

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, COUNTY DIVISION

ADMINISTRATIVE ORDER 2013 - 09

SUBJECT: Confidential Proceedings Under the Parental Notice of Abortion Act of 1995 (750 ILCS 70/1 et seq.)

EFFECTIVE August 15th, 2013, in accordance with provisions of the Parental Notice of Abortion Act of 1995 pursuant to Section 750 ILCS 70/1 *et seq.*, the following provisions shall apply and all prior orders relating thereto shall be rescinded.

I. Assigned Calendars:

Initially, the Clerk of the court upon receiving a filed petition shall place it under Calendar 3, the Presiding Judge. Upon receipt of the case the presiding judge shall assign said matter to a Calendar Judge.

II. Filing and Form of Pleadings:

All proceedings under this Act shall be confidential and assure the anonymity of the Petitioner. In all pleadings filed hereunder, the Petitioner and any person filing on behalf of the Petitioner may initiate a proceeding to obtain judicial waiver by filing a Petition identifying the Petitioner by a pseudonym or solely her initials.

There shall be no fee charged for the filing of a Petition or for any other aspect of the proceeding, including court reporter and transcription.

III. Scheduling Hearings

Upon filing, the matter shall be assigned by the Clerk of Court to Calendar 3, the Presiding Judge in the County Division and immediately brought to the Offices of the Presiding

of filing, they should be instructed to accompany the court clerk to the Offices of the Presiding Judge of the County Division.

The Court Clerk shall notify the Office staff of the Presiding Judge of a filing. The office court coordinator and/or staff shall immediately notify and arrange for a (1) Court Reporter (2) Interpreter, if needed and (3) Sheriff's Office. The Clerk's office shall assign a clerk for the hearing.

The assigned Calendar Judge (hereinafter referred to as the Court) shall appoint a Guardian *ad Litem* for the minor or incompetent person from an approved list of GALs provided by the Presiding Judge of the County Division. In the event the Petitioner is represented by an attorney and seeks to have the attorney appointed as GAL, such request shall be within the sole discretion of the Court. The matter shall be scheduled by the Court with precedence over other pending matters and, after consultation with the party or her counsel, as soon as practicable so that a written ruling on the matter can be entered within 48 hours of the filing of the Petition, weekends and holidays excluded. In order to preserve confidentiality and to expedite the proceedings, scheduling matters should be heard in the Conference Room 1703A or conducted telephonically, unless otherwise ordered by the Court.

In the event the Petitioner is acting *pro se*, the Court should advise the Petitioner of her right to appointed counsel. Upon the Petitioner's request, counsel shall be appointed.

IV. Conduct of the Hearing

The hearing shall proceed in an expedited manner so that the Court may issue its ruling within the timelines established by the Legislature and the Supreme Court. The manner of

possible, the hearing should be conducted in room 1703A unless otherwise ordered by the Court or Presiding Judge. Courtroom 1703, if not being used, shall also be available for hearings under this Act.

In all events those in attendance shall be limited to the judge, a court clerk, a court reporter, the Petitioner, her Guardian *ad Litem*/Attorney, and such persons as the Petitioner requests. In most circumstances, the courtroom deputy sheriff will remain outside during the course of the hearing.

At the conclusion of the hearing, the Court shall endeavor to issue written and specific findings of fact and conclusions of law. If the Court is unable to enter its ruling at that time, it shall enter its ruling within 48 hours of the filing of the Petition, weekends and holidays excluded, unless the time for such ruling has been extended at the request of the Petitioner.

The failure of the Court to rule within the time provided by law shall be deemed a granting of the Petition and a waiver of the statutory notification obligation.

The denial of the Petition is a final and appealable order.

V. Duties of the Clerk

As these proceedings are confidential, the Clerk of Court shall impound these files and allow access only to the Petitioner, her attorney, Guardian *ad Litem*, the assigned judge and his or her staff. At the conclusion of the proceedings which result in a denial of the request for judicial waiver of parental notification, due to the expedited appeal process set by Illinois Supreme Court Rule 303A, the Clerk of Court shall prepare the record for appeal within 24 hours of the final ruling of the Court, weekends and holidays excluded.

the matter and any supporting documents, any additional pleadings filed by the Guardian *ad Litem*, and/or the attorney for the Petitioner, together with a copy of the final ruling of the Court in the matter. No fee shall be charged.

The Clerk of the court shall ascertain and confirm if an appeal has been filed after 30 days from the final decision of the Court. If no Notice of Appeal is filed within 30 days of the final order, the Clerk shall seal the records of such proceeding.

VI. Guardian *ad Litem*

The Presiding Judge of the County Division shall establish a Guardian *ad Litem* panel to represent the best interest of the minor or incompetent parties to these proceedings. Said persons must agree to meet with the person placed in their Guardianship at such time and places as will afford the Court sufficient time to timely conduct the necessary hearing and issue the required ruling. The court may within its discretion appoint an attorney for a *pro se* litigant, another GAL not from the list and may also assign the attorney as the GAL within its discretion.

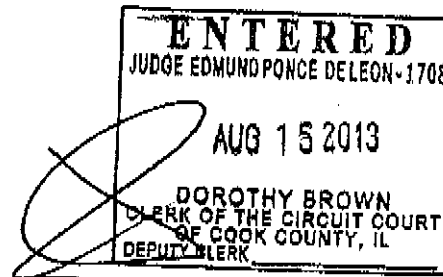
VII. Presiding Judge

As state above, the case shall be assigned to the presiding judge initially for assignment purposes and for other administrative purposes. The Acting Presiding Judge shall assume this role if the Presiding Judge is unavailable. If neither is available, the emergency judge assigned for that day shall assume the role of acting presiding judge for purposes of proceedings under this Act.

The Presiding Judge of the County Division shall establish a Guardian *ad Litem* panel to represent the best interest of the minor or incompetent parties to these proceedings. Said persons must agree to meet with the person placed in their Guardianship at such time and places as will afford the Court sufficient time to timely conduct the necessary hearing and issue the required

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Dated this 15th day of August, 2013 and spread upon the records of this Court.



Edmund Ponce de Leon,
Presiding Judge,
County Division