

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	NOTICE TO MINOR OF RIGHTS REGARDING WAIVER OF PARENTAL CONSENT FOR AN ABORTION	Name of Court Contact Person
Court address	Telephone no.	

YOU ARE NOTIFIED:

The law requires that you and one of your parents or your legal guardian give written consent for an abortion to be performed on you if you are an unemancipated minor. However, in certain cases the circuit court may grant you a waiver of the requirement for consent by your parent or legal guardian. This would enable you to consent to an abortion by yourself.

You may petition the circuit court for a waiver of the requirement for your parent's or legal guardian's consent 1) if your parent or legal guardian is not available or refuses to give his or her consent, or 2) if you choose not to seek the consent of your parent or legal guardian. A form is available to petition the court and is called "Petition for Waiver of Parental Consent for an Abortion." **If you decide to petition the court for waiver of parental consent for an abortion, you have the following rights:**

1. All court proceedings will be confidential and you may use your initials in the petition if you do not want to use your full name.
2. You can ask the court to appoint an attorney or guardian ad litem to help you before or after filing the petition. If you ask the court for an attorney or guardian ad litem, one will be appointed immediately at no cost to you.
3. You can ask the clerk for help in preparing and filing your petition.
4. You can have the petition signed and filed by a "next friend" instead of doing it yourself. A "next friend" is any competent and responsible adult. The following cannot be a next friend: a) a physician who performs abortions, b) a person who is employed or paid by a physician who performs abortions or an organization that provides abortions or abortion counseling and referral services, and c) a person who serves as a board member or volunteer to an organization that provides abortions or abortion counseling and referral services.
5. The forms you will need to file with the court will be given to you free of charge and you can file your petition without paying a filing fee.
6. You will have a hearing on your petition within 72 hours, excluding Sundays and holidays.
7. All court proceedings are closed to the public.
8. The court is required to issue an order either allowing or denying your petition within 48 hours, excluding Sundays and holidays, after the hearing ends.
9. If the court denies your petition for waiver of parental consent, you can appeal the order to the Michigan Court of Appeals. If you want to appeal the order, the court will appoint an attorney to represent you.

Some Additional Information from the Parental Rights Restoration Act of 1990

- To have the court order a waiver of parental consent, at the hearing you must prove either of the following:
 - 1) that you are sufficiently mature and well enough informed to make a decision to have an abortion independently of your parents or legal guardian; or
 - 2) that the waiver of parental consent will be in your best interests.
- If you state that your pregnancy is the result of sexual abuse, the circuit court must take specific actions under the Child Protection Act to protect you.
- Written consent does not have to be given for an abortion performed because of an emergency. An emergency is a situation where your continued pregnancy would create an immediate threat and grave risk to your life, as certified in writing by a physician.
- Even if granted a waiver of parental consent, a person cannot perform an abortion otherwise prohibited by law.
- The law that gives you the right to petition for a waiver of parental consent for an abortion does not create a right to an abortion.