

# Federal Court Orders Shakman Decree To Be Vacated, Citing Gov. Pritzker's 'Extraordinary' And 'Durable' Reforms

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CHICAGO — The U.S. Seventh Circuit Court of Appeals today ordered the lower court to vacate the 1972 Shakman Consent Decree, citing Governor Pritzker's significant progress "instituting and supporting several remedial measures in recent years to minimize the risk of political patronage in employment practices." The ruling acknowledges that the administration has instituted long-term policies and procedures

that will ensure “compliance sticks.” This ruling means the state will no longer be under federal court supervision related to hiring practices, saving taxpayer dollars and ensuring state government can better serve the people.

“I’m gratified that the Court recognized my commitment to hiring practices that fully live up to the principles of the U.S. and Illinois Constitutions,” said Gov. JB Pritzker. “From the time that I took office, my administration has worked to strengthen the state’s hiring practices and ensure that we have durable, lasting reforms in place so that the state can guard against unethical hiring practices now and in the long term. With the end of this 1972 decree and the enormous work required by the ongoing federal monitoring, the State can focus our efforts on ensuring effective and efficient hiring that allows us to better fulfill our obligations to the people of Illinois.”

Highlights from the federal ruling:

“Leaving the Governor subject to the 1972 decree is no longer warranted or tolerable. Governor Pritzker has demonstrated substantial compliance with the decree and identified and instituted durable remedies to help ensure that compliance sticks. He has earned the right to make employment decisions for the state on his own and not under the terms and conditions of the 1972 decree or the watchful eyes of a special master and federal court.”

“The Governor has instituted or otherwise supported several remedial measures in recent years (under the special master’s and district court’s supervision, to be sure) to minimize the risk of political patronage in employment practices. Beyond the development of a Comprehensive Employment Plan, the state now has in place the Hiring & Employment Monitoring Division within the Office of Inspector General and a limited Rutan exempt list, among other things. That many of these measures have remained in place for several years with no findings of constitutional violations in or across individual employment decisions speaks to the stability of the state’s, and by extension, the Governor’s reform measures. Shakman and Lurie, to their credit, candidly acknowledge the Governor’s progress in recent years. And, for her part, the special master has on more than one occasion commended the Governor’s efforts to comply with the decree, including by describing his accomplishments as ‘extraordinary,’ ‘notable,’ and ‘significant.’

“All of this is enough, we believe, for the Governor to show that he has implemented a durable remedy and satisfied the objectives of the 1972 decree.”

“As we see the record, everyone involved in recent years— foremost Governor Pritzker, but also the special master, the district court, and Michael Shakman and Paul Lurie (and their talented counsel)—has been diligent in ensuring the state’s substantial compliance

with the 1972 decree. This is what is supposed to happen in institutional reform litigation, even if it is coming many, many years too late. We see nothing more for the district court to do. The Governor has satisfied the objectives of the consent decree.”