

YOUTH RIGHTS IN PENNSYLVANIA: REPRODUCTIVE RIGHTS FOR FEMALES WHO ARE MINORS

Do minors need the consent of their parent or guardian to get birth control, pregnancy tests, testing for Sexually Transmitted Diseases or HIV?

No. Minors can consent to all of these services on their own without an adult's permission. Also, most family planning clinics receive federal funding and by law must keep all information confidential, and cannot notify parents without the youth's permission.



Can a pregnant teen consent to medical treatment?

Yes. A teenager who is pregnant or has been pregnant can consent to her own medical care, including prenatal care. A minor who seeks an abortion in Pennsylvania, however, will either need to obtain her parent's or guardian's consent or a court order.

If a teenage girl does not want to carry her pregnancy to term, can she have an abortion without her parents' involvement?

In Pennsylvania, except in the case of a medical emergency, a physician must obtain the informed consent of at least one of the minor's parents or guardian before performing an abortion on a minor who is not emancipated.

If a parent refuses to consent or if the minor does not want to ask for her parent's consent, the minor can ask for a Judicial Bypass so that the court will give the minor permission to get an abortion. The petition is filed with the Court of Common Pleas of the judicial district in which she lives or where she is seeking an abortion. For more information on abortion and judicial bypasses please see Juvenile Law Center's "Female Reproductive Rights- Abortion" Factsheet

Can a teen's parent force her to have an abortion?

No. Except in a medical emergency where the teenager's life is at risk, no parent or guardian may force a minor to have an abortion. If a teenage girl feels threatened that this may happen, she can go to the court for assistance.

Does the father of the child have any say in whether or not the baby's mother chooses an abortion?

No. The right to decide whether to have an abortion belongs to the pregnant woman. The father's consent is not required nor does he have a right to be notified.

What should a pregnant teen do if she is interested in having her baby adopted?

A pregnant teen can begin the process by talking with a counselor at private or public adoption agencies. The mother cannot give up her rights to her child and provide consent for the adoption until the baby is at least 72 hours (three days) old. The father can sign a consent as soon as he learns of the birth of his child. To be valid, consent must be "voluntary, intelligent, and deliberate," which means that the consent must not be forced or accepted without presenting the mother with sufficient information about what termination of parental rights will mean and what alternatives and services exist for teen parents.



After adoption can the teen parent have any contact with the child?

In Pennsylvania, there is no open adoption so once a parent's rights are terminated the parent has no legal right that can be enforced by a court to see the child unless the adoptive parents allow it.

Can teenagers place their child for adoption without their own parent's permission?

Yes. Like any parent, minor parents can give up their children for adoption without their own parents' consent. However, the minor's parents must be notified of the hearing at which the minor's parental rights will be terminated.

Can a teenager's parent force her to place her child for adoption?

No. A teenage parent has the right to make decisions regarding the adoption of his or her child. If consent is forced, it is not voluntary, and is not valid.

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