

## The Impact of a Parental Notification Law on Adolescent Abortion Decision-Making

ROBERT WM. BLUM, MD, PhD, MICHAEL D. RESNICK, PhD, AND TRISHA A. STARK, PhD

**Abstract:** In 1984, we investigated the impact of a parental notification statute with judicial bypass procedures in Minnesota. Subjects were interviewed on the day of their abortion at four Minnesota and two Wisconsin clinics. Relatively few were aware of the statute in Minnesota. Parental notification rates were similar in Minnesota and Wisconsin, which has no parental notification statute. (*Am J Public Health* 1987; 77:619-620.)

### Introduction

In August 1981, the State of Minnesota enacted legislation stipulating that a minor must be able to demonstrate that both biologic parents, if living, have been notified of her intent to terminate pregnancy.<sup>1</sup> Later, a court "bypass" provision was added whereby minors who were unable or unwilling to notify both biologic parents might seek court certification of maturation so as to provide informed consent for abortion on their own.

The present study investigated three central questions: 1) Who utilizes the court bypass procedure? 2) Is there pre-pregnancy awareness of a parental notification law? 3) Does a state law requiring parental notification prior to abortion increase the likelihood that a minor seeking abortion will discuss her intent with her parents?

### Methods

During a three-month period in 1984, all females under the age of 18 years who utilized four Minnesota and two Wisconsin clinics were invited to participate in the study while waiting for their abortion. Wisconsin is socioeconomically, ethnically, geographically, and demographically similar to Minnesota but does not have a parental notification law.

Three of the Minnesota clinics were located in the Twin Cities area, the fourth in a smaller metropolitan community. The participation rate was 82.9 per cent of the eligible subjects. In Wisconsin, one clinic was in a large metropolitan area, the second in a community parallel to the smaller metropolitan community in Minnesota. The participation rate was 61.9 per cent. In 1982, the four Minnesota clinics performed 78 per cent of the 5,082 abortions completed on

Address reprint requests to Robert Wm. Blum, MD, PhD, Associate Professor, Pediatrics and Maternal & Child Health, and Director, Adolescent Health Program, University of Minnesota, Box 409—UMHC, Harvard Street at East River Road, Minneapolis, MN 55455. Dr. Resnick is Assistant Professor and Research Coordinator, Adolescent Health Program and Program in Hospital & Health Care Administration; Dr. Stark is a psychologist with the Adolescent Health Program, both at University of Minnesota. This paper, submitted to the *Journal* December 26, 1985, was revised and accepted for publication October 21, 1986.

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women under the age of 19 in Minnesota and all adhered rigorously to the state notification statute.

A usable sample of 148 Minnesota minors and 37 Wisconsin minors was identified, with no difference in age distribution (13-17 years) for the two groups. Informed consent was obtained by a researcher unaffiliated with the clinic; all data were collected by one of the research staff in a setting which assured confidentiality. Interviewers were screened for neutrality. Interview questions focused on five areas: sociodemographics; abortion decision-making; attitudes toward abortion and parental notification; interpersonal relationships; contraceptive utilization.

### Results

#### Utilization of Court Bypass Alternative

Of the 148 Minnesota minors participating in the study, 64 (43.2 per cent) utilized the court certification process. Of those, 16 (25 per cent) reported having notified one parent while the remaining 48 notified neither parent. The older the adolescent, the more likely she was to use the court bypass procedure and notify neither parent (Table 1).

When age was controlled, the relationship of socioeconomic status (measured by Hollinghead Index) to court bypass was not apparent, except for 16 year olds, for whom those in the higher socioeconomic brackets were more likely than those in the lower socioeconomic brackets to use court bypass procedures.

While, according to Minnesota statute all county juvenile courts are supposed to hear abortion petitions, almost without exception, hearings occur in only three urban locations: Minneapolis, St. Paul, and Duluth. Nevertheless, proximity to a juvenile court was not a major determinant of using the court bypass process, with comparable proportions of urban, rural, and suburban youth utilizing the court bypass.

TABLE 1—Rates (%)\* of Parental Notification and Court Bypass Procedure by Age of Adolescents for Minnesota

Age (years)	No Court/Both Parents Notified	Court/Neither Parent Notified	Court/One Parent Notified
13	4 (100)	0	0
14	4 (100)	0	0
15	18 (64.3)	6 (21.4)	4 (14.3)
16	28 (54.9)	19 (37.3)	4 (7.8)
17	24 (42.6)	23 (41.8)	8 (14.6)
Total	78	48	16

\*Row percentages in each section show percentages of total Minnesota and Wisconsin sample, respectively.

**Awareness of Parental Notification Law**

Over half of the Minnesota participants reported having no awareness of laws related to abortion prior to making a clinic appointment for pregnancy termination. Sixteen per cent knew of a court option, and less than one-fourth were aware that pre-abortion notification of parents was mandated by law. Only 12 adolescents (8.8 per cent) knew about both the parental notification and court bypass components of the law.

**Parental Communication**

When parental notification rates in Minnesota were compared with Wisconsin, a slightly greater proportion of minors were found to notify *both* parents in Minnesota (43.5 per cent vs 32.4 per cent). For notification of *at least one* parent, no difference existed between Minnesota (65.3 per cent) and Wisconsin (62.1 per cent).

In situations where only one parent was notified and it would have been feasible to notify both, adolescents turned to their mothers almost without exception (93 per cent). For those who chose to tell neither parent, anticipated family conflict with or without antecedent intra-familial problems was the major rationale for avoidance of parental notification.

Such fragility does not appear to be a function of family composition, for minors who lived with both biologic parents notified at least one parent 60 per cent of the time, while 73 per cent of those living in a single-parent home chose to notify at least one parent prior to abortion.

The religious affiliation of youth seeking abortion paralleled the general distribution of Minnesotans' religious affiliation. Examining the religiosity of abortion seekers measured by the frequency of attending religious services over the previous three months, 70 per cent of those who reported never attending services notified at least one parent, compared to 49 per cent of those who reported attending religious services 10 or more times.

*Discussion*

While a previous study in the Twin Cities area found that a minority of adolescents informed at least one parent of a planned abortion,<sup>2</sup> the present study found nearly two-thirds of them providing such notification. Our findings are consistent with those of Cartoof and Klerman<sup>3</sup> in Massachusetts. In counterdistinction to the Massachusetts data, there is little evidence to indicate large number of Minnesota youths are leaving the state for abortion (data available on request to author).

The choice for a minor to avoid parental notification and thereby utilize the court bypass procedure is clearly associated with the age of the minor. These findings are consistent with those of Clary,<sup>2</sup> as well as the observations of juvenile court magistrates who hear these petitions in Minnesota.<sup>4</sup>

Our data have limitations in that the number recruited in Wisconsin was small and perhaps not altogether comparable to the number recruited in Minnesota.

Nonetheless, the pressing question before legislatures is: If it is true that parental notification laws do not significantly increase the likelihood that a minor will speak with a parent, is it worth the liberty costs to the individual and the economic costs to society to maintain a statute requiring parental notification with or without judicial bypass procedures?

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