business" means any one or any combination of sales, purchases, leases or contracts to, from or with the County or any County agency in excess of \$10,000.00 in any 12 consecutive months or during the previous four years. ~~"Done business" or "doing business" also means representation involving real property assessments, property tax appeals, zoning matters, and property tax incentives in any 12 consecutive months during the previous four years.~~
- ~~(e) — To the extent that the Zoning Board, Zoning Administrator, Board of Review and County Assessor may be covered by the provisions herein each shall provide notice of the ethics disclosure requirements as set forth above. The notice should include a statement that any attorney or tax representative who has done business with any of these agencies in any 12 consecutive months during the previous four years as result, must adhere to the campaign contribution limitations set forth by the Cook County Ethics Ordinance. The Zoning Board, Zoning Administrator, Board of Review and County Assessor shall provide a list to the Board of Ethics, updated quarterly, of attorneys, law firms, and tax representatives filing appeals at their office.~~
- ~~The Board of Ethics shall adopt such rules and regulations as necessary to implement this section.~~
- (f) For purposes of Subsection (ba) of this section, "seeking to do business" means taking action within the past six months to obtain a contract or business with the County when, if such action were successful, it would result in the person doing business with the County as defined in Subsection (ed) of this section.
- (g) Any firm, or its officers, directors or partners, contracted by the County to provide financial audits of county finances are prohibited from making campaign contributions to any county official or candidate for county office.
- (h) Any firm, or its officers, directors or partners, contracted by the County to act as financial council, bond council, underwriter's council, legal council, or financial manager for the issuance of any bond is prohibited from making campaign contributions to any county official or candidate for county office.
- (i) Any candidate for any county office or any current elected official in Cook County government shall return contributions found in excess of the limitations set forth in this section within 30 days of notification from the Board of Ethics. Failure to return contributions within 30 days shall be a violation of this section and subject to fines under Section 2-602(d).

COMMISSIONER GORMAN, SECONDED BY COMMISSIONER MURPHY, MOVED APPROVAL OF THE PROPOSED ORDINANCE AMENDMENT (COMMUNICATION NO. 313016), AS AMENDED BY SUBSTITUTION. THE MOTION CARRIED, AND THE PROPOSED AMENDMENT TO THE COOK COUNTY ETHICS ORDINANCE WAS APPROVED AND ADOPTED. CHAIRMAN DALEY SUBMITTED FOR THE RECORD A COPY OF AN OPINION LETTER FROM THE OFFICE OF THE STATE'S ATTORNEY ON THIS MATTER.

SECTION 10

Your Committee has considered the bids submitted on the items hereinafter described in accordance with the specifications on file in the Office of the County Purchasing Agent. Communications from the County Purchasing Agent submitting recommendations on the award of contracts for said items, be and by the adoption of this Report, awarded as follows. The deposit checks are ordered returned to the unsuccessful bidders at once and to the successful bidder upon the signing of the contract.

COMMISSIONER BUTLER, SECONDED BY COMMISSIONER SUFFREDIN, MOVED APPROVAL OF THE RECOMMENDATIONS REGARDING BID ITEMS 1 THROUGH 5. THE MOTION CARRIED.

BIDS RECOMMENDED FOR AWARD

Item 1	<u>CONTRACT NO. 11-84-01</u>	
	Operation of the cafeteria at the Criminal Courts Administration Building, 2650 South California Avenue, for the Office of the Chief Judge, to:	
	Ace Coffee Bar, Inc.	\$990,810.00
Item 2	<u>CONTRACT NO. 11-84-07</u>	
	Hewlett Packard printer cartridges and supplies, for various Cook County Agencies, to:	
	Tallgrass Systems, Ltd.	\$1,954,525.96
Item 3	<u>CONTRACT NO. 11-83-14</u>	
	2011 prisoner transport buses, for the Sheriff's Office, to:	
	Midwest Transit Equipment	\$370,620.00
Item 5	<u>CONTRACT NO. 11-83-58</u>	
	Publication of Legal Notices, for Cook County Agencies, to:	
	Chicago Tribune	\$536,740.00

BID RECOMMENDED FOR CANCELLATION AND REBID

Item 4 CONTRACT NO. 11-83-57

Software maintenance, for the Bureau of Technology

SECTION 11

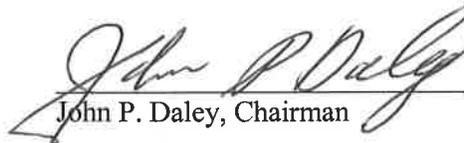
Your Committee has considered the highway bills submitted by the Superintendent of Highways for approval and payment.

Your Committee, after considering said bills, recommends that they be, and by the adoption of this report, approved.

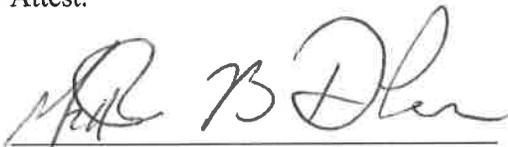
**COMMISSIONER MURPHY, SECONDED BY COMMISSIONER GORMAN,
MOVED APPROVAL OF THE HIGHWAY BILLS. THE MOTION CARRIED.**

**COMMISSIONER TOBOLSKI, SECONDED BY COMMISSIONER REYES,
MOVED TO ADJOURN. THE MOTION CARRIED AND THE MEETING WAS
ADJOURNED.**

Respectfully submitted,
Committee on Finance


John P. Daley, Chairman

Attest:


Matthew B. DeLeon, Secretary

COOK COUNTY ASSESSOR
JOSEPH BERRIOS



COOK COUNTY ASSESSOR'S OFFICE
118 NORTH CLARK STREET, CHICAGO, IL 60602
PHONE: 312.443.7550 FAX: 312.603.3352
WWW.COOKCOUNTYASSESSOR.COM

June 15, 2011

John P. Daley
Chairman Finance Committee
Cook County Board of Commissioners
118 N. Clark Street # 567
Chicago, IL 60602

Re: Waiver of privilege for confidential attorney client communication.

Dear Chairman Daley:

Attached, please find a copy of correspondence dated February 8, 2011, from Deputy State's Attorney Patrick T. Driscoll, Jr. to Chief Deputy Assessor Robert L. Kruse. This letter was provided in response to a request by the Cook County Assessor's Office for a legal opinion regarding the County Ethics Ordinance Section 2-585. Mr. Driscoll provided the attached letter as a confidential attorney client communication.

Please be advised that the Cook County Assessor's Office waives any privilege regarding the attached letter. Based on this waiver, the attached correspondence is no longer a confidential communication. This office has no objection to the circulation of the letter and understands that it may be included in any Committee or Board record regarding recent amendments to the County Ethics Ordinance.

If you have any questions or concerns, please contact me at 312-603-3379.

Sincerely,

A handwritten signature in black ink that reads "John P. Nyhan".

John P. Nyhan
Director Legal

c.c. Robert L. Kruse, Chief Deputy Assessor.



OFFICE OF THE STATE'S ATTORNEY
COOK COUNTY, ILLINOIS
CIVIL ACTIONS BUREAU

ANITA ALVAREZ
STATE'S ATTORNEY

500 RICHARD J. DALEY CENTER
CHICAGO, ILLINOIS 60602
AREA 312-603-5440

February 8, 2011

Robert L. Kruse
Chief Deputy Assessor
Cook County Assessor's Office
118 North Clark Street
Chicago, Illinois 60602

CONFIDENTIAL ATTORNEY CLIENT COMMUNICATION

In Re: 11-57: County Ethics Ordinance Section 2-585

Dear Mr. Kruse:

You have asked this office to advise whether Section 2-585 of the Code of Ethical Conduct Ordinance, "Limitations of contributions to candidates and elected officials," is unconstitutional as applied to the Assessor and to the attorneys who practice before him. (Ordinance attached.) That section prohibits attorneys who represent taxpayers concerning real property assessments from contributing an amount in excess of the dollar limitation established for persons or entities that "do business" with the County to candidates for County office, including the Assessor. Section 2-585 also requires the Assessor to provide a list to the Cook County Board of Ethics, updated quarterly, of "attorneys, law firms, and tax representatives filing appeals," and further imposes the duty upon candidates for Assessor to return contributions in excess of the dollar amount limitation imposed by this section.

Issue Presented

Is Section 2-585 of the Ethics Ordinance, which seeks to establish contribution limitations upon persons doing business with any county agency including "representation...involving property tax appeals" constitutional as applied to the Assessor and attorneys who represent taxpayers seeking assessment reductions?

Conclusion

A court would likely find Section 2-585 unconstitutional as applied to the Assessor and candidates for election to that office, as well as to the attorneys who practice in the Assessor's Office. The County lacks the home rule authority to impose ethics restrictions not authorized by

statute upon the Assessor and candidates for election to that office because neither elections nor the assessment of real estate pertains to the County's own government and affairs. Moreover, the County's attempt to impose ethics requirements upon attorneys likely violates the separation of powers doctrine established in Article II, Section 1 of the Illinois Constitution, by improperly intruding into the exclusive judicial power of the Illinois Supreme Court to prescribe rules governing attorney conduct. 1970 Ill. Const., art II, § 1.

Discussion

Pursuant to article VII, section 6(a) of the Illinois Constitution, a home rule unit such as the County "may exercise any power and perform any function pertaining to its government and affairs." 1970 Ill. Const., art. VII, § 6(a). Because Section 2-585 imposes restrictions upon the Assessor, a constitutionally separate county executive, it does not pertain to the County's own government and affairs.

The County lacks the home rule authority to interfere with the Assessor, an independently elected executive officer established in section 4(c) of article VII of the Illinois Constitution. 1970 Ill. Const., art. VII, § 4(c); *see also* 35 ILCS 200/3-50 (Property Tax Code statutory provision continuing office of county assessor in counties of 3,000,000 or more). In *Chicago Bar Association v. County of Cook*, 102 Ill. 2d 438, 440-441 (1984), the Illinois Supreme Court struck down a County ordinance altering the composition of the Board of Appeals (predecessor to the Board of Review) as established by statute. The Court ruled that the "assessment [of real estate] ... does not pertain to the county's local government and affairs within the contemplation of article VII, section 6(a)," finding that the County lacked the home rule authority to interfere with the terms of the members of the then Board of Appeals. Similarly, in *Heller v. County Board of Jackson County*, 71 Ill. App. 3d 31 (5th Dist. 1979), the court ruled that the county board could not interfere with operation, control and management of supervisor of assessments' office, finding that the state legislature intended that the office of supervisor of assessments operate free from interference of county board.

Any attempt by the County Board to impose such restrictions upon independently elected constitutional officers such as the Assessor could also be challenged as an unconstitutional change in the form of government in violation of Section 6(f) of Article VII of the 1970 Illinois Constitution, as powers are removed from independently elected constitutional officers by ordinance of the County Board. 1970 Ill. Const., art. VII, § 6(f); *People ex rel. Hanrahan v. Beck*, 54 Ill. 2d 561 (1973); *Dunne v. County of Cook*, 164 Ill. App. 3d 929, 933 (1st Dist. 1987).

Further, we note that the General Assembly has recently adopted statewide political contribution limitations, applicable to all candidates for public office in Illinois, including County Assessor. *See*, P.A. 96-832, effective January 1, 2011. These comprehensive statutory requirements have been incorporated into the Election Code, indicating that political contribution limitations may not be a subject of local concern appropriate for home rule regulation. 10 ILCS 5/9-1.4 *et seq.*; *see Leck v. Michaelson*, 129 Ill. App. 3d 593, 601 (1st Dist. 1984), *rev'd on other grounds*, 111 Ill. 2d 523 (concluding that "under our constitution the power to regulate elections is reserved to the State.")

In addition to lacking the home rule authority to impose political contribution limitations upon independently elected officials such as the County Assessor and candidates for that office, the County also lacks statutory authority to impose such restrictions. Section 70-5 of the State Officials and Employee Ethics Act requires that governmental entities including counties “adopt an ordinance or resolution that regulates, in a manner no less restrictive than Section 5-15 and Article 10 of this Act [5 ILCS 430/5-15 and 5 ILCS 430/10-10 *et seq.*], (i) the political activities of officers and employees of the governmental entity and (ii) the soliciting and accepting of gifts by and the offering and making of gifts to officers and employees of the governmental entities.” 5 ILCS 430/70-5. Neither of the referenced statutory sections would permit imposition of the proposed contribution limitations, however. *See*, 5 ILCS 430/5-15, 10-10 *et seq.*

The Attorney General’s guidance to the model ethics ordinance developed for adoption by local government recognizes that “county officers such as the sheriff or county clerk are not subordinate to any other officer, and “the Act does not constitute a grant of authority to impose discipline, except where the discipline is otherwise authorized.” Further, the Attorney General noted, “With respect to counties, neither the State’s Attorney nor the Circuit Clerk will be subject to the provisions of the Model Ordinance. These officers are State, not county officers. The exemption of those officers will generally extend to their staffs as well.” Similarly, the State Officials and Employee Ethics Act does not authorize the County to impose discipline upon the Assessor or candidates for that office, except where that discipline is otherwise authorized by statute. *See also*, 1994 Ill. Op. Att’y Gen. No. 94-014, “Authority of a County to Enact an Ethics Ordinance.”

Further statutory authority to impose ethical regulations is found in Article 4A of the Illinois Governmental Ethics Act, “Disclosure of Economic Interests,” 5 ILCS 420/4A-101 *et seq.*, and the Lobbyist Registration Act, 25 ILCS 170/11.2. Neither of these Acts authorizes the County to impose political contribution restrictions upon the Assessor or candidates for that position or attorneys who represent taxpayers seeking assessment reductions. Indeed, both of these Acts indicate that such regulation would be contrary to the authority granted therein to local units of government.

Section 4A-101, while expressly permitting local units of government to enact financial disclosure requirements more expansive than those required by the Governmental Ethics Act, differentiates between units of local government, such as the County and the Board of Review. *See* 5 ILCS 5/420/4A-101(g) and (h). Thus, while Section 4A-101 authorizes the County to impose more expansive economic disclosure regulations upon members of the County Board and the departments and agencies under control of the President, it does not authorize the County to impose such regulation upon the Assessor. Similarly, the Lobbyist Registration Act authorizes a unit of local government to adopt an ordinance regulating lobbying activities “with *that* unit of local government” and to “impose[] requirements similar to those imposed by the Act.” 25 ILCS 170/11.2 (Emphasis added). Significantly, the Lobbyist Registration Act specifically excludes from matters to be reported, “[a]ny contributions required to be reported under Article 9 of the Election Code.” 25 ILCS 170/6(b-7)(4); *see also* *Kavanagh v. County of Will*, 293 Ill. App. 3d 880, 883-84 (3rd Dist. 1997)(Lobbyist Registration Act does not authorize county to require disclosure of political contributions).

Thus, the General Assembly has not authorized the County to place contribution limitation

requirements upon the independently elected County Assessor and candidates for that position, including the duty to return excess contributions. Moreover, as discussed above, such limitations are not within the County's home rule authority to impose upon the Assessor, a constitutionally separate county executive.

Finally, the imposition of sanctions, for violations of the contribution limits contained in a county ethics ordinance, upon attorneys who represent taxpayers seeking assessment reductions, likely unconstitutionally impinges upon the exclusive authority of the Illinois Supreme Court to prescribe rules governing attorney conduct, and to discipline attorneys for violating these rules. This violates the separation of powers doctrine established in Article II, Section 1 of the Illinois Constitution. *See, People ex rel. Brazen v. Finley*, 119 Ill. 2d 485, 494 (1988)(striking down ethical rule imposed by circuit court on attorneys, stating, "we believe the rule improperly intrudes into the exclusive rulemaking and disciplinary authority invested in the supreme court and imposes a greater burden on attorneys than this court now requires"); 1970 Ill. Const., art II, § 1.

If this Office can be of further assistance to you in this matter please contact us.

Very truly yours,



Patrick T. Driscoll, Jr.
Deputy State's Attorney
Chief, Civil Actions Bureau