

*****MEDIA ADVISORY*****

Georgia Supreme Court to Hold Oral Arguments in Challenge to Six-Week Abortion Ban Tomorrow

Abortion providers, advocates, and attorneys will answer questions in person outside the courthouse immediately after oral arguments.

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[Press Conference Video via ACLU of Georgia](#)

WHAT:

The Georgia Supreme Court will hear oral arguments on Tuesday, March 28 in [SisterSong Women of Color Reproductive Justice Collective v. State of Georgia](#), a case brought by abortion providers and reproductive justice advocates challenging the state's ban on abortion after approximately six weeks of pregnancy. The Supreme Court will review the state's appeal of the trial court's order permanently blocking the law. The trial court declared the six-week ban void under a provision of the Georgia Constitution that prohibits the enforcement of a law that violated either the state or federal constitution at the time of its passage, which the ban clearly did when it was enacted in 2019. The Georgia Supreme Court let the ban take effect pending the State's appeal, and will now consider whether to affirm the trial court's ruling under more than a century of Georgia Supreme Court precedent.

Ahead of the oral argument, providers and advocates in the case issued the following statement:

“For eight long months, Georgia’s six-week abortion ban has created a nightmare: denying countless Georgians autonomy over their bodies and lives and condemning many to suffer the devastating consequences of forced pregnancy. The harm has been especially grave for Black women, who already face systemic racism within our healthcare system and the disproportionate impact of a worsening maternal mortality crisis.

“The trial court made the right call when it blocked the ban. In 2019, Georgia legislators voted for this cruel six-week ban while *Roe* was still the law of the land to score cheap political points. The ban was of course quickly and rightfully blocked until after *Roe* fell, when it was allowed to take effect for the first time, causing severe harm and chaos across our state. We are now asking the Georgia Supreme Court to follow more than a century of its own precedent and strike down this devastating law that was void from the start under the state constitution.”

WHEN:

Oral arguments will begin at 10 a.m. on Tuesday, March 28; *SisterSong v. Georgia* is currently scheduled second on the Court’s calendar for that morning.

WHERE:

Oral arguments will be held at the Nathan Deal Judicial Center, 330 Capitol Avenue S.E., Suite 1100, Atlanta, Georgia 30334. The courtroom will be open to the public, and arguments will live stream [here](#), and a recording will be posted [here](#). After arguments, providers and advocates will hold an in-person press conference outside the courthouse around 12:15 PM ET. The press conference will be streamed via the ACLU of Georgia’s Facebook [page](#) and questions posted in the comments will be shared.

WHO:

Julia Stone, partner at Caplan Cobb, will argue on behalf of the plaintiff physicians, reproductive health centers, and reproductive justice organizations, accompanied by co-counsel.

DETAILS:

The state court challenge — [filed](#) on July 26, 2022, just days after a federal appeals court allowed Georgia’s six-week ban to take effect for the first time since it was signed into law by Gov. Brian Kemp in 2019 — asserts that (1) the Georgia Constitution’s especially strong protection for the fundamental right to privacy prohibits political interference with an individual’s deeply personal and medically consequential decision whether to continue or terminate a pregnancy; and (2) Georgia’s six-week ban was void from the start under the Georgia Constitution because it clearly violated federal constitutional precedent when enacted in 2019.

The court [granted](#) abortion providers’ and advocates’ request to block the law on November 15, 2022, ruling that Georgia’s abortion ban was void on arrival, but not yet weighing in on the other state constitutional claims. One week later, the Georgia Supreme Court [stayed](#) the trial court order and scheduled oral arguments to hear the State’s appeal of the lower court’s ruling.

This case was filed by the American Civil Liberties Union, the ACLU of Georgia, the Center for Reproductive Rights, Planned Parenthood Federation of America, and Georgia-based law firms Caplan Cobb and Bondurant Mixson & Elmore on behalf of SisterSong Women of Color Reproductive Justice Collective, Feminist Women’s Health Center, Planned Parenthood Southeast, Inc., Atlanta Comprehensive Wellness Clinic, Atlanta Women’s Medical Center, FemHealth USA d/b/a carafem, Summit Medical Associates, P.C., Carrie Cwiak, M.D., M.P.H., Lisa Haddad, M.D., M.S., M.P.H., Eva Lathrop, M.D., M.P.H., and Medical Students for Choice.

An overview of the case can be found here:

<https://www.aclu.org/cases/sistersong-v-state-georgia>

A copy of the lawsuit complaint can be found here:

<https://www.aclu.org/legal-document/sistersong-v-georgia-complaint>

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