Planned Parenthood v. Casey (1992) [1]


Almost ten years after the landmark decision in Roe v. Wade [5] (1973) the battle over abortion [6] was still being waged. The reproductive rights [7] of women in the United States were being challenged by the Pennsylvania Abortion Control Act of 1982 [8]. The act was comprised of four provisions that restricted the fundamental right a woman had to obtaining an abortion [6], as established in Roe v. Wade [5]. The four provisions included spousal notification, information disclosure, a twenty-four hour waiting period, and parental consent for minors.

The US District Court of Eastern Pennsylvania declared all of the provisions to be unconstitutional when a suit was brought forward by five abortion [6] clinics and a physician before the provisions went into effect. However, the State Court of Appeals reversed this decision claiming that all provisions except the spousal notification were indeed constitutional. Planned Parenthood of Southern Pennsylvania then appealed the courts decision to the US Supreme Court.

The oral argument for Planned Parenthood v. Casey (1992) began on 22 April 1992 with Kathryn Kolbert [9] representing Planned Parenthood of Southern Pennsylvania. Kolbert argued that the provisions in the Pennsylvania Abortion Control Act of 1982 [8] violated the decision made in Roe v. Wade [5] that the right to an abortion [6] was fundamental. If the fundamental right to abortion [6] were to be removed, women would be forced to back alleys to receive abortions which would be detrimental to the woman’s life and health. She also argued that the right to privacy would be dismantled if the provisions were upheld.


The contentious court case Planned Parenthood v. Casey once again brought reproductive rights [7] into the public eye and forced the courts to either reaffirm or overturn Roe v. Wade [5]. Although the decision in Roe was ultimately reaffirmed, most agree that the provisions adopted by Planned Parenthood v. Casey began to chip away some of women?'s reproductive rights [7].