
Forced Parental Notification Laws

The facts

An overwhelming majority of states in the US have some form of forced parental involvement. These laws require a young person, under the age of 18, to get approval from one of their parents or a legal guardian before having an abortion. Some states require that a parent or legal guardian be notified of the procedure, but many states require one or both parents to consent to the abortion.

Many states allow a [judicial bypass](#), which requires the young person to appear before a judge and convince him or her that they are mature enough to make this decision. The process of receiving a judicial bypass adds additional time barriers on top of mandatory waiting periods in many states, which is problematic when someone is trying to obtain a medical procedure that is time sensitive.

Thirty-eight states require some parental involvement in a minor's decision to have an abortion. Of those 38 states, 21 states require parental consent and twelve states require that the parents be notified, but need not consent. Three of the states that require parental consent require the consent of both parents. One of the states that requires notification requires that both parents be notified.

Why it matters

Some states include language in their laws that the legislature finds that young people are not mature enough to make decisions about their own reproductive health. We know that is not true.

Every person deserves to be able to decide whether and when to have a child, regardless of your age. Young people decide who to include in their personal decisions and it is not the role of politicians to force a parent and child to make this decision together. No one should be forced into any decision regarding child bearing or parenting.

What's happening in my state?

Alabama: Alabama requires the consent of at least one parent before the young person can have an abortion. There is a judicial bypass procedure available. An exception to the parental consent law is granted in the case of a medical emergency, but not for abuse, assault, incest, or neglect.

California: California did have forced parental consent laws, but a judge found these laws to be unconstitutional so the law is not enforced in California.

Georgia: Georgia requires the notification of the abortion, but not the consent, of at least one parent. Georgia has a judicial bypass procedure available. An exception to the parental notification law is granted in the case of a medical emergency, but not for abuse, assault, incest, or neglect. For more information on the judicial bypass procedure in Georgia, contact the phone counselors at [Atlanta Women's Center](#).

Kansas: Both parents must consent to the abortion. A judicial bypass is available, but the person seeking it must present specific criteria and show by "clear and convincing" evidence that they are mature enough to make the decision to have an abortion. An exception to the parental consent law is granted in the case of a medical emergency, but not for abuse, assault, incest, or neglect. More information is available on how to get [a judicial bypass in Kansas](#).

Ohio: In Ohio, one parent must consent to the abortion. A judicial bypass is available, but the person seeking it must present specific criteria and show by "clear and convincing" evidence that they are mature enough to make the decision to have an abortion. There is not an exception to the parental consent law for any reason, including a medical emergency, abuse, assault, incest, or neglect.

Texas: Texas requires the notification and consent of both parents before a young person can have an abortion. The parental consent form must be notarized. Texas does have a judicial bypass procedure. An exception to the parental consent law is granted in the case of a medical emergency, but not for abuse, assault, incest, or neglect. For information about the judicial bypass procedures in Texas, contact [Jane's Due Process](#).

Resources:

NARAL Pro-Choice America, [Restrictions on Young People's Access to Abortion](#)

The Guttmacher Institute, State Policies in Brief: [Parental Involvement in Minor's abortions](#)



URGE is a national nonprofit organization that mobilizes the diverse, upcoming generation of leaders to promote and protect reproductive rights, sexual health & gender justice. Visit us at: www.URGE.org