

STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD

COMPLIANCE EXAMINATION

For the Two Years Ended June 30, 2008

STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD
COMPLIANCE EXAMINATION
For the Two Years Ended June 30, 2008

TABLE OF CONTENTS

	<u>Page</u>
Agency Officials	1
Management Assertion Letter	2
Compliance Report	
Summary	4
Accountants' Report	
Independent Accountants' Report on State Compliance, on Internal Control Over Compliance, and on Supplementary Information for State Compliance Purposes	
Schedule of Findings	6
Current Findings – State Compliance	9
Prior Findings Not Repeated	10
Supplementary Information for State Compliance Purposes	
Summary	11
Fiscal Schedules and Analysis	
Schedule of Appropriations, Expenditures and Lapsed Balances	12
Comparative Schedule of Net Appropriations, Expenditures and Lapsed Balances	14
Schedule of Changes in State Property	15
Comparative Schedule of Cash Receipts	16
Reconciliation Schedule of Cash Receipts to Deposits Remitted to the State Comptroller	16
Analysis of Significant Variations in Expenditures	17
Analysis of Significant Lapse Period Spending	20
Analysis of Operations	
Agency Functions and Planning Program	22
Average Number of Employees	23
Service Efforts and Accomplishments (not examined)	24

STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD
COMPLIANCE EXAMINATION
For the Two Years Ended June 30, 2008

AGENCY OFFICIALS

Executive Director and General Counsel

Kathy D. Twine, Esq.

Chairman of the Board (6/3/08 to Present)

Judge Donald C. Hudson

Chairman of the Board (5/31/07 to 6/02/08)

Jill W. Landsberg, Esq.

Acting Chairman of the Board (4/23/07 to 5/30/07)

Lindsay A. Parkhurst, Esq.

Chairman of the Board (5/2/06 to 4/22/07)

Judge Frederick J. Kapala

Vice Chairman of the Board (9/28/07 to Present)

Judge John O. Steele

Vice Chairman of the Board (9/27/03 to 9/27/07)

Lindsay A. Parkhurst, Esq.

Administrative Assistant (10/2/06 to Present)

Vincent Phillip

Administrative Assistant (6/15/96 to 9/29/06)

Mickey McGuire

Board offices are located at:

James R. Thompson Center
100 West Randolph Street
Suite 14-500
Chicago, IL 60601

Honorable Donald C. Hudson
Chair
John E. Kreisler
Vice Chair
Patricia Costello
Attorney Tom Leahy
Raymond J. McGury
Honorable Cheryl A. Starks



STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD

Attorney Kathy D. Twine
Executive Director
General Counsel
100 West Randolph Street
Suite 14-500
Chicago, Illinois 60601-3233
312/814-5554
800/227-9429
TDD 312/814-1881
FAX 312/814-5719

MANAGEMENT ASSERTION LETTER

January 14, 2009

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

Dear Mr. Holland:

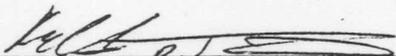
We are responsible for the identification of, and compliance with, all aspects of laws, regulations, contracts, or grant agreements that could have a material effect on the operations of the State of Illinois, Judicial Inquiry Board (Board). We are responsible for and we have established and maintained an effective system of internal controls over compliance requirements. We have performed an evaluation of the Board's compliance with the following assertions during the two-year period ended June 30, 2008. Based on this evaluation, we assert that during the two years ended June 30, 2008, the Board has materially complied with the assertions below.

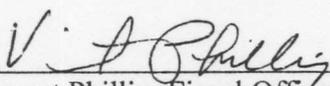
- A. The Board has obligated, expended, received and used public funds of the State in accordance with the purpose for which such funds have been appropriated or otherwise authorized by law.
- B. The Board has obligated, expended, received and used public funds of the State in accordance with any limitations, restrictions, conditions or mandatory directions imposed by law upon such obligation, expenditure, receipt or use.
- C. The 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. The State revenues and receipts collected by the Board are in accordance with applicable laws and regulations and the accounting and record keeping of such revenues and receipts is fair, accurate and in accordance with law.

E. The money or negotiable securities or similar assets handled by the Board on behalf of the State or held in trust by the Board have been properly and legally administered, and the accounting and record keeping relating thereto is proper, accurate and in accordance with law.

Yours very truly,

Judicial Inquiry Board


Kathy D. Twine, Executive Director


Vincent Phillip, Fiscal Officer/Administrative Assistant

STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD
COMPLIANCE EXAMINATION
For the Two Years Ended June 30, 2008

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

<u>Number of</u>	<u>Current</u>	<u>Prior</u>
<u>Findings</u>	<u>Report</u>	<u>Report</u>
Findings	1	1
Repeated findings	0	0
Prior recommendations implemented or not repeated	1	1

Details of findings are presented in a separately tabbed report section.

SCHEDULE OF FINDINGS

<u>Item No.</u>	<u>Page</u>	<u>Description</u>	<u>Finding Type</u>
FINDINGS (STATE COMPLIANCE)			
08-1	9	Lack of required Board members	Noncompliance
PRIOR FINDINGS NOT REPEATED			
A	10	Property control weaknesses	

STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD
COMPLIANCE EXAMINATION
For the Two Years Ended June 30, 2008

EXIT CONFERENCE

The findings and recommendations appearing in this report were discussed with Board personnel at an exit conference on January 14, 2009. Attending were:

Judicial Inquiry Board

Kathy D. Twine, Esq. – Executive Director

Vincent Phillip – Administrative Assistant

Office of the Auditor General

Gayla Rudd – Audit Manager

Jose G. Roa – Audit Supervisor

Auzy Oliver – Auditor

Lana Miari – Auditor

Responses to the recommendations were provided by Kathy Twine in a letter dated January 14, 2009.

SPRINGFIELD OFFICE:
ILES PARK PLAZA
740 EAST ASH · 62703-3154
PHONE: 217/782-6046
FAX: 217/785-8222 • TDD: 217/524-4646



CHICAGO OFFICE:
STATE OF ILLINOIS BUILDING · 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 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, 2008. 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 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.

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 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 State of Illinois, Judicial Inquiry Board's compliance with specified requirements.

In our opinion, State of Illinois, Judicial Inquiry Board complied, in all material respects, with the requirements listed in the first paragraph of this report during the two years ended June 30, 2008. However, the results of our procedures disclosed instances of noncompliance with those 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 finding 08-1.

Internal Control

The management of 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 in order to determine 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 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 *control 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 noncompliance with the requirements listed in the first paragraph of this report on a timely basis. A *significant deficiency* is a control deficiency, or combination of control deficiencies, that adversely affects the entity's ability to comply with the requirements listed in the first paragraph of this report such that there is more than a remote likelihood that noncompliance with a requirement that is more than inconsequential will not be prevented or detected by the entity's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that material noncompliance with a requirement listed in the first paragraph of this report will not be prevented or detected by the entity's internal control.

Our consideration of internal control over compliance with the requirements listed in the first paragraph of this report was for the limited purpose described in the first paragraph of this

section and would not necessarily identify all deficiencies in internal control that might be 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.

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

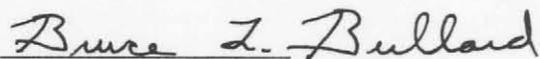
State of Illinois, Judicial Inquiry Board's response to the finding identified in our examination is described in the accompanying schedule of findings. We did not examine State of Illinois, Judicial Inquiry Board's response and, accordingly, we express no opinion on it.

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 2007 and 2008 Supplementary Information for State Compliance Purposes, except for information on 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 2006 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, the Judicial Inquiry governing Board 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 14, 2009

STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD
COMPLIANCE EXAMINATION
SCHEDULE OF FINDINGS
For the Two Years Ended June 30, 2008

Current Findings

08-1. **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 the examination period, the Board was not comprised of two of three (67%) legal members and one of four (25%) public members.

The Constitution of the State of Illinois, Article VI, Section 15(b), states the Board shall be comprised of two Circuit Judges selected by the Supreme Court, three lawyers and four non-lawyers appointed by the Governor.

The Board Director states that pursuant to Article VI, Section 15(b) of the Illinois Constitution, the responsibility for filling non-judicial Board vacancies is solely within the jurisdiction of the Governor. Although the Board has no constitutional obligation/authority regarding the appointment of Board members, there has been ongoing communication with personnel from the Governor's office regarding the Board's dire need for additional members to ensure that the Board can consistently carry out its constitutional mandates.

Board members should be appointed in a timely manner in order to properly formulate the function of the Board as intended. A full Board is necessary to properly conduct meetings and operate effectively and efficiently. (Finding Code No. 08-1)

RECOMMENDATION

We recommend the Board continue to work with the Governor's Office to ensure the Board vacancies are filled in a timely manner.

BOARD RESPONSE

As indicated in the finding, pursuant to the Constitution, the Governor is solely responsible for the appointment of non-judicial members. As such, the Board is not required to ensure that vacancies are filled in a timely manner.

STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD
COMPLIANCE EXAMINATION
SCHEDULE OF FINDINGS
For the Two Years Ended June 30, 2008

Prior Findings Not Repeated

A. **FINDING** (Property control weaknesses)

During the prior period, the Judicial Inquiry Board (Board) did not maintain sufficient controls over the recording, reporting, and identification of State-owned equipment.

During the current period, the Board improved the reporting and identification of State-owned equipment. (Finding Code No. 06-1)

STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD
COMPLIANCE EXAMINATION
For the Two Years Ended June 30, 2008

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
 - 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 Lapse Period Spending

- 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
 JUDICIAL INQUIRY BOARD
 COMPLIANCE EXAMINATION
SCHEDULE OF APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES

For the Fiscal Year Ended June 30, 2008

P.A. 95-0348	Appropriations (Net of Transfers)	Expenditures Through June 30	Lapse Period		Balances Lapsed August 31
			Expenditures July 1 to August 31	Expenditures 14 Months Ended August 31	
FISCAL YEAR 2008					
General Revenue Fund - 001					
Personal Services	\$ 305,000	\$ 298,358	\$ 0	\$ 298,358	\$ 6,642
Employee Retirement					
Contribution Paid by the State	11,700	10,201	0	10,201	1,499
State Contributions to State					
Employees' Retirement System	48,425	48,318	0	48,318	107
State Contributions to Social Security	22,400	21,566	0	21,566	834
Contractual Services	300,000	223,860	53,310	277,170	22,830
Travel	22,800	4,900	599	5,499	17,301
Commodities	4,300	2,743	519	3,262	1,038
Printing	5,000	1,027	202	1,229	3,771
Equipment	3,500	1,455	225	1,680	1,820
Electronic Data Processing	2,000	0	0	0	2,000
Telecommunications	7,800	6,529	598	7,127	673
Operation of Automotive Equipment	6,000	4,086	80	4,166	1,834
Total Fiscal Year 2008	\$ 738,925	\$ 623,043	\$ 55,533	\$ 678,576	\$ 60,349

Note: The information reflected in this schedule was taken from the records of the State Comptroller and reconciled to the Board's records.

STATE OF ILLINOIS
 JUDICIAL INQUIRY BOARD
 COMPLIANCE EXAMINATION
SCHEDULE OF APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES
 For the Fiscal Year Ended June 30, 2007

P.A. 94-0798	Appropriations (Net of Transfers)	Expenditures Through June 30	Lapse Period		Balances Lapsed August 31
			Expenditures July 1 to August 31	Total Expenditures 14 Months Ended August 31	
FISCAL YEAR 2007					
General Revenue Fund - 001					
Personal Services	\$ 306,386	\$ 285,010	\$ 0	\$ 285,010	\$ 21,376
Employee Retirement					
Contribution Paid by the State	11,752	10,173	0	10,173	1,579
State Contributions to State					
Employees' Retirement System	33,859	32,083	0	32,083	1,776
State Contributions to Social Security	22,475	20,616	0	20,616	1,859
Contractual Services	309,000	272,147	32,603	304,750	4,250
Travel	14,200	9,452	245	9,697	4,503
Commodities	3,000	1,409	634	2,043	957
Printing	8,400	282	6,600	6,882	1,518
Equipment	2,579	81	377	458	2,121
Electronic Data Processing	0	0	0	0	0
Telecommunications	7,800	6,273	366	6,639	1,161
Operation of Automotive Equipment	3,300	2,714	503	3,217	83
Total Fiscal Year 2007	\$ 722,751	\$ 640,240	\$ 41,328	\$ 681,568	\$ 41,183

Note: The information reflected in this schedule was taken from the records of the State comptroller and reconciled to the Board's records.

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

	Fiscal Year		
	2008	2007	2006
General Revenue Fund - 001	P.A. 95-0348	P.A. 94-0798	P.A. 94-0015
Appropriations (Net of Transfers)	<u>\$ 738,925</u>	<u>\$ 722,751</u>	<u>\$ 701,700</u>
<u>Expenditures</u>			
Personal Services	\$ 298,358	\$ 285,010	\$ 286,084
Employee Retirement			
Contribution Paid by the State	10,201	10,173	11,147
State Contributions to State			
Employees' Retirement System	48,318	32,083	21,714
State Contributions to Social Security	21,566	20,616	20,490
Contractual Services	277,170	304,750	316,367
Travel	5,499	9,697	14,292
Commodities	3,262	2,043	1,957
Printing	1,229	6,882	1,335
Equipment	1,680	458	269
Electronic Data Processing	0	0	0
Telecommunications	7,127	6,639	7,656
Operation of Automotive Equipment	4,166	3,217	2,180
Total Expenditures	<u>\$ 678,576</u>	<u>\$ 681,568</u>	<u>\$ 683,491</u>
Lapsed Balances	<u>\$ 60,349</u>	<u>\$ 41,183</u>	<u>\$ 18,209</u>

Note: The Board did not make any efficiency initiative payments during FY07 or FY08.

STATE OF ILLINOIS
 JUDICIAL INQUIRY BOARD
 COMPLIANCE EXAMINATION
SCHEDULE OF CHANGES IN STATE PROPERTY
 For the Two Years Ended June 30, 2008

	Equipment
Balance at July 1, 2006	\$ 98,038
Additions	338
Deletions	-
Balance, June 30, 2007	\$ 98,376

	Equipment
Balance at July 1, 2007	\$ 98,376
Additions	1,672
Deletions	-
Balance, June 30, 2008	\$ 100,048

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

STATE OF ILLINOIS
 JUDICIAL INQUIRY BOARD
 COMPLIANCE EXAMINATION
COMPARATIVE SCHEDULE OF CASH RECEIPTS

For the Fiscal Year Ended June 30,

<u>General Revenue Fund - 001</u>	<u>2008</u>	<u>2007</u>	<u>2006</u>
Reimbursement for Jury Duty	\$ 34	\$ 0	\$ 0
Total Receipts	<u>\$ 34</u>	<u>\$ 0</u>	<u>\$ 0</u>

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

For the Fiscal Year Ended June 30,

<u>General Revenue Fund - 001</u>	<u>2008</u>	<u>2007</u>	<u>2006</u>
Receipts per Agency Records	\$ 34	\$ 0	\$ 0
Add: Deposits in Transit, Beginning of Year	0	0	17
Less: Deposits in Transit, End of Year	<u>0</u>	<u>0</u>	<u>0</u>
Deposits Recorded by the Comptroller	<u>\$ 34</u>	<u>\$ 0</u>	<u>\$ 17</u>

STATE OF ILLINOIS
 JUDICIAL INQUIRY BOARD
 COMPLIANCE EXAMINATION
ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES
 For the Two Years Ended June 30, 2008

Fiscal Year 2008

A comparative schedule of significant variations in expenditures exceeding 20% for the fiscal years ended June 30, 2008 are shown below:

<u>EXPENDITURE ITEM</u>	<u>FISCAL YEAR ENDED JUNE 30</u>		<u>INCREASE (DECREASE)</u>	
	<u>2008</u>	<u>2007</u>	<u>AMOUNT</u>	<u>%</u>
State Contributions to State				
Employees' Retirement System	\$48,318	\$32,083	\$16,235	51%
Travel	\$5,499	\$9,697	(\$4,198)	(43%)
Commodities	\$3,262	\$2,043	\$1,219	60%
Printing	\$1,229	\$6,882	(\$5,653)	(82%)
Equipment	\$1,680	\$458	\$1,222	267%
Operation of Automotive Equipment	\$4,166	\$3,217	949	29%

Board personnel provided the following explanations for the significant variations identified above.

State Contributions to State Employees' Retirement System

The increase in State Contributions to State Employees' Retirement System expenditures was due to contribution rate increase from 11.525% in FY07 to 16.561% in FY08.

Travel

The decrease in travel expenditures was due to less employees requiring over-night travel reimbursement. Additionally, one board member attended two meetings via telephone conference.

Commodities

The increase in commodities expenditures was due to the increase purchase of office supplies. In addition, the Board noted the cost for supplies had increased.

Printing

The decrease in printing expenditures was due to the Board not printing a report during FY08.

Equipment

The increase in equipment expenditures was due to the Board replacing office chairs and purchasing a global positioning system for the Board's two vehicles.

STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD
COMPLIANCE EXAMINATION
ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES
For the Two Years Ended June 30, 2008

Fiscal Year 2008 - continued

Operation of Automotive Equipment

The increase in operation of automotive equipment expenditures was due to the increase in fuel costs as well as maintenance expenses related to the Board's 1995 and 1998 vehicles.

STATE OF ILLINOIS
 JUDICIAL INQUIRY BOARD
 COMPLIANCE EXAMINATION
ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES
 For the Two Years Ended June 30, 2008

Fiscal Year 2007

A comparative schedule of significant variations in expenditures exceeding 20% for the fiscal years ended June 30, 2007 are shown below:

<u>EXPENDITURE ITEM</u>	<u>FISCAL YEAR ENDED JUNE 30</u>		<u>INCREASE (DECREASE)</u>	
	<u>2007</u>	<u>2006</u>	<u>AMOUNT</u>	<u>%</u>
State Contributions to State				
Employees' Retirement System	\$32,083	\$21,714	\$10,369	48%
Travel	\$9,697	\$14,292	(\$4,595)	(32%)
Printing	\$6,882	\$1,335	\$5,547	415%
Equipment	\$458	\$269	\$189	70%
Operation of Automotive Equipment	\$3,217	\$2,180	\$1,037	48%

Board personnel provided the following explanations for the significant variations identified above.

State Contributions to State Employees' Retirement System

The increase in State Contributions to State Employees' Retirement System in FY 07 was due to contribution rate increased from 7.792% in FY06 to 11.525% in FY07.

Travel

The decrease in travel expenditures was due to the employees requesting less reimbursement for travel expenses related to State Business. Additionally, Board members did not attend every meeting held during the year.

Printing

The increase in printing expenditures was due to the Board printing a bi-annual report during FY07.

Equipment

The increase in equipment expenditures was due to the Board replacing two office printers.

Operation of Automotive Equipment

The increase in operation of automotive equipment expenditures was due to fuel costs and maintenance expenses related to the Board's 1995 and 1998 vehicles increased compared to the prior year.

STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD
COMPLIANCE EXAMINATION
ANALYSIS OF SIGNIFICANT LAPSE PERIOD SPENDING
For the Two Years Ended June 30, 2008

Fiscal Year 2008

We did not note any significant lapse period expenditures (20% or more) for the fiscal year ended June 30, 2008.

STATE OF ILLINOIS
 JUDICIAL INQUIRY BOARD
 COMPLIANCE EXAMINATION
ANALYSIS OF SIGNIFICANT LAPSE PERIOD SPENDING
 For the Two Years Ended June 30, 2008

Our testing of lapse period expenditures for the fiscal year ended June 30, 2007 disclosed three appropriation line items for fiscal year 2007 with significant (20% or more) lapse period expenditures, as scheduled below:

	Fiscal Year Ended June 30, 2007		
	<u>TOTAL</u>	<u>LAPSE PERIOD</u>	
	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>	<u>PERCENTAGE</u>
Commodities	\$2,043	\$634	31%
Printing	\$6,882	\$6,600	96%
Equipment	\$458	\$377	82%

Board personnel provided the following explanations for the significant lapse period expenditures identified above.

Commodities

Invoices for office supplies were not received and paid until the lapse period.

Printing

An invoice for the cost of printing a biennial report was not received and paid until the lapse period.

Equipment

An invoice for replacement office printers was not received and paid until the lapse period.

STATE OF ILLINOIS
JUDICIAL INQUIRY BOARD
COMPLIANCE EXAMINATION
ANALYSIS OF OPERATIONS
For the Two Years Ended June 30, 2008

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 State of Illinois Court Commission (Commission).

The Board was created by the Constitution of the State of Illinois which was adopted in 1970 and became effective July 1, 1971.

The Board is required to consist 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 members at June 30, 2007 and 2008 were:

2007

Circuit Judges:

Judge Fredrick J. Kapala (until 4/23/07)
Judge Donald C. Hudson (as of 4/23/07)
Judge Michael J. Murphy (until 12/4/06)
Judge John O. Steele (as of 12/4/06)

Lawyers:

Lindsay A. Parkhurst – Vice Chair
Jill W. Landsberg
Tom Leahy

Non-Lawyers:

Vacant
Raymond J. McGury
John Kreisler
Myrna Mazur (until 10/18/06)

2008

Circuit Judges:

Judge Donald C. Hudson
Judge John O. Steele

Lawyers:

Lindsay A. Parkhurst – Vice Chair (until 9/27/07)
Jill W. Landsberg (until 6/2/08)
Tom Leahy

Non-Lawyers:

Vacant
Raymond J. McGury
John Kreisler
Patricia Costelleo (as of 4/11/08)

STATE OF ILLINOIS
 JUDICIAL INQUIRY BOARD
 COMPLIANCE EXAMINATION
ANALYSIS OF OPERATIONS
 For the Two Years Ended June 30, 2008

BOARD FUNCTIONS (continued)

The Board's primary functions are to receive or initiate complaints 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/her 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/her duties.

The Board is responsible for adopting its own rules for governing its procedures. It 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.

BOARD PLANNING PROGRAM

The Board does not utilize a formal written planning policy. The Board utilizes Article 6 Section 15 of the Constitution of the State of Illinois 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.

AVERAGE NUMBER OF EMPLOYEES

The following table, prepared from Board records, presents the average number of employees, by function, for the Fiscal Years ended June 30,

<u>Position</u>	<u>2008</u>	<u>2007</u>	<u>2006</u>
Executive Director	1	1	1
Administrative Assistant	1	1	1
Investigator	2	2	2
Executive Secretary	1	1	1
	<hr/>	<hr/>	<hr/>
Total average full-time employees	<u>5</u>	<u>5</u>	<u>5</u>

STATE OF ILLINOIS
 JUDICIAL INQUIRY BOARD
 COMPLIANCE EXAMINATION
ANALYSIS OF OPERATIONS
 For the Two Years Ended June 30, 2008

SERVICE EFFORTS AND ACCOMPLISHMENTS (not examined)

The following table, prepared from Board records, presents the type/number of allegations received by the Board during the fiscal years ended June 30:

TYPE OF ALLEGATIONS	2008	2007	2006
Administrative misconduct	36	35	12
Alcohol/drugs	8	8	1
Bias, prejudice, partiality	124	140	133
Bribe	0	0	0
Delay in scheduling or deciding a matter	24	26	34
Demeanor/injudicious temperament (i.e. impatient, rude, conduct that is intimidating and inappropriate language/commentary)	82	85	109
Ex parte-communication (one-sided)	36	33	46
Failure to recuse/disqualify/conflict of interest	20	24	23
Illegal activity	79	64	55
Judicial decision/discretion (i.e. dissatisfaction with court procedures or rulings, use or nonuse of evidence, criminal sentences, custody, general outcome of the case)	314	297	319
Mental incapacity	4	2	6
Physical incapacity	5	6	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)	11	4	2
Racial/ethnic/gender bias or discrimination	47	39	30
Sexual misconduct/harassment	1	8	6
Inappropriate conduct off the bench (i.e. prohibited charitable, business or personal conduct)	10	17	9
Misconduct while an attorney	0	0	0
Violation of Constitutional rights	94	101	87
Misconduct by a candidate	1	0	0
Prejudgment of a case	19	19	11
Abuse of power	37	22	17
Comment on Pending/Impending Case	0	0	1
Other	14	26	4
TOTAL -	966	956	906

Number of complaints received/initiated	456	459	439
Complaints filed with the Illinois Courts Commission	3	2	0

Note: Total allegations exceed the number of complaints received because many complaints contained multiple allegations.