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Children's Rights

<https://www.hrw.org/news/2022/06/23/us-states-should-protect-youth-abortion-access>

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Forced Parental Involvement Harms Young People, Delays Care

Margaret Wurth

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As people in the United States prepare for the Supreme Courts [likely overturning of *Roe v. Wade*](#), [lawmakers in many US states](#) are moving to [safeguard abortion access](#). Removing [barriers young people face](#) in accessing abortion care should be a top priority.

Thirty-seven [US states](#) require people under 18 to involve a parent in an abortion decision. Most young people *do* involve a parent or trusted adult in their decision, even when the law does not require it. But some do not, often because they fear physical or emotional abuse, being kicked out of the home, or being forced to continue a pregnancy against their will.

Young people can go to court and ask a judge for permission to have an abortion without parental involvement, a process called [judicial bypass](#). This involves demonstrating to a judge that they are sufficiently mature to have an abortion without involving a parent, or that involving a parent is not in their best interests. The process is difficult, even traumatizing, and delays abortion care.

Last year, as [states like Texas](#) imposed near total abortion bans, Illinois [repealed its parental involvement law](#), a bold move to defend young people's rights and dignity. Young people in the state can now access abortion care without being forced to involve unsupportive parents or face a judge. They can receive support from whoever is best positioned to offer it, whether a parent or someone else they trust.

Our [research with the American Civil Liberties Union of Illinois](#) showed that Illinois parental involvement law harmed young people. Some found the process too intimidating and felt compelled to continue unwanted pregnancies. Others were pushed to involve unsupportive or even abusive parents who threatened their safety, interfered in their decision making, or punished or humiliated them.

While nearly all judicial bypass petitions in Illinois were ultimately granted, young people still had to contend with fear that their petitions could be denied. In other states, judges do [deny judicial bypass petitions](#). In one particularly [appalling ruling](#) this year, a Florida judge [denied a young person's petition](#) for a judicial waiver, partly because he thought [her high school grade point average was too low](#).

State lawmakers who want to further entrench reproductive rights in law, even as the Supreme Court sets to eviscerate federal guarantees, should follow Illinois's lead and repeal harmful forced parental involvement laws.

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This dispatch is part of a series of on abortion and human rights globally. You can view all of the articles here:

<https://www.hrw.org/topic/womens-rights/reproductive-rights-and-abortion>

Or read them individually here:

[US Supreme Court Topples *Roe v. Wade* in a Blow to Rights](#)

[The US Is Falling Behind Other Democracies When It Comes to Abortion](#)

[As US States Restrict Abortion Access, Mexican States Expand It](#)

[Recognized Yet Limited: Abortion Rights in Nepal](#)

[South Korea's Constitutional Right to Abortion](#)

[How Colombia Could Inspire the Fight for Abortion Rights in the US](#)

Ending Preventable Deaths from Cervical Cancer in Rural Georgia

The Human Rights Consequences of Parental Notice of Abortion in Illinois

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