STATE OF ILLINOIS GUARDIANSHIP AND ADVOCACY COMMISSION COMPLIANCE EXAMINATION

For the Two Years Ended June 30, 2009

STATE OF ILLINOIS GUARDIANSHIP AND ADVOCACY COMMISSION

COMPLIANCE EXAMINATION

For the Two Years Ended June 30, 2009

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AGENCY OFFICIALS

GUARDIANSHIP AND ADVOCACY COMMISSION

Executive Director Dr. Mary L. Milano General Counsel Mr. John Wank

Division Directors:

Office of the State Guardian Ms. Helen Godlewski Brownfield

Human Rights Authority

Legal Advocacy Service

Director of Fiscal Operations

Ms. Teresa Parks

Ms. Veronique Baker

Ms. Carol Tipsord

Commission Members

As of June 30, 2009, the Commission was comprised of:

Anthony E. Rothert, Chairperson

Andrea M. Schleifer, Vice Chairperson

Dr. Seymour Bryson

Kenley R. Wade

Honorable Don Harmon, State Senator

Honorable Ira Silverstein, State Senator

Honorable Kathleen Ryg, State Representative

Honorable Angelo Saviano, State Representative

Inez Torres Davis

Agency offices are located at:

Rockford, IL 61103-5202

Director and Reg	gional Offices	Satellite Offices
Office of the Director	North Suburban Reg. Office	Elgin Mental Health Center
421 East Capitol Avenue, Suite 205	9511 Harrison Street, W-300	750 S. State Street, C-3 Kilbourne
Springfield, IL 62701-1797	Des Plaines, IL 60016-1565	Elgin, IL 60123
Office of the Director 160 N. LaSalle Street, Suite S-500 Chicago, IL 60601-3115	East Central Regional Office 2125 South First Street Champaign, IL 61820	Jacksonville Developmental Center 1201 South Main Jacksonville, IL 62650-3339
M. F. P. : 1000	W G I I D OF	m: 1
Metro East Regional Office 4500 College Avenue, Suite 100	West Suburban Reg. Office Madden Mental Health Center	Tinley Park Mental Health Center Oak Hall
Alton, IL 62002-5051	1200 South First Avenue	7400 W. 183 rd Street
1111011, 12 0 2 00 2 000 1	Hines, IL 60141	Tinley Park, IL 60477
Egyptian Regional Office	Peoria Regional Office	Read Mental Health Center
#7 Cottage Drive	5407 N. University, Suite 7	4200 N. Oak Park Avenue
Anna, IL 62906-1669	Peoria, IL 61614-4776	Building K, Room 36
		Chicago, IL 60634-1417
Rockford Regional Office		
4302 N. Main Street, Suite 108		

STATE OF ILLINOIS Pat Quinn Governor

GUARDIANSHIP & ADVOCACY COMMISSION

Dr. Mary L. Milano, Director

HUMAN RIGHTS AUTHORITY LEGAL ADVOCACY SERVICE OFFICE OF STATE GUARDIAN



MANAGEMENT ASSERTION LETTER

January 6, 2010

Honorable William G. Holland Auditor General State of Illinois Iles Park Plaza 740 East Ash Springfield, IL 62703-3154

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 Illinois Guardianship and Advocacy Commission. 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 Illinois Guardianship and Advocacy Commission's compliance with the following assertions during the two-year period ended June 30, 2009. Based on this evaluation, we assert that during the years ended June 30, 2009 and June 30, 2008, the Illinois Guardianship and Advocacy Commission has materially complied with the assertions below.

- A. The Illinois Guardianship and Advocacy Commission 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 Illinois Guardianship and Advocacy Commission 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 Illinois Guardianship and Advocacy Commission 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 Illinois Guardianship and Advocacy Commission 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.

OFFICE OF THE DIRECTOR

- ♦ 421 E. Capitol Ave., Ste. 205 ♦ Springfield, IL 62701-1797 ★ (217) 785-1540 ♦ Fax (217) 524-0088
- ♦ 160 N. LaSalle St., Ste. S-500 ♦ Chicago, [L 60601-3115 ♦ 7312) 793-5900 ♦ Fax (312) 793-4311
- ◆ Statewide Toll Free Intake (866) 274-8023 ◆ Statewide TTY (866) 333-3362



STATE OF ILLINOIS Pat Quinn Governor

GUARDIANSHIP & ADVOCACY COMMISSION

Dr. Mary L. Milano, Director

HUMAN RIGHTS AUTHORITY LEGAL ADVOCACY SERVICE OFFICE OF STATE GUARDIAN



E. Money or negotiable securities or similar assets handled by the Illinois Guardianship and Advocacy Commission on behalf of the State or held in trust by the Illinois Guardianship and Advocacy Commission have been properly and legally administered, and the accounting and recordkeeping relating thereto is proper, accurate and in accordance with law.

Yours very truly,

Illinois Guardianship and Advocacy Commission

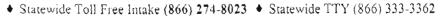
(Dr. Mary L. Milano, Executive Director)

(Carol Tipsord, Fiscal Officer)

John Wank, Legal Counsel









STATE OF ILLINOIS GUARDIANSHIP AND ADVOCACY COMMISSION **COMPLIANCE EXAMINATION**

For the Two Years Ended June 30, 2009

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.

ACCOUNTANTS' REPORTS

The Independent Accountants' 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

		Prior
	Compliance	Compliance
Number of	<u>Report</u>	Report
Findings	2	6
Repeated findings	1	0
Prior recommendations implemented	5	1
or not repeated		

Details of findings are presented in the separately tabbed report section of this report.

SCHEDULE OF FINDINGS

Item No.	<u>Page</u>	Description	Finding Type
		FINDINGS (STATE COMPLIANCE)	
09-1	9	Inadequate controls over employee attendance records	Significant Deficiency and Noncompliance
09-2	11	Commission not staffed as required	Noncompliance

PRIOR FINDINGS NOT REPEATED (STATE COMPLIANCE)

A	12	Inadequate segregation of duties
В	12	Inadequate controls over locally held funds
C	12	Noncompliance with annual report submission and posting requirements
D	12	Untimely deposit of locally held fund receipts
Е	12	Statements of economic interest not reviewed

EXIT CONFERENCE

In a letter dated December 9, 2009 from Mr. Jeff Derrick, Fiduciary Manager, the Commission waived the exit conference.

Responses to the recommendations were provided by Mr. Jeff Derrick, Fiduciary Manager, in a letter dated December 23, 2009.

SPRINGFIELD OFFICE: ILES PARK PLAZA 740 EAST ASH • 62703-3154

PHONE: 217/782-6046 FAX: 217/785-8222 • TTY: 888/261-2887



CHICAGO OFFICE:

MICHAEL A. BILANDIC BLDG. · SUITE S-900 160 NORTH LASALLE · 60601-3103 PHONE: 312/814-4000 FAX: 312/814-4006

OFFICE OF THE AUDITOR GENERAL WILLIAM G. HOLLAND

INDEPENDENT ACCOUNTANTS' 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 Illinois Guardianship and Advocacy Commission'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, 2009. The management of the Illinois Guardianship and Advocacy Commission is responsible for compliance with these requirements. Our responsibility is to express an opinion on the Illinois Guardianship and Advocacy Commission's compliance based on our examination.

- A. The Illinois Guardianship and Advocacy Commission 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 Illinois Guardianship and Advocacy Commission 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 Illinois Guardianship and Advocacy Commission 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 Illinois Guardianship and Advocacy Commission 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 Illinois Guardianship and Advocacy Commission on behalf of the State or held in trust by the Illinois Guardianship and Advocacy Commission have been properly and legally administered and the accounting and recordkeeping relating thereto is proper, accurate, and in accordance with law.

We conducted our examination 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 Illinois Guardianship and Advocacy Commission'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 Illinois Guardianship and Advocacy Commission's compliance with specified requirements.

In our opinion, the Illinois Guardianship and Advocacy Commission complied, in all material respects, with the requirements listed in the first paragraph of this report during the two years ended June 30, 2009. However, the results of our procedures disclosed instances of noncompliance, 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 findings 09-1 and 09-2.

Internal Control

The management of the Illinois Guardianship and Advocacy Commission 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 Illinois Guardianship and Advocacy Commission's internal control over compliance with the requirements listed in the first paragraph of this report as a basis for designing our examination procedures 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 Illinois Guardianship and Advocacy Commission's internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the Illinois Guardianship and Advocacy Commission's internal control over compliance.

A *deficiency* in an entity's internal control over compliance exists when the design or operation of a control 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* 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.

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 deficiencies, significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, we identified certain deficiencies in internal control over compliance described in finding 09-1 in the accompanying schedule of findings that we consider to be significant deficiencies in internal control over

compliance. A significant deficiency is a deficiency, or combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Additionally, the results of our procedures disclosed another matter involving internal control over compliance, which is required to be reported in accordance with criteria established by the Audit Guide issued by the Illinois Office of the Auditor General and which is described in the accompanying schedule of findings as finding 09-2.

There were no immaterial findings that have been excluded from this report.

The Illinois Guardianship and Advocacy Commission's responses to the findings identified in our examination are described in the accompanying schedule of findings. We did not examine the Illinois Guardianship and Advocacy Commission's responses and, accordingly, we express no opinion on them.

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 as listed in the table of contents as Supplementary Information for State Compliance Purposes 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 2009 and 2008 Supplementary Information for State Compliance Purposes, except for Service Efforts and Accomplishments on which we did not perform any procedures. However, we do not express an opinion on the supplementary information.

We have not applied procedures to the 2007 Supplementary Information for State Compliance Purposes, and accordingly, we do not express an opinion thereon.

This report is intended solely for the information and use of the Auditor General, the General Assembly, the Legislative Audit Commission, the Governor, agency management, and the Illinois Guardianship and Advocacy Commission 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

January 6, 2010

STATE OF ILLINOIS GUARDIANSHIP AND ADVOCACY COMMISSION SCHEDULE OF FINDINGS

For the Two Years Ended June 30, 2009

09-1. **FINDING** (Inadequate controls over employee attendance records)

The Guardianship and Advocacy Commission (Commission) did not exercise adequate controls over employee attendance records to ensure employees' benefit time was timely and properly recorded.

The Commission's Policies and Procedures Manual (Procedure 3.300) requires employees to document daily their hours worked and/or benefit time taken on the Pay Period Time Report (PPTR). After the PPTRs are approved by the employees' supervisors, the timekeepers enter employee leave time into the Central Time and Attendance System (CTAS).

During our testing of 25 employees' attendance records for six months during the examination period, we noted the following:

Ten of 25 (40%) employees' timekeeping records did not agree when comparing the certified PPTR to the CTAS. We noted 85 discrepancies totaling 408 hours when comparing the PPTR and CTAS reports for the months tested. In addition during our review of the PPTR quarterly reports, 12 of 25 (48%) employees' accrued benefit balances did not agree to the corresponding CTAS balance. We noted 114 instances where leave time totaling 1,255 hours was not entered on the CTAS report timely. Adjustments were made to correct the CTAS balance; however, those adjustments were made from 13 to 169 days after the leave time was taken.

The Illinois Administrative Code (80 Ill. Adm. Code 303.340) implemented and authorized by the Personnel Code (20 ILCS 415/1 et seq.) states each operating agency shall maintain accurate, daily attendance records. In addition, good business practices require proper internal controls, such as reconciliation between time sheets and the Central Time and Attendance System, be performed to ensure the accuracy and reliability of data.

Commission management stated these problems were due to implementation of a new timekeeping system.

Inadequate controls over timekeeping procedures could increase the risk of benefit time being used and not recorded. In addition, failure to maintain accurate attendance records increases the risk of the Commission paying for services not rendered by employees.

In addition, during the prior period, the Commission's timesheets did not document the number of hours worked each day on official State business to the nearest quarter hour.

STATE OF ILLINOIS GUARDIANSHIP AND ADVOCACY COMMISSION SCHEDULE OF FINDINGS

For the Two Years Ended June 30, 2009

Further, employees did not have prior approval for using accrued compensatory time as required.

During the current period, the Commission implemented new procedures that require employees to certify the number of hours worked each day on official State business to the nearest quarter hour and we did not note any instances of employees failing to obtain prior approval for the use of compensatory time during our sample testing. (Finding Code No. 09-1, 07-1)

RECOMMENDATION

We recommend the Commission implement procedures to ensure accurate and timely entry of employee work hours and benefit time. We further recommend the Commission ensures its PPTR and CTAS systems are accurate and reconcile.

COMMISSION RESPONSE

We agree. Staff turnover in the last two years as well as the implementation of a new timekeeping system contributed to this weakness.

As with any newer system, enhancements to policies and procedures are expected and required. The agency will begin to more effectively utilize existing internal documentation required by those policy enhancements. Emphasis will be placed on timely entry of data in automated record-keeping systems, verification of the relevant data, independent review by management, and employee participation in the process.

We also agree that inadequate controls over timekeeping procedures could increase the risk of benefit time being used and not recorded or paying for services not rendered by employees; however, we believe that neither of those scenarios occurred because of the adjustments to the timekeeping system made by the agency.

STATE OF ILLINOIS GUARDIANSHIP AND ADVOCACY COMMISSION SCHEDULE OF FINDINGS

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For the Two Years Ended June 30, 2009

09-2. **FINDING** (Commission not staffed as required)

The Guardianship and Advocacy Commission (Commission) did not consist of the 11 members as required by the Guardianship and Advocacy Act (Act).

The Commission consisted of 9 members appointed by the Governor for three-year terms during FY08 and FY09.

The Act (20 ILCS 3955/4) requires the Commission to consist of 11 members appointed by the Governor. Members of the Commission serve for a term ending on June 30 and until his or her successor is appointed and qualified.

Commission management stated it can be difficult to find qualified individuals willing to contribute their time to serve on the Commission.

Failure of the Commission to be comprised of 11 active members is noncompliance with a statutory mandate. (Finding Code No. 09-2)

RECOMMENDATION

We recommend the Commission work with the Governor's Office until the vacancies are filled.

COMMISSION RESPONSE

We agree. The agency will continue to work with the Governor's office of Boards and Commissions to identify and recruit qualified individuals to serve as Commission members. In addition, we believe that the Governor's internet site that solicits nominations from the general public for such positions will undoubtedly assist in this effort.

STATE OF ILLINOIS GUARDIANSHIP AND ADVOCACY COMMISSION PRIOR FINDINGS NOT REPEATED (STATE COMPLIANCE)

For the Two Years Ended June 30, 2009

A. **FINDING** (Inadequate segregation of duties)

During the prior period, the Illinois Guardianship and Advocacy Commission (Commission) had inadequate segregation of duties in the areas of expenditure control and State property.

During the current period, the Commission implemented procedures to adequately separate its expenditure and property control functions. (Finding Code No. 07-2)

B. **FINDING** (Inadequate controls over locally held funds)

During the prior period, the Commission did not obtain additional collateral for uninsured account balances. In addition, a separated employee still had signature authority for its locally held fund, the Ward's Trust account.

During the current period, the Commission obtained additional securities collateralizing the Ward's Trust account in the event the insurance limits are exceeded. In addition, only appropriate personnel had signature authority. (Finding Code No. 07-3)

C. **FINDING** (Noncompliance with annual report submission and posting requirements)

During the prior period, the Commission did not timely prepare and submit its annual report or make the report available on its Internet website.

During the current period, the Commission timely submitted its annual report and made the report available on its Internet website. (Finding Code No. 07-4)

D. **FINDING** (Untimely deposit of locally held fund receipts)

During the prior period, locally held fund receipts totaling \$144,015 were deposited from 1 to 5 days late.

During the current period, our sample testing showed the Commission timely deposited its locally held fund receipts. (Finding Code No. 07-5)

E. **FINDING** (Statements of economic interest not reviewed)

During the prior period, the Commission's designated ethics officer did not review statements of economic interest (statements) prior to filing with the Secretary of State.

During the current period, the Commission's ethics officer reviewed statements prior to submission as required. (Finding Code No. 07-6)

STATE OF ILLINOIS GUARDIANSHIP AND ADVOCACY COMMISSION

COMPLIANCE EXAMINATION

For the Two Years Ended June 30, 2009

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
Comparative Schedule of Net Appropriations, Expenditures
and Lapsed Balances
Comparative Schedule of Receipts, Disbursements and Fund Balance
(Cash Basis) - Locally Held Funds
Schedule of Changes in State Property
Comparative Schedule of Cash Receipts
Reconciliation Schedule 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 Accounts Receivable

• Analysis of Operations:

Agency Functions and Planning Program Average Number of Employees Service Efforts and Accomplishments (Not examined)

The accountants' report that covers the Supplementary Information for State Compliance Purposes presented in the Compliance Report Section states the auditors have applied certain limited procedures as prescribed by the Audit Guide as adopted by the Auditor General, except for information on the Service Efforts and Accomplishments on which they did not perform any procedures. However, the accountants do not express an opinion on the supplementary information.

STATE OF ILLINOIS GUARDIANSHIP AND ADVOCACY COMMISSION SCHEDULE OF APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES For The Fiscal Year Ended June 30, 2009

					La	Lapse Period		Total		
P A 05-0721	Ā	Appropriations	Ţ	Evnenditures	Ex	Expenditures	H E	Expenditures	щ	Balances Lapsed
FISCAL YEAR 2009		Transfers)	Thre	Through June 30	, A	Jury 1 to August 31	+	August 31	A	August 31
General Revenue Fund - 001										
Personal Services State Contributions to State	∽	7,500,000	⇔	989,609,9	∞	301,840	∞	6,911,526	⇔	588,474
Employees' Retirement System		1,334,700		1,332,458		1,272		1,333,730		970
Pension Continuing Appropriation		125,000		60,602		62,311		122,913		2,087
State Contributions to Social Security		534,591		488,482		22,324		510,806		23,785
Contractual Services		341,500		315,461		25,898		341,359		141
Travel		177,000		153,788		23,175		176,963		37
Commodities		11,700		6,983		1,772		8,755		2,945
Printing		13,000		6,488		3,196		9,684		3,316
Equipment		32,440		5,697		26,742		32,439		1
Electronic Data Processing		54,469		46,335		8,134		54,469		•
Telecommunications		277,600		228,172		38,681		266,853		10,747
Operation of Automotive Equipment		15,000		11,686		1,371		13,057		1,943
Social Services Shared Services Center		135,000		134,860		1		134,860		140
Subtotal Fund - 001	↔	10,552,000	8	9,400,698	8	516,716	\$	9,917,414	S	634,586
Guardianship and Advocacy Fund - 297 Services pursuant to Section 5 of Guardianship and Advocacy Act Subtotal Fund - 297	€	187,700	€	20,026	↔	3,632	€	23,658	€9	164,042
	<u> </u>									
TOTAL - ALL FUNDS	↔	10,739,700	S	9,420,724	8	520,348	S	9,941,072	S	798,628

Note: Appropriations, expenditures, and lapsed balances were obtained from the State Comptroller's records and have been reconciled to records of the Agency.

STATE OF ILLINOIS
GUARDIANSHIP AND ADVOCACY COMMISSION
SCHEDULE OF APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES

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P.A. 95-0348 FISCAL YEAR 2008	Apy	Appropriations (Net of Transfers)	Ey	Expenditures Through June 30	La Ex J	Lapse Period Expenditures July 1 to August 31	E 14 N	Total Expenditures 14 Months Ended August 31	B I At	Balances Lapsed August 31
General Revenue Fund - 001										
Personal Services	8	6,661,158	↔	6,384,296	∽	276,627	S	6,660,923	\$	235
State Contributions to State										
Employees' Retirement System		1,104,569		1,058,647		45,921		1,104,568		-
State Contributions to Social Security		493,255		472,730		20,524		493,254		-
Contractual Services		241,934		241,725		192		241,917		17
Travel		161,872		150,210		11,225		161,435		437
Commodities		6,529		6,227		302		6,529		•
Printing		10,000		7,685		2,080		9,765		235
Equipment		ı		ı		ı		ı		
Electronic Data Processing		20,261		14,796		5,465		20,261		
Telecommunications		196,200		195,641		540		196,181		19
Operation of Automotive Equipment		13,300		13,262		38		13,300		•
Social Serveies Shared Services Center		200,000		200,000		'		200,000		1
Subtotal Fund - 001	€	9,109,078	8	8,745,219	↔	362,914	€	9,108,133	↔	945
Guardianship and Advocacy Fund - 297										
Services pursuant to Section 5 of										
Subtotal Fund - 297	\$	187,700	\$	84,746	8	25,481	8	110,227	↔	77,473
TOTAL - ALL FUNDS	↔	9,296,778	8	8,829,965	↔	388,395	↔	9,218,360	8	78,418

Note: Appropriations, expenditures, and lapsed balances were obtained from the State Comptroller's records and have been reconciled to records of the Agency.

STATE OF ILLINOIS GUARDIANSHIP AND ADVOCACY COMMISSION

COMPARATIVE SCHEDULE OF NET APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES

For the Fiscal Years Ended June 30,

Fiscal Year

	2009	2008	2007
General Revenue Fund - 001	P.A. 95-0731	P.A. 95-0348	P.A. 94-0798
Appropriations			_
(Net of Transfers)	\$ 10,552,000	\$ 9,109,078	\$ 8,681,000
<u>Expenditures</u>			
Personal Services	\$ 6,911,526	\$ 6,660,923	\$ 6,611,064
State Contributions to State			
Employees' Retirement System	1,333,730	1,104,568	762,692
Pension Continuing Appropriation	122,913	-	-
State Contributions to Social Security	510,806	493,254	490,022
Contractual Services	341,359	241,917	257,831
Travel	176,963	161,435	175,283
Commodities	8,755	6,529	9,320
Printing	9,684	9,765	7,675
Equipment	32,439	-	7,744
Electronic Data Processing	54,469	20,261	26,331
Telecommunications	266,853	196,181	239,075
Operation of Automobile Equipment	13,057	13,300	7,274
Social Servcies Shared Services Center	134,860	200,000	-
Total Expenditures - Fund 001	\$ 9,917,414	\$ 9,108,133	\$ 8,594,311
Lapsed Balances	\$ 634,586	\$ 945	\$ 86,689
Guardianship and Advocacy Fund - 297			
Appropriations (net of transfers)	\$ 187,700	\$ 187,700	\$ 187,700
Expenditures: Services pursuant to Section 5 of	0.000	.	A 160110
Guardianship and Advocacy Act	\$ 23,658	\$ 110,227	\$ 168,149
Lapsed Balances	\$ 164,042	\$ 77,473	\$ 19,551
GRAND TOTAL, ALL FUNDS			
Appropriations (net of transfers)	\$ 10,739,700	\$ 9,296,778	\$ 8,868,700
Total Expenditures	9,941,072	9,218,360	8,762,460
Lapsed Balances	\$ 798,628	\$ 78,418	\$ 106,240

STATE OF ILLINOIS GUARDIANSHIP AND ADVOCACY COMMISSION

COMPARATIVE SCHEDULE OF RECEIPTS, DISBURSEMENTS AND FUND BALANCE (CASH BASIS) - LOCALLY HELD FUNDS

For the Two Years Ended June 30, 2009

	Ward	d's Trust Fund 1162
Cash Balance at July 1, 2007	\$	2,362,063
Receipts:		3,654,755
Disbursements:		3,963,087
Cash Balance at June 30, 2008	\$	2,053,731
Cash Balance at July 1, 2008	\$	2,053,731
Receipts:		3,630,859
Disbursements:		3,628,947
Cash Balance at June 30, 2009	\$	2,055,643

STATE OF ILLINOIS GUARDIANSHIP AND ADVOCACY COMMISSION SCHEDULE OF CHANGES IN STATE PROPERTY

For the Two Years Ended June 30, 2009

]	Equipment
Balance at July 1, 2007	\$	765,927
Additions		46,504
Deletions	\$	-
Net Transfers		(14,085)
Balance at June 30, 2008	\$	798,346
Balance at July 1, 2008	\$	798,346
Additions		47,023
Deletions		(800)
Net Transfers		(14,678)
Balance at June 30, 2009	\$	829,891

Note: The above schedule has been derived from Agency records which have been reconciled to property reports submitted to the Office of the Comptroller.

STATE OF ILLINOIS GUARDIANSHIP AND ADVOCACY COMMISSION COMPARATIVE SCHEDULE OF CASH RECEIPTS

For the Fiscal Years Ended June 30,

2009	2008	2007
D 716	Φ 160	Ф. 124
	\$ 169	\$ 124
<u> </u>		
\$ 71,925	\$ 95,180	\$ 86,445
\$ 72,641	\$ 95 349	\$ 86,569
	\$ 716 \$ -	\$ 716 \$ - \$ 71,925 \$ 95,180

RECONCILIATION SCHEDULE OF CASH RECEIPTS TO DEPOSITS REMITTED TO THE STATE COMPTROLLER

For the Fiscal Years Ended June 30,

General Revenue Fund (001)	 2009	 2008	 2007
Receipts per Department Records	\$ 716	\$ 169	\$ 124
Add: Deposits in Transit, Beginning of Year	-	-	-
Less: Deposits in Transit, End of Year	 <u>-</u>		
Deposits Recorded by the Comptroller	\$ 716	\$ 169	\$ 124
Guardianship and Advocacy Fund (297)			
Receipts per Department Records	\$ 71,925	\$ 95,180	\$ 86,445
Add: Deposits in Transit, Beginning of Year	1,195	6,880	2,450
Less: Deposits in Transit, End of Year	 1,100	 1,195	6,880
Deposits Recorded by the Comptroller	\$ 72,020	\$ 100,865	\$ 82,015

STATE OF ILLINOIS GUARDIANSHIP AND ADVOCACY COMMISSION

ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES

For the Two Years Ended June 30, 2009

ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES BETWEEN FISCAL

YEARS 2009 and 2008

General Revenue Fund (001)

State Contribution to State Employees' Retirement System

The increase was due to an increase in the employer contribution rate from 16.561% in FY08 to 21.049% in FY09.

Pension Continuing Appropriation

The Pension Continuing Appropriation was created for the purpose of making up any deficiency in the appropriations to the designated retirement systems covering FY09. The appropriation did not exist for the Commission prior to FY09 as sufficient retirement line funding existed.

Contractual Services

The increase was mainly due to catch up billings received from the Department of Central Management Services (DCMS) in FY09 for facilities management service charges incurred during FY08.

Commodities

The increase was due to the need to replenish low commodities supplies in FY09 resulting from reduced expenditures in FY08 to cover the imposed reserves by the Governor's Office of Management and Budget (GOMB).

Equipment

The increase was due to the purchase of two new fleet vehicles during FY09 to replace old vehicles with high mileage.

Electronic Data Processing (EDP)

The increase was mainly due to the purchase of replacement personal computers pursuant to the Commission's Information Technology Upgrade Plan.

Telecommunications

The increase was due to the receipt of DCMS catch up billings in FY09 for telecommunications services incurred during FY08.

Social Services Shared Service Center

The decrease was due to the Commission utilizing this appropriation for expenditures related to two employees during FY09 and three employees during FY08.

STATE OF ILLINOIS GUARDIANSHIP AND ADVOCACY COMMISSION ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES

For the Two Years Ended June 30, 2009

ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES BETWEEN FISCAL

YEARS 2009 and 2008 (continued)

Guardianship and Advocacy Fund (297)

Services Pursuant to Section 5 of the Guardianship and Advocacy Act

The decrease was due to the Commission's ability to utilize its line item appropriations for the majority of operating expenses during FY09.

ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES BETWEEN FISCAL

YEARS 2008 and 2007

General Revenue Fund (001)

State Contribution to State Employees' Retirement System

The increase was due to an increase in the employer contribution rate from 11.525% in FY07 to 16.561% in FY08.

Commodities

The decrease was due to the Commission cutting back on commodities expenditures during FY08 in order to cover the imposed reserves by GOMB.

Printing

The increase was due to the purchase of copy paper stock for all nine Commission regional offices during FY08 to replenish low supplies.

Equipment

There were no equipment expenditures in order to meet the GOMB imposed reserves in FY08.

Electronic Data Processing (EDP)

The decrease in FY08 was due to GOMB imposed reserves, so the Commission was unable to replace older computers as it did in prior years.

Operation of Auto

The increase during FY08 was due to major repairs needed on several older fleet vehicles and increased gasoline rates.

STATE OF ILLINOIS GUARDIANSHIP AND ADVOCACY COMMISSION ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES

For the Two Years Ended June 30, 2009

ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES BETWEEN FISCAL

YEARS 2008 and 2007 (continued)

Social Services Shared Service Center

The Shared Services Center appropriation was created in FY08 to cover three Commission employees' personal services and related line expenditures that were previously covered in the regular personal services and related appropriations.

Guardianship and Advocacy Fund (297)

Services Pursuant to Section 5 of the Guardianship and Advocacy Act

The decrease in FY08 was due to the Commission purchasing the following items from the GAC Fund during FY07 that were not necessary in FY08: personal computers, EDP server, fleet vehicle, new shredders for five offices, and temporary staffing expenses covering a maternity leave.

STATE OF ILLINOIS GUARDIANSHIP AND ADVOCACY COMMISSION ANALYSIS OF SIGNIFICANT VARIATIONS IN RECEIPTS

For the Two Years Ended June 30, 2009

ANALYSIS OF SIGNIFICANT VARIATIONS IN RECEIPTS BETWEEN FISCAL YEARS 2009 AND 2008

Guardianship and Advocacy Fund (297)

The decrease was due to the Commission administering to fewer wards with estates large enough to allow the assessment of fees for guardianship services during FY09. The wards' liquid assets must exceed \$6,500 prior to the assessment of fees.

ANALYSIS OF SIGNIFICANT VARIATIONS IN RECEIPTS BETWEEN FISCAL YEARS 2008 AND 2007

There were no significant variations in receipts between FY08 and FY07.

STATE OF ILLINOIS GUARDIANSHIP AND ADVOCACY COMMISSION ANALYSIS OF SIGNIFICANT LAPSE PERIOD SPENDING

For the Two Years Ended June 30, 2009

FISCAL YEAR 2009

General Revenue Fund (001)

Pension Continuing Appropriation

The Pension Continuing Appropriation was created for the purpose of making up any deficiency in the appropriations to the designated retirement systems during FY09. The appropriation was not utilized until late in the fiscal year and the lapse period as sufficient appropriations for retirement existed until the second pay period in June.

Printing

The Commission purchased copy paper stock for all nine regional offices near the end of the third quarter of FY09, and the invoice was received and processed during the lapse period.

Equipment

The Commission purchased two new fleet vehicles during FY09 and received invoices and processed payments during the lapse period.

FISCAL YEAR 2008

General Revenue Fund (001)

Printing

The Commission purchased copy paper stock for all nine regional offices near the end of the third quarter of FY08, and the invoice was received and processed during the lapse period.

Electronic Data Processing (EDP)

The Commission purchased replacement personal computers for two regional offices and processed payment during the lapse period of FY08.

Guardianship and Advocacy Fund (297)

Services Pursuant to Section 5 of the Guardianship and Advocacy Act

The Commission purchased a vehicle at the end of the fiscal year and processed the payment during lapse. In addition, the Commission made numerous travel and vehicle related payments that were incurred during the fiscal year but invoiced during the lapse period.

STATE OF ILLINOIS GUARDIANSHIP AND ADVOCACY COMMISSION ANALYSIS OF ACCOUNTS RECEIVABLE

For the Two Years Ended June 30, 2009

Guardianship and Advocacy Fund – 297

The Commission had accounts receivable balances of \$2,660 and \$2,450 respectively at June 30, 2008 and June 30, 2009. These amounts represent receivables related to Guardianship and Advocacy Commission fee payments from the wards. All accounts receivable are considered current.

STATE OF ILLINOIS GUARDIANSHIP AND ADVOCACY COMMISSION

ANALYSIS OF OPERATIONS

For the Two Years Ended June 30, 2009

AGENCY FUNCTIONS AND PLANNING PROGRAM

Functions

The Guardianship and Advocacy Commission (Commission) was created in 1979 by enactment of the Guardianship and Advocacy Act (20 ILCS 3955/1 et seq.) to safeguard the rights of persons with disabilities. This Act mandated the Commission to establish three divisions:

- 1. Legal Advocacy Service to provide legal consultation and representation to disabled people in a variety of settings: mental health facilities, residential programs, community placements and nursing homes.
- 2. Human Rights Authority to investigate alleged rights violations of disabled people residing in public or private facilities.
- 3. Office of State Guardian handles the personal, financial, and legal affairs of developmentally disabled, mentally ill and elderly persons with disabilities.

The Commission is bi-partisan and is comprised of nine private citizens and two legislators appointed by the Governor and confirmed by the Illinois Senate for three-year terms. These Commissioners serve in a voluntary capacity to govern the agency and are chosen for a particular area of expertise.

The Commission meets at least quarterly to perform its mandated duties through the following functions:

- Establish policy guidelines for the operation of the Agency.
- Review actions taken by regional authorities.
- Establish rules and regulations for the conduct of work of the three divisions.
- Review and evaluate the operations of the divisions.
- Approve and evaluate the Agency Director.
- Approve the budget and an annual report on its operations for submission to the Governor and General Assembly.

Monthly statistical reports are prepared on the ACCESS case management software system to present to management and the Commission. In the fiscal area, a spreadsheet is updated monthly showing the current status of the budgetary line items.

The Director is mandated to organize and administer programs to provide the above services. The Commission's central office is located in Springfield and a general office is located in Chicago. The field offices are located in Rantoul, Anna, Alton, Des Plaines, Peoria, Rockford, and Hines

STATE OF ILLINOIS GUARDIANSHIP AND ADVOCACY COMMISSION

ANALYSIS OF OPERATIONS

For the Two Years Ended June 30, 2009

Planning Program

The Commission has developed a plan that incorporates the areas of: programs, policy, public relations, human resources, technology and financial development. Outcomes have been developed in each of these areas. Indicators for each outcome further focus the work of the Commission and makes progress more measurable.

AVERAGE NUMBER OF EMPLOYEES

The following table, prepared from Agency records, presents the average number of employees, by function, for the fiscal years ended June 30,

<u>Division</u>	<u>2009</u>	<u>2008</u>	<u>2007</u>
General Office / Clerical	16	16	17
Office of State Guardian	75	77	78
Legal Advocacy Service	12	12	12
Human Rights Authority	9	8	8
Total average full-time employees	112	113	115

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For the Two Years Ended June 30, 2009

SERVICE EFFORTS AND ACCOMPLISHMENTS (not examined)

The Agency's management provided the following information consisting of statistical and programmatic data for the two years ended June 30, 2009.

Office of State Guardian

The Office of State Guardian (OSG) is statutorily mandated to serve as the guardian of last resort of adults with disabilities. The OSG is the appointed guardian by the courts when these adults are not able to make or communicate decisions concerning their welfare, care or estate. When a family member or friend is willing and able to serve as the guardian, the OSG is not appointed.

The OSG is required by law to procure and monitor services provided to its wards and to visit each ward a minimum of four times a year. Additional visits may be required to ensure the wards are not harmed or exploited. When named as the guardian of a person and/or estate, the OSG must inventory and manage property, invest funds, pay bills and prepare tax returns.

Activity Measures

FY 2009	FY 2008	FY 2007
10,818	11,361	11,532
4,846	5,377	5,176
2,965	3,212	3,035
1,446	1,458	1,448
5,570	6,841	6,952
210	232	222
298	349	302
7,518	8,615	7,326
971	1,079	1,084
	10,818 4,846 2,965 1,446 5,570 210 298 7,518	10,818 11,361 4,846 5,377 2,965 3,212 1,446 1,458 5,570 6,841 210 232 298 349 7,518 8,615

For the Two Years Ended June 30, 2009

SERVICE EFFORTS AND ACCOMPLISHMENTS (not examined) (continued)

Office of State Guardian (continued)

Activity Measures (continued)

	FY 2009	FY 2008	FY 2007
Amount of IGAC fee collections (thousands)	\$71.9	\$95.1	\$86.0
Percentage of wards who are Medicaid recipients	97%	97%	97%
Number of visits to wards completed on a quarterly basis	17,284	17,882	19,234
Total number of wards served	4,861	4,964	5,059
Total number of clients served (guardianship intakes, pending cases and OSG wards)	9,272	9,634	9,542
Closed cases	451	518	457
Number of supplemental contacts with OSG wards	2,529	3,015	2,864
Number of contacts with wards' families	648	655	617
Number of fiduciary transactions performed on behalf of wards' estates	15,089	12,724	11,922
Total dollar amount of ward transactions (receipts and disbursements) (in thousands)	\$7,193.1	\$7,541.2	\$5,506.0
Percentage of staff who are certified as Registered Guardians through the National Guardianship Foundation	89%	95%	90%
Average caseload per worker	117	123	119

For the Two Years Ended June 30, 2009

SERVICE EFFORTS AND ACCOMPLISHMENTS (not examined) (continued)

Office of State Guardian (continued)

Customer Service Based Performance Measures

	FY 2009	FY 2008	FY 2007
Percentage of cases in which the OSG was appointed legal guardian	10%	10%	9%
Percentage of cases in which alternatives to OSG Guardianship were located	90%	90%	90%
Percentage of survey respondents who report satisfaction with the intake process	100%	93%	82%
Efficiency Inc	dicators		
	FY 2009	FY 2008	FY 2007
Cost per client served	\$890	\$785	\$753

Legal Advocacy Service

The Legal Advocacy Service (LAS) was created to provide a necessary due process component to the judicial system by protecting and enforcing the legal rights of individuals in mental health treatment proceedings and, where alternative legal counsel is unavailable, providing legal counsel and representation to individuals with disabilities to protect and enforce rights as guaranteed by related state, local and federal laws.

LAS clients include minors and adults, whether residing in their community or in treatment and/or habilitation facilities.

In general, LAS services can be divided into three categories; (1) responding to individual requests for information regarding legal rights of persons with disabilities; (2) investigating alleged violations of the mental health laws and providing advocacy assistance to remedy substantiated violations, and; (3) serving as legal counsel, in the trial and reviewing courts, in proceedings related to admission to, retention in, enforced treatment while admitted (psychotropic meditation and/or electroconvulsive therapy) and release from public and private facilities.

The activities of the LAS are statutorily mandated by Illinois law. Litigation is pursued on the rare occasion when an appropriate remedy cannot be achieved by notification, education and negotiation. LAS staff also provide technical assistance to the Agency's HRA and OSG divisions and maintain a reviewing court decision outline on the Agency's homepage onto the Internet.

For the Two Years Ended June 30, 2009

SERVICE EFFORTS AND ACCOMPLISHMENTS (not examined) (continued)

Legal Advocacy Service (continued)

Activity Measures

	<u>FY 2009</u>	<u>FY 2008</u>	FY 2007
Requests for information, referral, or assistance	2,127	1,556	1,628
Cases handled	8,666	8,412	8,523
Total Clients served	8,401	9,007	8,219
Customer Service Based Pe	erformance	<u>Measures</u>	
	<u>FY 2009</u>	FY 2008	FY 2007
Percentage of cases referred to higher courts	87%	93%	85%
Efficiency Indicators-	Internal Pro	cess	
	FY 2009	FY 2008	FY 2007
Average cost per client	\$118	\$113	\$117
Average cost per case handled	\$115	\$121	\$113
Efficiency Indicators-External Benchmarks			
	FY 2009	FY 2008	FY 2007
Private sector cost for equivalent staff hours (in thousands)	\$3,510	\$3,510	\$3,510
Percentage that program costs the State when compared to private sector rates	28%	29%	27%

Human Rights Authority

The Human Rights Authority (HRA) investigates complaints of alleged rights violations committed by private and public providers that serve persons with disabilities. Regional authorities, staffed largely by volunteers appointed by the Commissioners, comprise the entire division.

For the Two Years Ended June 30, 2009

SERVICE EFFORTS AND ACCOMPLISHMENTS (not examined) (continued)

Human Rights Authority (continued)

The Authority's investigations offer a mechanism for non-adversarial negotiations with service providers when complaints can be substantiated. The HRA makes recommendations for corrective action. Recipients benefiting from investigations are those persons with disabilities affected by HRA recommendations that were adopted by service providers.

Activity Measures

	FY 2009	FY 2008	FY 2007
Number of information and referral inquiries	285	289	208
Number of HRA cases handled	338	321	275
Number of recommendations for improvement issued to service providers for substantiated findings	145	145	204
Number of recommendations accepted and implemented by service providers	140	140	192
Percentage of cases referred for enforcement action	1.0%	0.0%	1.0%
Number of persons with disabilities benefiting from HRA recommendations	13,370	22,187	13,221
Number of volunteer hours HRA members contribute to the HRA	2,950	2,409	3,617
Customer Service Based I	Performance M	<u>leasures</u>	
	FY 2009	FY 2008	FY 2007
Percentage of recommendations accepted and implemented by service providers	97%	97%	94%
Efficiency Indicators – Internal Process			
	FY 2009	FY 2008	FY 2007
Cost per recipient benefited	\$52	\$29	\$46
Cost per case handled	\$2,059	\$2,010	\$2,231