

SUPREME COURT OF ILLINOIS

Noland v. Mendoza

2022 IL 127239 (Ill. 2022) · No. 127239 · Decided September 22, 2022

SUMMARY

The Illinois Supreme Court reversed a circuit court judgment awarding former legislators compensation withheld under laws suspending legislative salary increases and requiring furlough days. The court held that the former legislators asserted private claims for payment and that their unreasonable delay, together with the circumstances involving public funds, supported the affirmative defense of laches. Because laches barred the claims, the court declined to decide whether the salary-reduction laws violated the Illinois Constitution.

CASE DETAILS

COURT	Supreme Court of Illinois
WRITING FOR THE COURT	Justice Neville; Chief Justice Anne M. Burke; Justice Theis; Justice Michael J. Burke; Justice Overstreet; Justice Carter
JURISDICTION	Illinois
DECIDED	September 22, 2022
DOCKET	127239
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Former legislators brought an action for declaratory and mandamus relief challenging laws that reduced or suspended legislators' compensation. The circuit court granted plaintiffs partial summary judgment and ordered payment of withheld salaries. The Comptroller took a direct appeal, and plaintiffs cross-appealed the denial of relief for nonparty legislators.
STANDARD OF REVIEW	De novo review applies to the circuit court's determination that the affirmative defense of laches was legally insufficient as a matter of law.
PRECEDENTIAL VALUE	Published, precedential Illinois Supreme Court opinion
PARTIES	Susana A. Mendoza, in her official capacity as Comptroller of the State of Illinois v. Michael Noland, James Clayborne

TOPICS

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affirmative defenses

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QUESTIONS PRESENTED

1. Whether laches barred former legislators' individual mandamus claims seeking recovery of salary reductions enacted and accepted during their prior terms of office.
2. Whether a former public official's claim for payment of allegedly underpaid compensation from public funds constitutes a private right subject to laches.
3. Whether the court needed to decide the constitutionality of the Salary Reduction Laws after concluding that laches barred the claims.
4. Whether plaintiffs could obtain mandamus relief on behalf of nonparty legislators.

HOLDINGS

1. Laches barred plaintiffs' mandamus claims because they unreasonably delayed asserting their individual claims and the Comptroller was prejudiced by the delay.
2. Because plaintiffs sued in their individual capacities for payment of public funds to themselves, they asserted private rights rather than a public right held collectively by the people of Illinois.
3. The court declined to decide whether the Salary Reduction Laws violated the Illinois Constitution because laches independently disposed of plaintiffs' claims.

KEY QUOTATIONS

“Two elements are necessary for the application of laches: (1) “ ‘lack of due diligence by the party asserting the claim’ ” and (2) “ ‘prejudice to the opposing party.’ ”” (¶ 32)

“Because laches bars plaintiffs’ mandamus counts, we do not need to reach the circuit court’s findings that the affirmative defenses of waiver and statute of limitations lacked merit or that plaintiffs’ request for cross-relief on behalf of the nonparty legislators lacked merit.” (¶ 57)

FACTUAL BACKGROUND

Illinois laws enacted beginning in 2009 eliminated cost-of-living adjustments for General Assembly members and required legislators to forfeit specified days of compensation. Noland, who served in the Illinois Senate from 2007 through 2017, and Clayborne participated in supporting and voting for the salary-reduction laws and accepted the reduced compensation. Several months after leaving office, Noland sued, and the plaintiffs sought recovery of salary reductions accumulated over approximately eight years.

PROCEDURAL HISTORY

Noland initially sued in his asserted official capacity, but the circuit court ruled that he could not sue in that capacity after leaving office. Noland amended the complaint to sue individually and added Clayborne. The

circuit court ultimately held the Salary Reduction Laws facially unconstitutional, rejected laches, waiver, and statute-of-limitations defenses, and entered judgment requiring payment to plaintiffs. The Illinois Supreme Court reversed in part and vacated in part, holding that laches barred the mandamus claims and declining to reach the constitutional question or the cross-relief issue.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The opinion states that judgment is entered for the defendant and that the circuit court judgment is reversed in part and vacated in part. It does not provide additional substantive remand instructions.

CASES CITED

- In re E.H., 224 Ill. 2d 172, 178 (2006)
- People v. Hampton, 225 Ill. 2d 238, 244 (2007)
- Ashwander v. Tennessee Valley Authority, 297 U.S. 288, 347 (1936) (Brandeis, J., concurring)
- In re S.L., 2014 IL 115424, ¶ 16
- Tully v. State, 143 Ill. 2d 425, 432-34 (1991)
- Tillman v. Pritzker, 2021 IL 126387, ¶¶ 25-27
- Pyle v. Ferrell, 12 Ill. 2d 547, 552 (1958)
- Van Milligan v. Board of Fire & Police Commissioners, 158 Ill. 2d 85, 89 (1994)
- People ex rel. Northrup v. City Council of Chicago, 308 Ill. App. 284 (1941)
- Murphy v. City of Park Ridge, 298 Ill. 66, 72 (1921)
- Spokeo, Inc. v. Robins, 578 U.S. 330, 347 (2016)
- Schenck v. Pro-Choice Network of Western New York, 519 U.S. 357, 376 (1997)
- Monson v. County of Grundy, 394 Ill. App. 3d 1091, 1094-95 (2009)
- Solomon v. North Shore Sanitary District, 48 Ill. 2d 309, 322 (1971)
- People ex rel. Mulvey v. City of Chicago, 292 Ill. App. 589, 595-96, 611 (1937)
- Block v. North Dakota ex rel. Board of University & School Lands, 461 U.S. 273, 292 (1983)
- Langendorf v. City of Urbana, 197 Ill. 2d 100, 110-11 (2001)
- Tolbert v. Godinez, 2020 IL App (4th) 180587, ¶ 27
- Southside Fair Housing Committee v. City of New York, 928 F.2d 1336, 1356 (2d Cir. 1991)
- Fundamental Church of Jesus Christ of Latter-Day Saints v. Horne, 2012 UT 66, ¶ 45, 289 P.3d 502
- Galpin v. City of Chicago, 269 Ill. 27, 41 (1915)
- Pitsch v. Continental & Commercial National Bank of Chicago, 305 Ill. 265, 270-72 (1922)
- Deasey v. City of Chicago, 412 Ill. 151, 152, 155-56 (1952)
- Lashever v. Zion-Benton Township High School, 2014 IL App (2d) 130947, ¶ 7

- Lee v. City of Decatur, 256 Ill. App. 3d 192, 196-97 (1994)
- Ziemer v. City of New Orleans, 197 So. 754, 759-60 (La. 1940)
- Pratts v. City of Duluth, 289 N.W. 788, 789-90 (Minn. 1939)
- Glaser v. City of Burlington, 1 N.W. 709, 713 (Iowa 1942)
- People ex rel. Hollie v. Chicago Park District, 296 Ill. App. 365, 381 (1938)
- Holland v. Richards, 4 Ill. 2d 570, 577-78 (1955)
- Pace v. Regional Transportation Authority, 346 Ill. App. 3d 125, 144 (2003)
- People ex rel. Casey v. Health & Hospitals Governing Comm'n, 69 Ill. 2d 108, 115 (1977)
- People ex rel. Griffin v. City of Chicago, 382 Ill. 500, 504 (1943)
- City of Chicago v. Condell, 224 Ill. 595, 598 (1906)