

STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD
COMPLIANCE EXAMINATION
For the Two Years Ended June 30, 2014

STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD
 COMPLIANCE EXAMINATION
 For the Two Years Ended June 30, 2014

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STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD
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AGENCY OFFICIALS

| | |
|---|--------------------------------------|
| Chair of the Board (04/24/15 to Present) | Honorable Judge Edward Washington II |
| Chair of the Board (07/01/12 to 04/23/15) | Honorable Judge Donald C. Hudson |
| Executive Director and General Counsel | Ms. Kathy D. Twine, Esq. |
| Administrative Assistant | Mr. Vincent Phillip |

BOARD MEMBERS

| | |
|---|--------------------------------------|
| Circuit Court Judge ¹ (04/24/15 to Present) | Vacant |
| Circuit Court Judge ¹ (07/01/12 to 04/23/15) | Honorable Judge Donald C. Hudson |
| Circuit Court Judge ¹ | Honorable Judge Edward Washington II |
| Lawyer ² | Mr. Cary J. Collins |
| Lawyer ² (10/17/14 to Present) | Mr. David Sterba |
| Lawyer ² (08/24/14 to 10/16/14) | Vacant |
| Lawyer ² (07/01/12 to 08/23/14) | Mr. Tom Leahy |
| Lawyer ² | Mr. Bruce L. Meckler |
| Non-Lawyer ² | Ms. Clem Mejia |
| Non-Lawyer ² (08/15/14 to Present) | Mr. Ocie Booker |
| Non-Lawyer ² (07/01/12 to 08/14/14) | Ms. Gloria Morningstar |
| Non-Lawyer ² | Vacant |
| Non-Lawyer ² | Vacant |

¹The Supreme Court appoints two Circuit Court judges.

²The Governor appoints three lawyers and four non-lawyers.

The Board's office is located at:

James R. Thompson Center
100 W. Randolph Street, Suite 14-500
Chicago, Illinois 60601

Honorable Donald C. Hudson
Chair
Attorney Cary J. Collins
Vice Chair
Ocie Booker
Attorney Bruce R. Meckler
Clem Mejia
Attorney David P. Sterba
Honorable Edward Washington, II



STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD

Attorney Kathy D. Twine
Executive Director
General Counsel
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PHONE (312)814-5554
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STATE COMPLIANCE EXAMINATION

MANAGEMENT ASSERTION LETTER

April 27, 2015

Honorable William G. Holland
Auditor General
State of Illinois
740 East Ash Street
Springfield, Illinois 62703-3154

Dear Mr. Holland:

We are responsible for the identification of, and compliance with, all aspects of laws, regulations, contracts, or grant agreements that could have a material effect on the operations of the State of Illinois, Judicial Inquiry Board. We are responsible for and we have established and maintained an effective system of internal controls over compliance requirements. We have performed an evaluation of the State of Illinois, Judicial Inquiry Board's compliance with the following assertions during the two-year period ended June 30, 2014. Based on this evaluation, we assert that during the two years ended June 30, 2014, the State of Illinois, Judicial Inquiry Board has materially complied with the assertions below.

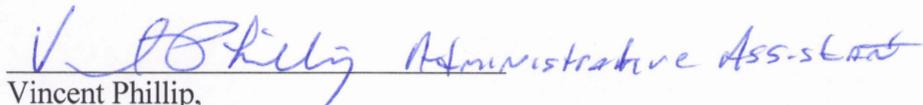
- A. The State of Illinois, Judicial Inquiry Board has obligated, expended, received, and used public funds of the State in accordance with the purpose for which such funds have been appropriated or otherwise authorized by law.
- B. The State of Illinois, Judicial Inquiry Board has obligated, expended, received, and used public funds of the State in accordance with any limitations, restrictions, conditions, or mandatory directions imposed by law upon such obligation, expenditure, receipt, or use.
- C. The State of Illinois, Judicial Inquiry Board has complied, in all material respects, with applicable laws and regulations, including the State uniform accounting system, in its financial and fiscal operations.

- D. State revenues and receipts collected by the State of Illinois, Judicial Inquiry Board are in accordance with applicable laws and regulations and the accounting and recordkeeping of such revenues and receipts is fair, accurate, and in accordance with law.
- E. Money or negotiable securities or similar assets handled by the State of Illinois, Judicial Inquiry Board on behalf of the State or held in trust by the State of Illinois, Judicial Inquiry Board have been properly and legally administered, and the accounting and recordkeeping relating thereto is proper, accurate, and in accordance with law.

Yours very truly,

State of Illinois, Judicial Inquiry Board


Kathy D. Twine, Esq.,
Executive Director and General Counsel


Vincent Phillip,
Administrative Assistant

STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD
COMPLIANCE EXAMINATION
For the Two Years Ended June 30, 2014

COMPLIANCE REPORT

SUMMARY

The compliance testing performed during this examination was conducted in accordance with *Government Auditing Standards* and in accordance with the Illinois State Auditing Act.

ACCOUNTANT'S REPORT

The Independent Accountant's Report on State Compliance, on Internal Control Over Compliance, and on Supplementary Information for State Compliance Purposes does not contain scope limitations, disclaimers, or other significant non-standard language.

SUMMARY OF FINDINGS

| <u>Number of</u> | <u>Current</u> | <u>Prior</u> |
|---|----------------|---------------|
| <u>Findings</u> | <u>Report</u> | <u>Report</u> |
| Findings | 3 | 5 |
| Repeated findings | 1 | 2 |
| Prior recommendations implemented or not repeated | 4 | 0 |

SCHEDULE OF FINDINGS

| <u>Item No.</u> | <u>Page</u> | <u>Description</u> | <u>Finding Type</u> |
|-----------------------------|-------------|---|--|
| FINDINGS (STATE COMPLIANCE) | | | |
| 2014-001 | 10 | Growing Inventory of Pending Complaints | Significant Deficiency and Noncompliance |
| 2014-002 | 12 | Failure to File Lease Information | Significant Deficiency and Noncompliance |
| 2014-003 | 13 | Lack of Required Board Members | Noncompliance |

STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD
COMPLIANCE EXAMINATION
For the Two Years Ended June 30, 2014

| <u>Item No.</u> | <u>Page</u> | <u>Description</u> |
|-----------------------------|-------------|---|
| PRIOR FINDINGS NOT REPEATED | | |
| A | 14 | Noncompliance with the Illinois Governmental Ethics Act |
| B | 14 | Inadequate Internal Controls over Equipment |
| C | 14 | Inadequate Internal Control over Personal Services |
| D | 15 | Inadequate Internal Control over Expenditures |

EXIT CONFERENCE

The findings and recommendations appearing in this report were discussed with Board personnel at an exit conference on April 20, 2015. Attending were:

Judicial Inquiry Board

Kathy D. Twine, Esq. - Executive Director and General Counsel
Vincent Phillip - Administrative Assistant

Office of the Auditor General

Daniel J. Nugent, CPA - Audit Manager
Julianne C. Rauch, CPA - Audit Supervisor
Ryan O. Goerres, CPA - Audit Supervisor

The responses to the recommendations were provided by Ms. Kathy D. Twine, Executive Director and General Counsel, in a correspondence dated April 27, 2015.

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OFFICE OF THE AUDITOR GENERAL
WILLIAM G. HOLLAND

INDEPENDENT ACCOUNTANT'S REPORT ON STATE COMPLIANCE,
ON INTERNAL CONTROL OVER COMPLIANCE, AND ON
SUPPLEMENTARY INFORMATION FOR STATE COMPLIANCE PURPOSES

Honorable William G. Holland
Auditor General
State of Illinois

Compliance

We have examined the State of Illinois, Judicial Inquiry Board's compliance with the requirements listed below, as more fully described in the Audit Guide for Financial Audits and Compliance Attestation Engagements of Illinois State Agencies (Audit Guide) as adopted by the Auditor General, during the two years ended June 30, 2014. The management of the State of Illinois, Judicial Inquiry Board is responsible for compliance with these requirements. Our responsibility is to express an opinion on the State of Illinois, Judicial Inquiry Board's compliance based on our examination.

- A. The State of Illinois, Judicial Inquiry Board has obligated, expended, received, and used public funds of the State in accordance with the purpose for which such funds have been appropriated or otherwise authorized by law.
- B. The State of Illinois, Judicial Inquiry Board has obligated, expended, received, and used public funds of the State in accordance with any limitations, restrictions, conditions, or mandatory directions imposed by law upon such obligation, expenditure, receipt, or use.
- C. The State of Illinois, Judicial Inquiry Board has complied, in all material respects, with applicable laws and regulations, including the State uniform accounting system, in its financial and fiscal operations.
- D. State revenues and receipts collected by the State of Illinois, Judicial Inquiry Board are in accordance with applicable laws and regulations and the accounting and recordkeeping of such revenues and receipts is fair, accurate, and in accordance with law.
- E. Money or negotiable securities or similar assets handled by the State of Illinois, Judicial Inquiry Board on behalf of the State or held in trust by the State of Illinois, Judicial Inquiry Board have been properly and legally administered and the accounting and recordkeeping relating thereto is proper, accurate, and in accordance with law.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants; the standards applicable to attestation engagements contained in *Government Auditing Standards* issued by the Comptroller General of the United States; the Illinois State Auditing Act (Act); and the Audit Guide as adopted by the Auditor General pursuant to the Act; and, accordingly, included examining, on a test basis, evidence about the State of Illinois, Judicial Inquiry Board's compliance with those requirements listed in the first paragraph of this report and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion. Our examination does not provide a legal determination on the State of Illinois, Judicial Inquiry Board's compliance with specified requirements.

In our opinion, the State of Illinois, Judicial Inquiry Board complied, in all material respects, with the compliance requirements listed in the first paragraph of this report during the two years ended June 30, 2014. However, the results of our procedures disclosed instances of noncompliance with the requirements, which are required to be reported in accordance with criteria established by the Audit Guide, issued by the Illinois Office of the Auditor General and which are described in the accompanying schedule of findings as items 2014-001, 2014-002, and 2014-003.

Internal Control

Management of the State of Illinois, Judicial Inquiry Board is responsible for establishing and maintaining effective internal control over compliance with the requirements listed in the first paragraph of this report. In planning and performing our examination, we considered the State of Illinois, Judicial Inquiry Board's internal control over compliance with the requirements listed in the first paragraph of this report to determine the examination procedures that are appropriate in the circumstances for the purpose of expressing our opinion on compliance and to test and report on internal control over compliance in accordance with the Audit Guide, issued by the Illinois Office of the Auditor General, but not for the purpose of expressing an opinion on the effectiveness of the State of Illinois, Judicial Inquiry Board's internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the State of Illinois, Judicial Inquiry Board's internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with the requirements listed in the first paragraph of this report on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a requirement listed in the first paragraph of this report will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, we identified certain deficiencies in internal control over compliance, as described within the accompanying schedule of findings as items 2014-001 and 2014-002, that we consider to be significant deficiencies.

As required by the Audit Guide, immaterial findings excluded from this report have been reported in a separate letter.

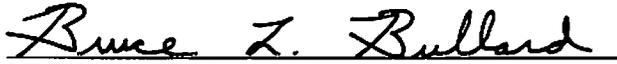
The State of Illinois, Judicial Inquiry Board's responses to the findings identified in our examination are described in the accompanying schedule of findings. We did not examine the State of Illinois, Judicial Inquiry Board's responses and, accordingly, we express no opinion on the responses.

Supplementary Information for State Compliance Purposes

Our examination was conducted for the purpose of forming an opinion on compliance with the requirements listed in the first paragraph of this report. The accompanying supplementary information for the years ended June 30, 2014, and June 30, 2013, in Schedules 1 through 8 and the Analysis of Operations Section is presented for purposes of additional analysis. We have applied certain limited procedures as prescribed by the Audit Guide as adopted by the Auditor General to the June 30, 2014, and June 30, 2013, accompanying supplementary information in Schedules 1 through 8. However, we do not express an opinion on the accompanying supplementary information.

We have not applied procedures to the June 30, 2012, accompanying supplementary information in Schedules 3 through 7 and in the Analysis of Operations Section, and accordingly, we do not express an opinion or provide any assurance on it.

This report is intended solely for the information and use of the Auditor General, the General Assembly, the Legislative Audit Commission, the Governor, and the State of Illinois, Judicial Inquiry Board's membership and management, and is not intended to be and should not be used by anyone other than these specified parties.



BRUCE L. BULLARD, CPA

Director of Financial and Compliance Audits

Springfield, Illinois

April 27, 2015

STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD
SCHEDULE OF FINDINGS
For the Two Years Ended June 30, 2014

2014-001 **FINDING** (Growing Inventory of Pending Complaints)

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

Under the Constitution (Article VI, Section 15(c)), the Board is the sole disciplinary entity to inquire into allegations of misconduct or physical or mental incapacity of judicial officers and, after investigation and upon determination by the Board that there is a reasonable basis to charge a judge with willful misconduct in office, persistent failure to perform the judge's duties, other conduct that is prejudicial to the administration of justice or that brings the judicial office into disrepute, or that the judge is physically or mentally unable to perform his duties, file and prosecute a complaint against a judge before the Illinois Courts Commission.

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, for inclusion within the Analysis of Operations component of this report (page 28). Board officials stated they were unable to provide this information by the conclusion of fieldwork because:

- 1) the Board's staff had not been able to complete an analysis of the complaints and other relevant documents prior to a meeting of the Board; and,
- 2) the Board, due to a lack of members (see additional information in Finding 2014-003) 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.

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.

The Board's Complaint Process notes that after acknowledging the receipt of a complaint, the Board's staff completes an analysis of the complaint and other relevant documents prior to a meeting of the Board. At this Board meeting, the Board decides whether to close the complaint, investigate the complaint, or require the judge appear before the Board to respond to the Board's questions.

Board officials stated the growing inventory level is due to an increased number of complaints (particularly from incarcerated offenders under the care and custody of the Department of Corrections), the length and nature of each complaint, the volume of documents submitted in support of a complaint that must be reviewed for inclusion within the Complaint Summary sent to the Board, a limited amount of staff resources available to the Board, constraints on the number of complaints the Board can process each month, and ongoing continuous vacancies in Board member positions.

STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD
SCHEDULE OF FINDINGS
For the Two Years Ended June 30, 2014

2014-001 **FINDING** (Growing Inventory of Pending Complaints) (continued)

Further, the Board's Executive Director noted significant changes in staffing levels and caseload volume at the Board since she started as the Executive Director in January 1998. During the period from Fiscal Year 1998 through Fiscal Year 2000, the Board had six to seven employees working on an average of 431 cases received each year. However, during the period from Fiscal Year 2012 through Fiscal Year 2014, the Board had five employees working on an average of 529 cases received each year. As a result of this reduction in staff, the Board's Executive Director indicated the Board has one less legal assistant available to assist the Executive Director in processing pending complaints and one less investigator available to probe into complaints pursuant to the Board's direction.

While the Constitution, the *Rules of Procedure of the Judicial Inquiry Board*, and the Board's Complaint Process do not establish a timeframe for the initial review process, the growing inventory level increases the risk the Board's caseload will become unmanageable. (Finding Code No. 2014-001)

RECOMMENDATION

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

BOARD RESPONSE

The Board will seek to obtain sufficient resources to support its processing of received complaints. However, in regard to the Board's Fiscal Year 2016 Budget, Board personnel submitted its appropriation request to the Office of the Governor, the Senate and House appropriation committees, as well as appeared before the appropriation committees to offer testimony concerning its Fiscal Year 2016 appropriation request. It should also be noted that the Governor has recommended a 10% appropriation reduction for agencies that are not under the jurisdiction of the Governor.

STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD
SCHEDULE OF FINDINGS
For the Two Years Ended June 30, 2014

2014-002 **FINDING** (Failure to File Lease Information)

The Judicial Inquiry Board (Board) failed to file information regarding a lease agreement with the Office of the State Comptroller (State Comptroller).

During this engagement period, the auditors became aware that the Board had entered into a 36-month lease for a photocopier in May 2012 for \$690 per month, totaling \$24,840 during the lifespan of the agreement. However, the Board did not file an Accounting for Leases-Lessee Form (Form SCO-560) with the State Comptroller to report it had entered into this lease agreement.

The Statewide Accounting Management System (Procedure 27.20.60) requires the Board, when it leases property with a fair market value in excess of \$5,000, submit to the State Comptroller a Form SCO-560. The Form SCO-560 allows the State Comptroller to determine if the leased item should be accounted for as either a capital lease or operating lease under generally accepted accounting principles.

Board officials stated they did not know and were unable to obtain the fair market value of the photocopier, an essential component of the Form SCO-560 and the State Comptroller's capital lease calculation, so they could not file the Form SCO-560. The auditors, however, were able to conduct an internet search for the Board's photocopier and found it, brand new, was available for sale with a fair market value of \$9,354.

Failure to obtain the necessary information required to file a Form SCO-560 with the State Comptroller when the Board entered into the photocopier lease represents noncompliance with the Statewide Accounting Management System and reduced the overall reliability of Statewide capital asset and lease information reported throughout the lifespan of the obligation. (Finding Code No. 2014-002)

RECOMMENDATION

We recommend the Board, when entering into a lease, implement controls to ensure it obtains all information required for properly completing the Form SCO-560.

BOARD RESPONSE

In the future, Board personnel will attempt to ascertain a fair market value of its leased photocopier to assist the State Comptroller in determining if the photocopier should be accounted for as either a capital lease or operating lease under generally accepted accounting principles.

STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD
SCHEDULE OF FINDINGS
For the Two Years Ended June 30, 2014

2014-003 **FINDING** (Lack of Required Board Members)

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

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.

The Constitution (Article VI, Section 15(b)) states the Board shall be comprised of two Circuit Court judges selected by the Supreme Court and three lawyers and four non-lawyers appointed by the Governor. The terms of the Board members shall be four years, with any vacancies on the Board filled for a full term in the manner the original appointment was made.

Board officials stated the appointment of members who are not lawyers to the Board is solely the responsibility of the Governor. Although the Board has no authority concerning the appointment of Board members, the Board's Executive Director and certain Board members have communicated to personnel from the Governor's Office regarding the need to fill these vacancies.

Board member vacancies impair the Board's ability to properly formulate the functions of the Board, as a full Board is necessary to properly conduct meetings and operate effectively and efficiently. (Finding Code No. 2014-003, 12-5, 10-1, 08-1)

RECOMMENDATION

We recommend 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 RESPONSE

Pursuant to the Constitution of the State of Illinois (Article VI, Section 15(b)), it is the sole responsibility of the Governor to appoint members to the Board who are not lawyers. Although the Board lacks appointment authority, on more than one occasion, the Board communicated to personnel from the Governor's Office regarding the need to fill the vacancies. The Board will continue to make efforts to communicate with the Governor's office concerning appointments; ultimately however, Board appointments are solely within the control of the Governor.

STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD
PRIOR FINDINGS NOT REPEATED
For the Two Years Ended June 30, 2014

A. **FINDING** (Noncompliance with the Illinois Governmental Ethics Act)

During the prior examination, the Judicial Inquiry Board (Board) did not notify the Secretary of State of a Board member whose position required the individual to file a statement of economic interest. (Finding Code No. 12-1)

Status: Implemented

During the current examination, the auditors' testing indicated the Board notified the Secretary of State of all Board members and officials who were required to file a statement of economic interest.

B. **FINDING** (Inadequate Internal Controls over Equipment)

During the prior examination, the Judicial Inquiry Board (Board) did not exercise adequate internal control over the acquisition, recording, and reporting of State-owned equipment. (Finding Code No. 12-2, 10-2)

Status: Moved to the *Report of Immaterial Findings*

During the current examination, the auditors' sample testing indicated improvement within the Board's controls over acquisition, recording, and reporting of State-owned equipment; however, the auditors did note smaller, immaterial conditions of noncompliance. As such, this issue will be reported in the Board's *Report of Immaterial Findings*.

C. **FINDING** (Inadequate Internal Control over Personal Services)

During the prior examination, the Judicial Inquiry Board (Board) did not exercise adequate internal control over personal service expenditures. (Finding Code No. 12-3)

Status: Implemented

During the current examination, the auditors' sample testing indicated the Board's employee personnel files had documentation to support each employee's gross salary and any pay increases occurring during the examination period.

STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD
PRIOR FINDINGS NOT REPEATED
For the Two Years Ended June 30, 2014

D. **FINDING** (Inadequate Internal Control over Expenditures)

During the prior examination, the Judicial Inquiry Board (Board) did not establish and maintain effective internal control over expenditures. (Finding Code No. 12-4)

Status: Implemented

During the current examination, the auditors' sample testing indicated the Board had improved its internal controls over voucher processing.

STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD
COMPLIANCE EXAMINATION
For the Two Years Ended June 30, 2014

SUPPLEMENTARY INFORMATION FOR STATE COMPLIANCE PURPOSES

SUMMARY

Supplementary Information for State Compliance Purposes presented in this section of the report includes the following:

- Fiscal Schedules and Analysis:
 - Schedule of Appropriations, Expenditures, and Lapsed Balances – Fiscal Year 2014
 - Schedule of Appropriations, Expenditures, and Lapsed Balances – Fiscal Year 2013
 - Comparative Schedule of Net Appropriations, Expenditures, and Lapsed Balances
 - Schedule of Changes in State Property
 - Comparative Schedule of Cash Receipts and Reconciliation of Cash Receipts to Deposits Remitted to the State Comptroller
 - Analysis of Significant Variations in Expenditures
 - Analysis of Significant Variations in Receipts
 - Analysis of Significant Lapse Period Spending

- Analysis of Operations (Not Examined):
 - Board Functions and Planning Program (Not Examined)
 - Average Number of Employees (Not Examined)
 - Service Efforts and Accomplishments (Not Examined)

The accountant's report that covers the Supplementary Information for State Compliance Purposes presented in the Compliance Report Section states the accountants have applied certain limited procedures as prescribed by the Audit Guide as adopted by the Auditor General to the June 30, 2014, and June 30, 2013, accompanying supplementary information in Schedules 1 through 8. However, the accountants do not express an opinion on the supplementary information. The accountant's report also states that they have not applied procedures to the Analysis of Operations Section, and accordingly, they do not express an opinion or provide any assurance on it.

STATE OF ILLINOIS
 JUDICIAL INQUIRY BOARD
 COMPLIANCE EXAMINATION
SCHEDULE OF APPROPRIATIONS, EXPENDITURES, AND LAPSED BALANCES
 Appropriations for Fiscal Year 2014
 Fourteen Months Ended August 31, 2014

SCHEDULE 1

| Public Act 98-0050 | Appropriations | | Lapse Period | Total | |
|--|--------------------------|---------------------------------|--|--|---------------------------------|
| FISCAL YEAR 2014 | (Net of Transfers) | Expenditures Through June 30 | Expenditures July 1 to August 31 | Expenditures 14 Months Ended August 31 | Balances Lapsed August 31 |
| General Revenue Fund - 001 | | | | | |
| Personal Services | \$ 320,800 | \$ 309,803 | \$ - | \$ 309,803 | \$ 10,997 |
| Employee Retirement | | | | | |
| Contributions Paid by Employer | 12,200 | 12,009 | - | 12,009 | 191 |
| State Contributions to Social Security | 23,300 | 21,812 | - | 21,812 | 1,488 |
| Contractual Services | 309,712 | 288,446 | 21,011 | 309,457 | 255 |
| Travel | 3,387 | 3,386 | - | 3,386 | 1 |
| Commodities | 2,007 | 2,006 | - | 2,006 | 1 |
| Printing | 1,500 | 1,496 | - | 1,496 | 4 |
| Equipment | 244 | 244 | - | 244 | - |
| Telecommunications | 4,516 | 4,067 | 375 | 4,442 | 74 |
| Operation of Automotive Equipment | 1,834 | 1,433 | 179 | 1,612 | 222 |
| Subtotal, General Revenue Fund | <u>\$ 679,500</u> | <u>\$ 644,702</u> | <u>\$ 21,565</u> | <u>\$ 666,267</u> | <u>\$ 13,233</u> |
| TOTAL - APPROPRIATED FUNDS | <u><u>\$ 679,500</u></u> | <u><u>\$ 644,702</u></u> | <u><u>\$ 21,565</u></u> | <u><u>\$ 666,267</u></u> | <u><u>\$ 13,233</u></u> |

Note 1: The data in this schedule was taken from the State Comptroller's records and reconciled to the Agency's records.

Note 2: Expenditure amounts are vouchers approved for payment by the Agency and submitted to the State Comptroller for payment to the vendor.

STATE OF ILLINOIS
 JUDICIAL INQUIRY BOARD
 COMPLIANCE EXAMINATION
SCHEDULE OF APPROPRIATIONS, EXPENDITURES, AND LAPSED BALANCES
 Appropriations for Fiscal Year 2013
 Fourteen Months Ended August 31, 2013

SCHEDULE 2

| Public Act 97-0731 | Appropriations | | Lapse Period | Total | |
|--|--------------------------|---------------------------------|--|--|---------------------------------|
| FISCAL YEAR 2013 | (Net of Transfers) | Expenditures Through June 30 | Expenditures July 1 to August 31 | Expenditures 14 Months Ended August 31 | Balances Lapsed August 31 |
| General Revenue Fund - 001 | | | | | |
| Personal Services | \$ 320,800 | \$ 310,903 | \$ - | \$ 310,903 | \$ 9,897 |
| Employee Retirement | | | | | |
| Contributions Paid by Employer | 12,200 | 12,053 | - | 12,053 | 147 |
| State Contributions to Social Security | 23,300 | 22,130 | - | 22,130 | 1,170 |
| Contractual Services | 315,000 | 251,119 | 35,768 | 286,887 | 28,113 |
| Travel | 8,500 | 1,218 | - | 1,218 | 7,282 |
| Commodities | 2,500 | 1,677 | 335 | 2,012 | 488 |
| Printing | 9,000 | 1,049 | 7,061 | 8,110 | 890 |
| Equipment | 500 | - | 448 | 448 | 52 |
| Telecommunications | 6,100 | 4,036 | 769 | 4,805 | 1,295 |
| Operation of Automotive Equipment | 2,600 | 1,346 | 105 | 1,451 | 1,149 |
| Subtotal, General Revenue Fund | <u>\$ 700,500</u> | <u>\$ 605,531</u> | <u>\$ 44,486</u> | <u>\$ 650,017</u> | <u>\$ 50,483</u> |
| TOTAL - APPROPRIATED FUNDS | <u><u>\$ 700,500</u></u> | <u><u>\$ 605,531</u></u> | <u><u>\$ 44,486</u></u> | <u><u>\$ 650,017</u></u> | <u><u>\$ 50,483</u></u> |

Note 1: The data in this schedule was taken from the State Comptroller's records and reconciled to the Agency's records.

Note 2: Expenditure amounts are vouchers approved for payment by the Agency and submitted to the State Comptroller for payment to the vendor.

STATE OF ILLINOIS
 JUDICIAL INQUIRY BOARD
 COMPLIANCE EXAMINATION
**COMPARATIVE SCHEDULE OF NET APPROPRIATIONS,
 EXPENDITURES, AND LAPSED BALANCES**
 For the Fiscal Year Ended June 30,

SCHEDULE 3

| | Fiscal Year | | |
|--|--------------|--------------|--------------|
| | 2014 | 2013 | 2012 |
| | P.A. 98-0050 | P.A. 97-0731 | P.A. 97-0063 |
| General Revenue Fund - 001 | | | |
| Appropriations (Net of Transfers) | \$ 679,500 | \$ 700,500 | \$ 709,200 |
| <u>Expenditures</u> | | | |
| Personal Services | \$ 309,803 | \$ 310,903 | \$ 304,452 |
| Employee Retirement | | | |
| Contributions Paid by Employer | 12,009 | 12,053 | 11,779 |
| State Contributions to Social Security | 21,812 | 22,130 | 21,584 |
| Contractual Services | 309,457 | 286,887 | 230,107 |
| Travel | 3,386 | 1,218 | 1,796 |
| Commodities | 2,006 | 2,012 | 2,778 |
| Printing | 1,496 | 8,110 | 1,179 |
| Equipment | 244 | 448 | 6,821 |
| Telecommunications | 4,442 | 4,805 | 4,192 |
| Operation of Automotive Equipment | 1,612 | 1,451 | 4,125 |
| Total Expenditures | \$ 666,267 | \$ 650,017 | \$ 588,813 |
| Lapsed Balances | \$ 13,233 | \$ 50,483 | \$ 120,387 |

Note 1: The data in this schedule was taken from the State Comptroller's records and reconciled to the Agency's records.

Note 2: Expenditure amounts are vouchers approved for payment by the Agency and submitted to the State Comptroller for payment to the vendor.

Note 3: The Total Expenditures and Lapsed Balances for Fiscal Year 2012 do not reflect interest payments approved by the Board and submitted to the State Comptroller for payment after August 31.

STATE OF ILLINOIS
 JUDICIAL INQUIRY BOARD
 COMPLIANCE EXAMINATION
SCHEDULE OF CHANGES IN STATE PROPERTY
 For the Two Years Ended June 30, 2014

SCHEDULE 4

| | Equipment |
|-------------------------|-----------|
| Balance at July 1, 2012 | \$ 79,300 |
| Additions | 448 |
| Deletions | (530) |
| Net Transfers | (8,737) |
| Balance, June 30, 2013 | \$ 70,481 |
| | |
| Balance at July 1, 2013 | \$ 70,481 |
| Additions | 244 |
| Deletions | (125) |
| Net Transfers | - |
| Balance, June 30, 2014 | \$ 70,600 |

This schedule was derived from the Board's records, which were reconciled to property reports submitted to the Office of the State Comptroller.

STATE OF ILLINOIS
 JUDICIAL INQUIRY BOARD
 COMPLIANCE EXAMINATION

SCHEDULE 5

**COMPARATIVE SCHEDULE OF CASH RECEIPTS AND RECONCILIATION OF
 CASH RECEIPTS TO DEPOSITS REMITTED TO THE STATE COMPTROLLER**

For the Fiscal Year Ended June 30,

| | 2014 | 2013 | 2012 |
|--|-------|------|--------|
| General Revenue Fund - 001 | | | |
| Reimbursements for Jury Duty | \$ 17 | \$ - | \$ - |
| Miscellaneous | 21 | - | 325 |
| Total Receipts, Fund 001 | \$ 38 | \$ - | \$ 325 |
| Receipts, per Board Records | \$ 38 | \$ - | \$ 325 |
| Add: Deposits in Transit, Beginning of the Fiscal Year | - | - | - |
| Subtract: Deposits in Transit, End of the Fiscal Year | - | - | - |
| Deposits, Recorded by the State Comptroller | \$ 38 | \$ - | \$ 325 |

STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD
COMPLIANCE EXAMINATION
ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES
For the Two Years Ended June 30, 2014

SCHEDULE 6

ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES BETWEEN FISCAL YEARS 2014 AND 2013

General Revenue Fund - 001

Travel

The increase was due to the Board incurring travel costs from investigations that were further away from Chicago.

Printing

The decrease was due to the Board printing its combined Fiscal Year 2011 and Fiscal Year 2012 Report in Fiscal Year 2013.

Equipment

The Board purchased two hard drives during Fiscal Year 2014, which were less expensive than the two books the Board purchased during Fiscal Year 2013.

STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD
COMPLIANCE EXAMINATION
ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES
For the Two Years Ended June 30, 2014

SCHEDULE 6

ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES BETWEEN FISCAL YEARS 2013 AND 2012

General Revenue Fund - 001

Contractual Services

The increase was due to the Board charging certain vehicle costs to a new detail object code established under Contractual Services for payments of vehicle usage fees - including leases, repairs, and maintenance - to the State Garage Revolving Fund as opposed to charging these costs to the Board's Operation of Automotive Equipment appropriation. In addition, the Board incurred additional legal fees and expenses related to complaints received, initiated, or filed by the Board.

Travel

The decrease was due to the Board not incurring travel costs from investigations that were further away from Chicago.

Commodities

The decrease was due to a reduction in the Board's appropriation for commodities, resulting in the Board purchasing fewer commodity items during Fiscal Year 2013.

Printing

The increase was due to the Board printing its combined Fiscal Year 2011 and Fiscal Year 2012 Report in Fiscal Year 2013.

Equipment

The decrease was due to the Board not making any large or major purchases in Fiscal Year 2013.

Operation of Automotive Equipment

The decrease was due to the Board charging certain vehicle costs to a new detail object code established under Contractual Services for payments of vehicle usage fees - including leases, repairs, and maintenance - to the State Garage Revolving Fund as opposed to charging these costs to the Board's Operation of Automotive Equipment appropriation.

STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD
COMPLIANCE EXAMINATION
ANALYSIS OF SIGNIFICANT VARIATIONS IN RECEIPTS
For the Two Years Ended June 30, 2014

SCHEDULE 7

General Revenue Fund - 001

The Judicial Inquiry Board receives minimal receipts. The receipts consist of reimbursements for jury duty and miscellaneous charges and recoveries. These receipts are expected to fluctuate between fiscal years.

STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD
COMPLIANCE EXAMINATION
ANALYSIS OF SIGNIFICANT LAPSE PERIOD SPENDING
For the Two Years Ended June 30, 2014

SCHEDULE 8

FISCAL YEAR 2014

General Revenue Fund - 001

The Board did not have any significant Lapse Period expenditures during Fiscal Year 2014.

FISCAL YEAR 2013

General Revenue Fund - 001

Printing

The Board printed its combined Fiscal Year 2011 and Fiscal Year 2012 Report in June 2013 and paid the associated invoices with this expenditure in the Lapse Period.

Equipment

The Board purchased two copies of the Fifth Edition of the recently updated *Judicial Conduct and Ethics* book in June 2013 and paid the associated invoices with this expenditure in the Lapse Period.

STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD
COMPLIANCE EXAMINATION
BOARD FUNCTIONS AND PLANNING PROGRAM
For the Two Years Ended June 30, 2014

(NOT EXAMINED)

Board Functions

The Judicial Inquiry Board (Board) is the sole disciplinary entity to inquire into allegations of misconduct or physical or mental incapacity of Illinois judicial officers. After investigation and upon determination by the Board that there is a reasonable basis to charge a judge with misconduct or incapacity, the Board will file and prosecute a formal complaint before the Illinois Courts Commission (Commission).

The Board was created by Article VI, Section 15 of the Illinois Constitution which was adopted in 1970 and became effective July 1, 1971, as amended, effective November 3, 1998.

The Board consists of nine members (two Circuit Court judges, three lawyers, and four non-lawyers). The two Circuit Court judges are selected by the Illinois Supreme Court and the remaining seven members are appointed by the Governor. No more than two of the lawyers and two of the non-lawyers appointed by the Governor belong to the same political party. Each member is appointed to serve a term of four years with no member serving more than eight years.

The Board's primary functions are to receive or initiate allegations against judges or associate judges, conduct investigations, and file complaints with the Commission. A complaint filed with the Commission requires the concurrence of five members who believe that a reasonable basis exists to charge a judge or associate judge with one or more of the following: willful misconduct in office, persistent failure to perform his duties, other conduct prejudicial to the office or that brings the judicial office into disrepute, and/or a physical or mental incapacity to perform his duties.

The Board is responsible for adopting its own rules for governing its procedures. The Board has subpoena power as well as the authority to appoint and direct its staff. Funds for the operation of the Board are appropriated by law through the General Assembly of the State of Illinois.

Planning Program

The Board does not utilize a formal written planning policy. The Board utilizes Article VI, Section 15 of the Illinois Constitution to achieve its single mission: to conduct investigations, receive or initiate complaints concerning a judge or associate judge and file such complaints with the Illinois Courts Commission. The Board utilizes the budget process for short-term planning. The budget is approved by the Board and monitored by the Executive Director.

STATE OF ILLINOIS
 JUDICIAL INQUIRY BOARD
 COMPLIANCE EXAMINATION
AVERAGE NUMBER OF EMPLOYEES
 For the Two Years Ended June 30, 2014

(NOT EXAMINED)

The following table, prepared from the Agency's records, presents the average number of employees, by function, for the Fiscal Year Ended June 30,

| <u>Position</u> | <u>2014</u> | <u>2013</u> | <u>2012</u> |
|---|-----------------|-----------------|-----------------|
| Executive Director and General Counsel | 1 | 1 | 1 |
| Investigators | 2 | 2 | 2 |
| Administrative Assistant | 1 | 1 | 1 |
| Executive Secretary | 1 | 1 | 1 |
| Total Full-Time Equivalent Employees | <u><u>5</u></u> | <u><u>5</u></u> | <u><u>5</u></u> |

STATE OF ILLINOIS
 JUDICIAL INQUIRY BOARD
 COMPLIANCE EXAMINATION
SERVICE EFFORTS AND ACCOMPLISHMENTS
 For the Two Years Ended June 30, 2014

(NOT EXAMINED)

The following table, prepared from Board records, presents the number and type of allegations received or initiated by the Board, for the Fiscal Year Ended June 30,

| TYPE OF ALLEGATION | 2014 | 2013 | 2012 |
|--|---------------|--------------|--------------|
| Administrative misconduct | Note 1 | 77 | 30 |
| Alcohol/drugs | Note 1 | 2 | 3 |
| Bias, prejudice, partiality | Note 1 | 218 | 204 |
| Delay in scheduling or deciding a matter | Note 1 | 27 | 26 |
| Demeanor/injudicious temperament (i.e. impatient, rude, conduct that is intimidating and inappropriate language/commentary) | Note 1 | 128 | 115 |
| Ex parte communication (one-sided) | Note 1 | 55 | 36 |
| Failure to recuse/disqualify/conflict of interest | Note 1 | 47 | 38 |
| Illegal activity | Note 1 | 98 | 77 |
| Judicial decision/discretion (i.e. dissatisfaction with court procedures or rulings, use or nonuse of evidence, criminal sentences, custody, general outcome of the case) | Note 1 | 377 | 398 |
| Mental incapacity | Note 1 | 9 | 7 |
| Physical incapacity | Note 1 | 1 | - |
| Inappropriate political activity (i.e. publicly endorse or oppose a candidate for public office, personal solicitation of funds, make speeches on behalf of a political organization, misrepresentation of qualifications) | Note 1 | 4 | 8 |
| Racial/ethnic/gender bias or discrimination | Note 1 | 72 | 42 |
| Sexual misconduct/harassment | Note 1 | 1 | 4 |
| Inappropriate conduct off the bench (i.e. prohibited charitable, business or personal conduct) | Note 1 | 10 | 4 |
| Violation of Constitutional Rights | Note 1 | 151 | 151 |
| Misconduct by a candidate | Note 1 | 5 | 1 |
| Prejudgment of a case | Note 1 | 17 | 17 |
| Abuse of power | Note 1 | 41 | 41 |
| Comment on pending/impending case | Note 1 | 1 | 1 |
| Other | Note 1 | 3 | 6 |
| TOTAL: | Note 1 | 1,344 | 1,209 |
| Number of complaints received/initiated | Note 1 | 545 | 526 |
| Complaints filed with the Illinois Courts Commission | Note 1 | 1 | 1 |

Note 1: The Board has a backlog in processing complaints, as described in Finding 2014-001.

Note 2: The total number of allegations exceeds the number of complaints received/initiated because many complaints have multiple allegations.

Note 3: The total number of allegations and total number of complaints received/initiated in Fiscal Year 2012 has been restated by the Board to correct prior period reporting errors.