

Appendix C

Rule 303.1. Appeals from a Final Judgment from the Circuit Court in Proceedings Under the Parental *Notice* [Notification] of Abortion Act (suggested additions are in ***bold italic***, suggested deletions are in brackets):

(a) Any minor or incompetent person to whom the circuit court denies a waiver of notice under the Parental Notice of Abortion Act (750 ILL. COMP. STAT. ANN. 70/1 *et seq.* (West 2005)) shall be entitled to an appeal to the Appellate Court as a matter of right.

(b) *Petition; Record.* Unless another form is ordered by the Appellate Court, review of the denial of a waiver of notice under the Parental Notice of Abortion Act shall be by petition filed in the Appellate Court. The petition shall be in writing, state the relief requested and the grounds for the relief requested, and filed within two days of the entry of the denial from which review is being sought, ***except that the two day period may be extended at the request of the minor or incompetent person.*** An appropriate supporting record shall accompany the petition, including a record of the proceedings, a copy of the petition filed before the Circuit Court, and any other supporting documents or matters of record necessary to the petition. The supporting record must be authenticated by the certificate of the clerk of the ***circuit*** [trial] court or by the affidavit of the attorney or the party filing it.

(c) *Appointment of Counsel.* The Appellate Court shall appoint counsel to assist the petitioner if she so requests [or the Appellate Court deems it appropriate or necessary].

(d) *Legal Memorandum.* The petitioner may file a memorandum supporting the petition which shall not exceed 15 typewritten pages and which also must be filed within two days of the entry of the order that is being appealed under paragraph (a) of this Rule, ***except that the two day period may be extended at the request of the minor or incompetent person.***

(e) *Confidentiality.* All proceedings under this Rule shall be confidential. The petitioner shall be identified in the petition and any supporting memorandum in the method provided under Rule 660(c), as in appeals in cases arising under the Juvenile Court Act. ***Alternatively, the petitioner may use a pseudonym.*** All documents relating to the proceedings shall be impounded unless otherwise ordered by the Appellate Court. After entry of an order by the Appellate Court, the Clerk of the Appellate Court shall review the proceedings. If leave to appeal is not sought by the petitioner, the Clerk of the Appellate Court shall seal the record on appeal before

returning it to the Clerk of the Circuit Court. Any Appellate Court file shall also be sealed.

(f) *Time for Decision; Oral Argument.* After the petitioner has filed the petition, supporting record, and any memorandum, the Appellate Court shall consider and decide the petition within ***five calendar*** [two] days thereafter. Oral argument on the petition will not be heard.

(g) *Variations by Order of Court.* The Appellate Court may, if it deems it appropriate, [order a different schedule or,] order that no memoranda be filed, or order that the other materials need not be filed, or order that oral argument be heard.

(h) *Proceedings before the Supreme Court.* If the Appellate Court affirms the denial of a waiver of notice, the petitioner may seek review by the Supreme Court [and request an expedited schedule]. ***If the petitioner seeks review by the Supreme Court, the Supreme Court shall decide whether to grant review within two days after review is sought and, if review is granted, to consider and decide the petition within five calendar days thereafter. Oral argument on the petition will not be heard.***