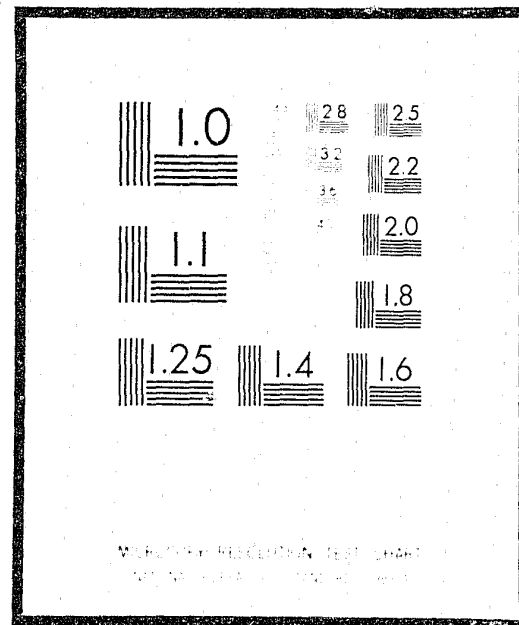


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## JUDICIAL INQUIRY BOARD STATE OF ILLINOIS

31417

## FORWARD

This Report is published by the Judicial Inquiry Board, a constitutional body created by the 1970 Constitution of Illinois. The Board has the responsibility of inquiring into alleged "misconduct" of judges (as that term is defined in this Report) or the alleged physical or mental incapacity of judges in the courts of Illinois. Upon finding reasonable basis for complaint, the Board is charged with responsibility for the filing and prosecution of the complaint before the Illinois Courts Commission.

The Report explains briefly how the Board came into existence, its duties and responsibilities, and what has transpired since the creation of the Board. The period covered is through June, 1975.

Requests for information concerning the Board, and any allegations of judicial misconduct or incapacity, should be directed to the Board at the following address:

Judicial Inquiry Board  
205 West Wacker Drive  
Suite 1515  
Chicago, Illinois 60606  
Telephone: 312/793-5554

or

Judicial Inquiry Board  
222 South College  
Suite 201  
Springfield, Illinois 62706  
Telephone: 217/782-3330

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HISTORY

The Committee on the Judiciary of the Sixth Illinois Constitutional Convention stated in its Report which proposed the Judicial Inquiry Board:

"The problem of discipline and removal of judges, it is fair to say, has literally exploded upon the public consciousness in Illinois and elsewhere.... Perhaps at no time in the history of this State has this issue been a matter of such great public discussion and concern. Public confidence in the honesty and integrity of the judicial system is a factor absolutely central to a free society.... (T)here has been a serious erosion of public confidence in our courts, .... The restoration of that confidence is a categorical imperative."

The problem of creating a more effective means of dealing with judges who breach the accepted norms of judicial conduct or who are physically or mentally unable to perform their duties, is met in the 1970 Illinois Constitution by the creation of a unique two-tier structure consisting of a Judicial Inquiry Board and a Courts Commission, independent of each other, and charged, respectively, with investigative and adjudicative functions.

In the score or more of other states which provide a formal system for disciplinary action (removal, suspension, censure or reprimand) against judges guilty of conduct prejudicial to the administration of justice or that brings the judicial office into disrepute, or who are mentally or physically disabled, the investigative and adjudicative functions (normally subject to review by the State Supreme Court) are combined in a single agency. Basically, that was the system which Illinois had for about a decade preceding the adoption of the 1970 Constitution. The unitary system exemplified in the old Courts Commission was deliberately rejected as unsuited to the problems which had been encountered in this State. A two-tier structure was adopted which entrusts to a Judicial Inquiry Board, composed of four laymen and three lawyers appointed by the Governor, and two judges appointed by the Illinois Supreme Court, the task of investigation and bringing of formal complaints. A Courts Commission to receive and act upon the Board's complaints is composed of a Supreme Court Justice and two Circuit Court judges appointed by the Illinois Supreme Court, and two Appellate Court judges appointed by the Appellate Court. When a complaint is filed by the Board with the Courts Commission (an act that requires the concurrence of at least five of the nine members of the Board), the Board also has the duty of prosecuting the complaint before the Commission.

Under the 1970 Constitution, the Judicial Inquiry Board has neither the right nor the responsibility for determining the guilt or innocence of a judge of any particular charges which may be made against him, or to impose sanctions upon any member of the judiciary. The Board's express constitutional mandate is to conduct investigations, receive or initiate complaints concerning judges,

and determine whether a "reasonable basis" exists to file (and then prosecute) a formal complaint with the Courts Commission. Only the five-judge Courts Commission is empowered to take disciplinary action against a judge. It is the sole arbiter of whether sanctions shall be imposed on a judge.

This carefully conceived "separation of power" between the Judicial Inquiry Board and the Courts Commission is essential to an understanding of the work in which we are engaged, particularly since the confidentiality of our proceedings effectively inhibits much explanation of what we are doing in specific cases.

The pertinent sections of the 1970 Constitution, which we are charged with transforming into action, are lean and spare. They provide:

"(a) The General Assembly may provide by law for the retirement of Judges and Associate Judges at a prescribed age. Any retired Judge or Associate Judge, with his consent, may be assigned by the Supreme Court to judicial service for which he shall receive the applicable compensation in lieu of retirement benefits. A retired Associate Judge may be assigned only as an Associate Judge.

"(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) A Courts Commission is created consisting of one Supreme Court Judge selected by that Court, who shall be its chairman, two Appellate Court Judges selected by that Court, and two Circuit Judges selected by the Supreme Court. 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 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 duties.

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

"(g) The Commission shall adopt rules governing its procedures and shall have power to issue subpoenas. The General Assembly shall provide by law for the expenses of the Commission."

The 1970 Constitution was approved by the People in a special election December 15, 1970, to be in force July 1, 1971.

#### MEETINGS - OFFICES - RULES

The Board's membership was filled on September 21, 1971. The Board held its first meeting on October 6, 1971. Since October, 1971, the Board has met regularly once each month. The meetings are held on the first Thursday. The meeting location usually alternates between Springfield and Chicago. Special meetings have been held when necessary.

There was a substantial delay by the General Assembly in funding the Board. The Board's first appropriations bill was passed by the General Assembly in May, 1972 and approved by the Governor on May 26, 1972. Immediately after funds were appropriated, however, the Board began full scale operations.

The Board opened its office at 205 West Wacker Drive, Suite 1515, in Chicago, July, 1972, and at 222 So. College in Springfield in November, 1972. The Chicago office is open during regular business hours. The Springfield office is open from 9 AM to 1 PM weekdays.

The Board has adopted Rules of Procedure which, as presently in force, are included in this Report as Appendix A. In the formulation of these rules, the Board solicited and considered comments and suggestions from the public, the judiciary and the bar. Copies of the Rules have been distributed to the Justices of the Illinois Supreme and Appellate Courts, to the Chief Judges of all Circuits and to the Court Administrator. The Rules of Procedure have also been published in the Chicago Bar Record and the Illinois Bar Journal.

#### MEMBERS - STAFF

Pursuant to the Rules of Procedure, the Board elects its officers annually. On January 2, 1975, at the regular January meeting, Richard T. Dunn was re-elected Chairman of the Board. Mr. Dunn has served as Chairman since the organization of the Board in 1971. Harold Steele is presently Vice-chairman and Wayne W. Whalen, Secretary. Biographical sketches are set out in Appendix B.

On July 1, 1972, the Board appointed Ray F. Breen of Mt. Prospect, Illinois as Executive Director. He has the responsibility for directing the investigations conducted by the Board and for liaison with the Board's attorneys in the prosecution of complaints before the Courts Commission. In addition to Mr. Breen, the Board's staff consists of one investigator and a secretary at the Chicago office, and an investigator and half-time secretary at the Springfield office.

The Board retains attorneys to represent the Board in fulfilling its constitutional mandate of prosecuting complaints before the Courts Commission, and has also used the Special Prosecution Unit of the Attorney General's office for that purpose.

#### COMPLAINTS

As of June 30, 1975, the Board has closed 358 files. Statistical information on these files is set out in Appendix C. Many of these matters have been brought to the Board's attention by private citizens, either in the form of letters or telephone calls. Less frequently, communications concerning judicial misconduct or disability have been filed by bar associations and, in some instances, states' attorneys, law enforcement officers and judges bring matters to the Board's attention. The Board is also alert to information which appears in the news media and it subscribes to a clipping service for this purpose.

Any person who wishes to bring a judge's alleged misconduct or disability to the attention of the Board may contact or write the Executive Director or any Board member. No formal procedures are required for initiating an investigation by the Board. The Board seeks to make itself readily accessible to the public.

Each communication received by the Board, whatever its source, is carefully examined by the Board. It should be said, however, that relatively few of the communications justify further action by the Board. Persons who have had a disappointing experience in the courts or have lost a case (particularly in such emotion-charged situations as a divorce or a child custody proceeding) are sometimes inclined to an exaggerated idea of the power of the Board to rectify what they regard as a miscarriage of justice. And many of these communications, although they may suggest a lack of courtesy or a temperamental lapse, are not of such significance, unless a pattern of such conduct can be detected, as to call for disciplinary action.

Cases are closed when it is determined that further investigation is not warranted or when the investigation does not afford a reasonable basis for the filing of a complaint with the Courts Commission. Some judges who have been the subject of investigation by the Board have either resigned or not stood for retention. Through June, 1975, the Board filed 15 formal complaints with the Courts Commission. These complaints and their disposition are briefly described in Appendix D.

Immediately prior to the filing of a complaint with the Courts Commission, the respondent judge and his Chief Judge are notified by the Board. When the complaint has been filed, copies are given to the News Bureau in Springfield and Chicago for dissemination to the news media. The Board responds to inquiries regarding complaints it has filed only by giving factual information regarding the allegations as set forth in the complaint. It will not elaborate upon the charges except in the proceedings before the Courts Commission which are public.

#### DISABILITY - RETIREMENT

A sensitive and difficult problem confronting the Board is the proper procedure for fulfilling its constitutional mandate of complaining of judges who are physically and mentally incapable of performing their duties. This issue can arise concerning a judge who has given many years of outstanding and 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 the Board has initiated an investigation may lead to a voluntary decision by the judge to retire.

The Board has developed a procedure for conducting physical and mental examinations of judges through the cooperation of the Council of Medical Deans of the State of Illinois. A Deans' Panel on Medical and Psychiatric Services was created at the request of the Board. Eight Illinois medical schools currently stand ready to provide the Board with three-man teams consisting of an internist, a psychologist and a psychiatrist to examine a judge whose mental and/or physical capacities have been questioned and to give the Board and the judge its findings.



## APPROPRIATIONS

The Illinois Legislature appropriates General Revenue funds for the operation of the Board. Appropriations and expenditures are set out in Appendix E.

## CONFIDENTIALITY OF THE BOARD'S PROCEEDINGS

The Board's constitutional mandate requires that its proceedings are confidential "except the filing of a complaint with the Courts Commission."

The values which are sought to be protected by keeping our proceedings confidential prior to the filing of a complaint are clear and need no defense. A judge's reputation is not to be damaged by needlessly publicizing charges or criticism which may well turn out (and in a great majority of cases do turn out) to be frivolous or patently unfounded or which, after investigation, are determined not to present a reasonable basis for action by the Board. Moreover, in some cases, it is desirable not to identify a person who brings a matter concerning a judge to the attention of the Board. We intend to construe the mandate of confidentiality in such a way as to protect the values which underlie it.

But we are also acutely sensitive to the fact that secrecy is often the opposite side of the coin of credibility; that the public and the news media are properly suspicious of secrecy. If we were concerned only with our own selfish desires, we would be far more comfortable if we did not have to operate under what we fully believe is the necessary injunction of confidentiality for the Board's proceedings in which a particular judge is the target of a preliminary inquiry or an investigation. Whatever impatience or doubt this engenders in the news media or elsewhere will simply have to be suffered. We intend to be as candid as we are permitted to be, particularly about our own shortcomings and problems, but we will not bend the Constitution in the interest of making our life more tolerable. We are confident that as we gain public confidence by what we do rather than what we say or do not say, the public will accept the necessary limitations on what they may regard as their "right to know" about the Board's proceedings.

As previously pointed out, this does not mean that we need to be so foolish as to deny that the Board will take notice of charges which appear in the press. It is manifestly our responsibility to do so. This occasionally leads to a story in the media that the "Board is investigating charges against Judge so-and-so" with the possible suggestion that the information has "leaked" from the Board. It is, of course, not an impermissible inference that when charges of misconduct have been bannered in the press, the Board will initiate an investigation.

It will be obvious that since even a preliminary inquiry, let alone a full investigation, involves asking questions of people outside the Board who cannot be prevented from disclosing a visit from an agent of the Board, the problem of maintaining confidentiality is not an easy one.

Even in the writing of this Report -- which we think is due to the people -- we have had to be concerned with how far we can go in dealing with the particulars of the Board's work without violating the confidentiality of the Board's proceedings. But the Board reaffirms its determination not to discuss publicly its investigations or proceedings.

Respectfully submitted,

Richard T. Dunn, Chairman  
P.O. Box 1090  
Bloomington, Illinois 61701

Walter P. Dahl  
2308 Civic Center  
Chicago, Illinois 60602

Frank Greenberg  
One IBM Plaza - Suite 4500  
Chicago, Illinois 60611

Renee Hansen  
73 Graymoor Lane  
Olympia Fields, Illinois 60461

Dr. Charles Hurst  
5412 West Madison  
Chicago, Illinois 60644

Gordon F. Moore, M.D.  
209 Henry Street  
Alton Illinois 62002

John T. Reardon  
Adams County Courthouse  
Quincy, Illinois 62301

Harold B. Steele  
P.O. Box 901  
Bloomington, Illinois 61701

Wayne W. Whalen  
231 S. LaSalle Street  
Suite 1955  
Chicago, Illinois 60604

## BOARD STAFF

### CHICAGO:

Ray F. Breen, Executive Director  
Courtney Gerrish, Investigator  
Mary R. Koziol, Secretary

205 W. Wacker Drive  
Suite 1515  
Chicago, Illinois 60606  
312/793-5554

### SPRINGFIELD:

Arthur L. Woods, Investigator  
Virginia Rentschler, Secretary

222 So. College  
Suite 201  
Springfield, Illinois 62706  
217/782-3330

APPENDIX A

RULES OF PROCEDURE  
OF  
JUDICIAL INQUIRY BOARD  
OF ILLINOIS

P R E A M B L E

The 1970 Constitution of the State of Illinois creates, effective on July 1, 1971, a Judicial Inquiry Board. Section 15 of Article VI of the Constitution provides, in part, as follows:

\* \* \*

"(b) A Judicial Inquiry Board is created. The Supreme Court shall elect 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."

These Rules of Procedure are adopted by the Judicial Inquiry Board under and pursuant to the foregoing provisions of the Constitution and are effective as from the date of adoption (November 4, 1971).

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 means and includes 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.

(f) The term "disability" when used in reference to a Judge means a physical or mental disability to perform his duties.

Rule 2 - Chairman and Vice Chairman

(a) The Board shall, with the concurrence of at least five members, designate a Chairman and a Vice Chairman, each to serve for a term of one year and until the designation, in like manner, of his or her respective successor.



(b) The Chairman 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 to him.

(c) The Vice Chairman shall, in the absence or disability of the Chairman, perform the duties and exercise the authorities of the Chairman.

#### Rule 3 - Meetings

(a) Meetings shall be held from time to time pursuant to the call of the Chairman 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.

(c) Five members of the Board 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.

(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 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.

(b) Following an investigation conducted by the Board, it 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, the Board may be guided by (but shall not be limited to) the Standards of Judicial Conduct adopted by the Supreme Court of Illinois (Rule 61) and the rules of the Supreme Court (Rules 62 through 71) related thereto.

(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 notice of the substance of the proposed charge and an opportunity to appear before the Board (accompanied by counsel if the Judge so elects) to make such statement or give such information, oral or written (including the names of any witnesses he may wish to have heard by the Board) in respect to the proposed charge as he may desire.

(e) The Board shall not disclose the identity of any informant or complainant or any witness unless the Board shall determine that such disclosure is required by the circumstances of the case.

(f) If a Judge fails to appear before the Board in response to a request by the Board to assist in its investigation or in response to a subpoena, or if a Judge fails to submit to a medical examination when requested so to do by the Board, or, having appeared, fails to testify in his own behalf or otherwise to cooperate with the Board in its investigation, such failure and the attendant circumstances may be considered by the Board in deciding whether a reasonable basis exists to charge the Judge before the Courts Commission.

(g) The Board shall not be bound by formal rules of evidence.

(h) 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 behalf, provided, however, that the Board, in its discretion, may permit such action.

(i) 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.

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.

(b) When the Board has determined, with respect to any judge, that a reasonable basis does not exist for the filing of a complaint with the Commission, the Board shall, by letter, inform the Judge involved in the proceeding, and the person, if any, who complained to the Board, that such 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 to the Board or that the Board conducted an investigation which involved him.

After any such disposition of a matter, the Board, if it believes that fairness and the public interest require it, may issue a public announcement of the Board's determination.

Rule 6 - Subpoenas

(a) Pursuant to the subpoena power granted to the Board by the Constitution, subpoenas and subpoenas duces tecum may be issued in the name and upon the authority of the Board by any member of the Board. Every subpoena shall state the docket number of the proceeding and shall command each person to whom it is directed to attend and give testimony at a time and place therein specified. A subpoena may also command the person to whom it is directed to produce the books, papers, documents or tangible things designated therein.

(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 Chairman or the Executive Director;

(iv) any person designated as a delegate of the Board for that purpose by the Chairman.

(c) The fees of witnesses for attendance and travel shall be the same as the fees of 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 - Notices

Any notice permitted or required to be given by the Board may be given 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 Ethics applicable to Illinois Judges.

Adopted March 2, 1972  
Springfield, Illinois

A P P E N D I X B

BIOGRAPHICAL SKETCHES

RICHARD T. DUNN

Born in Normal, Illinois August 21, 1918. Received a Bachelor of Arts degree 1940 and a Juris Doctor degree 1947, both from the University of Illinois. Admitted to the Illinois Bar 1947. Active military duty in World War II and the Korean War. A graduate of the U. S. Army Command and General Staff College and U. S. Army War College. Commanding General, Illinois Emergency Operation Headquarters, 1968-70. Senior partner in the law firm of Dunn, Brady, Goebel, Ulbrich, Hayes and Morel, 600 Peoples Bank Building, Bloomington, Illinois. Legal counsel for Board of Governors of State Colleges and Universities. He and his wife, Julienne, are the parents of four children and reside in Bloomington, Illinois.

WALTER P. DAHL

Born in 1922, he received his LL.B. degree from Northwestern University Law School in 1948 and was admitted to the Illinois Bar that year. Active military duty with the United States Marine Corps in World War II. Engaged in private practice of law until December, 1962 when he became a judge of the Superior Court and subsequently a Circuit Court judge in 1964. Assigned to the Criminal Division in Cook County from 1963-65 and as presiding judge of the Juvenile Division 1966-68. Has been assigned to the Chancery Division since 1969. He and his wife, Mary, have two children and reside in Arlington Heights, Illinois.

FRANK GREENBERG

Born in Chicago, Illinois in 1910. He graduated from the University of Chicago -- Ph.B. 1930, J.D. (cum laude) 1932. Admitted to the Illinois Bar 1932. Served with the U.S. Navy during World War II. Past president of the Chicago Bar Association 1969-70. Chairman of the Special Commission of the Supreme Court of Illinois that recommended the resignations of Justices Ray I. Klingbiel and Roy J. Solfisburg, Jr. Member of the law firm of Greenberg, Keele, Lunn and Aronberg, Suite 4500, One IBM Plaza, Chicago. Resides with his wife in Chicago, Illinois.

RENEE HANSEN

Born in Chicago, Illinois, October 31, 1924; received a Bachelor of Arts degree from St. Mary's College, Notre Dame in 1946. She has been active with the League of Women Voters for 25 years and currently serves as Adult Corrections Chairman of the Cook County League. She is a board member of the Chicago Crime Commission, a member of the Women's Committee of the Chicago Symphony Orchestra and is a vice-president of the board of Youth Guidance, a private Chicago social agency serving children. She and her husband, Claire, are the parents of three sons and reside in Olympia Fields, Illinois.

CHARLES G. HURST, JR.

Born in Atlanta, Georgia, June 14, 1928; graduated from Wayne State University, Detroit, Michigan, B.S. 1953, M.A. 1959 and Ph.D. 1961. Did post degree work at the University of Florida and Ohio State University. Former president, 1969-73, Malcolm X College, Chicago and was associated with Howard University, Washington, D. C. in 1961-69, and Wayne State University, Detroit, Michigan in 1954-61. Currently Chancellor of Daniel Hale Williams University, Chicago. Member of Board of Directors, American Association of Community and Junior Colleges, National Center for Voluntary Action and numerous other boards and councils concerned with education. Extensive writing and speaking on education and race relations. Resides with his wife in Chicago, Illinois.

GORDON F. MOORE, M.D.

A graduate of Wilmington College, B.S., Ohio State University, M.S., and Washington University, M.D. Specialized in surgery at Barnes Hospital and University Hospital, Ann Arbor, Michigan. Formerly chief of staff and presently on the active staff of Alton Memorial and St. Joseph Hospitals, Alton, Illinois. Member of the American Board of Surgery, American College of Surgeons, American Medical Association and many local medical societies. Active in community recreation and park improvement programs, he is chairman of the board of Pride, Inc., past president of the Greater Alton Chamber of Commerce, and chairman of the Alton Park Commission and the Alton Recreation Commission. Has resided with his wife, Mary, and three children in Alton since 1946.

JOHN T. REARDON

Born in Quincy, Illinois, March 23, 1910; graduated from Quincy College in 1929 and the St. Louis University School of Law in 1932. Served as Corporate Counsel for the city of Quincy and as Adams County State's Attorney. In 1957, he became a Circuit Judge of the Eighth Judicial Circuit of Illinois. Since 1963 he has been Chief Judge of the Circuit. He has served as chairman of the National Conference of State Trial Judges, chairman of the Illinois Chief Judges Conference, and chairman of the Committee on the Constitutional Convention of the Illinois Judicial Conference. He is a member of the American Bar Association's Committee on Standards of Judicial Administration; a fellow of the American Bar Foundation and former President of the Illinois Circuit and Appellate Judges Association. He and his wife are the parents of three children and reside in Quincy, Illinois.

HAROLD B. STEELE

President and executive officer since 1970 of the Illinois Agricultural Association and the Illinois Farm Bureau with over 220,000 member families. Member of the Board of Directors of the national American Farm Bureau Federation and of the Board of Agricultural Advisors of the Illinois Department of Agriculture. Serves in executive capacity with other agricultural related companies and committees. Active duty with the U.S. Army during World War II. With his son, Greg, owns and operates a 665-acre corn-hog farm near Princeton in Bureau County. Member of the 1972 Illinois Agricultural Trade Mission to the Soviet Union. He and his wife, Margery, are the parents of four children.

WAYNE W. WHALEN

Born in Savanna, Illinois, August 22, 1939; received a B.S. degree in 1961 from the United States Air Force Academy and a Juris Doctor degree in 1967 from Northwestern University Law School. Active duty with the United States Air Force from 1961 to 1964; engaged in the private practice of law. He served as a delegate to the Sixth Illinois Constitutional Convention, where he was chairman of the Committee on Style, Drafting and Submission and a member of the Judiciary Committee. He is the co-author of the Constitutional Commentary to the Smith-Hurd Annotated Illinois Constitution. He and his wife, Paula, and two children reside in Chicago.

FORMER MEMBER:

ANNE W. WILLER - 9/21/71 to 1/4/75

Graduated in 1942 from DePaul University Secretarial School. Past president and 25-year member of the Proviso League of Women Voters. Served as member to the Illinois Constitutional Convention from the 5th Senatorial District. Member of the Judiciary Committee of the Constitutional Convention. On Board of Directors of Proviso Mental Health Center, Committee of Illinois Government and Citizens Information Center of Metropolitan Chicago. Active in local and civic affairs, judicial reform and constitutional amendments in 1950 (Gateway), 1954 (Reapportionment), 1956 and 1966 (Revenue) and 1958 and 1962 (Judicial). Resides with her husband, Leonard, and three children in the village of Hillside, Cook County. Elected to Illinois House of Representatives for the 6th District beginning January, 1975.

STAFF:

RAY F. BREEN

Born in Detroit, Michigan, July 25, 1933. Graduated from the University of Illinois College of Law and admitted to the Illinois Bar, 1958. United States Army Legal Officer and airborne volunteer at Fort Benning, Georgia until 1960. Special Agent, Federal Bureau of Investigation 1960-67. Professional Staff, Permanent Subcommittee on Investigations, United States Senate, 1967-69. Consultant to the Agency for International Development 1969-70. Associate Director, Illinois Law Enforcement Commission 1970, until appointment as Judicial Inquiry Board Executive Director, July 1, 1972. Resides with his wife, Faye, in Mt. Prospect, Illinois.

A P P E N D I X C

QUARTERLY STATISTICAL INFORMATION

The Judicial Inquiry Board releases quarterly statistical information regarding files it has closed. The following table is a summary of closed files through June 30, 1975:

	Calendar Year					Totals:	% of Total:
	1971	1972	1973	1974	1975		
Closed Files	11	86	90	125	46	358	
Preliminary Screening	10	55	49	60	34	208	58%
Minimal Investigation	1	25	25	45	9	105	29%
Extensive Investigation	0	6	16	20	3	45	13%
Complaints Filed with Courts Commission	0	1	6	7	1	15	4%

A P P E N D I X D

COMPLAINTS FILED WITH COURTS COMMISSION

<u>RESPONDENT</u>	<u>COMPLAINT FILED</u>	<u>CHARGE</u>	<u>COURTS COMMISSION</u>
1. Circuit Judge 8th Circuit Calhoun Cnty.	12/15/75 72 CC-1	Owned and operated an abstract company; practiced law; filed false statement of economic interest; did not advise litigants or attorneys that opposing counsel was a business partner.	Order of 8/1/73:  One year suspension without pay. Judge then resigned from office.
2. Associate Judge 21st Circuit Cook Cnty.	3/9/73 73 CC-1	1) Threatened man and wife with hand gun; 2) Struck another man and pushed his wife; 3) Interfered with Board investigation.	Order of 6/29/73:  1) Suspended for 4 months without pay; 2) Dismissed; 3) Dismissed:
3. Circuit Judge 21st Circuit Cook Cnty.	3/16/73 73 CC-2	Mental and physical disability.	Order of 4/10/73:  Dismissed upon resignation of judicial office, 3/19/73.
4. Circuit Judge 21st Circuit Cook Cnty.	7/20/73 73 CC-3	1) Accepted favors from attorney who appeared before him; 2) Cash transaction in chambers.	Order of 12/18/73:  1) Suspended for 2 months without pay; 2) This count inherent in first count; dismissed.
5. Circuit Judge 21st Circuit Cook Cnty.	10/5/73 73 CC-4	Found three defendants in two criminal cases guilty before the defense was fully presented.	Order of 2/19/74:  Reprimanded.
6. Circuit Judge 11th Circuit & Ford County	11/19/73 73 CC-5	1) Interfered with attorney-client relationship; 2) Refused to sign decrees; 3) Usurped authority of Chief Judge;	Order of 7/12/74:  1) Dismissed; 2) Dismissed; 3) No jurisdiction; 4) Dismissed; 5) Censured; 6) No jurisdiction.
7.	5/9/74 74 CC-4	4) Abused attorneys and litigants; 5) Received money to convene special jury; 6) Filed false application for judgeship.	

RESPONDENT	COMPLAINT FILED	CHARGE	COURTS COMMISSION
8. Circuit Judge 15th Circuit Stephenson Cnty.	11/19/73 73 CC-6	Three incidents involving driving while intoxicated.	Order of 2/21/74: Censured.
9. Circuit Judge 2nd Circuit Wayne Cnty.	1/28/74 74 CC-1	Attempted altering of absentee ballots; consistently engaged in partisan politics; adjudicated cases in which his nephew was counsel.	Order of 4/11/74: Removed from office.
10. Circuit Judge 4th Circuit Montgomery Cnty.	4/17/74 74 CC-2	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 of 7/12/74: Censured.
11. Circuit Judge 18th Circuit DuPage County	5/3/74 74 CC-3	Used judicial process for the collection of civil judgments.	Order of 7/24/74: Complaint dismissed.
12. Circuit Judge 6th Circuit Piatt Cnty.	6/18/74 74 CC-5	Father appeared as counsel in cases before him; appointed father trustee on one occasion.	Order of 7/12/74: Reprimanded.
13. Associate Judge 9th Circuit Henderson Cnty.	8/14/74 74 CC-6	Assessed court costs against defendants after charges dismissed or findings of not guilty.	Order of 10/15/74: Suspended for one month without pay.
14. Associate Judge 21st Circuit Cook Cnty.	9/17/74 74 CC-7	Dismissed criminal charges upon defendants' giving civil releases to arresting police officers.	Order of 12/11/74: Reprimanded.
15. Associate Judge 21st Circuit Cook County	3/7/75 75 CC-1	Assumed an active role in the management of a business and received compensation therefor in 1971 and 1972, and attempted to conceal the receipt of this compensation in his 1972 Federal income tax return.	Pending.

APPENDIX E

APPROPRIATIONS

FISCAL YEAR 1972

Item	Appropriated	Expended
Personal Services, Staff Retirement	\$17,000.	
Social Security	900.	
Contractual Services (Operating expenses and professional services)	15,600.	\$ 4,500.
Travel	3,100.	
Commodities	1,200.	
Printing		
Equipment	9,600.	8,400.
Telecommunications	500.	
<b>Total:</b>	<b>\$47,900.</b>	<b>\$12,900.</b>

FISCAL YEAR 1973

Personal Services, Staff Retirement	\$42,000.	\$34,700.
Social Security	2,400.	2,100.
Contractual Services (Operating expenses and professional services)	2,100.	1,100.
Travel	33,500.	33,300.
Commodities	9,000.	4,900.
Printing	1,000.	400.
Equipment	4,000.	1,200.
Telecommunications	9,600.	3,300.
	1,500.	1,400.
<b>Total:</b>	<b>\$105,100.</b>	<b>\$83,200.</b>



FISCAL YEAR 1974

<u>Item</u>	<u>Appropriated</u>	<u>Expended</u>
Personal Services, Staff	\$ 67,000.	\$ 63,200.
Retirement	4,000.	3,800.
Social Security	2,400.	2,400.
Contractual Services (Operating expenses and professional services)	40,600.	40,600.
Travel	9,800.	9,800.
Commodities	1,600.	1,000.
Printing	1,000.	600.
Equipment	600.	500.
Telecommunications	3,000.	2,300.
Per Diem Compensation of Non- Judge Members	10,500.	8,000.
<b>Total:</b>	<b>\$140,500.</b>	<b>\$132,100.</b>

FISCAL YEAR 1975 (Expenditures Estimated)

Personal Services, Staff	\$ 90,000.	\$ 90,000.
Retirement	5,800.	5,800.
Social Security	3,500.	3,500.
Contractual Services (Operating expenses and professional services)	50,000.	50,000.
Travel	15,000.	15,000.
Commodities	1,500.	1,500.
Printing	1,000.	1,000.
Equipment	1,000.	1,000.
Telecommunications	3,500.	3,500.
Per Diem Compensation of Non- Judge Members	10,800.	10,800.
<b>Total:</b>	<b>\$182,060.</b>	<b>\$182,060.</b>

FISCAL YEAR 1976

Personal Services, Staff	\$93,000.
Retirement	6,300.
Social Security	4,500.
Contractual Services (Operating expenses and professional services)	65,000.
Travel	15,000.
Commodities	1,500.
Printing	1,000.
Equipment	1,000.
Telecommunications	3,500.
Per Diem Compensation of Non- Judge Members	10,800.
<b>Total:</b>	<b>\$201,600.</b>

**END**