

Fact Sheet: Anti-Abortion Legal Influence at the State Level

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As some states have increased efforts to expand abortion access, codify reproductive rights, and reduce the spread of disinformation, anti-abortion legal groups have also intensified their opposition at the state level.

These organizations use litigation to challenge state policies on insurance coverage, ballot initiatives, and regulation of anti-abortion centers (AACs), leveraging powerful connections to influence legal outcomes to threaten state-level abortion protections by:

- ✓ Undermining state requirements for insurance coverage of abortion care.
- ✓ Blocking ballot initiatives on reproductive rights.
- ✓ Opposing state oversight of anti-abortion centers.

Key Organizations Weaponizing Influence Through Judicial and Financial Connections

Alliance Defending Freedom (ADF)

ADF was initially conceived as the ACLU of the religious right. ADF has received **more than \$65 million** in support from the Servant Foundation, a donor-advised fund that promotes conservative evangelical goals. Other donors include the [Charles Koch Institute](#) and the [Murdock Charitable Trust](#). ADF is associated with a [number](#) of federal judges, most notably U.S. Supreme Court Justice [Amy Coney Barrett](#).

American Center for Law and Justice (ACLJ)

Founded by Pat Robertson, ACLJ wields its influence to implement a conservative Christian agenda. ACLJ has submitted numerous amicus briefs in support of restrictive laws, including the *Dobbs v. Jackson Women's Health Organization* case that overturned *Roe v. Wade*. It also fought against the regulation of anti-abortion centers (sometimes known as crisis pregnancy centers or AACs), helping them to continue misleading pregnant people about their reproductive options.

Becket

Becket is a public interest law firm most known for its involvement in the 2014 SCOTUS case *Burwell v. Hobby Lobby*. Becket has [received money](#) from Donors Trust, the Ed Uihlein Family Foundation, and a number of other conservative and anti-abortion groups, and politicians.

Thomas More Society (TMS)

TMS is a Chicago-based law firm best known for its defense of Freedom of Access to Clinic Entrances (FACE) Act offenders. Thomas More Society is [funded by](#) Donors Trust, an organization associated with the [Koch](#) and [Leonard Leo networks](#). It has also [received funds](#) from the Ed Uihlein Family Foundation, and the Diana Davis Spencer Foundation, all tied to conservative networks.

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Primary Areas of Attack By Anti-Abortion Legal Groups

Undermining State Requirements for Insurance Coverage of Abortion Care

In 2024, anti-choice law firms played an active role in opposing states' attempts to ensure insurance coverage of abortion care.

- Illinois: Thomas More Society filed a lawsuit against state-regulated health insurers, arguing that requiring abortion coverage violates constitutional rights and the Comstock Act. While Illinois enshrined the legal right to abortion in 2019, the case could have ramifications for practical abortion access in the state, especially for low-income individuals.
- New York: Becket is challenging a state mandate requiring employer-sponsored health plans to cover abortion care. Becket appealed to the Supreme Court when the New York state courts rejected their argument that the law violated religious freedom. The Supreme Court's ruling could affect precedent regarding exemptions for religious employers.
- Washington: ADF represents a Seattle church in a federal lawsuit claiming that the state's requirement of employer coverage for abortion care violates religious freedom. The Ninth Circuit Court of Appeals has expressed skepticism that the mandate infringes upon the religious freedom of the church.

Blocking State Ballot Initiatives

Ahead of the 2024 election, anti-choice law firms challenged the inclusion of abortion rights amendments on state ballots.

- Missouri: Thomas More Society sued to prevent an abortion rights amendment from appearing on the ballot. The Missouri Supreme Court ruled in favor of allowing Missourians to vote on the amendment. Voters ultimately passed the amendment, allowing for the overturn of one of the nation's most extreme abortion bans.
- Nebraska: Thomas More Society challenged an abortion rights ballot initiative, arguing it contained multiple unrelated proposals. The Nebraska Supreme Court rejected the challenge, allowing it to appear on the ballot alongside a dueling proposal to restrict abortion. Nebraska ultimately approved the abortion ban proposal, which restricts abortion after the first trimester.

Opposing State Oversight of Anti-Abortion Centers

Anti-abortion law firms have filed multiple lawsuits on behalf of anti-abortion centers opposing states' attempts to curb spreading mis- and disinformation about abortion care.

- California, New York & Colorado: Thomas More Society and Becket filed lawsuits against California, New York and Colorado's efforts to regulate AACs spreading of false and misleading information about an unproven abortion pill reversal procedure. All three lawsuits claim that the state attempts to regulate the spread of disinformation violates AACs' First Amendment rights. In August 2024, a Trump-appointed district judge granted an injunction in the New York law, allowing AACs in the state to continue spreading misinformation in the meantime. In Colorado, the suit was successful as well, with the district judge affirming that the law violated the center's religious liberty.
- Illinois: Thomas More Society represented the National Institute of Family and Life Advocates (NIFLA) in a lawsuit against state efforts to regulate "deceptive business practices" by AACs. NIFLA argued that a law, which sought to end false advertising and deception, violated AACs' freedom of speech. In December of 2023, a federal court ruled against the state, rendering the law unenforceable.
- Massachusetts: The American Center for Law and Justice challenged a state public consumer protection campaign that informed the public about the tactics and lack of services provided by AACs. AACs arguing the campaign violated their free speech rights.
- New Jersey: ADF sued the state's attorney general for investigating AAC business practices, claiming unlawful harassment. The lawsuit could have ramifications for the ability of states to mitigate the harmful business practices of AACs.



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