

REPORT OF THE COMMITTEE ON FINANCE

JUNE 19, 2012

The Honorable,
The Board of Commissioners of Cook County

ATTENDANCE

Present: President Preckwinkle and Chairman Daley, Vice Chairman Sims, Commissioners Beavers, Collins, Fritchey, Gainer, Garcia, Gorman, Goslin, Murphy, Reyes, Schneider, Silvestri, Steele, Suffredin and Tobolski (16)

Absent: Commissioner Butler (1)

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.

APPELLATE CASES

318595 ELIZABETH BUTLER, Attorney, presented by the Clerk of the Appellate Court, Steven M. Ravid, submitting an Order of Court to pay the sum of \$1,908.01 attorney fees regarding People of the State of Illinois v. Danyell J. Trial Court No(s). 08-JA-006 and 08-JA-007. Appellate Court No(s). 01-11-2253.

318616 THOMAS J. ESLER, Attorney, presented by the Clerk of the Appellate Court, Steven M. Ravid, submitting an Order of Court to pay the sum of \$1,750.00 attorney fees regarding People of the State of Illinois v. Anna P. Trial Court No. 09-JA-1004. Appellate Court No(s). 01-12-0896.

APPELLATE CASES APPROVED FISCAL YEAR 2012 TO PRESENT: \$82,096.53

APPELLATE CASES TO BE APPROVED: \$3,658.01

CRIMINAL DIVISION

- 318521 ERIC J. BELL, Attorney, submitting an Order of Court for payment of \$255.15 attorney fees for court appointed legal representation of indigent respondent(s), Anthony Lepard. Case No(s). 10-CR-80005.
- 318574 JOSEPH P. KENNELLY, Attorney, submitting an Order of Court for payment of \$4,181.25 attorney fees for court appointed legal representation of indigent respondent(s), Brian Maxey. Case No(s). 04-CR-80004.
- 318575 JOSEPH P. KENNELLY, Attorney, submitting an Order of Court for payment of \$2,856.25 attorney fees for court appointed legal representation of indigent respondent(s), Jamal Streeter. Case No(s). 11-CR-18454.
- 318576 DEBRA NIESEN, Attorney, submitting an Order of Court for payment of \$1,600.00 attorney fees for court appointed legal representation of indigent respondent(s), Charles Malone. Case No(s). 11-CR-2005602.
- 318596 ROMITA SILLITTI, Psy.D., Lisle, Illinois, presented by Pradeep Roy-Singh, Attorney, submitting an Order of Court for payment of \$4,330.00 expert witness fees for court appointed legal representation of indigent respondent(s), Andre Adams. Case No(s). 11-CR-80008.
- 318597 ROMITA SILLITTI, Psy.D., Lisle, Illinois, presented by Pradeep Roy-Singh, Attorney, submitting an Order of Court for payment of \$4,235.00 expert witness fees for court appointed legal representation of indigent respondent(s), Richard J. Monaco. Case No(s). 09-CR-80011.
- 318627 LAW OFFICES OF CHICAGO-KENT COLLEGE OF LAW, presented by Richard S. Kling, Attorney, submitting an Order of Court for payment of \$14,065.00 attorney fees for court appointed legal representation of indigent respondent(s), Miesha Nelson. Case No(s). 09-CR-03581.
- 318631 JEFFREY J. KENT, Attorney, submitting an Order of Court for payment of \$1,524.77 attorney fees for court appointed legal representation of indigent respondent(s), Tyrone Johnson. Case No(s). 02-CR-80004.

CRIMINAL DIVISION CASES APPROVED FISCAL YEAR 2012 TO PRESENT: \$940,698.45

CRIMINAL DIVISION CASES TO BE APPROVED: \$33,047.42

CHILD PROTECTION DIVISION

- 318520 MICHAEL G. CAWLEY, P.C., presented by Michael G. Cawley, Attorney, submitting an Order of Court for payment of \$750.00 attorney fees for court appointed legal representation of indigent respondent(s), Iesha Wilson, Mother, re: the Gresham and Wilson children, minors. Case No(s). 06-JA-25, 07-JA-101, 10-JA-1000 and 11-JA-872.
- 318522 DEAN N. BASTOUNES, Attorney, submitting an Order of Court for payment of \$212.50 attorney fees for court appointed legal representation of indigent respondent(s), Marcus Newton, Father, re: M. Newton, a minor. Case No(s). 09-JA-01104.
- 318523 PAUL S. KAROLL, Attorney, submitting an Order of Court for payment of \$525.00 attorney fees for court appointed legal representation of indigent respondent(s), Joseph Latham, Father, re: J. Hill, a minor. Case No(s). 10-JA-200.
- 318524 EZRA HEMPHILL, Attorney, submitting an Order of Court for payment of \$262.50 attorney fees for court appointed legal representation of indigent respondent(s), Alfredo Ramirez, Father, re: A. Ramirez, a minor. Case No(s). 12-JA-393.
- 318525 MARILYN L. BURNS, Attorney, submitting an Order of Court for payment of \$412.50 attorney fees for court appointed legal representation of indigent respondent(s), Romanel Lampley, Father, re: T. Christian, a minor. Case No(s). 06-JA-00491.
- 318526 MARK H. KUSATZKY, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$250.00 attorney fees for court appointed legal representation of indigent respondent(s), D. Crayton, a minor. Case No(s). 03-JA-462.
- 318527 MARIE J. TARASKA, Attorney, submitting an Order of Court for payment of \$245.00 attorney fees for court appointed legal representation of indigent respondent(s), Cheryl Watts, Mother, re: B. Coleman Watts, a minor. Case No(s). 08-JA-00464.
- 318528 MARIE J. TARASKA, Attorney, submitting an Order of Court for payment of \$210.00 attorney fees for court appointed legal representation of indigent respondent(s), Charity Young, Mother, re: K. Young, a minor. Case No(s). 09-JA-325.
- 318529 DEAN C. MORASK, Attorney, submitting an Order of Court for payment of \$1,012.50 attorney fees for court appointed legal representation of indigent respondent(s), Janecquia Epperson, Mother, re: S. Epperson, a minor. Case No(s). 12-JA-111.
- 318530 THEODORE J. ADAMS, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$985.00 attorney fees for court appointed legal representation of indigent respondent(s), T. Brooks, a minor. Case No(s). 11-JA-984.
- 318531 DEAN N. BASTOUNES, Attorney, submitting an Order of Court for payment of \$543.75 attorney fees for court appointed legal representation of indigent respondent(s), Robert Deja, Father, re: the Deja children, minors. Case No(s). 11-JA-804, 11-JA-805, 11-JA-806 and 11-JA-807.

- 318533 COLLEEN R. DALY, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$525.00 attorney fees for court appointed legal representation of indigent respondent(s), S. Allen and S. Brooks, minors. Case No(s). 11-JA-483 and 11-JA-484.
- 318534 VICTORIA ALMEIDA, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,375.00 attorney fees for court appointed legal representation of indigent respondent(s), D. Peterson, a minor. Case No(s). 09-JA-1051.
- 318535 STEPHEN JAFFE, Attorney, submitting an Order of Court for payment of \$1,825.00 attorney fees for court appointed legal representation of indigent respondent(s), Vincent Buckner, Father, re: T. Dennis, a minor. Case No(s). 09-JA-707.
- 318537 ROBERT L. FRIEDMAN, Attorney, submitting an Order of Court for payment of \$300.00 attorney fees for court appointed legal representation of indigent respondent(s), Willard Banks, Father, re: A. Lindsey, a minor. Case No(s). 04-JA-00484.
- 318538 STEVEN O. ROSS, Attorney, submitting an Order of Court for payment of \$1,362.50 attorney fees for court appointed legal representation of indigent respondent(s), Tiffany Vassor, Mother, re: the Vassor children, minors. Case No(s). 12-JA-211 and 12-JA-212.
- 318539 STEVEN O. ROSS, Attorney, submitting an Order of Court for payment of \$647.90 attorney fees for court appointed legal representation of indigent respondent(s), Doshawn Warren, Father, re: K. Leach, a minor. Case No(s). 10-JA-866.
- 318540 LAW OFFICE OF ELLEN SIDNEY WEISZ, LTD., presented by Ellen Sidney Weisz, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$756.25 attorney fees for court appointed legal representation of indigent respondent(s), A. Mayfield, a minor. Case No(s). 10-JA-0424.
- 318555 SAMUEL N. WARSAWSKY, Attorney, submitting an Order of Court for payment of \$450.00 attorney fees for court appointed legal representation of indigent respondent(s), Crystal Shumate, Mother, re: D. Shumate, a minor. Case No(s). 09-JA-174.
- 318556 BRIAN J. O'HARA, Attorney, submitting an Order of Court for payment of \$631.25 attorney fees for court appointed legal representation of indigent respondent(s), DeAndre Harris, Father, re: J. McSwain, a minor. Case No(s). 08-JA-00179.
- 318557 DARLENE L. REDMOND, Attorney, submitting an Order of Court for payment of \$337.50 attorney fees for court appointed legal representation of indigent respondent(s), Jacoby Adams, Father, re: J. Dumas, a minor. Case No(s). 09-JA-1023.
- 318558 JUDITH HANNAH, Attorney, submitting an Order of Court for payment of \$770.04 attorney fees for court appointed legal representation of indigent respondent(s), Tamara Thompson, Mother, re: M. Thompson, a minor. Case No(s). 08-JA-908.
- 318561 MICHAEL J. VITALE, Attorney, submitting an Order of Court for payment of \$1,325.00 attorney fees for court appointed legal representation of indigent respondent(s), Amber Hession, Mother, re: J. Hession, a minor. Case No(s). 11-JA-431.

- 318562 JUDITH HANNAH, Attorney, submitting an Order of Court for payment of \$531.69 attorney fees for court appointed legal representation of indigent respondent(s), Arturo Garcia, Father, re: A. Garcia, a minor. Case No(s). 10-JA-818.
- 318563 JUDITH HANNAH, Attorney, submitting an Order of Court for payment of \$350.44 attorney fees for court appointed legal representation of indigent respondent(s), Henry Bailey, Father, re: J. Bailey, a minor. Case No(s). 07-JA-1055.
- 318564 JUDITH HANNAH, Attorney, submitting an Order of Court for payment of \$952.67 attorney fees for court appointed legal representation of indigent respondent(s), Andre Suren, Father, re: A. Suren, a minor. Case No(s). 09-JA-713.
- 318565 BRIAN M. DANLOE, Attorney, submitting an Order of Court for payment of \$375.00 attorney fees for court appointed legal representation of indigent respondent(s), Floyd Plant, Father, re: the Plant child, a minor. Case No(s). 10-JA-974.
- 318566 DEAN N. BASTOUNES, Attorney, submitting an Order of Court for payment of \$506.25 attorney fees for court appointed legal representation of indigent respondent(s), Martel Willis, Father, re: L. Philpot, a minor. Case No(s). 10-JA-00730.
- 318567 DEAN N. BASTOUNES, Attorney, submitting an Order of Court for payment of \$212.50 attorney fees for court appointed legal representation of indigent respondent(s), Laura Bautista, Mother, re: the Bautista and Dominquez children, minors. Case No(s). 10-JA-00639, 10-JA-00640 and 10-JA-00641.
- 318577 JUDITH HANNAH, Attorney, submitting an Order of Court for payment of \$287.95 attorney fees for court appointed legal representation of indigent respondent(s), Owen Washington, Father, re: A. Cook, a minor. Case No(s). 09-JA-523.
- 318578 MICHAEL G. CAWLEY, P.C., presented by Michael G. Cawley, Attorney, submitting an Order of Court for payment of \$268.75 attorney fees for court appointed legal representation of indigent respondent(s), Titus Spears, Father, re: the Jackson children, minors. Case No(s). 08-JA-532 and 08-JA-533.
- 318579 LAW OFFICE OF KENT DEAN, LTD., presented by Kent Dean, Attorney, submitting an Order of Court for payment of \$831.25 attorney fees for court appointed legal representation of indigent respondent(s), Clinton Franklin, Father, re: J. Harley, minors. Case No(s). 10-JA-712.
- 318580 DEAN C. MORASK, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$737.50 attorney fees for court appointed legal representation of indigent respondent(s), J. Clinton, a minor. Case No(s). 10-JA-90.
- 318581 DEAN C. MORASK, Attorney, submitting an Order of Court for payment of \$307.25 attorney fees for court appointed legal representation of indigent respondent(s), Lynetta Robeson, Mother, re: M. Harris, a minor. Case No(s). 09-JA-534.

- 318582 MAUREEN T. MURPHY, Attorney, submitting an Order of Court for payment of \$3,712.50 attorney fees for court appointed legal representation of indigent respondent(s), Tina Albright, Mother, re: the Albright children, minors. Case No(s). 02-JA-01412, 02-JA-01413 and 02-JA-01415.
- 318583 DONNA JEAN RAMEY, Attorney, submitting an Order of Court for payment of \$356.25 attorney fees for court appointed legal representation of indigent respondent(s), Troy Ross, Father, re: the Bowman child, a minor. Case No(s). 09-JA-00819.
- 318584 ELLEN J. MORRIS, Attorney, submitting an Order of Court for payment of \$1,562.50 attorney fees for court appointed legal representation of indigent respondent(s), Paul Fields, Father, re: A. Rice, a minor. Case No(s). 10-JA-1110.
- 318585 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$306.25 attorney fees for court appointed legal representation of indigent respondent(s), Ricardo Marchan, Father, re: the Marchan children, minors. Case No(s). 04-JA-1224 and 04-JA-1225.
- 318586 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$595.00 attorney fees for court appointed legal representation of indigent respondent(s), Talonda Jackson, Mother, re: L. Hampton, a minor. Case No(s). 04-JA-1197.
- 318587 RAYMOND A. MORRISSEY, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$1,050.00 attorney fees for court appointed legal representation of indigent respondent(s), S. Garrett, a minor. Case No(s). 06-JA-357.
- 318589 STEPHEN JAFFE, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$375.00 attorney fees for court appointed legal representation of indigent respondent(s), R. Otto, a minor. Case No(s). 09-JA-774.
- 318590 STEPHEN JAFFE, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$568.75 attorney fees for court appointed legal representation of indigent respondent(s), W. Austin and A. Hawkins, minors. Case No(s). 96-JA-429 and 96-JA-430.
- 318591 STEPHEN JAFFE, Attorney, submitting an Order of Court for payment of \$531.25 attorney fees for court appointed legal representation of indigent respondent(s), David Ray, Father, re: A. Hodges, a minor. Case No(s). 12-JA-119.
- 318592 STEPHEN JAFFE, Attorney, submitting an Order of Court for payment of \$200.00 attorney fees for court appointed legal representation of indigent respondent(s), Steven Starks, Father, re: S. McCoy, a minor. Case No(s). 00-JA-500.
- 318593 RICHARD S. GUTOF, Attorney, submitting an Order of Court for payment of \$856.25 attorney fees for court appointed legal representation of indigent respondent(s), Jamesetta Dixon, Adoptive Mother, re: the Dixon, Johnson, Reaves and Williams children, minors. Case No(s). 09-JA-784, 09-JA-785, 09-JA-786, 09-JA-886, 09-JA-887 and 09-JA-888.

- 318594 DARLENE L. REDMOND, Attorney, submitting an Order of Court for payment of \$593.75 attorney fees for court appointed legal representation of indigent respondent(s), Boysie Wyatt, Father, re: J. Wyatt, a minor. Case No. 10-JA-631.
- 318598 RICHARD S. GUTOF, Attorney, submitting an Order of Court for payment of \$399.00 attorney fees for court appointed legal representation of indigent respondent(s), Donna Harvey, Mother, re: B. Harvey, a minor. Case No(s). 08-JA-00364.
- 318599 ROBERT L. FRIEDMAN, Attorney, submitting an Order of Court for payment of \$775.00 attorney fees for court appointed legal representation of indigent respondent(s), Melvin Booker, Father, re: C. Henderson, a minor. Case No(s). 10-JA-00642.
- 318600 S. MICHAEL KOZUBEK, Attorney, submitting an Order of Court for payment of \$505.00 attorney fees for court appointed legal representation of indigent respondent(s), Kimberly Steel, Guardian, re: the Jones children, minors. Case No(s). 01-JA-1680 and 01-JA-1942.
- 318601 S. MICHAEL KOZUBEK, Attorney, submitting an Order of Court for payment of \$230.00 attorney fees for court appointed legal representation of indigent respondent(s), Marcel Mackay, Father, re: T. Johnson, a minor. Case No(s). 11-JA-0683.
- 318602 S. MICHAEL KOZUBEK, Attorney, submitting an Order of Court for payment of \$294.00 attorney fees for court appointed legal representation of indigent respondent(s), Jeffrey Strack, Father, re: S. Janowitz, a minor. Case No(s). 10-JA-963.
- 318603 ELIZABETH BUTLER, Attorney, submitting an Order of Court for payment of \$587.50 attorney fees for court appointed legal representation of indigent respondent(s), Monique Oliver, Mother, re: the Hill and Oliver children, minors. Case No(s). 10-JA-735, 10-JA-736, 10-JA-737, 10-JA-738, 10-JA-739 and 10-JA-740.
- 318604 STEVEN SILETS, Attorney, submitting an Order of Court for payment of \$643.75 attorney fees for court appointed legal representation of indigent respondent(s), Bobbie Martin, Father, re: B. Martin, a minor. Case No(s). 07-JA-397.
- 318605 ELIZABETH BUTLER, Attorney, submitting an Order of Court for payment of \$1,156.25 attorney fees for court appointed legal representation of indigent respondent(s), Seneca Scott, Father, re: A. Scott, a minor. Case No(s). 10-JA-1070.
- 318607 PAUL D. KATZ, Attorney, submitting an Order of Court for payment of \$1,037.50 attorney fees for court appointed legal representation of indigent respondent(s), Clayton Brown, Father, re: B. Brown, a minor. Case No(s). 11-JA-00879.
- 318608 PAUL D. KATZ, Attorney, submitting an Order of Court for payment of \$1,981.25 attorney fees for court appointed legal representation of indigent respondent(s), Sheilita Kennix, Mother, re: J. Washington, a minor. Case No(s). 11-JA-00761.

- 318609 PAUL D. KATZ, Attorney, submitting an Order of Court for payment of \$637.50 attorney fees for court appointed legal representation of indigent respondent(s), Michael Hatcher, Father, re: the Hatcher children, minors. Case No(s). 09-JA-00085, 09-JA-00086, 10-JA-00822, 10-JA-00823 and 10-JA-00824.
- 318611 PAUL D. KATZ, Attorney, submitting an Order of Court for payment of \$512.50 attorney fees for court appointed legal representation of indigent respondent(s), Liliana Fernandez, Mother, re: S. Waterman, a minor. Case No(s). 01-JA-01846.
- 318612 PAUL D. KATZ, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$606.25 attorney fees for court appointed legal representation of indigent respondent(s), the Holman children, minors. Case No(s). 98-JA-01491 and 98-JA-01492.
- 318613 LAW OFFICE OF ELLEN SIDNEY WEISZ, LTD., presented by Ellen Sidney Weisz, Attorney, submitting an Order of Court for payment of \$587.50 attorney fees for court appointed legal representation of indigent respondent(s), Denise Lewis, Mother, re: the Lewis children, minors. Case No(s). 08-JA-305, 08-JA-306, 08-JA-307, 09-JA-793, 09-JA-794 and 11-JA-0019.
- 318614 DARLENE L. REDMOND, Attorney, submitting an Order of Court for payment of \$637.50 attorney fees for court appointed legal representation of indigent respondent(s), George Harper, Father, re: D. Harper, a minor. Case No(s). 11-JA-776.
- 318615 S. MICHAEL KOZUBEK, Attorney, and Guardian ad Litem, submitting an Order of Court for payment of \$1,025.00 attorney fees for court appointed legal representation of indigent respondent(s), N. Booker, a minor. Case No(s). 11-JA-727.
- 318618 JAMES S. WILLIAMS, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$122.50 attorney fees for court appointed legal representation of indigent respondent(s), J. Tatum, a minor. Case No(s). 08-JA-331.
- 318619 JAMES S. WILLIAMS, Attorney, submitting an Order of Court for payment of \$232.50 attorney fees for court appointed legal representation of indigent respondent(s), Sophia Cole, Mother, re: C. Mitchell, a minor. Case No(s). 09-JA-610.
- 318620 JAMES S. WILLIAMS, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$212.50 attorney fees for court appointed legal representation of indigent respondent(s), B. Spindler, a minor. Case No(s). 00-JA-1031.
- 318621 RODNEY W. STEWART, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$556.25 attorney fees for court appointed legal representation of indigent respondent(s), V. Kimbrough, a minor. Case No. 96-JA-1756.
- 318622 THOMAS J. ESLER, Attorney, submitting an Order of Court for payment of \$265.00 attorney fees for court appointed legal representation of indigent respondent(s), John Gates, Father, re: S. Gates, a minor. Case No(s). 07-JA-00789.

- 318623 BRIAN M. DANLOE, Attorney, submitting an Order of Court for payment of \$350.00 attorney fees for court appointed legal representation of indigent respondent(s), Miguel Hernandez, Father, re: the Hernandez child, a minor. Case No(s). 10-JA-757.
- 318624 SAMUEL N. WARSAWSKY, Attorney, submitting an Order of Court for payment of \$843.75 attorney fees for court appointed legal representation of indigent respondent(s), Cleopatra Sparkman, Mother, re: A. Sparkman and A. Starks, minors. Case No(s). 08-JA-00600 and 10-JA-00370.
- 318625 BRIAN M. DANLOE, Attorney, submitting an Order of Court for payment of \$325.00 attorney fees for court appointed legal representation of indigent respondent(s), Derrick Young, Father, re: the White child, a minor. Case No(s). 10-JA-879.
- 318626 SAMUEL N. WARSAWSKY, Attorney, submitting an Order of Court for payment of \$700.00 attorney fees for court appointed legal representation of indigent respondent(s), Sarah Saez, Mother, re: A. Saez, a minor. Case No(s). 09-JA-00368.
- 318628 THOMAS J. ESLER, Attorney, submitting an Order of Court for payment of \$590.00 attorney fees for court appointed legal representation of indigent respondent(s), Ronald Simovic, Father, re: S. Simovic, a minor. Case No(s). 09-JA-0920.
- 318629 SAMUEL N. WARSAWSKY, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$500.00 attorney fees for court appointed legal representation of indigent respondent(s), the Brown and Ford children, minors. Case No(s). 06-JA-305, 06-JA-306 and 06-JA-307.
- 318630 MICHAEL D. STEVENS, LTD., presented by Michael D. Stevens, Attorney, submitting an Order of Court for payment of \$537.50 attorney fees for court appointed legal representation of indigent respondent(s), William Oiler, Father, re: J. Oiler, a minor. Case No(s). 08-JA-46.
- 318632 MICHAEL G. CAWLEY, P.C., presented by Michael G. Cawley, Attorney, submitting an Order of Court for payment of \$200.00 attorney fees for court appointed legal representation of indigent respondent(s), Precious Williams, Mother, re: the Williams children, minors. Case No(s). 00-JA-793 and 00-JA-794.
- 318633 RAYMOND A. MORRISSEY, Attorney, submitting an Order of Court for payment of \$2,825.00 attorney fees for court appointed legal representation of indigent respondent(s), Jose Sanchez, Father, re: the Sanchez children, minors. Case No(s). 09-JA-899, 09-JA-901 and 09-JA-902.
- 318634 MICHAEL G. CAWLEY, P.C., presented by Michael G. Cawley, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$793.75 attorney fees for court appointed legal representation of indigent respondent(s), the Givens children, minors. Case No(s). 10-JA-374 and 10-JA-375.

- 318635 ILDIKO J. BODONI, Attorney, submitting an Order of Court for payment of \$762.50 attorney fees for court appointed legal representation of indigent respondent(s), Donny Otis, Sr., Father, re: D. Otis, a minor. Case No(s). 07-JA-182.
- 318636 PAUL S. KAROLL, Attorney, submitting an Order of Court for payment of \$400.00 attorney fees for court appointed legal representation of indigent respondent(s), Dominique Gray, Mother, re: the Gray children, minors. Case No(s). 11-JA-440 and 10-JA-441.
- 318637 ILDIKO J. BODONI, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$784.75 attorney fees for court appointed legal representation of indigent respondent(s), C. Arnet, a minor. Case No(s). 07-JA-0750.
- 318638 STEVEN O. ROSS, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$432.50 attorney fees for court appointed legal representation of indigent respondent(s), J. Collier, a minor. Case No(s). 02-JA-788.
- 318639 THOMAS J. ESLER, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$500.00 attorney fees for court appointed legal representation of indigent respondent(s), D. Gillkey, a minor. Case No(s). 07-JA-0878.
- 318640 THOMAS J. ESLER, Attorney and Guardian ad Litem, submitting an Order of Court for payment of \$520.00 attorney fees for court appointed legal representation of indigent respondent(s), D. Bridges, a minor. Case No(s). 93-JA-01959.
- 318641 S. MICHAEL KOZUBEK, Attorney, submitting an Order of Court for payment of \$702.50 attorney fees for court appointed legal representation of indigent respondent(s), Leah Dzendrowski, Mother, re: L. Dzendrowski, a minor. Case No(s). 11-JA-709.
- 318642 THOMAS J. ESLER, Attorney, submitting an Order of Court for payment of \$215.00 attorney fees for court appointed legal representation of indigent respondent(s), Hilda Kolheim, Mother, re: F. Kolheim, a minor. Case No(s). 94-JA-00225.
- 318643 THOMAS J. ESLER, Attorney, submitting an Order of Court for payment of \$1,230.00 attorney fees for court appointed legal representation of indigent respondent(s), Archie Kyles, Father, re: the Kyles and Thurman children, minors. Case No(s). 09-JA-01125, 09-JA-01126 and 12-JA-00517.
- 318644 BRIAN M. DANLOE, Attorney, submitting an Order of Court for payment of \$1,070.00 attorney fees for court appointed legal representation of indigent respondent(s), Nicole Belcastro, Mother, re: the Belcastro child, a minor. Case No(s). 09-JA-652.

CHILD PROTECTION CASES APPROVED FISCAL YEAR 2012 TO PRESENT: \$1,416,704.21

CHILD PROTECTION CASES TO BE APPROVED: \$59,069.44

JUVENILE JUSTICE DIVISION

- 318532 PAUL D. KATZ, Attorney, submitting an Order of Court for payment of \$1,012.50 attorney fees for court appointed legal representation of indigent respondent(s), D. Delacruz, a minor. Case No(s). 11-JD-04805.
- 318536 MELINDA MACGREGOR, Attorney, submitting an Order of Court for payment of \$1,387.50 attorney fees for court appointed legal representation of indigent respondent(s), E. Fleming, a minor. Case No(s). 11-JD-5295 and 12-JD-0937.
- 318560 S. MICHAEL KOZUBEK, Attorney, submitting an Order of Court for payment of \$852.50 attorney fees for court appointed legal representation of indigent respondent(s), J. Cantu, a minor. Case No(s). 11-JD-4777.
- 318617 PAUL S. KAROLL, Attorney, submitting an Order of Court for payment of \$837.50 attorney fees for court appointed legal representation of indigent respondent(s), J. Mikulski, a minor. Case No(s). 11-JD-30095.

JUVENILE JUSTICE CASES APPROVED FISCAL YEAR 2012 TO PRESENT: \$106,415.34

JUVENILE JUSTICE CASES TO BE APPROVED: \$4,090.00

SPECIAL COURT CASE

- 318645 HICKEY, MELIA & ASSOCIATES, CHTD., Richard J. Hickey, Special State's Attorney, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$67,527.46 attorney fees and expenses regarding Wendy Cash v. Cook County, Case No. 08-L-04619 (Petition for Appointment of Special State's Attorney, Case No. 08-CH-39547), for the period of April 15 through August 15, 2011 and September 1, 2011 through January 31, 2012. To date \$140,253.12 has been paid. This invoice was approved by the Litigation Subcommittee at its meetings of January 19, 2012 and May 2, 2012. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.

SPECIAL COURT CASES APPROVED FISCAL YEAR 2012 TO PRESENT: \$2,810,631.37

SPECIAL COURT CASE TO BE APPROVED: \$67,527.46

SPECIAL COURT CRIMINAL CASE

318543 STUART A. NUDELMAN, MYLES P. O'ROURKE, ANDREW N. LEVINE, RAFAEL A. BOMBINO, DEBBIE COHEN and BRIAN J. STEFANICH, Special State's Attorney and Assistant Special State's Attorneys, presented by the Office of the State's Attorney, submitting an Order of Court for payment of \$59,495.46 regarding appointment of Special Prosecutor, No. 2003, Misc. 4, for the following:

The Comptroller of Cook County is hereby ordered to pay interim fees for Special State's Attorney Stuart A. Nudelman in the amount of \$7,040.00, for Assistant Special State's Attorney Myles P. O'Rourke in the amount of \$14,297.00, for Assistant Special State's Attorney Andrew N. Levine in the amount of \$6,024.00, for Assistant Special State's Attorney Rafael A. Bombino in the amount of \$11,921.00, for Assistant State's Attorney Debbie Cohen in the amount of \$10,162.50 and for Assistant Special State's Attorney Brian J. Stefanich in the amount of \$6,534.00 and to pay the sum of \$3,516.96 for the total of the following expenses incurred by the Office of the Special Prosecutor for the month of March 2012:

1. Services - Assistant Special Prosecutors	\$55,978.50
2. Telephone	450.00
3. Office Expenses	1,590.01
4. Paralegal/Clerk time	1,028.75
5. Computer Maintenance	150.00
6. Lexis Nexis Research	298.20

Said amounts totaling \$59,495.46 to be fair and reasonable for the work performed on the post-conviction cases (80-C-1916, 80-C-5534, 81-C-6362, 82-C-8655, 83-C-769, 83-CR-12478, 84-C-6487, 84-C-66702, 86-CR-6091, 87-CR-11296, 88-CR-7047, 90-CR-3212, 92-CR-2771, 92-CR-28009, 93-C-6684, 95-CR-27596, 82-C-6763 and 84-C-5857-5864) as well as the incurred expenses attributed to the preparation and case management of those same cases. The Comptroller of Cook County is therefore ordered to issue payment to the Office of the Special Prosecutor in the amount of \$59,495.46 (310-263 Account). To date \$1,379,494.43 has been paid. Please forward the check to Patrick T. Driscoll, Jr., Deputy State's Attorney, Chief, Civil Actions Bureau, for transmittal.

SPECIAL COURT CRIMINAL CASES APPROVED FISCAL YEAR 2012

TO PRESENT:

\$228,088.46

SPECIAL COURT CRIMINAL CASE TO BE APPROVED:

\$59,495.46

**COMMISSIONER SILVESTRI, SECONDED BY COMMISSIONER TOBOLSKI,
MOVED APPROVAL OF THE COURT ORDERS. THE MOTION CARRIED.**

SECTION 2

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.

- 318547 CHRISTINA A. RODRIGUEZ, in the course of her employment as a Correctional Officer for the Department of Corrections sustained accidental injuries on November 8, 2008. The Petitioner was a passenger in a County vehicle when the vehicle was involved in a collision, and as a result she injured her back, shoulder and neck (tenderness of the neck at C2-C3, the chest wall on the left side and the left shoulder and upper left quadrant pain). Prior/pending claims: none. Following a trial, the Arbitrator found that the Petitioner's injuries arose out of and in the course of her employment. As a result, on April 5, 2012, the Arbitrator awarded the Petitioner \$6,509.22. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Decision of Arbitrator, Award No. 08-WC-52075 in the amount of \$6,509.22 and recommends its payment. This decision is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: James M. Ridge, Law Firm of James M. Ridge & Associates, P.C.
- 318548 AVIS CARR, in the course of her employment as a Radiologist Technician for Stroger Hospital of Cook County sustained accidental injuries on September 13, 2009 and September 23, 2010. The September 13, 2009 accident occurred when the Petitioner felt pain in her neck and lower back while assisting a patient, and as a result she injured her back (cervical sprain). The September 23, 2010 accident occurred when the Petitioner felt pain in her neck and left arm while using a portable x-ray machine, and as a result she injured her back (disc herniation and spinal stenosis C4-5; spinal stenosis at C5-C6). Prior/pending claims not listed here: none. Following a trial, the Arbitrator found that the Petitioner's injuries arose out of and in the course of her employment. As a result, on April 9, 2012, the Arbitrator awarded the Petitioner \$19,104.68. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Decision of Arbitrator, Award Nos. 10-WC-42891 and 10-WC-44288 in the amount of \$19,104.68 and recommends its payment. This decision is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Joel Bell, Law Firm of Teplitz & Bell.
- 318549 ARCENIO PIZANA, in the course of his employment as a Correctional Officer for the Department of Corrections sustained accidental injuries on April 15, 2010. The Petitioner was assaulted by an inmate, and as a result he injured his face and hand (facial laceration and bite wound to left hand). Prior/pending claims: none. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 10-WC-18993 in the amount of \$2,500.00 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: Dean J. Caras, Law Firm of Dean Caras & Associates.

- 318550 BRYANT WALKER, in the course of his employment as a Correctional Officer for the Department of Corrections sustained accidental injuries on January 21, 2008. The Petitioner slipped on ice and fell, and as a result he injured his back (right lumbar radiculopathy, bulging disc at L4-L5 and at L5-S1). Prior/pending claims: none. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 08-WC-04820 in the amount of \$6,000.00 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: Mark S. Dym and Mark Weiner, Law Firm of Hughes, Socol, Piers, Resnick & Dym, Ltd.
- 318551 LEO WATKINS, in the course of his employment as a Motor Vehicle Medication Delivery Person for Oak Forest Hospital of Cook County sustained accidental injuries on June 21, 2010. The Petitioner was carrying pharmacy bags, and as a result he injured his elbow (right lateral epicondylitis). Prior/pending claims: Case No. 05-WC-07984 settled for \$3,500.00. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 11-WC-17954 in the amount of \$7,810.46 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: Mark L. Fromm, Law Firm of Kumlin and Fromm, Ltd.
- 318552 DELORES WHITE, in the course of her employment as a Cook for Stroger Hospital of Cook County sustained accidental injuries on August 23, 2007 and June 13, 2008. The August 23, 2007 accident occurred when the Petitioner tripped on the wheel of a cart and fell, and as a result she injured her arm (left carpal tunnel syndrome). The June 13, 2008 accident occurred when the Petitioner was removing hot gravy from a pan, and as a result she injured her arm (left arm burns, left wrist contusion) Prior/pending claims: Case No. 05-WC-43866 settled for \$29,732.55. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order Nos. 09-WC-03077 and 09-WC-03078 in the amount of \$25,306.87 and recommends its payment. (Finance Subcommittee April 17, 2012). Attorney: Christopher W. Mose, Law Firm of Katz, Friedman, Eagle, Eisenstein, Johnson & Bareck.
- 318559 WILLIAM BAKER, in the course of his employment as a Correctional Officer for the Department of Corrections sustained accidental injuries on August 16, 2006. The Petitioner was assaulted by an inmate, and as a result he injured his head, back, hand and legs (left wrist fracture, carpal tunnel syndrome, disc herniation at C-5, C-6 and C-7 with radiculopathy, 2 cm scar in the vertical direction in the glabellar area, a 1.5 cm scar in the horizontal direction overlaying the right eyebrow laterally, a scar upon the left forehead closer to the hairline, which was almost T-shaped and had a slight indentation to it, and a V-shaped scar up in the scalp vertex area; and fracture of the big toe). Prior/pending claims: none. Following a trial, the Arbitrator found that the Petitioner's injury arose out of and in the course of his employment. As a result, on April 20, 2012, the Arbitrator awarded the Petitioner \$58,478.29. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Decision of Arbitrator, Award No. 07-WC-18867 in the amount of \$58,478.29 and recommends its payment. (Finance Subcommittee June 5, 2012). Attorney: John J. Placek, Law Office of John J. Placek.

- 318568 BETTY J. ANDERSON, in the course of her employment as a Deputy Sheriff for the Sheriff's Court Services Division sustained accidental injuries on December 5, 2011. The Petitioner slipped in the stairwell and fell, and as a result she injured her back and neck (bulging and herniated discs with neck and left knee pain). Prior/pending claims: none. Following a trial, the Arbitrator found that the Petitioner's injuries arose out of and in the course of her employment. As a result, on April 11, 2012, the Arbitrator awarded the Petitioner \$11,883.20. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Decision of Arbitrator, Award No. 11-WC-48565 in the amount of \$11,883.20 and recommends its payment. This decision 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.
- 318569 KELLY FLYNN, in the course of her employment as a Registered Nurse for Stroger Hospital of Cook County sustained accidental injuries on September 6, 2009. The Petitioner slipped on debris, and as a result she injured her ankle (right ankle avulsion fracture). Prior/pending claims: none. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Lump Sum Petition and Order No. 09-WC-40997 in the amount of \$21,437.22 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: Matthew M. Gannon, The Healy Law Firm.
- 318570 ANA MONTERROS, in the course of her employment as a Correctional Officer for the Department of Corrections sustained accidental injuries on November 8, 2008. The Petitioner was injured in a motor vehicle collision, and as a result she injured her leg and head (right leg fracture, right ankle fracture, post concussion syndrome). Prior/pending claims: none. Following a trial, the Arbitrator found that the Petitioner's injury arose out of and in the course of her employment. As a result, on April 5, 2012, the Arbitrator awarded the Petitioner \$27,487.84. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Decision of Arbitrator, Award No. 08-WC-51177 in the amount of \$27,487.84 and recommends its payment. (Finance Subcommittee June 5, 2012). Attorney: James M. Ridge, Law Firm of James M. Ridge & Associates, P.C.
- 318588 LASHONEDREA ARNOLD, in the course of her employment as a Counselor for the Juvenile Temporary Detention Center, sustained accidental injuries on April 30, 2010. The Petitioner was assaulted during a violent altercation involving multiple residents, and as a result she injured her knee (left lateral meniscus tear; bulging disc with annular tear at L5-S1). Prior/pending claims: none. Following a trial, the Arbitrator found that the Petitioner's injuries arose out of and in the course of her employment. As a result, on April 18, 2012, the Arbitrator awarded the Petitioner \$22,831.64. State's Attorney, Anita Alvarez, is submitting Workers' Compensation Commission Decision of Arbitrator, Award No. 10-WC-37247 in the amount of \$22,831.64 and recommends its payment. This decision is within the grant of authority conveyed by the Cook County Board of Commissioners to the State's Attorney's Office. Attorney: Joel J. Block, Law Firm of Goldberg, Weisman & Cairo, Ltd.

**WORKERS' COMPENSATION CLAIMS APPROVED FISCAL YEAR 2012
TO PRESENT: \$2,588,721.06**

WORKERS' COMPENSATION CLAIMS TO BE APPROVED: \$209,349.42

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

SECTION 3

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 approved.

318544 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Subrogation Recovery of \$3,686.10. Claim No. 20050575, Sheriff's Court Services Division.

Responsible Party: Montrell L. Jackson (Driver and Owner), 763 Cambridge Avenue, Matteson, Illinois 60443
Damage to: Sheriff's Court Services Division vehicle
Our Driver: Richard Doty, Unit #4020
Date of Accident: December 7, 2011
Location: Believers Way Drive near Drake, Matteson, Illinois (230-444 Account)

318545 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Subrogation Recovery of \$1,365.60. Claim No. 20050629, Sheriff's Police Department.

Responsible Party: Robert Ross, Jr. (Driver and Owner), 1438 East 170th Street, South Holland, Illinois 60473
Damage to: Sheriff's Police Department vehicle
Our Driver: Parris C. Williams, Unit #9201
Date of Accident: February 15, 2012
Location: 162nd Street near Page Park, South Holland, Illinois (231-444 Account)

318546 DEPARTMENT OF RISK MANAGEMENT, submitting for approval Subrogation Recovery of \$200.00. Claim No. 20050577, Sheriff's Police Department.

Responsible Party: Jorge Ramires (Owner) and Ricardo Perez (Driver), 430 Chase Avenue, Joliet, Illinois 60432
Damage to: Sheriff's Police Department vehicle
Our Driver: Rochelle Parker, Unit #2314
Date of Accident: December 20, 2011

Location: 5858 South Pulaski Road, Chicago, Illinois
(231-444 Account)

SUBROGATION RECOVERIES APPROVED FISCAL YEAR 2012 TO PRESENT: \$51,069.60

SUBROGATION RECOVERIES TO BE APPROVED: \$5,251.70

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

SECTION 4

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.

- 318541 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$8,000.00 for the release and settlement of suit regarding Bennie Earl Driskel v. R. Neems, J. Macklin and DMS Smith, et al. Case No. 11-C-8019. This matter involves allegations of civil rights violations at the Jail. The matter has been settled for the sum of \$8,000.00, 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 \$8,000.00, made payable to Bennie Earl Driskel. Please forward the check to Amrith K. Aakre, Assistant State's Attorney, for transmittal.
- 318542 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$5,000.00 for the release and settlement of suit regarding Juan Aguilar v. Tom Dart, et al. Case No. 11-C-7192. This matter involves an allegation of a civil rights violation at the Jail. The matter has been settled for the sum of \$5,000.00, 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 \$5,000.00, made payable to Isabel Aguilar. Please forward the check to Nile N. Miller, Assistant State's Attorney, for transmittal.
- 318553 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$450.00 for the release and settlement of suit regarding Gregory Jimmie Brown v. Thomas Dart, et al., Case No. 10-C-8073 and Gregory Jimmie Brown v. Thomas Dart, et al., Case No. 10-C-7711. These matters involve allegations of deliberate medical indifference at the Department of Corrections. The matters have been settled for the sum of \$450.00, 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 \$450.00, made payable to Gregory Jimmie Brown. Please forward the check to David R. Condron, Assistant State's Attorney, for transmittal.

- 318554 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$750.00 for the release and settlement of suit regarding Jonathan Marshall v. Mrs. Cooper, et al., Case No. 11-C-4202. This matter involves an allegation of a civil rights violation at the Jail. The matter has been settled for the sum of \$750.00, 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 \$750.00, made payable to Jonathan Marshall. Please forward the check to Colleen Cavanaugh, Assistant State's Attorney, for transmittal.
- 318571 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$10,000.00 for the release and settlement of suit regarding Gill Redmond v. County of Cook, Case No. 10-L-13798. We have settled this alleged medical negligence claim at Stroger Hospital of Cook County. The matter has been settled for the sum of \$10,000.00, 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 \$10,000.00, made payable to Gill Redmond and Holstein Law Offices, his attorney. Please forward the check to Mary Jo Smerz, Assistant State's Attorney, Medical Litigation Section, for transmittal.
- 318572 STATES ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$47,500.00 for the release and settlement of suit regarding Kimberly Stevens v. Thomas Kliet, et al., Case No. 11-C-2379. This matter involves an allegation of a civil rights violation by Sheriff's employees. The matter has been settled for the sum of \$47,500.00, 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 \$47,500.00, made payable to Kimberly Stevens and Ed Fox & Associates, her attorney. Please forward the check to Nile N. Miller, Assistant State's Attorney, for transmittal.
- 318573 STATE'S ATTORNEY, Anita Alvarez, submitting communication advising the County to accept Proposed Settlement of \$250,000.00 for the release and settlement of suit regarding Marsha Clay v. Cook County Sheriff Officers, et al., Case No. 10-C-2953. This matter involves allegations of excessive force at the Criminal Courthouse. The matter has been settled for the sum of \$250,000.00, which is within the authority granted to this office by the Finance Committee's Subcommittee on Litigation at its meeting of May 2, 2012. State's Attorney recommends payment of \$250,000.00, made payable to Marsha Clay and Erickson & Oppenheimer and Jared Kosoglad, her attorney. Please forward the check to Patrick S. Smith, Deputy Supervisor, for transmittal.

PROPOSED SETTLEMENTS APPROVED FISCAL YEAR 2012 TO PRESENT: \$4,110,156.48

PROPOSED SETTLEMENTS TO BE APPROVED: \$321,700.00

**COMMISSIONER SILVESTRI, SECONDED BY COMMISSIONER MURPHY,
MOVED APPROVAL OF THE PROPOSED SETTLEMENTS. 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, are authorized and directed to issue checks to claimants in the amounts recommended.

318606 PATIENT/ARRESTEE SETTLEMENT PROGRAM CLAIMS. The Department of Risk Management is submitting invoices totaling \$24,560.60, 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 an audit 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	\$3,508,409.09	\$398,517.01
UNRELATED	\$393,118.39	\$0.00
IDHFS DISCOUNT	\$2,561,727.39	\$373,956.41
PROVIDER DISCOUNT	\$54,045.57	\$0.00
AMOUNT PAYABLE	\$499,517.74	\$24,560.60

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

CHAIRMAN DALEY VOTED PRESENT ON THE CLAIMS FROM MERCY HOSPITAL.

SECTION 6

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 request(s), 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.

318610 THE EMPLOYEE'S INJURY COMPENSATION COMMITTEE, submitting invoice totaling \$315,707.88, 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 6-19, 2012.

EMPLOYEES' INJURY COMPENSATION CLAIMS APPROVED FISCAL YEAR 2012 TO PRESENT:	\$5,259,398.18
EMPLOYEES' INJURY COMPENSATION CLAIMS TO BE APPROVED:	\$315,707.88

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

SECTION 7

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

318090 **COOK COUNTY CEMETERY (PROPOSED RESOLUTION).** Submitting a Proposed Resolution sponsored by John A. Fritchey, County Commissioner.

PROPOSED RESOLUTION

COOK COUNTY CEMETERY

WHEREAS, recent events as well as investigations by the Cook County Sheriff have brought into serious question and unfortunate light, the manner by which the Cook County's indigent, unclaimed and unknown individuals have been buried; and

WHEREAS, disturbing practices have included persons stacked eight coffins high, bodies placed in coffins with unidentified limbs and skeletal remains from other bodies, medical waste and non-human debris, and coffins buried haphazardly in a manner making future location for personal or law enforcement purposes, difficult if not impossible; and

WHEREAS, such practices not only demonstrate an unacceptable lack of respect for the least fortunate among us and are unbecoming of a civilized society, but additionally impede ongoing criminal investigations in cases of unknown decedents, as the identifying characteristics of hundreds of unidentified remains buried by the County have failed to be entered into the NCIC (National Crime Information Center), the nationally recognized database for tracking crime-related information; and

WHEREAS, the discovery of the above-mentioned practices led to the introduction and passage of an ordinance on May 4, 2011, setting new standards and safeguards for the manner in which burials of the indigent, unclaimed and unknown are handled in Cook County; and

WHEREAS, said ordinance clarified the role and responsibilities of the Office of the Medical Examiner in preparing the bodies for burial as well as the methods by which burials are to be conducted by cemeteries that have contracts with the county for such

burials; and

WHEREAS, this Government is ultimately responsible for these individuals, and consequently it is in the best interest of the County and its residents for the County to once again operate a cemetery for the burial of our County's indigent, unclaimed and unknown persons; and

WHEREAS, for over a century, from 1854-1971, Cook County operated, maintained and administered its own cemetery, the most recent site having been located on the land adjacent to the Oak Forest Hospital, known as the Cook County Cemetery for the Indigent, where tens of thousands of individuals have previously been laid to rest; and

WHEREAS, the reestablishment of a permanent Cook County Cemetery would not only ensure that our indigent are put to rest in a respectful manner, but it would also facilitate proper documentation for law enforcement purposes, proper maintenance, as well as save the County millions of dollars; and

WHEREAS, with the use of approximately 5 acres of land contiguous to the location of the former Cook County Cemetery for the Indigent, the County could establish a cemetery capable of meeting the needs of the County for the next 100 years; and

WHEREAS, the aforesaid land is presently owned and maintained by the Forest Preserve District of Cook County; and

WHEREAS, since the Forest Preserve acquired said cemetery, no plan for addressing the former cemetery site has been forthcoming, and as such, ample opportunity still exists to determine a proper use of that parcel and the surrounding areas; and

WHEREAS, there exist several precedents for the co-existence of cemeteries on Forest Preserve property, including Bachelors Grove Cemetery, Sauerbier-Burkhardt Cemetery and the above-mentioned Cook County Cemetery for the Indigent; and

WHEREAS, the County Highway Department already owns the equipment necessary to operate and maintain such a cemetery; and

WHEREAS, the Cook County Sheriff has expressed a willingness and ability to provide sufficient labor necessary to operate and maintain such a cemetery; and

WHEREAS, based upon anticipated costs for the currently mandated indigent burial program, the reestablishment of a County cemetery can reasonably expect to save Cook County taxpayers in excess of \$175 million over the next 100 years.

NOW, THEREFORE, BE IT RESOLVED, by the Cook County Board of Commissioners that the Office of the Medical Examiner, the Office of the Cook County Sheriff, the Cook County Bureau of Administration, the Cook County Real Estate Management Division, the Cook County Highway Department, the Forest Preserve District of Cook County and any other agency deemed necessary are hereby directed to cause a plan to be completed and presented to the Board of Commissioners for the reestablishment of a Cook County Cemetery at the aforementioned site for the purpose of indigent, unclaimed and unknown

burials; and

BE IT FURTHER RESOLVED, that said plan shall include the creation of an intergovernmental agreement between the County of Cook and the Forest Preserve District of Cook County to locate said cemetery on the 5 acres to the immediate west of the old Cook County Cemetery for the Indigent; and

BE IT FURTHER RESOLVED, that said intergovernmental agreement shall stipulate that the reestablished Cook County Cemetery shall remain Forest Preserve property in order to ensure its permanency; and

BE IT FURTHER RESOLVED, that said plan shall provide the structure by which the affected agencies shall coordinate and delegate responsibilities in order to establish, operate and maintain such a cemetery; and

BE IT FURTHER RESOLVED, that the results of the aforementioned plan shall be delivered to the Cook County Board of Commissioners no later than August 1, 2012, with an implementation date of January 1, 2013.

Effective Date: This Resolution shall be effective upon passage.

*** Referred to the Committee on Finance on 5-14-12.**

**** Deferred on 6-5-12.**

COMMISSIONER FRITCHEY, SECONDED BY COMMISSIONER SUFFREDIN, MOVED TO ACCEPT THE SUBSTITUTE AMENDMENT TO COMMUNICATION NO. 318090. THE MOTION CARRIED, AND COMMUNICATION NO. 318090 WAS SUBSTITUTED, AS FOLLOWS:

Submitting an Amendment to Communication No. 318090
Finance Committee

Sponsored by:

JOHN A. FRITCHEY, County Commissioner

PROPOSED RESOLUTION

COOK COUNTY CEMETERY

WHEREAS, recent events as well as investigations by the Cook County Sheriff have brought into serious question and unfortunate light, the manner by which the Cook County's indigent, unclaimed and unknown individuals have been buried; and

WHEREAS, disturbing practices have included persons stacked eight coffins high, bodies placed in coffins with unidentified limbs and skeletal remains from other bodies, medical

waste and non-human debris, and coffins buried haphazardly in a manner making future location for personal or law enforcement purposes, difficult if not impossible; and

WHEREAS, such practices not only demonstrate an unacceptable lack of respect for the least fortunate among us and are unbecoming of a civilized society, but additionally impede ongoing criminal investigations in cases of unknown decedents, as the identifying characteristics of hundreds of unidentified remains buried by the County have failed to be entered into the NCIC (National Crime Information Center), the nationally recognized database for tracking crime-related information; and

WHEREAS, the discovery of the above-mentioned practices led to the introduction and passage of an ordinance on May 4, 2011, setting new standards and safeguards for the manner in which burials of the indigent, unclaimed and unknown are handled in Cook County; and

WHEREAS, said ordinance clarified the role and responsibilities of the Office of the Medical Examiner in preparing the bodies for burial as well as the methods by which burials are to be conducted by cemeteries that have contracts with the county for such burials; and

WHEREAS, this Government is ultimately responsible for these individuals, and consequently it is in the best interest of the County and its residents for the County to once again operate a cemetery for the burial of our County's indigent, unclaimed and unknown persons; and

WHEREAS, for over a century, from 1854-1971, Cook County operated, maintained and administered its own cemetery, the most recent site having been located on the land adjacent to the Oak Forest Hospital, known as the Cook County Cemetery for the Indigent, where tens of thousands of individuals have previously been laid to rest; and

WHEREAS, the reestablishment of a permanent Cook County Cemetery would not only ensure that our indigent are put to rest in a respectful manner, but it would also facilitate proper documentation for law enforcement purposes, proper maintenance, as well as save the County millions of dollars; and

WHEREAS, with the use of approximately 5 acres of land ~~contiguous to the location of the former Cook County Cemetery for the Indigent~~, the County could establish a cemetery capable of meeting the needs of the County for the next 100 years; and

WHEREAS, ~~the aforesaid land is presently owned and maintained by the Forest Preserve District of Cook County~~ there exists ample land on the site of the Oak Forest Hospital to allow for the establishment of such a cemetery; and

WHEREAS, ~~since the Forest Preserve acquired said cemetery, no plan for addressing the former cemetery site has been forthcoming, and as such, ample opportunity still exists to determine a proper use of that parcel and the surrounding areas;~~ and

WHEREAS, ~~there exist several precedents for the co-existence of cemeteries on Forest Preserve property, including Bachelors Grove Cemetery, Sauerbier-Burkhardt Cemetery~~

~~and the above mentioned Cook County Cemetery for the Indigent; and~~

WHEREAS, the County Highway Department already owns the equipment necessary to operate and maintain such a cemetery; and

WHEREAS, the Cook County Sheriff has expressed a willingness and ability to provide sufficient labor necessary to operate and maintain such a cemetery; and

WHEREAS, based upon anticipated costs for the currently mandated indigent burial program, the reestablishment of a County cemetery can reasonably expect to save Cook County taxpayers ~~in excess of \$175 million~~ tens of millions of dollars over the next 100 years;

NOW THEREFORE BE IT RESOLVED, by the Cook County Board of Commissioners that the Office of the Medical Examiner, the Office of the Cook County Sheriff, the Cook County Bureau of Administration, the Cook County Real Estate Management Division, the Cook County Highway Department, ~~the Forest Preserve District of Cook County~~ and any other agency deemed necessary are hereby directed to cause a plan to be completed and presented to the Board of Commissioners for the reestablishment of a Cook County Cemetery at the aforementioned site for the purpose of indigent, unclaimed and unknown burials; and

BE IT FURTHER RESOLVED, that said plan shall consider all appropriate County owned property on the Oak Forest Campus~~include the creation of an intergovernmental agreement between the County of Cook and the Forest Preserve District of Cook County to locate said cemetery on the 5 acres to the immediate west of the old Cook County Cemetery for the Indigent; and~~

~~**BE IT FURTHER RESOLVED**, that said intergovernmental agreement shall stipulate that the reestablished Cook County Cemetery shall remain Forest Preserve property in order to ensure its permanency; and~~

BE IT FURTHER RESOLVED, that said plan shall provide the structure by which the affected agencies shall coordinate and delegate responsibilities in order to establish, operate and maintain such a cemetery; and

BE IT FURTHER RESOLVED, that the results of the aforementioned plan shall be delivered to the Cook County Board of Commissioners no later than ~~August~~ September 1, 2012, with an implementation date of January 1, 2013.

Effective Date: This Resolution shall be effective upon passage.

COMMISSIONER FRITCHEY, SECONDED BY COMMISSIONER SUFFREDIN, MOVED TO WITHDRAW COMMUNICATION NO. 318090. THE MOTION CARRIED.

CHAIRMAN DALEY ENTERED INTO THE RECORD A LETTER OF EXPLANATION FROM COMMISSIONER FRITCHEY, AN OPINION FROM THE STATE'S ATTORNEY, AND AN ANALYSIS FROM ROBIN KELLY, CHIEF ADMINISTRATIVE OFFICER.

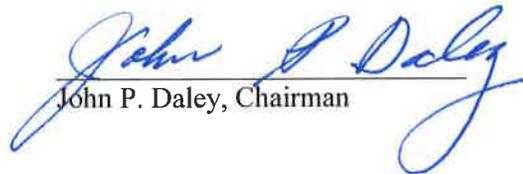
SECTION 8

Your Committee was presented with the Revenue Report for the period ended April 30, 2012 for the Corporate, Public Safety and Health Funds, as presented by the Bureau of Finance.

COMMISSIONER GOSLIN, SECONDED BY COMMISSIONER SCHNEIDER, MOVED TO RECEIVE AND FILE THE REVENUE REPORT. THE MOTION CARRIED.

COMMISSIONER TOBOLSKI, SECONDED BY COMMISSIONER STEELE, 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

COUNTY BUILDING
118 N. Clark Street
Room 567
Chicago, IL 60602
Phone: 312-603-6380
Fax: 773-423-0392



DISTRICT OFFICE
2539 N. Southport Avenue
Chicago, IL 60614
Phone: 773-871-4000
Fax: 773-423-0392
office@fritchey.com

JOHN A. FRITCHEY
COMMISSIONER, 12TH DISTRICT
COOK COUNTY BOARD OF COMMISSIONERS

June 13, 2012

Dear Colleagues,

As you know, several weeks ago I introduced a resolution that would direct appropriate agencies and departments to meet and review options and draft a plan to be completed and presented to the Board of Commissioners for the reestablishment of a Cook County Cemetery for the indigent, unclaimed and unknown burials.

During the previous Finance Committee meeting, by chance, I was alerted to the fact that the Bureau of Administration had distributed a fact sheet to all Commissioners regarding this matter *except for me*. Notwithstanding the lack of professionalism in such an action, I feel obligated to address my concerns with the information provided so that this Honorable Body can earnestly consider this very important subject possessing all relevant information.

Attached to this letter you will find a comparison of the statements and cost figures set forth by the Administration, along with the actual facts and accurate cost figures.

I additionally asked the State's Attorney's Office to prepare a legal opinion to consider the legal measures that would have to be addressed for the County to operate a cemetery for the interment of indigent, unknown and unclaimed persons, which I have received and am also sharing with you. (See attached)

The Administration also presented information regarding other jurisdictions handling of indigent burials and mentions the increasing use of cremation. I would be remiss if I didn't mention the fact that when I broached this possibility during talks last year, the Administration arbitrarily dismissed the idea. So although I am open to this alternative, I find it disingenuous that it would be used, in this instance, simply as a means to quash my present proposal.

Lastly, please keep in mind my fellow colleagues, that this resolution simply calls for a plan to be put together and presented to the Board as to how to proceed with resuming a county owned and operated cemetery. I respectfully ask that you consider supporting this resolution so that the affected agencies and departments can take the time to conscientiously study this proposition rather than simply and hurriedly try to shoot it down without giving it the proper and honest consideration it deserves.

Sincerely,

John Fritchey
Cook County Commissioner, 12th District

Cook County Cemetery Cost Analysis

Administration's Statement Partial labor supervised by Sheriff complemented by County workers. Based on costs per 8-hour day			The Facts Labor mostly provided by inmates supervised by Sheriff's deputies Based on costs per 8-hour day
<i>Burial Preparation, shell construction.</i>	\$0.00	\$0.00	<i>Burial Preparation, shell construction.</i>
<i>Decedent Handling & Transportation.</i> Assumes 2 Sheriff deputies, 2 drivers, 2 trucks and 2 vans.	\$1,513.00	\$998.96	<i>Decedent Handling & Transportation.</i> One truck driver + 2 Sheriff deputies to supervise 6 inmates (Sheriff owns vehicles for transportation, County Administrator rides with truck driver).
<i>Excavation and filling.</i> Includes 5 County employees and rental of 3 pieces of excavating equipment.	\$3,378.00	\$836.24	<i>Excavation and filling.</i> Two County employees, 1 to operate 1 excavator and 1 spotter. County owns the equipment, no need to rent it. Inmates working on ground.
<i>Cemetery Administration.</i> Assumes 65 full days of work per year.	\$ 2,166.00	\$1,200.00	<i>Cemetery Administration.</i> Assumes 36 full days of work by County Administrator.
<i>Cemetery Maintenance.</i> Assumes 1000 hours of work per year by 6 county workers.	\$1,883.00	\$0.00	<i>Cemetery Maintenance.</i> County is presently required to maintain its property and as such, maintenance is budgeted for.
Totals	\$8,941.41	\$3,035.20	Maximum cost per day, assuming 12 annual burials
Annual Cost	\$107,297.00	\$36,422.84	Annual Cost
Savings over current contract of \$115,852	\$8,555.00	\$79,429.16	First year's savings, over current contract.
Savings over 100 years. Current contract's cost over 100 years is \$70,355,498.00	\$5,195,203.00	\$48,915,962.97	Savings over 100 years. Compared to maximum cost over 100 years of \$21,439,535.03

*All calculations based on salary rates provided by the Bureau of Administration.

In its memo, the Administration set forth numerous statements that were either irrelevant, misleading or simply incorrect. The following is a summary of these statements and my rebuttals.

Administration's Argument	Rebuttal <i>Based on proposal and Opinion of Cook County State's Attorney</i>
<p>If we change burial practices, i.e. single burial plots and use of concrete burial vaults, the costs will increase.</p>	<p>Changing burial practices to single plots with concrete burial vaults is not proposed for such County cemetery and therefore is not applicable.</p>
<p>The cemetery must maintain an index identifying the identity of those interred, entombed or inured in the cemetery.</p>	<p>Record keeping for the few burials that occur per year can be done both manually and electronically. *Note: the Sheriff's office, for example, already possesses software to perform such function and the County has a plethora of experience in keeping records.</p>
<p>The cemetery map must be open to inspection by the public and made available upon written request.</p>	<p>The County could make such map available online on the County website. *Note: the investigation at Homewood Memorial cemetery discovered that although burial records were kept, they weren't properly mapped on the grounds, making it nearly impossible to locate specific decedents.</p>
<p>Cemeteries must input data into a statewide database to be created by the Illinois Department of Financial and Professional Regulation.</p>	<p>This task already occurs at no cost using the department's website. *Reminder: the County averages 220 shells buried per year.</p>
<p>Cemeteries must use best efforts to ensure funeral processions do not interfere with traffic; failure to comply with this provision may result in fines.</p>	<p>County burials of the indigent do not have funeral processions. Therefore, said section is not applicable.</p>
<p>Access issues will require the cemetery to be constructed close to Cicero.</p>	<p>There are numerous options for where to locate the cemetery on the existing property and an existing road to the Old County Cemetery could be extended.</p>
<p>There are other possible planned uses for the land at Oak Forest Hospital which include the creation of an ecologically significant oak savannah in the open area between the actual health center campus and the corner of 159th and Cicero.</p>	<p>The resolution does not mandate the location to be at the corner of 159th and Cicero.</p>
<p>The trend in most major city and county Medical Examiners offices is toward cremation.</p>	<p>The County does not currently use cremation and is in the middle of a bid process to continue burials through a private operator.</p>

Cook County Burial and Cemetery Operations Costs

The Facts. 12 Burials Annually. Approximately 18 shells per Burial. 8hr work days.

TASK	ELEMENT	REQUIRED RESOURCE	AMO UNT	VALUE	UNIT	RATE	RATE BENEFITS	DAILY COST	ANNUAL COST	ASSUMPTIONS
Burial Preparation	Shell Construction	Sheriff		220 shells		\$ -	\$ -	\$ -	\$ -	
	Decedent Handling	Sheriff - SWAP (Inmates) Sheriff	6	576 hours		\$ -	\$ -	\$ -	\$ -	8 hours per day. 12 days
Decedent Handling & Transportation	Deputies		2	192 hours		\$ 31.10	\$ 40.43	\$ 646.88	\$ 7,763.00	8 hours per day. 12 days
	Truck Driver		1	96 hours		\$ 33.85	\$ 44.01	\$ 352.08	\$ 4,224.96	8 hours per day. 12 days Sheriff owns Truck. Picks up at Morgue to drop-off at OFH.
		Truck	1			\$ -	\$ -	\$ -	\$ -	Sheriff owns van. Used to transport 6 inmates and deputies to and from OFH.
		Van	1			\$ -	\$ -	\$ -	\$ -	
Excavation & Filling	Labor	Equipment Operator	1	96 hours		\$ 42.75	\$ 55.58	\$ 444.64	\$ 5,335.68	Operator of excavator Spotter for work on excavation and filling County already owns equipment.
		Supervisor	1	96 hours		\$ 37.65	\$ 48.95	\$ 391.60	\$ 4,699.20	
	Equipment	Excavator	1					\$ -	\$ -	
Cemetery Administration	Administration	Cemetery Administrator	1	288 hours		\$ 38.46	\$ 50.00	\$ 1,200.00	\$ 14,400.00	36 full days of work to record and maintain records of an average of 200 burials per year.
		Grounds Keeper	0	0		\$ -	\$ -	\$ -	\$ -	Site currently being maintained by Forest Preserve crew. Already budgeted for.
Totals								\$3,035.20	\$36,422.84	



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

June 6, 2012

Honorable John A. Fritchey
Commissioner – 12th District
Cook County Board of Commissioners
118 North Clark Street, Room 567
Chicago, IL 60602

CONFIDENTIAL ATTORNEY CLIENT COMMUNICATION

In Re: 12-150: County owned cemetery

Dear Commissioner Fritchey:

You have asked this Office to advise you concerning the legal measures that would have to be addressed for the County to operate a cemetery that would allow for the interment of indigent and unknown remains on the premises of Oak Forest Hospital. There are several statutes that address cemeteries and the handling of human remains. However, the three that are most relevant to the County are the Illinois Cemetery Oversight Act, the County Cemetery Care Act and the Cemetery Care Act.

Initially, we have determined from the Office of Real Estate Management that the County currently owns three cemeteries. They are: 1) Bachelor's Grove Cemetery in Oak Forest; 2) Glenview Cemetery in Golf; and 3) Mount Forest Cemetery in Thornton Township. It is also our understanding that these cemeteries are not actively being used and there have not been any burials in them for many years.

I. The Illinois Cemetery Oversight Act

The Illinois Cemetery Oversight Act (Act), 225 ILCS 411/5-1, *et seq.* is the State's comprehensive scheme for handling and managing the burial of human remains. The Act provides a licensing structure for those seeking to operate as a cemetery authority for the burial of human remains. If the County were to own a cemetery it would be considered a "cemetery authority", which the Act defines as any legal entity that owns or controls cemetery property. 225 ILCS 411/5-15.

Generally, cemetery authorities are required to obtain a license from the Illinois Department of

Financial and Professional Regulation (Department) in order to operate a cemetery. However, the Act provides for full and partial exemptions from the licensure requirement. The Act provides for a full exemption in the following circumstances:

(1) Any cemetery authority operating as a family burying ground or religious burying ground, (2) any cemetery authority that has not engaged in an interment, inurnment, or entombment of human remains within the last 10 years, or (3) any cemetery authority that is less than 3 acres.

225 ILCS 411/5-20(a). The only circumstance that could apply to the County is if the County operated a cemetery that was smaller than 3 acres. If that was the case, the County would be entitled to seek a full exemption from the Act. Under a full exemption, the County would have to register for a full exemption every four years. 225 ILCS 411/10-40. There would be no cost to file the registration. If the County was entitled to a full exemption, it would be completely exempt from the remainder of the Act.

The Act also allows for a partial exemption from the licensing structure, and provides that:

If a cemetery authority does not qualify for a full exemption and (1) engages in 25 or fewer interments, inurnments, or entombments of human remains for each of the preceding 2 calendar years, (2) operates as a public cemetery, or (3) operates as a religious cemetery, then the cemetery authority is partially exempt from this Act...

225 ILCS 411/5-20(b). Thus, the County could seek a partial exemption from the Act because it would be operating a public cemetery. A partial exemption must be renewed every four years. 225 ILCS 411/10-40. The fee for a partial exemption is \$150.00. 225 ILCS 411/10-55(h). The fee to renew registration as a partially exempt cemetery authority is also \$150.00. 225 ILCS 411/10-55(i).

A partial exemption would allow the County to operate a cemetery without a license but several provisions of the Act would still apply. For example, the County would be under an obligation, pursuant to 225 ILCS 411/20-5(b) to provide reasonable maintenance of the property, including such tasks as laying sod, cutting the lawn and trimming the shrubs. There are also record keeping provisions that require a record of every interment that includes the deceased's name, age, and date and location of burial. 225 ILCS 411/20-5(d).

The County would be required to record all interments of human remains with the Department through its Cemetery Oversight Database (Database). The Database tracks the interment, entombment or inurnment of human remains. A cemetery authority has 10 days after a burial to enter the information into the Database. 225 ILCS 411/20-6(a). This reporting requirement includes the burials of unknown individuals or unknown body parts. 225 ILCS 411/20-35.

The County would be subject to the Department's investigation and mediation procedures if there was a consumer complaint made to either the Department or the County. The Act specifically states that a cemetery authority with a partial exemption shall be subject to the Department's procedures in the case of a complaint by a consumer. 225 ILCS 411/25-3. If efforts to resolve a complaint are

unsuccessful, the County could be subject to mediation proceedings. The Act provides for penalties and discipline in cases where a consumer complaint is not resolved. 225 ILCS 411/25-3(6).

The Act has licensing provisions for the positions of cemetery managers and cemetery customer service employees. Notably, a partial exemption would apply to a cemetery manager or a cemetery customer service employee as well as the County. Under the Act, a cemetery manager is an individual who is directly responsible for the operation and maintenance of the cemetery. 225 ILCS 411/5-15. A cemetery customer service employee is an individual who has direct contact with consumers to explain services and interment rights. *Id.* If the County were to hire individuals to perform these functions, they would not be required to obtain a license.

Significantly, the Act states that the regulation and licensing of cemeteries are exclusive powers of the State, and that a home rule unit may not regulate or license cemetery authorities or any activities relating to the operation of a cemetery. 225 ILCS 411/75-25. Thus, the State has declared that its powers over this subject matter are a limitation of home rule powers, and the County would be without home rule authority to deviate from the Act.

II. The Cemetery Care Act

The Cemetery Care Act (Care Act), 760 ILCS 100/1, *et seq.* provides additional requirements for operating a cemetery. The purpose of the Care Act is to ensure the proper handling of “care funds”, which are any funds a cemetery authority accepts in trust. 760 ILCS 100/2. The Care Act allows a cemetery authority to accept any gift or contribution and to establish a trust fund to hold the funds in perpetuity for the care of the cemetery or for the care of a particular grave. A cemetery authority may act as its own trustee regarding care funds up to \$500,000. If the care funds exceed \$500,000, the cemetery authority must retain an independent trustee. 760 ILCS 100/3.

Furthermore, the Care Act requires that every cemetery authority file a registration statement with the State Comptroller and declare how the cemetery is owned and operated. 760 ILCS 100/8. The Care Act defines a “municipal cemetery” as a cemetery owned or operated by most units of local government, including counties. Thus, the County would be considered a municipal cemetery. The fee for the registration is \$5.00.

Notably, the Care Act requires cemetery authorities that own private cemeteries to obtain a license before they can accept care funds. 760 ILCS 100/7. There is also a requirement that owners of private cemeteries file annual reports and a fidelity bond. 760 ILCS 100/18. There is so no such requirement for a municipal cemetery. Thus, there would be no licensing or bond requirement for the County under the Cemetery Care Act.

III. The County Cemetery Care Act

Finally, there is authority for operating a county cemetery in the County Cemetery Care Act (Cemetery Care Act), 55 ILCS 65/1, *et seq.* The Cemetery Care Act provides that where grounds are conveyed to a county for a burial place, the presiding officer of the county board, with the advice and consent of the county board, may appoint three trustees to take charge of the grounds. 55 ILCS 65/1.

Furthermore, the Cemetery Care Act provides that once the trustees are appointed, they shall have a meeting and appoint a president, a clerk and a treasurer. 55 ILCS 65/2. The Cemetery Care Act gives the presiding officer of the county board the power to remove from office any trustee and to fill all vacancies. 55 ILCS 65/6.

Once the trustees are selected, the Cemetery Care Act gives them the power to maintain the grounds by doing tasks such as making fees of conveyance for the lots, creating a fund to keep the grounds in good repair, purchasing additional grounds, determining the depths of the graves, and setting apart any portion for the burial of paupers. 55 ILCS 65/4.

Aside from three most relevant statutes, the Veterans Burial Places Act has record keeping requirements for the burial of United States War Veterans. Every entity that owns or controls a cemetery or burial place is required to keep a permanent record of the burial of each United States War Veteran, and upon request, shall report such information to the Department of Veterans' Affairs. 330 ILCS 110/2.

Finally, you have inquired as to whether the County would need to seek permission from the Village of Oak Forest in order to proceed with a cemetery. We have determined that Oak Forest Hospital is within unincorporated Cook County, and therefore the County does not need to consult with Oak Forest. Furthermore, we have also determined that the majority of the property at Oak Forest Hospital is zoned P-1, which does not include cemeteries. However, the far southwest corner of the property is marked on the County zoning maps as having a cemetery and is zoned P-2 Open Land District, which allows a cemetery as a permitted use. See, Cook County Zoning Ordinance, §7.2.3(d)(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

Cemetery Proposal – Points of Consideration

- If we locate a cemetery on this property, it would devalue the land. The 24-acre site is currently worth between \$5 million to 6 million dollars. Even if we locate a cemetery on only 5 acres, the entire property would lose value. The 5-acre parcel is currently estimated at roughly \$2.5 million.
- The Forest Preserve District has been considering a number of uses at the proposed site. One proposal is to create an oak savannah in the open area between the health center campus and the corner of 159th and Cicero Ave.
- A recent archeological survey identified the proposed site as containing Native American artifacts. We believe Native American groups would strongly object to locating a cemetery on such a historically significant site.
- The Friends of the Forest Preserve are completely against the proposal.
- The cemetery would be located just outside the City of Oak Forest, very near Cicero Avenue and 159th Street—an area the city considers its “front door.” The Mayor of Oak Forest sent President Preckwinkle a letter on June 18 stating he is strongly opposes the cemetery proposal.
- As we understand it, under state statute, the City of Oak Forest has the right to prohibit establishing a cemetery within one mile of its municipal limits. And according to Oak Forest Mayor Henry Kuspa’s June 19 letter, city officials are already strongly opposed to a cemetery.
- Cicero Avenue at 159th Street is prime commercial land. The city has been trying to attract tax-generating businesses at that intersection for years. Asking businesses to locate next to a cemetery makes commercial property less appealing and less valuable to developers. A cemetery would leave little Cicero Avenue frontage for sale, and likely reduce the original value of the land by about 50%.
- The last burial at Cook County Cemetery in Oak Forest was in 1971. We chose then to get out of the business. During a time when governments are cutting back costs, the Bureau of Administration believes it would be unwise to take on the operation of a cemetery—with all its unanticipated costs and liabilities.
- The Bureau of Administration has consulted with many cities and counties across the United States. The majority are getting out of the cemetery business—not in. The trend in most major city and county Medical Examiners offices is toward cremation. While Cook County currently does not allow for cremation, we are considering offering the option in the future. At the very least, we need to take into account that county policies and practices may change in the future.
- We don’t want to create another Hart Island in Cook County. New York City has buried up to a million people on Hart Island. When the first person was buried there in 1869, no one anticipated one million more would follow. So we have to think of the future. In 100 years’ time, we don’t want to turn Forest Preserve land into a massive graveyard.
- The Bureau of Administration has estimated the annual cost of operating a cemetery at about \$107,000. We believe this is a low estimate and does not include the unanticipated costs related to numerous state regulations that we are currently unfamiliar with. We believe Commissioner Fritchey is minimizing the added costs of complying with state regulations governing cemeteries. Our cost estimates were produced by the Bureau of Administration’s industrial engineers.