

Mark Robert Isaf
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EDGAR COUNTY STATE'S ATTORNEY

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June 20, 2012

Sheriff Ed Motley
Edgar County Sheriff's Department
Paris, Illinois 61944

Sheriff Motley:

You have previously expressed to me your determination to consult with and to hire your own legal counsel with regard to grievance proceedings filed against you and Edgar County as the "employer". We've had communication on this issue both in person and by email. I've advised you that I can't prevent you from consulting with anyone but that I did not agree that the circumstances required the hiring of two attorneys to represent the "employer" during the arbitration process. You disagreed. You informed me to communicate further with the attorney of your choice.

At the May Edgar County Board meeting it was confirmed that you had not only hired private counsel but had authorized payment of private counsel with public funds. You did this despite my prior indication to you that the "employer" in this arbitration matter was represented by a labor law attorney appointed through my office.

My last email to you on May 30, 2012, requested your authority for hiring private counsel for representation within the scope of your public duties as well as your authority to pay privately retained counsel with public funds. My research did not reveal this authority but I was willing to review anything that you have that I have missed. I have not received a response from you to this request so I now have to operate on the assumption that you lack any authority upon which you based your decisions.

You authorized payment from public funds to your self-appointed legal counsel. I am requesting at this time that you obtain the return of said funds from Thomas McQuire and Associates, Ltd. Neither the Edgar County Sheriff nor the Edgar County Board has the power to hire private counsel or pay private counsel with public funds. The initial remedy for this situation is to restore the public funds. Please provide a copy of the check or have the Edgar County Treasurer confirm the receipt of said funds within 14 days from the date of this letter. Failure to do so will not only indicate to me a willful failure to abide by the law but will certainly lead to a litigated resolution of this matter.

Sincerely,


Mark R. Isaf
Edgar County State's Attorney

MRI/ab

Cc: Sheriff's Committee c/o August Griffin, Edgar County Clerk and Recorder

FILED

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EDGAR COUNTY CLERK