


COURTS COMMISSION CLERK

**COURTS COMMISSION
OF THE STATE OF ILLINOIS**

In re MATTHEW L. SULLIVAN)
Judge of the Circuit Court) 26-CC-01
Fifth Judicial Circuit of the State of Illinois)

MOTION FOR LEAVE TO FILE AMENDED COMPLAINT

The Judicial Inquiry Board (“Board”), pursuant to 735 ILCS 5/2-616(a), respectfully moves the Courts Commission of the State of Illinois for leave to file the attached Amended Complaint. In support thereof, the Board states as follows:

1. The Board filed its Complaint against Judge Matthew L. Sullivan on September 10, 2026.
2. On September 28, 2026, Respondent answered the Complaint.
3. “Illinois courts are encouraged to freely and liberally allow the amendment of pleadings.” In re Durkin, 299 Ill. App. 3d 192, 203 (2d. Dist. 1998). The Code of Civil Procedure permits parties to amend their pleadings on “just and reasonable terms,” and “[a]t any time before final judgement.” 735 ILCS 5/2-616(a). The Illinois Supreme Court has interpreted “just and reasonable terms” to “requir[e] the trial court to permit amendment if it will further the ends of justice.” In re Estate of Hoover, 155 Ill. 2d 402, 416 (1993) (internal citations omitted). In short, “the right to amend is very broad.” *Id.*
4. Based upon a re-examination of the Complaint, the Board seeks to amend Paragraph 17 of the original Complaint. While the original Complaint alleged that Respondent drove a motor vehicle in a reckless manner, the proposed Amended Complaint adds greater statutory and factual specificity by explicitly alleging that

Respondent operated the vehicle with a willful and wanton disregard for the safety of persons and property, in violation of 625 ILCS 5/11-503(a)(1).

5. This amendment does not introduce a new or unrelated cause of action, nor does it alter the underlying transactional facts of the case. It merely clarifies the allegations already at issue and provides Respondent with clear, specific notice of the charges against him.

6. Because it is so early in the proceedings of this matter, where no motions have been filed and no trial date has been set, and because the amendment does not alter the factual allegations of the Complaint in any respect, Respondent will not be prejudiced by the filing of the Amended Complaint. Additionally, allowing an amended complaint in this matter will further the ends of justice.

7. The Board's Amended Complaint is attached hereto as Exhibit A. The language "with a willful or wanton disregard for the safety of persons or property in violation of 625 ILCS 5/11-503(a)(1)," has been added to paragraph 17.

WHEREFORE, the Judicial Inquiry Board respectfully requests that the Illinois Courts Commission grant it leave to file its Amended Complaint.

Dated: October 1, 2026

Michael Deno
Mary McMahon
Judicial Inquiry Board of the State of Illinois
555 W. Monroe, Ste. 800N
Chicago, Illinois 60661
(312) 814-5514
(312) 814-5719 (fax)
Michael.deno@illinois.gov

Respectfully submitted,

JUDICIAL INQUIRY BOARD OF
THE STATE OF ILLINOIS

By Michael Deno
One of its attorneys

EXHIBIT A

**COURTS COMMISSION OF THE
STATE OF ILLINOIS**

In re MATTHEW L. SULLIVAN	)	
Judge of the Circuit Court	)	No. 26-CC-01
Fifth Judicial Circuit of the State of Illinois	)	

AMENDED COMPLAINT

Pursuant to the provisions of Section 15(c) of Article VI of the Constitution of the State of Illinois, the Illinois Judicial Inquiry Board (“Board”) complains against Judge Matthew L. Sullivan, Judge of the Circuit Court, Fifth Judicial Circuit, (“Respondent”), and charges Respondent with conduct that is prejudicial to the administration of justice and conduct that brings the judicial office into disrepute.

STATEMENT OF FACTS

1. Respondent has served as a judge on the Fifth Circuit Court since 2010.
2. On August 16, 2025, Respondent drove a car with willful and wanton disregard for the safety of persons and property while having open alcohol in the vehicle.
3. Specifically, at approximately 9:30 p.m. on August 16, 2025, Respondent was observed by another motorist as he exited a side road located on the south side of Illinois Route 16 and entered the eastbound lanes of Route 16. Upon entering the roadway, Respondent’s speed was so rapid that he veered off the paved portion of the roadway, causing the driver’s side tires of his vehicle to leave the roadway and enter the grassy median on the north side lane of Route 16.
4. The witness then observed the Respondent swerve back into his lane, cross the center line, and then swerve again across his lane and onto the median. The witness observed the Respondent repeatedly engage in this erratic driving behavior as he proceeded into the town of Charleston.

5. When asked by the investigating officer if Respondent's car was "all over the road," the witness agreed, responding, "all over." The witness also stated that "it felt very dangerous" when describing Respondent's driving.

6. While observing Respondent's driving, the witness called 911 and reported her observations. Officers from the Charleston Police Department responded and made contact with Respondent after he pulled into the parking lot of a business located at 850 Lincoln Avenue in Charleston.

7. While speaking with Respondent, Charleston police officers noted that Respondent exhibited several signs of impairment, including slow and slurred speech, bloodshot and glossy eyes, slow and deliberate movements, and a heavy odor of an alcoholic beverage emitting from his breath.

8. Officers observed an open can of beer in a koozie located within the vehicle's front center console. When asked about the contents of the can, Respondent admitted that it contained beer. Respondent also admitted to consuming four Busch Light beers in the previous three hours, including the open beer found in the center console.

9. Charleston Police Officer Jacob Evans administered Standardized Field Sobriety Tests. During the Horizontal Gaze Nystagmus test, Officer Evans observed six clues of impairment. Officer Evans also attempted to administer the Walk-and-Turn and One-Leg Stand tests, but Respondent did not complete either test, stating that the tests caused him too much pain due to a prior hip replacement.

10. Respondent was offered the opportunity to submit to a preliminary breath test (PBT). Respondent declined, stating, "I mean, I feel like I have to say no."

11. During his interaction with officers at the scene, Respondent told Charleston

Police Officer Kirsten Dicus, “I’m a judge in the circuit. I’m just hoping to get home. I’m OK with whatever you have to do, but...”

12. Following his arrest for driving under the influence of alcohol, Respondent was transported to the Charleston Police Department, where he was read the Warning to Motorist and observed for the requisite twenty-minute observation period. Thereafter, Respondent declined to submit to a breath test.

13. An inventory of Respondent’s vehicle revealed additional alcoholic beverage containers in addition to the open can of beer located in the center console. A cooler situated on the front passenger seat contained ice, four unopened Busch Light cans of beer, and one empty 12-ounce Michelob Ultra beer can. Officers also located an insulated bag on the rear passenger seat containing nine crushed Busch Light beer cans and one crushed, empty IPA beer can. Two Walmart plastic bags found next to the insulated bag contained three additional crushed Busch Light beer cans. Altogether, fourteen empty beer cans were recovered from the vehicle.

14. On March 20, 2026, in Case No. 2025-DT-100, Respondent pleaded guilty to Count IV, Reckless Driving, in violation of 625 ILCS 5/11-503(a)(1), a Class A misdemeanor. The State dismissed Counts I through III, which charged Respondent with Driving Under the Influence of Alcohol, Improper Lane Usage, and Illegal Transportation or Possession of Alcoholic Liquor by a Driver in a Motor Vehicle, respectively. Respondent’s Statutory Summary Suspension was rescinded. The Court sentenced Respondent to twelve months of court supervision, imposed fines and assessments totaling \$3,238.98, and ordered Respondent to complete DUI counseling and a victim impact panel, both of which Respondent had previously completed. The Court further ordered Respondent to refrain from consuming alcoholic beverages

or illicit substances and prohibited Respondent from entering any bar as defined by 410 ILCS 82/10.

15. Respondent's conduct on August 16, 2025, is prejudicial to the administration of justice and brings the judicial office into disrepute.

VIOLATIONS

COUNT I

Drove a Motor Vehicle in a Reckless Manner

16. The Board incorporates paragraphs 1-15 above.

17. On August 16, 2025, Respondent drove a motor vehicle with a willful or wanton disregard for the safety of persons or property in violation of 625 ILCS 5/11-503(a)(1).

18. In so doing, Respondent violated the Illinois Code of Judicial Conduct, Illinois Supreme Court Rule 1.1, which provides:

A judge shall comply with the law, including the Code.

19. Through this conduct, Respondent also violated the Illinois Code of Judicial Conduct, Illinois Supreme Court Rule 1.2, which provides:

A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary and shall avoid impropriety and the appearance of impropriety.

COUNT II

Operated a Motor Vehicle With Open Alcohol

20. The Board incorporates paragraphs 1- 19 above.

21. On August 16, 2025, Respondent drove a motor vehicle while having an open can of beer next to him in the center console.

22. In so doing, Respondent violated the Illinois Code of Judicial Conduct, Illinois Supreme Court Rule 1.1, which provides:

A judge shall comply with the law, including the Code.

23. Through this conduct, Respondent also violated the Illinois Code of Judicial Conduct, Illinois Supreme Court Rule 1.2, which provides:

A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary and shall avoid impropriety and the appearance of impropriety.

Count III

Informed Charleston Police Officer That He Was a Judge in the Circuit

24. The Board incorporates paragraphs 1- 23 above.

25. During his interaction with officers at the scene, Respondent told Charleston Police Officer Kirsten Dicus, “I’m a judge in the circuit, I’m just hoping to get home. I’m OK with whatever you have to do, but...”

26. In so doing, Respondent violated the Illinois Code of Judicial Conduct, Illinois Supreme Court Rule 1.1, which provides:

A judge shall comply with the law, including the Code.

27. In so doing, Respondent also violated the Illinois Code of Judicial Conduct, Illinois Supreme Court Rule 1.2, which provides:

A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary and shall avoid impropriety and the appearance of impropriety.

28. Through this conduct, Respondent also violated the Illinois Code of Judicial Conduct, Illinois Supreme Court Rule 1.3, which provides:

A judge shall not misuse the prestige of judicial office to advance the personal or economic interests of the judge or allow others to do so.

PRAYER FOR RELIEF

WHEREFORE, the Judicial Inquiry Board, charging that the above-described conduct of Respondent constitutes conduct that is prejudicial to the administration of justice and conduct that brings the judicial office into disrepute, prays that the Illinois Courts Commission, after notice of public hearing, make such order in accordance with Section 15 of Article VI of the Illinois Constitution as the Commission may deem appropriate. Respondent has the right to file responsive pleadings to the charges within twenty-one (21) days after service of notice of this complaint.

Dated: October 1, 2026

Respectfully submitted,

Michael Deno
Mary McMahon
Judicial Inquiry Board
555 W. Monroe
Chicago, Illinois 60661
(312) 814-5514
Michael.deno@illinois.gov

JUDICIAL INQUIRY BOARD
OF THE STATE OF ILLINOIS

By: Michael Deno
One of its attorneys