

COPY

March 23, 2020

Attorney General  
Attention: Opinions Bureau  
500 South Second Street  
Springfield, Illinois 62706

Dear Sir or Madam:

In March of 2014, the Shelby County Board approved a resolution appointing attorney Ed Flynn as a labor relations attorney for the 2014-2015 fiscal year. The resolution, which I have attached, included language that attorney Flynn would be a special assistant state's attorney. To the best of my knowledge, attorney Flynn was not sworn in as an assistant state's attorney. Since 2014, attorney Flynn has continued to represent Shelby County in labor relations matters. The resolution was not renewed each fiscal year. In January 2020, objections were raised regarding attorney Flynn's representation of the county by members of the public and the Shelby County Treasurer. I understand that a change in the law occurred in January 2019. My questions are as follows:

1. Was the Shelby County Board in compliance with 55 ILCS 5/4-2003 when attorney Flynn was hired in 2014?
2. Assuming that it is now lawful for attorney Flynn to represent Shelby County in labor relations matters, does Shelby County need to take any additional steps to comply with 55 ILCS 5/4-2003?
3. If attorney Flynn can continue as a labor relations attorney, should he be paid as a Shelby County employee, or can he be paid by billing the county hourly for his work?

Very truly yours,

Gina Vonderheide

GV/krt  
Enclosure