

# **Bond Case Briefs**

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## **PENSIONS - ILLINOIS**

### **Village of Vernon Hills v. Heelan**

**Appellate Court of Illinois, Second District - July 23, 2014 - N.E.3d - 2014 IL App (2d) 130823**

Municipality brought action against police officer seeking declaratory judgment that it was not obligated under the Public Safety Employee Benefits Act to pay health insurance premiums for officer and his family after he was awarded a line-of-duty disability pension by the board of trustees for the municipality's police pension fund. The Circuit Court entered judgment in favor of officer but denied his motion for sanctions. Municipality appealed and officer cross-appealed.

The Appellate Court held that:

- Municipality's action was an impermissible collateral attack on board's decision;
- Trial court's refusal to allow discovery concerning officer's injuries did not violate due process; and
- Municipality's action was brought in an effort to change existing law and not in bad faith, and thus no sanctions were warranted.

Municipality's action seeking a declaratory judgment that it was not obligated under the Public Safety Employee Benefits Act to pay health insurance premiums for officer and his family after he was awarded a line-of-duty disability pension by the board of trustees for the municipality's police pension fund was an impermissible collateral attack on board's decision, where municipality did not dispute board's statutory authority to render decision but instead criticized the board proceeding and sought to introduce evidence regarding officer's injuries.