

**STATE OF ILLINOIS  
OFFICE OF THE STATE APPELLATE DEFENDER  
STATE COMPLIANCE EXAMINATION**

For the Two Years Ended June 30, 2020

STATE OF ILLINOIS  
**OFFICE OF THE STATE APPELLATE DEFENDER**  
**STATE COMPLIANCE EXAMINATION**  
For the Two Years Ended June 30, 2020

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STATE OF ILLINOIS  
**OFFICE OF THE STATE APPELLATE DEFENDER**  
**STATE COMPLIANCE EXAMINATION**  
For the Two Years Ended June 30, 2020

**AGENCY OFFICIALS**

State Appellate Defender	James E. Chadd
Deputy State Appellate Defender	Kerry J. Bryson
Deputy State Appellate Defender	Shawn O'Toole
Chief Fiscal Officer/Human Resource Director (11/01/20 – Present)	Jana Bergschneider
Chief Fiscal Officer/Human Resource Director (07/01/18 – 10/31/20)	Tonya Janecek

**BOARD OFFICER**

Chairman of the Board	Thomas M. Breen
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**GOVERNING BOARD MEMBERS**

Commissioner	Honorable Thomas E. Hoffman
Commissioner	Honorable R. Peter Grometer
Commissioner	Honorable James L. Brusatte
Commissioner (06/01/19 – Present)	Michelle L. Sanders
Commissioner (07/01/18 – 05/31/19)	Kim D. Campbell
Commissioner	J. William Lucco
Commissioner	Honorable James K. Donovan
Commissioner (12/14/18 – Present)	Carol A. Brook
Commissioner (10/24/18 – 12/13/18)	Vacant
Commissioner (07/01/18 – 10/23/18)	Rebecca Janowitz
Commissioner	Honorable Abishi C. Cunningham, Jr.

**AGENCY OFFICE**

The Office of the State Appellate Defender's primary administrative office is located at:

400 W. Monroe Street, Suite 202  
Springfield, IL 62704



**OFFICE OF THE STATE APPELLATE DEFENDER  
ADMINISTRATIVE OFFICE**

**400 West Monroe • Suite 202  
Springfield, Illinois 62704**  
Telephone: 217/782-7203 • Fax: 217/782-5385  
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**JAMES E. CHADD**  
STATE APPELLATE DEFENDER

**KERRY J. BRYSON**  
**SHAWN O'TOOLE**  
DEPUTY STATE APPELLATE DEFENDERS

**LAURA A. WEILER**  
DIRECTOR OF TRAINING

July 7, 2021

**AGENCY OFFICES:**

**FIRST JUDICIAL DISTRICT**  
203 North LaSalle Street, 24th Floor  
Chicago, IL 60601  
(312) 814-5472  
1stDistrict@osad.state.il.us

**SECOND JUDICIAL DISTRICT**  
One Douglas Avenue  
2nd Floor  
Elgin, IL 60120  
(847) 695-8822  
2ndDistrict@osad.state.il.us

**THIRD JUDICIAL DISTRICT**  
770 E. Etna Road  
Ottawa, IL 61350  
(815) 434-5531  
3rdDistrict@osad.state.il.us

**FOURTH JUDICIAL DISTRICT**  
400 West Monroe Street, Suite 303  
Springfield, IL 62704  
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4thDistrict@osad.state.il.us

**FIFTH JUDICIAL DISTRICT**  
909 Water Tower Circle  
Mt. Vernon, IL 62864  
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400 W. Monroe Street, Suite 202  
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**EXPUNGEMENT / SEALING UNIT**  
400 W. Monroe Street, Suite 202  
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Honorable Frank J. Mautino  
Auditor General  
State of Illinois  
740 East Ash Street  
Springfield, Illinois 62703-3154

Auditor General Mautino:

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, Office of the State Appellate Defender (Office). 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 Office's compliance with the following specified requirements during the two-year period ended June 30, 2020. Based on this evaluation, we assert that during the years ended June 30, 2019, and June 30, 2020, the Office has materially complied with the specified requirements listed below.

- A. The Office 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 Office 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 Office 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 Office 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.

Yours truly,

State of Illinois, Office of the State Appellate Defender

**SIGNED ORIGINAL ON FILE**

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James E. Chadd  
State Appellate Defender

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Jana Bergschneider  
Chief Fiscal Officer

Yours truly,

State of Illinois, Office of the State Appellate Defender

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James E. Chadd  
State Appellate Defender

**SIGNED ORIGINAL ON FILE**

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Jana Bergschneider  
Chief Fiscal Officer

STATE OF ILLINOIS  
**OFFICE OF THE STATE APPELLATE DEFENDER**  
**STATE COMPLIANCE EXAMINATION**  
For the Two Years Ended June 30, 2020

**COMPLIANCE REPORT**

**SUMMARY**

The compliance testing performed during this examination was conducted in accordance with *Government Auditing Standards* and 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 or disclaimers, but does contain a modified opinion on compliance and identifies a material weakness over internal control over compliance.

**SUMMARY OF FINDINGS**

<u>Number of</u>	<u>Current</u>	<u>Prior</u>
Findings	Report	Report
Findings	1	0
Repeated Findings	0	0
Prior Recommendations Implemented or Not Repeated	0	0

**SCHEDULE OF FINDINGS**

<u>Item No.</u>	<u>Page</u>	<u>Last/First</u> <u>Report</u>	<u>Description</u>	<u>Finding Type</u>
FINDING (STATE COMPLIANCE)				
2020-001	9	New	Lack of Adequate Controls Over the Review of Internal Controls Over Service Providers	Material Weakness and Material Noncompliance

**EXIT CONFERENCE**

The Office waived an exit conference in a correspondence from Jana Bergschneider, Chief Fiscal Officer, on July 7, 2021. The response to the recommendation was provided by Jana Bergschneider, Chief Fiscal Officer, in a correspondence dated July 7, 2021.

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OFFICE OF THE AUDITOR GENERAL  
FRANK J. MAUTINO

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

Honorable Frank J. Mautino  
Auditor General  
State of Illinois

and

Governing Board  
State of Illinois, Office of the State Appellate Defender

**Compliance**

We have examined compliance by the State of Illinois, Office of the State Appellate Defender (Office) with the specified 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, 2020. Management of the Office is responsible for compliance with the specified requirements. Our responsibility is to express an opinion on the Office's compliance with the specified requirements based on our examination.

The specified requirements are:

- A. The Office 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 Office 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 Office 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 Office 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.

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*. Those standards, the Act, and the *Audit Guide* require that we plan and perform the examination to obtain reasonable assurance about whether the Office complied with the specified requirements in all material respects. An examination involves performing procedures to obtain evidence about whether the Office complied with the specified requirements. The nature, timing, and extent of the procedures selected depend on our judgement, including an assessment of the risks of material noncompliance with the specified requirements, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our modified opinion.

Our examination does not provide a legal determination on the Office's compliance with the specified requirements.

Our examination disclosed material noncompliance with the following specified requirement applicable to the Office during the two years ended June 30, 2020. As described in the accompanying Schedule of Findings as item 2020-001, the Office had not complied, in all material respects, with applicable laws and regulations, including the State uniform accounting system, in its financial and fiscal operations.

In our opinion, except for the material deviation from the specified requirement described in the preceding paragraph, the Office complied with the specified requirements during the two years ended June 30, 2020, in all material respects.

The Office's response to the compliance finding identified in our examination is described in the accompanying Schedule of Findings. The Office's response was not subjected to the procedures applied in the examination and, accordingly, we express no opinion on the response.

The purpose of this report is solely to describe the scope of our testing and the results of that testing in accordance with the requirements of the *Audit Guide*. Accordingly, this report is not suitable for any other purpose.

### **Internal Control Over Compliance**

Management of the Office is responsible for establishing and maintaining effective internal control over compliance with the specified requirements (internal control). In planning and performing our examination, we considered the Office's internal control to determine the examination procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the Office's compliance with the specified requirements and to test and report on the Office's internal control in accordance with the *Audit Guide*, but not for the purpose of expressing an opinion on the effectiveness of the Office's internal control. Accordingly, we do not express an opinion on the effectiveness of the Office's internal control.

A *deficiency in internal control* 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 specified requirements on a timely basis. A *material weakness in internal control* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that material noncompliance with the specified requirements will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control* is a deficiency, or a 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.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and, therefore, material weaknesses or significant deficiencies may exist that have not been identified. We did identify certain deficiencies in internal control, described in the accompanying Schedule of Findings as item 2020-001 that we consider to be a material weakness.

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

The Office's response to the internal control finding identified in our examination is described in the accompanying Schedule of Findings. The Office's response was not subjected to the procedures applied in the examination and, accordingly, we express no opinion on the response.

The purpose of this report is solely to describe the scope of our testing of internal control and the results of that testing based on the requirements of the *Audit Guide*. Accordingly, this report is not suitable for any other purpose.

### **Supplementary Information for State Compliance Purposes**

Our examination was conducted for the purpose of forming an opinion on the Office's compliance with the specified requirements. The accompanying supplementary information for the years ended June 30, 2020, and June 30, 2019, in Schedules 1 through 6 and the Analysis of Operations section are presented for purposes of additional analysis. Such information is the responsibility of Office management. We have applied certain limited procedures as prescribed by the *Audit Guide* to the accompanying supplementary information for the years ended June 30, 2020, and June 30, 2019, in Schedules 1 through 6. We have not applied procedures to the accompanying supplementary information for the year ended June 30, 2018, in Schedules 3 through 6 and in the Analysis of Operations Section. We do not express an opinion, a conclusion, nor provide any assurance on the accompanying supplementary information in Schedules 1 through 6 or the Analysis of Operations Section.

**SIGNED ORIGINAL ON FILE**

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JANE CLARK, CPA  
Director of Financial and Compliance Audits

Springfield, Illinois  
July 7, 2021

STATE OF ILLINOIS  
**OFFICE OF THE STATE APPELLATE DEFENDER**  
**SCHEDULE OF FINDINGS – STATE COMPLIANCE**

For the Two Years Ended June 30, 2020

2020-001.     **FINDING**     (Lack of Adequate Controls Over the Review of Internal Controls Over Service Providers)

The Office of the State Appellate Defender (Office) did not obtain or conduct an independent internal control review over its service providers.

The Office utilized four service providers for expenditure processing, purchase order requests, time and attendance reporting, and payroll adjustment processing. The data controlled by these service providers is critical to the Office’s operations and contains confidential information.

During our testing, we noted the following:

- The Office did not obtain a System and Organization Control (SOC) report or conduct an independent internal control review for three of four (75%) service providers utilized.
- The Office did not maintain documentation of their review of the SOC report provided for one of four (25%) service providers utilized.

The Office is responsible for the design, implementation, and maintenance of internal controls related to information systems and transaction processing to assure its critical and confidential data are adequately safeguarded. This responsibility is not limited due to the processes being outsourced.

The Fiscal Control and Internal Auditing Act (30 ILCS 10/3001) requires all State agencies to establish and maintain a system, or systems, of internal fiscal and administrative controls to provide assurance that revenues, expenditures, and transfers of assets, resources, or funds applicable to operations are properly recorded and accounted for to permit the preparation of accounts and reliable financial and statistical reports and to maintain accountability over the State’s resources. The National Institute of Standards and Technology’s (NIST) Security and Privacy Controls for Information Systems and Organizations (Special Publication 800-52, Fifth Revision), Maintenance and System and Service Acquisition sections, requires entities outsourcing their information technology environment or operations to obtain assurance over the entities internal controls related to the services provided. Such assurance may be obtained via System and Organization Control reports or independent reviews.

Office management indicated they relied on provisions in the contracts or service agreements for assurance of proper accounting and safekeeping of assets and data.

STATE OF ILLINOIS  
**OFFICE OF THE STATE APPELLATE DEFENDER**  
**SCHEDULE OF FINDINGS – STATE COMPLIANCE**

For the Two Years Ended June 30, 2020

2020-001.     **FINDING**     (Lack of Adequate Controls Over the Review of Internal Controls Over Service Providers) - Continued

Without having obtained and reviewed a SOC report or another form of independent internal controls review, the Office does not have assurance the service providers' internal controls are adequate to ensure proper accounting and safekeeping of assets and data. (Finding Code No. 2020-001)

**RECOMMENDATION**

We recommend the Office obtain a SOC report or perform independent reviews of internal controls of service providers at least annually.

In addition, upon receipt of a SOC report, the Office should:

- Monitor and document the operation of the Complementary User Entity Controls (CUECs) relevant to operations.
- Either obtain and review SOC reports for subservice organizations or perform alternative procedures to satisfy itself the usage of the subservice organizations would not impact the internal control environment.
- Document its review of the SOC reports and review all significant issues to ascertain if a corrective action plan exists and when it will be implemented, any impacts to the Office, and any compensating controls.

**OFFICE RESPONSE**

The Office agrees with the finding and accepts the recommendation.

STATE OF ILLINOIS  
**OFFICE OF THE STATE APPELLATE DEFENDER**  
**SCHEDULE OF APPROPRIATIONS, EXPENDITURES, AND LAPSED BALANCES**  
 Appropriations for Fiscal Year 2020

For the Fifteen Months Ended September 30, 2020

Public Act 101-0007 FISCAL YEAR 2020	Expenditure Authority (Net of Transfers)	Expenditures Through June 30, 2020	Lapse Period		Total Expenditures 15 Months Ended September 30, 2020	Balances Lapsed September 30, 2020
			Expenditures July 1 to September 30, 2020	Expenditures September 30, 2020		
<b>APPROPRIATED FUND</b>						
<b>General Revenue Fund - 001</b>						
Personal Services	\$ 17,576,500	\$ 17,433,999	\$ 12,472	\$	17,446,471	\$ 130,029
State Contributions to Social Security	1,344,600	1,265,579	954		1,266,533	78,067
Contractual Services	2,683,500	2,506,191	100,581		2,606,772	76,728
Travel	35,000	24,863	4,072		28,935	6,065
Commodities	27,000	18,827	886		19,713	7,287
Printing	28,000	13,162	250		13,412	14,588
Equipment	28,000	10,702	2,491		13,193	14,807
Electronic Data Processing	925,000	837,636	27,322		864,958	60,042
Telecommunications	43,000	27,228	1,953		29,181	13,819
Expungement Program	125,000	122,799	114		122,913	2,087
Public Defender Training Program	70,000	65,496	138		65,634	4,366
Law Student Program	108,000	53,109	-		53,109	54,891
Juvenile Defender Resource Center	400,000	291,037	937		291,974	108,026
<b>GRAND TOTAL</b>	<b>\$ 23,393,600</b>	<b>\$ 22,670,628</b>	<b>\$ 152,170</b>	<b>\$</b>	<b>\$ 22,822,798</b>	<b>\$ 570,802</b>

Note 1: Expenditure authority, appropriations, expenditures, and lapsed balances were obtained from the Office's records and have been reconciled to the Office of Comptroller's records as of September 30, 2020.

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

STATE OF ILLINOIS  
**OFFICE OF THE STATE APPELLATE DEFENDER**  
**SCHEDULE OF APPROPRIATIONS, EXPENDITURES, AND LAPSED BALANCES**  
 Appropriations for Fiscal Year 2019

For the Sixteen Months Ended October 31, 2019

Public Acts 100-0586 and 101-0007 Fiscal Year 2019	Expenditure Authority (Net of Transfers)	Lapse Period		Total Expenditures 16 Months Ended October 31, 2019	Balances Lapsed October 31, 2019
		Expenditures Through June 30, 2019	Expenditures July 1 to October 31, 2019		
<b>APPROPRIATED FUNDS</b>					
<b>General Revenue Fund - 001</b>					
Personal Services	\$ 17,007,600	\$ 16,873,507	\$ 3,859	\$ 16,877,366	\$ 130,234
State Contributions to Social Security	1,230,500	1,225,773	295	1,226,068	4,432
Contractual Services	2,658,000	2,480,148	53,677	2,533,825	124,175
Travel	35,000	32,494	1,167	33,661	1,339
Commodities	27,000	19,699	29	19,728	7,272
Printing	28,000	18,510	85	18,595	9,405
Equipment	28,000	18,072	3,747	21,819	6,181
Electronic Data Processing	1,176,700	962,998	202,076	1,165,074	11,626
Telecommunications	70,000	45,834	2,152	47,986	22,014
Expungement Program	120,000	112,006	1,029	113,035	6,965
Alice Washington vs. State Appellate Defender	1,067,100	1,067,044	-	1,067,044	56
Public Defender Training Program	70,000	67,786	200	67,986	2,014
Law Student Program	65,000	54,264	-	54,264	10,736
Juvenile Defender Resource Center	305,000	232,118	19,004	251,122	53,878
Subtotal, Fund 001	\$ 23,887,900	\$ 23,210,253	\$ 287,320	\$ 23,497,573	\$ 390,327

**State Appellate Defender Federal Trust Fund - 117**  
 Federal Portion: Expenses Related to Federally Assisted Programs to Provide Public Defense in Rural Counties  
 Subtotal, Fund 117

<b>GRAND TOTAL - ALL FUNDS</b>	\$ 24,037,900	\$ 23,210,253	\$ 287,320	\$ 23,497,573	\$ 540,327
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Note 1: Expenditure authority, appropriations, expenditures, and lapsed balances were obtained from the Office's records and have been reconciled to the Office of Comptroller's records as of October 31, 2019.  
 Note 2: Expenditure amounts are vouchers approved for payment by the Office and submitted to the Office of Comptroller for payment to the vendor.  
 Note 3: In Fiscal Year 2019, a settlement was reached in the case of *Alice Washington v. Office of the State Appellate Defender*. The Office received appropriations from Public Act 101-0007 to pay for the settlement of this case during Fiscal Year 2019.

STATE OF ILLINOIS  
**OFFICE OF THE STATE APPELLATE DEFENDER**  
**COMPARATIVE SCHEDULE OF NET APPROPRIATIONS,**  
**EXPENDITURES, AND LAPSED BALANCES**  
For the Fiscal Year Ended June 30,

**SCHEDULE 3**

	<u>2020</u>	<u>2019</u>	<u>2018</u>
<b>APPROPRIATED FUNDS</b>			
<b>General Revenue Fund - 001</b>			
Expenditure Authority (Net of Transfers)	\$ 23,393,600	\$ 23,887,900	\$ 21,226,300
Expenditures:			
Personal Services	\$ 17,446,471	\$ 16,877,366	\$ 15,795,197
State Contributions to Social Security	1,266,533	1,226,068	1,142,138
Contractual Services	2,606,772	2,533,825	2,467,155
Travel	28,935	33,661	27,809
Commodities	19,713	19,728	20,138
Printing	13,412	18,595	15,437
Equipment	13,193	21,819	25,204
Electronic Data Processing	864,958	1,165,074	987,935
Telecommunications	29,181	47,986	58,780
Expungement Program	122,913	113,035	110,406
Public Defender Training Program	65,634	67,986	60,863
State Matching Portion: Expenses Related to Federally Assisted Programs to Provide Public Defense in Rural Counties	-	-	7,958
Law Student Program	53,109	54,264	-
Alice Washington vs. State Appellate Defender	-	1,067,044	-
Juvenile Defender Resource Center	291,974	251,122	-
Total Expenditures	<u>\$ 22,822,798</u>	<u>\$ 23,497,573</u>	<u>\$ 20,719,020</u>
Balances Lapsed	<u>\$ 570,802</u>	<u>\$ 390,327</u>	<u>\$ 507,280</u>
<b>State Appellate Defender Federal Trust Fund - 117</b>			
Expenditure Authority (Net of Transfers)	\$ -	\$ 150,000	\$ 200,000
Expenditures:			
Federal Portion: Expenses Related to Federally Assisted Programs to Provide Public Defense in Rural Counties	\$ -	\$ -	\$ 117,208
Balances Lapsed	<u>\$ -</u>	<u>\$ 150,000</u>	<u>\$ 82,792</u>
<b>GRAND TOTAL - ALL FUNDS</b>			
Appropriations (Net of Transfers)	<u>\$ 23,393,600</u>	<u>\$ 24,037,900</u>	<u>\$ 21,426,300</u>
Total Expenditures	<u>\$ 22,822,798</u>	<u>\$ 23,497,573</u>	<u>\$ 20,836,228</u>
Balances Lapsed	<u>\$ 570,802</u>	<u>\$ 540,327</u>	<u>\$ 590,072</u>

- Note 1: Expenditure authority, appropriations, expenditures, and lapsed balances were obtained from the Office's records and have been reconciled to the Office of Comptroller's records as of September 30, 2020 and October 31, 2019.
- Note 2: Expenditure amounts are vouchers approved for payment by the Office and submitted to the Office of Comptroller for payment to the vendor.
- Note 3: The Office received appropriations during Fiscal Year 2020 from Public Act 101-0007. In addition, the Office received appropriations during Fiscal Year 2019 from Public Acts 100-0586 and 101-0007.
- Note 4: In Fiscal Year 2019, a settlement was reached in the case of *Alice Washington v. Office of the State Appellate Defender*. The Office received appropriations from Public Act 101-0007 to pay for the settlement of this case during Fiscal Year 2019.

STATE OF ILLINOIS  
**OFFICE OF THE STATE APPELLATE DEFENDER**  
**COMPARATIVE SCHEDULE OF NET EXPENDITURES**  
**BY MAJOR ACTIVITY**

**SCHEDULE 4**

For the Fiscal Year Ended June 30,

	2020	2019	2018
<b>EXPENDITURE STATISTICS</b>			
<b>All State Treasury Funds</b>			
Total Operations Expenditures:	\$ 22,822,798	\$ 23,497,573	\$ 20,811,667
Percentage of Total Expenditures:	100.0%	100.0%	99.9%
Personal Services	18,207,938	17,519,050	16,170,797
Other Payroll Costs	1,322,873	1,273,743	1,169,730
All Other Operating Expenditures	3,291,987	4,704,780	3,471,140
Total Refund Expenditures:	\$ -	\$ -	\$ 24,561
Percentage of Total Expenditures:	0.0%	0.0%	0.1%
<b>GRAND TOTAL - ALL EXPENDITURES:</b>	<b>\$ 22,822,798</b>	<b>\$ 23,497,573</b>	<b>\$ 20,836,228</b>

Note 1: Expenditures were obtained from the Office's records and have been reconciled to the Office of Comptroller's records as of September 30, 2020 and October 31, 2019.

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

STATE OF ILLINOIS  
**OFFICE OF THE STATE APPELLATE DEFENDER**  
**COMPARATIVE SCHEDULE OF CASH RECEIPTS**  
**AND DEPOSITS INTO THE STATE TREASURY**

**SCHEDULE 5**

For the Fiscal Year Ended June 30,

	2020	2019	2018
<b>STATE TREASURY FUNDS</b>			
<b>General Revenue Fund - 001</b>			
Receipt Sources:			
Miscellaneous Receipts	\$ 98	\$ 119	\$ 933
Prior Year Refunds	170	4,634	84
Total Receipts, per the Office's Records	<u>\$ 268</u>	<u>\$ 4,753</u>	<u>\$ 1,017</u>
Receipts, per the Office's Records	\$ 268	\$ 4,753	\$ 1,017
Deposits in Transit, Beginning of the Fiscal Year	-	-	-
Deposits in Transit, End of the Fiscal Year	-	-	-
Deposits, Recorded by the Office of Comptroller	<u>\$ 268</u>	<u>\$ 4,753</u>	<u>\$ 1,017</u>
<b>State Appellate Defender Federal Trust Fund - 117</b>			
Receipt Sources:			
U.S. Department of Justice-Illinois Criminal Justice Information Authority	\$ -	\$ 31,401	\$ 59,405
Total Receipts, per the Office's Records	<u>\$ -</u>	<u>\$ 31,401</u>	<u>\$ 59,405</u>
Receipts, per the Office's Records	\$ -	\$ 31,401	\$ 59,405
Deposits in Transit, Beginning of the Fiscal Year	-	-	-
Deposits in Transit, End of the Fiscal Year	-	-	-
Deposits, Recorded by the Office of Comptroller	<u>\$ -</u>	<u>\$ 31,401</u>	<u>\$ 59,405</u>
<b>Death Penalty Abolition Fund - 539</b>			
Receipt Sources:			
Miscellaneous Receipts	\$ -	\$ -	\$ -
Prior Year Refunds	-	-	23
Total Receipts, per the Office's Records	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 23</u>
Receipts, per the Office's Records	\$ -	\$ -	\$ 23
Deposits in Transit, Beginning of the Fiscal Year	-	-	-
Deposits in Transit, End of the Fiscal Year	-	-	-
Deposits, Recorded by the Office of Comptroller	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 23</u>
<b>GRAND TOTAL - ALL FUNDS</b>			
Receipts, per the Office's Records	\$ 268	\$ 36,154	\$ 60,445
Deposits in Transit, Beginning of the Fiscal Year	-	-	-
Deposits in Transit, End of the Fiscal Year	-	-	-
Deposits, Recorded by the Office of Comptroller	<u>\$ 268</u>	<u>\$ 36,154</u>	<u>\$ 60,445</u>

**SCHEDULE 6**

**STATE OF ILLINOIS  
OFFICE OF THE STATE APPELLATE DEFENDER  
SCHEDULE OF CHANGES IN PROPERTY  
For the Two Years Ended June 30, 2020**

	Beginning Balance	Additions	Deletions	Net Transfers	Ending Balance
<b>FISCAL YEAR 2020</b>					
<b>Property</b>					
Equipment	\$ 2,455,934	\$ 155,381	\$ 1,277,670	\$ (53,134)	\$ 1,280,511
Total	\$ 2,455,934	\$ 155,381	\$ 1,277,670	\$ (53,134)	\$ 1,280,511
<b>Capital Leases</b>					
Equipment	\$ 30,237	\$ -	\$ -	\$ -	\$ 30,237
Total	\$ 30,237	\$ -	\$ -	\$ -	\$ 30,237

Note 1: These balances were obtained from the Office's records and have been reconciled to the Office's quarterly Agency Report of State Property reports submitted to the Office of Comptroller for the year ended June 30, 2020.

	Beginning Balance	Additions	Deletions	Net Transfers	Ending Balance
<b>FISCAL YEAR 2019</b>					
<b>Property</b>					
Equipment	\$ 2,222,527	\$ 263,196	\$ 2,989	\$ (26,800)	\$ 2,455,934
Total	\$ 2,222,527	\$ 263,196	\$ 2,989	\$ (26,800)	\$ 2,455,934
<b>Capital Leases</b>					
Equipment	\$ 30,237	\$ -	\$ -	\$ -	\$ 30,237
Total	\$ 30,237	\$ -	\$ -	\$ -	\$ 30,237

Note 1: These balances were obtained from the Office's records and have been reconciled to the Office's quarterly Agency Report of State Property reports submitted to the Office of Comptroller for the year ended June 30, 2019.

Note 2: The beginning balance for Property Equipment includes adjustments that were made to the Fiscal Year 2018 ending balance after the release of the prior year compliance examination report.

STATE OF ILLINOIS  
**OFFICE OF THE STATE APPELLATE DEFENDER**  
**ANALYSIS OF OPERATIONS**  
For the Two Years Ended June 30, 2020

(NOT EXAMINED)

**Functions**

The Office of the State Appellate Defender (Office) was created on August 18, 1972, through the State Appellate Defender Act (725 ILCS 105/10). The primary function of the Office is to represent indigent persons on appeal in criminal and delinquent minor proceedings when appointed by the Illinois Supreme Court, the Appellate Court, or the Circuit Court.

Effective January 1, 2018, Mr. James E. Chadd became the State Appellate Defender and was appointed by the Illinois Supreme Court to serve his first four-year term, expiring on January 1, 2022.

The Office is comprised of the following district offices:

**Administration Office**  
State Appellate Defender  
James E. Chadd

400 W. Monroe  
Suite 202  
Springfield, Illinois

**Third District Office**  
Deputy Defender  
Thomas A. Karalis

770 E. Etna Road  
Ottawa, Illinois

**First Office**  
Deputy Defender  
Douglas R. Hoff

203 N. LaSalle  
24<sup>th</sup> Floor  
Chicago, Illinois

**Fourth District Office**  
Deputy Defender  
Catherine K. Hart

400 W. Monroe  
Suite 303  
Springfield, Illinois

**Second Office**  
Deputy Defender  
Thomas A. Lilien

One Douglas Avenue  
Second Floor  
Elgin, Illinois

**Fifth District Office**  
Deputy Defender  
Ellen J. Curry

909 Water Tower Circle  
Mt. Vernon, Illinois

STATE OF ILLINOIS  
**OFFICE OF THE STATE APPELLATE DEFENDER**  
**ANALYSIS OF OPERATIONS**  
For the Two Years Ended June 30, 2020

(NOT EXAMINED)

**Caseload Activity**

The Office monitors the caseloads handled by the courts and maintains statistical records of all cases handled by each district office, both as historical record and as a guideline for future expected activity. The following table presents the caseload activity for the Fiscal Year Ended June 30,

	<u>2020</u>	<u>2019</u>	<u>2018</u>
Cases Pending at the Beginning of the Year	5,024	5,560	5,713
Plus:			
Appointed	1,907	2,218	2,449
Re-opened	0	0	0
Less Cases:			
Closed	<u>(2,381)</u>	<u>(2,754)</u>	<u>(2,602)</u>
Cases Pending at Year-End	<u><u>4,550</u></u>	<u><u>5,024</u></u>	<u><u>5,560</u></u>

**Briefs Filed**

The following table presents the briefs filed by the Office for the Fiscal Year Ended June 30,

	<u>2020</u>	<u>2019</u>	<u>2018</u>
Number of Original Briefs	1,452	1,475	1,467
Number of <i>Anders</i> Briefs	187	168	143
Motions to Withdraw/Dismiss Filed	541	452	461
Summary Motions	<u>152</u>	<u>185</u>	<u>178</u>
Total	<u><u>2,332</u></u>	<u><u>2,280</u></u>	<u><u>2,249</u></u>

STATE OF ILLINOIS  
**OFFICE OF THE STATE APPELLATE DEFENDER**  
**ANALYSIS OF OPERATIONS**  
For the Two Years Ended June 30, 2020

(NOT EXAMINED)

**Planning**

The Office's formal planning program is limited because its activities throughout the year are contingent upon the number of appeals case to which they are appointed. The Office's mission is to provide each client appointed by the Courts with high quality legal services and maintain a staff that is dedicated to its clients' interests and improvement of the criminal justice system.

The Office conducts much of its planning in conjunction with the budget process. Deputy Defenders from each division participate in planning and executing their office's budget. The Chief Fiscal Officer prepares and monitors the agency-wide budget using this information. The State Appellate Defender advises and approves the budget. The State Appellate Defender holds frequent meetings with the Deputy Defenders to assess the budget, monitor caseload progress, and to ensure that each division is operating effectively. The Office has documented policies and procedures to ensure attorneys are achieving minimum standards of quality and productivity.

The Office monitors the caseloads handled by the courts and maintains statistical records of all cases handled by each district office, both as historical record and as a guideline for future expected activity.

**Significant Challenges**

The biggest challenge for the Office has been the backlog of cases. This challenge has been addressed by hiring an additional 10 attorneys, by creating a program that contracts with private attorneys to handle some of the cases, and by finding ways to work more efficiently. The Office has reduced the backlog significantly during the last three years from 3,759 cases in January 2018 to 1,465 cases today.

STATE OF ILLINOIS  
OFFICE OF THE STATE APPELLATE DEFENDER  
ANAYLSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES  
For the Two Years Ended June 30, 2020

(NOT EXAMINED)

**Fiscal Year 2020 Compared to Fiscal Year 2019**

**General Revenue Fund - 001**

Printing

The decrease was due to the Covid-19 pandemic restrictions, which led to a majority of Office staff working from home from March 2020 through June 2020. As a result, the Office had a reduced need for paper.

Equipment

The decrease was due to the Office purchasing fewer library books during Fiscal Year 2020.

Electronic Data Processing

The decrease was due to the Office purchasing new laptops, printers, and switches during Fiscal Year 2019, which reduced the EDP replacement costs during Fiscal Year 2020.

Telecommunications

The decrease was due to the Office upgrading its phone system to voice over internet protocol (VOIP) in three district offices during Fiscal Year 2019. The upgrade reduced the number of desk phones and reduced telecommunication costs during Fiscal Year 2020.

Alice Washington vs. State Appellate Defender

The decrease was due to the Office receiving a one-time appropriation designated for the settlement of litigation in the case of *Alice Washington v. Office of the State Appellate Defender* during Fiscal Year 2019.

**Fiscal Year 2019 Compared to Fiscal Year 2018**

**General Revenue Fund - 001**

Travel

The increase was due to five assistant appellate defenders attending the National Legal Aid and Defender conference in New Orleans during January 2019. No attorneys attended this conference during Fiscal Year 2018.

Printing

The increase was due to the Office making additional purchases during Fiscal Year 2019 to replenish the supply of copy paper and envelopes.

STATE OF ILLINOIS  
**OFFICE OF THE STATE APPELLATE DEFENDER**  
**ANAYLSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES**  
For the Two Years Ended June 30, 2020

(NOT EXAMINED)

Alice Washington vs. State Appellate Defender

The increase was due to the Office receiving a one-time appropriation designated for the settlement of litigation in the case of *Alice Washington v. Office of the State Appellate Defender* during Fiscal Year 2019.

Law Student Program

The increase was due to the implementation of the Law Student Program during Fiscal Year 2019.

Juvenile Defender Resource Center

The increase was due to the Office receiving funding for the first time during Fiscal Year 2019 for the Juvenile Defender Resource Center.

State Matching Portion: Expenses Related to Federally-Assisted Programs to Provide Public Defenders in Rural Counties

The decrease was due to the rural defense grant program ending during Fiscal Year 2018.

**State Appellate Defender Federal Trust Fund – 117**

Federal Portion: Expenses Related to Federally-Assisted Programs to Provide Public Defenders in Rural Counties

The decrease was due to the rural defense grant program ending during Fiscal Year 2018.

STATE OF ILLINOIS  
OFFICE OF THE STATE APPELLATE DEFENDER  
ANAYLSIS OF SIGNIFICANT VARIATIONS IN RECEIPTS  
For the Two Years Ended June 30, 2020

(NOT EXAMINED)

**Fiscal Year 2020 Compared to Fiscal Year 2019**

**General Revenue Fund - 001**

Prior Year Refunds

The decrease was due to a vendor refund received during Fiscal Year 2019 after completion of the real estate tax reconciliation.

**State Appellate Defender Federal Trust Fund - 117**

US Department of Justice – Illinois Criminal Justice Information Authority (ICJIA)

The decrease was due to this federal program ending during Fiscal Year 2019.

**Fiscal Year 2019 Compared to Fiscal Year 2018**

**General Revenue Fund - 001**

Prior Year Refunds

The increase was due to a vendor refund received during Fiscal Year 2019 after completion of the real estate tax reconciliation.

**State Appellate Defender Federal Trust Fund - 117**

US Department of Justice – Illinois Criminal Justice Information Authority (ICJIA)

The decrease was due to this federal program ending during Fiscal Year 2019. The Office received the final receipts related to the rural defense grant during the first quarter of Fiscal Year 2019.

STATE OF ILLINOIS  
OFFICE OF THE STATE APPELLATE DEFENDER  
ANAYLSIS OF SIGNIFICANT LAPSE PERIOD SPENDING  
For the Two Years Ended June 30, 2020

(NOT EXAMINED)

**Fiscal Year 2020**

The Office did not have any significant Lapse Period Spending.

**Fiscal Year 2019**

The Office did not have any significant Lapse Period Spending.

STATE OF ILLINOIS  
**OFFICE OF THE STATE APPELLATE DEFENDER**  
**NUMBER OF EMPLOYEES**

(NOT EXAMINED)

For the Fiscal Year Ended June 30,

AVERAGE FULL-TIME EMPLOYEES

<u>Division</u>	<u>2020</u>	<u>2019</u>	<u>2018</u>
Administrative Office	14	14	14
First District Office	126	129	120
Second District Office	28	27	24
Third District Office	22	22	22
Fourth District Office	27	24	27
Fifth District Office	17	16	18
Information Technology Department	4	4	4
Expungement Unit	1	1	1
Juvenile Defender Resource Center	<u>3</u>	<u>3</u>	<u>0</u>
Total Full-Time Equivalent Employees	<u>242</u>	<u>240</u>	<u>230</u>

Note 1: This schedule presents the average number of employees, by division, at the Office.