

Harris v. McRae (1980)...5/4.

Upheld the Hyde Amendment which restricts federal funding of Medicaid abortions only to cases of **life endangerment** of the woman (and, since 1994, rape or incest at behest of the Clinton administration), not merely endangerment to her **health**.

Williams v. Zbaraz (1980)...5/4.

Upheld an Illinois statute prohibiting the use of state funds for abortions **except where necessary to save the woman's life**.

H.L. v. Matheson (1981)...6/3.

Although a state may not constitutionally legislate a blanket, unreviewable power of parents to veto their daughter's abortion, a statute setting out a mere requirement of parental notice when possible does not violate the constitutional rights of **immature dependent minors**. The plaintiff did not allege maturity or ability to prove an abortion was in her best interests absent parental notification. As applied to immature dependent minors, the statute serves important considerations of family integrity as well as providing an opportunity for parents to supply essential medical information to physicians. That the requirement of notice to parents may inhibit some minors from seeking abortions is not a valid basis to void the statute as applied to immature dependent minors. The Constitution does not compel a state to fine-tune its statutes so as to encourage or facilitate abortions.

DISSENT: Some pregnant minors may attempt to self-abort or to obtain an illegal abortion rather than risk parental notification.

This is the only valid policy reason for upholding non-notification to parents. But, it is not founded on constitutional principles. And, if we are looking to the greater good, it seems to me that the scales weigh in favor of support for the family unit rather than laws that effectively substitute the government as the parent. And, at a minimum, this is a "legislative function." If the child convinces a judge she is "mature," there is no obligation to notify parents. A 12 year old child can be refused a ticket to an "R" rated movie, but she can abort without the State or Doctor notifying parents. I guess I am beating a very dead horse, but I cannot believe that *Bellotti* is still good law. Additionally, it seems to me that the likelihood of a child attempting to self-abort if she knew she had to notify her parents is about as high as self-aborting if she knew she had to get a judge's permission. She still takes the risk it will get back to her parents.
