

The Thomas More Society

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For Immediate Release

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Thomas More Society Seeks Intervention in Parental Involvement Case in Federal Court *Democratic & Republican State's Attorneys Want Voice in Seventh Circuit Proceedings* *Zbarz vs. Madigan*

CHICAGO...Today, March 31, 2008, the Thomas More Society filed a notice of appeal with the United States Seventh Circuit Court of Appeals, asking that two Illinois State's Attorneys be permitted to voice their concerns regarding the rights of parents to be informed about their minor daughters' abortion plans. On February 28, 2008, Judge Coar ruled that the law, passed 13 years ago, could not go into effect. On March 19th, Judge Coar denied a motion requesting that he reconsider his February 28, 2008, decision in the case of *Zbarz vs. Madigan*. Judge Coar also denied the request of Stewart J. Umholtz (R), the Tazewell County State's Attorney and Edward Deters (D), the Effingham County State's Attorney to intervene in the case to clarify Illinois law. The Illinois Attorney General has also appealed the case to the U. S. Court of Appeals for the 7th Circuit.

In his February 28th decision, Judge Coar ruled that the Parental Notice of Abortion Act of 1995 still could not go into effect because it allegedly did not provide a way for a minor to give consent to an abortion if the parental notice requirement is waived by a court. However, the Illinois "Consent by Minors to Medical Procedures Treatment Act" does not require that a pregnant minor obtain a parent's or guardian's consent for any medical treatment. Judge Coar overlooked the Illinois law that allows a pregnant minor herself to consent to any medical or surgical treatment. Once any parental notice requirement has been waived in a judicial bypass proceeding, the only barrier that the Act places in the path of a minor who chooses abortion has been removed. No separate consent provision is needed.

"We think Judge Coar's decision missed a major Illinois law that is vital to this case," said Thomas Brejcha, President & Chief Counsel of the Thomas More Society. While the Illinois pregnant minors' consent law was called to Judge Coar's attention, unfortunately, it was not sufficiently emphasized by the Illinois Attorney General as part of her defense of the parental notice law. We want to make sure the Seventh Circuit is made aware of this law so that young women are protected, as this law intended." State's Attorneys Umholtz & Deters issued the following statement: "Parents are primarily responsible for the care and support of their children. Regardless of a person's position on abortion, there is widespread agreement that the unconditional love that bonds a parent and a child warrants the need to have medical providers notify a parent so their child is not alone at this vulnerable time in her life."

The Thomas More Society is a public interest law firm which provides legal counsel and defense for those who work to protect innocent human life.

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"Injustice anywhere is a threat to justice everywhere." Martin Luther King