

MT Supreme Court Abortion Rulings

SINCE 1997

Planned Parenthood of Montana v. State by and through Knudsen

Non-unanimous decision, with 1 dissenting vote (Rice) striking down as unconstitutional three 2021 Montana laws adding restrictions to medication abortion, banning abortions after 20 weeks, and requiring medical providers to offer patients seeking abortions the chance to view an ultrasound and listen to fetal heartbeats before proceeding.

'25

Planned Parenthood of Montana v. State by and through Knudsen

Non-unanimous decision, with 1 dissenting vote (Rice), reaffirming a district court injunction blocking state laws passed in 2023 as likely to be unconstitutional; these laws would have made D&E abortions illegal (HB 721) and required an ultrasound to test fetal viability, which does not generally occur before medication abortions (HB 575). A final court ruling remains pending.

Planned Parenthood of Montana APRN FNP v. State

6-1 decision reaffirming a district court injunction rejecting MT state administrative rules that would've prevented Medicaid funding of abortions except where "medically necessary."

Planned Parenthood of Montana v. State

Unanimous decision overturning the 2011 Parental Notice of Abortion Act as unconstitutional for violating minors' rights to privacy and equal protection.

Montanans Securing Reproductive Rights v. Knudsen

Unanimous decision that allowed MSRR to continue seeking signatures for what became CI-128, the citizens' initiative that, once approved by voters, reinforced the constitutional right to abortion care before fetal viability, with fetal viability defined by a medical professional.

'24

Weems and Doe v. Montana

Unanimous decision reaffirming the right to abortion and that advanced practice registered nurses may perform them.

'23

Weems v. State

Unanimous decision reaffirming the right of certified nurse midwives and nurse practitioners to perform abortions.

'22

Armstrong v. State

Unanimous decision affirming that the right of privacy in the MT Constitution protects the right to abortion.

'99

Blackburn v. Blue Mountain Clinic

4-3 decision in a case where the plaintiff attempted to claim fetal personhood for a fetus aborted in the first trimester; the court ruled unanimously against the plaintiff's claim of fetal personhood; the dissent in the case was based on other aspects of the case than abortion.

'97