

US judge delays state's abortion law

July 22 2013, by James Macpherson

(AP)—A federal judge on Monday temporarily blocked a new North Dakota law that bans abortion when a fetal heartbeat is detected—as early as six weeks into pregnancy, calling the law "clearly invalid and unconstitutional."

U.S. District Judge Daniel Hovland in Bismarck granted a temporary injunction Monday that blocks the [law](#) from taking effect on Aug. 1.

"There is no question that (the North Dakota law) is in direct contradiction to a litany of United States Supreme Court cases addressing restraints on [abortion](#)," Hovland wrote. " (It) is clearly an invalid and unconstitutional law based on the United States Supreme Court precedent in Roe v. Wade from 1973 ... and the progeny of cases that have followed."

New York-based Center for Reproductive Rights, which is representing Fargo's Red River Women's Clinic, filed the lawsuit after the law was passed this year by the North Dakota Legislature. It would outlaw the procedure as early as six weeks into pregnancy and before some women even know they are pregnant.

The law was one of four that the Republican-controlled Legislature and Republican Gov. Jack Dalrymple passed this year that combined make North Dakota the most restrictive state in the nation in which to get an abortion.

Bebe Anderson, director of the U.S. Legal Program at the Center for

Reproductive Rights, praised Hovland's ruling in a statement Monday.

"The nation's most extreme abortion ban has been blocked, and the message to hostile politicians could not be clearer: the rights of women guaranteed under the U.S. Constitution and protected by 40 years of Supreme Court precedent cannot be legislated away," she said.

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