
(No. 74 CC 1.—Respondent removed from office.)

In re CIRCUIT JUDGE RANDALL S. QUINDRY of
the Second Judicial Circuit, Respondent.

Order entered April 11, 1974.

SYLLABUS

On January 28, 1974, the Judicial Inquiry Board filed a three-count complaint with the Courts Commission, charging the respondent with willful misconduct in office, conduct that is

prejudicial to the administration of justice and conduct that brings the judicial office into disrepute. In summary form, the allegations were: Count I alleged that the respondent, on the day before the March 1972 primary election day, opened absentee ballots and changed them; Count II alleged that the respondent engaged in partisan political activities by influencing the withdrawal of a candidate from a primary election, by soliciting the signature of a person to a letter which was printed as a political advertisement, etc; and Count III alleged that the respondent adjudicated two cases wherein his nephew was counsel of record.

Held: Respondent removed from office.

William J. Scott, Attorney General, of Springfield, for Judicial Inquiry Board.

Gosnell, Benecki & Borden, Ltd., of Lawrenceville, Wham & Wham, of Centralia, and Craig & Craig, of Mt. Vernon, for respondent.

Before the COURTS COMMISSION: SCHAEFER, J., chairman, and EBERSPACHER, STAMOS, DUNNE and FORBES, JJ., commissioners. ALL CONCUR.

ORDER

This matter came on for hearing before the Illinois Courts Commission in Springfield on April 9, 10 and 11, 1974. The Commission has heard the testimony of numerous witnesses and the arguments of counsel for the Judicial Inquiry Board and for the respondent. At the outset of the hearing, the Judicial Inquiry Board withdrew the charge made in Count II, paragraph (a) of the Complaint.

The remaining counts of the Complaint, together with the answer of the respondent, and the findings of the Commission with respect to each of them are as follows:

Count I

On March 21, 1972, there was a Republican primary election in Wayne County, Illinois, in which Bernard

Berg was opposed by Joseph Harrison for the position of Republican Committeeman. Absentee ballots for this election were, pursuant to law, in the care and custody of the Wayne County Clerk, Jack Copeland. Prior to election day, the respondent requested Copeland to assist the respondent in opening the absentee ballots and changing them to assure that Berg was elected over Harrison.

Answer to Count I

The respondent denied the allegations contained in Count I.

With respect to this count, the Commission finds that the allegations have been proved by clear and convincing evidence.

Count II(b)

The respondent has consistently engaged in partisan politics as evidenced by the following incidents, to wit:

- (b) Influenced the withdrawal of Robert Merritt from the March 1972 primary election.

Answer to Count II(b)

The respondent denied the allegation of this charge.

With respect to this charge, the Commission finds that it was proved by clear and convincing evidence.

Count II(c)

The respondent has consistently engaged in partisan politics as evidenced by the following incidents, to wit:

- (c) Was involved in the selection of candidates for the Board of Education for Fairfield Elementary School District No. 212 in the April 1972 election.

Answer to Count II(c)

The respondent denied the allegation of this charge.

With respect to this charge, the Commission finds that it was not proved by clear and convincing evidence.

Count II(d)

The respondent has consistently engaged in partisan politics as evidenced by the following incidents, to wit:

- (d) Attended a political meeting at the Wayne County courthouse a few days before the March 1972 primary and made a political speech specifically urging the election of Bernard Berg.

Answer to Count II(d)

The respondent denied the allegation of this charge.

With respect to this charge, the Commission finds that it was not proved by clear and convincing evidence.

Count II(e)

The respondent has consistently engaged in partisan politics as evidenced by the following incidents, to wit:

- (e) Solicited the signature of Mrs. Jean Keefauver to a letter dated November 2, 1972, which was printed as a political advertisement in the Wayne County press.

Answer to Count II (e)

The respondent denied the allegation of this charge.

With respect to this charge, the Commission finds that the allegations have been proved by clear and convincing evidence.

Count III

The respondent has adjudicated cases wherein his nephew, Philip Quindry, was counsel of record as evidenced by the following cases, to wit:

Linne v. Linne, Wayne County Case No. 72-D-1

McCullough v. McCullough, Wayne County Case No. 73-D-10.

Answer to Count III

The respondent admits that he adjudicated the two cases alleged in Count III of the Complaint herein, and

that his nephew, Philip Quindry, was counsel of record for one of the parties in each of those cases. He further states the fact to be, however, that in each of the cases the relationship was called to the attention of the attorneys and the parties, and in each of the cases the attorneys and the parties expressly waived the disqualification.

With respect to these charges, the Commission finds that the respondent violated Rule 67 (Supreme Court Rule 67, Ill. Rev. Stat., ch. 110A, par. 67).

By reason of the foregoing findings, and pursuant to section 15 of article VI of the Constitution of Illinois,

It is ordered that the respondent, Randall S. Quindry, is hereby removed from office as a judge of the circuit court, Second Judicial Circuit.

Respondent removed from office.
