

The NIFLA Case

Case Name: [*National Institute of Family and Life Advocates \(NIFLA\) v. Becerra*](#)

U.S. Supreme Court Docket No.: 16-1140

U.S. Supreme Court Oral Arguments Date: March 20, 2018.

Opening Brief Filed: January 8, 2018

Background: California’s Reproductive FACT Act, AB 775, forces pro-life pregnancy centers to provide free advertising for the abortion industry. The law requires licensed medical centers that offer free, pro-life help to pregnant women to post a disclosure saying that California provides free or low-cost abortion and contraception services. The disclosure must also include a phone number for a county office that refers women to Planned Parenthood and other abortionists. The law also forces non-medical pregnancy centers to add large disclosures in multiple languages about their non-medical status in all advertisements, which drown out the message they are trying to convey. The district court declined to issue a preliminary injunction to halt the law while the lawsuit proceeds. The U.S. Court of Appeals for the 9th Circuit later upheld that decision on appeal. On November 13, 2017, the U.S. Supreme Court agreed to hear the case. The court will take up the question: “Whether the disclosures required by the California Reproductive FACT Act violate the protections set forth in the Free Speech Clause of the First Amendment, applicable to the States through the Fourteenth Amendment.”



Did You Know?

The California law **specifically targets** pro-life pregnancy centers, forcing them to advertise for the abortion industry. The same law exempts abortion-performing facilities and other healthcare providers. Other courts have invalidated or mostly invalidated laws like the FACT Act in Austin, Texas; Montgomery County, Maryland; Baltimore; and New York City.

What’s at Stake

- The government shouldn’t have the power to force anyone to speak a message with which it disagrees.
- Pregnancy centers were established specifically to help women – at no charge – to choose life for their children. The government shouldn’t force them or anyone to advertise for something that directly contradicts the very reason they exist.

The Bottom Line: The U.S. Supreme Court should not allow the government to target and punish anyone because the government disagrees with their message. Pro-life pregnancy centers in California and elsewhere should be free to help women to choose life. Forcing these pregnancy centers to advertise for the abortion industry directly contradicts the reason they exist and the U.S. Supreme Court should overturn the law.