

## MINUTES

**Board of Governors' Meeting  
April 1, 2020**

**Via Teleconference: 888-494-4032  
Per Executive Order 2020-07  
(In Response to COVID-19)**

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Chairman Hood called the meeting to order at 11:01 A.M., and said the teleconference meeting was in compliance with Executive Order 2020-07. He thanked all for joining the teleconference and requested that Secretary Noll call the roll. Secretary Noll did so, and Chairman Hood noted the presence of a quorum.

### **ROLL CALL**

#### **Board Members Present:**

Justin Hood, Chairman  
Ben Goetten, Vice-Chairman  
Gray H. Noll, Secretary  
Andrew J. Doyle  
Joseph Magats (For Kimberly M. Foxx)  
Joseph H. McMahon  
Michael G. Nerheim  
Julia Rietz (late)  
Stewart J. Umholtz  
Brandon J. Zanotti

#### **Board Members Absent:**

None

#### **Staff:**

Patrick J. Delfino, Director  
Matthew Jones, Associate Director  
David J. Robinson, Chief Deputy Director  
Gloria Mundy, Chief Fiscal Officer  
Megan Kelly, Administrative Assistant

Chairman Hood stated he would entertain a motion to approve the minutes of the previous Board Meeting of December 11, 2019.

Vice-Chairman Goetten made a motion to approve the minutes of the previous Board of Governors' Meeting of December 11, 2019, and Board Member McMahon seconded the motion.

Chairman Hood asked for discussion. Hearing none, he called for a vote.

**MOTION TO APPROVE THE MINUTES OF THE DECEMBER 11, 2019 BOARD OF GOVERNORS' MEETING MADE BY VICE-CHAIRMAN GOETTEN AND SECONDED BY BOARD MEMBER McMAHON. MOTION CARRIED BY UNANIMOUS ROLL CALL VOTE.**

### Chairman's Remarks

Chairman Hood opened the meeting by thanking all Board Members for taking time from their busy schedules to participate in the teleconference. He stated that he believed the teleconference was necessary to protect everyone's health and safety.

Chairman Hood expressed his appreciation to Director Delfino and Agency personnel for continuing to provide outstanding service to Illinois State's Attorneys.

Chairman Hood again thanked all participants and requested that Director Delfino make his report.

### Director's Report

Director Delfino gave a comprehensive overview on all Agency FY20 budgetary matters and FY21 budgetary requests. He again expressed his appreciation to Chief Fiscal Officer Mundy for her budgeting accomplishments and expertise in dealing with budgetary uncertainties. He asked Ms. Mundy to speak on County Contributions. She said 86 counties had paid in the amount of \$1,248,000.

Director Delfino next reviewed all Agency activity reports and expressed his appreciation to the Deputy Directors for their administrative skills. He again stated that all specific information is listed in detail in the Board packet.

He then noted that Will County had not made a full contribution but had said the remaining amount would be sent in the near future.

Chairman Hood suggested to give Will County a reasonable deadline. Director Delfino said he would work closely with Will County and get the matter resolved.

He next discussed the Agency's budgetary concerns and the necessity to increase the number of briefwriters to achieve acceptable personnel parity with OSAD.

He then spoke on the impact of COVID-19 on the Agency and the establishment of a remote work program for briefwriters. He asked Chief Deputy Director Robinson to describe the program.

Chief Deputy Director Robinson explained that all Collective Bargaining Unit employees would work from home with full access to electronic records and court filings. The Deputy Directors manage the offices with administrative secretaries staying on call or coming into the offices as needed. Chief Deputy Director Robinson said case productivity had remained at a high level.

Director Delfino thanked Chief Deputy Robinson for his report and asked Associate Director Jones for a CLE summary.

Associate Director Jones said that COVID-19 is still causing uncertainties in CLE. He stated that persons are still signing up for the mid-May Basic Program, but it still might have to be rescheduled. He also discussed efforts to develop online programs if COVID-19 disruptions continue. Director Delfino thanked Associate Director Jones for his planning efforts.

Director Delfino continued his report and reviewed the Agency's Contractual and Personnel Update as specifically listed in the Board packet. Chairman Hood stated he would entertain a motion to approve the proposed Agency's Contractual and Personnel List as submitted.

Board Member Zanotti made the motion to approve the proposed Agency's Contractual and Personnel List as submitted, and Board Member Doyle seconded the motion.

Chairman Hood asked for a discussion. He recognized Board Member Rietz.

Board Member Rietz said she believed the salary of Special Prosecutor Kurtz was too high.

Hearing no other discussion, Chairman Hood called for a vote.

**MOTION TO APPROVE THE PROPOSED AGENCY'S CONTRACTUAL AND PERSONNEL LIST AS SUBMITTED MADE BY BOARD MEMBER ZANOTTI AND SECONDED BY BOARD MEMBER DOYLE. MOTION CARRIED BY 9-1 ROLL CALL VOTE WITH BOARD MEMBER RIETZ VOTING NAY.**

Director Delfino next summarized the preliminary information on the Cannabis Expungement Fund. He said the money has not as yet been made available, and he would keep State's Attorney's informed.

Director Delfino stated this concluded his report, and Chairman Hood thanked him for his presentation.

## **Best Practices Committee Report**

Board Member Umholtz and Board Member McMahon both spoke regarding the recent NDAA meeting in Louisville. They stated that Best Practices was no longer a standalone committee. It will become a part of education and training.

Both Board Member Umholtz and Board Member McMahon said we should make every effort to implement Best Practices into our training programs.

Chairman Hood thanked both Board Members for their NDAA assistance.

## **Public Comments**

Chairman Hood asked for any comments from the public. There were no members of the public who wished to comment.

## **Old Business**

Chairman Hood next asked if there was any old business. The Board had no old business to discuss.

## **New Business - Proposed Legislation, SAAP-AFSCME Collective Bargaining Agreement**

Chairman Hood asked if there was any new business. He recognized Board Member McMahon who discussed the proposed legislation to deal with the potential inability to comply with legislatively imposed statutory deadlines because of problems caused by COVID-19.

He stated that a memorandum from his office on this matter with suggested language had been sent to all Board Members. He further said the Illinois Supreme Court had addressed the issue, but that further clarification is necessary.

Board Member McMahon then said that another clause should be added to the language in the memorandum. It should read that the new section applies to all cases pending on or after the effective date of the amendatory act.

Board Member McMahon stated it was his recommendation to turn the memorandum into a letter and deliver it to legislative leaders.

Vice Chairman Goetten made a motion to take the action recommended by Board Member McMahon.

Chairman Hood asked if there was a second to Vice-Chairman Goetten's motion.

Board Member Magots seconded Vice-Chairman Goetten's motion.

Chairman Hood asked for a discussion. Hearing none, he called for a vote.

**MOTION TO TURN THE MEMORANDUM REFERENCED BY BOARD MEMBER McMAHON INTO A LETTER AND DELIVER TO LEGISLATIVE LEADERS MADE BY VICE-CHAIRMAN GOETTEN AND SECONDED BY BOARD MEMBER MAGATS. MOTION CARRIED BY UNANIMOUS ROLL-CALL VOTE.**

Chairman Hood thanked Board Member McMahon for his work on this critical issue.

He then asked Director Delfino to report on the proposed SAAP-AFSCME Collective Bargaining Agreement.

Director Delfino said that copies of the proposed Agreement had previously been made available to all Board Members. He stated that Chief Deputy Director Robinson had been the point person and requested that he give a brief summary.

Chief Deputy Director Robinson presented a summary of the Agreement and highlighted that it was now a three year contract and contained a higher salary scale commensurate with the Appellate Defender.

Director Delfino thanked him for his outstanding work on the negotiations.

Chairman Hood then said he would entertain a motion to approve the SAAP-AFSCME Collective Bargaining Agreement as submitted.

Vice-Chairman Goetten made a motion to approve the SAAP-AFSCME Collective Bargaining Agreement as submitted, and Board Member Zanotti seconded the motion.

Chairman Hood asked for a discussion. Hearing none, he called for a vote.

**MOTION TO APPROVE THE SAAP-AFSCME COLLECTIVE BARGAINING AGREEMENT AS SUBMITTED MADE BY VICE-CHAIRMAN GOETTEN AND SECONDED BY BOARD MEMBER ZANOTTI. MOTION CARRIED BY UNANIMOUS ROLL CALL VOTE.**

There being no further business, Chairman Hood said he would entertain a motion to adjourn the meeting.

Board Member McMahon made a motion to adjourn, and Board Member Doyle seconded the motion. Chairman Hood called for a vote.

**MOTION TO ADJOURN THE APRIL 1, 2020 BOARD OF GOVERNORS' MEETING MADE BY BOARD MEMBER McMAHON AND SECONDED BY BOARD MEMBER DOYLE. MOTION CARRIED BY UNANIMOUS VOICE VOTE.**

Meeting adjourned at 11:36 A.M.

RESPECTFULLY SUBMITTED for future approval by the Board of Governors.

**MINUTES APPROVED** by the Board of Governors, July 21, 2020.