

Pat Quinn
Governor



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Director

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NOTICE TO: Foster Parents

REFERENCE: Abortion Notification

FROM: Erwin McEwen

EFFECTIVE: Immediately

PURPOSE

The purpose of this letter is to provide instructions for foster parents on handling “notification” calls from physicians regarding a pregnant youth’s intention to have an abortion, when the youth is in DCFS guardianship and is under 18 years of age.

BACKGROUND

Last month, the United States Court of Appeals for the Seventh Circuit upheld the constitutionality of the Illinois Parental Notice of Abortion Act of 1995 [750 ILCS 70]. The Parental Notice of Abortion Act requires a physician who intends to perform an abortion on a pregnant minor, or a physician referring the minor for an abortion, to give 48 hours actual notice directly, in person or by phone, to an adult family member of the pregnant minor of the intent to perform an abortion on that minor. The Act defines “adult family member” as a parent, grandparent, step-parent living in the household or legal guardian.

The Act requires that a physician give notice to the adult family member. The adult family member does not provide consent to the abortion.

The Act provides the physician with alternative notice options when an adult family member cannot be directly contacted, and provides exceptions to providing notice that involve court intervention.

INSTRUCTIONS

These instructions apply statewide for abortion notification. If a physician contacts a foster parent to provide an “abortion notification” for a youth for whom the Department has guardianship, the foster parent shall immediately instruct the physician to contact the youth’s legal guardian, D. Jean Ortega-Piron, and shall give the physician the following phone numbers:

- Monday – Friday, 8:30 a.m. to 5:00 p.m., call the Consent Line at 800-828-2179.
- After hours, holidays and weekends, call the Emergency Reception Center (ERC) at 773-538-8800.

If the Department has only protective custody or temporary custody of the youth, the foster parent shall instruct the physician to call the youth’s parent, grandparent, step-parent living in the household, or legal guardian (not the DCFS Guardian).

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