



Future of Abortion Council Toolkit

Table of Contents

Introduction	3
Membership and Structure	4
Creating a Steering Committee	5
Determining Broader Council Membership	6
Participation of Elected Officials and Policymakers	6
Process Timelines	7
Feedback and Decision Making	7
Deliverables for Advocacy	8
Best Practices	9
Clear Lines of Communication	10
Feedback Mechanisms	10
Confidentiality	10
Issue Area Workgroups	11
Support from Legislators	11
Integrating Agencies Into the Process	11
Advocate-Led Process	12
Leveraging Pre-Existing Coalitions	12
Appendix A: CA FAB Council Membership	13

Acknowledgements

The author, Cat Duffy, would like to thank the members of the California Future of Abortion Steering Committee for their invaluable input into this toolkit.

Introduction

In September 2021, more than 40 organizations¹ in California came together to form the “Future of Abortion Council” (FAB Council). The FAB Council members included sexual and reproductive health care providers, reproductive rights and reproductive justice advocacy organizations, abortion funds, legal and policy experts, researchers, and advocates. These advocates—with the support of Governor Gavin Newsom and state legislative leadership—convened to identify barriers to abortion services and recommend policy proposals supporting equitable and affordable access to abortion for all Californians and those who seek care within the state’s borders.

In December 2021, the CA FAB Council released a blueprint report that contained a comprehensive list of recommendations and policy reform ideas to shore up California’s status as a reproductive freedom state, and to protect and expand access to abortion. The Council’s report has been the foundation for advocacy in **two legislative sessions**, during which historic reforms were enacted to make critical, unprecedented investments in California’s sexual and reproductive health care to ensure all people seeking abortions in California can access the care they need.

This success of the FAB Council structure in California led us to create this toolkit, so we could share the best practices learned with advocates in other states. This toolkit is intended to be a resource for advocates looking to leverage the power of coalition work in the effort to improve the sexual and reproductive health landscape in the post-Dobbs world. Drawing on the experience of the creation and ongoing advocacy of the California Future of Abortion Council, we have written this toolkit to encourage advocates in other states to form similar spaces—regardless of your state’s current protections—to maximize impact and strengthen relationships with various stakeholders in the ways that work best for you.

1 See Appendix A for the full list of CA FAB Council membership.

Membership and Structure

CASE STUDY: FORMATION OF THE CALIFORNIA FUTURE OF ABORTION COUNCIL

SEPTEMBER 21, 2021

- Creation of the steering committee as designated by Gov. Newsom



DECEMBER 8, 2021

- Release of blueprint report



JANUARY 2022

- Legislative session begins—the California Legislative Women’s Caucus introduces FAB Council bills



OCTOBER 2021

- Survey to all Council members to identify policy priorities
- Town hall meetings w/ full Council to solicit feedback on the key barriers to target and brainstorm reforms
- Workgroups formed based on the 5 issue areas identified during the town halls and in the survey feedback
- Workgroup meetings
- Workgroups produce final lists of recommendations for compilation
- Consolidation of recommendations into the final report draft
- Report review by full Council for sign on

END OF DECEMBER 2021

- Budget requests presented to Gov. Newsom

SEPTEMBER 2022

- \$200 million in new funding for bolstering sexual and reproductive health care access secured, historic 12-bill FAB Council package signed into law

CREATING A STEERING COMMITTEE

Having a broad membership of organizations and advocates that represents all perspectives and stakeholders in the sexual and reproductive health care landscape is crucial for a successful FAB Council. However, we do recommend having a Steering Committee that can be nimble and make some decisions on behalf of the broader coalition. The Steering Committee should be made of organizations that are reflective of the values and perspectives of the full Council.

In California, the organizations invited to be a part of the initial Steering Committee were all members of the **California Coalition for Reproductive Freedom**, a statewide coalition of more than 40 organizations working to promote sexual and reproductive health, rights and justice. As a result, the state had a pre-existing coalition which made it easier to identify key players to be involved and meant that these groups already had trusted, working relationships with one another. The Steering Committee members are: ACCESS REPRODUCTIVE JUSTICE, Black Women for Wellness Action Project, California Coalition for Reproductive Freedom, California Latinas for Reproductive Justice, Essential Access Health, then-NARAL Pro-Choice California (now Reproductive Freedom for All California), National Health Law Program (NHeLP), Office of Senator Toni G. Atkins, Senate President pro Tempore, Planned Parenthood Affiliates of California, and Training in Early Abortion for Comprehensive Healthcare (TEACH).



DETERMINING BROADER COUNCIL MEMBERSHIP

The full Council should be diverse and inclusive of all perspectives and stakeholders in the sexual and reproductive health care landscape in your state. Fostering broad participation ensures all stakeholders are represented in the process and facilitates the inclusion of a wide range of viewpoints.

In California, beyond the Steering Committee, any organization or individual dedicated to protecting and expanding sexual and reproductive health care services in the state was welcomed to join. The full Council membership can be viewed in Appendix A, which shows the breadth of expertise and variety of perspectives included in the Council.

PARTICIPATION OF ELECTED OFFICIALS AND POLICYMAKERS

One best practice learned during the creation of the FAB Council in California is the importance of significant buy-in from elected officials and other policy makers. From the very beginning, the Office of the Governor and the Senate pro Tempore's staff were deeply involved, regularly joining meetings. The Legislative Women's Caucus was also heavily involved, particularly since they wanted to lead the **legislative package** that would come out of the FAB Council recommendations. Having buy-in from elected officials from the start of the process helped to build coalitions in the legislature to support the package of bills created by the FAB Council. Administrative officials from relevant agencies also participated in the process, including the agency overseeing the state's Medicaid program and agencies that administer grant programs in the state.

Additionally, the Attorney General's office joined the FAB Council meetings, which is crucial since they are tasked with defending the state's enacted laws. Including them in the process ensures they understand what reforms are being enacted and the justifications for those laws, which is important for anticipating potential legal challenges from anti-abortion opponents. For example, we have already seen a legal challenge to SB 245 in California, which requires state-licensed commercial health plans and insurers to cover abortion services without imposing co-payments, deductibles, or any other type of cost-sharing. Furthermore, one of the most controversial parts of the FAB Council's work continues to be around legal protections for patients and providers and "shield" laws. Given the immense debate around the type of impact different protections may or may not have on provider and/or patient liability, having robust involvement from the Attorney General's office is essential in navigating the approach to these issues.

PROCESS TIMELINES

One feature of the CA FAB Council that distinguishes it from other state advocacy efforts is the compressed timeline. The Council was created in late September, in the wake of the implementation of Texas's SB 8, and the blueprint report was released on December 8, 2021. This intense time crunch was necessary to ensure there was time to turn the Council's recommendations into legislative language and bill drafts for the next legislative session that began in January 2022.

While the existential urgency surrounding the formation of the FAB Council is unique, the overall process used to create the report can be a foundation for similar efforts in other states. After the formation of the Steering Committee, there were two general town hall meetings where all organizations and individuals that were part of the broader FAB Council were invited to participate and provide insight and feedback into what the main issues to be tackled are and what the key priorities should be moving forward. We also sent out a survey to all FAB Council members to help identify the blueprint goals and recommendations that members wanted to prioritize.

After this brainstorming process, we used the feedback from the town halls and the survey to divide the work into five different issue areas with corresponding workgroups. The five issue areas were: Services and Coverage, Education, Workforce Development, Legal, and Practical Support and Abortion Funds. The workgroups, who met on their own at least twice before reconvening with the whole Council, were tasked with taking the ideas from the brainstorming efforts and broad goals articulated by the broader group and turning them into tangible policy recommendations. Each workgroup put together a draft of recommendations for their issue area, which all workgroup members signed off on before being presented to the general FAB Council. The five drafts were then compiled, and the full FAB Council was invited to sign on to the final report as a whole. All of this was done between the end of September and the beginning of December 2021.

FEEDBACK AND DECISION MAKING

The process of creating the recommendations for the initial FAB Council report was as collaborative as possible, as we actively solicited feedback at several points during the process. First, there were town hall meetings that were open to any interested organization or advocate that was a part of the broader FAB Council. We used these spaces to brainstorm the key priorities and issues to be tackled in order to truly address abortion access issues in California. We had an "open mic" policy during these meetings and allowed anyone to offer ideas or feedback. These meetings were also confidential, which helped foster a safe space for discussing sensitive issues.

We also sent out a survey to anyone who expressed interest in the FAB Council work to gather information on the main goals advocates wanted to achieve in this initial set of recommendations. This information helped guide the workgroup process that tackled the five different issue areas and shaped the eventual categories we used in the report to organize the different recommendations.

In terms of sign-off on recommendations, each workgroup was tasked with coming up with their list of recommendations. Then the broader FAB Council could choose to sign on to the final report.

DELIVERABLES FOR ADVOCACY



The initial deliverable was the **blueprint report of 45 recommendations** of the next steps California could and should take to improve access and stability for both Californians and those who may seek services here from out of state. The Council's report served as a roadmap for the California Legislature's approach to sexual and reproductive health care bills for the 2022 legislative session. California ultimately passed a **historic multi-bill package** and allocated over \$200 million in the state budget to support sexual and reproductive health care, including abortion, and to protect the rights of patients seeking abortion care and those who support them. You can find the full legislative checklist **here** and read more about the progress achieved by the CA FAB Council **here**.

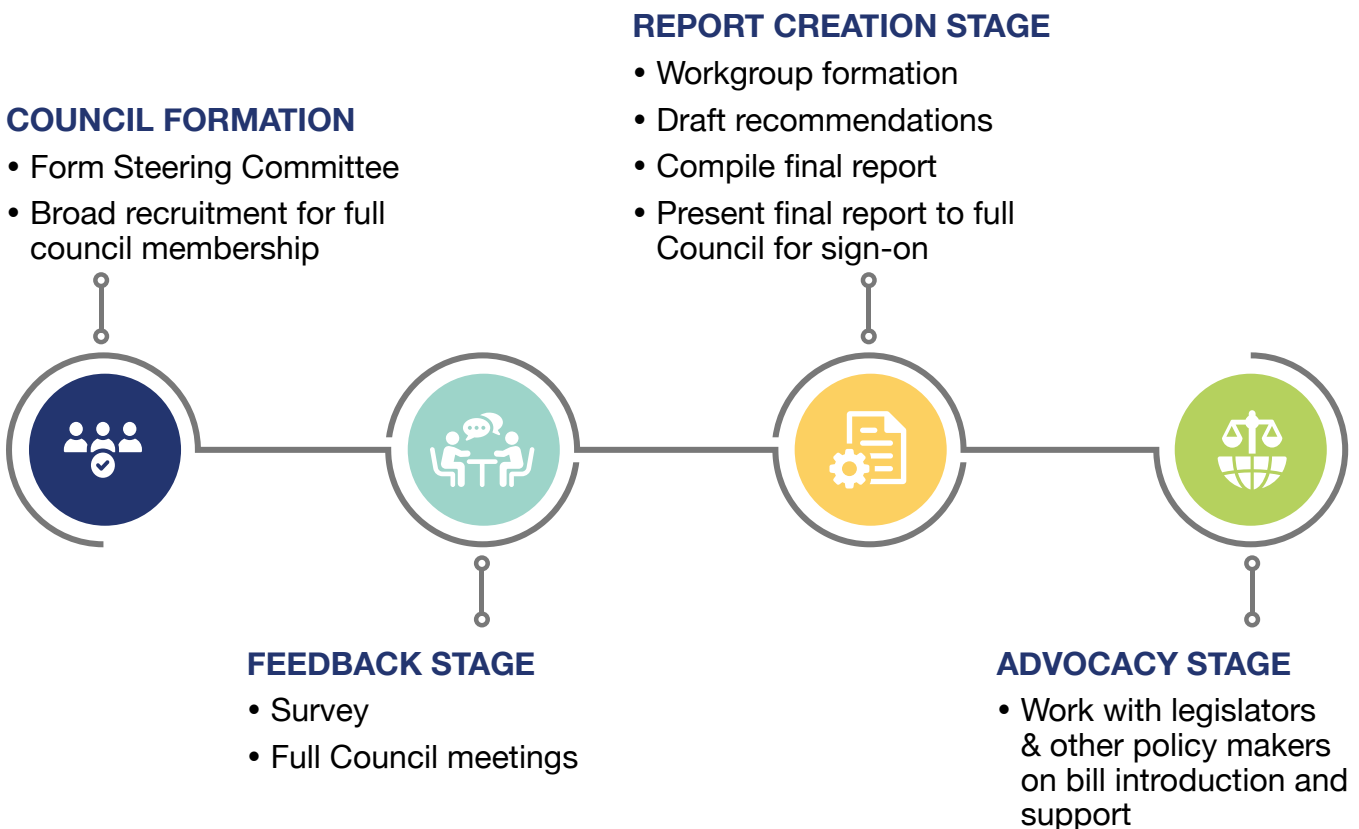
The CA FAB Council also published an **addendum** to the initial report in December 2022. This addendum summarizes the progress made on the original 45 recommendations and includes an additional 16 recommendations that reflect the continued need to protect and expand abortion access. In 2023, the Legislature passed another multi-bill package, implementing more of the recommendations from the original and updated checklists and building on the success of the 2022 efforts.

The structure of a comprehensive report and its checklist of recommendations provides a focal point for ongoing advocacy. It can be helpful to have the visual aid of a checklist for showing progress to supporters (or funders) and can help illustrate the work that is left to be done.

Best Practices and Lessons Learned

In thinking through the creation of your own Council, here are some of the best practices learned out of the California experience:

FAB COUNCIL FORMATION PROCESS



CLEAR LINES OF COMMUNICATION

Clear communication to all involved participants at each step of the process is crucial, particularly when the advocacy efforts shift from creating the list of recommendations to legislative advocacy. The legislative process moves quickly and with so many bills moving, and different stakeholders involved, it was sometimes difficult in California to give members information in advance of a bill's introduction, amendments, or a hearing. Setting up clear processes early on, for reporting out to the full Council about the work that occurs in between a bill's introduction and final passage at regular intervals will ensure all members are briefed on progress.

Additionally, not all members of the Council may have the time or resources to actively participate in the legislative advocacy but may have important insight for troubleshooting different policy issues or messaging strategies. Creating clear lines of communication will facilitate productive collaboration and feedback opportunities.

FEEDBACK MECHANISMS

In creating your Council structure, consider implementing a variety of different mechanisms to solicit input in order to facilitate participation from a wide variety of organizations and stakeholders. As mentioned above, not all organizations or advocates have the time or resources to join a series of meetings, but their perspectives are still vital. Utilizing a survey and the open town halls to solicit feedback and input for brainstorming were really essential to the CA FAB Council process. Both of these mechanisms were open to anyone who was a part of the broader FAB Council and really drove the heart of the process. Sending surveys prior to major meetings can give advocates the opportunity to provide feedback even if they can't attend a meeting. This feedback is essential—the policy priorities and goals articulated in the meetings and in survey responses drove the creation of the five task committees.

CONFIDENTIALITY

Making the meetings confidential helps create a safe space where advocates feel empowered to give honest feedback and tackle sensitive issues. Council members who attended the meetings were required to sign a confidentiality agreement prior to attending the town halls. Additionally, consider how your group will handle issues like the use of artificial intelligence (AI) note takers, which may be crucial for improving accessibility but can pose security risks (or how to handle responsible note taking and report outs overall).

ISSUE AREA WORKGROUPS

While the broader FAB Council meetings are important for brainstorming and information sharing, we would highly recommend splitting into workgroups for getting into the nitty gritty policy specifics when creating your own set of policy recommendations. Dividing into issue-specific work groups helps create smaller spaces where people are more likely to participate, which is crucial for fleshing out proposals. It also helps make the work more manageable as people self-select into the groups where they have issue expertise. In California, the workgroups were determined by the policy priorities articulated in the member survey results and the town hall process. While the workgroups were tasked with coming up with a set of recommendations for their issue area, the entire FAB Council had the opportunity to give feedback and sign off on the total report before it was finalized. Setting a clear process for delegating work to issue area workgroups and building in opportunities for feedback from the broader Council can more efficiently leverage the resources and experience of the groups involved.

SUPPORT FROM LEGISLATORS

As explained above, having buy-in from legislators and the Governor's office from the outset of the process was very helpful in getting the FAB Council's recommendations across the finish line in the end. In general, having significant support from the different branches of government helps to align everyone's agenda. Active participation from legislators can help keep them in line with the Council's agenda and prevent the introduction of surprise bills or amendments that are inadvertently harmful. Prominent involvement of the Governor's office helps to build momentum and support for the legislation that comes out of the recommendations your group creates. We would recommend having at least one reproductive health champion involved in the process so you have a strong ally in the legislature and, ideally, an ally who can also help recruit other supporters.

INTEGRATING AGENCIES INTO THE PROCESS

It is helpful to have agencies implicated in the regulation and implementation of sexual and reproductive health care services in your state involved in the process. Having robust agency involvement can help issue spot potential challenges or barriers when developing recommendations. Inviting agency officials to participate in the Council's work can also help develop relationships with the officials who will be essential during the implementation phase. Directly involving different departments can ensure they receive regular updates on the policy proposals that will implicate their workstreams. Even with a supportive Governor and legislature, information can get siloed and directly including agencies can greatly improve the implementation process.

ADVOCATE-LED PROCESS

While slightly in tension with the previous point, we firmly believe that a main reason why the CA FAB Council has been so successful in creating and enacting real reforms that will tangibly impact abortion access is because it has been an advocate-led process. The Steering Committee members all had preexisting relationships with one another, thanks to CCRF, and could build on that base of trust in creating the FAB Council. This facilitated more honest conversations and allowed the Council to tackle sticky issues with the understanding that everyone was coming to the table with good intentions. Furthermore, having advocates lead the process helped facilitate a participatory, collaborative process informed by what people are actually seeing on the ground.

LEVERAGING PRE-EXISTING COALITIONS

One key learning of the CA FAB Council process is the importance of strong pre-existing coalitions. As mentioned before, the FAB Council members were all members of the California Coalition for Reproductive Freedom (CCRF) prior to the formation of the FAB Council. This coalition works closely together throughout the year through quarterly meetings and an active listserv. This means the organizations participating in the FAB Council work already had a deep well of trust to build on. Not every state has a permanent coalition structure like CCRF, but embarking on your own FAB Council process could help lay the groundwork for creating that.

Having state organizations take the lead in organizing and driving the work of the FAB Council is also crucial to make it a safe and productive space. While it is important to have input from national organizations that have a broader purview into the sexual and reproductive health landscape, those organizations should take a back seat and not try to dictate the agenda or process of state advocacy.

If you have questions or want more information about the FAB Council, please contact Cat Duffy (duffy@healthlaw.org).

Appendix A: CA FAB Council Membership

FULL MEMBERSHIP LIST

ACLU California Action	If/When/How: Lawyering for Reproductive Justice
ACLU of Northern California	Los Angeles County Department of Public Health
ACLU of Southern California	MYA Network
ACT for Women and Girls	National Center for Youth Law
Advancing New Standards in Reproductive Health (ANSIRH)	Office of Assemblymember Rebecca Bauer-Kahan
Advocates for Youth	Office of the Governor of California Governor Gavin Newsom
All* Above All	Office of Senator Lena Gonzalez
American College of Obstetricians and Gynecologists District IX	Orange County Women's Health Project
California Abortion Alliance	Planned Parenthood California Central Coast
California Attorney General's Office	Planned Parenthood Los Angeles
California Nurse-Midwives Association	Planned Parenthood Mar Monte
California Medical Association	Planned Parenthood of Northern California
California Women's Law Center	Planned Parenthood Orange and San Bernardino Counties
Chico Feminist Women's Health Center	Planned Parenthood Pacific Southwest
Choix	Planned Parenthood Pasadena San Gabriel Valley
Citizens for Choice	Plan C
Essential Access Health	
FPA Women's Health	
Hollywood NOW	
Ibis Reproductive Health	

Future of Abortion Council Toolkit

Reproductive Health Equity Project
Roots of Labor Birth Collective
UC Davis Health
UCLA Law Center on Reproductive Health,
Law, and Policy
UCSF Bixby Center for Global Reproductive
Health

UCSF Abortion Care Training Incubator for
Outstanding Nurse Scholars (ACTIONS)
UCSF HIVE and Team Lily
Women's Foundation California
Women's Health Specialists
Women's Reproductive Rights Assistance
Project