



Board of Commissioners of Cook County

118 North Clark Street
Chicago, IL

Legislation Details

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Title:	PROPOSED ORDINANCE AMENDMENT				

ADMINISTRATIVE LAW OFFICERS

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 - Administration, Article IX - Administrative Hearings, Section 2-904 of the Cook County Code is hereby amended as Follows:

Sec. 2-904. Administrative law officers - Powers and Duties.

(a) The Director, in consultation with the Chief Procurement Officer ("CPO") shall be charged with the authority to issue an RFQ at least once every two years in order for the Director to evaluate and qualify respondents to provide professional services as administrative law officers in the department of Administrative Hearings. The Director shall be responsible for creating and advertising the RFQ for administrative law officers, and shall be responsible for evaluating and selecting the qualified respondents to provide administrative law officer services. The Director shall notify the CPO of the qualified and selected respondents to engage with for administrative law services; the CPO shall execute all contracts on behalf of the Director with the qualified and selected respondents engaged to perform administrative law officer services. Contracts with respondents previously qualified to provide administrative law officer services may be extended by the CPO at the request of the Director. Contracts with persons providing administrative law officers shall not exceed \$50,000 on an annual basis. Each person contracted as an administrative law officer appointed by the CPO on behalf of the Director shall be an attorney admitted to the practice of law in the State of Illinois who has not less than five years' experience. Administrative law officers shall have all powers necessary to conduct fair and impartial hearings including, but not limited to, the power to:

- (1) Hold conferences for the settlement or simplification of the issues;
- (2) Administer oaths and affirmations;
- (3) Hear testimony;
- (4) Rule upon motions, objections, and the admissibility of evidence;
- (5) Subject to the restrictions contained in Section 2-913 (relating to subpoenas), at the request of any party or on the administrative law officer's own motion, subpoena the attendance of relevant witnesses and the production of relevant books, records, or other information;
- (6) Preserve and authenticate the record of the hearing and all exhibits and evidence introduced at the hearing;
- (7) Regulate the course of the hearing in accordance with this article, the rules adopted by the department for the conduct of administrative hearings, or other applicable law;
- (8) Discuss administrative adjudication proceedings with their supervisors;
- (9) Issue a final order which includes findings of fact and conclusions of law;
- (10) Impose penalties and fines and issue orders that are consistent with applicable code provisions and assess costs upon finding a party liable for the charged violation; provided, however, that in no event shall an administrative law officer have the authority to: (i) impose a penalty of imprisonment; or (ii) except in cases to enforce the collection of any tax imposed and collected by the County, in which this limitation shall not apply, impose a fine in excess of that authorized by the Code, exclusive of cost of enforcement; and
- (11) In any case in which a party has sought review by the department of administrative hearings of an order or determination of another County department, agency, board or commission, when such

review is authorized by this Code, assess costs upon affirming the order or determination.

Effective date: This ordinance shall be in effect immediately upon adoption

Sponsors: TONI PRECKWINKLE (President)

Indexes: (Inactive) JOHN ALLEN, Director, Department of Administrative Hearings

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
5/21/2014	1	Board of Commissioners	approve	Pass