



STATE OF ILLINOIS
**OFFICE OF THE
 AUDITOR GENERAL**

Frank J. Mautino, Auditor General

SUMMARY REPORT DIGEST

GUARDIANSHIP AND ADVOCACY COMMISSION

Compliance Examination
 For the Two Years Ended June 30, 2017

Release Date: October 11, 2018

FINDINGS THIS AUDIT: 5				AGING SCHEDULE OF REPEATED FINDINGS			
	<u>New</u>	<u>Repeat</u>	<u>Total</u>	<u>Repeated Since</u>	<u>Category 1</u>	<u>Category 2</u>	<u>Category 3</u>
Category 1:	0	0	0	2015		17-04	
Category 2:	1	4	5	2011		17-03	
Category 3:	<u>0</u>	<u>0</u>	<u>0</u>	2009		17-02	
TOTAL	1	4	5	2007		17-01	
FINDINGS LAST AUDIT: 4							

SYNOPSIS

- (17-02) The Commission did not have a sufficient number of members and did not always conduct quarterly meetings.
- (17-03) The Commission did not exercise adequate internal control over conducting performance evaluations for its employees.

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

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

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

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

**GUARDIANSHIP AND ADVOCACY COMMISSION
COMPLIANCE EXAMINATION
For the Two Years Ended June 30, 2017**

EXPENDITURE STATISTICS	2017	2016	2015
Total Expenditures.....	\$ 9,800,370	\$ 9,865,575	\$ 10,555,111
OPERATIONS TOTAL.....	\$ 9,800,370	\$ 9,865,575	\$ 10,555,111
% of Total Expenditures.....	100.0%	100.0%	100.0%
Personal Services.....	8,301,970	8,330,368	8,995,815
Other Payroll Costs (FICA, Retirement).....	649,499	673,633	725,922
All Other Operating Expenditures.....	848,901	861,574	833,374
Total Receipts.....	\$ 101,175	\$ 100,490	\$ 124,318
Average Number of Employees.....	100	100	105

SELECTED ACTIVITY MEASURES (NOT EXAMINED)	2017	2016	2015
Office of the State Guardian			
Wards Served.....	5,676	5,163	5,108
Medical Consents Given.....	14,217	12,457	12,884
Quarterly Visits to Wards.....	19,208	17,215	18,759
Fiduciary Transactions Performed.....	12,196	11,597	12,244
Legal Advocacy Service			
Cases Handled.....	8,729	6,393	6,767
Total Clients Served.....	7,075	9,627	9,058
Human Rights Authority			
Cases Handled.....	278	235	284
Disabled Persons Benefited.....	13,188	12,163	35,295

EXECUTIVE DIRECTOR
During Examination Period: Dr. Mary Milano
Currently: Dr. Mary Milano

**FINDINGS, CONCLUSIONS, AND
RECOMMENDATIONS**

**NONCOMPLIANCE WITH THE GUARDIANSHIP AND
ADVOCACY ACT**

The Guardianship and Advocacy Commission (Commission) did not have a sufficient number of members and did not always conduct quarterly meetings.

We noted the following:

Insufficient number of members

- The Commission operated with only nine members as of June 30, 2016, and ten members as of June 30, 2017. Of the ten members serving as of June 30, 2017, seven were serving on expired appointments. The original appointments of these seven members were made between Fiscal Year 2003 and Fiscal Year 2011, resulting in members serving up to five consecutive terms.

**Some members serving the
equivalent of five terms**

Commission did not meet quarterly

- The Commission did not meet at least once every three months during Fiscal Year 2016. The Commission did not meet between the months of September 2015 and February 2016. (Finding 2, pages 13-14) **This finding has been repeated since 2009.**

We recommended the Commission continue to work with the Governor's Office to fill vacancies. We also recommended the Commission's chair schedule and conduct meetings at least once every three months.

Commission officials agree

The Commission agreed with the finding, indicating meetings were scheduled but cancelled due to a lack of a quorum and the Commission will continue to work with the Governor's Office to ensure appointments are made. *(For the previous Commission response, see Digest Footnote #1.)*

**INADEQUATE CONTROL OVER PERFORMANCE
EVALUATIONS**

The Commission did not exercise adequate internal control over conducting performance evaluations for its employees.

We noted the following:

Untimely performance evaluations

- Five of 16 (31%) employees tested did not have employee performance evaluations conducted within 30 days after the yearly evaluation period ended. The performance evaluations were administered between 1 and 142 days late.

Evaluations not performed

- Annual performance evaluations for 6 of 16 (38%) employees tested were not completed for Fiscal Year 2016.
- Annual performance evaluations for 6 of 16 (38%) employees tested were not completed for Fiscal Year 2017. (Finding 3, page 15-16) **This finding has been repeated since 2011.**

We recommended the Commission comply with the Illinois Administrative Code and take appropriate measures to ensure performance evaluations are conducted in a timely manner.

Commission officials agree

The Commission agreed with the finding, noting they will strive to complete evaluations in a timely manner. *(For the previous Commission response, see Digest Footnote #2.)*

OTHER FINDINGS

The remaining findings pertain to inadequate control over employee attendance records, State property, and Agency Workforce Reports. We will review the Commission's progress towards the implementation of our recommendations in our next compliance examination.

ACCOUNTANT'S OPINION

The accountants conducted a compliance examination of the Commission for the two years ended June 30, 2017, as required by the Illinois State Auditing Act. The accountants stated the Commission complied, in all material respects, with the requirements described in the report.

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

SIGNED ORIGINAL ON FILE

JANE CLARK
Division Director

This report is transmitted in accordance with Section 3-14 of the Illinois State Auditing Act.

SIGNED ORIGINAL ON FILE

FRANK J. MAUTINO
Auditor General

FJM:SDW

DIGEST FOOTNOTES

#1 - NONCOMPLIANCE WITH THE GUARDIANSHIP AND ADVOCACY ACT – Previous Commission Response

2015: The Commission agrees with the facts of the finding. Quarterly meetings were scheduled but were cancelled when a quorum was not met. The Commission staff are working with the Governor's Office to try and ensure a full complement of Commissioners who are serving appointed and current terms, which will enable quorum requirements to be more consistently met. The Commission complies with all requirements of the Open Meetings Act which prevents business from being conducted in the absence of a quorum.

#2 - INADEQUATE CONTROL OVER PERFORMANCE EVALUATIONS – Previous Commission Response

2015: The Commission agrees with the finding. Commission management will strive to complete evaluations in a more timely manner.