

**STATE OF ILLINOIS**  
**JUDICIAL INQUIRY BOARD**



**2024 REPORT**

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Megan Applegate  
Elaine B. Johnson  
Sean Nash  
Jonathan S. Quinn  
Honorable Amy Sholar  
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STATE OF ILLINOIS  
JUDICIAL INQUIRY BOARD

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Greetings Illinois State Court Judges:

The Illinois Judicial Inquiry Board is pleased to present its 2024 Report which explains the Board's constitutional authority and describes its procedures. The report also provides a summary of action taken on all requests for investigation received during the past few fiscal years, and summaries of formal complaints filed against judges with the Illinois Courts Commission.

The Illinois Constitution charges the Board with the responsibility of receiving and investigating allegations of ethical misconduct and physical or mental incapacity made against judges serving in the state courts of Illinois, and when warranted, to file and prosecute formal complaints before the Commission.

After a preliminary examination, most requests for investigation are determined to be facially meritless and no investigation is undertaken. Conversely, if the allegations are determined not to be patently frivolous or unfounded, the Board may initiate an investigation. Possible outcomes of the investigation include:

- Closure without further action.
- Require the judge to provide a letter of explanation.
- Require the judge to appear before the Board and provide sworn testimony.
- Closure with a letter of caution issued to the judge.
- A written supervision agreement between the judge and Board for a period of up to two years for periodic observation and review of the judge's conduct.
- Filing of a formal complaint with the Courts Commission.

All proceedings before the Board are confidential except for the filing of a formal complaint with the Commission. Through its investigative and prosecutorial efforts, the Board performs its constitutional role in protecting the integrity and independence of the judiciary.

I trust you will find this report useful.

Very truly yours,

A handwritten signature in cursive script that reads "David P. Sterba".

David P. Sterba  
*Chairman*  
*Illinois Judicial Inquiry Board*

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2024 REPORT  
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## INTRODUCTION

This Report is published by the State of Illinois Judicial Inquiry Board, the sole disciplinary entity with jurisdiction to inquire into allegations of misconduct and physical/mental incapacity of active Illinois state court judges.

After investigation and upon determination by the Judicial Inquiry Board that there is a reasonable basis to charge a judge with misconduct and/or incapacity, the Judicial Inquiry Board will file and prosecute a formal complaint before the Illinois Courts Commission.

## CONSTITUTIONAL AUTHORITY

Beginning in 1960 with California and concluding in 1981 with Washington, every state in the United States and the District of Columbia has established formal procedures to address questions of judicial misconduct and physical/mental incapacity. The majority of states created judicial disciplinary systems by constitutional provision and a minority have done so by legislation. The present Illinois system was established by Article VI of the Illinois Constitution adopted in 1970, effective July 1, 1971, as amended, effective November 23, 1998. There is no enabling legislation in Illinois affecting this constitutional scheme.

The applicable provisions of Article VI, Section 15, are as follows:

- (b) A Judicial Inquiry Board is created. The Supreme Court shall select two Circuit Judges as members and the Governor shall appoint four persons who are not lawyers and three lawyers as members of the Board. No more than two of the lawyers and two of the non-lawyers appointed by the Governor shall be members of the same political party. The terms of Board members shall be four years. A vacancy on the Board shall be filled for a full term in the manner the original appointment was made. No member may serve on the Board more than eight years.
- (c) The Board shall be convened permanently, with authority to conduct investigations, receive or initiate complaints concerning a Judge or Associate Judge, and file complaints with the Courts Commission. The Board shall not file a complaint unless five members believe that a reasonable basis exists (1) to charge the Judge or Associate Judge with willful misconduct in office, persistent failure to perform his duties, or other conduct that is prejudicial to the administration of justice or that brings the judicial office into disrepute, or (2) to charge that the Judge or Associate Judge is physically or mentally unable to perform his duties. All proceedings of the Board shall be confidential except the filing of a complaint with the Courts Commission. The Board shall prosecute the complaint.
- (d) The Board shall adopt rules governing its procedures. It shall have subpoena power and authority to appoint and direct its staff. Members of the Board who are not Judges shall receive per diem compensation and necessary expenses; members who are Judges shall receive necessary expenses only. The General Assembly by law shall appropriate funds for the operation of the Board.

(e) An Independent Courts Commission is created consisting of one Supreme Court Judge selected by that Court as a member and one as an alternate, two Appellate Court Judges selected by that Court as members and three as alternates, two Circuit Judges selected by the Supreme Court as members and three as alternates, and two citizens selected by the Governor as members and two as alternates. Members and alternates who are Appellate Court Judges must each be from a different Judicial District. Members and alternates who are Circuit Judges must each be from a different Judicial District. Members and alternates of the Commission shall not be members of the Judicial Inquiry Board. The members of the Commission shall select a chairperson to serve a two-year term.

The Commission shall be convened permanently to hear complaints filed by the Judicial Inquiry Board. The Commission shall have authority after notice and public hearing, (1) to remove from office, suspend without pay, censure or reprimand a Judge or Associate Judge for willful misconduct in office, persistent failure to perform his or her duties, or other conduct that is prejudicial to the administration of justice or that brings the judicial office into disrepute, or (2) to suspend, with or without pay, or retire a Judge or Associate Judge who is physically or mentally unable to perform his or her duties.

(f) The concurrence of four members of the Commission shall be necessary for a decision. The decision of the Commission shall be final.

(g) The Commission shall adopt comprehensive rules to ensure that its procedures are fair and appropriate. These rules and any amendments shall be public and filed with the Secretary of State at least 30 days before becoming effective.

(h) A member of the Commission shall disqualify himself or herself, or the other members of the Commission shall disqualify a member, with respect to any proceeding in which disqualification or recusal would be required of a Judge under rules of the Supreme Court, under rules of the Commission, or by law.

If a Supreme Court Judge is the subject of a proceeding, then there shall be no Supreme Court Judge sitting as a member of the Commission with respect to that proceeding. Instead, an alternate Appellate Court Judge not from the same Judicial District as the subject Supreme Court Judge shall replace the subject Supreme Court Judge. If a member who is an Appellate Court Judge is the subject of a proceeding, then an alternate Appellate Court Judge shall replace the subject Appellate Court Judge. If an Appellate Court Judge who is not a member is the subject of a proceeding and an Appellate Court Judge from the same Judicial District is a member, then an alternate Appellate Court Judge shall replace that member. If a member who is a Circuit Judge is the subject of a proceeding, then an alternate Circuit Judge shall replace the subject Circuit Judge. If a Circuit Judge who is not a member is the subject of a proceeding and a Circuit Judge from the same Judicial District is a member, then an alternate Circuit Judge shall replace that member.

If a member of the Commission is disqualified under this section with respect to any proceeding, that member shall be replaced by an alternate on a rotating basis in a manner provided by rule of the Commission. The alternate shall act as member of the Commission with respect to that proceeding only.

(i) The Commission shall have power to issue subpoenas.

(j) Members and alternates of the Commission who are not Judges shall receive per diem compensation and necessary expenses; members and alternates who are Judges shall receive necessary expenses only. The General Assembly shall provide by law for the expenses and compensation of the Commission.

## MEMBERS OF THE JUDICIAL INQUIRY BOARD



**David P. Sterba** is a lawyer member and the Board's Chair. He was appointed to the Board in 2014 and reappointed in 2017. He became a partner at the law firm of Walsh, Fewkes & Sterba in 2013 after retiring from the Illinois judiciary. During his career on the bench, he served as a justice on the Illinois Appellate Court, First District; presiding judge of the Fifth Municipal District of the Circuit Court of Cook County, where he supervised 24 judges and oversaw the court operations for 35 municipalities; and for 10 years as a felony trial judge. Prior to his judicial career he was in private practice concentrating in criminal defense. Before that he was a felony prosecutor in the Cook County State's Attorney's office. For several years he taught trial advocacy at the University of Illinois Chicago School of Law, and has written and presented on various legal topics, including judicial ethics. He was admitted to the Illinois bar in 1984.



**Honorable Kent Delgado**, a judicial member and the Board's Vice Chair, was appointed by the Illinois Supreme Court in August of 2019. The Illinois Supreme Court appointed Judge Delgado Circuit Court Judge in Cook County in January of 2017 and the people of Cook County elected him to the same position in December 2018. Judge Delgado currently sits in the Cook County Probate Division where he presides over decedent's estates. He has been a licensed attorney for over 20 years. Before becoming a Judge, he was engaged in the private practice of law as a litigation and transactional attorney. After setting up the practice in 2007, he built an office in a neighborhood storefront on the corner of Western and Augusta in Humboldt Park/Ukrainian Village where he served his neighborhood. His practice concentrated on criminal defense, traffic, immigration, probate, and real estate. Prior to forming his firm, he worked at the Cook County State's Attorney's Office where he received the Constance Morris House Award for commitment and service to domestic violence victims. Judge Delgado currently sits on the Illinois Supreme Court's Judicial Performance Evaluation Committee and the Chicago Bar Association's Probate Forms Committee. He received the Cook County Bar Association Judicial Award for his commitment to fairness and diversity. Judge Delgado received his undergraduate degree from Georgetown University and his law degree from Loyola University.



**Elaine Bailey Johnson**, a public member, was appointed in November 2017. Mrs. Johnson is a retired Chicago Public School Teacher, who taught Biology at South Shore High School for 34 years. She earned a Bachelor of Science from Roosevelt University (Chicago), Master of Science from Chicago State University, and received additional educational training at the following institutions: Howard University, Illinois Institute of Technology, University of Chicago, Stanford University, Johnson Space Center (Houston, Texas), Payne

Theological Seminary Alternative Theological Education Program, and the Balm in Gilead – ISIS Project Peer Education Training. Mrs. Johnson has been a member of the Woodlawn African Methodist Episcopal Church since 1961, where she has served in numerous leadership positions. Her community and professional experiences have included the following memberships and affiliations: Cook County Bar Association Auxiliary, National Bench and Bar Spouses, Department of Children and Family Services’ Statewide Citizens Committee on Child Abuse and Neglect, Ecumenical Liaison of Dr. Bettye J. Allen Community and Global Outreach Center, Church Women United, and Delta Sigma Theta Sorority, Inc.



**Ruby Smith**, a public member, was appointed in October 2019. Ruby Smith has more than twenty (20) years of progressive, nonprofit experience in strategic Human Resources Management, Corporate Compliance, and Operations Management in the healthcare legal services industries. Ruby is employed as the Chief Operating Officer at Legal Aid Chicago, a nonprofit, legal services agency. Before joining Legal Aid Chicago, Ruby worked as Vice President of HR and Compliance for Loretto Hospital, a community based

hospital on the west side of Chicago. Ruby served on the board of directors for Girls in the Game to assist in its effort to encourage physical and emotional health through fun and active sports, health and leadership programs. Additionally, Ruby was appointed to Fenger High School’s alumni association board to advise and support meaningful alumni engagement that connects Fenger alumni to one another and the school. Ruby holds a Masters of Jurisprudence from Loyola University at Chicago and a Bachelor of Science in Business Administration from Roosevelt University and has been recognized for her vast knowledge and accomplishments throughout her career including Crain’s Chicago Business as a 2020 Notable Leader in HR.



**Sean Nash**, is a lawyer member, appointed in October 2019. Mr. Nash holds a Bachelor of Arts degree from Stanford University as well as a Juris Doctor degree from Northwestern University School of Law. He was admitted to practice law in the State of Illinois by the Illinois Supreme Court in 1998. Mr. Nash has been admitted to practice in the United States District Courts for the Northern District of Illinois and the Central District of Illinois in 1998, the United States Court of Appeals for the 7<sup>th</sup> Circuit and the United States Supreme Court; he remains

currently licensed to practice law in those courts. Mr. Nash has extensive experience in Labor & Employment Law, Commercial Litigation and Products Liability Litigation, having practiced both with several large law firms and as in-house counsel for corporations throughout his career.



**Megan Applegate**, a public member, was appointed in March of 2022. Megan is currently employed as a Senior Administrative Assistant for the Village of New Lenox where, among other duties, she directly supports the mayor and village administrator as their representative to residents and businesses. Megan is a member of the local Community Emergency Response Team (C.E.R.T). Megan studied meteorology and education at the College of DuPage and Northern Illinois University. She has over 20 years of experience in a broad range of industries including, real estate, retail and direct sales, logistics and distribution, travel, and government. As a firefighter's wife and mother of three sons, Megan's personal interests include family, friends, and lifelong hobbies of hockey, running, travel, meteorology, and astronomy.



**Jonathan S. Quinn** is a lawyer member, appointed in December 2022. Mr. Quinn holds a Bachelor of Arts degree from Haverford College as well as a Juris Doctor degree from Northwestern University School of Law. He is admitted to practice law in the States of Illinois and New York. Mr. Quinn is a partner in the Commercial Litigation Practice Group at the Chicago law firm, Neal, Gerber & Eisenberg LLP, where he has practiced since 2013. Mr. Quinn is a trial lawyer who focuses on intricate, high-exposure commercial litigation matters, including breach of contract, business torts, antitrust and unfair trade practices, securities fraud and consumer fraud. He manages all facets of the adversarial process, including developing prelitigation strategy, pursuing injunctive relief, and acting as lead counsel through trials and hearings before state and federal courts and administrative agencies throughout the country. When not serving clients, Mr. Quinn enjoys educating the lawyers of tomorrow. He is an adjunct professor of trial advocacy at Northwestern Pritzker School of Law, where he has taught for 35 years and is also a faculty member of the National Institute for Trial Advocacy. Mr. Quinn enjoys travel, sports, reading, food, theatre and music. He is married to Jennifer Lebold Quinn, a social worker, and they have two adult children – a daughter, Lily, and a son, Noah.



**Justice Amy Sholar**, a judicial member appointed by the Illinois Supreme Court in May of 2023, is a resident of the Alton/Godfrey Area and a lifelong resident of Madison County. She is a graduate of Southern Illinois University Edwardsville and received her law degree in 2001 from St. Louis University. Prior to taking the bench, she worked for the Madison County State's Attorney's Office and the City of Alton and then started her own practice in 2004. Justice Sholar was unanimously appointed as Circuit Judge by the Illinois Supreme Court and sworn in on April 30, 2021. She was thereafter elected Circuit Judge in 2022. Justice Sholar served continuously during her tenure as Presiding Judge of the Family Division. Most recently she was assigned to the Fifth District Appellate Court on March 1, 2024. Justice Sholar served as Trustee for the SIU Board of Trustees and in 2015 served as Chairperson. She is a former Secretary and President of the Alton-Wood River Bar Association. She is also a member of the Madison County Bar Association, the Alton-Wood River Bar Association, Tri-City Bar Association, the Illinois Bar Association and a member of the Illinois Judges' Foundation. She has served on a number of not for profit boards over the course of her career. She is married to John Schleeper and has two adult children, Sadie and Joseph Lupercio and two grandchildren.

## BIOGRAPHIES



**Michael J. Deno** was appointed by the Judicial Inquiry Board as its Executive Director and General Counsel in October 2020. Prior to his appointment, he served as an assistant state’s attorney for Cook County for 30 years. During that time, he prosecuted hundreds of bench and jury trials and argued numerous cases before the appellate courts. His last 10 years of service were as the supervisor of 26 assistant state’s attorneys in the Fifth Municipal District. Mr. Deno earned a Bachelor of Science degree in Economics from Illinois State University and his Juris Doctor degree from The John Marshall Law School.



**Mary B. McMahon** was appointed by the Judicial Inquiry Board as its Deputy Director in September of 2023. Prior to her appointment, Mary served as an assistant state’s attorney for Cook County for over 18 years. During that time, she prosecuted hundreds of bench and jury trials, including high-profile cases, homicides, and other brutal crimes. Her last 3 years of service were in supervisory positions at the Second and Third Municipal Districts, where she supervised 28 assistant state’s attorneys. Mary earned a Bachelor of Arts degree in Political Communication from The George Washington University and her Juris Doctor Degree from the DePaul University College of Law.

## THE REQUEST FOR INVESTIGATION PROCESS

Any person may file a request for investigation with the Judicial Inquiry Board (“Board”). A request for investigation form is located in **Appendix G** of this Report. Forms may be obtained by writing or calling the Board’s office or by downloading a form from the Board’s website – [jib.illinois.gov](http://jib.illinois.gov). The request for investigation, which is required to be submitted in writing, must state facts that substantiate the alleged misconduct and/or incapacity.

When a request for investigation is made against a judge, the Board acknowledges receipt of the request for investigation in writing. After an analysis by staff, the request for investigation and other relevant documents are forwarded to each Board member for review prior to its monthly meeting. At its meeting, the Board determines appropriate action, which may include the following:

- **Close** the request for investigation because the allegations did not constitute incapacity and/or misconduct under the law and standards of judicial conduct in Illinois. Most often these requests for investigation concern a losing litigant’s subjective perception that justice was not obtained in his or her cause. By closing the request for investigation, the Board does not pass judgment on the merits of the case. This is the sole responsibility of the Appellate Court. A letter is sent to the complainant informing him or her that the request for investigation has been closed.
- **Investigate** the allegation(s) contained in the request for investigation. An investigation may entail writing a letter to the judge to request his or her explanation of the matter, reviewing court and non-court documents, interviewing the complainant as well as other witnesses, or monitoring courtrooms. Investigations are continued until the Board has sufficient information upon which to base a final determination.
- **Appear before the Board.** Require the judge to appear before the Board and respond to questions regarding allegations of misconduct and/or incapacity. In this instance, the judge is served with written notice setting forth the allegations against him or her.

After an **investigation** is completed, the request for investigation and investigative materials are forwarded to each Board member for review prior to its monthly meeting. At its meeting, the Board determines appropriate action, which may include the following:

- Close the request for investigation because of insufficient cause to take further action.
- Close the request for investigation but monitor the judge’s courtroom.
- Close the request for investigation and issue the judge a private letter of admonishment or caution.

**Note:** In each of the above instances, a letter is sent to the complainant informing him or her that the request for investigation has been closed.

- Require the judge to appear before the Board and respond to questions regarding allegations of misconduct and/or incapacity. In this instance, the judge is served with written notice setting forth the allegations against him or her.

In instances where the Board requires the judge to **appear**, the Board may take the following action after the judge's appearance:

- Close the request for investigation.
- Close the request for investigation but monitor the judge's courtroom.
- Close the request for investigation and issue the judge a private letter of admonishment or caution.

**Note:** In each of the above instances, a letter is sent to the complainant informing him or her that the request for investigation has been closed.

- Defer termination of the investigation for a period not to exceed two years for observation and review of the judge's conduct.
- File formal charges against the judge with the Illinois Courts Commission ("Commission").

In those cases where the Board does **file a formal complaint** with the Courts Commission, the Board serves as prosecutor in the proceedings before the Commission. If the Commission sustains the Board's complaint, it has the sole authority to impose the following sanctions:

- Remove from office
- Suspend without pay
- Censure
- Reprimand
- Suspend, with or without pay, or retire a judge who is physically or mentally unable to perform his or her duties

The Board has only limited authority to correct perceived shortcomings in the administration of justice. It cannot intervene in ongoing litigation, have a judge removed from a case, review judicial decisions, or take action against judges for being "too hard" or "too soft" in sentencing. The Board has **no jurisdiction** to investigate allegations of misconduct and/or incapacity against retired judges, lawyers, police officers, court personnel, administrative law judges, federal judges, arbitrators, hearing officers, or anyone other than active judges of the State of Illinois.

Like most other states, the initial investigation by the Board is conducted on a confidential basis. The matter remains confidential until a determination is made to publicly charge a judge with misconduct and/or incapacity. Should someone other than a Board or staff member make public the existence of a Board inquiry or investigation, such disclosure is not within the authority of the Board to address. This constitutional requirement of confidentiality protects the judiciary from unjust criticism and protects those who furnish information to the Board. The confidentiality requirement also means, however, that the Board **cannot** discuss its investigations with third parties and **will not** engage in debate over why it did or did not publicly charge a judge in a particular situation.

The many grievances to the Board that do not result in charges being filed with the Courts Commission are nonetheless helpful in the improvement of the judicial system. Sometimes the judge under investigation will retire/resign prior to a Complaint being filed with the Courts

Commission. Also, a request for investigation of a single instance of alleged judicial impropriety, standing alone, may not be sufficient to publicly charge a judge before the Courts Commission, but subsequent requests for investigations against the same judge may ultimately call for Board action. The availability of such a mechanism to the public for the expression of grievances is a very real, though intangible, benefit.

## **IMPAIRMENT**

Alcohol or drug abuse by a judicial officer may suggest a possible impairment in the performance of judicial duties. In the absence of associated judicial misconduct, the Board initially pursues such matters with a view towards intervention. If it appears that instances of misconduct resulted from alcohol or drug abuse, the Board will emphasize treatment while mindful of its public responsibility to charge and prosecute aberrant conduct.

## **INCAPACITY**

A sensitive and difficult problem confronting the Board is the physically and mentally incapacitated judge. This issue can arise concerning a judge who has given many years of able service to the State. Most judges who become physically or mentally disabled retire without any action on the part of the Board. In other cases, the fact that an investigation was initiated may lead to a voluntary decision by the judge to retire.

**INFORMATION REGARDING REQUESTS FOR INVESTIGATION  
RECEIVED/INITIATED DURING FISCAL YEARS 2015 THROUGH 2024  
The Judicial Inquiry Board's ("Board") Fiscal Year ("FY): July 1 through June 30**

<b>THE BOARD HAS NO AUTHORITY CONCERNING REQUESTS FOR INVESTIGATION FILED AGAINST</b> - retired Illinois state court judges, attorneys, court staff, police officers, federal judges, administrative law judges, arbitrators, or hearing officers.
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**TABLE 1**

**REQUESTS FOR INVESTIGATION RECEIVED/INITIATED AGAINST ACTIVE  
STATE COURT JUDGES AND NON-INCUMBENT JUDICIAL CANDIDATES**

	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>	<b>FY20</b>	<b>FY21</b>	<b>FY22</b>	<b>FY23</b>	<b>FY24</b>
	483	483	527	539	609	404	604	499	527	556

Note: some judges/candidates were the subject of more than one request.

**TABLE 2**

**REQUESTS FOR INVESTIGATION RECEIVED/INITIATED BY JUDICIAL OFFICE  
OR AGAINST NON-INCUMBENT JUDICIAL CANDIDATES**

	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>	<b>FY20</b>	<b>FY21</b>	<b>FY22</b>	<b>FY23</b>	<b>FY24</b>
<b>Supreme/Appellate Court</b>	13	22	27	22	36	40	44	14	22	32
<b>Circuit Court</b>	289	273	298	334	348	226	341	293	295	297
<b>Circuit Court-Associate</b>	180	176	201	180	224	135	218	187	207	226
<b>Candidate</b>	1	12	1	3	1	3	1	5	3	1
<b>TOTAL</b>	<b>483</b>	<b>483</b>	<b>527</b>	<b>539</b>	<b>609</b>	<b>404</b>	<b>604</b>	<b>499</b>	<b>527</b>	<b>556</b>

**TABLE 3**

**REQUESTS FOR INVESTIGATION RECEIVED/INITIATED BY SOURCE**

	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>	<b>FY20</b>	<b>FY21</b>	<b>FY22</b>	<b>FY23</b>	<b>FY24</b>
<b>Litigant/Family/Friend</b>	430	420	466	464	544	345	560	452	515	507
<b>Judge/Attorney</b>	32	28	30	37	38	21	19	21	6	18
<b>Other*</b>	21	35	31	38	27	38	25	26	6	31
<b>TOTAL</b>	<b>483</b>	<b>483</b>	<b>527</b>	<b>539</b>	<b>609</b>	<b>404</b>	<b>604</b>	<b>499</b>	<b>527</b>	<b>556</b>

\*Includes: anonymous letters, concerned citizens, court staff/watchers, news reports, witnesses.

**TABLE 4**

**REQUESTS FOR INVESTIGATION RECEIVED/INITIATED BY COURT DIVISION**

	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>	<b>FY20</b>	<b>FY21</b>	<b>FY22</b>	<b>FY23</b>	<b>FY24</b>
<b>Domestic Relations</b> (e.g. divorce, paternity, child custody/support, visitation, alimony, orders of protection, civil no contact orders)	123	100	113	123	163	92	135	126	107	144
<b>Criminal</b>	224	201	241	246	253	181	307	241	249	197
<b>Law</b> (e.g. contract disputes, personal injury, malpractice suits - damages sought are greater than \$50,000)	13	23	23	21	28	26	50	20	34	45
<b>Law/Magistrate</b> (e.g. evictions, housing, garnishment, contract disputes, personal injury - damages sought are \$50,000 or less)	19	34	30	45	46	31	23	32	19	22
<b>Probate</b> (e.g. contest of wills, guardianships for minors and disabled adults)	26	22	15	19	13	13	10	18	20	19
<b>Juvenile</b> (e.g. abuse, neglect, delinquent)	11	9	5	5	10	5	16	12	23	23
<b>Small Claims</b> (e.g. bad debts, contract disputes, property damage, personal injury – damages sought are not in excess of \$10,000)	10	13	18	10	19	10	7	7	13	22
<b>Traffic</b> (e.g. speeding, driving on a suspended or revoked license, operating an uninsured motor vehicle)	10	3	12	1	5	10	7	7	12	9
<b>Chancery</b> (e.g. mortgage, foreclosures, injunctions, mechanics liens)	31	39	22	28	24	18	16	12	18	25
<b>Other</b> (e.g. personal/off-bench conduct, inappropriate political or civic/charitable activities)	33	35	41	45	42	18	33	24	32	50
<b>TOTAL</b>	<b>483</b>	<b>483</b>	<b>527</b>	<b>539</b>	<b>609</b>	<b>404</b>	<b>604</b>	<b>499</b>	<b>527</b>	<b>556</b>

**TABLE 5**  
**REQUESTS FOR INVESTIGATION RECEIVED/INITIATED BY CIRCUIT**

	FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY23	FY24
<b>Cook</b>	243	236	256	268	334	170	322	220	225	244
<b>1<sup>st</sup></b>	4	8	14	5	4	5	4	15	9	15
<b>2<sup>nd</sup></b>	6	3	2	1	8	7	4	7	4	9
<b>3<sup>rd</sup></b>	6	7	7	2	5	10	18	7	12	6
<b>4<sup>th</sup></b>	11	7	8	6	6	7	7	11	8	14
<b>5<sup>th</sup></b>	3	1	2	8	12	3	6	8	4	5
<b>6<sup>th</sup></b>	27	20	12	11	11	19	11	11	16	16
<b>7<sup>th</sup></b>	10	13	19	13	8	11	17	15	17	23
<b>8<sup>th</sup></b>	6	4	2	5	10	4	7	8	4	7
<b>9<sup>th</sup></b>	2	2	9	5	4	7	9	4	9	11
<b>10<sup>th</sup></b>	7	7	11	22	8	9	11	14	15	19
<b>11<sup>th</sup></b>	8	9	18	8	8	12	9	34	22	18
<b>12<sup>th</sup></b>	33	17	16	20	11	16	27	14	26	17
<b>13<sup>th</sup></b>	6	7	5	9	5	9	8	8	5	12
<b>14<sup>th</sup></b>	6	8	14	9	6	10	10	10	15	11
<b>15<sup>th</sup></b>	9	7	6	9	4	2	7	5	9	5
<b>16<sup>th</sup></b>	12	10	13	15	8	18	13	8	16	17
<b>17<sup>th</sup></b>	18	10	6	25	13	11	24	23	13	27
<b>18<sup>th</sup></b>	19	11	25	25	17	15	30	22	18	28
<b>19<sup>th</sup></b>	4	17	25	18	23	9	15	15	14	15
<b>20<sup>th</sup></b>	12	20	20	14	17	12	16	15	29	11
<b>21<sup>st</sup></b>	9	8	5	5	6	9	10	1	6	8
<b>22<sup>nd</sup></b>	1	13	1	6	0	6	10	1	1	13
<b>23<sup>rd</sup></b>	7	4	3	5	2	2	4	4	4	5
<b>24<sup>th</sup></b>	-	-	-	-	-	-	-	-	1	0

**TABLE 6**  
**DISPOSITION OF REQUESTS FOR INVESTIGATION**

<b>Disposition After Initial Review by the Board</b>	FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY23	FY24
Closed	367 (1)*	366	394	433	479	313	522	428	463	531
Investigated	116	117	133	106	130	91	82	71	64	25
<b>Disposition After Investigated</b>	FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY23	FY24
Closed	98 (1)*	102	105	83 (1)*	107 (5)*	84 (1)*	80 (2)*	59 (3)*	61 (5)*	23 (5)*
Requested Judge to Appear Before the Board	18 (5)*	15 (3)*	28 (5)*	23 (3)*	23 (5)*	7 (3)*	2 (1)*	12 (3)*	3 (1)*	2

\*Closed with Letter of Admonishment/Caution. Note: some Judges were the subject of multiple requests for investigation/investigations and may have appeared before the Board regarding more than one request for investigation.

**Concerning requests for investigation received/initiated during the above Fiscal Years, 27 Judges elected to retire/resign after receiving notification that they were the subject of allegations of misconduct or incapacity.**

**TABLE 7****REQUEST FOR INVESTIGATION ALLEGATIONS**

<b>Types of Allegations</b>	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>	<b>FY20</b>	<b>FY21</b>	<b>FY22</b>	<b>FY23</b>	<b>FY24</b>
Administrative Misconduct (e.g. failed to respond to complaints against other judges within the Circuit or supervise staff, did not report attorney to ARDC)	78	60	57	67	76	63	45	6	4	10
Alcohol/Drugs	8	3	3	4	6	1	2	2	1	0
Bias, Prejudice, Partiality (e.g. gave legal advice to plaintiff or defendant, acted as the prosecutor or an advocate, failed to allow self-represented litigant the right to be fully heard/present all evidence/file motions)	199	200	264	286	82	177	157	104	129	317
Delay in Scheduling or Deciding a Matter	37	28	43	44	42	34	13	13	25	27
Demeanor (e.g. impatient, rude, conduct that is intimidating, inappropriate language or commentary)	155	127	154	158	146	71	61	48	86	139
Ex Parte Communication (one-sided)	46	35	47	44	38	26	23	10	13	28
Failure to Recuse or Disqualify, Conflict of Interest	34	41	42	48	29	25	25	36	129	35
Illegal Activity or Action (e.g. retaliation, obstruction, conspiracy, fraud)	111	134	154	160	135	110	143	82	55	72

**TABLE 7  
(Continued)**

**REQUEST FOR INVESTIGATION ALLEGATIONS**

<b>Types of Allegations</b>	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>	<b>FY20</b>	<b>FY21</b>	<b>FY22</b>	<b>FY23</b>	<b>FY24</b>
Judicial Decision or Discretion (e.g. disagreement with court procedures, decisions or rulings, use or nonuse of evidence, criminal sentences)	351	349	390	394	373	266	404	287	392	430
Mental Incapacity	15	6	14	11	11	6	7	4	3	11
Physical Incapacity	5	2	2	0	0	0	0	0	1	4
Inappropriate Political Activity (e.g. publicly endorsed or opposed a candidate for public office, personal solicitation of funds, made speeches on behalf of a political organization, misrepresented qualifications)	8	19	9	9	10	7	9	4	12	6
Bias, Prejudice Based on Race, Sex, Religion, National Origin, Disability, Age, Sexual Orientation or Socioeconomic Status	71	72	65	79	87	33	21	34	11	44
Sexual Harassment/ Misconduct	2	1	9	13	14	4	1	2	1	1
Inappropriate Conduct Off the Bench (e.g. prohibited charitable, business or personal conduct)	6	8	12	11	6	3	8	7	7	5
Violation of Constitutional Rights	170	156	189	184	193	124	152	177	162	86
Prejudgment of a Case	39	18	21	31	34	13	8	2	4	10
Abuse of Power	47	39	63	67	47	26	44	41	25	18
Comment on Pending or Impending Case	7	1	1	1	0	2	1	0	0	1
Other	2	0	0	0	18	3	1	0	5	0
<b>Total</b>	<b>1386</b>	<b>1299</b>	<b>1540</b>	<b>1627</b>	<b>1342</b>	<b>995</b>	<b>1125</b>	<b>858</b>	<b>1066</b>	<b>1244</b>

**Note: total exceeds number of requests for investigations received because requests for investigations contained multiple allegations.**

**RULES OF PROCEDURE  
OF  
THE JUDICIAL INQUIRY BOARD**  
(Established Pursuant to Article VI, Section 15 (d), Constitution of the State of Illinois)

**RULE 1 – DEFINITIONS**

When used in these Rules:

- (a) "Constitution" means the 1970 Constitution of the State of Illinois.
- (b) "Board" means the Judicial Inquiry Board created by the Constitution, Article VI, Section 15(b), (c) and (d).
- (c) "Commission" means the Courts Commission created by the Constitution, Article VI, Section 15(e), (f) and (g).
- (d) "Judge" means a judge or associate judge of the Supreme Court, the Appellate Court or any Circuit Court of the State of Illinois.
- (e) The term "misconduct" when used in reference to a judge or associate judge means and includes judicial misconduct (as distinguished from physical or mental disability) for which a judge is subject to discipline under the law and Constitution of Illinois and the rules adopted by the Supreme Court pursuant to Section 13(a) of Article VI of the Constitution.
- (f) The term "disability" when used in reference to a judge means a physical or mental disability to perform his or her duties. **(Amended effective October 11, 2013.)**

**RULE 2 - BOARD PERSONNEL**

- (a) The Board shall, with the concurrence of a majority of the appointed Board members, designate a Chair and a Vice-Chair, each to serve for a term of one year and until the designation, in like manner, of his or her respective successor. **(Amended effective October 11, 2013.)**
- (b) The Chair shall be the chief executive officer of the Board, shall preside at all meetings of the Board, and shall perform such other duties and have such other authority as the Board may delegate.
- (c) The Vice-Chair shall, in the absence or disability of the Chair, perform the duties and exercise the authorities of the Chair.
- (d) The Board may hire a staff, including an Executive Director.

### **RULE 3 – MEETINGS**

- (a) Meetings shall be held from time to time pursuant to the call of the Chair or three members of the Board.
- (b) Written notice stating the time and place of meetings shall be given to members of the Board at least two days prior to each meeting; but this two day written notice requirement may be waived by consent of all members of the Board. **(Amended effective October 11, 2013.)**
- (c) A majority of the appointed Board members shall constitute a quorum of the Board. The act of a majority of the members present at any meeting at which a quorum is present shall be the act of the Board unless the act of a greater number is required by the Constitution or by these Rules of Procedure. **(Amended effective October 11, 2013.)**
- (d) Any action, except a determination to file a complaint, required to be taken by the Board or at any meeting of the Board shall be deemed the action of the Board if all members of the Board execute, either before or after the action is taken, a written consent thereto and the consent is filed with the records of the Board.

### **RULE 4 - EXERCISE OF THE POWERS OF THE BOARD**

- (a) The Board (1) on its own motion, or (2) in response to information received by it tending to suggest that a judge is guilty of misconduct or is suffering from a disability, and which is not, on preliminary examination or inquiry, determined to be patently frivolous or unfounded, may initiate and conduct an investigation to determine whether a reasonable basis exists for the filing of a complaint with the Commission. During an investigation, the Board is authorized to interview, take testimony from, or otherwise gather information from a judge. In particular, the Board is authorized to take the following actions, including but not limited to:
  - (i) have an investigator, the Executive Director, or trial counsel appointed by the Board interview the judge outside of the presence of the Board;
  - (ii) have the Executive Director or trial counsel appointed by the Board take sworn testimony of the judge outside of the presence of the Board;
  - (iii) have the Executive Director or trial counsel appointed by the Board take sworn testimony of the judge within the presence of the Board;
  - (iv) issue written interrogatories or other written inquiries to the judge relating to conduct under investigation; and/or
  - (v) request a judge to appear, with counsel if the judge so elects, to discuss issues relating to conduct under investigation. **(Amended effective October 11, 2013.)**
- (b) Following an investigation, the Board may determine that a reasonable basis exists to charge a judge with misconduct or disability in a complaint filed with the Commission. Such determination shall require the concurrence of not less than five members of the Board.
- (c) In determining whether a reasonable basis exists to charge a judge with misconduct or disability, the Board will consider the rules of conduct for judges and associate judges adopted by the Supreme Court of Illinois, and the provisions of Sections 13(b), 15(c) and 15(e) of Article VI of the 1970 Illinois Constitution.

- (d) The Board shall, before proceeding to a determination that a reasonable basis exists to charge the judge before the Courts Commission, give the judge written notice of the substance of the proposed charge. This written notice will set forth a date, place and time at which the judge shall be required to appear before the Board, accompanied by counsel if the judge so elects.
- (e) During this required appearance before the Board, the judge shall be questioned by the Board, the Executive Director, or trial counsel appointed by the Board concerning the proposed charge, and the judge will be given the opportunity to make such statement in respect to the proposed charge as he/she may desire. In addition, the judge will be given the opportunity to present to the Board such information, oral or written (including the names of any witness he/she may wish to have heard by the Board) in respect to the proposed charge as he/she may desire. Such written information and names of witnesses shall be forwarded to the Board not less than 5 days prior to the judge's appearance. A judge may, upon concurrence of the Board, in his/her own person or through counsel, in writing waive his/her required appearance before the Board to respond to charges. **(Amended effective April 10, 1998; October 11, 2013.)**
- (f) No hearing of or appearance before the Board shall be continued except upon written motion supported by good cause. No hearing of or appearance before the Board shall be continued more than once except under extraordinary circumstances.
- (g) The Board shall not disclose the identity of any informant or complainant or any witness unless the Board determines that such disclosure is required by the circumstances of the case.
- (h) The Board shall not be bound by formal rules of evidence.
- (i) Nothing contained in these Rules shall be construed as granting any judge the right to examine or cross-examine witnesses who may be heard by the Board or to have subpoenas issued by the Board on his or her behalf, provided, however, that the Board, in its discretion, may permit such action. **(Amended effective October 11, 2013.)**
- (j) Upon a finding by the Board that a reasonable basis exists for the filing of a complaint against a judge before the Commission, the Board shall designate one or more licensed attorneys-at-law who are not members of the Board to conduct the prosecution of the complaint before the Commission. Prior to making a determination to file a complaint against a judge before the Commission, the Board may also designate one or more licensed attorneys-at-law who are not members of the Board to assist with the Board's investigation to determine whether a reasonable basis exists for the filing of a complaint with the Commission. During an investigation, counsel for the Board is authorized to take the following actions, including but not limited to: issue subpoenas, interview a judge outside of the presence of the Board, take sworn testimony of a judge outside of the presence of the Board, take sworn testimony of a judge within the presence of the Board, and take any other appropriate measures in furtherance of its representation of the Board. **(Amended effective October 11, 2013.)**
- (k) Where the Board determines that a judge's conduct does not warrant initiation of formal proceedings at that time, the Board may issue a letter to the judge, calling the judge's attention to conduct which should be avoided in the future. In appropriate cases, the Board may also defer termination of an investigation for a period not to exceed two years for observation and review of a judge's conduct. In such cases, the judge shall be advised in writing of the type of behavior for

which the judge is being monitored and also, if applicable, advised in writing of any specific measures that the Board requests the judge complete before the Board makes a determination. If the Board elects to defer its determination, it shall not limit the Board's consideration of misconduct involving other types of behavior which may be observed or reported during the period of monitoring. **(Adopted effective, April 10, 1998; Amended effective October 11, 2013.)**

## **RULE 5 – CONFIDENTIALITY**

(a) The proceedings of the Board and all information and materials, written or oral, received or developed by the Board in the course of its work, insofar as such proceedings and information or materials relate to the question of whether a judge is guilty of misconduct or suffers from disability, shall be confidential and privileged as a matter of law, except as where noted below. **(Amended effective October 11, 2013.)**

(b) When the Board has conducted an investigation but determined not to propose any charges to the judge in question, the Board shall by letter notify the judge and the person, if any, who had brought the matter to the attention of the Board, that such a determination has been made; provided, however, that no such information need be furnished to the judge unless it appears to the Board that he knows, or has reason to know, that a communication was made about him or her to the Board or that the Board conducted an investigation which involved the judge.

(c) When the Board has conducted an investigation and proposed charges to a judge, and subsequently determined that a reasonable basis does not exist for the filing of a complaint with the Commission, the Board shall by letter notify the judge and the person, if any, who had brought the matter to the attention of the Board, that such a determination has been made. The issuance of such letters does not mean that the repetition of such charged conduct, or other conduct violations coupled with the charged conduct or repetitions thereof, could not give rise to a future determination that a reasonable basis exists for the filing of a complaint with the Commission.

(d) In matters of contempt or perjury in Board proceedings, the Board may initiate appropriate action, including court proceedings, in order to protect the integrity of Board proceedings. When the Board takes such action, the Board may make such disclosures as are necessary to prosecute the action. **(Amended effective, April 10, 1998.)**

(e) When the Board is in the process of conducting an investigation based upon factors or complaints submitted by the subject judge's chief or factors already disclosed to the public by some other manner, and where that chief judge, pursuant to Supreme Court Rule 56, has temporarily assigned the judge to restricted duties or duties other than judicial duties, the Board may advise the chief judge when, and if, it is of the opinion that the judge subject to investigation may be returned to his or her regular assignment. Such disclosure may be made only upon the concurrence of the judge subject to investigation. In such circumstances, the chief judge shall be bound by the same rule of confidentiality and privilege as the Board itself. **(Adopted effective, April 10, 1998; Amended effective October 11, 2013.)**

## **RULE 6 - SUBPOENA POWER**

(a) Pursuant to the subpoena power granted to the Board by the Constitution, subpoena and subpoena duces tecum may be issued in the name and upon the authority of the Board by any

member of the Board or licensed attorneys-at-law who are so designated by the Board. Every subpoena shall command each person to whom it is directed to attend and give testimony before the Board at a time and place therein specified. A subpoena duces tecum may also command the person to whom it is directed to produce the books, papers, documents or tangible things designated therein. **(Amended effective October 11, 2013.)**

(b) The testimony or deposition of any witness, whether or not compelled by subpoena, may be taken, and any witness (and any books, records, papers or other documents) may be examined, on behalf of the Board, by or before:

- (i) the Board;
  - (ii) a panel of the Board consisting of one or more members of the Board
  - (iii) the Executive Director or any staff investigator designated for that purpose by the Chair or the Executive Director;
  - (iv) any licensed attorneys-at-law who are so designated by the Board;
  - (v) any person as a delegate of the Board designated for that purpose by the Chair.
- (Amended effective October 11, 2013.)**

(c) In the performance of any of its responsibilities as set forth in paragraph 6(b) above, any Board member, the Executive Director, staff investigator, licensed attorney-at-law who is so designated by the Board or person delegated by the Chair, may administer oaths or affirmations. **(Amended effective October 11, 2013.)**

(d) The fees of witnesses for attendance and travel shall be the same as the fees to witnesses before the Circuit Courts of Illinois. A subpoena or subpoena duces tecum shall be served in the same manner as a subpoena issued out of a Circuit Court of Illinois.

## **RULE 7 - SERVICE OF NOTICES**

Any notice permitted or required to be given by the Board may be served by personal delivery, certified mail or registered mail.

## **RULE 8 - AMENDMENT OF RULES**

These Rules may be altered, amended or repealed and new Rules may be adopted at any meeting of the Board by an affirmative vote of not less than five members present at any such meeting; provided however, that notice of a proposed new Rule, as the case may be, shall have been given to all members of the Board at least ten days prior to the meeting at which such action is to be taken.

## **CONFLICT OF INTEREST POLICY**

Any member of the Judicial Inquiry Board shall disqualify himself or herself from participating in any action of the Board where there exists a conflict of interest or an appearance thereof; as a guide in this area, the members of the Board will consider the standards of conduct applicable to Illinois judges.

# RULES OF PROCEDURE OF THE ILLINOIS COURTS COMMISSION

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AGENCY NOTE: These rules shall be effective November 18, 2024. This effective date has been established in accordance with Section 15(g) of Article VI of the Illinois Constitution, as amended. (1970 Ill. Const., art. VI, sec. 15(g)). This stipulation will apply to any future amendment.

## **ARTICLE I            GENERAL PROVISIONS**

### **Rule 101        Preamble**

The Commission has adopted these Rules to ensure that all proceedings before the Commission are fair and appropriate. It is the Commission's role to adjudicate Complaints brought by the Judicial Inquiry Board, while balancing the rights of the Respondents and the interests of the courts, the public, and the bar.

It is the policy of the Commission that all proceedings before the Commission shall be conducted as expeditiously as possible, with due regard to the right of the Respondent to have adequate time to prepare a defense. The courts, the public, the bar, and the Respondents have a vital interest in an early determination of any charge which bears upon the fitness of a judicial officer in this state. Implementation of this objective is one of the principal purposes of the following rules.

### **Rule 102        Authority; Scope; Amendments**

(a) These rules are established pursuant to Article VI, section 15(g) of the 1970 Illinois Constitution. (1970 Ill. Const., Art., VI, sec. 15(g)). These rules set forth the procedure by which all proceedings before the Illinois Courts Commission shall be governed.

(b) These rules may only be amended by the affirmative vote of four Commission Members, after notice of the proposed amendment(s) to the Commission Members. Upon adoption by the Commission, they shall be made public and filed with the Secretary of State at least 30 days before becoming effective.

### **Rule 103        Definitions**

"Alternate" or "Alternate Member" is a Supreme Court judge selected by the Supreme Court, a Circuit Court judge selected by the Supreme Court, an Appellate Court judge selected by the Appellate Court, or a citizen selected by the Governor to act in place of a specific member of the Commission who is unable to participate for any reason.

"Assistant General Counsel/Administrator" is the person designated by the Commission to serve as deputy to the Executive Director and General Counsel.

"Board" means the Judicial Inquiry Board created by the Constitution.

"Case Manager" is the Commission member selected to manage a proceeding prior to a hearing.

"Chairperson" or "Chair" is a member of the Commission selected by the members to serve as Chairperson of the Commission for a two-year term.

"Charge" is an allegation of misconduct by a judge or associate judge.

"Citizen" is a non-judicial member of the Commission appointed by the Governor.

“Clerk” is the person designated by the Commission to receive, keep, and maintain the files, pleadings, records, documents, evidence, and other papers of the Commission.

“Code of Judicial Conduct” or “Code” is the Illinois Code of Judicial Conduct of 2023, effective January 1, 2023.

“Commission” means the Illinois Courts Commission created by the Constitution.

“Complaint” means a formal written charge filed by the Judicial Inquiry Board.

“Constitution” is the 1970 Constitution of the State of Illinois, as amended, effective November 3, 1998.

“Decision” is the order entered by the Commission disposing of a Complaint.

“Executive Director & General Counsel” is the person designated by the Commission to oversee all operations of the Commission, including legal, administrative, and financial operations.

“Judge” means a judge of the Supreme, Appellate, or Circuit Court, or an associate judge of the Circuit Court.

“Member” is the Supreme Court judge and the two Circuit Court judges selected by the Supreme Court, the two Appellate Court judges selected by the Appellate Court, and the two citizens selected by the Governor to serve on the Commission.

“Misconduct” means behavior of a judge or associate judge that violates the Code of Judicial Conduct.

“Respondent” is a judge or associate judge against whom the Judicial Inquiry Board filed a Complaint with the Commission.

#### **Rule 104 Construction**

The masculine form of a word includes the feminine. Except for proper nouns, the singular form includes the plural and the plural the singular.

#### **Rule 105 Seal**

- (a) The Commission shall have a seal.
- (b) The Clerk shall be the custodian of the seal and is authorized to affix it to such documents as may be appropriate.

#### **Rule 106 Chair**

- (a) The Members shall select a Chair, who will hold a two-year term.
- (b) The Chair shall preside over all hearings and shall rule on any dispositive pleadings or

motions. If the Chair is recused or disqualified from a proceeding, then the Alternate Member sitting on the panel in the Chair's place will perform the duties of Chair.

**Rule 107 Clerk of the Commission**

- (a) The Executive Director and General Counsel shall act as the Clerk in all proceedings before the Commission.
- (b) The Clerk is empowered to perform those duties ordinarily performed by a clerk of a court of record in this state and such other duties as may be delegated by the Commission. The Clerk shall be the custodian of records and docket of the Commission, which shall be preserved.
- (c) The Commission may designate another individual to act as Deputy Clerk when the Executive Director and General Counsel is unable to perform the duties of Clerk.

**Rule 108 Master File**

The electronic record is designated as the official record of proceedings. The Complaint and all subsequent pleadings and other documents shall be electronically filed with the Clerk. The Clerk shall maintain an electronic record of all such documents for each proceeding, which shall constitute the master file for each proceeding. The Clerk may dispose of paper versions of documents filed as part of an electronic record.

**Rule 109 Electronic Filing**

All pleadings, motions, briefs, and documents shall be electronically filed with the Clerk in accordance with Illinois Supreme Court Rules 9 and 10, and service of such pleadings, motions, briefs, and documents shall be made in accordance with Supreme Court Rules 11 and 12. For purposes of these Rules, the word "filing" shall mean "electronic filing," and parties are not required to file paper copies of any pleading, motion, brief, or document that is electronically filed.

**Rule 110 Service of Process**

A person authorized to make service, as provided in Rule 111, below, shall cause a copy of the Complaint and a copy of these rules to be served on the Respondent:

- (a) In any manner authorized by the Illinois Code of Civil Procedure;
- (b) By Mail Service. If a person authorized to make service, as provided in Rule 109 below, files with the Clerk an affidavit that the Respondent on due inquiry cannot be found or is concealed so that process cannot be served upon him or her, the Board shall serve the Respondent by ordinary mail, postage fully prepaid: (1) to the Respondent's chambers or (2) to the Respondent's last known address. The Board's certificate of mailing or delivery is sufficient proof of service.
- (c) By Agreement. A Respondent, or the Respondent's counsel, may agree to a reliable method of service, including by electronic means. A member of the Board's staff shall deliver, mail,

e-mail, or otherwise transmit a copy using the agreed-upon method of service and shall file an affidavit attesting to the service. The action shall proceed as if a complaint had been served at the time of filing the affidavit, and no additional proof of service shall be required.

- (d) By Entry of Appearance. When an appearance is entered by, or on behalf of, a Respondent before service has been otherwise effectuated, the action shall proceed as if a complaint had been served at the time of the entry of appearance, and no proof of service shall be required.

**Rule 111      Persons Authorized to Make Service**

Service may be made:

- (a) By a member of the Board's staff; or
- (b) By any person who, by the laws or rules of court of the jurisdiction in which the Respondent is served, is authorized or appointed to serve process in judicial disciplinary proceedings or any other proceeding.

**Rule 112      Right to Counsel**

- (a) The Respondent shall be entitled to retain counsel and to have the assistance of such counsel at every stage of proceedings before the Commission.
- (b) Counsel for the Respondent shall file an entry of appearance with the Clerk and shall serve a copy on the Board. The entry of appearance shall include counsel's name, address, phone number, email address, and ARDC number.

**Rule 113      Immunity**

Members of the Commission and the Commission's staff shall be absolutely immune from suit for all conduct while performing their official duties.

**Rule 114      Proceedings Before the Commission Generally**

- (a) The provisions of the Code of Civil Procedure, Illinois Supreme Court Rules, and the rules of evidence applicable in civil cases in Illinois shall govern Commission proceedings, except as otherwise provided by these rules or by law. The allegations of the Complaint must be proved by clear and convincing evidence.
- (b) The Commission shall have the right to take judicial notice of matters of which courts of record of this state may take judicial notice.
- (c) All testimony presented to the Commission shall be taken under oath or affirmation.
- (d) The Chair and each member of the Commission and any person otherwise authorized by law shall have the power to administer an oath or affirmation.
- (e) All proceedings of the Courts Commission and all orders entered by the Commission, except

deliberations of the Commission or as otherwise noted herein, shall be matters of public record.

- (f) All orders of the Commission shall be in writing and shall be preserved by the Clerk in the permanent records of the Commission.

**Rule 115 Subpoenas**

The Clerk shall prepare and cause to be issued subpoenas returnable before the Illinois Courts Commission at the request of any party. Witnesses shall be entitled to witness fees and expenses as provided for in the Code of Civil Procedure.

**ARTICLE II PROCEEDINGS BEFORE THE COMMISSION**

**Rule 201 Filing of Complaint; Docketing**

- (a) Formal disciplinary proceedings respecting any Respondent shall be commenced by the filing of a Complaint by the Judicial Inquiry Board with the Clerk and concurrent service of the Complaint on the Respondent. The Complaint shall specify in plain and concise language the charges against the Respondent and the allegations of fact upon which such charges are based, and it shall advise the Respondent of his or her right to file responsive pleadings to the charges within twenty-one (21) days after service of notice upon the Respondent. No other process or summons shall be necessary to institute said proceedings.
- (b) The Clerk shall assign each Complaint a case number and shall record that information in the Commission's docket.

**Rule 202 Appointment of Alternate Members**

- (a) If a Member is absent or unable to participate in a given proceeding or is disqualified from participation in any proceeding pursuant to sub-paragraph (h) of Section 15 of Article VI of the Constitution, an Alternate Member shall replace him or her.
- (b) When a Member who is an appellate court judge is absent or unable to participate in a proceeding or is disqualified from participating, an Alternate appellate court judge shall replace him or her. Alternate appellate court judges shall serve on a rotating basis. The ascending numerical order of the Judicial Districts from which the Alternates were selected (1 through 5) shall determine the order of the Alternates' rotation. If an Alternate is also disqualified, absent, or unable to participate, the next Alternate shall serve. Any Alternate who is disqualified, absent, or unable to participate shall be placed at the end of the rotation.
- (c) When a member who is a circuit judge is absent or unable to participate in a proceeding or is disqualified from participating, an Alternate circuit judge shall replace him or her. Alternate circuit judges shall serve on a rotating basis. The ascending numerical order of the Judicial Districts from which the Alternates were selected (1 through 5) shall determine the order of the Alternates' rotation. If an Alternate Member is also disqualified, absent, or unable to participate, the next Alternate shall serve. Any Alternate who is disqualified, absent, or

unable to participate shall be placed at the end of the rotation.

- (d) If a Member selected by the Governor is absent or unable to participate in a proceeding or is disqualified from participating, an Alternate Member selected by the Governor shall replace him or her.

**Rule 203 Appointment of Case Manager**

- (a) Within 21 days of the filing of a Complaint, if no Member has volunteered to serve as Case Manager, the Chair shall enter an order appointing a Member to serve as Case Manager.
- (b) The Case Manager shall be responsible for ensuring the case is conducted as expeditiously as possible. The Case Manager shall:
  - 1. Schedule and conduct pre-hearing conferences
  - 2. Dispose of all non-dispositive pre-trial motions
  - 3. Upon disposition of all pre-hearing matters, notify the Chair that the case is ready for hearing.
- (c) The Clerk shall serve a file-stamped copy of the order appointing the Case Manager to the counsel of record.

**Rule 204 Answer and Responsive Pleadings**

- (a) The Respondent shall file responsive pleadings not more than twenty-one (21) days following the service of the Complaint upon him or her. For good cause shown, the Commission may extend the time for filing such pleadings. Responsive pleadings shall be in clear and concise language designed to fairly respond to the charges brought against the Respondent.
- (b) The answer shall specifically admit or deny each allegation of the Complaint. Every allegation not specifically denied is deemed admitted unless the answer states the reason the Respondent is unable to make a specific denial.
- (c) If a Respondent fails to answer the Complaint, upon motion by the Board and notice to the Respondent, all factual allegations and disciplinary charges shall be deemed admitted, and no further proof shall be required. A Respondent who has failed to answer timely may seek leave of the Commission to vacate an order of default and file an answer upon a showing that his failure to answer was a result of mistake, inadvertence, surprise, or excusable neglect. At any hearing in which the allegations of the Complaint have been deemed admitted, the Respondent and the Board shall be limited to presenting evidence of aggravating and mitigating factors and arguments regarding the form and amount of discipline to be imposed. No hearing shall be conducted within twenty-eight (28) days of the entry of an order vacating an order of default.

**Rule 205 Other Pleadings**

All pleadings and other filings subsequent to the Complaint shall be filed with the Clerk. A copy of any pleading filed shall be served in the manner prescribed for the service of papers by the rules of the Illinois Supreme Court.

## **Rule 206      Motions**

- (a) All motions shall be made in writing prior to hearing. Rulings on non-dispositive motions shall be made by the Case Manager or in a manner as the Chair shall determine. Except for motions made pursuant to Rule 212, the non-movant may submit a written response to a motion within 14 days after service of the motion. The movant may submit a reply within 7 days after service of the non-movant's response.

## **Rule 207      Discovery**

- (a) Except as provided herein, discovery shall be in accordance with the Code of Civil Procedure and the Rules of the Supreme Court. Discovery shall be completed within 60 days of service of the Complaint upon the Respondent.
- (b) The Board and the Respondent shall exchange:
  - 1. Non-privileged evidence related to the charges in the Complaint, documents intended to be presented at the hearing, and statements of witnesses who will be called to testify; and
  - 2. Other material, in the Case Manager's discretion, upon cause shown.
- (c) Upon the filing of a Complaint, the Board shall provide the Respondent with any exculpatory evidence relevant to the charges contained in the Complaint.
- (d) The Board and the Respondent have a continuing duty to supplement information required to be exchanged or disclosed under this rule until the hearing is concluded and the record is closed.
- (e) Disputes concerning discovery shall be determined by the Case Manager.
- (f) If at any time during the course of the proceedings it is brought to the attention of the Case Manager that a party has failed to comply with these Rules regarding discovery, the Case Manager may order compliance, grant a continuance, prohibit the party from introducing the evidence not disclosed, or the Case Manager may enter any other order as is just.

## **Rule 208      Disclosure of Witnesses**

- (a) Within 28 days of service of the Complaint upon the Respondent, or upon a request for an extension for good cause shown, the Board and the Respondent shall file a report disclosing the name, address, telephone number, and email address of persons who have knowledge of facts which are the subject of the proceeding and identifying the subject matter of their knowledge. The Board and the Respondent have a duty to seasonably supplement or amend any prior report whenever new or additional information subsequently becomes known to that party. The Board and the Respondent shall disclose to all parties of record any reports about the case received from an expert witness who will testify at hearing within a reasonable time after receipt of the report.
- (b) The Commission shall not allow the Board or the Respondent to offer the testimony of any person whose identity and location is not disclosed in a report pursuant to this rule, but the

Commission shall not bar testimony of a witness based upon the adequacy of the disclosure of the subjects of the witness' testimony, absent a showing of substantial prejudice by the party seeking to bar the testimony. The Commission shall not allow the Board or the Respondent to offer the testimony of any expert witness who provided a report to the party calling that expert witness, if that report has not been timely disclosed to all other parties.

**Rule 209      Pre-Hearing Conferences**

- (a) As soon as practicable after a Case Manager is appointed, the Case Manager shall schedule and preside over a pre-hearing conference. Counsel for the Board and the Respondent or the Respondent's counsel must appear at all pre-hearing conferences, unless excused by the Case Manager.
- (b) All pre-hearing conferences shall be open to the public and will take place remotely, by video conference. The Clerk shall publicly post the date, time, and video conference credentials for each pre-hearing conference that is scheduled. The Case Manager may hold *in camera* conferences with the parties as necessary.
- (c) During a pre-hearing conference, the Case Manager shall consider and take action regarding:
  - 1. the clarification of the issues;
  - 2. the elimination of frivolous charges or defenses;
  - 3. amendments to the pleadings;
  - 4. stipulations regarding undisputed evidence and obtaining pre-hearing rulings on the admissibility of evidence;
  - 5. the identification and limitation of witnesses, including character or expert witnesses;
  - 6. discovery disputes;
  - 7. scheduling of the hearing; and
  - 8. any other matters which may aid in the disposition of the case.
- (d) The Case Manager may schedule additional pre-hearing conferences as necessary.
- (e) The Case Manager shall, in addition to any other sanctions authorized by Supreme Court Rule or Commission Rule, make and enforce all rules and orders necessary to compel compliance with this rule.
- (f) At the conclusion of each pre-hearing conference, the Case Manager shall enter an order stating the agreements and objections made by the parties and any rulings made by the Case Manager. The order shall control subsequent proceedings before the Commission, unless modified by the Case Manager.
- (g) The Clerk shall serve a file-stamped copy of the order scheduling the first pre-hearing conference and any subsequent order entered after a pre-hearing conference to the counsel of record.

**Rule 210 Hearings**

- (a) The Commission shall conduct public hearings at such place or places in the state as it shall determine will best serve the public interest.
- (b) Notice of the date, time, and place of the hearing shall be served upon the Respondent or the Respondent's counsel not less than twenty-one (21) days prior to the date upon which the hearing is set.
- (c) Notwithstanding the failure of any Respondent to file responsive pleadings or to appear at the hearing set by the Commission, the Commission may proceed with the hearing, provided that all evidence in support of the Complaint shall be heard by the Commission in a public hearing.
- (d) Upon motion of either party, the Commission may exclude witnesses from the hearing.

**Rule 211 Witness' Right to Representation**

Any witness at any hearing of the Commission shall, upon leave of the Commission, have the right to retain counsel, but such counsel shall not participate in the hearing, or cross-examine witnesses, except by permission of the Commission. The examination of all witnesses shall be conducted by counsel for the parties and may also be conducted by any member of the Commission.

**Rule 212 Continuances**

- (a) The Case Manager may continue a pre-hearing conference or hearing at his or her discretion.
- (b) A request for a continuance shall be made by filing a motion with the Clerk and serving a copy of the motion on the opposing party. The opposing party shall file its response to the motion within 7 days of service of the motion. The motion shall be decided by the Case Manager, who may grant the motion, but only for good cause shown.

**Rule 213 Stipulations of Fact**

- (a) In lieu of a hearing, the parties may submit to the Commission stipulations as to all facts necessary to a decision of the issues in the proceeding. The stipulations shall be binding upon the parties and may be adopted by the Commission as the facts of the proceeding upon which a Decision shall be rendered. When submitted, the stipulations shall be accompanied by a signed waiver of any right to a hearing granted under the Constitution and these rules.
- (b) The parties may submit stipulations as to issues of fact, but which do not resolve all relevant issues in the proceeding. In this case, the parties shall be bound by the stipulations and the Commission may adopt them and proceed to hearing on all remaining factual issues.

## **Rule 214 Exhibits**

Each party must appear at hearing with all documentary exhibits prepared in the following manner:

- (a) The first page of each exhibit or group exhibit shall be labeled as Board's Exhibit (Bd. Ex.) or Respondent's Exhibit (Resp. Ex.), with the appropriate number of the exhibit.
- (b) Any exhibit that contains more than one page shall be bound, stapled or otherwise fastened permanently, and shall have all pages of that exhibit consecutively numbered.
- (c) Prior to the start of the hearing, each party shall tender to the Chair, on a form provided by the Clerk, a table of the exhibits the party plans to offer. A copy of the table shall be served upon opposing counsel.
- (d) At the close of evidence and before the hearing is adjourned, it shall be the duty of each party to assure that all exhibits that were admitted into evidence for that party and all exhibits that were the subject of an offer of proof by that party during the hearing have been delivered to the Chair in a form consistent with this rule.

## **Rule 215 Decisions**

- (a) At the conclusion of a hearing, the Commission shall, within a reasonable time, enter a Decision, exercising the authority vested in it by sub-paragraph (e) of Section 15 of Article VI of the Constitution. The concurrence of at least four members of the Commission shall be necessary for a Decision. The Decision of the Commission shall be final.
- (b) The Decision shall be filed with the Clerk. The Clerk shall serve a copy upon the Board and the Respondent or the Respondent's counsel.

## **Rule 216 Transcript of Proceedings**

A transcript of proceedings shall be made and kept whenever the Commission meets as a body to receive evidence, hear testimony, or hear the arguments of counsel regarding matters pending before the Commission. However, a transcript will not be made and kept regarding pre-hearing conferences unless a party or the Commission requests a transcript of such conferences.

# **ARTICLE III PUBLICATION AND CITATIONS**

## **Rule 301 Publication of Decisions**

- (a) Electronic Publication. In order to make available to the public all orders of the Commission, the Clerk shall transmit an electronic copy of each Decision to the Commission's website within a reasonable amount of time after it is filed.
- (b) Public-Domain Designators. A Decision entered on or after November 18, 2024 must be assigned a public-domain case designator and internal paragraph numbers.

1. The Clerk shall assign a public-domain case designator to those Decisions filed on or after November 18, 2024 and any Commission Decision not published in the Official Illinois Courts Commission Reports prior to that date. The designator number for a Decision must be unique to that Decision and shall include the year of the Decision, the Commission abbreviation, and an identifier number comprised of the final two digits of the docket number, or the final three digits of the initial docket number in a consolidated appeal, without use of a hyphen. The public-domain identifier shall appear at the top of the first page of a Decision and shall be in the following form:

[year] IL Cts Com [no.]

**Rule 302 Citation of Decisions**

- (a) Citation of Commission Decisions filed before November 18, 2024 and published in the Official Illinois Courts Commission Reports shall be to the Official Illinois Courts Commission Reports. For Commission Decisions filed on or after November 18, 2024, and for any Commission Decision not published in the Official Illinois Courts Commission Reports prior to that date and for which a public-domain citation has been assigned, the public-domain citation shall be given and, where appropriate, pinpoint citations to paragraph numbers shall be given.

# ILLINOIS CODE OF JUDICIAL CONDUCT

## PREAMBLE & SCOPE

[1] An independent, fair, and impartial judiciary is indispensable to our system of justice. The United States legal system is based upon the principle that an independent, impartial, and competent judiciary, composed of judges with integrity, will interpret and apply the law. Thus, the judiciary plays a central role in preserving justice and the rule of law. Inherent in the Rules contained in the Code of Judicial Conduct (Code) are the precepts that judges, individually and collectively, must respect and honor the judicial office as a public trust and strive to maintain and enhance confidence in the legal system.

[2] Judges should maintain the dignity of judicial office and avoid both impropriety and the appearance of impropriety in their professional and personal lives. They should aspire at all times to conduct that ensures the greatest possible public confidence in their independence, impartiality, integrity, and competence.

[3] The Code establishes standards for the ethical conduct of judges and judicial candidates. The Code is intended to guide and assist judges in maintaining the highest standards of judicial and personal conduct and to provide a basis for regulating their conduct through the Illinois Judicial Inquiry Board and the Illinois Courts Commission.

[4] The Code governs a judge's personal and judicial activities conducted in person, on paper, and by telephone or other electronic means. A violation of the Code may occur when a judge uses the Internet, including social networking sites, to post comments or other materials such as links to websites, articles, or comments authored by others, photographs, cartoons, jokes, or any other words or images that convey information or opinion. Violations may occur even if a judge's distribution of a communication is restricted to family and friends and is not accessible to the public. Judges must carefully monitor their social media accounts to ensure that no communication can be reasonably interpreted as suggesting a bias or prejudice; an *ex parte* communication; the misuse of judicial power or prestige; a violation of restrictions on charitable, financial, or political activities; a comment on a pending or impending case; a basis for disqualification; or an absence of judicial independence, impartiality, integrity, or competence.

[5] The Code consists of four Canons, numbered Rules under each Canon, and Comments that generally follow and explain each Rule. The Policy and Scope and Terminology sections provide additional guidance in interpreting and applying the Code. The numbering of the Code is patterned on the American Bar Association Model Code of Judicial Conduct (rev. 2010), reserving numbers for provisions not incorporated in Illinois.

[6] The Canons state principles of judicial ethics that all judges must observe. Although a judge may be disciplined only for violating a Rule, the Canons provide important guidance in interpreting the Rules. Where a Rule contains a permissive term, such as "may" or "should," the conduct being addressed is committed to the personal and professional discretion of the judge or candidate in question, and no disciplinary action should be taken for action or inaction within the bounds of such discretion.

[7] The Comments that accompany the Rules serve two functions. First, they provide guidance regarding the purpose, meaning, and proper application of the Rules. They contain explanatory material and, in some instances, provide examples of permitted or prohibited conduct. Comments

neither add to nor subtract from the binding obligations set forth in the Rules. Therefore, when a Comment contains the terms “must” or “shall,” it does not mean that the Comment itself is binding or enforceable; it signifies that the Rule in question, properly understood, is obligatory as to the conduct at issue.

[8] Second, the Canons combined with the Comments identify aspirational goals for judges. To implement fully the principles of this Code as articulated in the Canons, judges should strive to exceed the standards of conduct established by the Rules, holding themselves to the highest ethical standards and seeking to achieve those aspirational goals, thereby enhancing the dignity of the judicial office.

[9] The Rules of the Code are rules of reason that should be applied consistent with constitutional requirements, statutes, other court rules, and decisional law and with due regard for all relevant circumstances. The Rules should not be interpreted to impinge upon the essential independence of judges in making judicial decisions.

[10] Although the black letter of the Rules is binding and enforceable, it is not contemplated that every transgression will result in the imposition of discipline. Whether discipline is imposed should be determined through a reasonable and reasoned application of the Rules and should depend upon factors such as the seriousness of the conduct, the facts and circumstances that existed at the time of the conduct, the extent of any pattern of improper conduct, whether there have been previous violations, and the effect of the conduct upon the judicial system or others.

[11] The Code is not designed or intended as a basis for civil or criminal liability. Nor is it intended to be the basis for litigants to seek collateral remedies against each other or to obtain tactical advantages in proceedings before a court.

## TERMINOLOGY

The first time any term listed below is used in a Rule in its defined sense, it is followed by an asterisk (\*).

**“Contributions”** means both financial and in-kind contributions, such as goods, professional or volunteer services, advertising, and other types of assistance, which, if obtained by the recipient otherwise, would require a financial expenditure. See Rules 3.7, 4.1, and 4.4.

**“De minimis,”** in the context of interests pertaining to disqualification of a judge, means an insignificant interest that could not raise a reasonable question regarding the judge’s impartiality. See Rule 2.11.

**“Domestic partner”** means a person with whom another person maintains a household and an intimate relationship, other than a person’s legal spouse. See Rule 2.11.

**“Economic interest”** means ownership of more than a *de minimis* legal or equitable interest. Except for situations in which the judge participates in the management of such a legal or equitable interest or the interest could be substantially affected by the outcome of a proceeding before a judge, it does not include (1) an interest in the individual holdings within a mutual or common investment fund; (2) an interest in securities held by an educational, religious, charitable, fraternal, or civic organization in which the judge or the judge’s spouse, domestic partner, parent, or child serves as a director, an officer, an advisor, or other participant; (3) a deposit in a financial institution or deposits or proprietary interests the judge may maintain as a member of a mutual savings association or credit union or similar proprietary interests; or (4) an interest in the issuer of government securities held by the judge. See Rules 1.3 and 2.11.

**“Fiduciary”** includes relationships such as executor, administrator, trustee, or guardian. See Rules 2.11, 3.2, and 3.8.

**“Impartial,” “impartiality,” and “impartially”** mean absence of bias or prejudice in favor of, or against, particular parties or classes of parties, as well as maintenance of an open mind in considering issues that may come before a judge. See Canons 1, 2, and 4 and Rules 1.2, 2.2, 2.10, 2.11, 2.13, 3.1, 3.12, 4.1 and 4.3.

**“Impending matter”** is a matter that is imminent or expected to occur in the near future. See Rules 2.9, 2.10, and 4.1.

**“Impropriety”** includes conduct that violates the law, court rules, or provisions of this Code and conduct that undermines a judge’s independence, integrity, or impartiality. See Canon 1 and Rule 1.2.

**“Independence”** means a judge’s freedom from influence or controls other than those established by law. See Canons 1 and 4 and Rules 1.2, 3.1, 3.12, 4.1 and 4.3.

**“Integrity”** means probity, fairness, honesty, uprightness, and soundness of character. See Canons 1 and 4 and Rules 1.2, 3.1, 3.12, 4.1, and 4.3.

**“Judicial candidate”** means any person, including a sitting judge, who is seeking selection for or retention in judicial office by election or appointment. A person becomes a candidate for judicial

office as soon as such person makes a public announcement of candidacy; declares or files as a candidate with the election or appointment authority; authorizes or, where permitted, engages in solicitation or acceptance of contributions or support; or is nominated for election or appointment to office. See Rules 4.1, 4.3, and 4.4.

**“Knowingly,” “knowledge,” “known,” and “knows”** mean actual knowledge of the fact in question. A person’s knowledge may be inferred from the circumstances. See Rules 2.11, 2.13, 2.15, 2.16, 3.6, and 4.1.

**“Law”** encompasses court rules as well as statutes, constitutional provisions, and decisional law. See Rules 1.1, 2.1, 2.2, 2.6, 2.7, 2.9, 3.1, 3.9, 3.12, 3.14, 4.1, 4.3, 4.4, and 4.5.

**“Member of the judicial candidate’s family”** means a spouse, domestic partner, child, grandchild, parent, grandparent, or other relative or person with whom the judicial candidate maintains a close familial relationship. See Rule 4.1.

**“Member of the judge’s family”** means a spouse, domestic partner, child, grandchild, parent, grandparent, or other relative or person with whom the judge maintains a close familial relationship. See Rules 3.7, 3.8, and 3.11.

**“Member of a judge’s family residing in the judge’s household”** means any relative of a judge by blood or marriage, or a person treated by a judge as a member of the judge’s family, who resides in the judge’s household. See Rule 2.11.

**“Must”** when used in a Rule imposes a mandatory duty on a judge to comply with the Rule. When used in a Comment, the term does not mean that the Comment itself is binding or enforceable; it signifies that the Rule in question, properly understood, is obligatory as to the conduct at issue. See Rule 3.8.

**“Nonpublic information”** means information that is not available to the public. Nonpublic information may include, but is not limited to, information that is sealed by statute or court order or impounded or communicated *in camera* and information offered in grand jury proceedings, presentencing reports, dependency cases, or psychiatric reports. See Rule 3.5.

**“Pending matter”** is a matter that has commenced. A matter continues to be pending through any appellate process until final disposition. See Rules 2.9, 2.10, and 4.1.

**“Personally solicit”** means a direct request made by a judge or a judicial candidate for financial support or in-kind services, whether made by letter, telephone, or any other means of communication. See Rule 4.1.

**“Political organization”** means a political party or other group sponsored by or affiliated with a political party or candidate, the principal purpose of which is to further the election or appointment of candidates for political office. For purposes of this Code, the term does not include a judicial candidate’s campaign committee created as authorized by Rule 4.4. See Rules 4.1 and 4.3.

**“Public election”** includes primary and general elections, partisan elections, nonpartisan elections, and retention elections. See Rules 4.1 and 4.3.

**“Require,”** when used in the context of the Rules prescribing that a judge “require” certain conduct of others, means that a judge is to exercise reasonable direction and control over the conduct of those persons subject to the judge’s direction and control. See Rules 2.8, 2.10, and 2.12.

**“Shall”** imposes a mandatory duty on a judge to comply with the Rule. When used in a Comment, the term does not mean that the Comment itself is binding or enforceable; it signifies that the Rule in question, properly understood, is obligatory as to the conduct at issue. (Because the term “shall” appears *passim*, its first use in a Rule is not marked with an asterisk (\*).)

**“Third degree of relationship”** includes the following persons: great-grandparent, grandparent, parent, uncle, aunt, brother, sister, child, grandchild, great-grandchild, nephew, and niece. See Rule 2.11.

## **CANON 1**

**A JUDGE SHALL UPHOLD AND PROMOTE THE INDEPENDENCE, INTEGRITY, AND IMPARTIALITY OF THE JUDICIARY AND SHALL AVOID IMPROPRIETY AND THE APPEARANCE OF IMPROPRIETY IN ALL OF THE JUDGE'S ACTIVITIES.**

### **COMMENTS**

- [1] An independent and honorable judiciary is indispensable for creating and preserving public trust and confidence in the legal system. This Code shall be construed and applied to further this objective.

### **RULE 1.1: COMPLIANCE WITH THE LAW**

A judge shall comply with the law,\* including the Code.

### **RULE 1.2: PROMOTING CONFIDENCE IN THE JUDICIARY**

A judge shall act at all times in a manner that promotes public confidence in the independence,\* integrity,\*and impartiality\* of the judiciary and shall avoid impropriety\* and the appearance of impropriety.

### **COMMENTS**

- [1] Public confidence in the judiciary is eroded by improper conduct and conduct that creates the appearance of impropriety. This principle applies to both the professional and personal conduct of a judge.
- [2] A judge should expect to be the subject of public scrutiny that might be viewed as burdensome if applied to other citizens and must accept the restrictions imposed by the Code.
- [3] Conduct that compromises or appears to compromise the independence, integrity, and impartiality of a judge undermines public confidence in the judiciary. Because it is not practicable to list all such conduct, the Rule is necessarily cast in general terms.
- [4] Judges should participate in activities that promote ethical conduct among judges and lawyers, support professionalism within the judiciary and the legal profession, and promote access to justice for all.
- [5] Actual improprieties include violations of law, court rules, or provisions of this Code. The test for appearance of impropriety is whether the conduct would create in reasonable minds a perception that the judge violated this Code or engaged in other conduct that reflects adversely on the judge's honesty, impartiality,

temperament, or fitness to serve as a judge.

- [6] A judge should initiate and participate in community outreach activities for the purpose of promoting public understanding of and confidence in the administration of justice. In conducting such activities, the judge must act in a manner consistent with this Code.

### **RULE 1.3: AVOIDING MISUSE OF THE PRESTIGE OF JUDICIAL OFFICE**

A judge shall not misuse the prestige of judicial office to advance the personal or economic interests\* of the judge or others or allow others to do so.

#### **COMMENTS**

- [1] It is improper to use or attempt to use the judge's position to gain personal advantage or deferential treatment of any kind. For example, it would be improper to allude to judicial status to gain favorable treatment in encounters with traffic officials. Similarly, a judge must not use the judicial title in letterhead, e-mails, or any other form of communication, including social media or social networking platforms, to gain an advantage in conducting personal business.
- [2] Judges may provide a reference or recommendation for an individual based on the judge's personal knowledge. Judicial stationery may be used for references and recommendations.
- [3] Judges may participate in the process of judicial selection, except as otherwise prohibited or restricted by Canon 4.
- [4] [Reserved]

### **CANON 2**

**A JUDGE SHALL PERFORM THE DUTIES OF JUDICIAL OFFICE IMPARTIALLY, COMPETENTLY, AND DILIGENTLY.**

### **RULE 2.1: GIVING PRECEDENCE TO THE DUTIES OF JUDICIAL OFFICE**

The duties of judicial office, as prescribed by law,\* shall take precedence over all of a judge's personal and extrajudicial activities.

#### **COMMENTS**

- [1] To ensure that judges are available to fulfill their judicial duties, judges must conduct their personal and extrajudicial activities, including their use of social media or participation on social networking platforms, to minimize the risk of conflicts that would result in frequent disqualification. See Canon 3.

- [2] Although it is not a duty of judicial office unless prescribed by law, judges are encouraged to participate in activities that promote public understanding of and confidence in the justice system.
- [3] Judges are reminded that article VI, section 13(b), of the Illinois Constitution of 1970 requires that a judge “shall devote full time to judicial duties.” See Rule 3.1 concerning a judge’s ability to participate in teaching.

## **RULE 2.2: IMPARTIALITY AND FAIRNESS**

A judge shall uphold and apply the law\* and shall perform all duties of judicial office fairly and impartially.

### **COMMENTS**

- [1] To ensure impartiality and fairness to all parties, a judge must be objective and open-minded.
- [2] Although each judge comes to the bench with a unique background and personal philosophy, a judge must interpret and apply the law without regard to whether the judge approves or disapproves of the law in question.
- [3] Good-faith errors of fact or law do not violate this Rule.
- [4] It is not a violation of this Rule for a judge to make reasonable accommodations, consistent with the law and court rules, to ensure *pro se* litigants the opportunity to have their matters fairly heard.

## **RULE 2.3: BIAS, PREJUDICE, AND HARASSMENT**

- (A) A judge shall perform the duties of judicial office, including administrative duties, without bias or prejudice.
- (B) A judge shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice or engage in harassment, including but not limited to bias, prejudice, or harassment based upon race, sex, gender, gender identity, religion, national origin, ethnicity, pregnancy, disability, age, sexual orientation, marital status, socioeconomic status, or political affiliation, and shall not permit court staff, court officials, or others subject to the judge’s direction and control to do so.
- (C) Proceedings before the court shall be conducted without manifesting bias or prejudice or engaging in harassment, based upon attributes including but not limited to race, sex, gender, gender identity, religion, national origin, ethnicity, pregnancy, disability, age, sexual orientation, marital status, socioeconomic status, or political affiliation, by or against lawyers, parties, witnesses, or others.

- (D) The restrictions of paragraphs (B) and (C) do not preclude judges or lawyers from making legitimate reference to the listed factors, or similar factors, when they are relevant to an issue in a proceeding.
- (E) A judge shall not retaliate against those who report violations of Rule 2.3.
- (F) A violation of the Supreme Court of Illinois Non-Discrimination and Anti-Harassment Policy is a violation of this Rule.

## COMMENTS

- [1] A judge who manifests bias or prejudice in a proceeding impairs the fairness of the proceeding and brings the judiciary into disrepute.
- [2] Examples of manifestations of bias or prejudice include but are not limited to epithets; slurs; demeaning nicknames; negative stereotyping; attempted humor based upon stereotypes; threatening, intimidating, or hostile acts; suggestions of connections between race, ethnicity, or nationality and crime; and irrelevant references to personal characteristics. Even facial expressions and body language can convey to parties and lawyers in the proceeding, jurors, the media, and others an appearance of bias or prejudice. A judge must avoid conduct that may reasonably be perceived as prejudiced or biased.
- [3] Harassment is verbal, nonverbal, or physical conduct that denigrates or shows hostility or aversion toward a person based on the characteristics or classes identified in paragraphs (B) and (C).
- [4] Harassment based on sex includes but is not limited to sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that is unwelcome.
- [5] Rule 2.15 requires judges to take “appropriate action” when they learn of another judge’s misconduct. In considering this obligation, judges should recognize that failing to inform court leadership of an incident may allow a pattern of misconduct to go undetected. Judges may have specific reporting obligations under the Supreme Court of Illinois Non-Discrimination and Anti-Harassment Policy.
- [6] Retaliation is an adverse action, performed directly or through others, that would deter a reasonable person from reporting or participating in the investigation of conduct prohibited by this Rule. The duty to refrain from retaliation includes retaliation against former or current court personnel.

**RULE 2.4: EXTERNAL INFLUENCES ON JUDICIAL CONDUCT**

- (A) A judge shall not be swayed by public clamor or fear of criticism.
- (B) A judge shall not permit family, social, political, financial, or other interests or relationships to influence the judge’s judicial conduct or judgment.
- (C) A judge shall not convey or permit others to convey the impression that any person or organization is in a position to influence the judge.

COMMENTS

- [1] An independent judiciary requires that judges decide cases according to the law and facts, without regard to whether particular laws or litigants are popular or unpopular with the public, the media, government officials, or the judge’s friends or family. Confidence in the judiciary is eroded if judicial decisionmaking is perceived to be subject to inappropriate outside influences.

**RULE 2.5: COMPETENCE, DILIGENCE, AND COOPERATION**

- (A) A judge shall perform judicial and administrative duties competently and diligently.
- (B) A judge shall cooperate with other judges and court officials in the administration of court business.

COMMENTS

- [1] Competence in the performance of judicial duties requires the legal knowledge, skill, thoroughness, and preparation reasonably necessary to perform a judge’s responsibilities of judicial office.
- [2] A judge should seek the necessary docket time, court staff, and resources to discharge all adjudicative and administrative responsibilities.
- [3] Prompt disposition of the court’s business requires a judge to be punctual in attending court and expeditious in determining matters under advisement and to take reasonable measures to ensure that court officials, litigants, and their lawyers cooperate to achieve that end.
- [4] In disposing of matters promptly and efficiently, a judge must demonstrate due regard for the rights of parties to be heard and to have issues resolved without unnecessary cost or delay. A judge shall monitor and supervise cases in ways that reduce or eliminate dilatory practices, avoidable delays, and unnecessary costs.

## **RULE 2.6: ENSURING THE RIGHT TO BE HEARD**

- (A) A judge shall accord to every person who has a legal interest in a proceeding or that person's lawyer the right to be heard according to law.\*
- (B) A judge may encourage parties to a proceeding and their lawyers to settle matters in dispute, but a judge shall not act in a manner that coerces any party.

### COMMENTS

- [1] The right to be heard is an essential component of a fair and impartial system of justice. Substantive rights of litigants can be protected only if procedures protecting the right to be heard are observed.
- [2] The judge plays an important role in overseeing the settlement of disputes but should be careful that efforts to further settlement do not undermine any party's right to be heard according to law.
- [3] Judges should be mindful of the effect settlement discussions can have, not only on their objectivity and impartiality but also on the appearance of their objectivity and impartiality. Despite a judge's best efforts, there may be instances when information obtained during settlement discussions could influence a judge's decisionmaking during trial, and in such instances, the judge should consider whether disqualification may be appropriate. See Rule 2.11 (A)(1).

## **RULE 2.7: RESPONSIBILITY TO DECIDE**

A judge shall hear and decide matters assigned to the judge, except when disqualification is required by Rule 2.11 or other law.\*

### COMMENTS

- [1] Although there are times when disqualification is necessary to protect the rights of litigants and preserve public confidence in the independence, integrity, and impartiality of the judiciary, judges must be available to decide matters that come before the courts. Unwarranted disqualification may bring public disfavor to the court and to the judge personally. The dignity of the court, the judge's respect for fulfillment of judicial duties, and a proper concern for the burdens that may be imposed upon the judge's colleagues require that a judge not use disqualification to avoid cases that present difficult, controversial, or unpopular issues.

## **RULE 2.8: DECORUM, Demeanor, AND COMMUNICATION WITH JURORS**

- (A) A judge shall require order and decorum in proceedings before the court.
- (B) A judge shall be patient, dignified, and courteous to litigants, jurors, witnesses,

lawyers, court staff, court officials, and others with whom the judge deals in an official capacity and shall require similar conduct of lawyers, court staff, court officials, and others subject to the judge's direction and control.

- (C) A judge shall not commend or criticize jurors for their verdict other than in a court order or opinion in a proceeding.

#### COMMENTS

- [1] The duty to hear all proceedings with patience and courtesy is not inconsistent with the duty imposed in Rule 2.5 to dispose promptly of the business of the court. Judges can be efficient and businesslike while being patient and deliberate.
- [2] Commending or criticizing jurors for their verdict, including on social media or social networking platforms, may imply a judicial expectation in future cases and may impair a juror's ability to be fair and impartial in a subsequent case.
- [3] A judge may meet with jurors who choose to remain at the completion of trial so long as the judge does not make any remarks that would adversely affect the judge's impartiality.

#### **RULE 2.9: *EX PARTE* COMMUNICATIONS**

- (A) A judge shall not initiate, permit, or consider *ex parte* communications or consider other communications made to the judge outside the presence of the parties or their lawyers concerning a pending\* or impending matter,\* except as follows:
  - (1) When circumstances require it, *ex parte* communication for scheduling, administrative, or emergency purposes, which does not address substantive matters, is permitted, provided:
    - (a) the judge reasonably believes that no party will gain a procedural, substantive, or tactical advantage as a result of the *ex parte* communication; and
    - (b) the judge makes provision promptly to notify all other parties of the substance of the *ex parte* communication and gives the parties an opportunity to respond.
  - (2) [Reserved]
  - (3) A judge may consult with court staff and court officials whose functions are to aid the judge in carrying out the judge's adjudicative responsibilities, or with other judges, provided the judge makes reasonable efforts to avoid receiving factual information that is not part of the record and does not abrogate the responsibility personally to decide the matter.

- (4) A judge may, with the consent of the parties, confer separately with the parties and their lawyers in an effort to mediate or settle matters pending before the judge.
- (5) A judge may initiate, permit, or consider any *ex parte* communication when expressly authorized by law\* to do so.
- (B) If a judge inadvertently received an unauthorized *ex parte* communication bearing upon the substance of a matter, the judge shall make provision promptly to notify the parties of the substance of the communication and provide the parties with an opportunity to respond.
- (C) A judge shall not investigate facts in a matter independently and shall consider only the evidence presented and any facts that may properly be judicially noticed.
- (D) A judge shall make reasonable efforts, including providing appropriate supervision, to ensure that this Rule is not violated by court staff, court officials, and others subject to the judge's direction and control.

#### COMMENTS

- [1] To the extent reasonably possible, all parties or their lawyers shall be included in communications with a judge.
- [2] Whenever the presence of a party or notice to a party is required by this Rule, it is the party's lawyer, or if the party is unrepresented, the party, who is to be present or to whom notice is to be given.
- [3] The proscription against communications concerning a proceeding includes communications with lawyers, law teachers, or other persons who are not participants in the proceeding and communications made or posted on social media or social networking platforms. A judge must make reasonable efforts to ensure that law clerks, court staff, court officials, and others under the judge's direction and control do not violate this Rule.
- [4] A judge may initiate, permit, or consider *ex parte* communications expressly authorized by law, such as when serving on therapeutic or problem-solving courts, mental health courts, or drug courts. In this capacity, judges may assume a more interactive role with parties, treatment providers, probation officers, social workers, and others.
- [5] A judge may consult with other judges on pending matters but must avoid *ex parte* discussions of a case with judges who have previously been disqualified from hearing the matter and with judges who have appellate jurisdiction over the matter.

- [6] The prohibition against a judge investigating the facts in a matter extends to information available in every medium, including electronic.
- [7] A judge may consult ethics advisory committees, outside counsel, or legal experts concerning the judge's compliance with this Code.
- [8] Judges who maintain a presence on social media or social networking platforms should be aware of the potential for these sites to become an unintended vehicle for *ex parte* communications.

#### **RULE 2.10: JUDICIAL STATEMENTS ON PENDING AND IMPENDING CASES**

- (A) A judge shall not make any public statement about a matter pending\* or impending\* in any court.
- (B) A judge shall not, in connection with cases, controversies, or issues that are likely to come before the court, make pledges, promises, or commitments that are inconsistent with the impartial\* performance of the adjudicative duties of judicial office.
- (C) A judge shall require court staff, court officials, and others subject to the judge's direction and control to refrain from making statements that the judge would be prohibited from making by paragraphs (A) and (B).
- (D) Notwithstanding the restrictions in paragraph (A), a judge may make public statements in the course of performing official duties or giving scholarly presentations for purposes of legal education, may explain court procedures, and may comment on any proceeding in which the judge is a litigant in a personal capacity.
- (E) Subject to the requirements of paragraph (A), a judge may respond directly or through a third party to allegations in the media or elsewhere concerning the judge's conduct in a matter.

#### **COMMENTS**

- [1] This Rule's restrictions on judicial speech are essential to the maintenance of the independence, integrity, and impartiality of the judiciary.
- [2] This Rule does not prohibit a judge from commenting on proceedings in which the judge is a litigant in a personal capacity. In cases in which the judge is a litigant in an official capacity, such as a writ of *mandamus*, the judge must not comment publicly.
- [3] Depending on the circumstances, the judge should consider whether it may be preferable for a third party, rather than the judge, to respond or issue statements

in connection with allegations concerning the judge's conduct in a matter. The Rule does not prohibit a judge from responding to allegations concerning the judge's conduct in a proceeding that is not pending or impending in any court.

- [4] Judges who are active on social media or social networking platforms should understand how their comments in these forums might be considered "public" statements implicating this Rule. Judges should be aware of the nature and efficacy of privacy settings offered by social media or social networking platforms.

## **RULE 2.11: DISQUALIFICATION**

- (A) A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality\* might reasonably be questioned, including, but not limited to, the following circumstances:
- (1) The judge has a personal bias or prejudice concerning a party or a party's lawyer or personal knowledge\* of facts that are in dispute in the proceeding.
  - (2) The judge knows\* that the judge, the judge's spouse or domestic partner,\* a person within the third degree of relationship\* to either of them, or the spouse or domestic partner of such a person is:
    - (a) a party to the proceeding or an officer, director, general partner, managing member, or trustee of a party;
    - (b) acting as a lawyer in the proceeding;
    - (c) a person who has more than a *de minimis*\* interest that could be substantially affected by the proceeding; or
    - (d) likely to be a material witness in the proceeding.
  - (3) The judge knowingly, individually, or as a fiduciary\* or the judge's spouse, domestic partner, parent, or child, wherever residing, or any other member of the judge's family residing in the judge's household\* has an economic interest\* in the subject matter in controversy or is a party to the proceeding.
  - (4) The judge, while a judge or a judicial candidate,\* has made a public statement, other than in a court proceeding, judicial decision, or opinion that commits or appears to commit the judge to reach a particular result or rule in a particular way in the proceeding or controversy.

- (5) The judge:
- (a) served as a lawyer in the matter;
  - (b) represented any party to the matter while engaged in the private practice of law within a period of seven years following the last date on which the judge represented the party;
  - (c) within the preceding three years was associated in the private practice of law with any law firm or lawyer currently representing any party in the matter (provided that referral of cases when no monetary interest was retained shall not be deemed an association within the meaning of this paragraph);
  - (d) served in governmental employment and in such capacity participated personally and substantially as a lawyer or public official concerning the matter or has publicly expressed in such capacity an opinion concerning the merits of the particular matter;
  - (e) was a material witness concerning the matter; or
  - (f) previously presided as a judge over the matter in another court.
- (B) A judge shall keep informed about the judge's personal and fiduciary economic interests and make a reasonable effort to keep informed about the personal economic interests of the judge's spouse or domestic partner and minor children residing in the judge's household.
- (C) A judge subject to disqualification under this Rule, other than for bias or prejudice under paragraph (A)(1), may disclose on the record the basis of the judge's disqualification and may ask the parties and their lawyers to consider, outside the presence of the judge and court personnel, whether to waive disqualification. If, following the disclosure, the parties and lawyers agree, without participation by the judge or court personnel, that the judge should not be disqualified, the judge may participate in the proceeding. The agreement shall be incorporated into the record of the proceeding.

## COMMENTS

- [1] Under this Rule, a judge is disqualified whenever the judge's impartiality might reasonably be questioned, regardless of whether any of the specific provisions of paragraphs (A)(1) through (6) apply. For example, the participation in a matter involving a person with whom the judge has an intimate relationship or a member of the judge's staff may require disqualification.

- [2] A judge’s obligation not to hear or decide matters in which disqualification is required applies regardless of whether a motion to disqualify is filed.
- [3] The rule of necessity may override the rule of disqualification. For example, a judge might be required to participate in judicial review of a judicial salary statute or might be the only judge available in a matter requiring immediate judicial action, such as a hearing on probable cause or a temporary restraining order. In matters that require immediate action, the judge must disclose on the record the basis for possible disqualification and make reasonable efforts to transfer the matter to another judge as soon as practicable.
- [4] The fact that a lawyer in a proceeding is affiliated with a law firm with which a relative of the judge is affiliated does not itself disqualify the judge. If, however, the judge’s impartiality might reasonably be questioned under paragraph (A) or the relative is known by the judge to have an interest in the law firm that could be substantially affected by the proceeding under paragraph (A)(2)(c), the judge’s disqualification is required.
- [5] A judge should disclose on the record information that the judge believes the parties or their lawyers might reasonably consider relevant to a possible motion for disqualification, even if the judge believes there is no basis for disqualification.
- [6] “Economic interest,” as set forth in the Terminology section, means ownership of more than a *de minimis* legal or equitable interest. Except for situations in which a judge participates in the management of such a legal or equitable interest or the interest could be substantially affected by the outcome of a proceeding before a judge, it does not include:
- (1) an interest in the individual holdings within a mutual or common investment fund;
  - (2) an interest in securities held by an educational, religious, charitable, fraternal, or civic organization in which the judge or the judge’s spouse, domestic partner, parent, or child serves as a director, officer, advisor, or other participant;
  - (3) a deposit in a financial institution or deposits or proprietary interests the judge may maintain as a member of a mutual savings association or credit union, or similar proprietary interests; or
  - (4) an interest in the issuer of government securities held by the judge.
- [7] A judge’s use of social media or social networking platforms may create the appearance of a relationship between the judge and litigants or lawyers who may appear before the judge. Whether a relationship would cause the judge’s

impartiality to “reasonably be questioned” depends on the facts. While the labels used by the social media or social networking platform (*e.g.*, “friend”) are not dispositive of the nature of the relationship, judges should consider the manner in which the rules on disqualification have been applied in traditional contexts and the additional ways in which social media or social networking platforms may amplify any connection to the judge.

#### **RULE 2.12: SUPERVISORY DUTIES**

- (A) A judge shall require court staff, court officials, and others subject to the judge’s direction and control to act in a manner consistent with the judge’s obligations under this Code.
- (B) A judge with supervisory authority for the performance of other judges shall take reasonable measures to ensure that those judges properly discharge their judicial responsibilities, including the prompt disposition of matters before them.

#### **COMMENTS**

- [1] A judge is responsible for personal conduct and for the conduct of others, such as staff, when those persons are acting at the judge’s direction or control. A judge may not direct court personnel to engage in conduct on the judge’s behalf or as the judge’s representative when such conduct would violate the Code if undertaken by the judge.
- [2] Public confidence in the judicial system depends upon timely justice. To promote the efficient administration of justice, a judge with supervisory authority must take the steps needed to ensure that supervised judges administer their workloads promptly. See Ill. S. Ct. R. 21(b) (eff. October 1, 2021).

#### **RULE 2.13: ADMINISTRATIVE APPOINTMENTS AND HIRING**

- (A) In making or facilitating administrative appointments and hiring court employees, a judge:
  - (1) shall exercise the power of appointment or election impartially\* and on the basis of merit; and
  - (2) shall avoid nepotism, favoritism, and unnecessary appointments.
- (B) A judge shall refrain from casting a vote for the appointment or reappointment to the office of associate judge of the judge’s spouse, domestic partner, or of any person known by the judge to be within the third degree of relationship to the judge, the judge’s spouse, or domestic partner (or the spouse or domestic partner of such a person).

- (C) A judge shall not approve compensation of appointees beyond the fair value of services rendered.

#### COMMENTS

- [1] Unless otherwise defined by law, nepotism is the appointment or hiring of any relative within the third degree of relationship of either the judge or the judge's spouse or domestic partner, or the spouse or domestic partner of such relative.

#### **RULE 2.14: DISABILITY AND IMPAIRMENT**

A judge having knowledge\* that the performance of a lawyer or another judge is impaired by drugs or alcohol or by a mental, emotional, or physical condition shall take appropriate action, which may include a confidential referral to a lawyer or judicial assistance program.

#### COMMENTS

- [1] “Appropriate action” means action intended and reasonably likely to help the judge or lawyer in question address the problem and prevent harm to the justice system. Depending upon the circumstances, appropriate action may include, but is not limited to, speaking directly to the impaired person, notifying an individual with supervisory responsibility over the impaired person, or making a referral to an assistance program.
- [2] Taking or initiating corrective action by way of referral to an assistance program may satisfy a judge's responsibility under this Rule. Assistance programs have many approaches for offering help to impaired judges and lawyers, such as intervention, counseling, or referral to appropriate health care professionals. Depending upon the gravity of the conduct that has come to the judge's attention, however, the judge may be required to take other action, such as reporting the impaired judge or lawyer to the appropriate authority,\* agency, or body. See Rule 2.15.
- [3] A judge having reliable information that does not rise to the level of knowledge that the performance of a lawyer or another judge is impaired by drugs, alcohol, or other condition may take appropriate action.

#### **RULE 2.15: RESPONDING TO JUDICIAL AND LAWYER MISCONDUCT**

- (A) A judge knowing\* that another judge has committed a violation of this Code that raises a substantial question regarding the judge's honesty, trustworthiness, or fitness as a judge in other respects shall inform the Illinois Judicial Inquiry Board.
- (B) A judge knowing that a lawyer has committed a violation of the Illinois Rules of Professional Conduct of 2010 that raises a substantial question regarding the

lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects shall inform the Illinois Attorney Registration and Disciplinary Commission (ARDC).

- (C) A judge knowing that another judge has committed a violation of this Code that does not raise a substantial question regarding honesty, trustworthiness, or fitness of a judge shall take appropriate action.
- (D) A judge knowing that a lawyer has committed a violation of the Illinois Rules of Professional Conduct of 2010 (Ill. S. Ct. Rs., art. VIII) that does not raise a substantial question regarding honesty, trustworthiness, or fitness of a lawyer shall take appropriate action.
- (E) The following provisions apply to judicial mentoring:
  - (1) Acts of a judge in mentoring a new judge pursuant to M.R. 14618 (Administrative Order of February 6, 1998, as amended June 5, 2000) and in the discharge of disciplinary responsibilities required or permitted by Canon 3 or the Illinois Rules of Professional Conduct of 2010 are part of a judge's judicial duties and shall be absolutely privileged.
  - (2) Except as otherwise required by the Illinois Supreme Court Rules, information pertaining to the new judge's performance that is obtained by the mentor in the course of the formal mentoring relationship shall be held in confidence by the mentor.

## COMMENTS

- [1] A judge having knowledge of misconduct committed by another judge or an attorney must take appropriate action to address the misconduct. Paragraphs (A) and (B) impose an obligation on the judge to report to the appropriate disciplinary authority the known misconduct of another judge or a lawyer that raises a substantial question regarding the honesty, trustworthiness, or fitness of that judge or lawyer. Ignoring or denying known misconduct among one's judicial colleagues or members of the legal profession undermines a judge's responsibility to participate in efforts to ensure public respect for the justice system. This Rule limits the reporting obligation to those offenses that an independent judiciary must vigorously endeavor to prevent.
- [2] A judge having knowledge of a violation of the Code or the Illinois Rules of Professional Conduct of 2010 that does not raise a substantial question regarding honesty, trustworthiness, or fitness of a judge or lawyer, respectively, is required to take appropriate action under paragraphs (C) or (D). Appropriate action may include, but is not limited to, communicating directly with the judge who may have violated this Code, communicating with a supervising judge, or reporting the suspected violation to the appropriate authority or other agency or body. Similarly, actions to be taken in response to information indicating that a lawyer

has committed a violation of the Illinois Rules of Professional Conduct of 2010 may include but are not limited to communicating directly with the lawyer who may have committed the violation when communicating is consistent with Rule 2.9 (“*Ex Parte* Communications”) and other provisions of this Code, initiating contempt proceedings, or reporting the suspected violation to the appropriate authority. In both cases, the Rule does not preclude a judge from taking or initiating more than a single appropriate disciplinary measure.

#### **RULE 2.16: COOPERATION WITH DISCIPLINARY AUTHORITIES**

- (A) A judge shall cooperate and be candid and honest with judicial and lawyer disciplinary agencies.
- (B) A judge shall not retaliate, directly or indirectly, against a person known\* or suspected to have assisted or cooperated with an investigation of a judge or lawyer.

#### **COMMENTS**

- [1] Cooperation with investigations and proceedings of judicial and lawyer disciplinary agencies, as required in paragraph (A), instills confidence in judges’ commitment to the integrity of the judicial system and the protection of the public.

#### **CANON 3**

A JUDGE SHALL CONDUCT THE JUDGE'S PERSONAL AND EXTRAJUDICIAL ACTIVITIES TO MINIMIZE THE RISK OF CONFLICT WITH THE OBLIGATIONS OF JUDICIAL OFFICE.

#### **RULE 3.1: EXTRAJUDICIAL ACTIVITIES IN GENERAL**

A judge may engage in extrajudicial activities, except as prohibited by law\* or this Code. However, when engaging in extrajudicial activities, a judge shall not:

- (A) participate in activities that will interfere with the proper performance of the judge’s judicial duties;
- (B) participate in activities that will lead to frequent disqualification of the judge;
- (C) participate in activities that would appear to a reasonable person to undermine the judge’s independence,\* integrity,\* or impartiality;\*
- (D) engage in conduct that would appear to a reasonable person to be coercive; or
- (E) make use of court premises, staff, stationery, equipment, or other resources, except for incidental use.

## COMMENTS

- [1] To the extent that time permits, and judicial independence and impartiality are not compromised, judges are encouraged to engage in appropriate extrajudicial activities. Judges are uniquely qualified to engage in extrajudicial activities that concern the law, the legal system, and the administration of justice, such as by speaking, writing, teaching, or participating in scholarly research projects. In addition, judges are permitted and encouraged to engage in educational, religious, charitable, fraternal, social, recreational, or civic extrajudicial activities not conducted for profit, even when the activities do not involve the law. See Rule 3.7
- [2] Participation in both law-related and other extrajudicial activities helps integrate judges into their communities and furthers public understanding of and respect for courts and the judicial system.
- [3] Discriminatory actions and expressions of bias or prejudice by a judge, even outside the judge's official or judicial actions, are likely to appear to a reasonable person to call into question the judge's integrity and impartiality. Examples include jokes or other remarks that demean individuals based upon their race, sex, gender, gender identity, religion, national origin, ethnicity, pregnancy, disability, age, sexual orientation, or socioeconomic status. For the same reason, a judge's extrajudicial activities must not be conducted in connection or affiliation with an organization that practices invidious discrimination. See Rule 3.6.
- [4] While engaged in permitted extrajudicial activities, judges must not coerce others or take action that would reasonably be perceived as coercive. For example, depending upon the circumstances, a judge's solicitation of contributions or memberships for an organization, even as permitted by Rule 3.7(A), might create the risk that the person solicited would feel obligated to respond favorably or would do so to curry favor with the judge.

### **RULE 3.2: APPEARANCES BEFORE GOVERNMENTAL BODIES AND CONSULTATION WITH GOVERNMENT OFFICIALS**

A judge shall not appear voluntarily at a public hearing before, or otherwise consult with, an executive or a legislative body or official, except:

- (A) in connection with matters concerning the law, the legal system, or the administration of justice;
- (B) in connection with matters about which the judge acquired knowledge or expertise in the course of the judge's judicial duties; or
- (C) when the judge is acting *pro se* in a manner involving the judge's personal, legal, or economic interests or when the judge is acting in a fiduciary capacity.

## COMMENTS

- [1] Judges possess special expertise in matters of law, the legal system, and the administration of justice, and may properly share that expertise with governmental bodies and executive or legislative branch officials.
- [2] In appearing before governmental bodies or consulting with government officials, judges must be mindful that they remain subject to other provisions of this Code, such as Rule 1.3 prohibiting judges from using the prestige of office to advance their own or others' interests; Rule 2.10 governing public comment on pending and impending matters; and Rule 3.1(C) prohibiting judges from engaging in extrajudicial activities that would appear to a reasonable person to undermine the judge's independence, integrity, or impartiality.
- [3] In general, it would be an unnecessary and unfair burden to prohibit judges from appearing before governmental bodies or consulting with government officials on matters that are likely to affect them as private citizens, such as zoning proposals affecting their real property. In engaging in such activities, however, judges must not refer to their judicial positions and must otherwise exercise caution to avoid using the prestige of judicial office.

### **RULE 3.3: TESTIFYING AS A CHARACTER WITNESS**

A judge shall not testify as a character witness in a judicial, administrative, or other adjudicatory proceeding or otherwise vouch for the character of a person in a legal proceeding, except when duly summoned.

## COMMENTS

- [1] A judge who, without being subpoenaed, testifies as a character witness abuses the prestige of judicial office to advance the interests of another. See Rule 1.3. Nothing in this Rule will affect or prohibit a judge's ability to provide a letter of recommendation on judicial letterhead for an individual based upon the judge's personal knowledge. See Rule 1.3, Comment [2].

### **RULE 3.4: APPOINTMENTS TO GOVERNMENTAL POSITIONS**

In addition to the restrictions in article VI, section 13, of the Illinois Constitution of 1970, a judge shall not accept appointment to a governmental committee, board, commission, or other governmental position, unless the appointment concerns the law, the legal system, or the administration of justice.

## COMMENTS

- [1] Article VI, section 13, of the Illinois Constitution of 1970 prohibits a judge from holding any office under the United States, this State, a unit of local government,

or a school board. Rule 3.4 acknowledges this constitutional limitation while implicitly recognizing the value of judges accepting appointments to entities that concern the law, the legal system, or the administration of justice. Even in such instances, however, a judge should assess the appropriateness of accepting an appointment, paying particular attention to the subject matter of the appointment and the availability and allocation of judicial resources, including the judge's time commitments, and giving due regard to the requirements of the independence and impartiality of the judiciary.

- [2] A judge may represent a country, state, or locality on ceremonial occasions or in connection with historical, educational, or cultural activities. Such representation does not constitute acceptance of a government position.

### **RULE 3.5: USE OF NONPUBLIC INFORMATION**

A judge shall not intentionally disclose or use nonpublic information\* acquired in a judicial capacity for any purpose unrelated to the judge's judicial duties.

#### **COMMENTS**

- [1] In the course of performing judicial duties, a judge may acquire information of commercial or other value that is unavailable to the public. The judge must not intentionally disclose or use such information for personal gain or for any purpose unrelated to judicial duties.
- [2] This Rule is not intended, however, to affect a judge's ability to act on information as necessary to protect the health or safety of the judge or a member of a judge's family, court personnel, attorneys, or other persons if consistent with other provisions of this Code.

### **RULE 3.6: AFFILIATION WITH DISCRIMINATORY ORGANIZATIONS**

- (A) A judge shall not hold membership in any organization that practices invidious discrimination on the basis of race, sex, gender, gender identity, religion, national origin, ethnicity, or sexual orientation.
- (B) A judge shall not use the benefits or facilities of an organization if the judge knows\* or should know that the organization practices invidious discrimination on one or more of the bases identified in paragraph (A). A judge's attendance at an event in a facility of an organization that the judge is not permitted to join is not a violation of this Rule when the judge's attendance is an isolated event that could not reasonably be perceived as an endorsement of the organization's practices.

#### **COMMENTS**

- [1] A judge's public manifestation of approval of invidious discrimination on any basis gives rise to the appearance of impropriety and diminishes public confidence

in the integrity and impartiality of the judiciary. A judge's membership in an organization that practices invidious discrimination creates the perception that the judge's impartiality is impaired.

- [2] An organization is generally said to discriminate invidiously if it arbitrarily excludes from membership on the basis of race, sex, gender, gender identity, religion, national origin, ethnicity, or sexual orientation persons who would otherwise be eligible for admission. Whether an organization practices invidious discrimination is a complex question to which judges should be attentive. The answer cannot be determined from a mere examination of an organization's current membership rolls but, rather, depends upon how the organization selects members, as well as other relevant factors, such as whether the organization is dedicated to the preservation of religious, ethnic, or cultural values of legitimate common interest to its members or whether it is an intimate, purely private organization whose membership limitations could not constitutionally be prohibited.
- [3] When a judge learns that an organization to which the judge belongs engages in invidious discrimination, the judge must resign immediately from the organization.
- [4] A judge's membership in a religious organization as a lawful exercise of the freedom of religion is not a violation of this Rule.
- [5] This Rule does not apply to national or state military service.

**RULE 3.7: PARTICIPATION IN EDUCATIONAL, RELIGIOUS, CHARITABLE, FRATERNAL, OR CIVIC ORGANIZATIONS AND ACTIVITIES**

- (A) Subject to the requirements of Rule 3.1, a judge may participate in activities (i) sponsored by organizations or governmental entities concerned with the law, the legal system, or the administration of justice and (ii) sponsored by or on behalf of educational, religious, charitable, fraternal, or civic organizations not conducted for profit, including, but not limited to, the following activities:
  - (1) assisting such an organization or entity in planning related to fundraising and participating in the management and investment of the organization's or entity's funds;
  - (2) soliciting\* contributions\* for such an organization or entity, but only from members of the judge's family\* or from judges over whom the judge does not exercise supervisory authority;
  - (3) soliciting membership for such an organization or entity, even though the membership dues or fees generated may be used to support the objectives of the organization or entity, but only if the organization or entity is

concerned with the law, the legal system, or the administration of justice;

- (4) appearing, speaking, receiving an award or other recognition, and permitting the judge's title to be used in connection with a fundraising or other event of such an organization or entity;
- (5) making recommendations to such a public or private fund-granting organization or entity in connection with its programs and activities; and
- (6) serving as an officer, director, trustee, or nonlegal advisor of such an organization or entity, unless it is likely that the organization or entity:
  - (a) will be engaged in proceedings that would ordinarily come before the judge; or
  - (b) will frequently be engaged in adversarial proceedings in the court of which the judge is a member or in any court subject to the appellate jurisdiction of the court of which the judge is a member.

- (B) A judge may encourage and solicit lawyers to provide *pro bono* public legal services.

## COMMENTS

- [1] The activities permitted by paragraph (A) generally include those sponsored by or undertaken on behalf of public or private not-for-profit educational institutions and other not-for-profit organizations, including law-related, charitable, and other organizations.
- [2] Before engaging in activities permitted by Rule 3.7, a judge should consider whether the membership and purposes of the organization, or the nature of the judge's participation in or association with the organization, would conflict with the judge's obligation to refrain from activities that reflect adversely upon a judge's independence, integrity, and impartiality.
- [3] Mere attendance at an event, whether or not the event serves a fundraising purpose, does not constitute a violation of paragraph (A)(4) so long as the judge does not engage in direct solicitation. It is also generally permissible for a judge to serve as an usher or a food server or preparer or to perform similar functions at fundraising events sponsored by educational, religious, charitable, fraternal, or civic organizations. Such activities are not solicitation and do not present an element of coercion or misuse the prestige of judicial office.
- [3A] A judge may not use social media or social networking platforms to promote the activities of educational, religious, charitable, fraternal, or civic organizations when the judge would be prohibited from doing so using another means of

communication. For example, just as a judge may not write or telephone nonfamily members or judges over whom the judge has supervisory authority to encourage them to attend organizations' fundraising events, a judge may not promote those events via social media or social networking platforms.

- [4] Identification of a judge's position in law-related, educational, religious, charitable, fraternal, or civic organizations on letterhead or written materials used for fundraising or membership solicitation by such an organization or entity does not violate this Rule. The letterhead may list the judge's title or judicial office if comparable designations are used for other persons.
- [5] In addition to appointing lawyers to serve as counsel for indigent parties in individual cases, a judge may promote broader access to justice by encouraging lawyers to participate in *pro bono* public legal services if in doing so the judge does not employ coercion or misuse the prestige of judicial office. Such encouragement may take many forms, including providing lists of available programs, training lawyers to do *pro bono* public legal work, participating in events recognizing lawyers who have done *pro bono* public work, and requesting lawyers handle matters on a *pro bono* basis.
- [6] For guidance regarding a judge's involvement with political organizations, see Canon 4.

### **RULE 3.8: APPOINTMENTS TO FIDUCIARY POSITIONS**

- (A) A judge shall not accept appointment to serve in a fiduciary\* position, such as executor, administrator, trustee, guardian, attorney in fact, or other personal representative, except for the estate, trust, or person of a member of the judge's family and then only if the service will not interfere with the proper performance of judicial duties.
- (B) [Reserved]
- (C) A judge acting in a fiduciary capacity shall be subject to the same restrictions on engaging in financial activities that apply to a judge personally.
- (D) If a person who is serving in a fiduciary position becomes a judge, the new judge must\* comply with this Rule as soon as reasonably practicable, but in no event later than one year after becoming a judge.

### **COMMENTS**

- [1] A judge should recognize that other restrictions imposed by this Code may conflict with a judge's obligations as a fiduciary; in such circumstances, a judge should resign as fiduciary. For example, serving as a fiduciary might require frequent disqualification of a judge under Rule 2.11 because a judge is deemed to

have an economic interest in shares of stock held by a trust if the amount of stock held is more than *de minimis*.

### **RULE 3.9: SERVICE AS ARBITRATOR OR MEDIATOR**

A judge shall not act as an arbitrator or a mediator or perform other judicial functions apart from the judge's official duties unless expressly authorized by law.\*

#### COMMENTS

- [1] This Rule does not prohibit a judge from participating in arbitration, mediation, or settlement conferences performed as part of judicial duties. Rendering dispute resolution services apart from those duties, whether or not for economic gain, is prohibited unless it is expressly authorized by law.

### **RULE 3.10: PRACTICE OF LAW**

A judge shall not practice law. A judge may act *pro se* in all legal matters.

#### COMMENTS

- [1] A judge may act *pro se* in all legal matters, including matters involving litigation and matters involving appearances before or other dealings with governmental bodies. A judge must not use the prestige of office to advance the judge's personal or family interests. See Rule 1.3.

### **RULE 3.11: FINANCIAL, BUSINESS, OR REMUNERATIVE ACTIVITIES**

- (A) A judge may hold and manage investments of the judge and members of the judge's family.
- (B) A judge shall not serve as an officer, director, manager, general partner, advisor, or employee of any business entity. A judge, however, may:
- (1) hold an equity interest in a business closely held by the judge or members of the judge's family or household; or
  - (2) manage a business entity primarily engaged in investment of the financial resources of the judge or members of the judge's family.
- (C) A judge shall cease engaging in those financial activities otherwise permitted under paragraphs (A) and (B) as soon as practicable if they will:
- (1) interfere with the proper performance of judicial duties;
  - (2) lead to frequent disqualification of the judge;

- (3) involve the judge in frequent transactions or continuing business relationships with lawyers or other persons likely to come before the court on which the judge serves; or
- (4) result in violation of other provisions of this Code.

#### COMMENTS

- [1] Although the Rule forbids a judge from assuming an active role in the management of any business, judges are generally permitted to engage in financial activities, including managing real estate and other investments for themselves or for members of their families. Participation in these activities, like participation in other extrajudicial activities, is subject to the requirements of this Code. For example, it would be improper for a judge to spend time on business activities that interferes with the performance of judicial duties. See Rule 2.1. Similarly, it would be improper for a judge to use the official title or appear in judicial robes in business advertising or to conduct personal business or financial affairs in such a way that disqualification is frequently required. See Rules 1.3 and 2.11.
- [2] Situations that require frequent disqualification of a judge or otherwise violate this Rule may exist at the time of taking judicial office or arise due to a change in circumstances. As soon as practicable without serious financial detriment, divestment of personal investments and other financial interests is required where frequent disqualification or other violations of this Rule might occur.

#### **RULE 3.12: COMPENSATION FOR EXTRAJUDICIAL ACTIVITIES**

A judge may accept reasonable compensation for extrajudicial activities permitted by this Code or other law\* unless such acceptance would appear to a reasonable person to undermine the judge's independence,\* integrity,\* or impartiality.\*

#### COMMENTS

- [1] A judge is permitted to accept honoraria, stipends, fees, wages, salaries, royalties, or other compensation for speaking, teaching, writing, and other extrajudicial activities, provided the compensation is reasonable and provided that the source of the payments does not give the appearance of influencing the judge in the performance of judicial duties or otherwise give the appearance of impropriety. The judge should be mindful, however, that judicial duties must take precedence over other activities. See Rule 2.1 and Ill. Const. 1970, art. VI, § 13(b).
- [2] Compensation derived from extrajudicial activities may be subject to public reporting. See Rule 3.15.
- [3] Judges may not accept payment or other compensation for performing weddings. See Ill. S. Ct. Rule 40 (eff. Oct. 1, 2014).

**RULE 3.13: ACCEPTANCE OF GIFTS, LOANS, BEQUESTS, FAVORS, BENEFITS, OR OTHER THINGS OF VALUE**

A judge shall not accept any gifts, loans, bequests, benefits, favors, or other things of value, except as follows:

- (1) items with little intrinsic value, such as plaques, certificates, trophies, and greeting cards;
- (2) gifts, loans, bequests, benefits, favors, or other things of value from individuals whose relationship with the judge would require disqualification under Rule 2.11;
- (3) ordinary social hospitality;
- (4) commercial or financial opportunities and benefits, including special pricing and discounts, and loans from lending institutions in their regular course of business, if the same opportunities and benefits or loans are made available on the same terms to similarly situated persons who are not judges;
- (5) rewards and prizes given to competitors or participants in random drawings, contests, or other events that are open to persons who are not judges;
- (6) scholarships, fellowships, and similar benefits or awards, if they are available to similarly situated persons who are not judges, based upon the same terms and criteria;
- (7) books, magazines, journals, audiovisual materials, and other resource materials supplied by publishers on a complimentary basis for official use;
- (8) gifts incident to a public testimonial;
- (9) invitations to the judge and the judge's spouse, domestic partner, or guest to attend without charge:
  - (a) an event associated with a bar-related function or other activity relating to the law, the legal system, or the administration of justice; or
  - (b) an event associated with any of the judge's educational, religious, charitable, fraternal, or civic activities permitted by this Code, if the same invitation is offered to nonjudges who are engaged in similar ways in the activity as is the judge; and
- (10) gifts, loans, bequests, benefits, favors, or other things of value, only if the donor is not a party or other person whose interests have come or are likely to come before the judge, including lawyers who practice or have practiced before the judge.

## COMMENTS

- [1] Whenever a judge accepts a gift or other thing of value without paying fair market value, there is a risk that the benefit might be viewed as intended to influence the judge's decision in a case. Rule 3.13 prohibits the acceptance of benefits except in circumstances where the risk of improper influence is low.
- [2] Gift giving between friends and relatives is a common occurrence and ordinarily does not create an appearance of impropriety or cause reasonable persons to believe that the judge's independence, integrity, or impartiality has been compromised. In addition, when the appearance of friends or relatives in a case would require the judge's disqualification under Rule 2.11, there would be no opportunity for a gift to influence the judge's decisionmaking. Paragraph (2) places no restrictions upon the ability of a judge to accept gifts or other things of value from friends or relatives under these circumstances.
- [3] Businesses and financial institutions frequently make available special pricing, discounts, and other benefits, either in connection with a temporary promotion or for preferred customers based upon longevity of the relationship, volume of business transacted, and other factors. A judge may freely accept such benefits if they are available to the general public or if the judge qualifies for the special price or discount according to the same criteria as are applied to persons who are not judges. As an example, loans provided at generally prevailing interest rates are not gifts, but a judge could not accept a loan from a financial institution at below-market interest rates unless the same rate was being made available to the general public for a certain period of time or only to borrowers with specified qualifications that the judge also possesses.
- [4] Rule 3.13 applies only to acceptance of gifts or other things of value by a judge. Nonetheless, if a gift or other benefit is given to the judge's spouse, domestic partner, or member of the judge's family residing in the judge's household, it may be viewed as an attempt to evade Rule 3.13 and influence the judge indirectly. Where the gift or benefit is being made primarily to such other persons and the judge is merely an incidental beneficiary, this concern is reduced. A judge should consider informing family and household members of the restrictions imposed upon judges by this Rule.
- [5] Contributions to a judge's campaign for judicial office are governed by Rules 4.3 and 4.4 of this Code.
- [6] "Ordinary social hospitality" includes the "routine amenities, favors, and courtesies which are normally exchanged between friends and acquaintances, and which would not create an appearance of impropriety to a reasonable, objective observer." *In re Corboy*, 124 Ill. 2d 29, 42 (1988). The touchstone of this objective test "is a careful consideration of social custom." *Id.* Factors relevant to this inquiry include (1) the monetary value of the gift, loan, bequest, or other item

transferred from the donor or lender to the judge; (2) the relationship between the judge and the donor or lender; (3) the social practices and customs associated with transfers of the type made between the judge and donor or lender; and (4) the circumstances surrounding the transaction. See *id.* at 42-43.

[7] Disclosure of economic interests including gifts is governed by Rule 3.15.

**RULE 3.14: REIMBURSEMENT OF EXPENSES AND WAIVERS OF FEES OR CHARGES**

- (A) Unless otherwise prohibited by Rule 3.1 or other law,\* a judge may accept reimbursement of necessary and reasonable expenses for travel, food, lodging, or other incidental expenses or a waiver or partial waiver of fees or charges for registration, tuition, and similar items from sources other than the judge's employing entity, if the expenses or charges are associated with the judge's participation in extrajudicial activities permitted by this Code.
- (B) Reimbursement of expenses for necessary travel, food, lodging, or other incidental expenses shall be limited to the actual costs reasonably incurred by the judge and, when appropriate to the occasion, by the judge's spouse, domestic partner,\* or guest.
- (C) [Reserved]

**COMMENTS**

- [1] Educational, civic, religious, fraternal, and charitable organizations often sponsor meetings, seminars, symposia, dinners, awards ceremonies, and similar events. Judges are encouraged to attend educational programs as both teachers and participants in law-related and academic disciplines in furtherance of their duty to remain competent in the law. Participation in a variety of other extrajudicial activity is also permitted and encouraged by this Code.
- [2] Not infrequently, sponsoring organizations invite certain judges to attend seminars or other events on a fee-waived or partial-fee-waived basis and sometimes include reimbursement for necessary travel, food, lodging, or other incidental expenses. A judge's decision whether to accept reimbursement of expenses or a waiver or partial waiver of fees or charges in connection with these or other extrajudicial activities must be based upon an assessment of all the circumstances. The judge must undertake a reasonable inquiry to obtain the information necessary to make an informed judgment about whether acceptance would be consistent with the requirements of this Code.
- [3] A judge must be assured that acceptance of reimbursement or fee waivers would appear to a reasonable person not to undermine the judge's independence, integrity, or impartiality. The factors that a judge should consider when deciding

whether to accept reimbursement or a fee waiver for attendance at a particular activity include:

- (a) whether the sponsor is an accredited educational institution or bar association rather than a trade association or a for-profit entity;
- (b) whether the funding comes largely from numerous contributors rather than from a single entity and is earmarked for programs with specific content;
- (c) whether the content is related or unrelated to the subject matter of litigation pending or impending before the judge or to matters that are likely to come before the judge;
- (d) whether the activity is primarily educational rather than recreational and whether the costs of the event are reasonable and comparable to those associated with similar events sponsored by the judiciary, bar associations, or similar groups;
- (e) whether information concerning the activity and its funding sources is available upon inquiry;
- (f) whether the sponsor or source of funding is generally associated with particular parties or interests currently appearing or likely to appear in the judge's court, thus possibly requiring disqualification of the judge under Rule 2.11;
- (g) whether differing viewpoints are presented; and
- (h) whether a broad range of judicial and nonjudicial participants are invited, whether a large number of participants are invited, and whether the program is designed specifically for judges.

### **RULE 3.15: REPORTING REQUIREMENTS**

A judge shall file annually with the Clerk of the Illinois Supreme Court a verified written statement of economic interests. The contents of, and filing deadline for, the statement shall be as specified by administrative order of this court.

#### **COMMENTS**

- [1] The statement of economic interests required by this Rule is intended to (1) maintain and promote public confidence in the integrity, impartiality, fairness, and independence of the judiciary; (2) provide public information bearing on judges' potential conflicts of interest; and (3) foster compliance with the Code. The statement is designed to achieve an appropriate balance with respect to particular information that might reasonably bear on these objectives between the value of

public disclosure of that information, on the one hand, and judges' legitimate privacy interests, on the other hand.

### **ADMINISTRATIVE ORDER**

1. The verified written statement of economic interests referred to in Rule 3.15 shall be filed annually by all judges on or before April 30. Statements also shall be filed by every person who becomes a judge, within 45 days after assuming office. However, judges who assume office on or after December 1 and who file the statement before the following April 30 shall not be required to file another statement until the next year.
2. Before the first Monday in March of each year, the Director of the Administrative Office of the Illinois Courts (Director) shall inform each judge of the requirements of Rule 3.15 and this order and shall provide a copy of the Statement of Economic Interests. The Director shall do the same for each new judge within 10 days of the judge assuming office.
3. The Clerk is authorized to redact any personal information that is not required to be disclosed in the statement.
4. The Clerk shall maintain a publicly available list of all judges and the last date on which each judge filed the statement.
5. The Clerk shall send a judge acknowledgement of receipt of the judge's statement and the date of filing.
6. All statements shall be made available to the public by written request submitted to the Clerk's office. Each person requesting a statement must first fill out a form prepared by the Director specifying the statement requested, identifying the examiner by name, occupation, address, telephone number, and e-mail address, and listing the date of and the reason for the request. Copies of statements will be supplied to persons requesting them on payment of a reasonable fee per page as required by the Clerk. Payment will be in the form required by the Clerk.
7. When a copy of a judge's statement is requested, the Clerk shall promptly send the judge a copy of the completed request form.

## **CANON 4**

### **A JUDGE OR JUDICIAL CANDIDATE SHALL NOT ENGAGE IN POLITICAL OR CAMPAIGN ACTIVITY THAT IS INCONSISTENT WITH THE INDEPENDENCE, INTEGRITY, OR IMPARTIALITY OF THE JUDICIARY.**

#### **RULE 4.1: POLITICAL AND CAMPAIGN ACTIVITIES IN PUBLIC ELECTIONS**

- (A) Except as authorized in paragraphs (D)(2) and (F), a judge or judicial candidate shall not:
  - (1) act as a leader or hold an office in a political organization;\*
  - (2) publicly endorse or publicly oppose another candidate for public office;
  - (3) make speeches on behalf of a political organization; or
  - (4) solicit funds for, or pay an assessment to, a political organization or candidate.
- (B) A judge shall resign from judicial office upon becoming a candidate for a nonjudicial elected office.
- (C) A judicial candidate:
  - (1) shall maintain the dignity appropriate to judicial office and act in a manner consistent with the independence, integrity, and impartiality of the judiciary;
  - (2) shall prohibit employees and officials who serve at the pleasure of the candidate, and shall discourage other employees and officials subject to the candidate's direction and control, from doing on the candidate's behalf what the candidate is prohibited from doing under the provisions of this Rule;
  - (3) except to the extent permitted by Paragraph (E), shall not authorize, encourage, or knowingly permit members of the judicial candidate's family\* or other persons to do for the candidate what the candidate is prohibited from doing under the provisions of this Rule;
  - (4) shall not:
    - (a) make pledges, promises, or commitments that are inconsistent with the impartial performance of the adjudicative duties of judicial office with respect to cases, controversies, or issues that are likely to come before the court; or

- (b) knowingly misrepresent the identity, qualifications, present position, or other fact concerning the candidate or an opponent.
- (D) A judge or judicial candidate may, except as prohibited by law:
  - (1) at any time:
    - (a) purchase tickets for and attend political gatherings;
    - (b) identify as a member of a political party; and
    - (c) contribute to a political organization.
  - (2) when a candidate for public election: \*
    - (a) speak to gatherings supporting candidacy;
    - (b) appear in advertisements and other electronic media supporting the candidacy;
    - (c) distribute campaign materials supporting the candidacy;
    - (d) publicly endorse or publicly oppose any judicial candidates in a primary or general election in which the judge or judicial candidate is running and use or allow the use of campaign materials authorized by Paragraph F;
    - (e) respond to personal attacks or attacks on the candidate's record as long as the response does not violate Paragraph (C)(4) and is not reasonably expected to impair the fairness of a matter pending or impending in any court. See Rule 2.10(D).
- (E) A judicial candidate shall not:
  - (1) personally solicit\* or accept campaign contributions; or
  - (2) use or permit the use of campaign contributions for the private benefit of the candidate or others. See Rule 4.4.
- (F) A candidate for judicial office in a public election may permit the candidate's name or image to be included in campaign materials along with other candidates for elective public office.
- (G) A judge shall not engage in any political activity, except:
  - (1) as authorized under Rule 4.1(D) and Rule 4.4;

- (2) on behalf of measures that concern the law, the legal system, or the administration of justice; or
  - (3) as expressly authorized by law.
- (H) Rule 4.1 applies to all judges and judicial candidates. Judges and successful judicial candidates are subject to judicial discipline for their campaign conduct. Lawyers are subject to lawyer discipline for their campaign conduct that violates Rule 4.1 of the Illinois Rules of Professional Conduct of 2010.

## COMMENTS

- [1] A judge plays a role different from that of a legislator or executive branch official. Rather than making decisions based upon the expressed views or preferences of the electorate, a judge makes decisions based upon the law and the facts of every case. Therefore, in furtherance of this interest, judges and judicial candidates must, to the greatest extent possible, be free and appear to be free from political influence and political pressure. This Canon imposes narrowly tailored restrictions upon the political and campaign activities of all judges and judicial candidates.
- [2] When a person becomes a judicial candidate, this Canon becomes applicable.
- [2A] Except as may be specifically authorized in the context of judicial election campaigns, Rule 4.1 prohibits judges and judicial candidates from “publicly” endorsing or making “speeches” on behalf of political candidates or organizations. Comments by judges active on social media or social networking platforms may be considered “public” for purposes of this Rule.

## PARTICIPATION IN POLITICAL ACTIVITIES

- [3] Public confidence in the independence, integrity, and impartiality of the judiciary is eroded if judges or judicial candidates are perceived to be subject to political influence.
- [4] Paragraphs (A)(2) and (A)(3) prohibit judges and judicial candidates from making speeches on behalf of political organizations or publicly endorsing or opposing candidates for public office, respectively, to prevent them from misusing the prestige of judicial office to advance the interests of others. See Rule 1.3. The prohibition contained in paragraph (A)(3) does not prohibit candidates from campaigning on their own behalf or from endorsing or opposing candidates for judicial office in the same primary or general election.
- [5] Although members of the families of judges and judicial candidates are free to engage in their own political activity, including running for public office, there is no “family exception” to the prohibition in paragraph (A)(2) against a judge or

candidate publicly endorsing candidates for public office. A judge or judicial candidate must not become involved in, or publicly associate with, a family member's political activity or campaign for public office. To avoid public misunderstanding, judges and judicial candidates should take, and should urge members of their families to take, reasonable steps to avoid any implication that they endorse any family member's candidacy or other political activity. The judge or judicial candidate may, however, attend events advancing the candidacy of the family member and contribute financially to the family member's campaign to the same extent that a judge or judicial candidate may attend events and contribute money to any other candidate for public office.

- [5A] Because society recognizes the special relationship between members of a family, including the expectation that family members generally support each other in all facets of their lives, there is less danger that a judge's association with a family member's campaign for public office will create the impression that the judge is misusing judicial prestige to support the candidate. For example, a judge may appear in a photograph to be used in a family member's campaign for public office. A judge must not, however, be depicted in judicial robes in a courtroom or other context that suggests the prestige of judicial office is being misused.
- [5B] A judge or judicial candidate should encourage family members in supporting the candidacy of the judge or judicial candidate to adhere to the same standards of political conduct contained in this Canon.
- [6] Judges and judicial candidates retain the right to participate in the political process as voters in any election. Judges and judicial candidates may sign election-related petitions. Judicial candidates may also circulate petitions for themselves or other judicial candidates in the same election but must not circulate petitions for any nonjudicial candidates for public office.

#### STATEMENTS AND COMMENTS MADE DURING A CAMPAIGN FOR JUDICIAL OFFICE

- [7] Judicial candidates should be scrupulously fair and accurate in all statements made by them and by their campaign committees. Paragraph (C)(4)(b) obligates candidates to refrain from knowingly, or with reckless disregard for the truth, making statements that are false or misleading or that omit facts necessary to make the communication considered as a whole not a false or misleading statement.
- [8] Judicial candidates are sometimes the subject of false, misleading, or unfair allegations made by opposing candidates, third parties, or the media. For example, false or misleading statements might be made regarding the identity, present position, experience, qualifications, or judicial rulings of a candidate. In other situations, false or misleading allegations may be made that bear upon a candidate's integrity or fitness for judicial office. As long as the candidate does not violate paragraph (D)(2)(e), the candidate may make a factually accurate

public response. In addition, when false or misleading statements have been made regarding a candidate's opponent, the candidate should disavow the statements and request the source of the statements to cease.

- [9] Subject to paragraph (D)(2)(e), a judicial candidate is permitted to respond directly to false or misleading allegations made against him or her. The candidate should consider whether it is preferable for someone else to respond if the allegations relate to a pending case.
- [10] Paragraph (C)(4)(a) prohibits judicial candidates from making comments that might impair the fairness of pending or impending judicial proceedings. This provision does not restrict arguments or statements to the court or jury by a lawyer who is a judicial candidate or rulings, statements, or instructions by a judge that may appropriately affect the outcome of a matter.

#### PLEDGES, PROMISES, OR COMMITMENTS INCONSISTENT WITH IMPARTIAL PERFORMANCE OF THE ADJUDICATIVE DUTIES OF JUDICIAL OFFICE

- [11] The role of a judge is different from that of a legislator or executive branch official, even when the judge is subject to public election. Campaigns for judicial office must be conducted differently from campaigns for other offices. The narrowly drafted restrictions upon political and campaign activities of judicial candidates provided in Canon 4 allow candidates to conduct campaigns that provide voters with sufficient information to permit them to distinguish between candidates and make informed electoral choices.
- [12] Paragraph (C)(4)(a) makes applicable to both judges and judicial candidates the prohibition that applies to judges in Rule 2.10(B) relating to pledges, promises, or commitments that are inconsistent with the impartial performance of the adjudicative duties of judicial office.
- [13] The making of a pledge, promise, or commitment is not dependent upon, or limited to, the use of any specific words or phrases; instead, the totality of the statement must be examined to determine if a reasonable person would believe that the candidate for judicial office has specifically undertaken to reach a particular result. Pledges, promises, or commitments must be contrasted with statements or announcements of personal views on legal, political, or other issues, which are not prohibited. When making such statements, a judge should acknowledge the overarching judicial obligation to apply and uphold the law without regard to any personal views.
- [14] A judicial candidate may make promises related to judicial organization, administration, and court management, such as a promise to dispose of a backlog of cases, start court sessions on time, or avoid favoritism in appointments and hiring. A candidate may also pledge to take action outside the courtroom, such as working toward an improved jury selection system or advocating for more funds

to improve the physical plant and amenities of the courthouse.

- [15] Judicial candidates who respond to questions or questionnaires or requests for interviews may have their responses viewed as improper pledges, promises, or commitments. See Comment 13. To avoid violating paragraph (D)(2)(e), candidates who respond should give assurances that they will keep an open mind and will carry out their adjudicative duties faithfully and impartially. Candidates who do not respond may state their reasons such as the danger that answering might be perceived by a reasonable person as undermining a successful candidate's independence or impartiality or that it might lead to frequent disqualification. See Rule 2.11.

#### **RULE 4.2: RESERVED**

[Reserved]

#### **RULE 4.3: ACTIVITIES OF CANDIDATES FOR APPOINTIVE JUDICIAL OFFICE**

A candidate for appointment to judicial office shall:

- (A) maintain the dignity appropriate to judicial office and act in a manner consistent with the independence,\* integrity,\* and impartiality of the judiciary;
- (B) prohibit employees and officials who serve at the pleasure of the candidate, and discourage other employees and officials subject to the candidate's direction and control, from doing on the candidate's behalf what the candidate is prohibited from doing under the provisions of this Rule;
- (C) A candidate shall not:
  - (1) make pledges, promises, or commitments that are inconsistent with the impartial performance of the adjudicative duties of judicial office with respect to cases, controversies, or issues that are likely to come before the court; or
  - (2) knowingly\* or with reckless disregard for the truth, make any false or misleading statement in connection with:
    - (a) an application for appointment; or
    - (b) the identity, qualifications, present position, or other fact concerning the candidate; or
    - (c) except to the extent permitted by Rule 4.1(E), authorize, encourage, or knowingly permit members of the judicial candidate's family or

other persons to do for the candidate what the candidate is prohibited from doing under the provisions of this Rule.

- (D) A candidate for appointment to judicial office may, except as prohibited by law:\*

  - (1) at any time:
    - (a) purchase tickets for and attend political gatherings;
    - (b) personally identify as a member of a political party; and
    - (c) contribute to a political organization.

#### COMMENTS

- [1] When seeking support or endorsement or when communicating directly with an appointing or confirming authority, a candidate for appointive judicial office must not make any pledges, promises, or commitments that are inconsistent with the impartial performance of the adjudicative duties of the office. See Rule 4.1(D)(4)(a).
- [2] “Appointment to judicial office” means appointment, assignment, or recall to any judicial office under article VI of the Illinois Constitution of 1970.

#### **RULE 4.4: CAMPAIGN COMMITTEES**

- (A) A judicial candidate subject to public election may establish a campaign committee to manage and conduct a campaign for the candidate, subject to the provisions of this Code. The candidate is responsible for ensuring that the campaign committee complies with applicable provisions of this Code and other applicable law.\*
- (B) A judicial candidate subject to public election shall direct the campaign committee:
  - (1) to solicit and accept campaign contributions\* only as permitted by law;
  - (2) not to solicit or accept contributions for a campaign more than 1 year before the applicable primary, general, or retention election, nor more than 90 days after the last election in which the candidate participated; and
  - (3) to comply with all applicable campaign finance laws.

#### COMMENTS

- [1] Judicial candidates are prohibited from personally soliciting campaign contributions or personally accepting campaign contributions. See Rule 4.1(A)(8). This Rule recognizes that, in many jurisdictions, judicial candidates must raise campaign funds to support their candidacies and permits candidates,

other than candidates for appointive judicial office, to establish campaign committees to solicit and accept reasonable financial contributions or in-kind contributions.

- [2] Campaign committees may solicit and accept campaign contributions, manage the expenditure of campaign funds, and generally conduct campaigns. To the extent possible, campaign committees should manage campaign finances to avoid deficits that might necessitate postelection fundraising. Candidates are responsible for compliance with the requirements of election law and other applicable law and for the activities of their campaign committees.
- [3] The campaign committee may solicit and accept campaign contributions from lawyers and others who might appear before the candidate. The candidate should instruct the campaign committee to be cautious in connection with such contributions so it does not create grounds for disqualification. See Rule 2.11.
- [4] During the campaign, the candidate and the campaign committee should be aware that a contribution may affect the independence, integrity, and impartiality of the judge and may create grounds for disqualification if the candidate is elected to office.

#### **RULE 4.5: ACTIVITIES OF JUDGES WHO BECOME CANDIDATES FOR NONJUDICIAL OFFICE**

- (A) Upon becoming a candidate for a nonjudicial elective office, a judge shall resign from judicial office, unless permitted by law\* to continue to hold judicial office. A person becomes a candidate for nonjudicial office by (1) making a public announcement of candidacy, (2) declaring or filing as a candidate with the election authority, (3) authorizing or, where permitted, engaging in solicitation or acceptance of contributions or support, or (4) being nominated for election. A judge may continue to hold office while a candidate for election to or serving as a delegate in a state constitutional convention.
- (B) Upon becoming a candidate for a nonjudicial appointive office, a judge is not required to resign from judicial office, provided that the judge complies with the other provisions of this Code.

#### **COMMENTS**

- [1] In campaigns for nonjudicial elective public office, candidates may make pledges, promises, or commitments related to positions they would take and ways they would act if elected to office. Although appropriate in nonjudicial campaigns, this manner of campaigning is inconsistent with the role of a judge, who must remain fair and impartial. The potential for misuse of judicial office, and the political promises that the judge may make in the course of campaigning for nonjudicial elective office, together dictate that a judge who wishes to run for such an office must resign upon becoming a candidate.

- [2] The “resign to run” rule set forth in paragraph (A) ensures that a judge cannot use the judicial office to promote such candidacy and eliminates any potential issue of postcampaign retaliation by a judge defeated in an election. When a judge is seeking appointive nonjudicial office, however, the dangers are not sufficient to warrant imposing the “resign to run” rule.

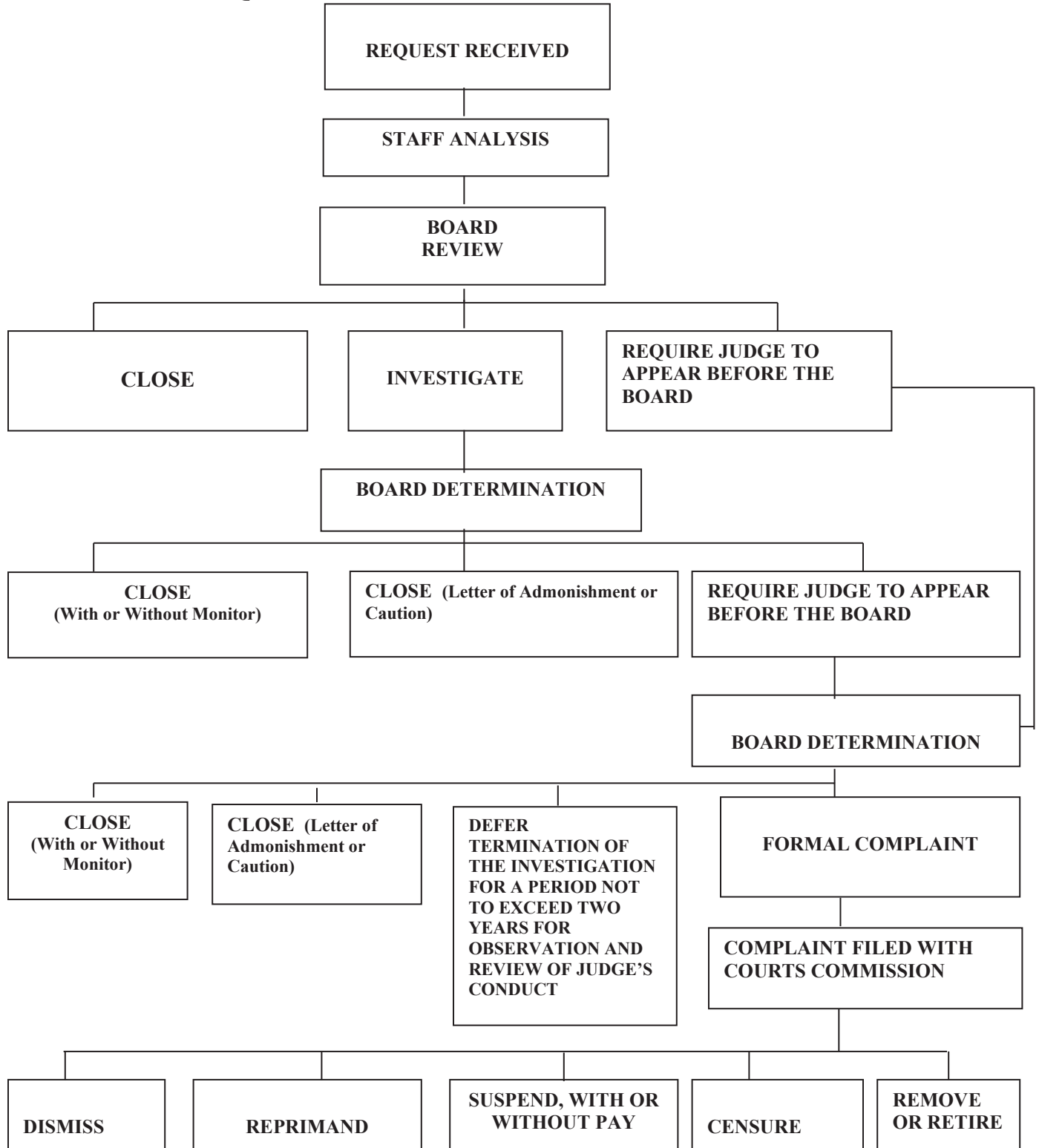
## Appendix A

### PAST BOARD MEMBERS

Name	Term of Office
Judge Walter P. Dahl	07/15/71-07/15/79
Judge John T. Reardon	07/15/71-12/06/76
<b>Attorney Richard T. Dunn*</b>	09/21/71-09/21/75
Attorney Frank Greenberg	09/21/71-09/23/79
Dr. Charles Hurst	09/21/71-09/21/75
Gordon F. Moore, M.D.	09/21/71-09/21/75
Harold B. Steele	09/21/71-09/10/77
Attorney Wayne W. Whalen	09/21/71-09/21/75
Anne Willer	09/21/71-01/04/75
Attorney Prof. Rubin G. Cohn	09/23/75-09/23/79
Ernest T. Collins	09/23/75-09/23/79
<b>Attorney C. George Niebank, Jr.,*</b>	09/23/75-09/23/79
Willard C. Scrivner, M.D.	09/23/75-09/23/79
Judge Lloyd A. VanDeusen	01/08/77-07/22/80
Carl L. Sadler	02/02/78-06/15/79
Judge Philip A. Fleischman	07/15/79-11/26/80
Donald M. Carlson	12/27/79-01/22/80
Judge Robert C. Buckley	11/26/80-11/24/82
Renee Hansen	03/04/75-04/13/83
Helen S. Harshbarger	04/08/81-04/08/85
Ronald Williams	11/09/79-12/11/85
<b>Attorney Robert P. Cummins*</b>	11/09/79-12/14/87
William J. Kuhfuss	11/09/79-12/14/87
Attorney Darrell McGowen	11/09/79-12/14/87
Attorney (Prof.) Jon R. Waltz	12/29/79-12/27/87
Judge Philip B. Benefiel	07/22/80-07/22/88
Judge Edward H. Marsalek	11/26/82-11/24/90
Attorney Joyce E. Moran	12/15/87-12/15/91
Mary Sue Hub	02/23/84-02/23/92
Nancy Sage	04/02/92-04/03/96
Frances K. Zemans	01/28/88-01/28/92
Attorney William A. O'Connor	01/22/88-01/22/92
Joel D. Gingiss	01/22/88-01/22/92
<b>Attorney Tyrone C. Fahner*</b>	01/13/88-01/13/92
Patrick F. Mudron	07/05/85-07/08/93
Judge Harold Jensen	07/22/88-07/22/96
Judge Edward G. Finnegan	11/00/90-03/14/97
Judge Fred S. Carr	07/22/96-02/06/97

<b>Attorney William F. Conlon*</b>	04/06/92-06/17/97
Fred V. Randazzo	03/14/94-03/15/98
Vincent Trosino	07/07/92-11/98
<b>Attorney Sandra R. Otaka</b>	04/07/92-07/27/99
Attorney Milton H. Gray	04/07/92-04/03/00
Gloria C. Morningstar	06/04/96-04/03/00
Sharon Gist Gilliam	04/07/92-04/03/00
Judge John W. Rapp, Jr.	03/11/97-11/30/01
Rodney R. Gholson	06/05/98-03/15/02
Judge Lester D. Foreman	05/28/97-03/28/03
Christine I. Takada	04/04/00-04/03/04
Michael Pittman	08/30/02-04/03/06
<b>Attorney William "Tony" Sunderman</b>	05/01/98-05/01/06
Myrna H. Mazur	10/18/02-10/18/06
Judge Michael J. Murphy	05/20/03-12/03/06
<b>Judge Frederick J. Kapala*</b>	12/01/01-04/22/07
Lindsay A. Parkhurst, Esq.	09/27/99-09/27/07
<b>Attorney Jill Landsberg*</b>	04/04/00-04/03/04
	06/02/04-06/02/08
Judge John O. Steele	12/04/06-11/2008
Raymond J. McGury	11/29/05-11/29/09
	05/19/11-05/19/19
John E. Kreisler	08/30/02-08/30/06
	10/10/06-10/10/10
Attorney Tom Leahy	05/07/07-05/07/11
	07/29/11-07/29/15
<b>Judge Donald C. Hudson*</b>	04/23/07-04/23/11
	04/24/11-04/23/15
Judge Cheryl A. Starks	12/01/08-10/31/10
Patricia ("Pat") Costello	04/11/08-04/11/12
Attorney Bruce Meckler	10/27/09-10/2016
Attorney Cary Collins	12/10/09-12/10/17
Gloria C. Morningstar	08/10/10-08/10/14
<b>Dr. Clem Mejia*</b>	08/10/10-08/10/14
	09/12/14-09/12/18
<b>Judge Edward Washington II*</b>	10/01/10-07/2017
Bishop Ocie Booker	08/15/14-06/2017
William Caisley	09/14/15-09/14/19
Patrick O'Connor	09/21/15-09/21/19
Judge Mary Ellen Coghlan	09/20/17-08/2019
Pamela Meyer Davis	10/8/19-02/2021
Frank B. Castiglione	3/20/18-03/19/22
Judge Paula Gomora	5/01/15-05/01/2023
<b>*Board's Chair</b>	

**Appendix B  
REQUEST FOR INVESTIGATION PROCESS**



## Appendix C

### COUNTIES WITHIN JUDICIAL CIRCUITS

<b>CIRCUIT</b>	<b>COUNTIES</b>
<b>Cook</b>	Cook
<b>1<sup>st</sup></b>	Alexander, Jackson, Johnson, Massac, Pope, Pulaski, Saline, Union, and Williamson
<b>2<sup>nd</sup></b>	Crawford, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jefferson, Lawrence, Richland, Wabash, Wayne, and White
<b>3<sup>rd</sup></b>	Bond and Madison
<b>4<sup>th</sup></b>	Christian, Clay, Clinton, Effingham, Fayette, Jasper, Marion, Montgomery, and Shelby
<b>5<sup>th</sup></b>	Clark, Coles, Cumberland, Edgar, and Vermilion
<b>6<sup>th</sup></b>	Champaign, DeWitt, Douglas, Macon, Moultrie, and Piatt
<b>7<sup>th</sup></b>	Greene, Jersey, Macoupin, Morgan, Sangamon, and Scott
<b>8<sup>th</sup></b>	Adams, Brown, Calhoun, Cass, Mason, Menard, Pike, and Schuyler
<b>9<sup>th</sup></b>	Fulton, Hancock, Henderson, Knox, McDonough, and Warren
<b>10<sup>th</sup></b>	Marshall, Peoria, Putnam, Stark, and Tazewell
<b>11<sup>th</sup></b>	Ford, Livingston, Logan, McLean, and Woodford
<b>12<sup>th</sup></b>	Will
<b>13<sup>th</sup></b>	Bureau, Grundy, and LaSalle
<b>14<sup>th</sup></b>	Henry, Mercer, Rock Island, and Whiteside
<b>15<sup>th</sup></b>	Carroll, Jo Daviess, Lee, Ogle, and Stephenson
<b>16<sup>th</sup></b>	Kane
<b>17<sup>th</sup></b>	Boone and Winnebago
<b>18<sup>th</sup></b>	DuPage
<b>19<sup>th</sup></b>	Lake
<b>20<sup>th</sup></b>	St. Clair
<b>21<sup>st</sup></b>	Iroquois and Kankakee
<b>22<sup>nd</sup></b>	McHenry
<b>23<sup>rd</sup></b>	DeKalb and Kendall
<b>24<sup>th</sup></b>	Monroe, Perry, Randolph, Washington

## Appendix D

### STATE OF ILLINOIS ---- JUDICIAL OFFICERS

#### NUMBER OF AUTHORIZED JUDGESHIPS:

(Summary of information provided by the Administrative Office of the Illinois Courts)

AS OF JUNE 30, 2015 - 983

AS OF JUNE 30, 2016 - 983

<b>Supreme Court Judgeships</b>	7		<b>Supreme Court Judgeships</b>	7
<b>Appellate Court Judgeships</b>	54		<b>Appellate Court Judgeships</b>	54

Circuit	Circuit Judgeships	Associate Judgeships	Total Authorized Judgeships		Circuit	Circuit Judgeships	Associate Judgeships	Total Authorized Judgeships
<b>Cook</b>	255	146	401		<b>Cook</b>	255	146	401
<b>1<sup>st</sup></b>	13	7	20		<b>1<sup>st</sup></b>	13	7	20
<b>2<sup>nd</sup></b>	15	6	21		<b>2<sup>nd</sup></b>	15	6	21
<b>3<sup>rd</sup></b>	9	13	22		<b>3<sup>rd</sup></b>	9	13	22
<b>4<sup>th</sup></b>	12	7	19		<b>4<sup>th</sup></b>	12	7	19
<b>5<sup>th</sup></b>	12	6	18		<b>5<sup>th</sup></b>	12	6	18
<b>6<sup>th</sup></b>	14	11	25		<b>6<sup>th</sup></b>	14	11	25
<b>7<sup>th</sup></b>	12	10	22		<b>7<sup>th</sup></b>	12	10	22
<b>8<sup>th</sup></b>	11	5	16		<b>8<sup>th</sup></b>	11	5	16
<b>9<sup>th</sup></b>	10	5	15		<b>9<sup>th</sup></b>	10	5	15
<b>10<sup>th</sup></b>	10	10	20		<b>10<sup>th</sup></b>	10	10	20
<b>11<sup>th</sup></b>	10	10	20		<b>11<sup>th</sup></b>	10	10	20
<b>12<sup>th</sup></b>	16	22	38		<b>12<sup>th</sup></b>	16	22	38
<b>13<sup>th</sup></b>	8	6	14		<b>13<sup>th</sup></b>	8	6	14
<b>14<sup>th</sup></b>	12	10	22		<b>14<sup>th</sup></b>	12	10	22
<b>15<sup>th</sup></b>	8	8	16		<b>15<sup>th</sup></b>	8	8	16
<b>16<sup>th</sup></b>	12	17	29		<b>16<sup>th</sup></b>	12	17	29
<b>17<sup>th</sup></b>	10	14	24		<b>17<sup>th</sup></b>	10	14	24
<b>18<sup>th</sup></b>	15	33	48		<b>18<sup>th</sup></b>	15	33	48
<b>19<sup>th</sup></b>	15	24	39		<b>19<sup>th</sup></b>	15	24	39
<b>20<sup>th</sup></b>	12	13	25		<b>20<sup>th</sup></b>	12	13	25
<b>21<sup>st</sup></b>	7	5	12		<b>21<sup>st</sup></b>	7	5	12
<b>22<sup>nd</sup></b>	8	11	19		<b>22<sup>nd</sup></b>	8	11	19
<b>23<sup>rd</sup></b>	8	9	17		<b>23<sup>rd</sup></b>	8	9	17

**STATE OF ILLINOIS ---- JUDICIAL OFFICERS**

**NUMBER OF AUTHORIZED JUDGESHIPS:**

(Summary of information provided by the Administrative Office of the Illinois Courts)

**AS OF JUNE 30, 2017 - 984**

**AS OF JUNE 30, 2018 - 984**

<b>Supreme Court Judgeships</b>	7		<b>Supreme Court Judgeships</b>	7
<b>Appellate Court Judgeships</b>	54		<b>Appellate Court Judgeships</b>	54

<b>Circuit</b>	<b>Circuit Judgeships</b>	<b>Associate Judgeships</b>	<b>Total Authorized Judgeships</b>		<b>Circuit</b>	<b>Circuit Judgeships</b>	<b>Associate Judgeships</b>	<b>Total Authorized Judgeships</b>
<b>Cook</b>	255	146	401		<b>Cook</b>	255	146	401
<b>1<sup>st</sup></b>	14	7	21		<b>1<sup>st</sup></b>	14	7	21
<b>2<sup>nd</sup></b>	14	6	20		<b>2<sup>nd</sup></b>	14	6	20
<b>3<sup>rd</sup></b>	9	13	22		<b>3<sup>rd</sup></b>	9	13	22
<b>4<sup>th</sup></b>	12	7	19		<b>4<sup>th</sup></b>	12	7	19
<b>5<sup>th</sup></b>	12	6	18		<b>5<sup>th</sup></b>	11	6	17
<b>6<sup>th</sup></b>	14	11	25		<b>6<sup>th</sup></b>	14	11	25
<b>7<sup>th</sup></b>	12	10	22		<b>7<sup>th</sup></b>	12	10	22
<b>8<sup>th</sup></b>	11	5	16		<b>8<sup>th</sup></b>	11	5	16
<b>9<sup>th</sup></b>	10	4	14		<b>9<sup>th</sup></b>	10	4	14
<b>10<sup>th</sup></b>	10	11	21		<b>10<sup>th</sup></b>	10	11	21
<b>11<sup>th</sup></b>	10	10	20		<b>11<sup>th</sup></b>	11	10	21
<b>12<sup>th</sup></b>	16	22	38		<b>12<sup>th</sup></b>	16	22	38
<b>13<sup>th</sup></b>	8	6	14		<b>13<sup>th</sup></b>	8	6	14
<b>14<sup>th</sup></b>	12	10	22		<b>14<sup>th</sup></b>	12	10	22
<b>15<sup>th</sup></b>	8	8	16		<b>15<sup>th</sup></b>	8	8	16
<b>16<sup>th</sup></b>	12	17	29		<b>16<sup>th</sup></b>	12	17	29
<b>17<sup>th</sup></b>	10	15	25		<b>17<sup>th</sup></b>	10	15	25
<b>18<sup>th</sup></b>	15	33	48		<b>18<sup>th</sup></b>	15	33	48
<b>19<sup>th</sup></b>	15	24	39		<b>19<sup>th</sup></b>	15	25	40
<b>20<sup>th</sup></b>	12	13	25		<b>20<sup>th</sup></b>	12	13	25
<b>21<sup>st</sup></b>	7	5	12		<b>21<sup>st</sup></b>	7	5	12
<b>22<sup>nd</sup></b>	8	11	19		<b>22<sup>nd</sup></b>	8	11	19
<b>23<sup>rd</sup></b>	8	9	17		<b>23<sup>rd</sup></b>	8	8	16

**STATE OF ILLINOIS ---- JUDICIAL OFFICERS**

**NUMBER OF AUTHORIZED JUDGESHIPS:**

(Summary of information provided by the Administrative Office of the Illinois Courts)

**AS OF JUNE 30, 2019 - 985**

**AS OF JUNE 30, 2020 - 985**

<b>Supreme Court Judgeships</b>	7		<b>Supreme Court Judgeships</b>	7
<b>Appellate Court Judgeships</b>	54		<b>Appellate Court Judgeships</b>	54

<b>Circuit</b>	<b>Circuit Judgeships</b>	<b>Associate Judgeships</b>	<b>Total Authorized Judgeships</b>		<b>Circuit</b>	<b>Circuit Judgeships</b>	<b>Associate Judgeships</b>	<b>Total Authorized Judgeships</b>
<b>Cook</b>	255	146	401		<b>Cook</b>	255	146	401
<b>1<sup>st</sup></b>	13	7	20		<b>1<sup>st</sup></b>	13	7	20
<b>2<sup>nd</sup></b>	15	6	21		<b>2<sup>nd</sup></b>	15	6	21
<b>3<sup>rd</sup></b>	9	13	22		<b>3<sup>rd</sup></b>	9	13	22
<b>4<sup>th</sup></b>	12	7	19		<b>4<sup>th</sup></b>	12	7	19
<b>5<sup>th</sup></b>	11	6	17		<b>5<sup>th</sup></b>	11	6	17
<b>6<sup>th</sup></b>	14	11	25		<b>6<sup>th</sup></b>	14	11	25
<b>7<sup>th</sup></b>	12	10	22		<b>7<sup>th</sup></b>	12	10	22
<b>8<sup>th</sup></b>	11	5	16		<b>8<sup>th</sup></b>	11	5	16
<b>9<sup>th</sup></b>	10	4	14		<b>9<sup>th</sup></b>	10	4	14
<b>10<sup>th</sup></b>	10	11	21		<b>10<sup>th</sup></b>	10	11	21
<b>11<sup>th</sup></b>	11	10	21		<b>11<sup>th</sup></b>	11	10	21
<b>12<sup>th</sup></b>	16	22	38		<b>12<sup>th</sup></b>	16	22	38
<b>13<sup>th</sup></b>	8	6	14		<b>13<sup>th</sup></b>	8	6	14
<b>14<sup>th</sup></b>	12	10	22		<b>14<sup>th</sup></b>	12	10	22
<b>15<sup>th</sup></b>	8	8	16		<b>15<sup>th</sup></b>	8	8	16
<b>16<sup>th</sup></b>	12	17	29		<b>16<sup>th</sup></b>	13	17	30
<b>17<sup>th</sup></b>	10	15	25		<b>17<sup>th</sup></b>	10	15	25
<b>18<sup>th</sup></b>	15	33	48		<b>18<sup>th</sup></b>	15	33	48
<b>19<sup>th</sup></b>	15	25	40		<b>19<sup>th</sup></b>	15	25	40
<b>20<sup>th</sup></b>	12	13	25		<b>20<sup>th</sup></b>	12	13	25
<b>21<sup>st</sup></b>	7	5	12		<b>21<sup>st</sup></b>	7	5	12
<b>22<sup>nd</sup></b>	8	11	19		<b>22<sup>nd</sup></b>	8	11	19
<b>23<sup>rd</sup></b>	8	8	16		<b>23<sup>rd</sup></b>	8	8	16

**STATE OF ILLINOIS ---- JUDICIAL OFFICERS**

**NUMBER OF AUTHORIZED JUDGESHIPS:**

(Summary of information provided by the Administrative Office of the Illinois Courts)

**AS OF JUNE 30, 2021 - 985**

**AS OF JUNE 30, 2022 - 987**

<b>Supreme Court Judgeships</b>	7		<b>Supreme Court Judgeships</b>	7
<b>Appellate Court Judgeships</b>	54		<b>Appellate Court Judgeships</b>	54

<b>Circuit</b>	<b>Circuit Judgeships</b>	<b>Associate Judgeships</b>	<b>Total Authorized Judgeships</b>		<b>Circuit</b>	<b>Circuit Judgeships</b>	<b>Associate Judgeships</b>	<b>Total Authorized Judgeships</b>
<b>Cook</b>	255	146	401		<b>Cook</b>	255	148	403
<b>1<sup>st</sup></b>	14	7	21		<b>1<sup>st</sup></b>	14	7	21
<b>2<sup>nd</sup></b>	14	6	20		<b>2<sup>nd</sup></b>	14	6	20
<b>3<sup>rd</sup></b>	9	13	22		<b>3<sup>rd</sup></b>	9	13	22
<b>4<sup>th</sup></b>	12	7	19		<b>4<sup>th</sup></b>	12	7	19
<b>5<sup>th</sup></b>	11	6	17		<b>5<sup>th</sup></b>	11	6	17
<b>6<sup>th</sup></b>	14	11	25		<b>6<sup>th</sup></b>	14	11	25
<b>7<sup>th</sup></b>	12	10	22		<b>7<sup>th</sup></b>	12	10	22
<b>8<sup>th</sup></b>	11	5	16		<b>8<sup>th</sup></b>	11	5	16
<b>9<sup>th</sup></b>	10	4	14		<b>9<sup>th</sup></b>	10	4	14
<b>10<sup>th</sup></b>	10	11	21		<b>10<sup>th</sup></b>	10	11	21
<b>11<sup>th</sup></b>	11	10	21		<b>11<sup>th</sup></b>	11	10	21
<b>12<sup>th</sup></b>	16	22	38		<b>12<sup>th</sup></b>	16	22	38
<b>13<sup>th</sup></b>	8	6	14		<b>13<sup>th</sup></b>	8	6	14
<b>14<sup>th</sup></b>	12	10	22		<b>14<sup>th</sup></b>	12	10	22
<b>15<sup>th</sup></b>	8	8	16		<b>15<sup>th</sup></b>	8	8	16
<b>16<sup>th</sup></b>	13	17	30		<b>16<sup>th</sup></b>	13	17	30
<b>17<sup>th</sup></b>	10	15	25		<b>17<sup>th</sup></b>	10	15	25
<b>18<sup>th</sup></b>	15	33	48		<b>18<sup>th</sup></b>	15	33	48
<b>19<sup>th</sup></b>	15	25	40		<b>19<sup>th</sup></b>	15	25	40
<b>20<sup>th</sup></b>	12	13	25		<b>20<sup>th</sup></b>	12	13	25
<b>21<sup>st</sup></b>	7	5	12		<b>21<sup>st</sup></b>	7	5	12
<b>22<sup>nd</sup></b>	8	11	19		<b>22<sup>nd</sup></b>	8	11	19
<b>23<sup>rd</sup></b>	8	8	16		<b>23<sup>rd</sup></b>	8	8	16

## STATE OF ILLINOIS ---- JUDICIAL OFFICERS

### NUMBER OF AUTHORIZED JUDGESHIPS:

(Summary of information provided by the Administrative Office of the Illinois Courts)

AS OF JUNE 30, 2023 - 994

AS OF JUNE 30, 2024 - 993

<b>Supreme Court Judgeships</b>	7		<b>Supreme Court Judgeships</b>	7
<b>Appellate Court Judgeships</b>	54		<b>Appellate Court Judgeships</b>	56

Circuit	Circuit Judgeships	Associate Judgeships	Total Authorized Judgeships		Circuit	Circuit Judgeships	Associate Judgeships	Total Authorized Judgeships
<b>Cook</b>	255	148	403		<b>Cook</b>	271	132	403
<b>1<sup>st</sup></b>	14	7	21		<b>1<sup>st</sup></b>	14	7	21
<b>2<sup>nd</sup></b>	14	6	20		<b>2<sup>nd</sup></b>	14	6	20
<b>3<sup>rd</sup></b>	9	13	22		<b>3<sup>rd</sup></b>	8	13	21
<b>4<sup>th</sup></b>	12	7	19		<b>4<sup>th</sup></b>	12	7	19
<b>5<sup>th</sup></b>	11	6	17		<b>5<sup>th</sup></b>	11	6	17
<b>6<sup>th</sup></b>	14	11	25		<b>6<sup>th</sup></b>	14	12	26
<b>7<sup>th</sup></b>	12	10	22		<b>7<sup>th</sup></b>	12	10	22
<b>8<sup>th</sup></b>	11	5	16		<b>8<sup>th</sup></b>	11	5	16
<b>9<sup>th</sup></b>	10	4	14		<b>9<sup>th</sup></b>	9	5	14
<b>10<sup>th</sup></b>	10	11	21		<b>10<sup>th</sup></b>	10	11	21
<b>11<sup>th</sup></b>	11	10	21		<b>11<sup>th</sup></b>	11	10	21
<b>12<sup>th</sup></b>	16	22	38		<b>12<sup>th</sup></b>	16	22	38
<b>13<sup>th</sup></b>	8	6	14		<b>13<sup>th</sup></b>	8	6	14
<b>14<sup>th</sup></b>	12	10	22		<b>14<sup>th</sup></b>	12	10	22
<b>15<sup>th</sup></b>	8	8	16		<b>15<sup>th</sup></b>	8	8	16
<b>16<sup>th</sup></b>	14	17	31		<b>16<sup>th</sup></b>	14	17	31
<b>17<sup>th</sup></b>	10	17	27		<b>17<sup>th</sup></b>	10	17	27
<b>18<sup>th</sup></b>	15	33	48		<b>18<sup>th</sup></b>	15	33	48
<b>19<sup>th</sup></b>	17	25	42		<b>19<sup>th</sup></b>	16	25	41
<b>20<sup>th</sup></b>	8	12	20		<b>20<sup>th</sup></b>	8	12	20
<b>21<sup>st</sup></b>	7	5	12		<b>21<sup>st</sup></b>	7	5	12
<b>22<sup>nd</sup></b>	8	11	19		<b>22<sup>nd</sup></b>	8	11	19
<b>23<sup>rd</sup></b>	8	6	14		<b>23<sup>rd</sup></b>	8	6	14
<b>24<sup>th</sup></b>	4	3	7		<b>24<sup>th</sup></b>	4	3	7

## Appendix E

### SUMMARIES OF COMPLAINTS FILED WITH THE ILLINOIS COURTS COMMISSION (As of June 2024)

**1. 72-CC-1 Filed December 15, 1972**

**Paul R. Durr, Circuit Judge, 8th Circuit, Calhoun County**

The Complaint alleged that Respondent owned and operated an abstract company; practiced law, filed false statement of economic interest; and did not advise litigants or attorneys that opposing counsel was a business partner.

**Order entered August 1, 1973: Respondent suspended for one year without pay. Respondent then resigned from office.**

**2. 73-CC-1 Filed March 3, 1973**

**John J. McDonnell, Associate Judge, Circuit Court of Cook County**

The Complaint alleged that Respondent: 1) Threatened man and wife with handgun; 2) Struck another man and pushed his wife; 3) Interfered with Board investigation.

**Order entered June 29, 1973: 1) Respondent suspended for four months without pay; 2) Dismissed; 3) Dismissed.**

**3. 73-CC-2 Filed March 16, 1973**

**Francis T. McCurrie, Circuit Judge, Circuit Court of Cook County**

The Complaint alleged mental and physical disability.

**Order entered April 10, 1973: Complaint dismissed upon resignation from office.**

**4. 73-CC-3 Filed July 20, 1973**

**Franklin I. Kral, Circuit Judge, Circuit Court of Cook County**

The Complaint alleged that Respondent: 1) Accepted favors from attorney who appeared before him; 2) Made cash transaction in chambers.

**Order entered December 18, 1973: 1) Respondent suspended for two months without pay; 2) This count inherent in first count: dismissed.**

**5. 73-CC-4 Filed October 15, 1973**

**Robert J. Sulski, Circuit Judge, Circuit Court of Cook County**

The Complaint alleged that Respondent found three defendants in two criminal cases guilty before the defense was fully presented.

**Order entered February 19, 1974: Respondent reprimanded.**

- 6. 73-CC-5 Filed November 19, 1973 and  
7. 74-CC-4 Filed May 7, 1974  
George Kaye, Circuit Judge, 11<sup>th</sup> Circuit, Ford County**

The Complaints alleged that Respondent: 1) Interfered with attorney-client relationship; 2) Refused to sign decrees; 3) Usurped authority of Chief Judge; 4) Abused attorneys and litigants; 5) Received money to convene special jury; 6) Filed false application for judgeship.  
**Order entered July 12, 1974: 1) Dismissed; 2) Dismissed; 3) No jurisdiction; 4) Dismissed; 5) Respondent censured; 6) No jurisdiction.  
Board Motion to Reconsider Re: Count 6 – denied September 4, 1974.**

- 8. 73-CC-6 Filed November 19, 1973  
Robert D. Law, Circuit Judge, 15<sup>th</sup> Circuit, Stephenson County**

The Complaint alleged three incidents involving driving while intoxicated.  
**Order entered February 21, 1974: Respondent censured.**

- 9. 74-CC-1 Filed January 28, 1974  
Randall S. Quindry, Circuit Judge, 2<sup>nd</sup> Circuit, Wayne County**

The Complaint alleged that Respondent attempted altering of absentee ballots; consistently engaged in partisan politics; and adjudicated cases in which his nephew was counsel.  
**Order entered April 11, 1974: Respondent removed from Office.**

- 10. 74-CC-2 Filed April 17, 1974  
William A. Ginos, Circuit Judge, 4<sup>th</sup> Circuit, Montgomery County**

The Complaint alleged that Respondent pressured jail inmates to be his informants; raised bond because inmate would not be informant; released inmate on personal recognizance who then fled; appointed his brother guardian ad litem and acting probation officer.  
**Order entered July 12, 1974: Respondent censured.**

- 11. 74-CC-3 Filed May 3, 1974  
George H. Bunge, Circuit Judge, 18<sup>th</sup> Circuit, DuPage County**

The Complaint alleged Respondent improperly and repeatedly used judicial process, including writs of body attachment and the power of contempt, for the collection of civil judgments.  
**Order entered July 24, 1974: Complaint dismissed.**

**12. 74-CC-5 Filed June 18, 1974**

**John P. Shonkwiler, Circuit Judge, 6<sup>th</sup> Circuit, Piatt County**

The Complaint alleged that Respondent failed to disqualify himself in a number of cases where his father appeared as counsel of record; and that he appointed his father as trustee in a case for unborn children and subsequently adjudicated the case.

**Order entered July 12, 1974: Respondent reprimanded.**

**13. 74-CC-6 Filed August 14, 1974**

**Keith Sanderson, Associate Judge, 9<sup>th</sup> Circuit, Henderson County**

The Complaint alleged that Respondent assessed court costs against defendants after charges were dismissed or findings of not guilty, knowing he was without authority.

**Order entered October 15, 1974: Respondent suspended for one month without pay.**

**14. 74-CC-7 Filed September 17, 1974**

**Charles J. Durham, Associate Judge, Circuit Court of Cook County**

The Complaint alleged that Respondent dismissed criminal charges upon defendants giving civil releases to arresting police officers.

**Order entered December 11, 1974: Respondent reprimanded.**

**15. 75-CC-1 Filed March 7, 1975**

**James L. Oakey, Jr., Associate Judge, Circuit Court of Cook County**

The Complaint alleged that Respondent assumed an active role in the management of a business and received compensation therefore in 1971 and 1972, and attempted to conceal the receipt of this compensation in his 1972 Federal income tax return.

**Order entered July 16, 1975: Respondent removed from office.**

**16. 75-CC-2 Filed July 24, 1975**

**Philip F. Locke, Circuit Judge, 18<sup>th</sup> Circuit, DuPage County**

The Complaint alleged that Respondent failed to disqualify himself in presiding over litigation where one of the parties was a close friend and with whom he had a business interest.

**Order entered October 21, 1975: Respondent suspended for six months without pay.**

**17. 75-CC-3 Filed August 21, 1975**

**Robert A. Sweeney, Associate Judge, Circuit Court of Cook County**

The Complaint alleged he drove while intoxicated, interfered with police investigation, resisted arrest and lawful police processing.

**Order entered October 30, 1975: Respondent reprimanded.**

**18. 75-CC-4 Filed September 19, 1975**

**James Maher, Jr., Associate Judge, Circuit Court of Cook County**

The Complaint alleged that Respondent made improper statements to a woman in chambers.

**Order entered January 16, 1976: Complaint dismissed upon resignation of judicial office.**

**19. 76-CC-1 Filed March 22, 1976**

**William D. Vanderwater, Associate Judge, 16<sup>th</sup> Circuit, Kane County**

The Complaint alleged that Respondent detained a former tenant with the aid of a hand gun, had him arrested and charged with theft, procured a guilty plea and jury waiver, conducted a midnight proceeding in the police station and sentenced the tenant to 8 months in jail.

**Order entered April 26, 1976: Respondent removed from office.**

**20. 76-CC-2 Filed May 27, 1976**

**David Cerda, Circuit Judge, Circuit Court of Cook County**

The Complaint alleged that Respondent improperly employed the bail system as a means of punishing defendants in prostitution-loitering cases and had a prejudiced attitude towards such defendants and their attorneys, as evidenced by his setting excessive bail, continuing motions to reduce bail until the case was set for trial and excluding a defense attorney from his courtroom.

**Order entered September 13, 1976: Respondent suspended for one month without pay.**

**21. 76-CC-3 Filed July 30, 1976**

**Samuel G. Harrod, III, Circuit Judge, 11<sup>th</sup> Circuit, Woodford County**

The Complaint alleged that Respondent ordered male defendants to have their hair cut as short as his and additionally ordered those who were probationers to surrender their driver's license to the court to be issued in lieu thereof a card identifying them as probationers; and committed a defendant to jail without bail on a bailable offense; directed defendants charged with alcohol violations to pick up cans and bottles beside the road.

**Order entered December 3, 1976: Sustained as to haircuts and drivers' licenses. Dismissed as to bail and bottles and cans. Respondent suspended for one month without pay.**

**Suspension vacated by Illinois Supreme Court on appeal November 30, 1977. Board's Motion to Reconsider denied January 11, 1977. (See 69 Ill.2d 445; 372 N.E. 2d 53).**

**22. 76-CC-4 Filed September 14, 1976**

**Angelo F. Pistilli, Circuit Judge, 12<sup>th</sup> Circuit, Will County**

The Complaint alleged that Respondent embarrassed and ridiculed a young attorney and misrepresented to the Judicial Inquiry Board that there had been two sidebar conversations with the young attorney prior to the alleged embarrassment and ridicule.

**Order entered March 11, 1977: Complaint dismissed.**

**23. 77-CC-1 Filed March 17, 1977**

**Paul F. Elward, Circuit Judge, Circuit Court of Cook County**

The Complaint alleged that Respondent published advertisements for his retention prior to a retention election which advertisements materially misrepresented a bar association recommendation that he not be retained, giving the impression that he had been recommended for retention.

**Order entered June 23, 1977: Complaint dismissed. Board's Motion for Reconsideration denied August 31, 1977.**

**24. 77-CC-2 Filed June 1, 1977**

**James A. Condon, Circuit Judge, Circuit Court of Cook County**

The Complaint alleged that Respondent caused two traffic tickets that were not assigned to him for adjudication to be nonsuited without compliance with the regular processes of law.

**Order entered August 25, 1978: Respondent reprimanded.**

**25. 78-CC-1 Filed March 8, 1978**

**Dexter A. Knowlton, Associate Judge, 15<sup>th</sup> Circuit, Stephenson County**

The Complaint alleged that Respondent found a spectator in his courtroom guilty of criminal contempt for wearing a T-shirt with the words "Bitch Bitch Bitch," without affording her an effective hearing and without her being represented by counsel or having an adequate opportunity to defend herself, and sentenced her to three days in jail, which she served.

**Order entered August 13, 1979: Complaint dismissed.**

**26. 78-CC-2 Filed August 21, 1978**

**L. Keith Hubbard, Circuit Judge, 7<sup>th</sup> Circuit, Greene County**

The Complaint alleged that contrary to settled and established law of Illinois, the Respondent refused to grant motions duly made and timely filed for change of venue or substitution of judge, required the attorneys presenting the motions to appear in person and argue the motions, attempted to inquire into the motives behind the motions and denied the motions but granted a change of venue or substitution of judge on his own motion. By such procedure he prevented effective review of his actions as evidenced by an unsuccessful mandamus action.

**Order entered September 17, 1979: Complaint dismissed.**

**Board Motion to Reconsider denied November 17, 1979**

**27. 79-CC-1 Filed March 27, 1979**

**Eugene R. Ward, Associate Judge, Circuit Court of Cook County**

The Complaint alleged that Respondent directed and permitted a court clerk to conduct part or all of the court calls on two days and enter orders disposing of matters on the calls; failed and refused to consider relevant evidence; acknowledged that procedures he followed and substantive legal

principles he applied were contrary to determined law; gave judgments for plaintiffs where defendants were not present and where a careful examination would dictate otherwise; gave judgments for plaintiffs who presented no evidence; granted judgment for plaintiff in a case that had been settled; and by not explaining a ruling he misled parties.

**Order entered July 10, 1980: Complaint dismissed.**

**Board's Motion to Reconsider denied August 26, 1980.**

**28. 79-CC-2 Filed September 21, 1979**

**Keith E. Campbell, Circuit Judge, 11<sup>th</sup> Circuit, McLean County**

The Complaint alleged that Respondent expelled two reporters from his courtroom when one began sketching a witness, when they were not disrupting the proceedings or interfering with the conduct of a trial in progress; was intemperate, sarcastic and rude in so doing; ordered the courtroom doors locked for the remainder of the trial without motion or consent of the defendant, prosecution or any witness; and without a hearing excluded all members of the public from the courtroom for the remainder of the trial, refusing to allow even a paralegal assistant of the defendant's attorney to enter the courtroom.

**Order entered July 15, 1980: Complaint dismissed.**

**29. 80-CC-1 Filed April 28, 1980**

**John W. Nielsen, Associate Judge, 17<sup>th</sup> Circuit, Winnebago County**

The Complaint alleged that three pro se defendants filed written demands for jury trials. When they did not produce written jury instructions, Respondent ordered them to sign jury waiver forms. When they objected to signing because a printed statement on the form stated they were voluntarily waiving a jury, he induced their signatures under threat of a court order and then announced in open court that all present were witnesses that the signatures were voluntary. He later told the Chief Judge that he had talked the defendants into signing the forms. He further said the defendants had not filed jury demands which statement he knew was false when he made it.

**Order entered December 29, 1980: Complaint dismissed.**

**Board's Motion for Reconsideration denied February 13, 1981.**

**Board's Mandamus Petition to Illinois Supreme Court to direct Courts Commission to act, denied 4/16/82. (See 91 Ill.2d 130; 435 N.E. 2d 486.)**

**Board's Motion to Reconsider denied May 27, 1982.**

**30. 80-CC-2 Filed June 10, 1980**

**Samuel G. Harrod, III, Circuit Judge, 11<sup>th</sup> Circuit, Woodford County**

The Complaint alleged that Respondent used the U.S. mails and other means to cause unauthorized, sham and bogus subscriptions to periodicals, reports and other publications, to be sent to Judicial Inquiry Board's members and counsel and a Courts Commission member who had taken action against him in 76-CC-3, and to the state's attorney who in 76-CC-3 had advised him against issuing haircut orders and who had refused to file a brief in support thereof; sent anonymous letters to the attorney for the wife of this same state's attorney in a divorce action,

suggesting ways to discover the state's attorney's assets and informing him of a newly enacted divorce law; mailed an anonymous letter to a candidate for state's attorney, charging him with corruption and threatening to cause an investigation unless he withdrew his candidacy; engaged in the practice of law on behalf of his father, an attorney; mailed will forms, admonishments on the selection of attorney, memoranda, news clips, press releases, sympathy cards, etc., to persons unknown to him and who were unreceptive to receipt of such items, using the County postage machine for franking; had printed at public expense the sympathy cards and admonishments on the selection of attorneys; made regular press releases on his activities, one of which concerned a minor he had sentenced and which matter by statute was confidential; employed press releases, public commentary and "wooden nickels" to convey the impression of a "law and order" judge without regard to a reasonable standard of individualized punishment; attempted to intervene with prosecutors on behalf of certain defendants; and was not prompt in attending to judicial duties but fined and jailed attorneys who were late in matters before him, irrespective of the justification they offered. By all of this conduct Respondent, demonstrated an incapacity and mental inability to perform his duties.

**Order entered June 23, 1980: Complaint dismissed upon resignation of judicial office.  
Board's Motion to Modify Order Re: Mootness, denied August 26, 1980.**

**31. 80-CC-3 Filed July 11, 1980**

**Charles A. Alfano, Associate Judge, Circuit Court of Cook County**

The Complaint alleged that on September 5, 1977 in the presence of a group of third party witnesses, who knew that Respondent was a judicial officer, he sought to and did interfere with the performance and fulfillment of a police officer's duties and responsibilities. Having unsuccessfully sought to dissuade the officer from performing certain duties involving the issuance of traffic citations to two youths (one youth being his son), he became angry and thereafter verbally abused and physically assaulted the officer in the presence of such third party witnesses. Following these occurrences all relevant parties assembled at a police facility. At that location and based on apologies, assertions of professional embarrassment and indications of the likelihood of sanctions being imposed on him should criminal charges be filed against him for his misconduct, he sought to compromise the filing of such charges. Despite such efforts, he was criminally charged and later acquitted of such charges.

**(During criminal proceedings, Illinois Supreme Court affirmed confidentiality of Board records July 14, 1978. See 72 Ill.2d 225; 380 N.E. 2nd 801.)**

**Order entered July 16, 1981: Complaint dismissed.**

**Board's Motion for Reconsideration denied June 8, 1982.**

**32. 80-CC-4 Filed July 11, 1980**

**John M. Karns, Jr., Appellate Judge, 5<sup>th</sup> Appellate District**

The Complaint alleged that on the night of September 21, 1978 the Respondent was stopped and arrested by an officer of the Caseyville, Illinois police department for driving under the influence of alcohol and weaving from lane to lane. At the time of his arrest and during his subsequent processing, Respondent, after advising the arresting officer that he was a judicial officer, cursed

and orally abused the arresting police officer and other police personnel and refused to cooperate with police personnel who were processing him. He further made threats to fight and challenged one or more of the police personnel to engage in such fighting. The following day he aided and abetted violations of Illinois law and participated in the circumvention, frustration and obstruction of the appropriate legal and judicial process whereby the charges would otherwise have been legally and properly adjudicated. As but one aspect of such misconduct, he and his counsel took custody of all pertinent records of his arrest; such records are no longer available and he has never been prosecuted for the charges placed against him on the night of September 21, 1978.

**Order entered December 17, 1982: Respondent reprimanded.**

**Respondent's Petition for Rehearing denied February 25, 1983.**

**33. 82-CC-1 Filed February 1, 1982**

**Thomas M. Daley, Associate Judge, 20<sup>th</sup> Circuit, St. Clair County**

The Complaint alleged that from November 13, 1979 to December 11, 1979 Respondent failed to devote full time to his judicial duties and received nonjudicial compensation while employed as a watchman. He falsified judicial duty reports to the Administrative Office of the Courts showing he was performing judicial duties during the time of his employment as a watchman; and his verified Statement of Economic Interests filed with the State for 1979 falsely failed to show this employment and income.

**Order entered August 3, 1983: Respondent suspended for two months without pay.**

**34. 82-CC-2 Filed March 10, 1982**

**John J. Teschner, Circuit Judge, 18<sup>th</sup> Circuit, DuPage County**

The Complaint alleged that from December 1975 to March 1981 in the course of Respondent's judicial duties he regularly used intemperate and injudicious remarks, addressing defendants in vile, obscene, insulting and demeaning language.

**Order entered August 3, 1983: Complaint Dismissed. Board's Motion for Reconsideration denied September 20, 1983.**

**35. 84-CC-1 Filed April 27, 1984**

**Francis P. Butler, Associate Judge, Circuit Court of Cook County**

The Complaint alleged that Respondent conducted a hearing while intoxicated and made intemperate and injudicious sexual remarks, which were insulting and demeaning to a 17-year-old girl and her parents.

**Order entered January 29, 1985: Respondent suspended for one month without pay.**

**36. 84-CC-2 Filed August 20, 1984**

**Bruce R. Fawell, Circuit Judge, 18<sup>th</sup> Circuit, DuPage County**

The Complaint alleged that Respondent retained fees for solemnizing marriages outside of the regular session of the court's marriage division.

**Order entered April 12, 1985: Complaint dismissed upon respondent's termination of office.**

**37. 84-CC-3 Filed August 20, 1984**  
**Lewis V. Morgan, Jr., Associate Judge, 18<sup>th</sup> Circuit, DuPage County**

The Complaint alleged that Respondent retained fees for solemnizing marriages outside of the regular session of the court's marriage division.

**Order entered June 25, 1985: Respondent reprimanded.**

**38. 84-CC-4 Filed August 20, 1984**  
**Duane G. Walter, Associate Judge, 18th Circuit, DuPage County**

The Complaint alleged that Respondent retained fees for solemnizing marriages outside of the regular session of the court's marriage division.

**Order entered June 25, 1985: Respondent reprimanded.**

**39. 84-CC-5 Filed October 19, 1984**  
**John G. Laurie, Associate Judge, Circuit Court of Cook County**

The Complaint alleged that Respondent failed to report offers of bribes he received from attorneys and engaged in ex parte discussions with attorneys concerning the merits of cases pending before him.

**Order entered May 15, 1985: Respondent suspended for one month without pay.**

**40. 86-CC-1 Filed June 20, 1986**  
**Robert J. Dempsey, Circuit Judge, Circuit Court of Cook County**

The Complaint alleged that Respondent maintained a fee-splitting arrangement with an attorney, presided in court cases involving property in which he had a financial interest, purchased property with four attorneys from whose cases he did not recuse himself when they appeared before him (nor did he disclose the relationship), and failed to report income from his real estate investments to the IRS or state revenue department or make full disclosure on his financial disclosure statements. (Respondent submitted his resignation during the investigation. The Board petitioned the Supreme Court that it not accept the resignation. The Court ruled that the resignation was effectuated upon submission.)

**Order entered January 28, 1987: Complaint dismissed because Respondent resigned his office. Charges stand admitted by Respondent by his failure to deny. They are not moot because he could be reassigned as a retired judge and can perform marriages. The Courts Commission strongly suggests to the Supreme Court that Respondent not be recalled or reassigned to judicial duties. Board Mandamus Petition to Illinois Supreme Court to direct Courts Commission to assume jurisdiction, denied March 26, 1987. (Supreme Court #64945).**

**41. 87-CC-1 Filed January 21, 1987**  
**Duane G. Walter, Associate Judge, 18<sup>th</sup> Circuit, DuPage County**

The Complaint alleged that Respondent made racially disparaging remarks to a black youth and his parents during a juvenile proceeding, and made rude and injudicious comments to a pregnant woman and her mother during a judicial proceeding.

**Order entered August 10, 1987: Complaint dismissed after Respondent lost his retention election and was no longer in office.**

**42. 87-CC-2 Filed January 21, 1987**  
**Arthur J. Cieslik, Circuit Judge, Circuit Court of Cook County**

The Complaint alleged that Respondent made intemperate, rude and sexist remarks to women attorneys during official proceedings

**Order entered July 30, 1987: Stipulation of the parties on the facts accepted and Respondent reprimanded.**

**43. 87-CC-3 Filed November 6, 1987**  
**Keith E. Campbell, Circuit Judge, 11<sup>th</sup> Circuit, McLean County**

The Complaint alleged 1) that Respondent maintained a long-standing personal, romantic and sexual relationship with his judicial secretary and terminated her employment when she discontinued that relationship; 2) he impaneled a jury in the absence of the parties and counsel for the parties and; 3) that he failed to cooperate during the investigation into these allegations.

**Order entered August 17, 1988: Sustained all three charges. Respondent suspended without pay for six months. Order denying motion for reconsideration entered September 2, 1988.**

**44. 87-CC-4 Filed November 24, 1987**  
**Robert L. Sklodowski, Circuit Judge, Circuit Court of Cook County**

The Complaint alleged that to obtain a mortgage loan in Florida, Respondent executed and caused to be delivered to a bank certain documents which falsely claimed the existence of a \$15,000 down payment, and to which offense he pled guilty to a criminal information in Florida and was convicted, sentenced and required to pay investigative costs.

**Order entered April 15, 1988: Respondent reprimanded.**

**45. 88-CC-1 Filed March 8, 1988**  
**R. Eugene Pincham, Appellate Judge, 1<sup>st</sup> Appellate District**

The Complaint alleged that Respondent engaged in political activity when he was not himself a candidate for judicial retention or election in violation of Supreme Court Rules 67(A)(2).

The Respondent brought a civil rights action in the Federal courts to enjoin the disciplinary proceedings brought against him. The Illinois Judicial Inquiry Board then brought a motion to dismiss with leave to reinstate its Complaint and the Respondent brought his motion to dismiss for

want of prosecution.

**The Courts Commission made no decision as to the merits of any aspect of the controversy because the Respondent resigned from judicial service.**

**Order entered January 28, 1992: Complaint dismissed upon resignation of judicial office.**

**Order denying Motion to vacate and for reconsideration entered April 6, 1992.**

**46. 89-CC-1 Filed June 22, 1989**

**James E. Murphy, Circuit Judge, Circuit Court of Cook County**

The Complaint alleged that Respondent received free use of cars from an attorney's car rental client while attorney's law firm was appearing before the Respondent in pending litigation.

**Order entered February 9, 1990: Respondent suspended for two months without pay.**

**47. 89-CC-2 Filed June 22, 1989**

**Glynn J. Elliott, Jr., Circuit Judge, Circuit Court of Cook County**

The Complaint alleged that while high school students were observing courtroom proceedings as part of a tour, Respondent singled out and called one of the students before the bench. The student was castigated for creating a disturbance even though no disturbance had occurred. The student was ordered into custody and held in Respondent's chambers by handcuffing to a chair. When the student was brought a second time before the bench, the student was castigated again for the manner in which he approached the bench. The student was again ordered into custody and handcuffed to a chair in chambers. The student was required to apologize in open court before being released.

**Order entered December 7, 1989: Respondent censured.**

**48. 90-CC-1 Filed August 16, 1990**

**George H. Ray, Associate Judge, 7<sup>th</sup> Circuit, Sangamon County**

The Complaint alleged that the judge was arrested for driving under the influence of alcohol and refusing to cooperate with the deputy sheriff. The Respondent stipulated to the facts; as a result, the Courts Commission found Respondent had engaged in conduct bringing the judicial office into disrepute.

**Order entered October 30, 1991: Respondent reprimanded.**

**49. 90-CC-2 Filed September 25, 1990**

**John P. Tully, Circuit Judge, Circuit Court of Cook County**

The Complaint alleged that Respondent, while a candidate for the nomination to the office of Appellate Court judge in the 1990 primary election, authorized and approved improper campaign advertisements and failed to properly oversee his campaign finances.

**Order entered October 25, 1991: Respondent reprimanded.**

**50. 91-CC-1 Filed April 18, 1991**

**Robert C. Buckley, Appellate Judge, 1<sup>st</sup> Appellate District**

The Complaint alleged that Respondent approved and used campaign literature during his campaign for election to the Supreme Court, which cast doubt upon his capacity to impartially decide issues that may come before him. The Complaint alleged that as a result, Respondent's conduct violated Illinois Supreme Court Rules 61, 62A, and 67B(1)(c) (before amendment).

**Order entered October 25, 1991- Motion for reconsideration denied December 11, 1991.**

**Although the Courts Commission found a violation of the Code, the Commission stated that the violation was insubstantial, insignificant, and did not warrant the imposition of a reprimand. Note: Initially, respondent moved to dismiss the Board's complaint on constitutional grounds. The respondent based his argument on that portion of Supreme Court Rule 67B(1) (c) (before amendment) which admonished judicial candidates from announcing their views on disputed legal or political issues. The Courts Commission found that the Board's complaint related solely to the so-called pledges and promises provision of Supreme Court Rule 67B(1) (c). Thus, the Commission found that it did not need to address the constitutionality of the disputed legal or political issues provision of Supreme Court Rule 67B(1)(c). Subsequent to the Courts Commission's decision, the respondent filed suit in the federal court challenging the constitutionality of Supreme Court Rule 67B(1)(c) and seeking declaratory and injunctive relief. The U.S. Court of Appeals for the Seventh Circuit held that the rule violated the first amendment of the U.S. Constitution. Rule 67 was subsequently amended. Buckley v. Illinois Judicial Inquiry Board, 997 F. 2d 224 (7<sup>th</sup> Cir.1993).**

**51. 92-CC-1 Filed October 13, 1992**

**Roger M. Scrivner, Circuit Judge, 20<sup>th</sup> Circuit, St. Clair County**

The Complaint alleged that Respondent directed his court clerk to give jurors credit for days they did not perform jury service and to issue work affidavits for employers certifying that jurors were on jury service when they were not.

**Order entered July 29, 1993: Complaint dismissed.**

**52. 92-CC-2 Filed October 15, 1992**

**Arthur Rosenblum, Associate Judge, Circuit Court of Cook County**

The Complaint alleged that Respondent embarked on a course of conduct that exploited his judicial position, improperly used the prestige of his judicial office to advance his private interests and improperly assumed an active role in the management of one of his investments.

**Order entered July 29, 1993: Complaint Dismissed.**

**53. 93-CC-1 Filed July 10, 1993**

**John R. Keith, Associate Judge, 7<sup>th</sup> Circuit, Sangamon County**

The Complaint alleged that Respondent sent some defendants to jail without due process, improperly jailed others for contempt and failed to treat litigants and others in his courtroom with patience, dignity and courtesy.

**Order entered January 21, 1994: Respondent removed from office. Motion to Reconsider denied February 18, 1994.**

**54. 93-CC-2 Filed June 10, 1993**

**Michael C. Close, Circuit Judge, Circuit Court of Cook County**

The Complaint alleged that Respondent made derogatory and demeaning ethnic and nationality-based statements about defendants and witnesses who appeared before him.

**Order entered March 9, 1994: Complaint Dismissed. Board's Motion to Reconsider denied March 9, 1994.**

**55. 95-CC-1 Filed April 14, 1995**

**Michael O'Brien, Circuit Judge, 16<sup>th</sup> Circuit, Kane County**

The Complaint alleged that Respondent created and allowed others to maintain the false impression that he is a recipient of the Congressional Medal of Honor.

**Order entered July 24, 1995: Respondent censured.**

**56. 96-CC-1 Filed September 11, 1996**

**Steven Vecchio, Associate Judge, 17<sup>th</sup> Circuit, Winnebago County**

The Complaint alleged that Respondent engaged in a pattern of conduct whereby he intervened in a number of matters involving police action on behalf of his personal friends and acquaintances, using his position or status as judge to affect or influence police conduct in matters not before him.

**Order entered February 19, 1998: Complaint dismissed.**

**57. 96-CC-2 Filed October 17, 1996**

**Frank D. Edwards, Associate Judge, Circuit Court of Cook County**

The Complaint alleged that Respondent engaged in conduct where he possessed a controlled drug, namely, 4.9 grams of marijuana, while traveling through Phillip Golden International Airport, Ladyville, Belize. In addition, the Complaint alleged that Respondent refused to appear before the Board in response to its request for his testimony under Rule 4 (d) of the Board's Rules of Procedures.

**Order entered January 17, 1997: Complaint dismissed for lack of jurisdiction (Respondent withdrew from election and resigned from office).**

**58. 97-CC-1 Filed January 23, 1997**

**James D. Heiple, Chief Justice of the Supreme Court of Illinois**

The Complaint alleged that Respondent failed to cooperate with and disobeyed law enforcement officials who were investigating him for violations of local traffic laws. In addition, Respondent volunteered information that he was a member of the judiciary after being detained by police officers who suspected that he had violated traffic laws. The Complaint alleged in doing so, Respondent knew or should have known that communicating such information was likely to influence the officers who were investigating him and would be perceived by them as an effort to use his judicial office to keep from being charged with a traffic violation.

**Order entered April 30, 1997: Respondent censured.**

**59 & 60. 97-CC-2 Filed September 12, 1997**

**Harry R. Buoscio and Paul Sheridan, Associate Judges, Circuit Court of Cook County**

The Complaint alleged that Respondent Buoscio approached Respondent Sheridan and discussed with him an overweight truck citation that had been issued to an individual for driving an overweight truck; Judge Buoscio showed Judge Sheridan a copy of the citation and provided Judge Sheridan with written information about the citation. It is also alleged that Judge Sheridan acknowledged to Judge Buoscio that the overweight truck citation was scheduled to be heard in his courtroom. Prior to the court proceeding and dismissal of the citation, it is alleged that Judge Sheridan had ex parte conversation with the Assistant State's Attorney ("ASA") assigned to prosecute the case. It is alleged that during that ex parte conversation, Judge Sheridan provided the ASA with the written information about the case that had been provided to him by Judge Buoscio, asked the ASA to dispose of and dismiss the case, and told the ASA that he was making the request based upon a request that he had received from another judge.

**Order entered July 30, 1999: Complaint dismissed after Respondents resigned from office.**

**61. 97-CC-3 Filed December 2, 1997**

**James M. Radcliffe, Associate Judge, 20<sup>th</sup> Circuit, St. Clair County**

The Complaint alleged that Respondent presided over a hearing for a preliminary injunction in which a Special Agent for the Illinois Liquor Control Commission was forced to reveal publicly that the FBI was investigating the attorney's client who sought the injunction. It is alleged that the Special Agent learned of the hearing only 15 minutes prior to the hearing, was not served with process or any other notice of the nature of the proceedings before being called as a party-witness, and was not allowed the opportunity to present any defense whatsoever. In addition, it is alleged that Respondent denied the Special Agent's requests for time to obtain a lawyer or to make a telephone call. The Complaint further alleged that Respondent issued the preliminary injunction with no expiration date, without bond and without setting forth any specific findings of fact. Respondent stipulated to and admitted each of the allegations of fact contained in the Board's complaint. During an April 2, 2001 hearing before the Courts Commission, the Board and the Respondent presented their joint stipulation of facts and submitted a joint recommendation for imposition of a three-month suspension from office without compensation. The Courts

Commission accepted the stipulation and discipline recommendation.

**Order entered August 23, 2001: Respondent suspended for three months without pay.**

**62. 98-CC-1 Filed May 13, 1998**

**Oliver Spurlock, Associate Judge, Circuit Court of Cook County**

The Complaint alleged that Respondent engaged in a pattern of sexually intimidating and inappropriate conduct, made a variety of sexually intimidating and inappropriate comments, and engaged in sexually intimidating and inappropriate physical conduct toward female attorneys who appeared before him in his capacity as an Associate Judge. In addition, it is alleged that the Respondent failed to recuse himself from cases handled by a victim's assistance coordinator with whom he had a romantic relationship, he improperly used his judicial chambers to engage in sexual acts with a court reporter, and that he refused to answer any questions by the Judicial Inquiry Board concerning the proposed charges. A hearing was held on the allegations: June 4, 2001 through June 8, 2001.

**Order entered December 3, 2001: Respondent removed from office.**

**63. 98-CC-2 Filed June 23, 1998**

**John R. Goshgarian, Circuit Judge, 19<sup>th</sup> Circuit, Lake County**

The Complaint alleged that Respondent berated in a loud voice a juror for the jury's verdict in a criminal matter calling the jury "stupid" and "gutless" for its verdict of "not guilty" on one of the offenses and stated that the verdict was the "worst" verdict Respondent had seen in years. In addition, it is alleged that Respondent raised his voice and said to an Assistant State's Attorney from the bench in open court, "\_\_\_ you and your office." Respondent is also alleged to have refused to sign a court reporter's voucher for payment of services in retaliation against her for signing a petition against Respondent concerning his disregard for following the ordinary selection process in selecting his permanent courtroom court reporter. It is alleged that when Respondent eventually signed the voucher and returned it to the court reporter it stated, "Maybe you better think before signing petitions." The Complaint also alleged that on at least five occasions, Respondent referred to a female judge in a derogatory manner in or around his chambers or courthouse with various Assistant State's Attorneys whose cases were pending before him. Respondent stipulated to and admitted each of the allegations of fact and the alleged violations of the Code of Judicial Conduct contained in the Board's complaint. Based upon the Stipulation, the Board and Respondent submitted a joint recommendation that the Illinois Courts Commission impose the discipline of a three-month suspension from office without compensation.

**Order entered November 18, 1999: Joint Stipulation and Recommendation adopted.**

**Respondent suspended from office for three months without compensation.**

**64. 99-CC-1 Filed June 29, 1999**

**Edwin A. Gausselin, Associate Judge, Circuit Court of Cook County**

The Complaint alleged that Respondent had been drinking alcohol and was under the influence of alcohol at a time when he was stopped by a law enforcement officer, refused to take field sobriety and breathalyzer tests, and volunteered information that he was a member of the judiciary after being detained by police officers. Respondent stipulated to and admitted each of the allegations of fact contained in the Board's complaint. Based upon the Stipulation, the Board and Respondent submitted a joint recommendation that the Illinois Courts Commission impose the discipline of reprimand.

**Order entered November 18, 1999: Joint Stipulation and Recommendation adopted. Respondent reprimanded.**

**65. 99-CC-2 Filed June 29, 1999**

**Cynthia Raccuglia, Circuit Judge, 13<sup>th</sup> Circuit, LaSalle County**

The Complaint alleged that Respondent had been drinking alcohol and was under the influence of alcohol at a time when she was stopped by a law enforcement officer, that Respondent failed field sobriety tests, and Respondent refused to take a breathalyzer test. The Complaint also alleged that Respondent communicated information to law enforcement officers, which she knew or should have known would be perceived by the officers as an effort to use her judicial office to influence the officers to not charge her with a traffic violation. The Respondent and the Board agreed to a Stipulation of Facts. The Board stipulated that the clear and convincing evidence did not establish that Respondent intended to use her judicial office to influence the actions of the officers.

Respondent stipulated to and admitted each of the remaining allegations of fact contained in the Board's Complaint and admitted that she violated the Code of Judicial Conduct. Based upon the Stipulation, the Board and Respondent submitted a joint recommendation that the Illinois Courts Commission impose the discipline of reprimand.

**Order entered October 9, 2001: Stipulation and Joint Recommendation adopted. Respondent reprimanded.**

**66. 99-CC-3 Filed October 26, 1999, Amended June 6, 2001**

**Lambros J. Kutrubis, Associate Judge, Circuit Court of Cook County**

The Complaint alleged that Respondent forged the signature of a former friend on twenty (20) federal and state income tax returns for himself and entities in which he and/or his wife had a beneficial interest, and on one additional return, Respondent forged the name "Richard J. Kutrubis" as the paid tax preparer; failed to disqualify himself from adjudicating a case against an individual that he had a personal relationship with wherein the individual was charged with a municipal violation for gambling; failed to disqualify himself from adjudicating a municipal violation case against his friend and business partner (the municipal violation involved gambling on a video-poker machine at a tavern owned and operated by Respondent's friend and business partner - the video poker machine at issue was placed in the tavern by Respondent's wife); knowingly failed to disclose on his 1996 Statement Required of Members of the Judiciary of the

State of Illinois (“Judicial Statement”) a loan that he and his wife received from his wife’s personal friend in the amount of \$14,000; knowingly failed to disclose on his 1991 Judicial Statement that he had been sued in an action relating to his ownership of a condominium; in connection with his action relating to his ownership of a condominium, caused a false statement to be submitted to the Judicial Inquiry Board in advance of his hearing before the Board wherein he falsely and misleadingly stated that he had not been served with process in the action; knowingly failed to disclose on his 1991 and 1992 Judicial Statements that he had been sued in an action under the Illinois Liquor Control Act, Chapter 43, Section 135, involving his wife’s tavern; knowingly failed to disclose on his 1996, 1997, and 1998 Judicial Statements that he had been sued in a second action under the Illinois Liquor Control Act, 235 ILCS 5/6-21, involving his wife’s tavern; and engaged in an ex parte communication with a Circuit Court judge and attempted to use his judicial position to obtain an outcome-influencing continuance in a case that had been marked “final” for trial. The Board and Respondent agreed to a Stipulation of Facts and made a Joint Recommendation that Respondent be suspended without pay for six months. Respondent also made a Submission in support of the Joint Recommendation.

**Order entered August 29, 2002: Stipulation of Facts, the Joint Recommendation, and Respondent’s Submission in Support of the Joint Recommendation adopted. Respondent suspended for six months without pay.**

**67. 01-CC-1 Filed January 3, 2001**

**Adam D. Bourgeois, Jr., Associate Judge, Circuit Court of Cook County**

The Complaint alleged that on December 29, 1999, and again on April 15, 2000, the Respondent verified and filed two statements of economic interest that were false and misleading because they failed to disclose certain debts and lawsuits. Specifically, the statements (1) failed to disclose Respondent’s debts in excess of \$500 to the IRS, the State of Illinois and other creditors; and (2) failed to disclose lawsuits to which Respondent was a party. The Complaint further alleged that the debts and lawsuits were required to be disclosed by Supreme Court Rules 66 and 68 and were known to Respondent when he filed the statements. Respondent filed an answer to the complaint, admitting the allegations, requesting that the Courts Commission enter a judgment against Respondent on the allegations set forth in the complaint, and to set the matter for oral argument on the appropriate sanction to be imposed. The Courts Commission allowed the motion for oral argument on the sole issue of sanctions and heard arguments, after entering Judgment on the pleadings in favor of the Board and against Respondent.

**Order entered May 25, 2001: Respondent suspended for one month without pay.**

**68. 01-CC-2 Filed February 5, 2001**

**Susan J. McDunn, Circuit Judge, Circuit Court of Cook County**

The Complaint alleged that in 1998 and early 1999 Respondent presided over two adoption cases in the Adoption Court involving lesbian partners. In each case, the child’s birth mother and her lesbian partner petitioned for adoption of a child by the mother’s lesbian partner. In each case, both the Guardian Ad Litem and the Cook County Department of Supportive Services recommended

that the adoption petition be granted. But Respondent, whose conduct suggests that she is prejudiced against homosexuals and believes they should not be permitted to adopt children, attempted to thwart both adoptions. Respondent was eventually removed from the two cases by the presiding judge of the Adoption Court, who then granted each petition. Notwithstanding the presiding judge's orders granting the adoptions and even though Respondent had already been removed from the cases, Respondent took further judicial steps calculated to frustrate and void the adoptions. Respondent's bias against homosexuals resulted in her making rulings contrary to Illinois law and in her advancing her own personal beliefs over the legal rights of the parties who appeared before her.

**Oral ruling entered September 27, 2002 and Written Order filed November 27, 2002:  
Complaint dismissed.**

**69. 01-CC-3 Filed February 9, 2001**

**William G. Schwartz, Circuit Judge, 1<sup>st</sup> Circuit, Jackson County**

The Complaint alleged that in late 1999 or early 2000 Respondent's stepson applied for admission to the Southern Illinois University School of Law (the "Law School"). Respondent, an alumnus of the Law School, sought the advice and assistance of certain Law School faculty members and administrators with respect to his stepson's application. Despite Respondent's efforts, in July 2000, his stepson was denied admission to the Law School. Immediately following his stepson's rejection, Respondent banned all law students from appearing in his courtroom pursuant to Illinois Supreme Court Rule 711, which permits specified law-students ("711 students") to render client services, including appearing in trial courts, under the supervision of an attorney. The only law students affected by this ban were students at the Law School. The Complaint alleged that Respondent's prohibition on 711 students in his courtroom was in retaliation for the rejection of his stepson's application to the Law School, or created the appearance that it was in retaliation for the rejection of his stepson's application. The Board and Respondent agreed to a Stipulation of Facts and made a Joint Recommendation that Respondent be reprimanded. Respondent also made a Submission in support of the Joint Recommendation of reprimand.

**Order entered November 30, 2001: Stipulation of Facts, the Joint Recommendation, and Respondent's Submission in Support of the Joint Recommendation adopted. Respondent reprimanded.**

**70. 02-CC-1 Filed May 15, 2002, Amended June 13, 2003**

**Francis X. Golniewicz III, Circuit Judge, Circuit Court of Cook County**

The Complaint alleged that the Respondent addressed an African-American criminal defendant as "boy;" warned a criminal defendant to "Be careful. Be real \_\_\_\_\_ careful;" and showed his dissatisfaction with a jury verdict by tearing up juror appreciation certificates while uttering words to the effect of, "They don't deserve these." In addition, the Complaint alleged that the Respondent knowingly misrepresented facts about his residency in his campaign literature, knowingly violated state constitutional residency requirements, knowingly registered to vote and voted in the wrong election district, and knowingly filed a false statement regarding his

residency with the Illinois Secretary of State. The Parties entered into a partial stipulation of facts and a hearing was held on August 23, 2004.

**Order entered November 15, 2004: Respondent removed from office.**

**71. 02-CC-2 Filed June 26, 2002**

**Charles M. Travis, Circuit Judge, Circuit Court of Cook County**

The Complaint alleged that on at least three occasions, the Respondent used his status as a judge, or appeared to use his status as a judge, to advance his own personal interests. First, the respondent used an unofficial “judicial badge” to avoid receiving a speeding ticket. Second, in a separate incident, the Respondent attempted to induce a police officer to cite a motorist for traffic violations based solely upon his requests and without further investigation. In a third incident, Respondent called the Chief Judge of another judicial circuit and sought redress over a warrant that had been issued for his daughter’s arrest for failure to pay a fine. The Board and Respondent agreed to a Stipulation of Facts and made a Joint Recommendation that Respondent be suspended without pay for one month. Respondent also made a Submission in support of the Joint Recommendation.

**Order entered February 28, 2003: Stipulation of Facts, the Joint Recommendation, and Respondent’s Submission in Support of the Joint Recommendation adopted. Respondent suspended from office for one month without compensation.**

**72. 03-CC-1 Filed February 21, 2003**

**Gregory J. Householter, Circuit Judge, 21<sup>st</sup> Circuit, Kankakee County**

The Complaint alleged that the Respondent failed to promptly dispose of the business of the court in time-sensitive cases and to diligently discharge his administrative responsibilities (after taking 12 cases under advisement, the Respondent rendered his decision in excess of ninety days, ranging from 147 days to 640 days). The Board and Respondent agreed to a Stipulation of Facts and made a Joint Recommendation that Respondent be reprimanded. Respondent also made a Submission in support of the Joint Recommendation of reprimand.

**Order entered August 25, 2003: Stipulation of Facts, the Joint Recommendation, and Respondent’s Submission in Support of the Joint Recommendation adopted. Respondent reprimanded.**

**73. 04-CC-1 Filed September 9, 2004**

**Mark W. Dwyer, Associate Judge, 18<sup>th</sup> Circuit, DuPage County**

The Complaint alleged that from March 2003 to March 2004 Respondent conducted an unsuccessful campaign in the Republican primary for a Circuit Court Judge position in DuPage County, Illinois. In connection with this campaign, the Respondent circulated numerous campaign materials that contained graphic and sensational images, several misrepresentations, and statements that committed and appeared to commit the Respondent with respect to certain issues. The Board and Respondent agreed to a Stipulation of Facts and made a Joint Recommendation that Respondent be censured.

**Order entered January 4, 2005: Stipulation of Facts, the Joint Recommendation, and Submission of Counsel Stating Facts in Mitigation adopted. Respondent censured.**

**74. 05-CC-1 Filed February 16, 2005, Amended February 28, 2006  
James T. Doyle, Circuit Judge, 16<sup>th</sup> Circuit, Kane County**

The Complaint alleged that during Respondent's assignment to Kane County Drug Court in 2000, Respondent abused the powers of his office by systematically violating the constitutional and statutory rights of criminal defendants, systematically violating several Judicial Canons and statutory provisions, and engaging in intemperate acts of intimidation, retribution, and vindictiveness in response to those who disagreed with the manner in which he presided over judicial proceedings. The Complaint also alleged that Respondent attempted to conceal the systematic violations of defendants' rights by questioning defendants either without a court reporter present or after instructing the court reporter to go off the record; and while presiding over the Kane County Drug Court, Respondent systematically failed to discharge his adjudicative and administrative responsibilities. The Complaint further alleged that Respondent interfered with the operation of the Kane County Drug Court after his removal as Presiding Judge of the Kane County Drug Court. An Agreed Motion to Dismiss was filed on August 17, 2006 - the parties agreed that Respondent voluntarily vacated his judicial position, that the Supreme Court of Illinois filled that vacant position with a new judge, and that because Respondent was no longer a state judge, the Illinois Courts Commission no longer had jurisdiction over the matter.

**Order entered August 28, 2006: Action dismissed for want of jurisdiction.**

**75. 05-CC-2 Filed March 16, 2005  
Kurt P. Klein, Circuit Judge, 16<sup>th</sup> Circuit, DeKalb County**

The Complaint alleged that between 2003 through 2004 the Respondent engaged in the following improper conduct: (a) permitted an ex parte communication with an army recruiter concerning a criminal case not pending before him, caused the case to be transferred to his court call, then allowed the ex parte communication to influence his judicial conduct and judgment regarding the case; and (b) publicly endorsed another judicial candidate at a time when Respondent was not a candidate for office. Respondent admitted to the truth of the allegations as stated in the Complaint. The Board and Respondent made a Joint Recommendation that Respondent be reprimanded.

**Order entered June 16, 2005: The Joint Recommendation and Mitigation Statement adopted. Respondent reprimanded.**

**76. 06-CC-1 Filed December 5, 2006  
Donald A. Behle, Associate Judge, 11<sup>th</sup> Circuit, Logan County**

The Complaint alleged that Respondent committed misconduct in 2003 by dating a litigant while presiding over her divorce and child custody case and he committed misconduct again in 2005 by engaging in frequent, personal *ex parte* contact with a witness who testified in her sister's child custody dispute, a matter over which the Respondent presided. On April 5, 2007 the Board filed a Motion to Dismiss the Complaint without Prejudice, asserting that because Respondent was no longer a sitting Illinois judge (resigned from office), the Illinois Courts Commission no longer had jurisdiction over the matter.

**Order entered May 2, 2007: Complaint dismissed without prejudice.**

**77. 07-CC-1 Filed January 22, 2007**

**Steven L. Nordquist, Associate Judge, 17<sup>th</sup> Circuit, Winnebago County**

The Complaint alleged that on June 30, 2006 Judge Steven L. Nordquist (“ Respondent”) was arrested for driving under the influence of alcohol and was issued citations for driving under the influence of alcohol, driving with an alcohol concentration above .08, and speeding. On July 26, 2006 Respondent pled guilty to driving under the influence of alcohol. Respondent was sentenced to court supervision for a period of twelve months and restricted driving privileges for ninety days, was fined \$2300, and was ordered to attend a victim impact panel and complete treatment pursuant to an alcohol evaluation. The speeding violation was dismissed. The Complaint also alleged that Respondent volunteered his status as a judge to the DUI Investigator. Respondent stipulated to and admitted to each of the allegations of fact and each of the alleged violations of the Code of Judicial Conduct in the Board’s Complaint. Based upon Respondent’s Stipulation, the Board and Respondent tendered a joint recommendation that the Illinois Courts Commission discipline Respondent with a reprimand.

**Order entered August 9, 2007: Stipulation and Joint Recommendation adopted. Respondent reprimanded.**

**78 & 79. 07-CC-2 Filed October 2, 2007**

**Jan V. Fiss, Circuit Judge, 20<sup>th</sup> Circuit, St. Clair County**

**Patrick Young, Circuit Judge, 20<sup>th</sup> Circuit, St. Clair County**

The Complaint alleged that on December 3, 2006 Judge Patrick Young drove a car while under the influence of alcohol and was involved in an accident in which the driver of another car sustained injuries. Judge Young received traffic citations for driving while under the influence of alcohol and for failure to yield while turning left. On March 2, 2007 Judge Young was found guilty by stipulated bench trial of the offense of driving under the influence of alcohol; he was sentenced to court supervision for a period of two years; fined \$1500; and ordered to complete treatment pursuant to an alcohol evaluation. Judge Young’s citation for failure to yield while turning left was dismissed. The Complaint further alleged that on December 3, 2006 Judge Jan V. Fiss was a passenger in Judge Young’s vehicle; was aware that Judge Young was driving the vehicle after Judge Young had been drinking alcohol for much of the day; and illegally transported open alcohol as a passenger in Judge Young’s vehicle. On March 20, 2007 Judge Fiss pled guilty to illegal transportation of alcohol by a passenger and was sentenced to court supervision for a period of sixty days and was fined \$500.00. In regard to the Board’s Complaint against Judge Fiss (“Respondent”), the Board and the Respondent filed a Stipulation and Joint Recommendation wherein Respondent stipulated to and admitted each of the allegations of fact and each of the alleged violations of the Code of Judicial Conduct as stated in the Board’s Complaint. Based upon Respondent’s Stipulation, the Board and Respondent tendered a joint recommendation that the Illinois Courts Commission discipline Respondent with a reprimand . The Respondent also filed a Submission of Facts in Support of the Joint Stipulation and Recommendation of Reprimand.

**Order entered December 20, 2007: Stipulation and Joint Recommendation adopted. Respondent reprimanded.**

As to the Board's Complaint against Judge Young ("Respondent"), the Board and the Respondent filed a Stipulation and Joint Recommendation wherein Respondent stipulated to and admitted each of the allegations of fact and each of the alleged violations of the Code of Judicial Conduct as stated in the Board's Complaint. Based upon Respondent's Stipulation, the Board and Respondent tendered a joint recommendation that the Illinois Courts Commission discipline Respondent with a reprimand. The Respondent also filed a Submission of Facts in Support of the Joint Stipulation and Recommendation of Reprimand.

**Order entered December 20, 2007: Stipulation and Joint Recommendation adopted. Respondents reprimanded.**

**80. 08-CC-1 Filed February 25, 2008**

**Michael J. Chmiel, Circuit Judge, 22<sup>nd</sup> Circuit, McHenry County**

The Complaint alleged that on Saturday, June 16, 2007 Judge Michael J. Chmiel ("Respondent"), a juvenile-court judge not on duty that day, was told by Robert Miller – a friend, former client, and political ally – that Miller's brother David had been arrested that morning on felony charges and would have to remain in jail until the following Monday absent a special bond hearing. In response, Respondent agreed to preside over such a special bond hearing, thereby enabling David Miller to be released on bond that same day. In addition, the Complaint alleged that subsequent public outcry of political favoritism for the locally-powerful Miller family caused Respondent's fellow circuit judges to inquire into the reasons why Respondent had held such a hearing; in response, Respondent failed to disclose Robert Miller's involvement. The Complaint further alleges that later, on October 12, 2007, during sworn testimony before the Board regarding the aforementioned special bond hearing, Respondent made false and misleading statements, and otherwise failed to disclose Robert Miller's involvement in causing that hearing to have occurred.

**Order entered November 19, 2010: Conduct of Respondent in holding a bond hearing on June 16, 2007 created the appearance of impropriety. Respondent reprimanded.**

**The Board did not prove by clear and convincing evidence that Respondent committed actual impropriety by conducting the June 16, 2007 bond hearing, engaged in ex parte communication or gave false and misleading testimony to the Board.**

**81. 09 CC - 1 Filed June 3, 2009**

**Sheila M. McGinnis, Circuit Judge, Circuit Court of Cook County**

The Complaint alleged that on May 9, 2008 Judge Sheila M. McGinnis rear-ended a vehicle at a stoplight, which resulted in damage to the motorist's vehicle; a police officer, who responded to the scene of the accident, detected alcohol on the judge's breath when he attempted to question her. The Complaint also alleged that Judge McGinnis declined to take a field sobriety test at the scene; refused to answer questions; and failed to provide the officer with proof of valid automobile insurance. Judge McGinnis was subsequently arrested for driving under the influence of alcohol and issued citations for driving under the influence of alcohol, failure to reduce speed to avoid an accident, and failure to provide proof of valid insurance. The Complaint further alleged that while at the police station, Judge McGinnis again declined to take a Breathalyzer test. On January 20, 2009 Judge McGinnis

pled guilty to driving under the influence of alcohol and she was sentenced to court supervision for a period of eighteen months, fined \$1000.00, and ordered to attend a victim impact panel and complete treatment pursuant to an alcohol evaluation. Respondent stipulated to and admitted each of the allegations of fact and each of the alleged violations of the Code of Judicial Conduct contained in the Board's Complaint. Based upon Respondent's Stipulation, the Board and Respondent tendered a joint recommendation that the Illinois Courts Commission discipline Respondent with a reprimand. **Order entered November 18, 2009: Stipulation and Joint Recommendation adopted. Respondent reprimanded.**

**82. 09-CC-2 Filed December 4, 2009**

**Albert L. Purham, Jr., Associate Judge, 10<sup>th</sup> Circuit, Peoria County**

The Complaint alleged that on June 27, 2009 Judge Albert L. Purham, Jr. drove a car while under the influence of alcohol and was pulled over by a police officer because he was swerving and drifting between lanes. The Complaint also alleged that the officer detected the order of alcohol upon questioning Judge Purham and although he refused to take several field sobriety tests, he offered to take a Portable Breath Test and agreed to take a Breathalyzer test while at the Washington Police Station. Judge Purham was subsequently arrested for driving under the influence of alcohol and was issued citations for improper lane usage, driving under the influence of alcohol, and driving under the influence of alcohol – BrAC over Legal Limit of 0.08. On September 3, 2009, Judge Purham pled guilty to driving under the influence of alcohol and he was sentenced to court supervision for a period of twelve months, fined \$750.00, and ordered to complete all required treatment and counseling pursuant to an alcohol evaluation. Respondent stipulated to and admitted each of the allegations of fact and each of the alleged violations of the Code of Judicial Conduct contained in the Board's Complaint. Based upon Respondent's Stipulation, the Board and Respondent tendered a joint recommendation that the Illinois Courts Commission discipline Respondent with a reprimand. Respondent also submitted facts in mitigation.

**Order entered September 14, 2010: Stipulation and Joint Recommendation adopted. Respondent reprimanded.**

**83. 10-CC-1 Filed September 24, 2010**

**Kenneth L. Popejoy, Circuit Judge, 18<sup>th</sup> Circuit, DuPage County**

The Complaint alleged that on Tuesday, June 29, 2010 the Respondent, while driving a 2003 Jeep Liberty, struck an unattended parked car and then, with willful and wanton disregard for the safety of persons and property, drove from the scene at a high rate of speed while the passenger-side front tire of his car was nearly off the rim, disobeyed multiple stop signs, and caused a thirteen-year old girl to move away from the road quickly in order to avoid being struck by his car.

**Order entered May 9, 2012: Respondent suspended without compensation for 60 days.**

**84. 10-CC-2 Filed November 8, 2010**

**Christopher G. Perrin, Associate Judge, 7<sup>th</sup> Circuit, Sangamon County**

The Complaint alleged that on or about April 30, 2010 Respondent's daughter received a traffic citation (the "Citation") in a city located within the Seventh Judicial Circuit and five days prior to the scheduled June 7, 2010 court hearing on the Citation, Respondent spoke to a then sitting judge ("Judge A") of the Seventh Judicial Circuit who was scheduled to preside over the matter. The Complaint also alleged that during the conversation between Respondent and Judge A, the topic arose of the many traffic cases scheduled to be heard by Judge A on June 7, 2010.

Thereafter, it is alleged, among other things, that Respondent informed Judge A that Respondent's daughter's traffic case was one of those cases; and on the scheduled date of her hearing on the Citation, she was going to be out of state on a mission trip. The Complaint additionally alleges that Judge A then asked Respondent his daughter's name, wrote her name down, and told Respondent that he would continue Respondent's daughter's hearing date and she would not be required to appear in court on June 7, 2010. The Complaint further alleged that on June 7, 2010 Judge A dismissed the Citation on his own motion, without first consulting the State's Attorney's Office and without ever conducting a hearing on the Citation, and falsely docketed that the Citation had been dismissed for insufficient evidence based upon a motion of the State.

**Order entered September 9, 2011: Complaint dismissed.**

**85. 11-CC-1 Filed February 18, 2011**

**Douglas J. Simpson, Associate Judge, Circuit Court of Cook County**

The Complaint alleged that on the morning of September 23, 2010 Respondent went into a detail shop and spoke to the shop's Owner regarding getting his car detailed; during the course of their conversation, Respondent informed the Shop Owner that he worked at the Markham courthouse. The Complaint also alleged that the Shop Owner then volunteered to Respondent that he had a case pending at the Markham courthouse (the "*Shop Owner* matter") and a court hearing was scheduled for that morning; thereafter, the Shop Owner showed Respondent an Order dated August 12, 2010 noticing the *Shop Owner* matter for hearing. The Complaint additionally alleged that Respondent left the detail shop; went to the Markham courthouse; and after arriving at the courthouse, Respondent went to the courtroom of the judge presiding over *Shop Owner* matter ("Judge A"). At the time of Respondent's arrival in Judge A's courtroom, Judge A was in the process of conducting his *pro se* call. After Respondent informed Judge A that he wanted to speak with him, Judge A recessed his call and met with Respondent in Judge A's chambers. The Complaint alleged that while in Judge A's chambers, Respondent showed Judge A the August 12, 2010 Order, informed Judge A that he (Judge A) had the case associated with the Order, that one of the parties was a mechanic who had done work for another judge, and that the mechanic was a "good guy;" Judge A then stood up and Respondent told Judge A that he was not asking him to do "anything improper." The Complaint also alleged that Judge A returned to the bench immediately following the conversation with Respondent in his chambers and after finishing his call and trial, Judge A informed the Presiding Judge of the morning's events. The Complaint further alleged that later that morning, Respondent called Judge A's chambers and left a voicemail message; and that Judge

A returned his call, during which Respondent apologized and said he “regretted” his actions. The Respondent then asked Judge A to disregard their conversation that had taken place earlier that morning. On September 27, 2010 Respondent returned to Judge A’s chambers and apologized for his conduct on September 23, 2010; Judge A informed Respondent that he was “uncomfortable” with the situation and he would report the matter to the Judicial Inquiry Board. The Complaint further alleged that Respondent asked Judge A if he could “talk him out” of doing so to which Judge A responded that he had to report the matter. Judge A ultimately recused himself from the *Shop Owner* matter and it was transferred to the Fifth Municipal District.

**Order entered November 7, 2011: Respondent censured.**

**86. 12-CC -1 Filed July 13, 2012**

**Joseph C. Polito, Associate Judge, 12<sup>th</sup> Circuit, Will County**

The Complaint alleged that beginning in 2010 and periodically until August 2011 Respondent frequently used his Will County issued work computer to access pornographic websites during work hours in his chambers. The Complaint further alleged that Will County’s policies prohibited its employees from using Will County’s electronic communication systems for accessing explicit material.

**Order entered February 1, 2013: Respondent suspended without pay for 60 days.**

**87. 13-CC-1 Filed August 13, 2013**

**Cynthia Y. Brim, Circuit Judge, Circuit Court of Cook County**

The Complaint alleged that on March 8, 2012 Respondent, while on the bench and in open court, made a number of inappropriate comments; and that on the next day, March 9, 2012, Respondent pushed a Cook County Deputy Sheriff. The Cook County State’s Attorney’s Office subsequently filed criminal charges for battery against Respondent related to her conduct on March 9, 2012. The Complaint also alleged that on February 4, 2013 after a bench trial, the trial judge ruled that the evidence against Respondent satisfied the elements of battery beyond a reasonable doubt but that Respondent was not criminally responsible because she had been legally insane at the time of the battery. The Complaint further alleged that Respondent had and continues to have schizoaffective disorder (bipolar type); and without the necessary and appropriate medication, this condition renders Respondent mentally unable to perform her duties.

**Order Entered May 9, 2014: Removed and dismissed Respondent from the office of Circuit Court Judge.**

**88. 14-CC-1 Filed June 20, 2014**

**Joseph P. Hettel, Circuit Judge, 13<sup>th</sup> Circuit, La Salle County**

The Complaint alleged that on March 31, 2014 Judge Joseph P. Hettel drove a vehicle while under the influence of alcohol; and while driving under the influence of alcohol on that date, he collided into a parked vehicle, causing significant damage to both vehicles and a nearby utility pole. The Complaint also alleged that at the scene of the accident, Judge Hettel refused to take any field sobriety tests; and he was arrested for driving under the influence of alcohol. Thereafter, the Complaint alleged that Judge Hettel was taken to the Ottawa Police Station, where he refused to

take a Breathalyzer test and also refused to provide a blood or urine sample. Judge Hettel was subsequently issued citations for driving under the influence of alcohol, failure to reduce speed to avoid an accident, using an electronic communication device while operating a motor vehicle, and improper lane usage.

On May 21, 2014 Judge Hettel pled guilty to driving under the influence of alcohol (the State dismissed the companion citations). The Court sentenced him to court supervision for a period two years; fined him \$2,000; required him to complete all recommendations in his DUI evaluation by December 11, 2014; ordered him to attend the drunk Driving Impact Panel; and required that he perform on hundred hours of community service by December 11, 2014.

**Order Entered December 22, 2014: Respondent reprimanded.**

**89 & 90 14-CC-2 Filed July 24, 2014**

**Scott D. Drazewski, Circuit Judge, 11<sup>th</sup> Circuit, McLean County and  
Rebecca S. Foley, Circuit Judge, 11<sup>th</sup> Circuit, McLean County**

The Complaint alleged that beginning no later than December 5, 2010 and continuing through at least February 16, 2011 Judges Drazewski and Foley engaged in an undisclosed extramarital affair, during which time period Judge Drazewski presided over a number of pending cases, including a three-day jury trial, where Judge Foley's husband – an attorney who practiced regularly in the judges' courthouse – represented parties. The Complaint also alleged that during the time period that Judge Drazewski presided over Judge Foley's husband's pending cases, Judge Foley did not disclose to her husband or to her Chief Judge that she was having an extramarital relationship with Judge Drazewski. According to the Complaint, Judge Foley was aware that Judge Drazewski presided over a jury trial in which her husband represented one of the parties while the extramarital affair was ongoing. The Complaint further alleged that it was only after Judge Foley's husband had confronted Judge Foley and demanded that Judge Drazewski recuse himself, and after Judge Foley had then related that conversation to Judge Drazewski, that Judge Drazewski recused himself from Attorney Foley's cases. The Complaint also alleged that during subsequent communications with his Chief Judge, Judge Drazewski failed to disclose the actual reason for those recusals, namely his extramarital relationship with Judge Foley.

**Order Entered March 11, 2016: Respondent Scott D. Drazewski suspended from office for four months without compensation, effective May 1, 2016. Respondent Rebecca S. Foley censured.**

**91. 15-CC-1 Filed February 6, 2015**

**Beatriz Santiago, Circuit Judge, Circuit Court of Cook County**

The Complaint alleged that beginning no later June 2013 and continuing through March 2014, Judge Santiago, in connection with the refinancing of her mortgage on a property located on North Spaulding Avenue in Chicago, Illinois (the "Spaulding property"), attempted to and did deceive her mortgage lender by making several misrepresentations in her mortgage application documents that caused her lender to believe she occupied the Spaulding property as her primary residence and that she intended to occupy the Spaulding property as her primary residence within 60 days of

executing a mortgage agreement, when in fact she resided at another property and had no intention of establishing residency at the Spaulding property.

**Order Entered August 18, 2016: Respondent censured.**

**92. 16-CC-1 Filed December 2, 2016**

**Valarie Turner, Circuit Judge, Circuit Court of Cook County**

The Complaint alleged that in August 2016 Judge Turner allowed Rhonda Crawford, a former law clerk/staff attorney for the Office of the Chief Judge of the Circuit Court of Cook County to wear her robe, sit on the bench, and adjudicate traffic ticket cases assigned to her at the Markham Courthouse. The Complaint further alleged that at the time of the August 2016 incident, Judge Turner then suffered and continued to suffer from memory loss and was mentally unable to perform her duties.

**Order Entered December 1, 2017: Respondent retired by the Illinois Courts Commission.**

**93. 17-CC-1 Filed August 7, 2017**

**Robert J. Steigmann, Appellate Judge, 4<sup>th</sup> Appellate District**

The Complaint alleged that beginning in or about February 2015 and continuing in or about November 2016 Respondent used official court letterhead, computer equipment, and staff to solicit paid lecturing opportunities from law enforcement organizations, medical societies, and hospitals. The Complaint also alleged - in doing so - Respondent used the prestige of his judicial office as well as the court's resources to advance his private interests. The Complaint further alleged that Respondent's conduct created a potential for an appearance that he is biased in favor of physicians and law enforcement with respect to matters involving those professions.

**Order Entered August 13, 2018: Respondent reprimanded.**

**94. 18-CC-1 Filed April 19, 2018**

**Ronald R. Duebbert, Circuit Judge, 20<sup>th</sup> Circuit, St. Clair County**

The Complaint alleges that on December 30, 2016, while being interviewed by police officers in connection with the criminal investigation of the murder of Carl Z. Silas, Respondent made statements he knew to be false and deceptive, and omitted facts that he knew were relevant to the matters the officers were investigating. Respondent's misrepresentations, deceptions, and omissions concerned facts that were relevant to an active murder investigation. The Complaint further alleges that on May 12, 2017 and June 9, 2017 Respondent also made statements he knew to be false and deceptive while testifying before the Illinois Judicial Inquiry Board, and omitted facts during his testimony that he knew were relevant to the matters the Board was investigating. These misrepresentations, deceptions, and omissions were made under oath, and concerned facts that were relevant to the Illinois Judicial Inquiry Board's investigation into Respondent's conduct.

**Order entered January 10, 2020: Respondent removed from office.**

**95. 18-CC-2 Filed June 19, 2018**

**Jessica Arong O'Brien, Circuit Judge, Circuit Court of Cook County**

The Complaint alleged that on February 15, 2018 following a trial in the United States District Court for the Northern District of Illinois, a jury found Respondent guilty of mail fraud and bank fraud related to a scheme to defraud lenders and entities in connection with the purchase and financing of her investment properties. The Complaint also alleged that on April 26, 2018 the Illinois Supreme Court ruled on the Petition of the Illinois Attorney Registration and Disciplinary Commission ("ARDC") for Interim Suspension in light of this jury verdict and the conduct underlying it, suspending Respondent from the practice of law until further order of the Court. The Complaint alleged that although the Illinois Constitution requires all Illinois judges to be "licensed attorney[s]-at-law of this state," Respondent has continued since her suspension to hold the office and title of Circuit Court judge, continues to receive a judicial salary, and seeks retention in the upcoming judicial elections. Further, the Complaint alleged that this undermines public confidence in the judicial system, is prejudicial to the administration of justice, and brings the judicial office into disrepute.

**Order Entered November 1, 2018: Action dismissed without prejudice (The Judicial Inquiry Board filed a Motion to Dismiss Complaint Without Prejudice, asserting that because Respondent is no longer a sitting Illinois Judge, the Illinois Courts Commission no longer has jurisdiction over the matter).**

**96. 18-CC-3 Filed October 25, 2018**

**Patrick J. O'Shea, Circuit Judge, 18<sup>th</sup> Circuit, DuPage County**

The Complaint alleges that on September 27, 2017 while being interviewed by detectives in connection with an investigation into Respondent's discharge of a firearm inside his apartment and firing a bullet into a neighboring apartment, Respondent made statements he knew to be false and deceptive and knowingly omitted facts that were relevant to the matters the detectives were investigating. It is alleged that these misrepresentations, deceptions, and omissions concerned facts Respondent knew were relevant to an active criminal investigation.

It is also alleged that on April 13, 2018 Respondent again made statements he knew to be false and deceptive while testifying before the Illinois Judicial Inquiry Board, and knowingly omitted facts during his testimony that were relevant to matters the Board was investigating. The Complaint alleges that the misrepresentations, deceptions, and omissions before the Board were made under oath and concerned facts Respondent knew were relevant to the Illinois Judicial Inquiry Board's investigation into his conduct.

Additionally, the Complaint alleges that on or about September 28, 2017 Respondent filed a "Formal Complaint" against a court employee who had lodged a complaint of sexual harassment against Respondent that was investigated, substantiated, and deemed to be a violation of the Illinois Supreme Court Sexual Harassment Policy and Procedures. It is alleged that Respondent filed the "Formal Complaint" in an attempt to retaliate against the court employee for lodging a sexual harassment complaint against him, and in an attempt to damage the court employee's

standing with her employer and to discourage or dissuade her from raising future complaints. The Complaint further alleges that during July and August 2016 Respondent took other negative employment actions against his former administrative assistant, including verbally complaining to her supervisors and co-workers about her appearance and job performance, demanding her termination, threatening to sue her, and threatening to hold her in contempt and take her into custody, after his assistant submitted information in support of a sexual harassment complaint against Respondent that was investigated, substantiated, and deemed to be a violation of the Illinois Supreme Court Sexual Harassment Policy and Procedures. It is alleged that Respondent took these actions in an attempt to retaliate against his assistant for lodging a sexual harassment complaint against him, and in an attempt to damage his assistant's standing with her employer and to discourage or dissuade her from raising future complaints.

**Order entered September 27, 2019: Respondent removed from office.**

**97. 19-CC-1 Filed June 6, 2019**

**Mauricio Araujo, Circuit Judge, Circuit Court of Cook County**

The Complaint alleges that Respondent engaged in a pattern of inappropriate and harassing behavior toward women with whom he has interacted in professional settings and in his official judicial capacity. It is alleged that in or around the Spring and Summer of 2012, on two separate occasions, Respondent made unwanted sexual advances toward a court reporter while alone with her in the confined space of an elevator at the Domestic Violence Courthouse in Chicago. It is also alleged that on August 15, 2016, Respondent made unwelcome sexual comments toward, and attempted unwanted physical contact with, a Chicago Police Officer while she was in his chambers at the George N. Leighton Criminal Court Building to obtain his signature on a search warrant. In addition, it is alleged that on September 11, 2018, Respondent made inappropriate and sexually suggestive comments about an Assistant State's Attorney after she appeared before him and did so in the presence of another Assistant State's Attorney.

**Oral ruling entered September 29, 2020. Respondent resigned October 5, 2020. Order entered November 6, 2020.**

**98. 22-C-1 Filed April 14, 2022**

**Sheldon A. Harris, Appellate Justice, First District**

The Complaint alleges that on March 10, 2016, the Third Division of the Appellate Court entered an order in a case where Respondent's nephew was a party. The Justices of the Third Division who entered that order were Presiding Justice Mary Anne Mason, Justice Terrence Lavin, and Justice James F. Smith. It is alleged, thereafter, in March 2016, Respondent initiated and engaged in an improper *ex parte* communication with Justice Lavin about the order. The Complaint also alleges that on March 29, 2016, Respondent met with Presiding Justice Mary Anne Mason and engaged in an improper *ex parte* communication with her regarding the same order. The Complaint further alleges that on February 14, 2020, Respondent made statements he knew to be false while testifying before the Illinois Judicial Inquiry Board. It is alleged the deceptions before the Board were made under oath and concerned facts Respondent knew were relevant to the Judicial Inquiry Board's investigation into his conduct.

**Order entered July 6, 2022: Complaint dismissed after Respondent resigned from office.**

**99. 22-CC-2 Filed June 17, 2022**

**William B. Raines, Circuit Judge, Circuit Court of Cook County**

The Complaint alleges that on January 11, 2022, Respondent conducted court proceedings via livestream video. It is alleged that after court had adjourned, Respondent, while still on the bench, mistakenly believed that the livestream had ended and initiated a conversation with two Assistant State's Attorneys and an Assistant Public Defender. It is further alleged through the course of that conversation, Respondent made derogatory, injudicious, and demeaning statements about two attorneys who had appeared before him that day.

**Order entered December 2, 2022: Complaint dismissed after Respondent resigned from office.**

**100. 22-C-3 Filed June 17, 2022**

**Mohammed M. Ghouse, Associate Judge, Circuit Court of Cook County**

The Complaint alleges that on November 23, 2021, Respondent struck the rear end of a parked vehicle which resulted in damage to both vehicles. It is alleged that a police officer, who responded to the scene of the accident, smelled a strong odor of alcohol coming from Respondent's mouth when he questioned him. He also observed Respondent's eyes were glassy and bloodshot, and he was swaying back and forth. The Complaint also alleges that Respondent declined to take field sobriety tests at the scene. Respondent was subsequently arrested for driving under the influence of alcohol and issued citations for driving under the influence of alcohol and failure to reduce speed to avoid an accident. The Complaint further alleges that while at the police station, Respondent declined to take a Breathalyzer test. On February 18, 2022, Respondent pled guilty to driving under the influence of alcohol and was sentenced to court supervision for a period of twelve months, fined \$1500.00 and ordered to complete the Court Sentence "DUI" Monitoring Program for remedial education and DASA Level II-M DUI counseling, including attendance at a Victim Impact Panel.

**Order Entered October 14, 2022: Respondent reprimanded.**

**101. 22-C-4 Filed June 17, 2022**

**Robert K. Adrian, Circuit Judge, 8th Circuit, Adams County**

The Complaint alleges that on January 3, 2022, in the case of the People of the State of Illinois v. Drew Clinton, 2021-CF-396, Respondent, in order to circumvent the law and prevent the Defendant in the case from serving a mandatory sentence of incarceration, vacated his prior finding of guilt and found the Defendant not guilty. The Complaint also alleges that on January 12, 2022, Respondent told a prosecutor who appeared before him that he couldn't be fair with him and to leave the courtroom because the prosecutor had "liked" a comment on a social media post that was critical of him. The Complaint further alleges that on April 8, 2022, Respondent made statements he knew to be false while testifying before the Illinois Judicial Inquiry Board. It is alleged the deceptions before the Board were made under oath and concerned facts Respondent knew were relevant to the Judicial Inquiry Board's investigation into his conduct.

**Order entered February 23, 2024. Respondent removed from office.**

## Appendix F

### DISPOSITION OF PUBLIC DISCIPLINARY CASES (As of December 2024)

<b>DISPOSITION</b>	<b>TOTAL</b>	<b>NUMBERS</b>
Retired by the Illinois Courts Commission.	1	92
Removed	10	9, 15, 19, 53, 62, 70, 87, 94, 96, 101
Suspended	19	1, 2, 4, 13, 16, 20, 33, 35, 39, 43, 46, 61, 63, 66, 67, 71, 83, 86, 89
Censured	10	7, 8, 10, 47, 55, 58, 73, 85, 90, 91
Reprimand	26	5, 12, 14, 17, 24, 32, 37, 38, 42, 44, 48, 49, 64, 65, 69, 72, 75, 77, 78, 79, 80, 81, 82, 88, 93, 100
Complaint Dismissed	19	6, 11, 21*, 22, 23, 25, 26, 27, 28, 29, 31, 34, 50, 51, 52, 54, 56, 68, 84
Complaint Dismissed Upon Resignation from Office	12	3, 18, 30, 40, 45, 57, 59, 60, 74, 76, 98, 99
Complaint Dismissed-Term of Office Expired/Lost Retention Election/Not an Active Illinois Judge	3	36, 41, 95,
Resignation after Findings of Fact and Conclusions of Law Were Made.	1	97
<b>Pending</b>	<b>0</b>	
<b>Total</b>	<b>101</b>	

**\*Courts Commission suspended Respondent without pay, however, the Illinois Supreme Court vacated the suspension and the complaint was dismissed.**

## Appendix G

**State of Illinois  
Judicial Inquiry Board  
555 W. Monroe Street, Suite 800-N  
Chicago, IL 60661**

**(312) 814-5554, (800) 227-9429, TTY (866) 451-5724, Fax (312) 814-5719**

### **REQUEST FOR INVESTIGATION OF A JUDGE FORM**

**(Please type or print all information and return request to the above address.)**

**Kindly be aware that the Judicial Inquiry Board:**

- DOES NOT PROVIDE - legal counsel, advice, services, or referrals
- CANNOT - file motions/petitions on your behalf; change the judge's ruling, decision, or judgment; remove/replace the judge hearing your court case; have your case moved to another place/county; act as your attorney; intervene in your case; remove/change your attorney; and
- HAS NO AUTHORITY TO INVESTIGATE ALLEGATIONS OF MISCONDUCT AGAINST - retired Illinois state court judges, attorneys, court personnel, police officers, federal judges, administrative law judges, or arbitrators.

**You should also note that:**

- If you have a court case that is now being heard by a judge, you should continue to take whatever action is available to you within the court system to correct any judicial errors you believe were committed in your case. **Your Request for Investigation is separate from your court case.**
- Filing a request for investigation with the Judicial Inquiry Board is not a substitute for appeal and has no effect on your legal or appellate rights. If you want or intend to appeal from a judge's order, you must pursue your appellate rights through the judicial system.

Your Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Daytime telephone: ( ) \_\_\_\_\_

Evening telephone: ( ) \_\_\_\_\_

**Note: You must provide the Board with any change of address information to receive correspondence after you have submitted your request for investigation.**

**How did you hear about the Judicial Inquiry Board?**

- Notice Posted in the Courthouse
- Illinois Attorney Registration and Disciplinary Commission
- Another State Agency
- News Media
- Attorney
- Family/Friend
- Internet
- Other \_\_\_\_\_

**I have information of possible judicial misconduct or disability on the part of the following Illinois judge:**

First and Last Name of Judge: \_\_\_\_\_

City and County: \_\_\_\_\_

Court Level:             Supreme Court     Appellate Court     Circuit Court

**STATEMENT OF FACTS**

1. When and where did this happen?

Date(s): \_\_\_\_\_ Time: \_\_\_\_\_

Location: \_\_\_\_\_

2. If your information arises out of a court case, please answer these questions:

(a) What is the name and number of the case?

Case Name: \_\_\_\_\_

Case Number: \_\_\_\_\_

(b) What kind of case is it? (Please check one below)

- Criminal
- Chancery
- Domestic Relations
- Small Claims
- Law
- Traffic
- Municipal
- Juvenile
- Probate
- Other (specify): \_\_\_\_\_

(c) What is your relationship to the case? (Please check one below)

- Plaintiff/Petitioner
- Defendant/Respondent
- Attorney for: \_\_\_\_\_

Witness for: \_\_\_\_\_

Other (specify): \_\_\_\_\_

(d) If you were represented by an attorney in this matter at the time of the conduct of the Judge, please identify the attorney:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number:(    ) \_\_\_\_\_

(e) Identify any other attorney(s) who represented you or any person involved in the case:

Name of Attorney: \_\_\_\_\_

Address of Attorney: \_\_\_\_\_

Telephone Number:(    ) \_\_\_\_\_

Attorney Represented: \_\_\_\_\_

3. Identify, if you can, any other witnesses to the conduct about which you complain:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number:(    ) \_\_\_\_\_

4. Only list and send a **copy** of those court documents which support your claim that the judge has engaged in judicial misconduct or has a disability. Kindly indicate the specific information contained in your documents that relates to and supports your claim. You should keep a copy of all your submitted documents as **we cannot return any documents to you.**

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**Appendix H**

**FREQUENTLY ASKED QUESTIONS  
ABOUT  
JUDICIAL CONDUCT IN ILLINOIS**

**1. What is the Judicial Inquiry Board?**

It is an independent agency established by Article VI, Section 15 (b) of the 1970 Constitution of the State of Illinois to investigate and prosecute allegations of judicial misconduct or incapacity against Illinois state court judges.

The Judicial Inquiry Board (“the Board”) is composed of four non-lawyers, three lawyers, and two judges who review requests for investigation and determine if an investigation is appropriate and which matters will be prosecuted before the Courts Commission (“Commission”).

**2. What is the Courts Commission?**

The Courts Commission **is not** part of the JUDICIAL INQUIRY BOARD, but is an independent constitutionally created body consisting of five judges and two citizens.

If after an investigation and upon determination by the Board that there is a reasonable basis to publicly charge a judge with misconduct or incapacity, the Board will file and prosecute a complaint before the Courts Commission. The Courts Commission hears the evidence at a public hearing and decides whether charges against a judge have been proven, and if so, whether the sanction should be reprimand, censure, suspend with or without pay, remove from office, or retire a judge.

**3. What is judicial misconduct?**

Judicial misconduct usually involves conduct in violation of the Code of Judicial Conduct (Illinois Supreme Court Rules 61 through 68) which may include but is not limited to: improper communication with only one of the parties in a case, injudicious temperament (such as profanity or yelling), improper election campaign conduct, or delay in performing judicial duties.

**4. Does the Board have jurisdiction to investigate retired judges, lawyers, police officers, court personnel, administrative law judges, federal judges, arbitrators or hearing officers?**

No. The Board only has jurisdiction over requests for investigations against active Illinois Supreme Court Justices, Appellate Court Justices, and Circuit Court Judges.

**5. How do I submit a Request for Investigation against a judge?**

Request a Request for Investigation form by contacting the Board at 555 W. Monroe Street, Suite 800-N, Chicago, Illinois 60661, (312) 814-5554, (800) 227-9429, TTY (866) 451-5724 or Fax (312) 814-5719. You may also download a Request for Investigation form from our website – [jib.illinois.gov](http://jib.illinois.gov). Completely answer the questions on the form and return it to the above address.

or

You may write a letter detailing what the judge did that you believe constitutes misconduct or indicates incapacity. You must provide the judge's first and last name; the case number and name (if your complaint concerns a court case); type of case (e.g. criminal, domestic relations, small claims); your relationship to the case (e.g. plaintiff, defendant, witness); the names of any witnesses, including attorneys; date(s), time(s), and location of the misconduct; and your first and last name, address, and telephone number.

**Note: Please make a copy of all of your documents before submitting your Request for Investigation in that documents will not be returned to you. Additionally, to ensure the receipt of future correspondence after you have submitted your Request for Investigation, you must provide the Board with any change of address information.**

**6. Does the Board accept anonymous Requests for Investigations?**

Yes. Your Request for Investigation should contain specific facts to support your allegations of misconduct or incapacity. Please include the judge's first and last name; case number and name (if your Request for Investigation concerns a court case); all pertinent dates and times as well as the location of the misconduct; and name(s) of witnesses, if known.

**7. Do all Requests for Investigation result in an investigation?**

No. Please note that requests seeking intervention in ongoing litigation or the review of judicial decisions are beyond the authority of the Board to investigate.

**8. If the Board does not take action on my Request for Investigation, what happens to it?**

Your written Request for Investigation is retained in the files of the Board for future reference should other persons make subsequent allegations of the same nature against the same judge. Your file may then be reopened to determine if a pattern of misconduct is developing.

**9. Can I get a judge off my case if I file a Request for Investigation?**

No. There are statutory provisions for litigants to seek a substitution of judge or a change

of venue. Your Request for Investigation is separate from your court case.

**10. How long does it take to resolve an investigation of judicial misconduct or incapacity?**

It may take many months for ultimate disposition of a case depending upon the complexity of the matter.

**11. Should I delay my appeal until the investigation of judicial misconduct or incapacity is disposed of?**

No. You must proceed with whatever remedy is available to you within the court system to correct any judicial errors you believe were committed in your case.

The investigation of judicial misconduct or incapacity is a matter totally independent of your litigation and is not a substitute for the appellate process.

**12. What role do I play in the investigation and prosecution?**

Once you submit a Request for Investigation and the Board determines it has jurisdiction to investigate, you may be contacted for further information.

In the event formal charges are brought against the judge, you may be called as one of the witnesses before and/or during the prosecution phase.

Formal charges are brought against a judge in the name of the Board and not in your name. You will only act as a witness.

**13. Have any Illinois judges been disciplined?**

The Courts Commission has disciplined Illinois state court judges. Additionally, judges have retired/resigned from office during investigations and before any public hearings.

**14. Are Requests for Investigation confidential?**

Generally, Requests for Investigation and the fact that a Request for Investigation has been made, are confidential. Judges are not routinely informed when a Request for Investigation has been received and judges are not usually contacted about a Request for Investigation unless and until it becomes necessary. Many investigations are conducted (investigations may entail interviewing attorneys, court personnel and other witnesses) without notifying the judge of the investigation. In the course of an investigation, the judge may be provided an opportunity to respond to the allegations contained in the Request for Investigation while the process remains confidential.

In the event that the Board publicly charges a judge with misconduct, documents filed with the Courts Commission become public, as would your testimony if you were to be a witness at the public hearing.

In regard to confidentiality, the Illinois Constitution and the Board's Rules of Procedure provide as follows:

**Illinois Constitution, Article VI, Section 15(c):**

“All proceedings of the Board shall be confidential except the filing of a complaint with the Courts Commission.”

**Rules of Procedure of the Judiciary Inquiry Board, Rule 5 – Confidentiality:**

“(a) The proceedings of the Board and all information and materials, written or oral, received or developed by the Board in the course of its work, insofar as such proceedings and information or materials relate to the question of whether a judge is guilty of misconduct or suffers from disability, shall be confidential and privileged as a matter of law, except where noted below. (Amended, effective October 11, 2013.)

(b) When the Board has conducted an investigation but determined not to propose any charges to the judge in question, the Board shall by letter notify the judge and the person, if any, who had brought the matter to the attention of the Board, that such a determination has been made; provided, however, that no such information need be furnished to the judge unless it appears to the Board that he knows, or has reason to know, that a communication was made about him or her to the Board or that the Board conducted an investigation which involved the judge.

(c) When the Board has conducted an investigation and proposed charges to a judge, and subsequently determined that a reasonable basis does not exist for the filing of a complaint with the Commission, the Board shall by letter notify the judge and the person, if any, who had brought the matter to the attention of the Board, that such a determination has been made. The issuance of such letters does not mean that the repetition of such charged conduct, or other conduct violations coupled with the charged conduct or repetitions thereof, could not give rise to a future determination that a reasonable basis exists for the filing of a complaint with the Commission.

(d) In matters of contempt or perjury in Board proceedings, the Board may initiate appropriate action, including court proceedings, in order to protect the integrity of Board proceedings. When the Board takes such action, the Board may make such disclosures as are necessary to prosecute the action. (Amended effective April 10, 1998.)

(e) When the Board is in the process of conducting an investigation based upon factors or complaints submitted by the subject judge's chief or factors already disclosed to the public by some other manner, and where that chief judge, pursuant to Supreme Court Rule 56, has temporarily assigned the judge to restricted duties or duties other than judicial duties, the Board may advise the chief judge when, and if, it is of the opinion that the judge subject to investigation may be returned to his or her regular assignment. Such disclosure may be made only upon the concurrence of the judge subject to investigation. In such circumstances, the chief judge shall be bound by the same rule of confidentiality and privilege as the Board itself. **(Adopted effective, April 10, 1998; Amended effective October 11, 2013.)**

**15. Does the Board give legal advice?**

No. The Board cannot give legal advice or assistance or represent individuals.