



Dear Father of a Preborn Child,

If you are reading this letter, you now know that you are the father of a child. As difficult and upsetting to you as this information may be, there is hope and help for you. Many organizations and groups, including Standing With You and Pregnancy Help Centers across our country, are available to help you. You are not alone, and you are not the first to face this issue – there is hope! Positive, healthy outcomes can arise from this situation.

There are important new legal rights that the mother of your preborn child now possess that you should know about. As a mother, she has the sole right to determine whether to bring this child to life (*Casey v. Planned Parenthood of Pennsylvania*). That right is hers – not anyone else’s. Although you still have the legal duty as the father of the preborn child to provide for the baby, she has the right to make maternal healthcare decisions about the preborn child. Even though abortion is legal, the decision is hers.

You may not force, coerce, or unduly pressure the mother of your preborn child to have an abortion. To do so, you could be subject to criminal charges of fetal homicide (killing a baby while still in the womb) in the many states with fetal homicide laws. In other words, any third party (including you or a relative and/or friend) who causes the baby to be killed may be guilty of fetal homicide. You may also be prosecuted under the Federal Unborn Victims of Violence Act.

Attempting to force, unduly pressure, or coerce a woman to abort your child, may also subject you to the tort of intentional infliction of emotional distress or other civil liability. A pregnancy is an emotionally and physically vulnerable time for the mother. Excessive undue pressure, force, and coercion may cause emotional and physical damage to both the mother and your child. You could be responsible for that damage legally.

Here are some examples of threats that may subject you to legal liability:

1. *“You won’t get a penny of child support out of me.”* (Your duty to pay child support is established by the law, not the mother.) You have a legal duty to pay child support.
2. *“If you don’t have an abortion, I’ll physically hurt you.”* (Any threat or actual infliction of physical violence is an illegal assault.)
3. *“If you don’t have this abortion, I am divorcing you, but I will stay with you if you abort the child.”* (The intentional infliction of emotional distress to force your will over the woman’s will may subject you to both civil and criminal liability. The decision of a woman to abort must be voluntary and fully informed to be valid.)

We hope that this general legal information has been helpful to you. We desire that you not subject yourself to criminal or civil liability. If you would like guidance in processing this news and steps to support the mother of your preborn child, please contact Standing With You for assistance.

Sincerely,

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Disclaimer: This is intended as general legal information and education, not specific legal advice. Individual situations and state laws may vary. Contact a local attorney of your choosing for specific legal advice.