



Challenging Florida Dubreuil Proceedings

Summer Associate Project Exchange

Single or Multiple Opportunities

Single

Organization Name

If/When/How: Lawyering for Reproductive Justice

Background

If/When/How: Lawyering for Reproductive Justice is leading a project examining Florida's use of "Dubreuil proceedings"—in which a hospital summons the state to seek a court order authorizing unconsented medical care against one of its patients.

Scope of Work

Map the contours of a potential systemic legal challenge to Florida's use of Dubreuil proceedings against pregnant patients, identifying viable facts, plaintiffs, and legal claims.

Timing

End of summer deadline.

Jurisdiction

Florida

Contact Information

Please contact Paul Lee (plee@step toe.com) and Natallya Velev (natallya.velev@ropesgray.com) if you'd like to be assigned to this project.

Description

If/When/How: Lawyering for Reproductive Justice is leading a project examining Florida's use of "Dubreuil proceedings"—named for *Matter of Dubreuil*, 629 So. 2d 819 (1993)—in which a hospital summons the state to seek a court order authorizing unconsented medical care against one of its patients. Recent high-profile cases have involved the use of these proceedings to force pregnant patients into unwanted cesarean sections, with several instances targeting Black women that have, for various reasons, evaded legal challenge. There is reason to suspect, but not yet evidence to confirm, that Dubreuil proceedings are used disproportionately against Black birthing people who are deemed "noncompliant" when they disagree with health care providers. The project will map the contours of a potential systemic legal challenge to the use of these proceedings—rather than focusing on specific media-reported instances—by identifying the facts, plaintiffs, and claims that could be raised. The intended outcome is a legal strategy framework that could support future litigation challenging the discriminatory use of Dubreuil proceedings against Black pregnant patients.

Subtasks (0)

Reminders(0)