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## **Adolescents Seeking Abortion without a Parent's Consent Face Numerous Legal Hurdles and Emotional Consequences**

*Judicial Bypass Allows Them to Consent for Themselves but Researchers Say the  
Process Works as a Form of Punishment*

AUSTIN, Texas. (Sept. 5, 2018) – Adolescents under the age of 18 seeking abortions without a parent's consent often undergo a series of humiliating, burdensome and unpredictable hurdles as they try to navigate the legal system, according to a new study led by Kate Coleman-Minahan assistant professor at the University of Colorado College of Nursing and co-investigator at the [Texas Policy Evaluation Project](#).

Coleman-Minahan, PhD, RN and other researchers investigated the judicial bypass experience by which adolescents seek legal permission to obtain an abortion without parental consent. The study was published online today in the [Journal of Adolescent Health](#).

This study focused specifically on Texas. Currently 37 states require parental involvement in obtaining an abortion.

"This is the first study to describe adolescents' experiences with a judicial bypass," said Coleman-Minahan, assistant professor at the CU College of Nursing and lead author of the study. "We found that the bypass process functions as a form of punishment for adolescents."

The researchers conducted interviews with 20 adolescents between the ages of 16-19 about their experiences trying to obtain bypass. Those interviewed were 16-17 years old at the time they went to court. Many had experienced family trauma, adverse childhood experiences including household substance abuse, or had a general fear for their own safety if they told their parents about their decision to seek an abortion.

Once they began the bypass process, they were confronted with more obstacles. Just arranging transportation to the courthouse was sometimes difficult. When they got inside, they faced an often unpredictable process. One young woman spoke of being intimidated by the criminal defendants sitting in the room. Judges, on occasion, would ask for a detailed sexual history which she had to explain within earshot of multiple court staff including a court reporter who records the hearing.

Each adolescent was issued a court-appointed guardian ad litem (GAL), ordered to act in her best interest. In four cases, the GAL appointed by the judge was a pastor or deacon at a church. One respondent recalled her GAL “telling me it’s never the right option to have an abortion.” This GAL also brought staff from an adoption agency to court with her, breaching the young woman’s anonymity and exposing her to more judgment, the study said.

The researchers found that several judges didn’t hide their personal disapproval of the adolescent’s decision to seek an abortion. Sometimes they denied the bypass request altogether.

“Some judges and GALs based their decision or treatment of adolescents on their own personal opinion of abortion,” Coleman-Minahan said. “Multiple participants cried during the interview when describing the hearing, saying they still think about it, even months later.”

The process, researchers said, seemed like punishment itself, for having sex, getting pregnant and having wanted an abortion.

“Proponents of parental involvement and bypass laws claim they protect adolescents from alleged negative emotional consequences of abortion, yet our results suggest the bypass process itself causes emotional harm through unpredictability, humiliation and shame,” the study said.

According to Coleman-Minahan, the fact that this is happening in Texas means it is probably happening in states with similar laws as well.

The study co-authors include: Amanda Jean Stevenson, PhD, University of Colorado Boulder and Texas Policy Evaluation Project; Emily Obront, LMSW, University of Texas at Austin; Susan Hays, JD, Law Office of Susan Hays, P.C. Austin, Texas.

The full citation for the paper is:

Coleman-Minahan K, Stevenson AJ, Obront, E, Hays, S. Young women’s experiences obtaining judicial bypass for abortion in Texas, *Journal of Adolescent Health*. Online First 2018.

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## **About the Texas Policy Evaluation Project**

The [Texas Policy Evaluation Project](#), or TxPEP, is a comprehensive effort to document and analyze the impact of the measures affecting reproductive health passed by the Texas Legislature. The project team includes researchers at the University of Texas at Austin Population Research Center, the University of California San Francisco, Ibis Reproductive Health, and the University of Alabama-Birmingham. The project is supported by grants from the Susan Thompson Buffett Foundation and the Society of Family Planning. Infrastructure support for the Population Research Center is provided by a grant from the Eunice Kennedy Shriver National Institute of Child Health and Human Development. Funders of the Texas Policy Evaluation Project have no role in the design and conduct of the research, interpretation of the data, approval of the final manuscript or decision to publish.