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September 29, 2015

ESTABLISHED 1911

D. LOGAN GIFFIN
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MONTGOMERY S. WINNING
(1892-1966)

C. TERRY LINDNER
(1903-1987)

ALFRED F. NEWKIRK
(1904-1980)

JAMES M. WINNING
(1921-2013)

Mr. Michael McCreery
United Counties Council of Illinois
217 East Monroe Street, Suite 101
Springfield, IL 62701

RE: Requirement of county to provide each judge a secretary

Dear Mike:

Issue

Is the county mandated to provide each judge a secretary?

Analysis

The county board has the duty to provide "reasonable and necessary expenses" for judges and clerks of court.¹ "If the County Board of Supervisors determines that a secretary for the judge of the Circuit, County and Probate Courts... is a reasonable and necessary expense, the board has the statutory authority to provide each of said judges with a secretary."²

Conclusion

If the county board deems a secretary to be a reasonable and necessary expense for judges, then the county board has the authority to provide such secretaries. However, the county board is not required by statute to do so.

Sincerely,

GIFFIN, WINNING, COHEN & BODEWES, P.C.



Herman G. Bodewes



Abby L. Allgire

HGB/ALA:pa

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¹ 55 ILCS 5/5-1106

² Ill. Atty. Gen. Op. UP796

Mr. Michael McCreery
United Counties Council of Illinois
September 29, 2015
Page 2

Disclaimer: This opinion was prepared by Giffin, Winning, Cohen & Bodewes, P.C. at the request of UCCI and is to be used solely by UCCI and its members. The State's Attorney is the attorney for the County. Legal advice, if requested, should be sought from the State's Attorney.