



Dear Parent (or other concerned persons):

If you are reading this letter, then you have been informed that your minor daughter is pregnant. As difficult and upsetting to you as that information may be to hear, there is hope—and help!—for your daughter and you. Many organizations and groups, including The Justice Foundation and the organization that gave your daughter this letter, are available to help you. You are not alone and you are not the first to face this issue—there is hope. Positive, healthy outcomes can arise from this situation.

Your daughter is now the mother of a child in the womb. This gives her important new legal rights that you should know about. Just as you were her mother or father before she was born; she is a mother now, regardless of the surrounding circumstances.

As a mother, she has the fundamental Constitutional right to direct the upbringing and education of her child. *Pierce v. Society of Sisters*, 268 U.S. 510 (1925). That right is hers – not anyone else’s. Although you still have the legal duty to care, protect, and provide for her, she has the right to make decisions about the child in her womb, your grandchild. Under the general laws of the states, minors have the capacity and legal right to consent to all medical care related to the pregnancy, including: prenatal, delivery, and post-natal care, for her and her child. For example, N.M. Stat. § 24-1-13.1 (giving the mother the sole right to consent to an abortion); Miss. Code § 41-41-3 (giving the mother the right to consent to pregnancy-related care). **That includes the decision to bear her child and not abort, if that is her desire.**

Because *Dobbs v. Jackson Women's Health Org.*, 142 S. Ct. 2228 (2022), has overturned *Roe v. Wade*, abortion is now illegal many states. However, **it is illegal in every state for you (or anyone) to force, coerce, or unduly pressure your daughter into having an abortion.** Such action may result in civil liability and/or criminal prosecution for persons involved.

The vast majority of states have fetal homicide laws that prohibit anyone (including relatives) from killing a baby in the womb when the mother of that child wants the baby to live. For example, Virginia Code § 18.2-32.2 (killing a fetus punishable by imprisonment up to 40 years); California Pen. Code § 187 (definition of murder includes “fetus”). Courts have upheld these laws. For example, *Lawrence v. State*, 211 S.W.3d 883 (Tex. App. – Dallas 2006); *Ex parte Phillips*, 287 So. 3d 1179 (Ala. 2018). Congress also passed the Federal Unborn Victims of Violence Act, which makes it a federal crime, in certain circumstances, for anyone to kill a baby in the womb against the mother’s wishes.

You may not **force, coerce, or exert undue pressure** upon your daughter to have an abortion. Such action may also subject you to reporting and prosecution for child abuse. Besides possible criminal prosecution, both you and the abortionist could be held liable for various civil

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torts, such as medical battery, negligence, wrongful death, intentional infliction of emotional distress, or other claims.

Common examples of force, coercion, or undue pressure may include, but are not limited to, any of the following:

1. **“If you have this baby, I am kicking you out of my house.”** (This violates your duty under State law to care for your daughter until she reaches the age of majority.) You do not have to support her child, but you do have to support **your minor daughter** just as she has to support her child. She also has the right to child support from the father of the child. You and/or she may be eligible for financial assistance from the state and other groups.
2. **“No more talking; I am taking you for an abortion. I have made the appointment.”** You may continue to make parenting decisions for her, but not any decisions related to prenatal care, abortion, or birth of her child. Keeping the baby is her choice alone.
3. **“You are my child, and you will do what I say. You will have the abortion.”**
4. **“I will beat you within an inch of your life, if you don’t get an abortion.”** (Any threat or infliction of violence is unlawful.)
5. **“You are grounded, cut off, and stranded, (or any other punishment) for not choosing to abort.”**

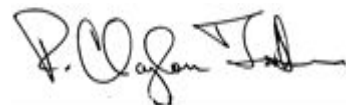
You are also risking estrangement from your daughter, who may not forgive you for forcing her to have an abortion.

As a Christian organization, we provide our services at no charge to those in need. We have heard from many women, who have been forced or pressured to have abortions, that they suffered years of devastation. We hope that this will be informative and helpful to both you and your daughter.

Sincerely,



Allan E. Parker
President
The Justice Foundation



R. Clayton Trotter
General Counsel
The Justice Foundation

****Disclaimer: This letter is for general educational and information purposes and does not constitute specific legal advice. Situations and state laws vary and you should consult an attorney for specific legal advice.***

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