



LAKE COUNTY SHERIFF'S OFFICE MERIT COMMISSION

RULES AND REGULATIONS

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Revised and Adopted June 2023

LAKE COUNTY SHERIFF'S OFFICE MERIT COMMISSION

WAUKEGAN, ILLINOIS

It is the mission of the Lake County Sheriff's Office Merit Commission to provide professional, high quality, and effective personnel to the Sheriff's Office. We, the members of the Commission, believe that our work has a vital impact on the quality of life in our community. By recognizing the changing and diverse needs of the community, the Commission promotes and encourages a policy of professional individual excellence. We support an organizational climate of mutual trust and respect.

COMMISSION:

CARMEN PATLAN, CHAIR
RICHARD ECKENSTHALER, VICE-CHAIR
JEFFREY BURKE, TREASURER
ALLISON "AJ" JOHNSON, SECRETARY

MEMBER OF:

ILLINOIS BOARD OF SHERIFF'S
MERIT COMMISSIONS

**LAKE COUNTY SHERIFF'S OFFICE MERIT
COMMISSION RULES AND REGULATIONS**

Each Deputy Sheriff of the Lake County Sheriff's Office shall receive from the Merit Commission one (1) copy of these Rules and Regulations and all amendments hereafter. Each Deputy Sheriff of the Sheriff's Office shall acknowledge receipt of these Rules and Regulations.

The following Rules and Regulations, as adopted by the Lake County Sheriff's Office Merit Commission shall apply to all certified personnel, deputized by the Sheriff, and compensated by the County of Lake. These Lake County Sheriff's Office Merit Commission Rules and Regulations are intended to be gender neutral, therefore, any words that impart male or female genders include all persons.

ARTICLE I DEFINITIONS

Unless otherwise required by the context, words used in these rules shall have the following meanings:

- 1.1 **Applicant:** a person who has filed an application to take the merit system examinations for a Deputy Sheriff position in the Sheriff's Office.
- 1.2 **Appointment:** acceptance by the Sheriff of a person to a position on a permanent basis.
- 1.3 **Candidate:** refers to the status of a person who has passed tests to date but has not completed the Merit Commission process.
- 1.4 **Deputy Sheriff:** a full-time person who has been certified by the Commission as eligible for appointment and has subsequently been hired by the Lake County Sheriff for the position of Deputy Sheriff, who has taken and subscribed to an oath or affirmation, in the form as is required by law or the Sheriff.
- 1.5 **Commission:** The Lake County Sheriff's Office Merit Commission. The Merit Commission is an administrative agency which, while created by the County Board, exists now independent of both the Sheriff and the Board, administering a system along recognized principles of public employment as prescribed by State Statute and provided by County Ordinance.
- 1.6 **Conference:** an informal fact-finding discussion called by the Commission.
- 1.7 **County Board:** The Lake County Board.
- 1.8 **Demotion:** a lowering in class, position, or compensation. "Reduction" and "Demotion" are synonymous..
- 1.9 **Discharge:** a separation from the Sheriff's Office.
- 1.10 **Performance and Leadership Evaluations:** the formal rating given an employee on his performance and leadership abilities.
- 1.11 **Certified List:** a list of applicants who have completed all Merit Commission testing and procedures and are certified by the Commission for submission to the Sheriff for consideration.
- 1.12 **Examination:** the process of testing, evaluating, or investigating the fitness and qualifications of the applicants.
- 1.13 **Hearing:** a formal administrative proceeding instituted on written charges.
- 1.14 **Probation or Probationary:** the status of an employee during a trial period

following an original or promotional appointment.

- 1.15 **Promotion:** the advancement to a position of a higher rank or grade.

ARTICLE II

GENERAL ADMINISTRATIVE MATTERS

2.1 Conditions of Appointment

The appointment of Deputy Sheriffs in the Sheriff's Office shall be made by the Sheriff from those applicants who the Commission has certified as being qualified for appointment.

All candidates so certified shall not be less than twenty-one years of age at the time of the first test in the application/certification process, be of sound mind and body, be of good moral character, be citizens of the United States at the time of the application/certification process, be finger-printed, have no felony record, possess such pre-requisites of training, education and experience as the Commission may prescribe, and shall have passed mental, physical, and other examinations and validated tests as the Commission may prescribe.

2.2 Promotions

Promotions from a lower rank to a higher rank shall be made by the Sheriff from those candidates who the Commission has certified as being qualified for promotion. The Commission shall make certifications for promotion based on ascertained merit, experience and other tests and examinations as the Commission may prescribe.

2.3 Appointments and Promotions - Rules Governing

All appointments and promotions shall be made in accordance with the provisions of the Rules and Regulations of the Commission without consideration of the political affiliation of any applicant.

2.4 Disciplinary Measures- By the Sheriff

Disciplinary measures for actions violating either the Rules and Regulations of the Commission or the internal procedures of the Sheriff's Office may be taken by the Sheriff without petition to the Commission provided that such disciplinary measures do not exceed suspension of any certified person for a cumulative 30 days in any 12-month period.

2.5 Disciplinary Measures-By the Merit Commission

Certified persons shall be removed, demoted, or suspended for periods exceeding 30 days, only upon a petition of written charges filed with the Commission by the Sheriff or as otherwise provided by the Collective Bargaining Agreement.

2.6 Political Activities

No deputy sheriff of the Lake County Sheriff's Department may engage in the following activities:

- a. petition for or against political candidate or to petition for or against any question of public policy or referendum question while at work or while on duty.
- b. make public speeches concerning any political candidate while at work or while on duty.
- c. make public speeches concerning any question of public policy or referenda questions while at work or while on duty.
- d. distribute political literature while at work or while on duty.
- e. make campaign contributions while at work or while on duty.
- f. seek and/or campaign for public office while at work or while on duty.
- g. post, distribute or display any campaign signs, posters, placards, buttons, or stickers while at work or while on duty.
- h. use any of the Lake County Sheriff's Department equipment, including, but not limited to squad cars, computer, documents, or records which are privileged, confidential, or which would be exempt from disclosure under the Illinois Freedom of Information Act (5 ILCS 140/1, et seq), on behalf of any political candidate, question of public policy or referenda question.
- i. sell or distribute tickets for any political candidate while at work or while on duty.
- j. coerce or inhibit or attempt to coerce or inhibit, using his or her official position of employment, either directly or indirectly, another employee of the Lake County Sheriff's Department or member of the public, to do any of the prohibited acts listed in subsections (a), (b), (c), (d), (e), (f), (g), (h), and (i) of this rule.

- k. engage in any of the activities listed in subsections (a), (b), (c), (d), (e), (f), (g), (h), (i), (j) while in a department uniform or any part of a uniform which would identify the employee as an employee of the Lake County Sheriff's Office, regardless of whether on or off duty.

2.7 Exempted Positions

There may be exempted from coverage by resolution of the county board a "chief deputy" or "chief deputies" who shall be vested with all authorities granted to deputy sheriffs pursuant to Section 3-6015. "Chief Deputy" or "Chief Deputies" as used in this Section include the personal assistant or assistants of the sheriff whether titled "chief deputy", "undersheriff", or "administrative assistant". 55 ILCS 5/3-8007

2.8 Reports Made to the Commission

The sheriff shall promptly notify the Merit Commission of all appointments, permanent or temporary, all promotions, suspensions, resignations or vacancies from any cause, and a record of the same shall be kept by the Commission. The sheriff shall prepare and furnish to the Commission annual reports for each person covered by merit system. The sheriff shall also furnish the Commission copies of all letters of commendation, academic achievements and reprimand and such other reports as the Commission may reasonably request. 55 ILCS 5/3-8016

2.9 Enforcement of Orders

If any provision of this Division or any order of the Merit Commission is violated by any person, regardless of whether that person's employment is under the jurisdiction of the Division, the Commission may apply to the circuit court for relief by injunction, mandamus, or any other proper relief. The State's Attorney of the county where the violation occurred shall prosecute such action. Whenever the State's Attorney for the county where a violation is alleged to have occurred refuses to prosecute the action or fails to begin to prosecute such action within 30 days after the date the Commission brings the matter to his attention, the Commission may retain special counsel of its own choice to prosecute such action. 55 ILCS 5/3-8017

ARTICLE III
COMMISSION ADMINISTRATION

3.1 Office and Employees

The Commission shall appoint its Staff Assistant(s) and shall maintain an office in Waukegan, Illinois where such Staff Assistant(s) as it requires shall function and where its files and records shall be kept.

3.2 Confidential Matter

The files of the Commission relating to all Deputy Sheriff applications and personnel of the Sheriff's Office shall be confidential except as provided by law.

3.3 Regular Meetings

Regular meetings of the Commission shall be held at its office in Waukegan, Illinois, another Lake County government facility, or other location selected by the Commission. There will be a minimum of four (4) meetings a year. Commission meetings shall be conducted under Robert's Rules of Order and in compliance with the Open Meetings Act of the State of Illinois.

3.4 Special Meetings

Notice and Agenda of Special Meetings specifying the time and place of such Special Meeting shall be given by the Chairman to each of the Commission members and posted and published in compliance with the Open Meetings Act of the State of Illinois.

3.5 Quorum & Voting

At all meetings, three (3) members of the Commission constitute a quorum and shall conduct all business of the Commission. A majority vote shall be three (3) when four (4) or five (5) members are present. If only three members are present, a majority vote shall be two (2), and the action of such a majority shall be the act of the Commission.

3.6 Change in Procedures, Rules and Regulations

The Commission may at any meeting, regular or special, amend, adopt, or rescind any procedures, rules, or regulations.

3.7 Officers of the Commission

The Commission shall elect as officers a Chairman, Vice-Chairman, and Secretary.

The Chairman shall preside at all meetings and shall perform all duties required by these rules and regulations.

The Vice-Chairman shall preside at meetings in the absence or disability of the Chairman.

The Secretary shall oversee the keeping of the minutes and records of the Commission. Specific tasks related to these activities may be delegated to the Staff Assistant(s).

The term of office of the Chairman, Vice-Chairman, and Secretary shall be two (2) years or until their term of office as a member of the Commission shall expire, whichever

period is shorter.

3.8 Minutes and Records

The Commission shall:

- a. Maintain such personnel records and files as are necessary to execute its responsibilities. These records and files shall be confidential, except as required by law or court order.
- b. Keep and maintain the minutes of all meetings and report the decision rendered to appropriate parties.
- c. Cause to be compiled a transcript of all disciplinary proceedings when appropriate.
- d. Keep and maintain all other records and files necessary for the proper administration and operation of the Commission's business.

3.9 Public Comment at Regular and Special Meetings

- a. Any individual or any spokesperson(s) for a group shall be permitted time to address the Commission on matters before them at any given meeting. Such matters are those that appear on the agenda of a regularly scheduled meeting, matters added to the agenda of a regularly scheduled meeting, or the subject of a special meeting.
- b. Public Comment shall be limited to five minutes per individual or spokesperson, or otherwise at the discretion of the Chair. For items on the agenda, comments may be made at the time the beginning of the meeting.
- c. Individuals will also be permitted to address the Commission on topics not on the agenda, but which are relevant to the business of the Commission. Individuals will be recognized by the Chair during the Public Comment period at the end of the meeting and limited to a reasonable amount of time per person. The Chair may also impose a reasonable limit on the total time allotted to a topic and may further limit or preclude comment which is repetitive, cumulative, or irrelevant.
- d. All individuals wanting to speak must sign the public sign-in sheet when entering the meeting room. The opportunity to speak during the Public Comment period will be assigned in the order of signing in.
- e. No individual will be permitted to give comments that promote a candidate for public office or that are otherwise political in nature. Persons addressing the Commission shall refrain from statements, remarks, or conduct that is uncivil, rude, profane, or otherwise disruptive

to the conduct of the Commission. Any person making any of these prohibited remarks shall be asked to leave and may be restricted from future meetings of the Commission.

ARTICLE IV RANKS

4.1 Ranks

For the purpose of the administration and operation of the merit system of the Lake County Sheriff's Department, the ranks in the Sheriff's Office shall be:

Lieutenant
Sergeant
Deputy

4.2 Positions and Assignments

The ranks of Undersheriff, Chief and all Deputy Chief positions are considered appointments and as such may be filled by the Sheriff at his discretion, provided the Lake County Board, by Resolution, has exempted these appointments from Commission coverage.

ARTICLE V APPOINTMENT TO SHERIFF'S OFFICE

5.1 Standards for Entry Level Appointment

Applicants for appointment as a Deputy Sheriff, in addition to any provisions of State Statute, must:

- a. Be at least twenty-one (21) years of age at the time of the orientation in the application process.
- b. Meet such standards of intelligence, reasoning, and judgment as the Commission may prescribe.
- c. Pass such valid screening examinations as the Commission provides including, but not limited to, a physical agility and strength examination, written examination, and oral interviews. All applicants must attend a Commission orientation to be conducted prior to the examinations and interviews.
- d. Possess a valid driver's license.

- e. Be acceptable to the Commission following investigation made by the Commission of background reputation and character.
- f. Be a citizen of the United States at the time of the orientation for the application process.

An individual currently on active duty in the United States military who is within six months of discharge and otherwise qualified may apply for appointment, provided however, that such an individual shall not be appointed if that individual receives a dishonorable discharge upon separation from the military.

5.2 Certified List

When a candidate successfully completes the Merit Commission testing process, the Commission shall certify the candidate as qualified for appointment by the Sheriff. At that time, the candidate's name shall be placed on a Certified List of candidates.

For entry level deputy sheriff positions, the Lake County Sheriff shall interview, test, and appoint only candidates from the Certified List. If the Sheriff rejects any person so certified, the Sheriff shall notify the Commission in writing of such rejection.

Certified candidates remain on the Certified List until they are processed by the Lake County Sheriff or until the list expires, **one (1) calendar year** from the date of the orientation. The Commission may extend the period for up to one (1) additional calendar year.

The Merit Commission shall test for entry level appointment when the Certified List expires. If the Certified List is exhausted of candidates prior to the time the list would normally expire, the Merit Commission may test at that time.

5.3 Probationary Period

All initial appointees shall serve a probationary period of twelve (12) months, or as otherwise established or agreed upon, during which time they may be discharged at the will of the Sheriff.

5.4 Transfer Guidelines for Lateral Candidates to Deputy Sheriff

The Orientation, physical agility and strength examination, and written test shall be waived for transfer applicants who:

- a. are currently employed as a Police Officer; and,
- b. are in good standing in their department as of the date of certification by the Commission; and,
- c. have two years of full-time, continuous experience with a law enforcement

agency, the definition of which includes, but is not limited to, authority to make arrests and carry firearms; and

- d. have successfully completed Illinois Basic Police Officer Training, or successfully completed Basic Police Officer Training Program which can be transferred and accepted by the Illinois State Training Board.
- e. For good reason shown, including but not limited to when necessary to comply with federal or state laws and regulations, the Commission may consider lateral candidates who are not currently employed by law enforcement agencies at the time of application or certification.

Once these conditions are met, all other standards for appointment delineated in the Merit Commission Rules shall apply and the procedures shall be as follows:

- a. Transfer Applicants must complete an application and pass an oral interview by the Commission.
- b. Transfer Applicants must undergo a polygraph examination.
- c. Transfer Applicants not passing this screening will be notified by the Merit Commission.
- d. Those applicants who are deemed qualified by the Commission shall be certified for appointment.

5.5 Reapplication

Applicants who have not been processed by the Merit Commission or remain on the Certified List when the list expires are eligible to reapply and repeat the Merit Commission process at that time. Applicants who were notified by the Merit Commission that they are not being certified are eligible to reapply two years from the date of notification.

5.6 Lake County Sheriff's Office Corrections Officers with to apply for a Deputy Sheriff

Lake County Sheriff's Office Corrections Officers are encouraged to apply for open Deputy Sheriff appointments.

- a. Corrections Officers with less than 2 years of corrections experience must meet all of the standards for the entry level Deputy Sheriff appointment.
- b. Corrections Officers with 2 years of corrections experience and meet the eligibility requirements, may apply at any time for any entry level Deputy Sheriff appointment.

- Currently employed as a correction officer, having successfully completed the basic corrections academy and required probation period, having attained two years of continuous and uninterrupted service as a corrections officer with the Lake County Sheriff's Office.
- Meet the employee performance evaluations of 3.0 or higher for the preceding two years.
- Has not received any formal disciplinary actions, suspension, or involuntary demotions, within the preceding two years and not the subject of an investigation of misconduct, pending form of discipline, extended probationary period, or formal dismissal-grievance procedure.

1. The orientation, physical agility/strength examination and written test shall be waived for these corrections candidates.

2. Candidates must meet all Merit Commission standards and pass other requirements including, but not limited to, background investigation, oral interviews and other examinations required of Deputy Sheriff entry level candidates.

3. Officers that meet these standards and requirements will be placed on the current Merit Commission entry level Deputy Sheriff Certified Eligibility List.

ARTICLE VI PROMOTIONS

6.1 Eligibility - All Ranks

To be eligible for promotion, a person:

- Must have taken the promotional examination offered by the Commission.
- At the time of the written examination for promotion, must not be in any of the following categories.
 - 1) Under suspension by order of the Sheriff or the Merit Commission.
 - 2) On leave of absence for fifteen (15) or more days, however, this 15- day leave of absence limitation shall not apply to an otherwise eligible person who is on leave of absence due to active military service, or appointment as Chief Deputy, Undersheriff, or Administrative Aide, or other leave protected by law.

6.2 Eligibility - To Sergeant

To be eligible for promotion to the rank of Sergeant a person must, in addition to the requirements in 6.1 of this Article, have served as a Deputy Sheriff (Grade 1) in the Sheriff's Office for at least five (5) years continuously, prior to the time of the holding of the written examination for promotion to Sergeant.

6.3 Eligibility - To Lieutenant

To be eligible for promotion to the rank of Lieutenant a person must, in addition to the requirements of 6.1 of this Article, have served as a Sergeant in the Sheriff's Office for at least two (2) years prior to the holding of the written examination for promotion.

6.4 Examination - Timing

Promotional examinations shall be given by the Commission not less frequently than every two (2) years unless the Commission extends that promotional list for an additional one (1) year period.

6.5 Examination - Process

- a. The promotional examination will be comprised of four (4) components.
 1. A written examination.
 2. An oral interview of candidates.
 3. Performance Evaluations for the two (2) years immediately preceding the examination process.
- b. Candidates must achieve a passing score (70%) on the written examination to proceed with the oral interview and be certified for promotion.
- c. If the candidate achieves a passing score on the written examination, the weighting of the components shall be as follows:
 1. Written Examination - 40%
 2. Oral interview of candidate - 30%
 3. Performance Appraisals - 30%
- d. All candidates shall then have their seniority points for years of continued and uninterrupted service with the Lake County Sheriff's Office as a Deputy Sheriff (Grade 1), added for the purpose of determining ranking, with the seniority points calculated as follows:

5 through 7 years	1 point
8 through 10 years	2 points
11 years and over	3 points

e. Veteran's points

The candidate must declare the desire to use veteran's points and provide supporting documentation, 30-days prior to testing, and if declared shall be added for the purpose of determining ranking, with the veteran's points calculated as follows:

Veteran's points are available to candidates who have served and have not been dishonorably discharged.

Two (2) points will be awarded for service with any branch of the US Military, to include the National Guard or reserves, as verified by the candidate's DD214 form or equivalent authorized document.

Veteran's points may be used for one actual promotion only.

f. Educational Points

The candidate must declare the desire to use educating points and provide supporting documentation, 30-days prior to testing, and if declared shall be added for the highest degree obtained for the purpose of determining ranking, with the education points calculated as follows:

Associate's degree	1 point
Bachelor's degree	2 points
Master's degree or higher	3 points

Education points may only be used for one actual promotion unless the candidate has achieved a higher degree prior to the next promotional examination to a higher rank.

6.6 Certification for Promotion

- a. The Commission shall notify those who have participated in the promotional process of their total score computed in accordance with the above formula and of their numerical rank among those who took the examination.
- b. For every vacancy of which it is notified, the Commission shall certify to the Sheriff the names of the eligible persons who stand first, second, and third highest upon the promotional register for the rank for which they are competing.
- c. The Sheriff shall appoint from those who names were certified. If the Sheriff rejects all persons so certified, he shall state his reasons for such refusal in writing to the Commission. The Commission shall then provide the Sheriff with the next three

highest names on the eligibility list, and so forth.

- d. The Commission may certify for promotion more candidates than there are vacancies then existing in the given rank. This certification does not constitute any promotion or change in rank.

6.7 Probationary Period

Persons appointed to a higher rank shall be on probation in such higher rank for a period of twelve (12) months, or as otherwise established or agreed upon. Such appointees may be demoted by the Sheriff to their former rank at any time during the period of probation, if, in the opinion of the Sheriff, they have failed to demonstrate the ability and the qualifications necessary to furnish satisfactory service.

ARTICLE VII DISCIPLINE

7.1 By the Sheriff

The Sheriff, without filing charges with the Commission, may suspend for any reasonable period not to exceed a cumulative total of thirty (30) days in any twelve (12) month period, any certified person of the Sheriff's Office for infractions of these rules and regulations or the departmental rules of the Sheriff's Office.

The Sheriff may suspend any such certified person for a period in addition to the above limited thirty (30) days, provided charges against that person have been filed with the Commission during the original period of suspension, and pending the decision of the Commission on these charges.

The Sheriff, without filing charges with the Commission, may reprimand any offending person orally or in writing for infractions of these rules and regulations or the departmental rules of the Sheriff's Office.

7.2 By the Commission

The Commission upon written charges filed by the Sheriff, as provided for by Section 2.5 of Article II, shall conduct a hearing as prescribed by these rules and regulations. If the Commission makes a finding of guilty, it may order any of the following disciplinary measures which in the opinion of the Commission the offense merits:

- a. Discharge and removal from the Sheriff's Office.
- b. Demotion.
- c. Suspension, without pay, for a period not to exceed a total of

one hundred-eighty (180) days in any twelve (12) month period.

- d. Any other disciplinary punishment so may be proscribed by the Rules and Regulations of the Commission, which in the opinion of the members thereof, the offense justifies.

7.3 Collective Bargaining Agreement

If a collective bargaining agreement covers the employment of Sheriff's personnel, such disciplinary measures, and the method of review of those measures shall be subject to mandatory bargaining.

**ARTICLE VIII
MERIT COMMISSION
DISCIPLINARY PROCEDURES**

8.1 Complaints

All complaints shall be in writing, setting forth a plain and concise statement of the facts upon which the complaint is based and the specific section or sections of these rules and regulations or the internal procedures of the Sheriff's Office which the accused person is charged with violating.

8.2 Notification

On receipt of charges, the Commission will send a letter, at least fourteen (14) days prior to the hearing, to the charged person enclosing a copy of the charges and the time and place of the hearing of the charges.

The letter shall be sent by registered or by certified mail, return receipt requested, at the residence address of the person shown on the face of the charges. Delivery of the letter to his residence, as shown by the return receipt, shall constitute service of the charges on the charged person.

A copy of the letter shall be simultaneously mailed to the Sheriff and shall constitute notice to him of the time and place of the hearing on the charges.

8.3 Hearings

All hearings shall be public unless otherwise determined by the Commission.

At such hearing, the charged certified person shall be afforded full opportunity to be represented by counsel, to be heard in his own defense. Both the Commission and the Sheriff may be represented by counsel. The State's Attorney of Lake County may advise either the Commission or the Sheriff. The other party may engage private

counsel to advise it.

The Commission shall have the power to secure by its subpoena both the attendance and testimony of witnesses and the production of books and papers in support of the charges and for the defense. Each member of the Commission shall have the power to administer oaths.

All proceedings before the Commission during the hearing shall be recorded by a court reporter to be employed by the Commission.

The record of hearings will not be transcribed by the court reporter unless requested by the Commission or by any party interested in the hearing. The cost of the transcript shall be borne by the person requesting same.

The Commission will first hear the witnesses seeking to substantiate the charges which have been made. Thereafter, the charged person or his attorney may present and examine those witnesses whom he desires the Commission to hear. All parties shall have the right to cross-examine witnesses presented by the opposite party. The Commission shall have the right to examine and to recall witnesses.

8.4 Decision on Charges

If the charges against an accused person are established by the preponderance of evidence, the Commission shall make a finding of guilty and order either removal, demotion, loss of seniority, suspension for a period of not more than 180 days, or such other disciplinary punishment as the Commission which, in the opinion of the members thereof, the offense justifies.

If the charges against an accused person are not established by the preponderance of evidence, the Commission shall make a finding of not guilty and shall order that the person be reinstated and be paid his compensation for the suspension period, if any, while awaiting the hearing. The Sheriff shall take such action as may be ordered by the Commission.

The provisions of the "Administrative Review Act", approved May 8, 1945, and all amendments and modifications thereof, and the rules adopted pursuant thereto, shall apply to and govern all proceedings for the judicial review of any order of the Commission rendered pursuant to this Section.

8.5 Subpoena

The Sheriff and the charged person, or their respective counsel, may at any time before the hearing, apply to the Commission for subpoena directed to specific persons requiring their appearance at the hearing and, if necessary, requiring them to produce at the hearing, books, papers, records, and such other things as may be relevant to the hearing. The application shall specify the names and addresses of the persons to be

subpoenaed and the documents and things sought. The requested subpoena will be issued after valid consideration.

Subpoena issued by the Commission, or by any member thereof, may be served by any adult person designated by the party requesting the subpoena.

Any request for continuance by reason of inability to serve a subpoena shall be filed in the office of the Commission at least five (5) days before the date set for such hearing.

8.6 Compelling Testimony and Production of Books and Papers at Hearings

Any person who shall be served with a subpoena to appear and testify, or to produce books and papers, issued by the Commission, or by any member thereof, and who shall refuse, or neglect to appear, or to testify, or to produce books and papers relevant to such investigation, as commanded in the subpoena, shall be guilty of a Class B Misdemeanor.

8.7 Fees of Witnesses

The fees of witnesses for attendance and travel shall be the same as the fees of witnesses before the Circuit Court of this State.

8.8 Perjury

Any Circuit Court of this State, or any judge thereon, upon application of any member of the Commission, or any person acting under the orders of the Commission, may, in his discretion, compel the attendance of witnesses, the production of books and papers, and giving of testimony before the Commission by an Attachment for Contempt, or otherwise in the same manner as production of evidence may be compelled before the court. Every person who having taken oath or made affirmation before a member of the Commission, shall willfully swear, or affirm falsehoods, shall be guilty of perjury and upon conviction shall be punished accordingly.

8.9 Filing of Papers

All papers may be filed with the Commission by mailing them to the Lake County Sheriff's Merit Commission, County Administration Building in Waukegan, Illinois. All papers may also be filed by delivering the same to the Commission's Office in Waukegan, Illinois, during its regular office hours, personally or by messenger. For the purposes of these rules and regulations, the filing date of any paper shall be the date it was received in the Commission's office, in the event the paper is delivered personally or by messenger. In the event a paper is forwarded by mail, then the filing date shall be the date such paper is received in the Commission office.

8.10 Form of Papers

All papers filed in any proceeding shall be typewritten or printed and shall be on one side of the paper only.

If typewritten, the lines shall be double spaced, except that long quotations may be single spaced and indented.

All papers shall be not larger than 8 1/2 inches wide by 11 inches long and shall have inside margins of not less than one (1) inch.

The original of all papers filed shall be signed in ink by the party filing the paper or by his counsel.

If papers are filed by an attorney, his name, telephone number, and address shall appear thereon.

8.11 Continuance of Hearing

No hearing shall be continued at the request of any of the parties thereto or their counsel, unless such request is made orally during the course of such proceedings of this Commission or in writing at the Commission's office in Waukegan, Illinois, and a copy of said request mailed to the opposing party or his attorney, at least five (5) days before the date for which the hearing is scheduled.

**ARTICLE IX
RULES AND REGULATIONS FOR THE CONDUCT OF
MEMBERS OF THE SHERIFF'S OFFICE**

- 9.1 Any certified person of the Lake County Sheriff's Department who shall violate any rule, regulation, or general order of the Lake County Sheriff may be subject to disciplinary action by the Lake County Merit Commission in accordance with the "Sheriff's Merit System Law", 55 ILCS 5/3-80 02 et.seq.

**ARTICLE X
TRANSFERS**

- 101 A Deputy Sheriff, may, at the discretion of the Sheriff, be placed for any duty and assignment which requires placement of a Deputy Sheriff. Once the Deputy Sheriff has satisfied the required eighteen (18) month probationary period as provided for herein, he shall not have to serve any further probationary period for placement as provided for in this Article.
- 102 Upon qualification by the Merit Commission as provided in Section 11.1 therein, the Sheriff may, without regard to any eligibility list of certified

candidates, transfer a Deputy Sheriff to a position for which he has so qualified, provided that any such transfer complies with the County's pay plan.