

How To Get An Abortion In Pennsylvania If You're A Teen

If you are under 18, Pennsylvania requires you to get permission from one of your parents to have an abortion. Everyone's situation is different: involving your parents or guardian may not be an option. Start by calling an abortion clinic to talk with a medical provider about how to get an abortion without parental involvement.[1]

Judicial Bypass

If you are under 18 in Pennsylvania, you can meet privately with a judge who can give permission for the abortion without telling your parents. This process is called a "judicial bypass."

Can I still get an abortion without my parents' permission during Coronavirus?

Yes, you have the right to timely and confidential judicial bypass in Pennsylvania. Some courts may be temporarily closed, but judges remain available for judicial bypass. Abortion is essential healthcare, and abortion clinics are open in Pennsylvania.

Does it cost money for judicial bypass?

No, you do not have to pay money for judicial bypass.

Do I need a lawyer?

No, but you have a better chance of getting judicial consent with a lawyer's help. You will also avoid significant delays during Coronavirus by working with a lawyer. Your lawyer will be free if you use one appointed by the court.

What happens at the hearing with the judge?

It is not a trial. The hearing is usually informal and short. It is absolutely confidential. No one is allowed to attend except you, your lawyer, the judge, and possibly the judge's clerk. In some counties, including Allegheny and Dauphin counties, the judges are handling hearings by phone/videoconferencing during Coronavirus.

What does the judge have to decide to grant my petition?

The judge is required to answer one question: is this young person mature enough to make their own decision? If the answer is yes, the judge must give you permission for the abortion regardless of how he or she feels about it. You must also tell the judge that you have been counseled by a medical provider about your options and the risks of abortion.

How long will it take a judge to decide?

The judge usually decides during the hearing, but at the latest the judge must decide within three business days after you file your application. If the judge does not decide within three business days, you have the right to a free, confidential speedy appeal to a higher court.

What can I do if the judge denies my petition?

We know of only 5 cases out of thousands over the past 26 years in which a Pennsylvania judge denied a bypass petition, and in all 5 cases, the minor ultimately was able to end the pregnancy. If denied, your lawyer can file an immediate appeal with the state Superior Court, which must decide within five business days. If you do not have a lawyer, please immediately contact the Women's Law Project at 412-281-3048 or 412-281-2892.

Is it legal for a minor to cross state lines to get an abortion?

Yes, but adults who are accompanying minors under 14 to out-of-state abortion providers should contact a lawyer to ensure they are not violating Pennsylvania's interference with custody of a minor law.

Need legal information or assistance?

You may experience a harder time navigating judicial bypass during Coronavirus. WLP attorneys are here to help. Call the Women's Law Project at 412-281-3048 (Spanish-speaking support is available) or 412-281-2892.

This information is not intended as legal advice or as a substitute for the advice of a lawyer. Please consult a lawyer if you have any questions about your rights.

[1] This guide is specific to Pennsylvania law and regulations. Mandatory parental involvement laws are different in other states. Start with calling a clinic that performs abortion if you are seeking abortion services outside of Pennsylvania.