

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT – COUNTY DIVISION**

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IN RE: )  
) No. 20 [redacted] – COMS [redacted]  
) Initials of Individual in Cook County, ) Calendar [redacted]  
) Respondent ) Room [redacted]  
)

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**NOTICE OF HEARING ON  
PETITION FOR ORDER TO ENFORCE  
THE COOK COUNTY DEPARTMENT OF PUBLIC HEALTH'S ORDER**

To: Initials of Individual in Cook County      Individual Representative, if Known  
c/o or Address                                      Address

Please take notice that on [redacted], the attached petition was filed with the Clerk of the Circuit Court. A copy of said petition is hereby served upon you.

Please take further notice that a hearing will be held on said petition on [redacted], at [redacted] m. in room [redacted] at [redacted], or in whatever room the Court may then designate. You have a right to appear at this hearing. You have a right to be represented by counsel, including the right, if you are indigent, to be represented by counsel designated by the Court. The grounds and underlying facts upon which continued isolation, quarantine or closure is sought are set forth in the attached petition.

\_\_\_\_\_  
Enter Name  
Assistant State's Attorney

**CERTIFICATE OF SERVICE**

I hereby certify that on [redacted], I caused a copy of the foregoing notice and the attached petition to be served, by hand delivery, upon the above individual at the above address.

**VERIFICATION BY CERTIFICATION**

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certified as aforesaid that he verily believes the same to be true.

\_\_\_\_\_

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
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**PETITION FOR ORDER TO ENFORCE  
THE COOK COUNTY DEPARTMENT OF PUBLIC HEALTH’S ORDER**

Now comes the Petitioner, Cook County Department of Public Health (“CCDPH”), by and through the State’s Attorney of Cook County and her Assistants, pursuant to the Illinois Department of Public Health Act [20 ILCS 2305/1.1 *et seq.*], the Control of Communicable Diseases Code (“Communicable Diseases Code”) [77 Ill Adm. Code 690.1300 *et seq.*], and Article II., Board of Health, Section 38-26 *et seq.* of the Cook County Code of Ordinances (“County’s Ordinances”), and respectfully requests that this Honorable Court grant an Order to Enforce CCDPH’s Order and in support of this Petition, Petitioner, CCDPH, states as follows:

1. Pursuant to Section 2 of the Illinois Department of Public Health Act, the Illinois Department of Public Health (“IDPH”) “has supreme authority in matters of quarantine and isolation, and may declare and enforce quarantine and isolation when none exists, and may modify or relax quarantine and isolation when it has been established.” [20 ILCS 2305/2] Pursuant to Section 2310-15, IDPH may delegate its authority to certified local health departments. *See*, 20 ILCS 2310/2310-15.
2. Due to the need for immediate action to respond to a threat of a dangerously contagious or infectious disease, pursuant to Section 690.1310 of the Communicable Diseases Code, IDPH has delegated its powers set forth in Subpart I: Isolation, Quarantine, and Closure. [77 Ill. Adm. Code 690.1300 *et seq.*] to issue orders for isolation, quarantine or closure; physical

examinations and tests; collection of specimens; administration of vaccines, medications and treatments; and observation and monitoring and to issue and enforce orders to certified local health departments within the State of Illinois. *See*, 77 Ill. Adm. Code 690.1310(c).

3. Where a certified local health department has issued an order for isolation, quarantine, or closure, it shall, as soon as practical, within 48 hours after issuing the order obtain the consent of the person or owner or file a petition requesting a court order authorizing the isolation, quarantine or closure. However, when exigent circumstances exist that cause the court system to be unavailable or that make it impossible to obtain consent or file a petition within 48 hours after issuance of an immediate order, IDPH or CCDPH must obtain consent of the person or owner or file a petition requesting a court order as soon as reasonably possible. *See*, 77 Ill. Adm. Code 690.1330(e); *see also* Section 38-33 of the County's Ordinances.
4. Section 38-33 of the County's Ordinances permits, in relevant part, CCDPH to "order measures it deems necessary to protect the public's health including, but not limited to, an order requiring that a person or a group of persons be quarantined or isolated or that a place be closed and made off limits to the public." *Id.*
5. To obtain a court order to enforce CCDPH's Order, CCDPH, must establish by clear and convincing evidence, "that the public's health and welfare are significantly endangered by a person or group of persons that has, that is suspected of having, that has been exposed to, or that is reasonably believed to have been exposed to a dangerously contagious or infectious disease, including non-compliant tuberculosis patients or that the public's health and welfare have been significantly endangered by a place where there is a significant amount of activity likely to spread a dangerously contagious or infectious disease." *See*, 77 Ill. Adm. Code 690.1330(g).

6. Additionally, CCDPH must prove “that all other reasonable means of correcting the problem have been exhausted and no less restrictive alternative exists.” *Id.*
7. In determining whether no less restrictive alternative exists, the Court shall consider evidence showing that, under the circumstances presented by the case in which an order is sought, quarantine or isolation is the measure provided for in an IDPH rule or in guidelines issued by the Centers for Disease Control and Prevention (“CDC”) or the World Health Organization (“WHO”). *See*, 20 ILCS 2305/2(c); 77 Ill. Adm. Code 690.1330(g). The request for a court order shall be for a period not to exceed 30 days. *See*, 77 Ill. Adm. Code 690.1330(g)(1).
8. An order issued by IDPH, CCDPH or the Circuit Court shall be enforced by all local and statewide law enforcement, and all other officers and employees of any political subdivision within the jurisdiction of the certified local health department. *See*, 77 Ill. Adm. Code 690.1340; *See*, 20 ILCS 2305/2. IDPH or CCDPH may request the assistance of police officers, sheriffs, and all other officers and employees of any political subdivision within the jurisdiction of IDPH or CCDPH to apprehend, hold, transport, quarantine or isolate a person who is subject to an order if that person is uncooperative or unwilling to adhere to prescribed treatment or medical instruction of IDPH or CCDPH. *See*, 77 Ill. Adm. Code 690.1340.
9. To facilitate the enforcement of or compliance with CCDPH’s Order and this Court’s Order(s), it may be necessary for the Sheriff or local law enforcement to utilize electronic home monitoring/ GPS or other similar system as the Sheriff and local law enforcement may deem necessary to enforce the terms of this Order.
10. On [REDACTED], CCDPH, an Illinois certified local health department as defined in the Certified Local Health Department Code [77 Ill Adm. Code 600.110 and 600.210], received notice that the health status of Respondent, an individual last

known to be residing at [REDACTED] (town/city/state), and therefore within the jurisdiction of CCDPH, and this Court, could endanger the public's health. *See*, 77 Ill. Adm. Code 690.1330(e)(1)(A); *see also*, Section 38-29 of the County's Ordinances.

11. On [REDACTED], CCDPH issued the Order attached hereto as Exhibit A, CCDPH Order upon the Respondent.
12. The CCDPH Order was served upon Respondent in accordance with the provisions of section 690.1365 of the Communicable Diseases Code. *See*, Proof of Service, attached hereto as Exhibit B.
13. In support of this Petition, CCDPH has attached Supporting Affidavits as Exhibit C. *See*, 77 Ill Admin Code 690.1330 (e)(2).
14. CCDPH issued its Order because Respondent is, or is suspected to be, infected with, exposed to, or contaminated with a dangerously contagious or infectious disease that could spread to or contaminate others if remedial action is not taken. *See*, 77 Ill. Adm. Code 690.1330(a)(1).
15. Specifically, as set forth in Exhibit A, CCDPH Order and Exhibit C, Supporting Affidavits, CCDPH asserts that it has engaged in an investigation of Respondent's health status and has determined that:

Respondent has been diagnosed with a dangerously contagious or infectious disease; **OR**

Respondent is suspected to have contracted a dangerously contagious or infectious disease based upon a presentation of symptoms compatible for a dangerously contagious or infectious disease; **OR**

Respondent is suspected to have contracted a dangerously contagious or infectious disease because he/she is a household member or other person who has come in direct contact to a confirmed or suspected individual with a dangerously contagious or infectious disease;

*See*, 77 Ill. Adm. Code 690.10; *see also* 77 Ill. Adm. Code 690.1330(e)(1)(C).

16. The CCDPH Order further directed that Respondent be subject to isolation or quarantine at

the following location or that the premise at the following location be closed:  
[REDACTED]. See, 77 Ill. Adm. Code 690.1330(e)(1)(B).

17. The CCDPH Order indicated that the above-referenced isolation, quarantine or closure commenced on [REDACTED] and remain in effect for a period not to exceed the incubation and communicability period as determined by CCDPH, which is currently 21 days. See, Exhibit A, CCDPH Order; Exhibit C, Supporting Affidavits; *see also*, 77 Ill Admin Code 690.1330(c)(1); 77 Ill. Adm. Code 690.1330(e)(1)(D) and (E).
18. The measures taken by CCDPH to seek voluntary compliance by Respondent or the basis on which CCDPH determined that seeking voluntary compliance would create a risk of serious harm is set forth Exhibit C, Supporting Affidavits. See, 77 Ill. Adm. Code 690.1330(e)(1)(F).
19. Furthermore, as set forth in Exhibit C, Supporting Affidavits, CCDPH has reason to believe that Respondent poses a serious and imminent risk to the health and safety of others if not detained for isolation or quarantine or if the premise is not closed based on the fact that:  
 CCDPH has determined that Respondent has tested positive for a dangerously contagious or infectious disease; OR  
 CCDPH has been unable to determine whether Respondent is presently contagious, and there is potential that Respondent could become contagious at any time.
20. CCDPH states that all other reasonable means of correcting the problem, short of isolation, quarantine or closure have been exhausted. Under the circumstances presented by this case, there is no less restrictive alternative for Respondent other than isolation or quarantine at the following location or that the premise at the following location be closed: [REDACTED] (*location of isolation, quarantine or closure*). See, 77 Ill. Adm. Code 690.1330(g).
21. In accordance with the Communicable Disease Report Act, the identity of the Respondent,

who is identified as having a communicable disease, shall be confidential and shall not be disclosed publicly or in any action of any kind in any court or before any tribunal. *See*, 745 ILCS 45/1. *See also*, 77 Ill. Adm. Code 690.1355(e) (stating “[m]edical records held by a court related to orders of isolation, quarantine or closure shall be sealed by the circuit court”).

WHEREFORE, Petitioner, CCDPH, respectfully requests that this Honorable Court enter an

Order:

1. Requiring Respondent to comply with all terms and conditions set forth in CCDPH's Order issued on [REDACTED] until such time that CCDPH's Order is lifted by CCDPH.
2. Further requiring that the enforcement of CCDPH's Order expire 30 days after the entry of this Order unless a petition to continue enforcement of CCDPH's Order is granted by this Court.
3. Directing the Cook County Sheriff to enforce CCDPH's Order and this Court's Order(s).
4. Directing applicable local law enforcement to enforce CCDPH's Order and this Court's Order(s) within their jurisdiction.
5. Entering all such orders necessary to facilitate the enforcement of or compliance with CCDPH's Order and this Court's Order(s), including but not limited to electronic home monitoring/ GPS or other system as the Sheriff and local law enforcement may deem necessary to enforce the terms of this Order.
6. Requiring that the identity of the Respondent and all related documents be kept confidential and prohibited from disclosure to the public and in any other action in any other court or tribunal.
7. For such other and further relief as this Honorable Court deems just.

Respectfully submitted,

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States Attorney of Cook County

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By: [REDACTED]  
Assistant State's Attorney  
Attorney for: Petitioner/Cook County  
Department of Public Health  
Address: 500 Richard J. Daley Center  
Chicago, IL 60602  
Phone: (312) 603-[REDACTED]  
Atty. No.: 10295



**EXHIBIT A**

**Cook County Department of Public Health's Order**

**EXHIBIT B**

**Proof of Service of Cook County Department of Public Health's Order**

**EXHIBIT C**

**Supporting Affidavits**

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT – COUNTY DIVISION**

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IN RE:

Initials of Individual in Cook County,  
Respondent

)  
) No. 20 [redacted] – COMS [redacted]  
) Calendar [redacted]  
) Room [redacted]  
)

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**ORDER TO ENFORCE  
THE COOK COUNTY DEPARTMENT OF PUBLIC HEALTH'S ORDER**

This matter coming to be heard on a petition to enforce CCDPH's Order, and the Court, having heard the evidence presented, orders as follows:

1. Respondent shall comply with all terms and conditions set forth in CCDPH's Order issued on [redacted] until such time that CCDPH's Order is lifted by CCDPH.
2. Notwithstanding the Court's directive in Paragraph 1 of this Order, CCDPH's Order shall expire 30 days after the entry of this Order, unless a petition to continue enforcement of CCDPH's Order is granted by this Court.
3. The Cook County Sheriff is directed to enforce CCDPH's Order and this Court's Order(s).
4. Where applicable, local law enforcement is directed to enforce CCDPH's Order and this Court's Order(s) within their jurisdiction.
5. To facilitate the enforcement of or compliance with CCDPH's Order and this Court's Order(s) this Court also orders the following as necessary (i.e. Electronic Home Monitoring etc.):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. The identity of Respondent, this case and all related documents shall be kept confidential and is prohibited from disclosure to the public and in any other action in any other court or tribunal.
7. This matter is continued for STATUS on [redacted], at [redacted] m. in room [redacted] at [redacted], or in whatever room the Court may then designate.

ENTERED BY:

Dated: \_\_\_\_\_

\_\_\_\_\_  
Judge

\_\_\_\_\_  
Judge No.