

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

B.H., et al.,)	
)	
Plaintiffs,)	
)	Case No. 88 C 5599
v.)	
)	Judge Jorge L. Alonso
LISE SPACAPAN, Interim Director)	
of the Illinois Department of Children and)	
Family Services,)	
)	
Defendant.)	

AGREED ORDER TO MAINTAIN COMPLIANCE WITH CONSENT DECREE

This case is before the Court on the parties’ Joint Motion to Approve Agreed Order. The parties have advised the Court that the State of Illinois has not yet passed a budget appropriation for the State Fiscal Year beginning on July 1, 2017 (the “FY 2018 budget”). In the absence of a FY 2018 budget appropriation, Defendant shall continue to provide all programs, services and personnel required by the Consent Decree (Dkt. #383), including this Court’s Supplemental Order to Enforce Consent Decree entered on June 30, 2009 (Dkt. #461) and any enforceable Implementation Plan(s) and Supplemental Orders related to the Consent Decree or Implementation Plan(s). In entering this Order, this Court acknowledges that in the past, the Illinois State Comptroller has taken the position that, without an appropriation, the Comptroller does not have the authority to continue to make payments for current personnel that are necessary to maintain compliance with the Consent Decree and the Supplemental Order unless specifically ordered to do so by the Court.

In order to maintain compliance with the Consent Decree, IT IS HEREBY ORDERED THAT:

1. Until the FY 2018 budget takes effect, July 1, 2018, or further order of the Court, the Comptroller shall continue to make all payments for all services, all current programs and all personnel, at a level no less than the levels paid in Fiscal Years 2015, 2016, and 2017, that are necessary to comply with the Consent Decree and any enforceable Implementation Plan(s) and Supplemental Orders related to the Consent Decree or Implementation Plan(s). This order shall remain in effect until the earlier of the effective date of the FY 2018 budget, July 1, 2018, or until further order of the Court.

2. Defendant shall publish this Order by (i) posting it on the DCFS website, and (ii) transmitting a copy of the Order to the Illinois Comptroller and to all DCFS personnel, via email where available and by such other additional means as the Defendant employs for communications to the foregoing persons and entities in their usual course of business.

SO ORDERED:

6/20/17



Jorge L. Alonso
United States District Judge