

Minors Seeking Abortion in South Carolina

Anyone under the age of 17 who wants an abortion in South Carolina must:

- Get *written consent from a parent, guardian, or grandparent* prior to receiving abortion care;¹
- *Waivers are available in a medical emergency or if the pregnancy is the result of incest.* However, if the teen asserts that the pregnancy resulted from incest, the physician performing the abortion is required to report the incest to the state.²
- Understand that there is a process called *judicial bypass which allows a minor to ask a judge for approval for an abortion instead of obtaining parental consent.* Most minors talk through obtaining an abortion with their parents or guardians, but a minor may seek a judicial bypass for a number of reasons, including maturity, the threat of violence in the home, or a pregnancy that is a result of rape or incest. The judicial bypass process involves the minor filing a request with a local court for a confidential hearing before a judge.³

If you are working with a minor who wishes to obtain judicial bypass instead of obtaining parental consent, contacting the clinic is the best first step. The clinic can help the minor navigate the judicial system and find an attorney. The clinic will walk the minor through the judicial bypass process, provide them with the required documentation, and give them information about filing a request with the court.

¹ S.C. Code Ann. §§ 44-41-10, 30-37; Guttmacher State Policies in Brief, Parental Involvement in Minor's Abortion, Sept. 1, 2015, available at http://www.guttmacher.org/statecenter/spibs/spib_PIMA.pdf

² *Id.*

³ S.C. Code Ann. §§ 44-41-32.

