

# Appeals panel says Illinois parental notification law constitutional

SPRINGFIELD, Ill. – A ruling that removes a federal injunction against a parental notification law means “for the first time in decades Illinois will enjoy an entirely reasonable, if minimal, restriction on access to abortion,” a Catholic official said July 14.

“Parental notice enjoys broad public support and works to ensure the protection of Illinois’ children and families,” said Bob Gilligan, executive director of the Catholic Conference of Illinois, the public policy arm of the state’s bishops.

Gilligan was commenting on the decision by a three-judge panel of the 7th U.S. Circuit Court of Appeals in a case on the constitutionality of the 1995 Illinois Parental Notice of Abortion Act.

Under the law parents must be notified 48 hours before a girl 17 or younger obtains an abortion; it does not require parental consent. It also allows a girl to bypass the notification requirement by notifying a judge.

The appeals court panel in its July 14 decision said the statute “is constitutional on its face under the relevant criteria for consent statutes, and therefore it satisfies any criteria that are required for bypass provisions in notice statutes.”

“Today’s decision represents a great and important victory for the proponents of the sanctity of every human life,” Gilligan said.

The law was in “legal limbo” for years because the state Supreme Court had not issued the rules to make it effective, Gilligan said in a statement.

In the spring of 2005, with the urging of supporters of the law, a state attorney petitioned the Illinois Supreme Court to issue rules as required by the law. In late 2006 the court issued rules. In March 2007 Illinois Attorney General Lisa Madigan petitioned a federal judge to lift the injunction. He denied the petition, so supporters of the law filed an appeal.

The Catholic Conference of Illinois and the Thomas More Society Pro-Life Law Center were involved in the legal efforts to get the injunction lifted.

Lorie Chaiten of the Illinois affiliate of the American Civil Liberties Union said the decision “creates unnecessary hurdles to accessing essential health care for young women facing an unintended pregnancy.”

While the law was dormant, she said, “we know that most young women in Illinois consulted with a parent or guardian when making the difficult decision about whether to continue a pregnancy.”

According to Chaiten, girls who felt they couldn’t tell a parent were worried about “abuse or neglect,” and so confided in “a trusted adult family member.”