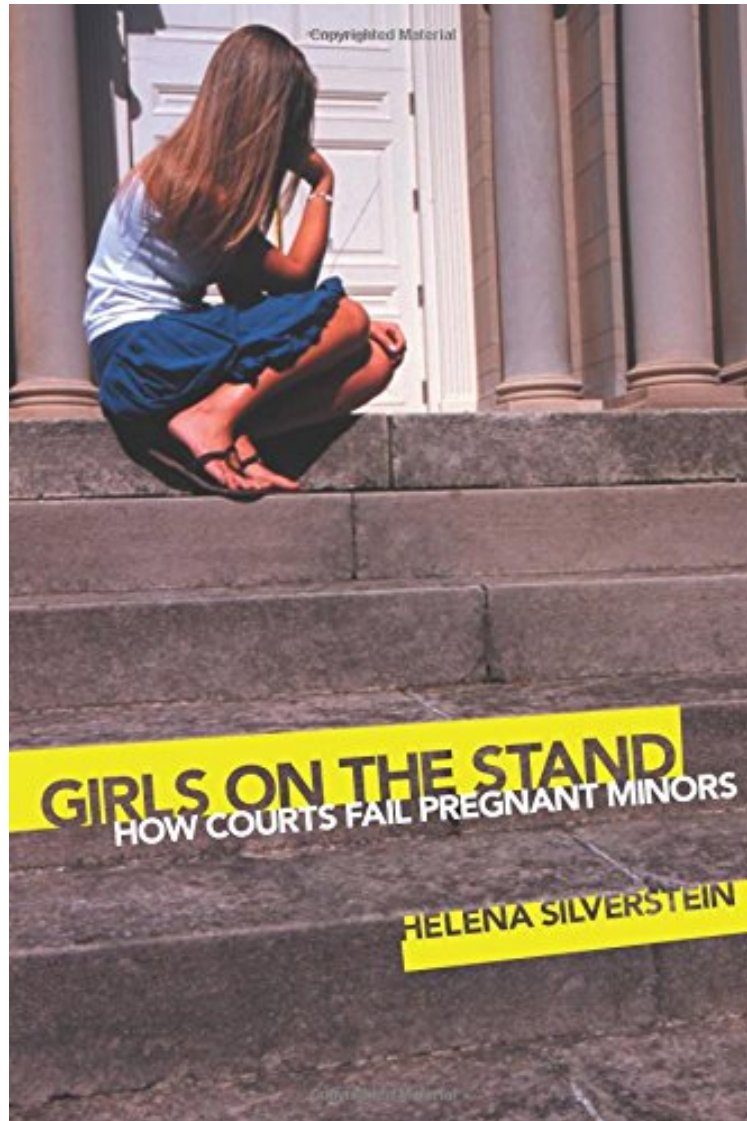


(Read and download) Girls on the Stand: How Courts Fail Pregnant Minors

Girls on the Stand: How Courts Fail Pregnant Minors

Helena Silverstein

*ePub | *DOC | audiobook | ebooks | Download PDF*



DOWNLOAD



+

READ ONLINE

#1698426 in Books NYU Press 2009-01-01 2009-01-01 Original language: English PDF # 1 9.00 x .64 x 6.00l, .75 #File Name: 0814740731256 pages | File size: 32.Mb

Helena Silverstein : Girls on the Stand: How Courts Fail Pregnant Minors before purchasing it in order to gage whether or not it would be worth my time, and all praised Girls on the Stand: How Courts Fail Pregnant Minors:

0 of 0 people found the following review helpful. Using data from terrific field workBy rcramerThis book clearly demonstrates the limits of law to achieve transformative policy goals. Using data from terrific field work, Silverstein's book shows that "street-level" bureaucrats: court clerks, town judges, administrative assistants - often misinterpret or misunderstand the scope of law meant to help girls achieve access to abortion via judicial by-pass. I teach this book

every time I teach Reproductive Law and Politics and find the clear explanation of the gap between law as it is written, and law as it is practiced, to be very useful in helping students understand the political nature of legal reform. The book is compassionate, well-researched, and interesting reading.

Choice Outstanding Academic Title for 2008
The U.S. Supreme Court has decided that states may require parental involvement in the abortion decisions of pregnant minors as long as minors have the opportunity to petition for a #bypass of parental involvement. To date, virtually all of the 34 states that mandate parental involvement have put judges in charge of the bypass process. Individual judges are thereby responsible for deciding whether or not the minor has a legitimate basis to seek an abortion absent parental participation. In this revealing and disturbing book, Helena Silverstein presents a detailed picture of how the bypass process actually functions. Silverstein led a team of researchers who surveyed more than 200 courts designated to handle bypass cases in three states. Her research shows indisputably that laws are being routinely ignored and, when enforced, interpreted by judges in widely divergent ways. In fact, she finds audacious acts of judicial discretion, in which judges structure bypass proceedings in a shameless and calculated effort to communicate their religious and political views and to persuade minors to carry their pregnancies to term. Her investigations uncover judicial mandates that minors receive pro-life counseling from evangelical Christian ministries, as well as the practice of appointing attorneys to represent the interests of unborn children at bypass hearings. *Girls on the Stand* convincingly demonstrates that safeguards promised by parental involvement laws do not exist in practice and that a legal process designed to help young women make informed decisions instead victimizes them. In making this case, the book casts doubt not only on the structure of parental involvement mandates but also on the naive faith in law that sustains them. It consciously contributes to a growing body of books aimed at debunking the popular myth that, in the land of the free, there is equal justice for all.

From Publishers Weekly
In the wake of the Supreme Court's 1973 *Roe v. Wade* decision, many states tested *Roe* by placing restrictions on abortion rights. Most states now have parental consent laws for women under age 18. For minors who have reason to avoid parental involvement, the Supreme Court has instituted a generally welcomed compromise that allows minors to seek authorization by a third party, usually a judge. In this groundbreaking study, Silverstein, a professor of government and law at Lafayette College, demonstrates that this compromise is fatally flawed. Widely surveying courts in Alabama, Pennsylvania and Tennessee, she discovered that while some courts implement the bypass process straightforwardly, in many others judges defy the law. Some will not sign bypass waivers because they oppose abortion; others insist that the minor receive counseling from a pro-life Christian ministry; still others appoint a lawyer to represent the interests of the fetus. Silverstein does an excellent job of explicating the serious problems with this compromise, concluding that it is rooted in the myth that judges can be relied on to be unbiased. While her writing tends toward the academic and legalistic, Silverstein has produced an important contribution to women's studies and legal practice and theory. (May) Copyright Reed Business Information, a division of Reed Elsevier Inc. All rights reserved. Taking on the emotionally charged issue of mandatory parental involvement in the abortion decisions of minors and judicial bypass provisions in three states, Silverstein carefully lays out and skillfully dismantles myths that sustain support for these policies. Her prose is lucid and engaging, her argument powerful and persuasive. This book is one of the best examples of a new generation of scholarship on law and legal processes. -Austin Sarat, co-editor of *From Lynch Mobs to the Killing State: Race and the Death Penalty in America* Highly recommended. -Choice A valuable contribution to feminist discussions of reproductive politics and the law. -NWSA Journal Silverstein's research on the bypass protections written into parental notification legislation reveals how and why these protections provided for pregnant minors are subverted by clumsy bureaucratic procedures and by politically driven judicial decisions. In so doing, she brings empirical evidence, conceptual sophistication and extraordinary good sense to divisive controversies over reproductive rights, legality, and democracy. -Stuart Scheingold, Professor Emeritus of Political Science, University of Washington Ambitiously takes aim at one of the few abortion policies about which there is widespread agreement: parental involvement laws. -Political Science Quarterly Does a terrific job of laying out how the courts have conspired to limit the abortion access of teenaged girls. The results are clear, convincing, and enraging. How we and the lawmakers who represent us respond will indicate whether the pro-choice community has the wherewithal to fight back and defend *Roe*. Helena Silverstein has broken the silence on judicial bypass. It is now up to the rest of us to take action. -Z Magazine Silverstein's book is a welcome addition because, rather than focusing on normative debates about abortion that almost anyone interested in the question is already familiar with, she focuses on how parental notification laws actually work on the ground. The book is judicious and moderate in tone. . . . A first-rate work of social science. -American Prospect Online *Girls on the Stand* brings a much-needed evidence-based orientation to a debate that is too often characterized by appeals to raw emotion. -Political Science Quarterly Does a terrific job of laying out how the courts have conspired to limit the abortion access of teenage girls. The results are clear, convincing and enraging. . . . Silverstein has broken the silence on judicial bypass. It is now up to the rest of us to take action. -New York Law Journal In the wake of the Supreme Court's 1973 *Roe v. Wade* decision, many states tested *Roe* by placing restrictions on abortion rights. Most states now have parental

consent laws for women under age eighteen. For minors who have reason to avoid parental involvement, the Supreme Court has instituted a generally welcomed compromise that allows minors to seek authorization by a third party, usually a judge. In this groundbreaking study, Silverstein demonstrates that this compromise is fatally flawed. . . . Silverstein does an excellent job of explicating the serious problems with this compromise, concluding that it is rooted in the myth that judges can be relied on to be unbiased. . . . Silverstein has produced an important contribution to women's studies and legal practice and theory.-Publishers Weekly

Helena Silverstein's important research reveals a court system that all too often fails the most vulnerable teenagers.-Louise Melling, Director of the ACLU Reproductive Freedom Project

Silverstein develops an incisive, empirically rich, and tightly reasoned case about how the beguiling myth of rights props up a fatally flawed public policy for pregnant minors. This is a very original, powerful, and important book that deserves to be read by a wide audience.-Michael McCann, co-author of *Distorting the Law: Politics, Media, and the Litigation Crisis*

Silverstein implements a tremendous research design that yields a very well-written book, and the resulting evidence backs up a powerful indictment of street level justice at work.-*Law and Politics*

Book About the Author

Helena Silverstein is professor of government and law at Lafayette College. She is the author of *Unleashing Rights: Law, Meaning, and the Animal Rights Movement*.