

CIRCUIT COURT OF ILLINOIS
TENTH JUDICIAL CIRCUIT

ADMINISTRATIVE ORDER 2012-03

MARRIAGE AND CIVIL UNION FUND OF THE TENTH CIRCUIT OF ILLINOIS

Pursuant to Illinois Supreme Court Rule 40 Administrative Order 2012-03 establishes a Marriage and Civil Union Fund, brings uniformity, and institutes good business practices in the administration of the Marriage and Civil Union Fund in each of the counties of the circuit. All previous administrative orders in regard to marriage divisions are superseded by this order.

IT IS THEREFORE ORDERED that the following procedures shall be adhered to in each of the counties of the Tenth Judicial Circuit:

I. SCHEDULING OF MARRIAGE AND CIVIL UNION CEREMONIES

- A. The presiding judge assigned to hold court in Marshall, Putnam and Stark Counties shall meet from time to time with the Clerk of the Court in each of those counties to establish the days and times for marriage and civil union ceremonies, which shall then be scheduled by the clerk.
- B. The presiding judge in Tazewell County shall meet from time to time with the judges assigned to hold court in Tazewell County to establish the days and times for marriage and civil union ceremonies, which shall then be scheduled by the administrative secretary in Tazewell County.
- C. The chief judge shall meet from time to time with the judges assigned to hold court in Peoria County to establish the days and times for marriage and civil union ceremonies, which shall then be scheduled by the circuit clerk of the court.

II. COLLECTION OF THE MARRIAGE AND CIVIL UNION FUND FEE

- A. The clerk of the court shall collect a \$10.00 Marriage and Civil Union Fund fee from the couple prior to the ceremony and shall issue a pre-numbered receipt.
- B. The judge performing the ceremony shall require the production of the receipt prior to the ceremony.
- C. The \$10.00 fee, or any part thereof, may be waived by the judge who performs the ceremony for good cause shown.

III. MARRIAGE AND CIVIL UNION FUND ACCOUNT

- A. The fees received shall be deposited in a federally insured checking account, unless the chief judge determines the costs associated with maintaining such an account exceed that interest derived or to be derived therefrom. In such an event, the chief judge shall notify the remaining two trustees in writing of his/her intention to change the type of account. All three of the trustees will be apprised of the account number and the name and the address of the financial institution where the Marriage and Civil Union Fund fees are deposited.
- B. The clerks of the court of each county shall deliver a copy of all the receipts of deposits made by them to the bank account during the preceding calendar month to the administrative assistant to the chief judge. An accompanying sheet shall list the names of the couple, the fee collected, a list of the name(s) to whom a marriage/civil union refund was made, and the total amount collected during that preceding calendar month.
- C. The administrative assistant to the chief judge shall maintain the checking account ledger and shall retain all evidences of deposit.

- D. The chief judge, a circuit judge assigned to Peoria County, and the administrative assistant to the chief judge shall be the authorized signatories for withdrawals from the account.

IV. EXPENDITURE OF MARRIAGE AND CIVIL UNION FUND FEES

- A. Expenditure of Marriage and Civil Union Fund fees shall be for items authorized by Supreme Court Rule 40.
- B. Requests for the expenditure of Marriage and Civil Union Fund fees shall be initiated by the administrative assistant to the chief judge using the "Approval of Expenditure From the Marriage and Civil Union Fund" form attached hereto as Exhibit "A" as follows:
 - 1. At least two of the three trustees must sign the approval form before Marriage and Civil Union Fund fees may be expended.
 - 2. The invoice sought to be paid must be attached to the approval form, but if the invoice is not available until after payment, the invoice shall be attached to the approval form immediately on receipt.
 - 3. No withdrawal of cash is permitted. The chief judge shall advise the financial institution in letter form of this prohibition and shall provide a copy thereof to the administrative assistant to the chief judge.
 - 4. All expenditures must be made payable to a named vendor.
 - 5. If expenditure is to be paid to a trustee, two trustees other than the payee must sign the approval form.
- C. Upon receipt of a properly completed and executed approval form, Marriage and Civil Union Fund fees may be expended.
- D. The administrative assistant to the chief judge shall retain all approval forms with invoices attached and copies of bank checks evidencing the expenditure.

V. RECONCILIATION OF BANK STATEMENTS

- A. The administrative assistant to the chief judge shall reconcile the bank statements with the account ledger within fourteen days of receipt as follows:
1. Deposit and withdrawal entries shall be compared to bank statement entries marking each entry on the bank statement that corresponds to the account ledger entry.
 2. Add or subtract adjustments for fees that may not have been previously posted.
 3. When the balance in the account ledger and the bank statement agree, the statement should be initialed, dated, and retained by the administrative assistant to the chief judge.

VI. INVENTORY CONTROL

- A. Items purchased with Marriage and Civil Union Fund fees in the sum of \$100.00 or more shall be inventoried.
- B. The administrative assistant to the chief judge shall maintain an Inventory List consisting of item description, date purchased, cost, check number, and tag number, as follows:
1. The initial Inventory List shall track back four years to capture any items purchased with Marriage and Civil Union Fund fees for at least \$100.00.
 2. Items so identified shall be both inventoried and tagged sequentially, starting with "Marriage and Civil Union Fund of the Tenth Circuit of Illinois in _____ County, Item No. 1.
 3. As new items of \$100.00 or greater in value are purchased, such items shall also be inventoried and tagged sequentially.
 4. Inventoried items disposed of shall be crossed off the Inventory List and a reason for and manner of disposition, as well as the date of disposition, shall be stated.

VII. REPORTING REQUIREMENTS

Quarterly reports shall be filed with the administrative director of the Administrative Office of the Illinois Courts. The reports shall be in a format prescribed by the Administrative Office of the Illinois Courts. They shall be prepared by the administrative assistant and approved by the chief circuit judge. The reports shall be filed not later than the fifteenth (15th) of each January, April, July and October. The report shall contain:

The name of the marriage and civil union fund;
The quarter end date;
The balance on hand at the beginning of the quarter;
The total income, including a detailed list of the goods or services purchased, and the amount of each expense; and
Such other information as deemed appropriate by the administrative director of the Administrative Office of the Illinois Courts.

VIII. AUDIT OF MARRIAGE AND CIVIL UNION FUNDS

- A. An audit of the Marriage and Civil Union Funds of each county of the circuit shall be performed every two years by the chief internal auditor of the Supreme Court Internal Audit who shall deem the scope of the audit.
- B. The audit shall include:
 1. Comparison of deposits to list of marriages and civil unions performed provided by the circuit clerks.
 2. A review of the reconciled bank statements.
 3. A reconciliation of:
 - a. Balance at end of preceding calendar year
 - b. Deposits for the year
 - c. Debits for the year (with approvals)
 - d. Balance at end of current year

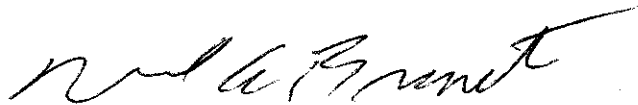
- e. Reconciliation of expenditures over \$100.00 with the Inventory List and verification of each item on the list.

C. The administrative assistant shall retain in the office of the chief judge the following:

1. Account Ledger
2. Bank Statements
3. Deposit slips
4. List of marriages and civil unions performed
5. Approval forms with invoices attached
6. Copies of bank checks
7. Inventory List
8. Changes in Trustees

If a vacancy exists in the office of administrative assistant, or in the event an administrative assistant is incapable of performing his or her duties under this administrative order, the chief judge shall assign the responsibilities and obligations of the administrative assistant to one or two fellow circuit judges to be performed under this administrative order during of such vacancy or incapacity.

ENTERED THIS 19TH DAY OF JANUARY, 2012.



Michael E. Brandt, Chief Judge