



Written by [Dave Bohon](#) on August 19, 2011

Court Rules in Favor of Arizona Pro-Life Law

[LifeNews.com](#) reported that the appeals court had heard oral arguments in June in [Planned Parenthood Arizona v. Horne](#), “a case the abortion business filed which challenges key aspects of the 2009 Abortion Consent Act.” The measure, signed by pro-life Governor Jan Brewer, was immediately challenged by Planned Parenthood and blocked by a Superior Court judge while the case moved through the legal system.



LifeNews reported that the pro-life [Center for Arizona Policy](#) had drafted the Abortion Consent Act, and was part of a team — which included the [Alliance Defense Fund](#) (ADF), the [Bioethics Defense Fund](#), and [Life Legal Defense Foundation](#) — working to defend the law’s constitutionality.

Applauding the ruling as a “major victory for Arizona women,” Deborah Sheasby, legal counsel for the Center for Arizona Policy, noted that the court’s ruling simply acknowledged the right of state lawmakers “to pass legislation to protect the health and safety of women considering abortion.” She said that everyone “deserves full and accurate information before undergoing any medical procedure. These types of protections have been repeatedly upheld and are overwhelmingly supported by the public.”

Added ADF senior counsel Steven Aden, who assisted in the defense of the law: “If Planned Parenthood truly cared about what’s best for women, they wouldn’t be repeatedly going to court around the nation to stop laws that allow women to make fully informed choices.” He said that the court ruled correctly “in rejecting the arguments of the nation’s largest purveyor of abortion. The protection of women is not unconstitutional.”

In its 3-0 opinion, the Court of Appeals held that “the statutes at issue would withstand federal constitutional scrutiny,” and that “the Arizona Constitution — to the extent it protects abortion rights at all — offers no greater protection than the federal constitution with respect to the regulations at issue in this case.... We hold that the statutes affected by the preliminary injunction are constitutional, and we therefore vacate the injunction in its entirety.”

As passed, the law requires that:

- A woman seeking an abortion must be provided by a physician, at least 24 hours before the procedure, with full and accurate information about both the dangers and alternatives to the procedure.
- A minor seeking an abortion must have a parental signature of approval.
- Medical professionals cannot be compelled to perform an abortion in contradiction of his or her religious or moral beliefs.
- A non-doctor is not permitted to perform surgical abortions.



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The [Associated Press](#) reported that while the “new provisions could take effect as soon as a month from now,” the law could also be “held up for more than a year if Planned Parenthood of Arizona files an appeal in the Arizona Supreme Court.”

Nonetheless, as reported by LifeNews, almost immediately following the court ruling Planned Parenthood of Arizona announced that it would “no longer do abortions at seven locations — including communities outside of Phoenix and Tucson.”

According to the pro-life news site, “Planned Parenthood President Bryan Howard told the [Arizona Republic](#) newspaper the abortion business would be appealing the court’s decision but it has no choice but to stop doing abortions until and unless another court rules because the laws are in effect now.”



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