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HOUSE RESOLUTION

WHEREAS, The General Assembly enacted the Capital Crimes Litigation Act, Public Act 91-589, effective January 1, 2000; and

WHEREAS, That Act created the Capital Litigation Trust Fund; and

WHEREAS, Moneys in the Capital Litigation Trust Fund are used to provide funding for the prosecution and defense of capital cases; and

WHEREAS, The Capital Crimes Litigation Act provides few safeguards to prevent excessive requests for moneys from the Capital Litigation Trust Fund by defense counsel appointed to represent indigent defendants in capital cases; and

WHEREAS, There are several credible allegations of misuse of moneys from the Fund; and

WHEREAS, One of the most outrageous examples of alleged abuse is the Cecil Sutherland case; and

WHEREAS, In that case Sutherland's defense counsel has been paid \$612,463 from the Fund and the counsel's investigator has been paid \$420,715 from the the Fund; and

WHEREAS, These expenditures are considered outrageous by reasonable members of the trial bar; and

WHEREAS, The Attorney General as the chief legal officer of this State should investigate whether counsel appointed to represent indigent defendants in capital cases are making requests for outlandish sums of money from the Capital Litigation Trust Fund; therefore, be it

1 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE
2 NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we
3 request that the Attorney General investigate allegations that
4 defense counsel representing indigent defendants in capital
5 cases who are eligible for funding from the Capital Litigation
6 Trust Fund are requesting excessive amounts of moneys from the
7 Fund; and be it further

8 RESOLVED, That a suitable copy of this Resolution be
9 forwarded to the Honorable Lisa Madigan, Attorney General of
10 the State of Illinois.