

SB 1594: Repeal the Parental Notice of Abortion Act

Sponsors:

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SB 1594 repeals the Illinois Parental Notice of Abortion Act, which requires a healthcare provider to notify an adult family member (parent, legal guardian, grandparent, or step-parent living in the household) at least 48 hours prior to performing an abortion for a patient under 18. The Act allows for a judicial bypass for those who cannot notify an adult family member. **Decades of research and experience demonstrate that laws like this hurt young people and serve no valid purpose.**

Healthy family communication cannot be legislated: Some argue that laws forcing minors to talk to their parents about their abortions simply encourage family communication – something we all want. However, the idea that the government can force healthy family interactions ignores the realities of life for many teens and the lasting injuries that can result from enforcement of these laws.

- The majority of young people voluntarily tell a parent about an unplanned pregnancy – the younger a teen, the more likely they are to involve a parent. Those who do not tell a parent usually involve another close family member or trusted adult.
- For the minority of teens who do not talk to their parents, it is usually for very good reasons, including: fear of physical or emotional abuse, loss of financial support, or homelessness; fear of being forced to have a child against their will; or other serious family problems such as a parent who is sick or imprisoned.

The judicial bypass process itself can harm young people:

The “judicial bypass” alternative to parental notice – where a minor goes to court and asks a judge for permission to have the abortion without notifying a parent – can actually compound the harms for these young people.

- Many teens face significant logistical hurdles accessing the judicial bypass- such as arranging for time away from school or home during business hours without their absence raising suspicion, and travelling to and from the courthouse.
- Young people are understandably terrified of going to court and of having to tell the most intimate details of their life to a total stranger, who has absolute authority over their decision to have an abortion and their future.

- Abused teens often are not willing to share this information with a judge out of shame or fear that it could lead to DCFS involvement.

The bypass process serves no purpose: Since the Illinois law went into effect in 2013, more than 99.5 percent of the judicial bypass requests throughout the state have been granted, because judges believed the minors were mature enough to make this decision independently, in consultation with their health care providers.

These dangerous restrictions are irrational: Young people are capable of making informed decisions about how to handle an unplanned pregnancy. Illinois law recognizes this by permitting pregnant minors to make all other medical decisions – even those involving far greater risk than a safe, legal abortion – without involving a parent or going to court. A pregnant minor can decide to continue her pregnancy and give birth, can consent to far riskier medical care such as a cesarean section, and can place her child for adoption, all without involving a parent. Only if she decides to end her pregnancy does the government force her to tell her family.

Every leading medical organization publicly opposes forced parental involvement laws: These medical organizations oppose parental involvement laws, because they impose serious and irreversible harms on young people without justification: The American Medical Association; The American Academy of Pediatrics; The American College of Obstetricians and Gynecologists; The Society for Adolescent Medicine; The American Public Health Association.

Supporting Organizations

ACLU of Illinois

American Association of University Women

Chicago Abortion Fund

EverThrive Illinois

Illinois Caucus for Adolescent Health

Illinois Choice Action Team

Illinois NOW

Midwest Access Project

Men4Choice

NARAL Pro-Choice America

National Council of Jewish Women Illinois

Personal PAC

Planned Parenthood of Illinois

Religious Coalition for Reproductive Choice

Women's March Illinois