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June 28, 2017

Mr. Michael McCreery
United Counties Council of Illinois
217 East Monroe Street, Suite 101
Springfield, IL 62701

**Re: Committees of the County Board – Authority of the Chairman
or Board to Make Appointments to a Committee, Including
Filling of Vacancies**

Dear Mike:

Issue:

To what extent are committees of the county board governed by the Counties Code, rules and practices adopted by the county board or *Robert's Rules of Order Newly Revised*.

Analysis:

The Counties Code is silent with respect to a county board establishing or structuring subordinate committees (working/standing) of the county board, however, a county board's authority to establish committees is deemed or otherwise considered an inherent authority vested in boards and commissions.¹ However, prescribing the procedures for appointment of members, filling vacancies or removal of members, in the absence of specific rules of practice and procedure adopted by the county board is generally guided by *Robert's Rules of Order Newly Revised*.

In general, the authority of appointment of members carries with it the authority to fill vacancies or remove members.² If the county board places the appointment authority in the chairman subject to the advice and consent (approval) of the county board, all appointments including vacancy or removal is subject to the same process.³

¹ *Robert's Rules of Order, Newly Revised (Secs. 49-50).*

² *Robert's Rules of Order, Newly Revised (Sec. 50).*

³ *Robert's Rules of Order, Newly Revised (Sec. 50).*

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The term of office for a committee member (including the committee chairman) generally follows the term of office of the county board's chairman (two (2) years or four (4) years).

Conclusion:

The removal of a member (including a committee chairman) from a subordinate committee of the county board, in the absence of rules of practice of the county, should be in accordance with the same process utilized for the initial appointment of a member or the committee chairman.

Sincerely,

GIFFIN, WINNING, COHEN & BODEWES, P.C.



Herman G. Bodewes

HGB:pa

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Disclaimer: This opinion was prepared by Giffin, Winning, Cohen & Bodewes, P.C. at the request of UCCI and is to be used solely by UCCI and its members. The State's Attorney is the attorney for the County. Legal advice, if requested, should be sought from the State's Attorney.