Louisiana Will Appeal Abortion Law Ruling

BATON ROUGE, La. (AP) — Louisiana will appeal a federal district judge’s ruling that struck down most parts of the state’s abortion law. Attorney General William Guste said Friday.

It was the first indication that Louisiana will go to the 5th U.S. Circuit Court of Appeals with last Monday’s ruling by U.S. District Judge Robert Collins.

Guste said the appeals to the U.S. Supreme Court, if necessary, could take years. Until the matter is settled, he said, all of Louisiana’s 1980 abortion statutes will be enforced.

Two pregnant women, three doctors and five women’s clinics, all represented by the American Civil Liberties Union, challenged Louisiana’s abortion law soon after it was enacted in 1980. Collins’ ruling, in New Orleans, struck down all Louisiana laws that made abortions more expensive or harder to get, leaving intact only those requiring a minor to get advice from parents or courts and requiring doctors to explain the abortion procedure to their patients.

“We have realized through close court scrutiny that our abortion statute is very strong constitutionally, and our defense work has been most effective,” Guste said in a news release issued in Baton Rouge.

“Of the sections ruled unconstitutional, all are being appealed to higher courts,” he said.

Guste said he expected the ultimate Supreme Court ruling would give the necessary guidelines Louisiana would need to restate whatever laws might be ruled unconstitutional.

“If the Legislature so desires at the conclusion of this court battle, it can rewrite those unconstitutional sections to keep the law intact; however, I believe that such remedial legislative action, if necessary, is years away pending completion of the appeals,” he said.

Guste hailed Collins’ decision to leave intact the parental consent and medical explanation parts of the law. He said people also must obey other sections of the law that were not challenged.

“More than two-thirds of the law has gone uncathed in spite of a vigorous legal challenge,” he said.

Still in force, he said, are statutes requiring record-keeping, informed consent, public agency assistance, counseling, health risk warnings, written instructions on post-abortion health care and penalties for violating the law.