

DOROTHY BROWN
CLERK OF THE CIRCUIT COURT



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OFFICE OF THE CLERK OF THE CIRCUIT COURT OF COOK COUNTY

EXECUTIVE ORDER 2018-01

WHEREAS, the Office of the Clerk of the Circuit Court of Cook County ("Clerk of Court") is a non-judicial officer of the State judiciary created by the Illinois Constitution; and

WHEREAS, it is essential to the proper operation of the Clerk of Court, that public officials and employees be independent and impartial, that public office and employment not be used for personal gain, and that the public have full confidence in the fair and honest administration of government; and

WHEREAS, the Clerk of Court is committed to the highest standards of ethics, efficiency, honesty, and accountability; and

WHEREAS, it is the policy of the Clerk of Court to comply with all local, state and federal laws that protect the equal employment rights of applicants for employment and incumbent employees with the Clerk of Court; and

WHEREAS, the First Amendment to the Constitution of the United States and the policies of the Clerk of Court specifically protect applicants for positions with the Clerk of Court from discrimination on the basis of political association; and

WHEREAS, the Clerk of Court's hiring, promotion, and any other employment decisions must be made based on merit or another selection process that is free from influence from political reasons or factors, unless duly permissible by law; and

WHEREAS, it is the best interests of employees as well as the citizens of Cook County to promote fair and lawful employment and to enforce policies that prohibit political consideration in the hiring of non-exempt government employees; and

WHEREAS, by this Order, an unambiguous message about the Clerk of Court's commitment to rooting out and eliminating abuse, corruption, fraud, or other criminal activity will be conveyed; and

WHEREAS, on May 5, 1972 and April 4, 1983, the United States District Court for the Northern District of Illinois ("District Court") entered Consent Judgments ("Judgments") with respect to, among others, the Clerk of the Circuit Court of Cook County, prohibiting the conditioning, basing or affecting any term or aspect of governmental employment upon or because of any political reason or factor; and

WHEREAS, on May 24, 2018, Judge Sidney I. Schenkier appointed Clifford Meacham as the Clerk of Court Compliance Administrator to oversee the hiring processes and procedures for positions with the Clerk of Court; and

NOW THEREFORE, by virtue of the authority vested in me by the Constitution of the State of Illinois and the laws of the State of Illinois, I, Dorothy Brown, Clerk of the Circuit Court of Cook County hereby orders, as follows:

1. Goal.

This Executive Order seeks to ensure that the hiring, promotion, and any other employment decisions are free of influence from political reasons or factors, except in those limited circumstances where such influence is appropriate and lawful; i.e., for positions on the Exempt List.

2. Prohibited Conduct.

The Clerk of Court and those acting with it are prohibited from:

Conditioning, basing or knowingly prejudicing or affecting any term or aspect of government employment (other than for exempt positions) or offering employment (whether to a prospective or current employee) based upon or because of any political reason or factor, including, without limitation, any individual's political affiliation, political support or activity, political financial contributions, promises of such political support, activity or financial contributions, or such individual's political sponsorship or recommendation; or assisting any other individual in engaging in any of the above-described conduct.

The above prohibitions do not apply to employment decisions concerning "Exempt Employees" which positions are listed at www.cookcountyclerkofcourt.org/ and are posted in 10th floor lobby of the Daley Center.

Impermissible political reasons or factors include:

- (a) Recommendations for hiring, promotion or other employment terms for specific persons from public office holders or political party officials that are not based on personal knowledge of the person's work skills, work experience or other job-related qualifications.
- (b) The fact that the person worked in a political campaign or belongs to a political organization or political party. Or the fact that the person chose not to work in a political campaign or to belong to a political organization or a political party.

- (c) The fact that the person contributed money, raised money or provided something else of value to a candidate for public office or a political organization. Or the fact that the person chose not to contribute or raise money for a candidate for public office or a political organization.
- (d) The fact that the person is a Democrat or a Republican or a member of any other political party or group. Or the fact that the applicant is not a member.
- (e) The fact that the person expressed views or beliefs on political matters such as what candidates or elected officials he or she favored or opposed, what public policy issue he or she favored or opposed, or what views on government actions or failures to act he or she expressed.

The foregoing represents the policy of the Clerk of the Circuit Court of Cook County. All personnel involved in the hiring, promotion, or supervision of employees are required to understand and are expected to apply the foregoing rules and principles.

3. Reporting Obligation/No Retaliation.

Any employee who learns of an allegation of unlawful political discrimination in connection with any aspect of government employment with the Clerk of Court, or who believes that such unlawful political discrimination has occurred or is occurring, shall report this information to the Inspector General's Office directly and without undue delay.

Employees and officials shall not retaliate against, punish, or penalize any job applicant, employee or official for making complaints, public disclosures, or reports about any alleged violation of the above prohibitions in this Executive Order.

Employees and officials shall not retaliate against, punish, or penalize any job applicant, employee or official for cooperating with or assisting the Compliance Administrator, the Inspector General, or law enforcement authorities investigating any alleged violation of the above prohibitions in this Executive Order.

4. Violations.

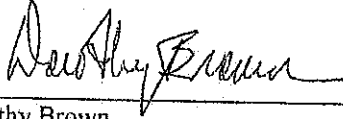
Any violation of this Executive Order shall be grounds for discipline, up to and including termination.

5. Pledge.

This Executive Order formally notifies employees and officials and members of the general public that the Clerk of the Circuit Court of Cook County is committed to effecting the long-term prevention of the use of political considerations in connection with non-exempt employment with the Clerk of Court and to fully cooperating with the Compliance Administrator and members of his staff and the Inspector General in changing, up-dating, and enforcing the Clerk of Court's employment processes and procedures.

6. **Effective Date.**

This order shall take effect upon its execution.



Dorothy Brown
Clerk of the Circuit Court of Cook County

8/8/2018
Date