

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT

FILED

ADMINISTRATIVE ORDER 10-3-12

MAR 12 2010

The undersigned, Chief Judge of the First Judicial Circuit, finds as follows:

Stuart Hall
CLERK OF THE CIRCUIT COURT

1. The undersigned Chief Judge has received correspondence, a copy of which is attached hereto, from Todd Goodman, Chairman of the Education Officers Electoral Board of Marion Community School District No. 2, wherein Chairman Goodman has notified the undersigned Chief Judge of the following:

a) That the Education Officers Electoral Board of Marion Community Unit School District No. 2 has been convened to consider an objection to certain petitions to place a public question on the ballot at the November 2, 2010 election, and

b) that a vacancy on the Education Officers Electoral Board of Marion Community Unit School District No. 2 has been created by the recusal of Sharon Wilson from serving on the Electoral Board.

2. 10 ILCS 5/10-9(6) provides, in relevant part, that "...Any vacancies on an electoral board not otherwise filled pursuant to this Section shall be filled by public members appointed by the Chief Judge of the circuit court for the county wherein the electoral board hearing is being held upon notification to the Chief Judge of such vacancies".

3. The Education Officers Electoral Board of Marion Community School District No. 2 is an electoral board within the territorial boundaries of the nine counties of the Circuit Court of the First Judicial Circuit of the State of Illinois.

4. The vacancy created by the recusal of Sharon Wilson from serving on the Electoral Board convened to consider an objection to certain petitions to place a public question on the ballot at the November 2, 2010 election, is a vacancy "...not otherwise filled...", pursuant to 10 ILCS 10-9, for the reason that the vacancy has been created by a recusal of a member, rather than the ineligibility of a member who is a candidate for the office with relation to which the objector's petition is filed, as addressed by the express terms of the provisions of 10 ILCS 10-9(6), and, therefore, it is the duty of the undersigned Chief Judge to appoint a public member to fill the vacancy.

5. The undersigned Chief Judge has reviewed and considered the suggestions submitted by the Board contained within the attached correspondence, and has independently considered persons appropriate for appointment as a public member of an electoral board convened to consider an objection to certain petitions to place a public question on the ballot at a general election.

6. The undersigned Chief Judge is well familiar with Terry Foster, an individual of recognized ability and experience in all matters relevant to the substantive and procedural issues

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confronting an electoral board convened to consider an objection to petitions to place a public question on the ballot at a general election.

Terry Foster, a person of impeccable character, is a life long resident of Massac County, a county located within the territorial boundaries of the First Judicial Circuit, is a taxpayer, a former school board member, a parent, a grandparent, a practicing attorney in good standing, as well as a retired judge, who faithfully served the First Judicial Circuit for over twenty years, as Associate Judge, Circuit Judge, and Chief Judge, and is knowledgeable about matters of interest to taxpayers, parents, school children, teachers, school administrators, school boards and voters.

THEREFORE IT IS ORDERED THAT TERRY FOSTER IS HEREBY APPOINTED, TO FILL THE VACANCY CREATED BY THE RECUSAL OF SHARON WILSON, AS A PUBLIC MEMBER OF THE EDUCATION OFFICERS ELECTORAL BOARD OF MARION COMMUNITY UNIT SCHOOL DISTRICT NO. 2, convened to consider an objection to certain petitions to place a public question on the ballot at the November 2, 2010 election.

Entered this 12th day of March, 2010.

A handwritten signature in blue ink, appearing to read 'Mark H. Clarke', is written over a horizontal line.

Chief Judge Mark H. Clarke
First Judicial Circuit
State of Illinois