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Northland Family Planning Clinic, Inc. v. Cox

12.09.2008

Filing date: 03/01/05

State: Michigan

Plaintiff(s): [Northland Family Planning Clinic, Inc.](#), Northland Family Planning Clinic, Inc. – West, Northland Family Planning Clinic, Inc. – East, Summit Medical Center, Inc., Planned Parenthood Mid-Michigan Alliance, and Planned Parenthood of South Central Michigan, on Behalf of Themselves and Their Physicians, Staff and Patients, and Stanley M. Berry, M.D., Timothy R.B. Johnson, M.D., Karolne S. Puder, M.D., and Ronald C. Strickler, M.D., on behalf of themselves and their patients

Center Attorney(s): [Janet Crepps](#)

Co-Counsel/Cooperating Attorneys: Co-Counsel: Talcott Camp and Chakshu S. Patel of ACLU RFP (attorneys for Individual Plaintiffs) Donna Lee and Roger Evans of PPFA, Michael J. Steinberg and Kary L. Moss of ACLU Fund of Michigan (attorneys for Planned Parenthood), Local Counsel: David A. Nacht, P.C.

Summary: In 2005, the Center, along with Planned Parenthood and the ACLU, challenged the constitutionality of Michigan's so-called "Legal Birth Definition Act." By defining the fetus as a "legally born person," the Act prohibited virtually all abortions after the first trimester. The federal district court issued an injunction that prohibited the Act from taking effect, and subsequently found the ban unconstitutional. The Sixth Circuit Court of Appeals affirmed the ruling, finding that the Act impermissibly banned the safest and most commonly used procedures for second trimester abortions. Notably, the Sixth Circuit's opinion was issued in June of 2007, after the U.S. Supreme Court upheld the federal abortion ban. In finding the Act invalid, the Sixth Circuit observed that Michigan "passed a very broadly-worded statute that showed no meaningful attempt to comply with the constitutional limitations articulated by federal courts in the area of abortion law." The Supreme Court declined to review the case, leaving the Sixth Circuit's opinion undisturbed.

State: [MI](#)

Status: [Closed](#)

Legal Documents

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