



STATE OF ILLINOIS
OFFICE OF THE
AUDITOR GENERAL

William G. Holland, Auditor General

SUMMARY REPORT DIGEST

JUDICIAL INQUIRY BOARD

Compliance Examination
For the Two Years Ended June 30, 2014

Release Date: May 21, 2015

| FINDINGS THIS AUDIT: 3 | AGING SCHEDULE OF REPEATED FINDINGS | | | | | | |
|------------------------|-------------------------------------|----------|----------|----------------|------------|------------|------------|
| | New | Repeat | Total | Repeated Since | Category 1 | Category 2 | Category 3 |
| Category 1: | 0 | 0 | 0 | 2008 | | | 14-3 |
| Category 2: | 2 | 0 | 2 | | | | |
| Category 3: | 0 | 1 | 1 | | | | |
| TOTAL | 2 | 1 | 3 | | | | |
| FINDINGS LAST AUDIT: 5 | | | | | | | |

SYNOPSIS

- (14-1) The Board has a growing inventory level of pending complaints of misconduct or physical or mental incapacity of judicial officers.
- (14-3) The Board was not composed of nine members as required by the Constitution.

Category 1: Findings that are **material weaknesses** in internal control and/or a **qualification** on compliance with State laws and regulations (material noncompliance).

Category 2: Findings that are **significant deficiencies** in internal control and **noncompliance** with State laws and regulations.

Category 3: Findings that have **no internal control issues but are in noncompliance** with State laws and regulations.

{Expenditures and Activity Measures are summarized on next page.}

**JUDICIAL INQUIRY BOARD
COMPLIANCE EXAMINATION
For the Two Years Ended June 30, 2014**

| EXPENDITURE STATISTICS | 2014 | 2013 | 2012 |
|---|-------------|-------------|-------------|
| Total Expenditures | \$ 666,267 | \$ 650,017 | \$ 588,813 |
| OPERATIONS TOTAL | \$ 666,267 | \$ 650,017 | \$ 588,813 |
| % of Total Expenditures..... | 100.0% | 100.0% | 100.0% |
| Personal Services..... | 309,803 | 310,903 | 304,452 |
| Other Payroll Costs (FICA, Retirement)..... | 33,821 | 34,183 | 33,363 |
| Contractual Services..... | 309,457 | 286,887 | 230,107 |
| All Other Operating Expenditures..... | 13,186 | 18,044 | 20,891 |
| Total Receipts | \$ 38 | \$ 0 | \$ 325 |
| Average Number of Employees (Not Examined) | 5 | 5 | 5 |

| SELECTED ACTIVITY MEASURES (Not Examined) | 2014 | 2013 | 2012 |
|---|-------------|-------------|-------------|
| Number of compliants received/initiated | See Note 1 | 545 | 526 |
| Complaints filed with the Illinois Courts Commission | See Note 1 | 1 | 1 |
| Note 1: The Board has a backlog in processing complaints, as described in Finding 2014-001. | | | |

| EXECUTIVE DIRECTOR |
|---|
| During Examination Period: Ms. Kathy D. Twine |
| Currently: Ms. Kathy D. Twine |

**FINDINGS, CONCLUSIONS, AND
RECOMMENDATIONS**

BACKLOG OF UNPROCESSED ALLEGATIONS

The Judicial Inquiry Board (Board) has a growing inventory level of pending complaints concerning alleged misconduct or physical or mental incapacity of judicial officers.

During the examination, the auditors requested the Board provide information on the total number of complaints received, by type of allegation(s) suggested in each complaint, against judicial officers, by fiscal year. Board officials stated they were unable to provide this information by the conclusion of fieldwork because:

Board unable to provide statistical information due to a backlog

- 1) the Board's staff had not been able to complete an analysis of the complaint and other relevant documents prior to a meeting of the Board; and,
- 2) the Board, due to a lack of members and the number and nature of cases pending before it on a monthly basis, was unable to take on additional first time agenda items in order to reach an initial decision on how to proceed with each complaint.

Complaints remained pending 10 months after June 30, 2014

At June 30, 2014, the Board reported an inventory of 311 pending complaints, with some of these complaints remaining pending as of the end of fieldwork (April 2015). (Finding 1, pages 10-11)

We recommended the Board seek sufficient resources to support its processing of received complaints.

Agency officials agree with auditors

Board officials stated they will seek to obtain sufficient resources to support its processing of received complaints.

LACK OF REQUIRED BOARD MEMBERS

Board was not composed of the required nine members

The Board was not composed of nine members as required by the Constitution of the State of Illinois.

Two Board member positions have been vacant for several years

During testing, the auditors noted two of four (50%) non-lawyer Board positions were vacant. These specific seats were vacated 811 and 1,360 days prior to June 30, 2014. (Finding 3, page 13) **This finding has been repeated since 2008.**

We recommended the Board continue to work with the Governor to ensure the Board's vacancies are filled in a timely manner as required by the Constitution.

Board officials agreed to work with the Governor's Office

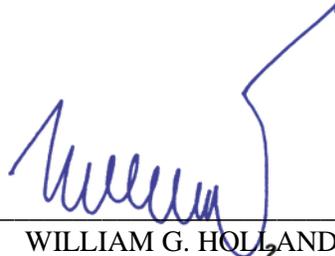
Board officials stated they will continue to make efforts to communicate with the Governor regarding the Board's vacancies. *(For the previous Board response, see Digest Footnote #1.)*

OTHER FINDING

The remaining finding pertains to reporting lease information to the Office of the State Comptroller. We will review the Board's progress towards the implementation of our recommendations in the next engagement.

ACCOUNTANT'S OPINION

We conducted a compliance examination of the Board for the two years ended June 30, 2014, as required by the Illinois State Auditing Act. The auditors stated the Board complied, in all material respects, with the requirements described in the report.

A handwritten signature in blue ink, appearing to read 'William G. Holland', is written over a horizontal line. The signature is stylized and cursive.

WILLIAM G. HOLLAND
Auditor General

WGH:djn

AUDITORS ASSIGNED

This examination was performed by the Office of the Auditor General's staff.

DIGEST FOOTNOTES

#1 - Lack of Required Board Members - Previous Board Response

2012: Agree. The Board will continue to make efforts to communicate with Governor regarding the need for appointments; however, as indicated above, the filling of vacancies exceeds the Board's authority.