

A WOMAN'S WORLD MEDICAL CENTER, INC.
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FACTS FOR MINORS ABOUT THE PARENTAL NOTIFICATION
LAW

If you are under the age of 18, pregnant, unmarried, not on active duty in the military, and want to have an abortion, this law requires that a parent be notified; however it **DOES NOT** require to get permission from your parent.

- * You can tell a parent (your legal guardian, foster parent or custodian may be considered a parent),
OR
- * The doctor or clinic will notify a parent,
OR
- * You can ask a judge for permission to have an abortion without your parents knowledge.

Notice to your parent is not required:

- * If you ask and the court agrees to waive the requirement of parental notification. This process is called a judicial bypass,
- * When your doctor feels that there is a medical emergency. In this case, no further action is required on your part, or
- * When your parent goes with you to the office or clinic where you are requesting an abortion.

If you tell a parent and he or she does not go with you to the doctor's office or clinic, then your parent must complete a form and have it notarized and it must be returned to the doctor or clinic before the procedure.

If you give the doctor permission to notify a parent, the doctor or clinic may notify your parent in one of two ways:

- * Your doctor or clinic can call, 48 hours before the procedure, a parent and tell them, or
- * Your doctor or clinic can have notice sent to your parent's address, 72 hours before the procedure, by restricted certified mail. The certified mail will only be delivered to the person named on the letter.

If you decide to ask a judge, you must fill out a form called a petition. The petition tells the judge why you want the notice requirement waived. You can get this form, during normal business hours, in the Family Division office at the courthouse in the county where you live, where you are sheltered, or where you plan to have the abortion. Someone in the Family Division will be able to help you. This person is called a Judicial Bypass Team member. He or she will explain the waiver process, help you complete the petition, contact a lawyer for you, and set up a hearing with a judge. You can also call the Family Division office if you need other information.

The court may grant a waiver for the following reasons:

1. The judge finds you are mature enough to decide whether or not to have an abortion,
2. The judge has clear evidence that you were physically, sexually or emotionally abused by your parent, or
3. The judge finds that it is not in your best interest to have your parent notified.

You will have to give the judge the information that he or she needs to make the final decision about your request for abortion notice waiver. The court will provide you with an attorney, at no charge, to help you to present information to the judge, unless you say in your petition that you want to represent yourself or that you have your own attorney. You may want to bring other people who know you to the hearing to help the court decide if you are mature enough to make the decision about having an abortion.

All forms and other records kept by the court are confidential. However, if you report abuse or neglect, the court will notify the Department of Children and Families (DCF) about the abuse; but they will not be told about your waiver petition of why you were in court.

If the court doesn't make a decision within 48 hours after you file the petition, then the petition is automatically granted. The Family Division will give you a form called a certification. You must give that form to your doctor or clinic as proof that the notice is not needed so that you can have the abortion.

If the judge makes a decision, then the judge will tell you what was decided and you will get a copy of the court order. The order will be available for you to pick up within 48 hours after you filed the petition. In most cases, the order will be given to you immediately after the hearing.

If the petition is granted and you still want the abortion, you must give the court order to your doctor or clinic. Your parent will NOT be notified.

If the petition is granted and you no longer want the abortion, then your parent will NOT be notified.

If your petition is denied and you still want the abortion then:

*You must give the court order to your doctor or clinic and the doctor will notify your parents of the planned abortion, OR

* You can ask a higher court to review the judge's decision to see if it was correct. This is called an appeal. The law says that appeals about abortion notice must be handled quickly. The judge will tell you and your attorney how to ask for an appeal and give you the forms needed.

If your petition is denied and you no longer want the abortion, then your parent will NOT be notified.

If you have further questions about the law or your options under the law, contact the doctor or clinic you are seeking services from.