

SPESIA & TAYLOR

MEMO

To: The City of Crest Hill
From: Spesia & Taylor
Date: October 8, 2025
Re: Referendum for Abolition of Civil Service Commission

The procedure for adoption or abolition of Civil Service is specifically outlined by statute, and it is the same procedure whether it is being adopted or abolished. Our research has revealed that there have been only two instances where a municipality has abolished the use of a Civil Service Commission. In both of those cases, we believe that, although successfully passed, the municipality did not follow the procedure to the letter of the law.

The Correct Method

First, to get the referendum question onto the ballot strictly following the statutory authority in 65 ILCS 5/10-1-43, there would first need to be a petition signed by the requisite number of voters. The formula prescribing the minimum number of signatures is at least 1/8th of the voters who cast ballots in the last municipal election. For Crest Hill, that would be 339 signatures based on the 2025 election.

Once the petition with the requisite number of signatures is obtained, the statute calls for the petition to be filed in the Will County Circuit Court with a request that the Court enter an order that the Circuit Clerk certify the referendum question for submission on the next election's ballot. Despite numerous calls to the Circuit Clerk's office, it appears that nobody there is familiar with this process and we were not able to receive any further guidance as to the procedure for getting the petition before a judge with minimal expense, since there is a prohibition on the use of City funds for or against a referendum proposition. As best we can tell, the most appropriate type of filing will be as a Miscellaneous Remedy or Governmental Corporation - Other Routine Matters of Municipal Corporations case. Irrespective of the category, the filing fee will be \$364.00. From there, we hope that once the case is filed and assigned to a judge, there will need to be only one court appearance before the Judge to request that the Circuit Clerk be directed to certify the referendum question to the County Clerk's Elections Division.

In addition, once the signatures have been collected on the petition, we are recommending that the City Council pass a Resolution approving the petition, which will also be presented to the judge. In any event, the bottom line is that the issue is ultimately put to the citizens of Crest Hill for a final decision on whether to continue Civil Service.

Below is the timeline for the question to be placed on the ballot for the March 17, 2026, General Primary Election or the November 3, 2026, General Election:

PRIVILEGED AND CONFIDENTIAL

#1 To be placed on the March 17, 2026 General Primary Election	To be placed on the November 3, 2026 General Election
☐ By Petition <u>December 15, 2025</u> - Last day for filing petition (must contain original sheets signed by voters and circulators) with the Local Election Official. (10 ILCS 5/2A.1.1b(d), 28-2(a), 28-6, 28-7) <u>January 8, 2026</u> - Last Day for Ballot Certification by the Circuit Court Clerk or Local Election Official to County Clerk. (10 ILCS 5/28-5)	☐ By Petition <u>August 3, 2026</u> - Last day for filing petition (must contain original sheets signed by voters and circulators) with the Local Election Official. (10 ILCS 5/28-2(a), 28-6, 28-7) <u>August 27, 2026</u> - Last Day for Ballot Certification by the Circuit Court Clerk or Local Election Official to County Clerk. (10 ILCS 5/28-5)
☐ By Resolution <u>December 29, 2025</u> - Last day for local governing boards to adopt a resolution or ordinance. (10 ILCS 5/28-2 (c)) <u>January 8, 2026</u> - Last Day for Ballot Certification by the Circuit Court Clerk or Local Election Official to County Clerk. (10 ILCS 5/28-5)	☐ By Resolution <u>August 17, 2026</u> - Last day for local governing boards to adopt a resolution or ordinance. (10 ILCS 5/28-2 (c)) <u>August 27, 2026</u> - Last Day for Ballot Certification by the Circuit Court Clerk or Local Election Official to County Clerk. (10 ILCS 5/28-5)

Given the fact that we do not know how the assigned Judge will respond to the filing of the Petition (given that this has apparently never been done in Will County), it would be best to get the petition completed well before the December 15 deadline if the desire is to get this on the March ballot..