



BRIEF DESCRIPTION OF THE OFFICE OF THE ILLINOIS ATTORNEY GENERAL 5 ILCS 140/4(a)

The Attorney General is an officer of the executive branch of government established by Article V of the Illinois Constitution of 1970. Section 15 of Article V of the Constitution provides that “the Attorney General shall be the legal officer of the State, and shall have the duties and powers that may be prescribed by law.”

The General Assembly has set forth the principal duties and responsibilities of the Attorney General in Section 4 of the Attorney General Act (15 ILCS 205/4), which provides:

“The duties of the Attorney General shall be --

First - To appear for and represent the people of the State before the supreme court in all cases in which the State or the people of the State are interested.

Second - To institute and prosecute all actions and proceedings in favor of or for the use of the State, which may be necessary in the execution of the duties of any State officer.

Third - To defend all actions and proceedings against any State officer, in his official capacity, in any of the courts of this State or the United States.

Fourth - To consult with and advise the several State's Attorneys in matters relating to the duties of their office; and when, in his judgment, the interest of the people of the State requires it, he shall attend the trial of any party accused of crime, and assist in the prosecution. When the Attorney General has requested in writing that a State's Attorney initiate court proceedings to enforce any provisions of the Election Code or to initiate a criminal prosecution with respect to a violation of the Election Code, and when the State's Attorney has declined in writing to initiate those proceedings or prosecutions or when the State's Attorney has neither initiated the proceedings or prosecutions nor responded in writing to the Attorney General within 60 days of the receipt of the request, the Attorney General may, concurrently with or independently of the State's Attorney, initiate such proceedings or prosecutions. The Attorney General may investigate and prosecute any violation of the Election Code at the request of the State Board of Elections or a State's Attorney.

Fifth - To investigate alleged violations of the statutes which the Attorney General has a duty to enforce and to conduct other investigations in connection with assisting in the prosecution of a criminal offense at the request of a State's Attorney.

Sixth - To consult with and advise the governor and other State officers, and give, when requested, written opinions upon all legal or constitutional questions relating to the duties of such officers respectively.

Seventh - To prepare, when necessary, proper drafts for contracts and other writings relating to subjects in which the State is interested.

Eighth - To give written opinions, when requested by either branch of the general assembly, or any committee thereof, upon constitutional or legal questions.

Ninth - To enforce the proper application of funds appropriated to the public institutions of the State, prosecute breaches of trust in the administration of such funds, and, when necessary, prosecute corporations for failure or refusal to make the reports required by law.

Tenth - To keep, a register of all cases prosecuted or defended by him, in behalf of the State or its officers, and of all proceedings had in relation thereto, and to deliver the same to his successor in office.

Eleventh - To keep on file in his office a copy of the official opinions issued by the Attorney General and deliver same to his successor.

Twelfth - To pay into the State treasury all moneys received by him for the use of the State.

Thirteenth - To attend to and perform any other duty which may, from time to time, be required of him by law.

Fourteenth - To attend, present evidence to and prosecute indictments returned by each Statewide Grand Jury.

Fifteenth - To give written binding and advisory public access opinions as provided in Section 7 of this Act.”

The General Assembly has also given the Attorney General specific duties, such as enforcing the provisions of the Consumer Fraud and Deceptive Practices Act (815 ILCS 505/1 et seq.), enforcing laws relating to civil rights and prevention of discrimination (15 ILCS 210/1), prosecuting offenses under the Statewide Grand Jury Act (725 ILCS 215/1 et seq.), and administering the provisions of the Crime Victims Compensation Act (740 ILCS 45/1 et seq.), Violent Crime Victims Assistance Act (725 ILCS 240/1 et seq.), Charitable Trust Act (760 ILCS 55/1 et seq.), Solicitation for Charity Act (225 ILCS 460/1 et seq.), and Franchise Disclosure Act of 1987 (815 ILCS 705/1 et seq.).

The Attorney General operates main offices in Springfield, Chicago and Carbondale and full service regional offices in Belleville, Quincy, Rockford, Urbana and the west and south sides of Chicago.

During fiscal year 2010, the General Assembly appropriated \$76,352,200 to the Office of the Attorney General. The Attorney General employs approximately 692 people throughout the State.