



ROGER BALDWIN FOUNDATION
OF ACLU, INC.

Illinois

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March 23, 2020

Honorable Anne M. Burke
Chief Justice, Illinois Supreme Court
200 East Capitol Ave.
Springfield, IL 62701

Dear Honorable Justice Burke:

In light of the impact of the COVID-19 crisis on the operations of the Illinois courts, we write to you to raise a matter of great importance regarding the continued availability of judicial waiver of notice proceedings to minors who are subject to the Illinois Parental Notice of Abortion Act of 1995, 750 ILCS 70/1 *et seq.* These are extremely time-sensitive matters which raise constitutional implications. *See Bellotti v. Baird*, 443 U.S. 622, (1979).

The ACLU of Illinois' Judicial Bypass Coordination Project provides *pro bono* legal representation to minors in judicial waiver of notice proceedings across the state. We recognize that the rapidly developing situation with COVID-19 may require further restrictions on the operations of the courts in the coming weeks. We therefore wish to propose a solution which we believe will preserve the constitutional and statutory rights of minors to pursue judicial waiver of notice while also promoting the interest of enabling social isolation in order to protect public health during this time.

We respectfully request that the Illinois Supreme Court promulgate an order that would allow the assignment of any judicial waiver hearings across the state to a single judge who will be requested to conduct those hearings telephonically, which would remain in place until courts are able to resume normal operations. *See also* 750 ILCS 70/25(g) ("The Supreme Court is respectfully requested to promulgate any rules and regulations necessary to ensure that proceedings under [the Parental Notice of Abortion] Act are handled in an expeditious and confidential manner.").

We thank you very much for your consideration of this proposal, and would welcome the opportunity to discuss further how to implement an order of this kind.

Sincerely,

Colleen K. Connell, Esq.
Executive Director