# June Medical Services LLC v. Russo

## Facts

### Louisiana’s Act 620, which is word-for-word identical to Texas abortion law which was the issue of *Whole Woman’s Health v. Hellerstedt* which was deemed unconstitutional. Here, five abortion clinics challenge Louisiana’s Act 620 because they allege it is an undue burden on the right of their patients to obtain an abortion.

## Procedural History

### District Court declared Act 620 unconstitutional

### The Fifth Circuit of Appeals reversed

## Issue

### Does the U.S Court of Appeals for Fifth Circuit upholding Louisiana’s law requiring physicians who perform abortions to have admitting privileges at a local hospital conflict the Court’s decision in *Whole Woman’s Health v. Hellerstedt*?

## Holding

### Given the District Court’s factual findings and precedents, particularly Whole Woman’s Health, Act 620 violates the Constitution.

## Judgement 5-4 Breyer, Ginzburg, Sotomayor and Kagan in plurality

### Fifth Circuit judgment is reversed

## Arguments

### June Medical Services

#### The plaintiffs fail to carry their heavy burden of proff that is required to facially invalidate a state law

#### Louisiana decision to require abortion providers to have admitting privileges was justified by abundant evidence of life

#### The substantive due process claim does not hold up because they can get privileges within the state

#### They do not meet modern, rigorous rule for third-party standing

### Russo

#### The Louisiana law places an undue burden on woman’s health and there is no benefit of the law

#### The Louisiana law is identical to the Texas law that was ruled as unconstitutional

#### Louisiana law is violated plaintiffs substantive due process claim due to limiting services to them

#### The doctors that have been restricted on performing abortions are licensed

## Legal Reasoning

### Plurality Opinion, Breyer

#### The State’s unmistakable concession of standing as part of its effort to obtain a quick decision from the District Court on the merits of the plaintiffs’ undue-burden claims and a long line of well-established precedents foreclose its belated challenge to the plaintiffs’ standing in this Court

#### The district court applied the standard correctly in Planned Parenthood v. Casey and Whole Woman’s Health that courts must conduct an independent review of the legislative findings upon which an abortion-related statute rests and to weigh the law’s “asserted benefits against the burdens” it imposes on abortion access in this case.

#### Taken together, the District Court’s findings and the evidence underlying them are sufficient to support its conclusion that enforcing the admitting-privileges requirement would drastically reduce the number and geographic distribution of abortion providers, making it impossible for many women to obtain a safe, legal abortion in the State and imposing substantial obstacles on those who could

### Concurring, Roberts

#### Due to stare decisis and the facts of this case, it must follow the Court’s binding precedent in Whole Woman’s health, even though he disagrees with both opinions

### Dissent, Thomas

#### The plaintiffs here lack standing and the Court lacks authority to decide this case

### Dissent, Alito

#### The majority misuses the doctrine of stare decisis, invokes an inapplicable standard of appellate review, and distorts the record. He disagrees with the Court’s abandonment of the test in Casey

### Dissent, Gorsuch

#### The Court exceeded its authority by deciding the case and striking down the law

### Dissent, Kavanaugh

#### The case should be remanded for additional fact finding and that the record of the voting is not developed enough to evaluate Louisiana law

## Precedent

### *Whole Woman’s Health v. Hellerstedt,* 2016

### *Planned Parenthood of Southeastern Pa. v. Casey,* 1992

## Source of Law

### Precedent

### Due Process

## Values

### Undue burden v. Burden of proof

### Constitutionality v. Precedent

### Standing v. No standing

## Impact

### Women in the state of Louisiana have constitutional access to abortion clinics near them