



## PRESS RELEASE

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### **Pro-Life Groups Intervene to Prevent Abortion From Becoming a "Constitutional Right" in Wisconsin**

Today, Wisconsin Right to Life, Wisconsin Family Action, and Pro-Life Wisconsin filed together to block [Attorney General Josh Kaul's](#) pursuit to find a right to abortion in the Wisconsin Constitution. The Pro-Life organizations are petitioning the Wisconsin Supreme Court to accept them as intervenors and are being represented by The Wisconsin Institute for Law & Liberty (WILL) and the Thomas More Society.

Attorney General Josh Kaul's original case raised various arguments as to why Wisconsin Statute 940.04 no longer applies as an abortion prohibition. Importantly, the Attorney General did not raise any constitutional challenges in his original filing. Only upon appeal, in his recent supplemental bypass petition, Attorney General Kaul seeks to inappropriately insert a constitutional claim into his own case in order to create a constitutional right to abortion in Wisconsin. This is procedurally improper.

The claim is also without merit. There is no right to abortion in the Wisconsin Constitution. Further, the Supreme Court of the United States in *Dobbs* recently and properly returned this issue to the duly elected state representatives in the legislative branch. That the Attorney General is attempting to take this issue from the people of Wisconsin is unjust and unwise. Yet there are those who support abortion at all stages and take every opportunity to find a path to full legal abortion.

All three pro-life organizations have been working for years to offer alternatives to abortion and help Wisconsin women make life-affirming decisions.

Attorney General Kaul is attempting to bypass the legislative process to settle the issue of abortion in Wisconsin by enticing the Wisconsin Supreme Court to accept a procedurally unfit case to find an unfounded constitutional abortion right.

Heather Weininger, Executive Director of Wisconsin Right to Life, stated, "The purpose of three branches of government is to ensure each one remains in their appropriate role. Regrettably, those who support taking the lives of our preborn children are now taking it right to the top of our state judicial system to find a right to abortion in our constitution. This is dangerous to our other laws that are in place to protect and inform those who are making life and death decisions about their preborn baby; this is not a precedent that should be set in our state."

Christine File, President of Wisconsin Family Action stated, "The Attorney General's attempt to turn his own statutory case into a constitutional abortion case on appeal disregards basic procedural principles. The Supreme Court of Wisconsin should not allow it. Further, under our constitutional republic, creating laws is reserved for the legislative branch, and there are many Wisconsin laws that protect women, girls, and unborn children from the lucrative abortion industry. The Wisconsin Supreme Court should not allow this case to create a purported constitutional right that strips the legislature's lawfully enacted protections for Wisconsin's most vulnerable."

Dan Miller, State Director at Pro-Life Wisconsin stated, "If the Wisconsin Supreme Court were to find a 'right to abortion' in our state constitution, it would be the most grotesque form of legislating from the bench in Wisconsin's judicial history. For Attorney General Kaul and Planned Parenthood to petition the Court to do this demonstrates their total disregard for the rule of law in pursuit of unrestricted abortion until birth."

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