

ILLINOIS SUPREME COURT

Springfield Right To Life v. Norwood

Springfield Right To Life v. Norwood, 427 Ill. Dec. 754 (Ill. 2019) · Decided March 20, 2019

SUMMARY

This case involves a challenge to Public Act 100-538, which amended the Illinois Public Aid Code to fund elective abortions through Medicaid. Plaintiffs argued the appropriation violated Article VIII, § 2(b) of the Illinois Constitution and the Commission on Government Forecasting and Accountability Act (25 ILCS 155/4(a)) for lack of a revenue estimate. The appellate court dismissed the claim as a nonjusticiable political question, and the Illinois Supreme Court denied leave to appeal. The dissent argued the scope of the political-question doctrine in this context merited review.

CASE DETAILS

COURT	Illinois Supreme Court
JURISDICTION	Illinois
DECIDED	March 20, 2019
DISPOSITION	writ_denied
PROCEDURAL POSTURE	Petition for leave to appeal denied.
PRECEDENTIAL VALUE	Published
PARTIES	Springfield Right To Life v. Norwood

TOPICS

- constitutional law
- separation of powers
- statutory interpretation
- medicare medicaid
- civil procedure

PRACTICE AREAS

- Constitutional Law
- State Government

QUESTIONS PRESENTED

1. Whether the legislature's compliance with the revenue estimate requirements of the Illinois Constitution and the Commission on Government Forecasting and Accountability Act presents a justiciable controversy or is a nonjusticiable political question.

KEY QUOTATIONS

“The courts cannot reject as 'no law suit' a bona fide controversy as to whether some action denominated 'political' exceeds constitutional authority.” (¶ 2)

FACTUAL BACKGROUND

Plaintiffs challenged the passage of Public Act 100-538, which amended the Illinois Public Aid Code to reverse the prohibition on funding of elective abortions under the state's Medicaid system. Plaintiffs argued that the appropriation violated the Illinois Constitution's requirement for a revenue estimate and the Commission on Government Forecasting and Accountability Act. The appellate court dismissed the claim as a political question.

PROCEDURAL HISTORY

The appellate court affirmed the dismissal of plaintiffs' claim, finding it a nonjusticiable political question. Plaintiffs sought leave to appeal to the Illinois Supreme Court, which was denied.

DISPOSITION

writ_denied

CASES CITED

- Baker v. Carr, 369 U.S. 186, 217 (1962)