

The *NIFLA v. Clark* Case

Case Name: *NIFLA v. Clark*

Case Status: Filed complaint on July 25, 2023

Significance: Whether pro-life pregnancy centers should be free to serve women without unjust government censorship or punishment.



Background: In May 2023, Vermont’s Governor Phil Scott signed SB-37 into law, infringing on pro-life pregnancy centers’ ability to provide support to women and families seeking help with an unplanned pregnancy. The law censors the center’s advertisement of their services and places immense restrictions on their ability to provide information, counseling, and other non-medical services. If pregnancy centers advertise their services in a way Vermont’s pro-abortion Attorney General considers “misleading,” the pregnancy center faces fines of up to \$10,000 for each violation. But the law is vague. For example, [one witness during a legislative hearing](#) absurdly said that even naming a pregnancy center “The Women’s Center” should violate the law, claiming a name like that is too neutral and implies they offer abortions. In addition, if an individual who is not a state-licensed medical professional provides health information, services, or counseling, the licensed health care professionals at that facility can be fined up to \$5,000. So, while an abortion facility’s non-licensed staff members could hand out a brochure about abortion, a pregnancy center’s non-licensed staff members could not. The law also allows activists to mercilessly target pregnancy centers with litigation. Alliance Defending Freedom represents the National Institute of Family and Life Advocates (NIFLA) and two Vermont pregnancy centers—Aspire Now and Branches Pregnancy Resource Center—in challenging this unjust law.

Key Points

- The government has no business steering women away from life-affirming help.
- Vermont is explicitly targeting pro-life pregnancy centers, all because they don’t support the state’s extreme pro-abortion agenda.
- Pro-life pregnancy centers exist to provide free services, resources, and community to families facing unexpected pregnancies.

Key Facts

- Vermont wants to shut down pregnancy centers. The law is applied only to facilities that provide services for pregnant women and do not perform or refer for abortions.
- In [2022 alone](#), pregnancy centers provided services valued at over \$358 million. This includes over 500,000 free ultrasounds, 200,000 STD tests, 3.5 million packs of diapers, 43,000 car seats, and more.
- The U.S. Supreme Court already ruled in [NIFLA v. Becerra](#) that pro-life pregnancy centers should be free to serve women without unjust government punishment for their viewpoint or interference with their message.
- [Many women seeking abortions](#) say they’d prefer to choose life if they had more support; pregnancy centers offer women life-affirming choices and provide the support they need throughout pregnancy and beyond.

The Bottom Line: Pregnancy centers should be free to serve women and offer the support they need without fear of unjust government punishment.