SC22-1050, SC22-1127

In the Supreme Court of Florida

PLANNED PARENTHOOD OF SOUTHWEST AND CENTRAL FLORIDA ET AL.,
Petitioners,

v.

STATE OF FLORIDA ET AL.,
Respondents.

On Petition for Discretionary Review from
the First District Court of Appeal
DCA No. 1D22-2034

AMICUS CURIAE BRIEF OF MISSISSIPPI, ALABAMA, ARKANSAS, GEORGIA, IDAHO, INDIANA, IOWA, KENTUCKY, LOUISIANA, MISSOURI, MONTANA, NEBRASKA, NORTH DAKOTA, OHIO, SOUTH CAROLINA, SOUTH DAKOTA, TEXAS, UTAH, AND WEST VIRGINIA IN SUPPORT OF RESPONDENTS

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IDENTITY AND INTEREST OF AMICI CURIAE

Last year, the U.S. Supreme Court held that abortion is a matter that is entrusted to "the people and their elected representatives" to address. *Dobbs v. Jackson Women's Health Organization*, 142 S. Ct. 2228, 2284 (2022). Overruling precedent that took that authority away from the people, the Court returned the issue of "regulating or prohibiting abortion" to "the citizens of each State." *Ibid.* States may thus pursue their "legitimate interests" in protecting unborn life, women's health, and the medical profession's integrity by regulating or restricting abortion. *Ibid.*

Amici curiae are the States of Mississippi, Alabama, Arkansas, Georgia, Idaho, Indiana, Iowa, Kentucky, Louisiana, Missouri, Montana, Nebraska, North Dakota, Ohio, South Carolina, South Dakota, Texas, Utah, and West Virginia. Like other States, amici have, consistent with the U.S. Constitution and the U.S. Supreme Court's decision in *Dobbs*, adopted laws regulating abortion. Those laws strike a balance among the competing interests, reflect the outcomes of hard-fought democratic processes, and embody the considered judgments of "the people and their elected representatives." *Ibid.* Some States have chosen to adopt tighter restrictions on abortion following *Dobbs*. Other States have embraced more permissive regimes. As the U.S. Constitution envisions, "legislative bodies" and "the citizens" of many States have thus

decided how to weigh the "competing interests" and where to "draw lines that accommodate" those interests within their States. *Id.* at 2268, 2284.

But that has not been so in all States. In some States, the decision to adopt a permissive abortion regime has been made not by the people or legislators, but by courts. Such courts have read a general provision of state law—one that says nothing about abortion and provides no guidance on the subject—to protect a right to abortion. This raises serious problems. It imposes on the people a regime that they never embraced, puts courts at the center of a political and moral issue that they can never resolve, and undermines our democratic tradition. It replicates at the state level the problems that *Dobbs* recently dispensed with at the federal level.

Some years ago, this Court took that path by declaring that the State Constitution's general right of privacy protects a right to abortion. In this case, the Court has the chance to plot a new course. As the U.S. Supreme Court had in *Dobbs*, this Court has the opportunity to honor the people and their elected representatives, to respect their considered decisions, and—in so doing—to embrace the best in our constitutional tradition.

Amici submit this brief, supporting respondents, to aid the Court as it is presented with that opportunity. Amici have defended

the ability of their citizens and elected representatives to decide how to address the hard issue of abortion. Amici have seen the benefits of allowing the people to make those decisions for themselves. And amici have a considered perspective on why a general right of privacy does not support a right to abortion. Amici bring to this brief the benefit of these experiences as the Court considers these issues.

BACKGROUND AND SUMMARY OF ARGUMENT

This lawsuit challenges House Bill 5, which prohibits abortions after 15 weeks' gestation, with exceptions for life, health, and fetal abnormality. § 390.0111, Fla. Stat. (2022). In challenging HB 5, petitioners invoke the Florida Constitution's Privacy Clause. That Clause provides: "Every natural person has the right to be let alone and free from governmental intrusion into the person's private life except as otherwise provided herein." Art. I, § 23, Fla. Const.

The circuit court granted injunctive relief against HB 5's enforcement. Pet. App. 662-77, 679. The court reasoned that, starting with *In re T.W.*, 551 So. 2d 1186 (Fla. 1989), "[t]he Florida Supreme Court has held that the Privacy Clause guarantees women the right to abortion prior to viability." Pet. App. 663. Because HB 5 prohibits some pre-viability abortions, the circuit court ruled that it is "presumptively unconstitutional." Pet. App. 665. The court rejected

the State's arguments that the law furthers "compelling interests in protecting maternal health and preventing fetal pain." Pet. App. 666.

This Court should reject the view that the State Constitution's general right of privacy supports injunctive relief against HB 5. This brief gives three reasons why. *First*, a general right of privacy—like that protected by the Privacy Clause—does not provide a sound basis for a right to abortion. *Second*, only the people and their elected representatives—not a court applying a general right of privacy—can workably answer the hard questions that abortion presents. *Third*, judicially construing a general privacy right to protect a right to abortion undermines the democratic process. These points support rejecting relief against HB 5—a considered effort by the people's elected representatives to address the important interests that abortion raises.

ARGUMENT

A General Right Of Privacy Cannot Support Injunctive Relief Against Florida's Law Restricting Abortion.

A. A General Right Of Privacy Does Not Provide A Sound Basis For A Right To Abortion.

The Florida Constitution does not by its terms protect a right to abortion. It does protect a general "[r]ight of privacy." Art. I, § 23, Fla. Const. But that general protection does not provide a sound basis for a right to abortion.

1. The Florida Constitution protects a general "right of privacy"—"the right to be let alone and free from governmental intrusion into [a] person's private life." Art. I, § 23, Fla. Const. (capitalization omitted). This general right to privacy is best read to protect a right to shield personal information from disclosure.

An information-centered understanding reflects the ordinary meaning of *privacy*. *Privacy* is "[t]he condition of being secluded or isolated from the view of, or from contact with, others." The American Heritage Dictionary of the English Language 1042 (1969). When the Privacy Clause was adopted, the *right of privacy* thus referred to "the qualified legal right of a person to have reasonable privacy in not having his private affairs made known or his likeness exhibited to the public having regard to his habits, mode of living, and occupation." Webster's Third New International Dictionary 1956 (1976) (defining *right of privacy*). In short, *privacy* denotes "[c]oncealment" or "secrecy." The American Heritage Dictionary 1042. A general *right of privacy* thus entitles people to conceal—to keep secret—their personal information.

Consistent with ordinary meaning, the Privacy Clause uses language long associated with informational privacy. "[T]he right to be let alone" and the freedom from "intrusion into … private life," Art. I, § 23, Fla. Const., feature prominently in the work of Louis

Brandeis, at times called "the father of the idea of privacy," *Winfield v. Division of Pari-Mutuel Wagering*, 477 So. 2d 544, 546 (Fla. 1985). Before he took the bench, Brandeis contrasted "the right to be let alone" with "the evil of the invasion of privacy." Samuel D. Warren & Louis D. Brandeis, The Right to Privacy, 4 Harv. L. Rev. 193, 195 (1890) (internal quotation marks omitted). He traced the right of privacy to the common law, which "secure[d] to each individual the right of determining, ordinarily, to what extent his thoughts, sentiments, and emotions shall be communicated to others." *Id.* at 198. Later, Justice Brandeis condemned "intrusion by the Government upon the privacy of the individual" that "unjustifiabl[y]" reveals his "beliefs," "thoughts," "emotions," and "sensations." *Olmstead v. United States*, 277 U.S. 438, 478 (1928) (Brandeis, J., dissenting). It was in that context (this Court has said) that Justice Brandeis "recognized th[e] fundamental right of privacy." *Winfield*, 477 So. 2d at 546. His information-centered understanding of that right accords with the ordinary meaning of *privacy* as freedom not to disclose personal information.

This understanding harmonizes with the Privacy Clause's evident aims. The Clause "was intended to protect the right to determine whether or not sensitive information about oneself will be disclosed to others." *Rasmussen v. South Florida Blood Service, Inc.*,

500 So. 2d 533, 536 (Fla. 1987); *see Shaktman v. State*, 553 So. 2d 148, 150 (Fla. 1989) (The Clause "ensures that individuals are able to determine for themselves when, how and to what extent information about them is communicated to others.") (internal quotation marks omitted). And the Clause concludes by stating that it "shall not be construed to limit the public's right of access to public records and meetings as provided by law," Art. I, § 23, Fla. Const., making clear that the Clause concerns privacy in its ordinary sense.

2. The principles set out above show that a general right of privacy, like that contained in the Privacy Clause, does not provide a basis for a right to abortion. Abortion is not an informational matter, a matter of seclusion, or a matter of keeping private issues secret. Far from a matter of being "let alone," Art. I, § 23, Fla. Const., abortion is an affirmative medical "intervention," entailing a consensual invasion of the body, with the aid and involvement of multiple medical personnel. A. Raymond Randolph, Before *Roe v. Wade*: Judge Friendly's Draft Abortion Opinion, 29 Harv. J.L. & Pub. Pol'y 1035, 1057 (2006) (appendix); *see Roe v. Wade*, 410 U.S. 113, 172 (1973) (Rehnquist, J., dissenting) ("A transaction resulting in an operation such as [abortion] is not 'private' in the ordinary usage of that word."). And far from being only a matter of the "private life" of one seeking an abortion, Art. I, § 23, Fla. Const., abortion has a

direct and irreversible impact on a third party: an unborn child. Abortion purposefully ends a human life. In the ways that matter most, abortion is "the antithesis of privacy." Randolph 1057 (appendix); *see Thornburgh v. American College of Obstetricians & Gynecologists*, 476 U.S. 747, 792 (1986) (White, J., dissenting) (abortion is "different in kind from" other decisions that are "protected under the rubric of personal or family privacy and autonomy").

3. In *Roe v. Wade*, 410 U.S. 113, the U.S. Supreme Court held that a general constitutional "right of privacy" was "broad enough to encompass a woman's decision whether or not to terminate her pregnancy." *Id.* at 153. The Court did not offer "an account of why" it thought that "privacy is involved" with abortion—let alone a defense of why a right of privacy provides a basis for a right to abortion. John Hart Ely, The Wages of Crying Wolf: A Comment on *Roe v. Wade*, 82 Yale L.J. 920, 931 (1973). And as explained above, the view that a general right of privacy supports a right to abortion is deeply flawed.

The U.S. Supreme Court itself soon recognized as much. In upholding *Roe*'s recognition of a constitutional right to abortion in *Planned Parenthood of Southeastern Pennsylvania v. Casey*, 505 U.S. 833 (1992), the Court "abandoned any reliance on a privacy right," *Dobbs v. Jackson Women's Health Organization*, 142 S. Ct. 2228,

2271 (2022). It instead defended *Roe*'s result based on a liberty to make certain "personal decisions." *Casey*, 505 U.S. at 851, 853.

Ultimately, the U.S. Supreme Court ruled that that ground could not hold either. In *Dobbs*, the Court repudiated *Roe*'s holding, rationale, and conception of privacy. It recognized that *Roe*'s "reasoning was exceptionally weak." *Id.* at 2243. A right to abortion, the Court made clear, cannot be justified by a "right to shield information from disclosure." *Id.* at 2267. And *Roe*'s approach—of basing a right to abortion on a highly generalized right—"could license fundamental rights" that clearly have no sound basis: rights "to illicit drug use, prostitution, and the like." *Id.* at 2258.

4. In *In re T.W.*, 551 So. 2d 1186 (Fla. 1989), this Court did what the U.S. Supreme Court did in *Roe*: hold that a general right of privacy protects a right to abortion. *Id.* at 1192-93. This case gives this Court the chance to do what the U.S. Supreme Court did in *Dobbs*: repudiate its past holding. This Court should seize that opportunity.

As explained above, *T.W.*'s conception of privacy is flawed. A general right of privacy—like that embodied in the Privacy Clause—does not provide a basis for a right to abortion. *T.W.* departs from the meaning of *privacy*. It does not promote the Privacy Clause's evident aims. And it does not square with the realities of abortion: abortion

is not one person's effort to keep her personal information secret; abortion is an affirmative medical intervention that involves multiple third parties and purposefully ends a human life. *See supra* pp. 5-8.

Revisiting *T.W.* is especially warranted after *Dobbs*. Although this Court decided *T.W.* under state law, *T.W.* drew from and mirrored *Roe*. Like *Roe*, *T.W.* held that a right of privacy "is clearly implicated in a woman's decision of whether or not to continue her pregnancy." 551 So. 2d at 1192. *T.W.* called *Roe* "[t]he seminal case in United States abortion law" and invoked *Roe* when explaining that the U.S. Supreme Court "has recognized a privacy right that shields an individual's autonomy." *Id.* at 1190, 1191 (citing *Roe*, 410 U.S. at 152-53). *T.W.* drew from *Roe* and caselaw following *Roe* in ruling that a right to abortion is "fundamental." *Id.* at 1193. *T.W.* relied heavily on *Roe* in fashioning a framework for deciding abortion questions. *See id.* at 1193-94. And as *Roe* did, 410 U.S. at 163, *T.W.* sharply limited the State's authority to regulate abortion until after viability. 551 So. 2d at 1193-94.

Given *Roe*'s centrality to *T.W.*, the repudiation of *Roe* invites this Court to take a fresh look at *T.W.*'s holding that a general right of privacy protects a right to abortion. As the U.S. Supreme Court has now recognized, *Roe*'s "reasoning was exceptionally weak." *Dobbs*, 142 S. Ct. at 2243. The privacy-based precedents that *Roe* relied on

were "inapposite" because none involved abortion's critical feature: ending a human life. *Id.* at 2258. The view that a general right of privacy protects a right to abortion is, as the U.S. Supreme Court has now ruled, "egregiously wrong"—and surely cannot rest on a "right to shield information from disclosure." *Id.* at 2243, 2267.

This Court is, of course, free to construe the Florida Constitution independently of how the U.S. Supreme Court construes the federal Constitution. But on issues as important as those presented here, it is critical that a court's interpretation of its constitution rest on a firm basis. *T.W.* does not rest on a firm basis. This Court should revisit it and reject the view that the Privacy Clause protects a right to abortion.

B. Only The People And Legislators—Not Courts Construing A General Right Of Privacy—Can Answer The Hard Questions That Abortion Raises.

There is a further strong reason to reject the view that a general right of privacy supports a right to abortion. A general right of privacy offers no workable standards for courts to resolve the hard questions that abortion raises. Holding onto the view announced in *T.W.* thus promises endless problems for this Court.

The questions raised by abortion are not judicial questions. Regulating abortion calls for drawing numerous lines. These include: when an interest in protecting unborn life, safeguarding women's

health, preventing fetal pain, or elevating personal autonomy will prevail; whether to require waiting periods before an abortion (and how long those periods should be); which abortion procedures to allow and which to prohibit; and what standards govern those involved in providing abortions. Those lines are matters of morality, policy, medicine, technology, and more. Those matters present a panoply of factual issues, a host of judgment calls, and a balancing of competing interests. The questions about where and how to draw those lines are not judicial questions. They are legislative questions—questions for the people and their elected representatives. *Sorenson v. Sec'y of Treasury*, 475 U.S. 851, 865 (1986) ("The ordering of competing social policies is a quintessentially legislative function.").

Far from having special competence to decide those questions, courts are at a distinct disadvantage. Courts lack the democratic legitimacy, factfinding capabilities, and ability to adjust course that legislative bodies possess. *See, e.g.*, *Wisconsin Central Ltd. v. United States*, 138 S. Ct. 2067, 2074 (2018) ("[The legislature] alone has the institutional competence, democratic legitimacy, and (most importantly) constitutional authority to revise statutes in light of new social problems and preferences."); *City of Akron v. Akron Center for Reproductive Health, Inc.*, 462 U.S. 416, 456 n.4 (1983) (O'Connor, J., dissenting) ("[L]egislatures, with their superior factfinding

capabilities, are certainly better able to make the necessary judgments" on evolving medical practices "than are courts."). Indeed, "of the three branches of government, the judiciary is the least capable of receiving public input and resolving broad public policy questions based on a societal con[s]ensus." *Shands Teaching Hospital & Clinics, Inc. v. Smith*, 497 So. 2d 644, 646 (Fla. 1986).

The judiciary's role in overseeing a right to abortion is made all the more intractable when that right rests only on a general right of privacy. Because a general right of privacy does not protect a right to abortion in the first place, it provides no guidance on how to gauge or balance the considerations that arise in this context. Again, abortion raises complex and competing interests in unborn life, women's health, professional integrity, autonomy, and more. "There is no plausible sense in which anyone … could objectively assign weight to such imponderable values and no meaningful way to compare them if there were." *June Medical Services L.L.C. v. Russo*, 140 S. Ct. 2103, 2136 (2020) (Roberts, C.J., concurring in judgment). So when courts "weigh[ ] … such imponderable values" with no more to go on than a general right of privacy, they "act as legislators, not judges." *Ibid.*; *see Krischer v. McIver*, 697 So. 2d 97, 104 (Fla. 1997) (rejecting the argument that the Privacy Clause protects a right to assisted suicide and cautioning that by "broadly construing the

privacy amendment" this Court "run[s] the risk of arrogating to [itself] those powers to make social policy that as a constitutional matter belong only to the legislature"). The result is an "unanalyzed exercise of judicial will." *June Medical*, 140 S. Ct. at 2136 (Roberts, C.J., concurring in judgment); *see Ziglar v. Abbasi*, 137 S. Ct. 1843, 1857 (2017) ("When an issue involves a host of considerations that must be weighed and appraised, it should be committed to those who write the laws rather than those who interpret them.") (internal quotation marks omitted).

Roe and the world it created showed the problems with courts deciding abortion questions based on a general right of privacy. *Roe*'s "most important rule" was "that States cannot protect fetal life prior to 'viability.'" *Dobbs,* 142 S. Ct. at 2266. But nothing in a general right of privacy provides a basis for drawing a line at viability—or at any other point in pregnancy. A legislature could think that viability is the right point to draw the line. But legislatures are tasked with drawing lines based on competing interests and on the views of the people that legislators represent. Courts are tasked not with drawing lines but with applying the lines that others—the people or legislators—have drawn. A general right of privacy does not draw lines for a court to apply to protect a right to abortion. Left only with a general right of privacy, judges in an abortion case are left without

"an administrable legal rule to follow, a neutral principle, something outside themselves to guide their decision." *June Medical*, 140 S. Ct. at 2180 (Gorsuch, J., dissenting).

This is why, in applying the right recognized in *Roe*, courts could not agree on how to decide innumerable questions on abortion. Courts divided over "the legality of parental notification rules," the legality of "bans on certain [abortion] procedures," "when an increase in the time needed to reach a clinic" violated the right to abortion, "whether a State may regulate abortions performed because of the fetus's race, sex, or disability," and more. *Dobbs*, 142 S. Ct. at 2274. This is inevitable when courts draw lines without guidance. With nothing "outside themselves to guide their decision," *June Medical*, 140 S. Ct. at 2180 (Gorsuch, J., dissenting), judges must look within and decide based on their own views. That it is not a proper—or workable—approach for courts to take. *See Krischer*, 697 So. 2d at 104 (refusing to decide case "on the basis of th[e] Court's own assessment of the weight of the competing moral arguments").

These points all drive home that courts applying a general right of privacy can never resolve the hard questions that abortion raises. The U.S. Supreme Court tried to make that effort work. It failed. This Court has tried to make it work too, under *In re T.W.*, 551 So. 2d 1186 (Fla. 1989). That effort will also never work. As this Court

acknowledged in *T.W.*, abortion raises profound interests, including "the preservation of maternal health" and "the potentiality of life." *Id.* at 1194. But a general right of privacy cannot tell this Court how to "objectively assign weight to such imponderable values"—let alone supply a "meaningful way to compare them." *June Medical*, 140 S. Ct. at 2136 (Roberts, C.J., concurring in judgment). *T.W.* thus erred in believing that a court applying a general right of privacy could decide that the State's interests were not "sufficiently compelling" to justify the "invasion of a pregnant female's privacy … for the full term of the pregnancy." 551 So. 2d at 1194. That decision is a question for the people and legislators.

And unless and until the people take the matter away from the legislature through a constitutional amendment that addresses abortion, *cf. infra* Part C, this Court should let the legislature's decisions stand. The legislature "alone has the institutional competence, democratic legitimacy, and (most importantly) constitutional authority" to balance the interests and to draw lines—as it did with HB 5. *Wisconsin Central Ltd.*, 138 S. Ct. at 2074.

C. Judicially Construing A General Right Of Privacy To Provide A Right To Abortion Undermines The Democratic Process.

There is a final strong reason for this Court to reject the view that a general right of privacy supports a right to abortion: embracing that view undercuts the democratic process.

The people and elected representatives of some States have adopted a right to abortion under state law. California's constitution, for example, provides that "[t]he state shall not deny or interfere with an individual's reproductive freedom in their most intimate decisions, which includes their fundamental right to choose to have an abortion … ." Cal. Const. art. I, § 1.1. A California statute provides that "every individual possesses a fundamental right of privacy with respect to personal reproductive decisions, which entails the right to make and effectuate decisions about all matters relating to pregnancy, including … abortion care." Cal. Health & Safety Code § 123462; *see id.* § 123466(a) ("The state shall not deny or interfere with a woman's or pregnant person's right to choose or obtain an abortion prior to viability … ."). Michigan's constitution provides that "[e]very individual has a fundamental right to reproductive freedom, which entails the right to make and effectuate decisions about all matters relating to pregnancy, including … abortion care," and that this right "shall not be denied, burdened, nor infringed upon unless justified by a compelling state interest achieved by the least restrictive

means." Mich. Const. art. I, § 28(1); *see also id.* § 28(4) (defining "compelling" state interest). The Vermont Constitution declares that "an individual's right to personal reproductive autonomy is central to the liberty and dignity to determine one's own life course and shall not be denied or infringed unless justified by a compelling State interest achieved by the least restrictive means." Vt. Const. ch. I, art. XXII; *see also* Vt. Stat. Ann. tit. 18, §§ 9493 *et seq.* (statutory protections for "the fundamental right … to have an abortion"). Other States too have legislatively adopted a permissive approach to abortion. *E.g.*, N.Y. Pub. Health Law § 2599-bb(1) ("A health care practitioner … may perform an abortion when" (among other situations) "the patient is within twenty-four weeks from the commencement of pregnancy.").

These provisions show that when a State's citizens and their elected representatives want to take the momentous step of protecting abortion, they do so by adopting an express right to abortion or otherwise expressly allowing abortions. *E.g.*, Cal. Const. art. I, § 1.1 (adopting a "fundamental right to choose to have an abortion"). They also show that when the people or their elected representatives want to draw lines with such a right, they draw those lines. *E.g.*, N.Y. Pub. Health Law § 2599-bb(1) ("within twenty-four weeks from the commencement of pregnancy"). Whatever else may

be said of these actions, they have the backing of the democratic process. And if those provisions reach courts, courts can apply lines drawn by the people or their elected representatives, rather than just draw whatever lines the courts think are best.

The situation is materially different when all the people have done is adopt a general right of privacy. A general privacy right provides no basis for a right to abortion. *Supra* Part A. So when a court imposes a right to abortion on the people based on a general right of privacy, that action lacks democratic legitimacy, "short-circuit[s] the democratic process," *Dobbs*, 142 S. Ct at 2265, and takes away from the people matters that—until the people say otherwise—should stay in "the arena of public debate and legislative action," *Washington v. Glucksberg*, 521 U.S. 702, 720 (1997).

That approach has major negative consequences. Courts generally apply heightened scrutiny to laws impairing fundamental rights. *E.g.*, *State v. J.P.*, 907 So. 2d 1101, 1109 (Fla. 2004). So constitutionalizing a right to abortion stymies the people and legislators as they seek to protect important interests. *See T.W.*, 551 So. 2d at 1194-96; *cf. Planned Parenthood of Southeastern Pennsylvania v. Casey*, 505 U.S. 833, 876 (1992) (plurality opinion) (applying *Roe*'s form of heightened scrutiny to all laws affecting pre-

viability abortions is "incompatible with the recognition that there is a substantial state interest in potential life throughout pregnancy").

Thus, where, as here, the people have not clearly adopted a constitutional right to abortion, courts should not remove the issue—and the moral, policy, and medical questions it entails—from "the arena of public debate and legislative action." *Glucksberg*, 521 U.S. at 720. *T.W.* erred in taking that significant step. Consistent with the limits of a general right of privacy, this Court should respect "the people's authority to address the issue of abortion through the processes of democratic self-government." *Dobbs*, 142 S. Ct. at 2305 (Kavanaugh, J., concurring). It should make clear that the issue of abortion is for the people and legislators of Florida to resolve and reject injunctive relief against HB 5.

CONCLUSION

This Court should reject injunctive relief against HB 5.

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Respectfully submitted,

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CERTIFICATE OF COMPLIANCE

I hereby certify that this document complies with all applicable font and word-count requirements. It was prepared in 14-point Bookman Old Style font and contains 4,465 words.

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