

EXHIBIT 13

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

PLANNED PARENTHOOD CENTER FOR
CHOICE, *et al.*,

Plaintiffs,

v.

GREG ABBOTT, in his official capacity as
Governor of Texas, *et al.*,

Defendants.

No. 1:20-cv-00323-LY

**DECLARATION OF FRANCES NORTHCUTT IN SUPPORT OF PLAINTIFFS’
MOTION FOR A PRELIMINARY INJUNCTION**

I, Frances “Poppy” Northcutt, declare as follows:

1. I am an attorney licensed to practice law in the state of Texas. I have been practicing for nearly forty years.

2. I frequently represent minors as their attorney in obtaining judicial bypasses to obtain abortions in Texas without parental notification and consent. I also am occasionally appointed as a *guardian ad litem* for minors seeking judicial bypasses.

3. I have been assisting minors in obtaining judicial bypasses since the Texas bypass statute was first adopted in 1999. I am very familiar with the complex and often devastating life circumstances that lead these young women to not only need an abortion, but also to need a judicial bypass. Some of the young women I have represented have been orphaned and have no one who is legally authorized to sign for them to have an abortion. Others have no parent available to sign for them because the parent is in another country, is mentally or physically incapacitated, has abandoned the

family, or is incarcerated. Some are refugees from foreign lands separated from their parents by war. Some are sexual assault victims. Many come from homes where they are physically or emotionally abused.

4. I have watched with dismay over the last week as the young women whose interests I represent, who are already in a crisis situation, have been informed that, although they have gone through the process of convincing a Texas judge by clear and convincing evidence that they satisfy the requirements for a judicial bypass, they *still* may not legally have an abortion in Texas. In my experience, these young women are in no position to travel out of state to obtain medical care, as they lack the financial, social, and familial resources to do so.

5. One young woman for whom I acted as *guardian ad litem* obtained a judicial bypass because she already has a child and, if her mother discovers that she is pregnant again, she and her existing child will be kicked out of their home and become homeless. Her abortion appointment has been cancelled twice now due to Executive Order No. GA-09. She was devastated when she received the news. At the time that she received her judicial bypass, her pregnancy was in the first trimester. Now with the repeated cancellations, her pregnancy has moved into the second trimester, which makes the procedure more costly and more complicated, and she meanwhile risks becoming a homeless pregnant teen with a young child. I have no idea how she could possibly obtain an abortion out of state.

6. I recently represented another minor who obtained a judicial bypass only to have her appointment cancelled. She is seeking to escape an abusive relationship while also caring for an elderly relative who has cancer. She and her elderly

relative were alarmed when they learned of the health center's suspended services and concerned about the difficulty of traveling out of state to obtain an abortion.

7. The harm these young women will suffer from not being able to timely obtain abortion care is great and irreparable. They cannot wait three weeks for the Executive Order to expire (even if the Executive Order is not extended, as it seems likely to be). They are in no position economically to travel great distances to obtain an abortion. Each of them has expressed to me their emotional distress at being denied access to a safe and legal abortion. Each has found it confounding to be told by local officials that in response to the COVID-19 virus they should stay at home and not travel while being forced by state officials to either carry a pregnancy against their will, which is riskier to them than an abortion, or to endanger themselves and others by traveling out of state to secure a safe and legal abortion.

Executed April 1, 2020


Frances Northcutt