

S E C O N D   E D I T I O N

# TOO HIGH A PRICE

## The Case Against Restricting Gay Parenting

“This book gets it right. It provides chilling stories of how children are harmed by restrictions on gay parenting. It outlines the child welfare crisis we are facing and explains why laws that ban gay people from adopting and fostering don’t protect children but make it harder to find homes for the many children in need. And by detailing the many social science studies about gay parents and their children, it lays to rest any lingering doubts about the ability of gay people to be good parents.”

FROM THE FOREWORD BY SHAY BILCHIK,  
PRESIDENT OF THE CHILD WELFARE LEAGUE OF AMERICA

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AMERICAN CIVIL LIBERTIES UNION FOUNDATION

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by Leslie Cooper and Paul Cates

with a foreword by  
Shay Bilchik,  
President and CEO,  
Child Welfare League of America

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New York, NY**

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## Foreword

Our country is in a child welfare crisis. A statement such as this is not made lightly or without substantiation. But as the nation's oldest and largest membership-based advocacy organization for children and families, the Child Welfare League of America (CWLA) recognizes the significant barriers that stand between children in foster care and the families they so desperately need. There are currently over 500,000 children in America's foster care system. Last year, over 119,000 foster children waiting to be adopted were not able to be placed with permanent families. This instability in their lives is compounded by the fact that they are frequently shuffled from one temporary placement to another or placed in settings in which there is too little individual adult supervision. Often they "age out" of the system without ever finding the lifelong connection to a family they deserve. Imagine going through life without the love and support of a family.

Ask anyone charged with finding families for these children and they will tell you that it is a daunting task. Most prospective adoptive parents are hoping to adopt babies. Often they do not feel they have the capacity to care for the waiting children who are older, many of whom have significant physical or emotional needs, or are part of a group of siblings—in other words, most of the nearly 119,000 children waiting to be adopted. The impact of this is significant. Research shows that when children age out of the system without a lifelong family connection they are far more likely to become homeless, drop out of school, or be incarcerated.

Finding the right home for each child is also challenging because all children have different needs. Some children do better when there are other children in the home. Others need more individual attention. While some will do better with a two-parent family, others will do equally well with only one parent. All potential parents are put through a rigorous screening process to determine which are capable of providing a safe, stable, nurturing family life for a particular child. The responsibility to match a waiting child with the best possible adoptive setting rests with trained placement caseworkers. There are never enough families for these waiting children. So the task of finding a good family for each waiting child can be extremely difficult.

An urgent need exists to try to bridge this gap between the number of children needing families and the number of families willing to love and care for these vulnerable children. That's why there is widespread agreement throughout the child welfare profession that every individual or couple interested in adopting or fostering should be considered. We simply cannot afford to systematically exclude any group of caring and loving people from an already limited pool of prospective parents. Laws and policies that ban lesbians and gay men from adopting and fostering fly in the face of well-developed child welfare policy and standards by depriving children of willing and able parents.

Each prospective adoptive or foster parent should be assessed on a case-by-case basis with the overriding determining factor being the ability to love, nurture, and care for a child in need of a family. CWLA backs up this assertion through the development and dissemination of our practice standards, known as the Standards of Excellence for Child Welfare Services, which are widely viewed as benchmarks for high-quality services that protect children and youth and strengthen families and neighborhoods.

Until recently, elected officials across the country deferred to the child welfare professionals' judgment that the system of case-by-case evaluations is the best practice. In fact, only one state in the country, Florida, bans all gay people from adopting, placing it well outside the mainstream of accepted child welfare practice. The state passed the ban in 1977 in response to an anti-gay crusade led by Anita Bryant, who was a singer and spokesperson for the Florida orange juice industry. Relying on harmful stereotypes about gay people, Bryant helped convince the legislature that the ban was needed to protect children.

At the time this law passed, there was little social science research about gay parenting to debunk the myths and stereotypes on which Bryant based her campaign. But in the nearly three decades since the Florida law went into effect, many social science studies have been conducted on the ability of gay people to parent and the development of their children. It has now been established by the research that gay people are just as capable of being good parents as heterosexual or "straight" people, and that their children are just as likely to be healthy and well-adjusted. Not a single reputable study has found that children raised by gay or lesbian parents have been harmed because of their parents' sexual orientation in any way.

Because of this research and because exclusions based on traits other than one's ability to be a good parent are contrary to good child welfare policy and practice, the Child Welfare League of America has issued a public statement supporting the parenting of children by lesbians and gay men, and condemning attempts to restrict competent, caring adults from serving as foster and/or adoptive parents. I am happy to report that CWLA is joined by every other major child health and welfare organization in this regard. These other organizations include the American Academy of Pediatrics, the American Psychiatric Association, the American Psychological Association, the National Association of Social Workers, and the North American Council on Adoptable Children. None of these organizations would take such a strong and unequivocal stand on an issue unless they were able to do so upon the basis of sound social science, established practice, and our collective expertise in serving children and families.

In recent years, however, we have witnessed a disturbing trend. Lawmakers in various regions of the country have ignored sound child welfare policy by introducing ill-conceived legislation to ban gay people from adopting and foster parenting. One does not have to look too closely to realize that this legislation is about politics, not protecting children. Prohibiting lesbians and gay men who

wish to become parents from doing so goes against decades of science and child welfare practice. Moreover, it does nothing to alleviate our current child welfare crisis. We need more permanent families for our foster children, not fewer.

So it is with great pleasure that I introduce the American Civil Liberties Union's new edition of *Too High a Price*. This book gets it right. It provides chilling stories of how children are harmed by restrictions on gay parenting. It outlines the child welfare crisis we are facing and explains why laws that ban gay people from adopting and fostering don't protect children but make it harder to find homes for the many children in need. And by detailing the many social science studies about gay parents and their children, it lays to rest any lingering doubts about the ability of gay people to be good parents.

Misconceptions and stereotypes about gay people are especially harmful when they are used to deny children the chance to grow up in a loving, secure family. There are few easy solutions when it comes to the myriad challenges facing those who have dedicated their lives to serving children and families, but the call to prevent and eliminate laws that deny children homes is one that we all must answer. Doing so furthers our efforts to ensure that every single child in need of the love and support that only a family can offer is given every opportunity to find just that. It is time that our lawmakers put political gain aside and truly put the best interests of children first.

By Shay Bilchik, President and CEO, Child Welfare League of America



## Preface

Since the first edition of this book was published in 2002, nearly a dozen state legislatures have considered bills that would ban lesbians and gay men from adopting and/or serving as foster parents. Thanks primarily to the efforts of local child welfare advocates who understand how much more difficult such laws would make it to place the many children in need of families, these bills have all failed. But anti-gay activists are motivated as never before and will continue to push this type of legislation, regardless of the terrible consequences for children.

This book explains why laws that put restrictions on parenting by gay people are bad child welfare policy and why they are ultimately most harmful to the children they purport to protect. Chapter 1 provides information about the prevalence of gay people raising children across the country. An overview of the legal landscape on gay parenting is provided in Chapter 2. This includes a summary of the laws related to custody and visitation, as well as adoption and fostering, by lesbians and gay men. Chapter 3 details the positions all the major children's health and welfare organizations have taken opposing restrictions on gay parenting. Chapters 4 and 5 then address the bases for these groups' positions. Chapter 4 outlines the social science research proving that gay people are equally capable parents and raise children who are just as healthy and well-adjusted as their peers. This chapter includes summaries of 25 of the leading studies. And Chapter 5 discusses how blanket restrictions, such as bans on adoption by gay people, are contrary to well-established child welfare policy because they throw away qualified prospective parents and reduce children's chances of finding families. This chapter includes a discussion of the desperate shortage of adoptive parents to meet the needs of children waiting to be adopted, and how children are affected when denied the love and stability of a family. Finally, Chapter 6 looks at the arguments and myths that have been used to justify anti-gay parenting laws and explains why they are wrong with point-by-point responses.

Obviously, laws that ban gay people from adopting and fostering are of critical importance to the LGBT community because labeling a group of people unfit to parent is an attack on their very humanity. But those who bear the real burden of such laws are the more than 100,000 parentless children who cannot afford to have any opportunity to find a good home taken away. Ultimately, these laws affect everyone because children who grow up without families are much less likely to grow into responsible adults. Young people who "age out" of the foster care system are at a stunningly high risk of dropping out of school, being unemployed, experiencing homelessness, and getting involved with drugs and criminal activity. As a society, we should be leaving no stone unturned to find families for these children. And we should not be enacting laws that will result in more children being condemned to life without a family.

We encourage you to use the information contained in this book to educate your local lawmakers. Let them know that ignoring the needs of children in order to make a political statement against gay people is not acceptable. Let them know that we can't afford to jeopardize the futures of so many children.

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## The Lay of the Land: Gay Parenting Across the Country

While the “lesbian baby boom” that began in the 1980s has brought increased public awareness to parenting by lesbians and gay men, the reality is that there have always been gay parents. At least initially, most gay people became parents through prior heterosexual relationships. But several developments helped to bring about an increase in the number of lesbian and gay individuals and couples choosing to start families. Greater acceptance and understanding of gay people encouraged many to seek to become parents. Advances in reproductive technology made it easier for both lesbians and gay men to have children. And the child welfare crisis in the country has resulted in a huge increase in the number of children in need of parents, and many lesbians and gay men have stepped up to take care of them.

At the same time these changes were taking place, society’s notion of family was also evolving. Many children are now raised in single-parent families, families in which the parents have divorced, families formed by unmarried heterosexual couples, and families headed by grandparents and other extended family members. In fact, the 2000 U.S. Census found that fewer than 24% of homes were composed of a husband, wife, and children under age eighteen.<sup>1</sup>

This rapid change in the “traditional” family dynamic has struck fear in some, who have found an easy target in gay people raising children. Relying on baseless stereotypes about gay people, anti-gay activists have increasingly pushed for laws and policies that restrict the ability of gay people to parent. This book provides a comprehensive look at the legal landscape affecting lesbian and gay parents and explains why laws restricting the ability of gay people to parent are wrong and harmful to society. This chapter begins with an overview of the prevalence of gay parents in this country.

It is difficult to know exactly how many gay parents are raising children in the United States, primarily because it is difficult—if not impossible—to know the number of lesbians and gay men in this country. The government census does not ask people to identify their sexual orientation. Estimates on the number of gay parents rely on much-debated guesses at what percentage of the entire population is lesbian, gay, or

bisexual. A widely regarded study by the University of Chicago, The National Health and Social Life Survey, deduced that from 2.7 to 4.9 percent of males are gay and from 1.3 to 4.1 percent of females are lesbian.<sup>2</sup>

Because we do not know how many gay people there are generally, it is difficult to know how many are raising children. Social scientists have estimated from the National Health and Social Life Survey that anywhere from one to nine million children, or between 1% to 12% of all children, are being raised by a gay parent.<sup>3</sup> The lower figures represent a very narrow definition of who is gay.

While those estimates do not rely on any kind of official count of gay people, there is some official information about gay people and families with gay parents. The 2000 Census was able to identify families headed by same-sex couples, for the first time, through an “unmarried partners” designation. It counted 601,209 same-sex couples living together in the United States,<sup>4</sup> and found that one third of the female same-sex couples and one fifth of the male same-sex couples reported having children under eighteen in the home.<sup>5</sup> But it is highly likely that there are many more same-sex couples raising families in the United States. Many people probably are hesitant to identify themselves as gay to the government, and many same-sex couples likely were unaware that they could use the “unmarried partner” classification. It should also be noted that the Census does not count single lesbians and gay men raising children.

Another source of information on the number of gay and lesbian parent is a Kaiser Family Foundation national study of 405 randomly selected, self-identified lesbians, gay men, and bisexuals conducted in 2000. The study found that 8% of the participants were parents or legal guardians of a child under eighteen who lived in their home. The Kaiser survey also asked gay people about their desire to become parents. Among those who were not parents at the time of the survey, almost half (49%) said they would like to have children of their own some day.<sup>6</sup>

Finally, we also know that gay and lesbian couples with children live in communities across the country. The 2000 Census found that same-sex couples with children live in 96% of all counties nationwide.<sup>7</sup>

For entire generations of lesbians and gay men, parenting did not seem to be an option. As more gay people are able to live their lives openly and truthfully, it is inevitable that more will become parents.

## The Bigger Picture: Gay Parenting and the Legal Landscape

Decisions about adoption and child custody are generally made by child welfare professionals and family court judges at the local level. A few states have explicit rules (either through statutes or appellate court decisions) about parenting by gay people and whether sexual orientation is a factor to consider in either adoption or custody decisions. But most states do not have any specific rules about any aspect of parenting by lesbians and gay men. In those states, child welfare officials and family court judges decide for themselves how sexual orientation should be taken into account in making adoption and custody decisions and, indeed, if it should be taken into account at all. So, for example, one judge may refuse to approve an adoption by a lesbian even though another judge in a county just fifty miles away might have approved twenty of them.

The relatively small number of specific rules make it difficult to generalize about the law on lesbian and gay parenting. Moreover, the landscape changes at the local level as judges retire and as society's views about gay parents mature.

What follows is an overview of each area of gay parenting and existing rules at the time this book was published.

### Custody and Visitation

Many if not most of the children being raised by lesbians and gay men were conceived during their parents' previous heterosexual relationships. When these gay parents come out of the closet and separate from their spouses, their ability to sustain their relationships with their kids often depends on the views of individual family court judges. In some of the worst instances of anti-gay discrimination, judges have denied parents custody or visitation solely because of their sexual orientation.

Fortunately, the legal landscape for lesbian and gay parents in custody and visitation proceedings is no longer as bleak as it once was. Most appeals courts that have considered the question have ruled that sexual orientation alone is not a basis to deny a parent custody of or visitation with his or her child.<sup>8</sup> This does not mean

that these states are entirely free of discrimination against gay parents, but that judges cannot overtly discriminate as they once could. Custody decisions are governed by the open-ended “best interests of the child” standard. In some cases, judges have applied this test unfairly to gay parents, finding some pretext for ruling against them.

In stark contrast to the majority of the cases, which do not permit discrimination in custody and visitation decisions, a handful of state supreme courts have fully endorsed the denial of custody based on parents’ lesbian or gay orientation. High courts in Alabama, Mississippi, North Carolina, and Virginia have affirmed lower court rulings that denied custody based on parents’ sexual orientation or same-sex relationship.<sup>9</sup> In a 2002 custody case before the Alabama Supreme Court involving a lesbian mother, although the ruling had nothing to do with the mother’s sexual orientation, the court’s chief justice took the opportunity to proclaim that homosexuality alone makes a person unfit to be a parent because it is “abhorrent, immoral, detestable, a crime against nature, and a violation of the laws of nature and of nature’s God.”<sup>10</sup>

#### DAVID WEIGAND, MISSISSIPPI

After David Weigand and his wife Machele got divorced in 1987, David did not oppose Machele having custody of their son Paul. This was a decision he would later regret.

After the divorce, David came out, moved to Lake Forest, California, fell in love, and settled down with his partner, Wayne Fields. But while David was building a stable life in California, Machele unfortunately was living in a violent home. According to court opinions,<sup>11</sup> she married Jeff Houghton, an abusive convicted felon. They were evicted from an apartment complex because the apartment manager couldn’t bear the physical abuse that Jeff was inflicting on Machele. At a subsequent trial over Paul’s custody, the manager testified:

“We hate for anyone to move, but I really feared for Machele’s life. This man had beat her so many times, you know, that it was unreal. And I told her, I said, ‘Machele, due to the circumstances,’ I said, ‘if he kills you, I don’t want this on my conscious[sic], and I think it would be best if you moved.’”<sup>12</sup>

The domestic abuse reached a crisis in 1996 when Jeff was arrested for hitting Machele on the face in Paul’s presence. A few months later, Jeff, who was drunk at the time, knocked out the driver’s side window where Machele was sitting in the car, again in Paul’s presence. When Paul started to scream, Jeff threatened to kill him. This time, Paul ran into the house and called 911.<sup>13</sup>

Soon after Jeff's second arrest, David asked the Mississippi courts to modify the earlier custody agreement and award him custody of Paul in light of the abuse in Paul's home. The facts presented at trial established David and Wayne to be a stable, faithful couple. Similarly, it was undisputed that David had fostered a good relationship with his son. David always took advantage of every opportunity to be with Paul when his visitation allowed and provided him with everything he needed. David encouraged Paul's writing talents and worked with him to get his stories published to better his chance of getting into a good college.

Even though Paul was forced to live in an extremely violent environment, astoundingly, the Mississippi court refused to transfer custody, concluding that because David is gay and in a same-sex relationship, he lacked the moral fitness to be a good parent. With the help of the ACLU, David appealed the decision to the Mississippi Supreme Court. But again, the court refused to modify custody.

Sadly, David's story is not unique for lesbian and gay parents. The ACLU has been involved in similar custody and visitation matters in other states. But this story fortunately ends with the child living in a safe home: eventually, the California courts took control of the case and awarded David custody of Paul.

Another issue that sometimes arises for lesbian and gay parents is the imposition of restrictions on their custody or visitation. The most common restriction experienced by gay parents is a prohibition against living with their partners while having custody of or visiting with their children. For example in Georgia, Jean Ann Vawter divorced her husband in 1994 and was granted sole custody of their children. Vawter later met a woman, fell in love, and had a commitment ceremony in 1996. The two women bought a house and lived together with Vawter's children. According to papers filed in court, Vawter's ex-husband went back to the family court in 1999 and asked that his ex-wife be held in contempt for exposing the couple's children to a "meretricious relationship." The judge ordered Vawter to immediately take her children and move away from her partner because he found their relationship to be "unwholesome." The Georgia Supreme Court refused to take Vawter's appeal.

Judges have also prohibited overnight visits by same-sex partners, involvement with gay political/social activities, contact with other gay people in general, and the expression of affection towards a partner in the presence of the children. These kinds of restrictions rest on assumptions that gay people will engage in inappropriate behavior around their children and appear to be attempts to hide the reality of the parent's sexual orientation from the children. Fortunately, most state appeals courts that have addressed this issue have rejected these kinds of restrictions, saying they are permissible only if there is proven harm to the child.<sup>14</sup> But high courts in



Alabama and Virginia have upheld restrictions on partners living in the home or being in the presence of children.<sup>15</sup>

## Adoption by Gay Individuals

Most states do not have any laws or policies that say anything one way or the other about the eligibility of lesbians and gay men to adopt children because contemporary child welfare law and policy focuses on qualities that affect someone's ability to take care of a child, not demographic characteristics. This was not always the case. There was a time when single people, older people, and other types of individuals were excluded from adopting children. But child welfare practice has long rejected such exclusions.

Florida is the only state with a law that specifically disqualifies all gay people from adopting, regardless of the circumstances. The law, which was passed in 1977 in response to the notorious anti-gay campaign led by entertainer Anita Bryant, provides that “[n]o person eligible to adopt under this statute may adopt if that person is a homosexual.”<sup>16</sup> No other state has such a sweeping exclusion. However, over the past few years, legislators in a number of other states, including Alabama, Arkansas, Indiana, Tennessee, Texas, and Virginia, have tried to pass similar bans. While these attempts have all failed, these bills keep coming back.

On the opposite end of the spectrum are states like California, Maryland, Massachusetts, Nevada, New Jersey, and New York, which have statutes or state policies that expressly prohibit discrimination against lesbians and gay men in the adoption process.<sup>17</sup> In addition, it is clear that an individual's lesbian or gay orientation is not a basis for exclusion from consideration as an adoptive parent in Connecticut, Illinois, Indiana, Pennsylvania, Vermont, and Washington, D.C., because those states have statutes or appellate court decisions expressly permitting lesbians and gay men to petition to adopt their partner's children.<sup>18</sup>

In the rest of the states, the treatment of lesbians and gay men seeking to adopt children is up to local child welfare authorities and judges. Some will routinely approve adoptions by lesbian and gay parents. Some will not even consider gay applicants. In states where courts have displayed disapproval of lesbian and gay parents in other contexts (e.g., Alabama, Mississippi, and Virginia), case workers may feel less comfortable approving placements with lesbians and gay men. Even where there is no formal or informal bar to adoption by lesbians and gay men, local authorities in some states may still give preferences to married couples, or even to single heterosexuals, over gay applicants.

### WAYNE SMITH AND DAN SKAHEN, FLORIDA

Key West attorney Wayne LaRue Smith was aware that Florida has a law that bans gay people from adopting, but that didn't stop him and his partner Dan Skahen, a local real estate broker, from wanting to raise

children. After years of talking both between themselves and with their extended families, they eventually realized that they didn't just want to be parents; they wanted to help children who didn't have anyone else. The couple, who have been together thirteen years, considered leaving the state and moving somewhere with more favorable laws on gay parenting. But ultimately, they decided that the best way to help the many children in Florida in need of homes was to try to get the law changed. "We realized that there were probably a lot more people like us out there who would be willing to provide homes to a child in need," said Wayne, "so we decided to stay and fight." Wayne and Dan joined the legal challenge brought by the ACLU seeking to strike down the Florida law.

In the meantime, they decided that they could help children by becoming foster parents. While Florida bans gay people from adopting, it does not ban them from serving as foster parents. In fact, Florida's Department of Children and Families often relies on lesbians and gay men to provide homes to its foster children.

The couple took the required parenting course and welcomed their first foster child into their home in 1998. They have taken care of 25 children since. Many of these children were with them for short periods, ultimately being reunited with their birth parents or placed with other relatives. But since 2001, Wayne and Dan have been raising two boys, now ages eight and nine. The family court judges overseeing their placements have terminated the parental rights of each boy's biological parents, and the children are thriving under the couple's care. "They're like all brothers that close in age," said Wayne, "One minute they're best friends, the next they're fighting."

Wayne and Dan would love to be able to adopt the boys to give them the family stability they deserve, but unfortunately the federal courts upheld the law barring them from adopting. The family court judge handling the younger boy's placement issued a novel order transferring legal custody of the child to the couple in order to make sure he could stay permanently with his family. They are hoping to eventually get a similar order with regard to their older child. The uncertainty about whether they all will be able to remain together as a family has been difficult. Not wanting to make their older son feel left out, they've been afraid to tell the younger child that he now has a permanent home.

"We can't tell one he has a permanent home and not the other," said Wayne. When they ask—and they do all the time—the best we can say is 'if we have our way, this will be your home forever.' It's so unfair that these children have to suffer because a group of state lawmakers bought into a bunch of lies about gay people."

## Joint Adoption by Gay Couples

Generally, lesbian and gay individuals find it easier to adopt than a same-sex couple seeking to adopt a child together. For many same-sex couples, one partner adopts the child and then the other partner subsequently asks a court if he or she can also adopt the child through a second legal procedure. This is one way to use what is known as “second-parent” or “co-parent” adoption (see below). If possible, it makes much more sense—and costs less money—to avoid the two steps. Joint adoption allows both parents to have a legally recognized relationship with their child from the outset and in just one step.

It is particularly difficult to know where joint adoptions for same-sex couples have been approved because this is a newer trend, and there is no uniform way of tracking these adoptions. Massachusetts, New Jersey, and Washington, D.C. all have court decisions that explicitly permit joint adoption by lesbian and gay couples.<sup>19</sup> In addition, in Vermont, Connecticut, and California, those states’ civil union and domestic partnership laws allow registered couples to adopt jointly.<sup>20</sup> In some other states, such as Oregon, joint adoption by lesbian and gay couples is almost routine, at least in certain parts of the state, despite no appeals court decision or statute specifically addressing the issue.

Mississippi is the only state in the country with a law that specifically bars lesbian and gay couples from adopting,<sup>21</sup> although Utah’s ban on adoption by individuals who are cohabiting<sup>22</sup> effectively excludes all gay couples. Oklahoma passed a law in 2004 that bars recognition of joint adoptions by same-sex couples that were done in other states. That law says that Oklahoma “shall not recognize an adoption by more than one individual of the same sex from any other state or foreign jurisdiction.”<sup>23</sup> As previously mentioned, states with law that is generally hostile to gay parents (e.g., Alabama, Mississippi, and Virginia) are likely to be difficult places for gay people to adopt individually, let alone jointly.

## Second-Parent Adoption

If a same-sex couple is raising a child conceived through donor insemination or surrogacy, in most states, only the biological parent automatically has a legally recognized tie to the child. The same is true if one partner adopts a child. In a number of states, same-sex couples can establish a legal parent-child relationship for both partners by obtaining what is known as a “second-parent adoption” (also known as a “co-parent adoption”). In a second-parent adoption, the partner of the biological/adoptive parent adopts the child without ending the legal relationship with the first parent, providing full parental rights and responsibilities for both parents. This is a procedure similar to that often used by married heterosexual step-parents.

As with other areas of gay parenting, it is difficult to paint a comprehensive portrait of which states allow second-parent adoptions. These adoptions, like other adoptions, are approved by local family court judges.

In some states, however, the issue has been decisively answered by appellate courts. In a few states—Colorado, Ohio, Nebraska, and Wisconsin—appeals courts have held that second-parent adoptions are not permitted under those states’ adoption laws.<sup>24</sup>

In nine states—California, Connecticut, Illinois, Indiana, Massachusetts, New Jersey, New York, Pennsylvania, Vermont—and Washington D.C., appellate courts or state statutes have established that second-parent adoption is available state-wide.<sup>25</sup> In several other states where the issue has never been brought to the appellate courts, individual judges have granted second-parent adoptions. In a few of these states, like Washington and Alaska, second-parent adoptions are widely approved by judges.

## De Facto or Psychological Parenthood

The best way for same-sex couples to guarantee both parents’ legal relationship with their children is through joint or second-parent adoption, as previously discussed, or other avenues for formal recognition of parenthood that might be available in a particular state. But where a couple did not take this step—either because it was not an option in their state or they simply failed to get it done—some courts recognize the parental role of a nonbiological or nonadoptive parent if there is a breakup or if the biological or adoptive parent dies.

Increasingly, courts are recognizing that there are adults who, while not legally related to a child, function as a parent to that child in every way and, therefore, should be treated as a parent. Courts refer to this as “de facto” or “psychological” parenthood and have applied this principle to lesbian and gay parents in several states.

To prove de facto or psychological parenthood, courts generally require a person to show that:

1. The biological or adoptive parent consented to and fostered the parent/child relationship;
2. He or she lived with the child;
3. He or she assumed the obligations of parenthood without expecting to be paid for his or her work;
4. He or she has been in a parental role long enough to have established a bonded, dependent relationship with the child.

Appeals courts have recognized some form of de facto or psychological parenthood in the context of same-sex couples in California, Colorado, Indiana, Maryland, Massachusetts, New Jersey, New Mexico, Pennsylvania, Rhode Island, Washington, West Virginia, and Wisconsin.<sup>26</sup> Appellate courts have rejected de facto or psychological parenthood for same-sex partners in Florida, New York, Ohio, Tennessee, and Vermont.<sup>27</sup> In other states the law is unclear.

## TINA BURCH, WEST VIRGINIA

The loss of a partner is difficult enough, but for Tina Burch, her partner's death was the beginning of a long struggle to hold onto the son she had raised and nurtured since birth.

Tina and Christina Smarr met in 1998 through a softball league in their small West Virginia town. Within two years they moved in together, along with Burch's teenage daughter from a previous relationship. Not long after, they decided to have a baby. On Christmas Day, 1999, Christina gave birth to a son. The four settled into their Clay County home and lived as a family.

Everything changed in June of 2002 when Christina was killed in a car accident. Tina was injured in the accident as well. As soon as she was released from the hospital, she went to Christina's parents, who had been taking care of her son. According to papers filed in court, Christina's parents wouldn't let the boy return home with Tina or even allow her to visit him without supervision. Soon, Tina learned that Christina's parents were pressing for full custody of her son. She was devastated at first and convinced that she would lose her son. Although Christina had made sure that her parents were a part of their son's life, she hadn't told them about her relationship with Tina.

"I didn't want to tell my story," Tina said. "But deep down, I knew I had no choice."

Tina assumed that, as a gay parent, she was defenseless. She believed that there was no law to turn to in West Virginia to protect her relationship with her son. But Tina eventually found a lawyer willing to fight for her. At trial, the family court judge issued a ruling recognizing Tina as a "psychological parent." The judge found Tina and her son had a strong parent-child bond and that he should remain with Tina. When the case was appealed, however, that ruling was reversed because the appeals court refused to recognize same-sex partners as "psychological parents."

In June 2005, the West Virginia Supreme Court reversed that decision and granted Tina custody of her son.<sup>28</sup> After more than two years, she has finally been able to put this incredibly painful experience behind her.

## Foster Parenting

As with adoption, foster parent eligibility is generally left to the child welfare authorities and family court judges. Few states have specific laws or policies addressing fostering by lesbians and gay men. California, Massachusetts, and

New Jersey have formal policies that bar discrimination against gay people seeking to be considered as foster parents.<sup>29</sup> In contrast, Arkansas, Missouri, and Nebraska have statewide policies banning gay people from being considered as foster parents. (The ACLU is challenging the policies in Arkansas and Missouri. A trial court judge in Arkansas has found that policy unconstitutional.) In the past few years, legislatures in other states, including Arkansas, Indiana, and Texas have considered—but so far rejected—legislation that would ban gay people from serving as foster parents as a matter of state law.

#### LISA JOHNSTON AND DAWN ROGINSKI, MISSOURI

Lisa Johnston and her partner Dawn Roginski, both 40, applied to be foster parents to one or more of Missouri's many children in need. Because of their work and volunteer experiences, they were looking forward to giving a home to a child with special needs. When Lisa used to work at a facility for neglected and abused children, she saw lots of children in the foster care system.

"It was so hard seeing these children being bounced around from one placement to another," she said. "We have so much love to give to a child, and we decided to try to share some of that love with some of those children who so desperately need it."

So in 2003, when Lisa and Dawn applied for a foster care license, passed a rigorous initial home study, and began attending a training program for prospective foster parents, they thought they should sail through the approval process. Instead, a Department of Social Services (DSS) representative told them that their application for a license was being denied because they are lesbians. Ironically, the couple is far more qualified than most foster care applicants. Lisa works in child development and has a great deal of experience helping abused, neglected, and developmentally challenged children. Dawn is a chaplain at a psychiatric treatment center for children and adolescents with emotional and behavioral disorders, working with children assigned to the center by juvenile courts as well as children who have had difficulty with prior foster care placements. Lisa and Dawn are church leaders and lead a peaceful, home-centered life.

The couple filed an administrative appeal and took part in a hearing in January 2004, but they ultimately lost in March 2005. In April, the ACLU asked a state court to overturn the DSS's refusal. A hearing in the case took place in November 2005 (visit [www.aclu.org/caseprofiles](http://www.aclu.org/caseprofiles) for updates). In the meantime, over 1,900 children in Missouri are waiting for good homes, and the nursery and cradle in the couple's home remain empty.

## Legal Challenges to Bans on Adoption or Fostering by Gay People

In 1999, the ACLU and Florida's Children First filed a lawsuit in federal court challenging the Florida law banning adoptions by lesbians and gay men. While ultimately unsuccessful in court, the compelling stories about the plaintiffs in the case helped to put the case in the national spotlight and show Americans how restrictions against gay parenting harm children, especially those in need of homes.

Steve Lofton and his partner Roger Croteau have raised three foster children from Florida as well as two foster children from Oregon, where they live now. Steve and Roger, who are both nurses, were asked by the state to take in the three Florida children, who were all thought to be HIV-positive at birth. At the insistence of the state, Steve gave up his job to provide full-time care to the three children. After being with Steve and Roger for several years, it was discovered that one of the children, Bert, did not have HIV. When he suddenly became more attractive to potential adoptive parents, the state began looking for other families to adopt him despite the fact that this was the only family he had ever known.

Doug Houghton worked in the children's clinic of a Miami hospital when he first met Oscar and his family in the early 1990s. When Oscar was barely a year old, his mother (who is now dead) lost custody of him because she was neglecting him. By the time he was three, Oscar had been shuffled in and out of several homes and living with his biological dad, who had just become homeless again. In 1995, just days before Christmas, Oscar's dad showed up at the hospital and asked Doug to take the boy. Doug became Oscar's legal guardian and has been raising him ever since, but he cannot adopt him because of the Florida ban.

The plaintiffs argued that it was a violation of the Constitution's equal protection guarantee to categorically exclude gay people from consideration to be adoptive parents. The district court dismissed the case before trial, relying on nothing but speculation that married heterosexual couples provide the optimal family environment.<sup>30</sup> A three-judge panel of the United States Court of Appeals for the Eleventh Circuit affirmed that decision.<sup>31</sup> The plaintiffs then asked for rehearing by the full court. The court was evenly divided, voting six to six.<sup>32</sup> Unfortunately, a majority of the court was needed to grant further review. Three of the six judges who had voted for a rehearing joined a passionate dissenting opinion stating that the law is unconstitutional.<sup>33</sup> The three other dissenters wrote:

There is a serious and substantial question whether Florida can constitutionally declare all homosexuals ineligible to adopt while, at the same time, allowing them to become permanent foster parents, and not categorically barring other groups such as convicted felons or drug addicts from adopting.<sup>34</sup>

The plaintiffs asked the U.S. Supreme Court to hear an appeal, but it declined to do so.

The ACLU also filed a case in Arkansas state court challenging that state's regulation that bars gay people and heterosexuals who have gay household members from foster parenting. Unlike the Lofton case, here the court conducted a trial, which lasted five days, in which it heard from an array of prominent experts about the suitability of gay parents, the development of their children, and whether there is any truth to a range of negative stereotypes about gay people asserted by the state. In December 2004, the judge struck down the regulation, stating, "the testimony and evidence overwhelmingly showed that there was no rational relationship between the [exclusion] and the health, safety, and welfare of the foster children."<sup>35</sup> The judge's opinion rejected the many myths about gay people that have been relied upon to justify discriminatory laws on gay parenting, and found that children raised by gay parents are just as well-adjusted as other children. The judge made numerous findings of fact based on the expert testimony presented, including the following:

- Being raised by gay parents does not increase the risk of problems in adjustment for children;
- Being raised by gay parents does not increase the risk of psychological problems for children;
- Being raised by gay parents does not increase the risk of behavioral problems for children;
- Being raised by gay parents does not prevent children from forming healthy relationships with their peers and others;
- Being raised by gay parents does not cause academic problems;
- Being raised by gay parents does not cause gender identity problems;
- Both men and women have the capacity to be good parents, and there is nothing about gender per se that affects one's ability to be a good parent;
- There are benefits to children's adjustment in having two parents as opposed to one parent and children in single-parent families are more likely to have adjustment difficulties than children in two-parent families;
- Children of lesbian or gay parents are equivalently adjusted to children of heterosexual parents;
- There is no factual basis for making the statement that heterosexual parents might be better able to guide their children through adolescence than gay parents;
- There is no factual basis for making the statement that the sexual orientation of a parent or foster parent can predict children's adjustment;
- There is no factual basis for making the statement that being raised by lesbian or gay parents has a negative effect on children's adjustment;
- There is no reason in which the health, safety, or welfare of a foster child might be negatively impacted by being placed with a heterosexual foster parent who has an adult gay family member residing in that home;



- Homosexuality is not a mental disorder;
- There is no evidence that gay people, as a group, are more likely to engage in domestic violence than heterosexuals;
- There is no evidence that gay people, as a group, are more likely to sexually abuse children than heterosexuals.<sup>36</sup>

Arkansas has appealed the decision, and the case, *Dep't of Human Services v. Howard*, is currently pending before the Arkansas Supreme Court.

In Missouri, the ACLU is pursuing the *Johnston* case, discussed above, challenging the state's denial of a foster application based on nothing but the applicant's sexual orientation. The case is pending in the state trial court.

Finally, Lambda Legal has brought a case in federal court challenging Oklahoma's law prohibiting recognition of adoptions by same-sex couples that were approved by courts in other states. The case was brought on behalf of a lesbian couple with twins who were adopted through a second-parent adoption in New Jersey before the family moved to Oklahoma, and a gay male couple from Washington who adopted an Oklahoma child. Lambda is arguing that the law violates the right to equal protection as well as the full faith and credit clause of the Constitution. The case, *Finstuen v. Edmondson*, is pending in the United States District Court for the Western District of Oklahoma.

**For updated information on the Arkansas and Missouri cases, visit the ACLU's website at [www.aclu.org/caseprofiles](http://www.aclu.org/caseprofiles). For information on the Oklahoma case, visit Lambda Legal's website at [www.lambdalegal.org](http://www.lambdalegal.org).**

## The Child Welfare Position: All Mainstream National Children’s Health and Welfare Organizations Oppose Restrictions on Gay Parenting

The child’s best interests. This is what everyone on all sides of the issue talks about when discussing whether lesbians and gay men should be parents. A proud grandmother knows with all her heart that her granddaughter’s needs could not possibly be met better by anyone but her own daughter, who is a lesbian. Yet a conservative legislator is equally convinced that gay people simply cannot be appropriate role models, and so he is certain that it is never in children’s best interests to be raised by gay people. Fortunately, assessing children’s interests is not that subjective.

The most logical place to begin the search for information about the issue of parenting by lesbians and gay men is with the children’s health and welfare experts. In the child welfare profession, as well as the fields of pediatrics, psychology, and psychiatry, there are national professional associations that provide guidance to the public regarding their areas of expertise.

Every mainstream health and child welfare organization—including the Child Welfare League of America, the American Academy of Pediatrics, and the American Psychological Association—has issued policies opposing restrictions on lesbian and gay parenting. These groups are not driven by political beliefs but by scientific evidence and widely accepted standards that guide how to assess and deliver what children need. And what children need, in short, is love, protection, stability, and guidance. They need the true focus of the child placement process to be on them, which is exactly what the prevailing public policy in this area does.

Ask mainstream children’s groups about adoption, foster care, and other parenting, and it is unlikely they will jump right into talking about lesbian and gay parents. Instead, they will talk about the crisis in this country’s child welfare system. They will talk about the 523,085 kids in foster care<sup>37</sup>, many of whom are essentially warehoused and shuffled from one home to another until they turn eighteen and “age out” of the system. They will talk about the 118,761 of those kids who are ready to be adopted but still waiting because nobody wants them.<sup>38</sup> They will talk about the kids they see who are abused and neglected and the thousands of

kids who somehow get “lost” in the system and made vulnerable by the very safety net that is supposed to catch them. And then they will ask why limiting the pool of qualified, loving parents is even debated.

The professionals who advocate on children’s behalf have strong and clear feelings about foster care and adoption policy and practice generally, and gay parents in particular. This chapter of *Too High a Price* sets forth the statements and policies of all the major children’s health and welfare organizations condemning restrictions on gay parenting. The bases for these groups’ uniform opposition—the social science research on gay parents and their children and the well-established child welfare standards favoring individualized assessment of every applicant—will be discussed in detail in Chapters 4 and 5, respectively.

## **Statements from Mainstream Children’s Health and Welfare Organizations**

### Child Welfare League of America

The Child Welfare League of America is the nation’s oldest and largest membership-based child welfare organization. It is committed to promoting the well-being of children, youth, and their families, and protecting every child from harm. Each year it assists more than 3.5 million abused and neglected children through its association of more than 900 public and private nonprofit agencies.<sup>39</sup>

The Child Welfare League of America (CWLA) affirms that gay, lesbian, and bisexual parents are as well suited to raise children as their heterosexual counterparts. . . .

Existing research comparing gay and lesbian parents to heterosexual parents, and children of gay and lesbian parents to children of heterosexual parents, shows that common negative stereotypes are not supported (Patterson, 1995). Likewise, beliefs that gay and lesbian adults are unfit parents have no empirical foundation (American Psychological Association 1995).

A growing body of scientific evidence demonstrates that children who grow up with one or two parents who are gay or lesbian fare as well in emotional, cognitive, social, and sexual functioning as do children whose parents are heterosexual. Evidence shows that children’s optimal development is influenced more by the nature of the relationships and interactions within the family unit than by its particular structural form (Perrin 2002).

Studies using diverse samples and methodologies in the last decade have persuasively demonstrated that there are no systematic differences between gay or lesbian and non-gay or lesbian parents in emotional health, parenting skills, and attitudes toward parenting (Stacey & Biblarz 2001). No studies have found risks to or disadvantages for chil-

dren growing up in families with one or more gay parents, compared to children growing up with heterosexual parents (Perrin 2002). Indeed, evidence to date suggests home environments provided by gay and lesbian parents support and enable children's psychosocial growth, just as do those provided by heterosexual parents (Patterson 1995)....

All applicants should be assessed on the basis of their abilities to successfully parent a child needing family membership and not on their race, ethnicity or culture, income, age, marital status, religion, appearance, differing lifestyle, or sexual orientation. Applicants should be accepted on the basis of an individual assessment of their capacity to understand and meet the needs of a particular available child at the point of the adoption and in the future (CWLA 2000)...<sup>40</sup>

## American Academy of Pediatrics

The American Academy of Pediatrics (AAP) is a membership organization of approximately 60,000 pediatricians dedicated to the health, safety, and well-being of infants, children, adolescents, and young adults.<sup>41</sup>

Children deserve to know that their relationships with both of their parents are stable and legally recognized. This applies to all children, whether their parents are of the same or opposite sex. The American Academy of Pediatrics recognizes that a considerable body of professional literature provides evidence that children with parents who are homosexual can have the same advantages and the same expectations for health, adjustment, and development, as can children whose parents are heterosexual. When two adults participate in parenting a child, they and the child deserve the serenity that comes with legal recognition.

Children born or adopted into families headed by partners who are of the same sex usually have only one biologic or adoptive legal parent. The other partner in a parental role is called the "coparent" or "second parent." Because these families and children need the permanence and security that are provided by having two fully sanctioned and legally defined parents, the Academy supports the legal adoption of children by coparents or second parents. Denying legal parent status through adoption to coparents or second parents prevents these children from enjoying the psychologic and legal security that comes from having 2 willing, capable, and loving parents.

Several states have considered or enacted legislation sanctioning second-parent adoption by partners of the same sex. In addition, legislative initiatives assuring legal status equivalent to marriage for gay and lesbian partners, such as the law approving civil unions in Vermont, can also attend to providing security and permanence for the children of those partnerships.

Many states have not yet considered legislative actions to ensure the security of children whose parents are gay or lesbian. Rather, adoption has been decided by probate or family courts on a case-by-case basis. Case precedent is limited. It is important that a broad ethical mandate exist nationally that will guide the courts in providing necessary protection for children through coparent adoption.

Coparent or second-parent adoption protects the child's right to maintain continuing relationships with both parents. The legal sanction provided by coparent adoption accomplishes the following:

1. Guarantees that the second parent's custody rights and responsibilities will be protected if the first parent were to die or become incapacitated. Moreover, second-parent adoption protects the child's legal right of relationships with both parents. In the absence of coparent adoption, members of the family of the legal parent, should he or she become incapacitated, might successfully challenge the surviving coparent's rights to continue to parent the child, thus causing the child to lose both parents.
2. Protects the second parent's rights to custody and visitation if the couple separates. Likewise, the child's right to maintain relationships with both parents after separation, viewed as important to a positive outcome in separation or divorce of heterosexual parents, would be protected for families with gay or lesbian parents.
3. Establishes the requirement for child support from both parents in the event of the parents' separation.
4. Ensures the child's eligibility for health benefits from both parents.
5. Provides legal grounds for either parent to provide consent for medical care and to make education, health care, and other important decisions on behalf of the child.
6. Creates the basis for financial security for children in the event of the death of either parent by ensuring eligibility to all appropriate entitlements, such as Social Security survivor benefits.

On the basis of the acknowledged desirability that children have and maintain a continuing relationship with two loving and supportive parents, the Academy recommends that pediatricians do the following:

- Be familiar with professional literature regarding gay and lesbian parents and their children.
- Support the right of every child and family to the financial, psychologic,

and legal security that results from having legally recognized parents who are committed to each other and to the welfare of their children.

- Advocate for initiatives that establish permanency through coparent or second-parent adoption for children of same-sex partners through the judicial system, legislation, and community education.<sup>42</sup>

#### **A Note about the American College of Pediatricians:**

When the American Academy of Pediatrics passed its policy statement supporting second-parent adoptions by lesbian and gay parents in 2002, a fringe group of approximately 60 of the AAP's more than 60,000 members formed the "American College of Pediatricians".<sup>43</sup> This group has been described by one of its charter members as a "Judeo-Christian, traditional-values organization" that is open to pediatric medical professionals of all religions "who hold to [the ACP's] core beliefs," which are that "life begins at conception, and that the traditional family unit, headed by an opposite-sex couple, poses far fewer risk factors in the adoption and raising of children."<sup>44</sup> This group issued a position statement in January 2004 supporting the "age-old prohibition on homosexual parenting, whether by adoption, foster care, or by reproductive manipulation."<sup>45</sup>

### American Medical Association

The nation's largest physician's group, the American Medical Association, advocates on issues vital to the nation's health.<sup>46</sup>

Our AMA will support legislative and other efforts to allow the adoption of a child by the same-sex partner, or opposite sex non-married partner, who functions as a second parent or co-parent to that child.<sup>47</sup>

### American Psychiatric Association

The American Psychiatric Association includes over 35,000 member physicians.<sup>48</sup>

1. Sexual orientation should not be used as the sole or primary factor in child custody determinations.
2. Gay and lesbian couples and individuals should be allowed to become parents through adoption, fostering and new reproductive technologies, subject to the same types of screening used with heterosexual couples and individuals.
3. Second parent adoptions, which grant full parental rights to a second, unrelated adult (usually an unmarried partner of a legal parent), are

often in the best interest of the child(ren) and should not be prohibited solely because both adults are of the same gender.

4. Custody determinations after dissolution of a gay relationship should be done in a manner similar to other custody determinations.<sup>49</sup>

## American Psychological Association

The American Psychological Association is a scientific and professional organization that includes over 150,000 members.<sup>50</sup>

Many lesbians and gay men are parents. In the 2000 U.S. Census, 33% of female same-sex couple households and 22% of male same-sex couple households reported at least one child under the age of 18 living in the home. Despite the significant presence of at least 163,879 households headed by lesbian or gay parents in U.S. society, three major concerns about lesbian and gay parents are commonly voiced (Falk, 1994; Patterson, Fulcher & Wainright, 2002). These include concerns that lesbians and gay men are mentally ill, that lesbians are less maternal than heterosexual women, and that lesbians' and gay men's relationships with their sexual partners leave little time for their relationships with their children. In general, research has failed to provide a basis for any of these concerns (Patterson, 2000, 2004a; Perrin, 2002; Tasker, 1999; Tasker & Golombok, 1997). First, homosexuality is not a psychological disorder (Conger, 1975). Although exposure to prejudice and discrimination based on sexual orientation may cause acute distress (Mays & Cochran, 2001; Meyer, 2003), there is no reliable evidence that homosexual orientation per se impairs psychological functioning. Second, beliefs that lesbian and gay adults are not fit parents have no empirical foundation (Patterson, 2000, 2004a; Perrin, 2002). Lesbian and heterosexual women have not been found to differ markedly in their approaches to child rearing (Patterson, 2000; Tasker, 1999). Members of gay and lesbian couples with children have been found to divide the work involved in childcare evenly, and to be satisfied with their relationships with their partners (Patterson, 2000, 2004a). The results of some studies suggest that lesbian mothers' and gay fathers' parenting skills may be superior to those of matched heterosexual parents. There is no scientific basis for concluding that lesbian mothers or gay fathers are unfit parents on the basis of their sexual orientation (Armesto, 2002; Patterson, 2000; Tasker & Golombok, 1997). On the contrary, results of research suggest that lesbian and gay parents are as likely as heterosexual parents to provide supportive and healthy environments for their children.

### **CHILDREN OF LESBIAN AND GAY PARENTS**

As the social visibility and legal status of lesbian and gay parents has increased, three major concerns about the influence of lesbian and gay parents on children have been often voiced (Falk, 1994; Patterson,

Fulcher & Wainright, 2002). One is that the children of lesbian and gay parents will experience more difficulties in the area of sexual identity than children of heterosexual parents. For instance, one such concern is that children brought up by lesbian mothers or gay fathers will show disturbances in gender identity and/or in gender role behavior. A second category of concerns involves aspects of children's personal development other than sexual identity. For example, some observers have expressed fears that children in the custody of gay or lesbian parents would be more vulnerable to mental breakdown, would exhibit more adjustment difficulties and behavior problems, or would be less psychologically healthy than other children. A third category of concerns is that children of lesbian and gay parents will experience difficulty in social relationships. For example, some observers have expressed concern that children living with lesbian mothers or gay fathers will be stigmatized, teased, or otherwise victimized by peers. Another common fear is that children living with gay or lesbian parents will be more likely to be sexually abused by the parent or by the parent's friends or acquaintances.

Results of social science research have failed to confirm any of these concerns about children of lesbian and gay parents (Patterson, 2000, 2004a; Perrin, 2002; Tasker, 1999). Research suggests that sexual identities (including gender identity, gender-role behavior, and sexual orientation) develop in much the same ways among children of lesbian mothers as they do among children of heterosexual parents (Patterson, 2004a). Studies of other aspects of personal development (including personality, self-concept, and conduct) similarly reveal few differences between children of lesbian mothers and children of heterosexual parents (Perrin, 2002; Stacey & Biblarz, 2001; Tasker, 1999). However, few data regarding these concerns are available for children of gay fathers (Patterson, 2004b). Evidence also suggests that children of lesbian and gay parents have normal social relationships with peers and adults (Patterson, 2000, 2004a; Perrin, 2002; Stacey & Biblarz, 2001; Tasker, 1999; Tasker & Golombok, 1997). The picture that emerges from research is one of general engagement in social life with peers, parents, family members, and friends. Fears about children of lesbian or gay parents being sexually abused by adults, ostracized by peers, or isolated in single-sex lesbian or gay communities have received no scientific support. Overall, results of research suggest that the development, adjustment, and well-being of children with lesbian and gay parents do not differ markedly from that of children with heterosexual parents.

#### **RESOLUTION**

WHEREAS APA supports policy and legislation that promote safe, secure, and nurturing environments for all children (DeLeon, 1993, 1995; Fox, 1991; Levant, 2000);

WHEREAS APA has a long-established policy to deplore "all public



and private discrimination against gay men and lesbians” and urges “the repeal of all discriminatory legislation against lesbians and gay men” (Conger, 1975);

WHEREAS the APA adopted the Resolution on Child Custody and Placement in 1976 (Conger, 1977, p. 432);

WHEREAS discrimination against lesbian and gay parents deprives their children of benefits, rights, and privileges enjoyed by children of heterosexual married couples;

WHEREAS some jurisdictions prohibit gay and lesbian individuals and same-sex couples from adopting children, notwithstanding the great need for adoptive parents (Lofton v. Secretary, 2004);

WHEREAS there is no scientific evidence that parenting effectiveness is related to parental sexual orientation: lesbian and gay parents are as likely as heterosexual parents to provide supportive and healthy environments for their children (Patterson, 2000, 2004; Perrin, 2002; Tasker, 1999);

WHEREAS research has shown that the adjustment, development, and psychological well-being of children is unrelated to parental sexual orientation and that the children of lesbian and gay parents are as likely as those of heterosexual parents to flourish (Patterson, 2004; Perrin, 2002; Stacey & Biblarz, 2001);

THEREFORE BE IT RESOLVED that the APA opposes any discrimination based on sexual orientation in matters of adoption, child custody and visitation, foster care, and reproductive health services;

THEREFORE BE IT FURTHER RESOLVED that the APA believes that children reared by a same-sex couple benefit from legal ties to each parent;

THEREFORE BE IT FURTHER RESOLVED that the APA supports the protection of parent-child relationships through the legalization of joint adoptions and second-parent adoptions of children being reared by same-sex couples;

THEREFORE BE IT FURTHER RESOLVED that APA shall take a leadership role in opposing all discrimination based on sexual orientation in matters of adoption, child custody and visitation, foster care, and reproductive health services;

THEREFORE BE IT FURTHER RESOLVED that APA encourages psychologists to act to eliminate all discrimination based on sexual orientation in matters of adoption, child custody and visitation, foster care, and reproductive health services in their practice, research, education

and training (American Psychological Association, 2002);

THEREFORE BE IT FURTHER RESOLVED that the APA shall provide scientific and educational resources that inform public discussion and public policy development regarding discrimination based on sexual orientation in matters of adoption, child custody and visitation, foster care, and reproductive health services and that assist its members, divisions, and affiliated state, provincial, and territorial psychological associations.<sup>51</sup>

## American Academy of Child and Adolescent Psychiatry

The American Academy of Child and Adolescent Psychiatry is a national professional medical association of psychiatrists dedicated to treating and improving the quality of life for children, adolescents, and families of children affected by mental, behavioral, or developmental disorders.<sup>52</sup>

The basis on which all decisions relating to custody and parental rights should rest is on the best interest of the child. Lesbian, gay, and bisexual individuals historically have faced more rigorous scrutiny than heterosexuals regarding their rights to be or become parents.

There is no evidence to suggest or support that parents with a gay, lesbian, or bisexual orientation are per se different from or deficient in parenting skills, child-centered concerns and parent-child attachments, when compared to parents with a heterosexual orientation. It has long been established that a homosexual orientation is not related to psychopathology, and there is no basis on which to assume that a parental homosexual orientation will increase likelihood of or induce a homosexual orientation in the child.

Outcome studies of children raised by parents with a homosexual or bisexual orientation, when compared to heterosexual parents, show no greater degree of instability in the parental relationship or developmental dysfunction in children.

The AACAP opposes any discrimination based on sexual orientation against individuals in regard to their rights as custodial or adoptive parents as adopted by Council.<sup>53</sup>

## National Association of Social Workers

The National Association of Social Workers (NASW) is the largest membership organization of professional social workers in the world with 153,000 members.<sup>54</sup>

The literature . . . undermines negative assumptions about gay men and lesbians as parents. The most striking feature of the research on lesbian mothers, gay fathers, and their children is the absence of pathological findings. The second most striking feature is how similar the groups of

gay and lesbian parents and their children are to the heterosexual parents and their children that were included in the studies. . . .<sup>55</sup>

Barriers that prevent children from being placed in permanent homes must be removed. . . . Barriers that are unsupported by tested experience—such as resistance to using single parents, foster parents (for adoption), and nontraditional family patterns (including lesbian and gay, bisexual, and transgender parents) as potential foster care and adoption resources—must be removed. . . .<sup>56</sup>

Legislation legitimizing second-parent adoptions in same-sex households should be supported. Legislation seeking to restrict foster care and adoption by gay, lesbian, bisexual, or transgender people should be vigorously opposed.<sup>57</sup>

### North American Council on Adoptable Children

The North American Council on Adoptable Children (NACAC) is committed to meeting the needs of children who are in need of homes and the families who adopt them. It provides education, parent support, research, and advocacy.<sup>58</sup>

Children should not be denied a permanent family because of the sexual orientation of potential parents. All prospective foster and adoptive parents, regardless of sexual orientation, should be given fair and equal consideration. NACAC opposes rules and legislation that restrict the consideration of current or prospective foster and adoptive parents based on their sexual orientation.<sup>59</sup>

### American Academy of Family Physicians

The American Academy of Family Physicians is one of the largest national medical organizations, representing more than 94,000 family physicians, family medicine residents, and medical students nationwide.<sup>60</sup> The AAFP established a policy to be “supportive of legislation which promotes a safe and nurturing environment, including psychological and legal security, for all children, including those of adoptive parents, regardless of the parents’ sexual orientation.”<sup>61</sup>

## The Social Science: Scientific Research Shows That Children of Gay Parents Are Just as Healthy and Well-Adjusted as Other Children

Chapter 3 discussed the major children’s health and welfare organizations’ positions on parenting by lesbians and gay men. These groups all agree that a person’s sexual orientation says nothing about his or her ability to be a good parent, and that being raised by lesbian or gay parents does not impair children’s development in any way. The reason they all agree is that it has been firmly established by scientific research. This chapter of *Too High A Price* is devoted to a discussion of that research.

Until the 1970s, there was virtually no scientific research on gay parents or their children because there were not very many openly gay parents to study. Until then, lesbians and gay men raising children generally were not open about their sexual orientation for reasonable fear of losing custody of their children or other forms of discrimination. It wasn’t until the gay liberation movement was well underway that lesbian mothers and gay fathers began to come out in significant numbers, providing subjects to study. And the 1980s marked the beginning of the “lesbian baby boom,” a rise in lesbian couples planning families together through adoption or assisted reproductive technology. More and more gay male couples are also choosing to become parents.

With the appearance of openly gay and lesbian parents in the last quarter century, and in significant numbers in the past 20 years, scientists have had the opportunity to study these families, evaluating the parenting abilities of lesbian and gay parents and how well their children are developing. There is now a well-developed body of scientific research on lesbian and gay parents and their children in scholarly journals.<sup>62</sup> The academic literature includes more than two dozen studies that have evaluated several hundred parents and children. The studies found, without exception, that gay people are just as capable parents and that children raised by lesbians and gay men are just as healthy and well-adjusted as other children.

This chapter first provides an overview of the scientific research on lesbian and gay parents and their children, describing how the studies were conducted, the findings they reported, and the significance of those findings to researchers. The

chapter then discusses what developmental psychologists have determined are the factors that do predict children's healthy development, and explains the relevance of another body of research often raised in the debate about gay parents: the research on children raised in single-parent families. Also included in this chapter is an interview with Professor Judith Stacey, a sociologist who is a nationally recognized expert on gay parents and their children. At the end of the chapter are concise summaries of 25 of the leading studies on lesbian and gay parents and their children.

## **An Overview of the Scientific Research on Lesbian and Gay Parents and Their Children**

### What Did the Studies Explore?

Researchers studying lesbian and gay parents and their children have explored a broad range of issues, but most of the studies have focused on one or more of the following topics:

- Children's overall well-being: psychological and emotional development, social development, and cognitive development
- Quality of parenting: parenting practices, competence and attitudes, quality of the parent-child relationship, and factors that can affect parenting ability, such as parental mental health and the quality of the relationship between the parents
- Gender and sexual development of the children

### Who Did the Researchers Study?

This body of research looked at diverse samples of families headed by lesbian and gay parents. The majority of the research examined lesbian mothers and their children but some studies focused on gay fatherhood.<sup>63</sup> The research includes studies of children of lesbian mothers who had conceived them during previous heterosexual relationships,<sup>64</sup> as well as studies of children of lesbian mothers conceived through donor insemination and raised from birth in lesbian mother households.<sup>65</sup> No well-known studies have focused exclusively on families of lesbians and gay men who have adopted children with no biological relationship to either parent.

Some studies compared children of single lesbian mothers to children of single heterosexual mothers.<sup>66</sup> Others compared children of lesbian couples to those raised by heterosexual couples.<sup>67</sup> The studies also looked at children across the age spectrum. Some examined young children.<sup>68</sup> Others looked at adolescents and young adults.<sup>69</sup> Some were longitudinal, following children over the course of their childhoods, some continuing through adolescence and even into adulthood.<sup>70</sup> The studies are also geographically diverse, including samples of families

from various states in this country,<sup>71</sup> as well as families in England,<sup>72</sup> Belgium,<sup>73</sup> and the Netherlands.<sup>74</sup>

Most of the families studied were located by such methods as placing advertisements in gay magazines and newspapers, posting notices with women's groups and gay community organizations, and through referrals. This type of sampling—seeking out eligible subjects where the researcher expects to find them—is known as convenience sampling and is typically used in psychological research, especially where the population being studied is a small minority that is hard to find. However, in some of the more recent studies, researchers were able to study families drawn from random samples. For example, two research teams drew samples from all former patients of fertility clinics who had children in a certain age range.<sup>75</sup> One study drew its subjects from the Avon Longitudinal Study of Parents and Children, a study of all of the children born in Avon, England over the course of a designated 20-month period that included over 14,000 children.<sup>76</sup> Another study was based on a nationally-representative sample of over 12,000 adolescents in the United States.<sup>77</sup>

## How Were the Studies Conducted?

Most of the studies compared families headed by lesbian parents to families with heterosexual parents, matching them for other criteria that might affect development, such as parents' age, income, family size, and family structure (single versus two-parent families). Like most research in the field of developmental psychology, most of these studies were intensive examinations of children and parents. The samples typically included a few dozen subjects in each group, although some were larger.<sup>78</sup> The methods used by researchers included a range of the standard methodologies utilized in the field of developmental psychology. They include psychologist interviews of children and parents, reports from teachers, children's play narratives, and widely used instruments with demonstrated reliability such as the "Child Behavior Checklist" and the "Beck Depression Inventory."

## What Did the Studies Find?

### THE CHILDREN'S DEVELOPMENT

**The sexual orientation of parents does not affect the psychological well-being of children.** The issue that has been of greatest interest to researchers studying lesbian and gay parent families has been the psychological well-being of the children. Most of the studies focused on this issue, comparing children of lesbian parents to children raised by heterosexual parents with respect to mental health and emotional adjustment. Across the studies, there were no differences between the two groups in terms of the rates of psychiatric disorders such as depression and anxiety. They had equivalent rates of emotional and behavioral problems. And there were no differences in levels of self-esteem. Not a single one of these studies found any correlation between parental sexual orientation and any adverse effect on children's psychological or emotional development.<sup>79</sup>

**The sexual orientation of parents does not affect children's social development.** Several studies assessed the peer relationships of children raised by lesbian parents. These studies consistently found that children of lesbian parents made friends and formed healthy peer relationships just as well as their peers.<sup>80</sup>

Some researchers looked specifically at children's exposure to teasing and bullying. They found that most children in both heterosexual and lesbian parent families had experienced teasing and name-calling. Two studies found that the children of lesbian mothers were not teased or bullied more than other kids, but if they were teased, it was more likely to be about their family or their own sexuality.<sup>81</sup>

Some researchers also explored children's comfort level with disclosing the nature of their families to their peers and found results similar to the experience of children of other nontraditional families such as divorced families. A 1995 study found that, while the majority of the children of lesbian mothers told at least some friends about their family without encountering negative responses, some concealed that information.<sup>82</sup> A 2002 study found that most children would explain the nature of their two-mother family to strangers only if asked, but would spontaneously share that information with their close friends and usually receive a positive reaction.<sup>83</sup> That study also found that children of lesbian mothers did not show reluctance to invite friends to their home.

A few studies examined children's relationships with their extended families and found that there were no differences between children of lesbian mothers and children of heterosexual parents with respect to the amount of contact they had with their grandparents and other extended family members and the closeness of the relationships formed with those relatives.<sup>84</sup>

**The sexual orientation of parents does not affect children's cognitive development.** Some studies focused on children's cognitive and intellectual development and school functioning and found no differences between children of lesbian parents and children of heterosexual parents.<sup>85</sup>

#### THE QUALITY OF THE PARENTING

**The parenting skills of lesbian and gay parents are at least as good as those of heterosexual parents.** A number of studies evaluated the parenting practices, competence, and commitment of lesbian and gay parents compared to heterosexual parents. For example, researchers looked at the amount of contact and involvement parents had with their children, parental warmth, parents' responsiveness to children's needs, supervision, and limit setting. The studies consistently found that the parenting skills of lesbian mothers and gay fathers were at least as good as the parenting skills of heterosexual parents. There were no differences in parents' commitment to their children correlating with parents' sexual orientation.<sup>86</sup> Moreover, some studies found that lesbian mothers were less likely than heterosexual parents to use corporal punishment.<sup>87</sup>

**The sexual orientation of parents does not affect the quality of their relationships with their children.** Some researchers assessed the quality of parent-child relationships (e.g., the warmth, sensitivity, and emotional involvement) in lesbian parent families compared to heterosexual parent families. They found that the quality of the parent-child relationships between lesbian mothers and their children was at least as good as those in heterosexual parent families.<sup>88</sup>

**Parents' mental health does not differ based on their sexual orientation.** Because a parent's psychological well-being can affect his or her effectiveness as a parent, a number of researchers measured the levels of depression, anxiety, and stress among lesbian mothers compared to heterosexual parents.<sup>89</sup> None of these studies found any differences in mental health between the two groups of parents.

**The quality of the couple relationship between the parents does not differ based on sexual orientation.** Studies that evaluated the quality of the relationship between the two parents in two-parent families found that the lesbian couples raising children were at least as satisfied in their relationships as the heterosexual couples with children, and there were no differences between the two groups in the level of relationship conflict.<sup>90</sup> Some studies found that lesbian couples were more compatible in their parenting than heterosexual couples.<sup>91</sup>

#### THE GENDER AND SEXUAL DEVELOPMENT OF THE CHILDREN

**Parents' sexual orientation has no impact on children's gender identity.** Some researchers have looked to see whether being raised by lesbian parents has any effect on children's gender identity (a child's sense of himself or herself as a boy or a girl). These studies found that parental sexual orientation had no impact on children's gender identity development. None of the children studied to date has shown evidence of gender identity confusion.<sup>92</sup>

**Children raised by lesbian parents may feel less constrained by sex stereotypes than children raised by heterosexual parents.** Some researchers studied whether parental sexual orientation had an impact on children's gender roles (i.e., how much they conformed to societal notions of what behavior is appropriate for boys and for girls). Developmental psychologists recognize that this is not an issue of adjustment; neither conformity to stereotypes about how girls or boys should behave nor departure from sex stereotypes means anything about whether an individual is well-adjusted.<sup>93</sup> But other areas of research have shown that where parents break from traditional gender stereotypes (e.g., families in which mothers and fathers share the child care responsibility), the children tend to be less sex-stereotyped.<sup>94</sup> So researchers were interested in learning if and how being raised by lesbian parents affects gender role behavior. Researchers examined children's feelings and behaviors in play, how they dress, their school activities, and their occupational aspirations. The studies consistently found that the children of lesbian mothers, like those raised by heterosexual parents, generally fell within the conventional norms of sex-typed behavior.<sup>95</sup> Some studies found that more of the children of lesbian mothers showed a wider range of behaviors (e.g., playing with both dolls



and trucks, or with both boys and girls) and that daughters of lesbian mothers were more likely to have career aspirations that were not confined to stereotypically feminine occupations.<sup>96</sup> As one researcher put it, the daughters of lesbian mothers show “less adherence to traditionally sex-typed standards but are similar to many other girls of their age.”<sup>97</sup>

**Parents’ sexual orientation does not determine the sexual orientation of their children.** Sexual orientation, like the level of conformity to sex stereotypes, is not a question of healthy adjustment. The fields of psychiatry and psychology agree that being lesbian or gay is not a disorder and represents no impairment of function.<sup>98</sup> Nevertheless, whether there is any correlation between the sexual orientation of parents and children is an interesting question (even if it cannot provide an answer to the long-running “nature/nurture” debate regarding sexual orientation). Little is known about the factors that cause a person to become heterosexual, gay, or bisexual, but it is clear that children’s sexual orientation is not determined by the sexual orientation of their parents. The evidence indicates that the vast majority of lesbians and gay men were raised by heterosexual parents, and the vast majority of children raised by lesbian and gay parents (and heterosexual parents) grow up to be heterosexual.<sup>99</sup> It has been hypothesized that children of lesbian or gay parents might feel more comfortable acting on feelings of same-sex attraction if they have such feelings.<sup>100</sup> And one study supports this idea, reporting that young adults who were raised by lesbian mothers were equally likely to experience feelings of same-sex attraction as their peers raised by heterosexual parents, but were more open to considering the possibility of having a same-sex relationship, and more of them had had such an experience.<sup>101</sup>

#### A NOTE ABOUT PAUL CAMERON

Of the dozens of empirical studies that evaluated the development of children raised by lesbian and gay parents, not a single one found that these children’s healthy development was compromised in any way. When opponents of gay parents say that research shows that children of gay parents are at risk of sexual abuse and other harms, they usually are talking about the “research” of Paul Cameron. Cameron is someone who has devoted his career to demonizing gay people, disseminating papers through his organization, the Family Research Institute, that purport to show that gay people pose every conceivable threat to society, including stealing, domestic violence, child molestation, and even murder. At a press conference, it was reported that he declared, “I believe that homosexuality is a crime against humanity in the same ball park as genocide,” and “[i]t is the worst single danger to Western civilization.”<sup>102</sup> According to reports published by other social scientists, Cameron has been discredited by the scientific community for scientific dishonesty: he was dropped by the Board of Directors of the American Psychological Association for violating the Ethical Principles of Psychologists; the Nebraska Psychological Association adopted a resolution stating that it “formally disassociates itself from the representa-

tions and interpretations of scientific literature offered by Dr. Paul Cameron in his writings and public statements on sexuality;” and the American Sociological Association adopted a resolution stating that “Dr. Paul Cameron has consistently misinterpreted and misrepresented sociological research on sexuality, homosexuality, and lesbianism.”<sup>103</sup>

Cameron’s credibility was also questioned by a federal judge in Texas who referred to Cameron’s sworn statement about gay people posing a heightened risk of child sexual abuse as a “total distortion” of the scientific data and “misrepresentations to th[e] Court.”<sup>104</sup>

The Cameron article that is typically cited by anti-gay activists, “Homosexual Parents,”<sup>105</sup> is a good example of the type of “research” Cameron does. In this article, Cameron claims to report on the significance of being raised by gay parents; however, his own description of his methodology indicates that he did not even ask the majority of the individuals he surveyed if they had a lesbian or gay parent.

## How Conclusive Is This Research?

No single study in any scientific field definitively answers any question. Scientific knowledge is based on the accumulation of research findings. Where studies show disparate findings on a particular question, no reliable conclusions can be drawn. But as multiple studies employing accepted research methods point to consistent results, scientists will come to accept those findings as reliable and eventually consider a question to be settled.

In the past 25 years, there have been numerous studies on lesbian and gay parents and their children. These studies, which were conducted by some of the leading developmental psychologists at universities in the United States and Europe, met the rigorous methodological standards demanded by the top peer-reviewed journals that published them. In these studies, the children and their parents were submitted to all the standard tests to measure every aspect of children’s development and the adults’ parenting ability. The results were uniform. Not a single study found any adverse effect on children’s development associated with the parents’ sexual orientation. And not a single study found that gay people are deficient in parenting in any way.

These findings are therefore considered highly reliable by experts in the field. Indeed, they have led to the consensus among the major professional associations with expertise in children’s health and welfare that children of gay parents are just as healthy and well-adjusted as other children, including the American Academy of Pediatrics, the American Psychological Association, the National Association of Social Workers, and the Child Welfare League of America (see chapter 3). The American Academy of Pediatrics, in announcing its position in support of second-parent adoption by same-sex couples, explained that

a considerable body of professional literature provides evidence that children with parents who are homosexual can have the same advantages and the same expectations for health, adjustment, and development as can children whose parents are heterosexual.<sup>106</sup>

The Child Welfare League of America's statement in support of same-sex parenting explained that group's assessment of the scientific research,

Studies using diverse samples and methodologies in the last decade have persuasively demonstrated that there are no systematic differences between gay or lesbian and non-gay or lesbian parents in emotional health, parenting skills, and attitudes toward parenting. No studies have found risks to or disadvantages for children growing up in families with one or more gay parents, compared to children growing up with heterosexual parents. Indeed, evidence to date suggests home environments provided by gay and lesbian parents support and enable children's psychosocial growth, just as do those provided by heterosexual parents.<sup>107</sup>

With study after study showing uniform results, whether parental sexual orientation affects children's successful adjustment is no longer an open question or subject of debate among social scientists. It is well-settled that it does not.

## **The Factors that Do Matter to Children's Development**

The studies' findings that children of lesbian and gay parents are equally well-adjusted is consistent with what has long been known about children's development from the broader body of scientific research. An enormous body of research on children conducted by developmental psychologists over the past 50 years has shown that children's healthy adjustment depends overwhelmingly upon three factors:

- the quality of the parenting—affection, reliability, consistency, limit setting, responsiveness, and emotional commitment promote healthy adjustment;
- the quality of the relationship between the parents (if there are two)—harmonious relationships support healthy adjustment of children, while significant conflict impedes it; and
- the availability of adequate economic resources.<sup>108</sup>

This is the case for children who are raised in what used to be called “traditional” families (but are now a minority among families): a married mother and father where the father is the breadwinner and the mother takes care of the children. And it is equally so for children raised in the range of “nontraditional” families—

single parent families, families with employed mothers and/or stay-at-home fathers, step-families, adoptive families, and lesbian and gay parent families. If the quality of the parenting is good, there is a harmonious relationship between the parents (if there are two), and the family has adequate resources, this creates the best chance for children to grow up to be happy, healthy, productive members of the community. But where the parenting is poor, where there is significant conflict between the parents, and/or the family lacks sufficient resources, then the risk that the child will suffer from maladjustment is much higher.<sup>109</sup>

It is now beyond any serious scientific dispute that these factors, and not demographic characteristics like parents' sexual orientation or gender, are the major influences on children's adjustment. There is no reason to expect lesbians and gay men to be less likely to have the necessary parenting skills and qualities such as affection and consistency, nor that they would be more likely to lack economic resources. And research shows that lesbian and gay couples are no more prone to high-conflict relationships than heterosexual couples.<sup>110</sup> Therefore, it comes as no surprise that the research shows that children of lesbian and gay parents are not at heightened risk for any adjustment problems.

### **What Does the Scientific Research on Single-Parent Families Say About Children Raised by Lesbian or Gay Parents?**

There is a large body of research that has consistently found that children in single-parent families have a higher rate of negative outcomes (e.g., emotional and behavioral problems, dropping out of school, teen pregnancy, antisocial and even criminal behavior) than children raised in two-parent families.<sup>111</sup> In the debate about parenting by lesbians and gay men, opponents of gay parents often point to this body of research as demonstrating that children's healthy development depends on having a mother and father and, thus, that heterosexual couples make the best parents. But this research says nothing about parents' sexual orientation or gender.

First, the studies on the impact of single parenthood on children compared single and married-couple *heterosexual* parents. None examined the development of children raised by same-sex couples. As discussed above, all the studies that did compare children of same-sex and different-sex couples found no differences in adjustment.

And the research on single-parent families shows that it is not the *gender* of the absent parent that is responsible for the different outcomes of children raised in single versus two-parent families. Rather, most researchers have concluded that it is the *number* of parents and their resources, as well as the disruptive effects and conflict of divorce (the route to single-parent family life for most children) that account for these differential risks.<sup>112</sup>

Children in single-parent families typically enjoy fewer economic and educational resources than two adults can offer a child.<sup>113</sup> Numerous studies show that with

adequate socioeconomic resources, most children who grow up in single-parent families do well.<sup>114</sup> And divorce often involves parental conflict, the loss or diminishment of a relationship with one parent, and loss of resources; the negative effects of these circumstances on children is well-documented in the research.<sup>115</sup>

Moreover, the notion that it is the absence of a male or a female parent that makes the difference for children in single-parent families is contradicted by the fact that children whose fathers died do not experience the same adjustment problems experienced by children who live with a single mother after divorce,<sup>116</sup> and by the fact that children in step-families are also at a higher risk for adverse outcomes.<sup>117</sup>

Sara S. McLanahan, one of the most prominent researchers of the effects on children of being raised in single-parent families, concluded that her results “do not support the notion that the long term absence of a male role model itself is the major factor underlying family structure effects.”<sup>118</sup> Similarly, Michael Lamb, a preeminent expert in paternal effects on child development, concludes that “very little about the gender of the parent seems to be distinctly important” with respect to children’s development.<sup>119</sup>

The only bearing that research comparing heterosexual single-parent and married two-parent families has on the discussion about gay parents is that it suggests that, all other things being equal, children would tend to do better with two gay or lesbian parents than one.

## **A Conversation with Professor Judith Stacey**

Judith Stacey is a professor of sociology at New York University and a senior scholar with the Council on Contemporary Families. In 2001, she and Timothy J. Biblarz published a review of the social science research on lesbian and gay parenting, “(How) Does the Sexual Orientation of Parents Matter?” in the *American Sociological Review*.

**Conservative activists everywhere argue that heterosexuals make better parents than gay men and lesbians. Is there anything in the body of social science research that supports this claim?**

No, nothing at all. Significant, reliable social scientific evidence indicates that lesbian and gay parents are at least as fit, effective, and successful as heterosexual parents. The research also shows that children of same-sex couples are as emotionally healthy and socially adjusted and at least as educationally and socially successful as children raised by heterosexual parents. No credible social science evidence supports a claim to the contrary.

**What about all the research showing that children raised by married couples are much less likely to have a host of problems such as juvenile delinquency, involvement with drugs, dropping out of school, and teen pregnancy?**

The body of research you’re referring to compares children raised by single and

married couple heterosexual parents. Lesbian and gay parents and their children are not included in this research. All of the research that compares children based on their parents' sexual orientation finds that this factor has no impact on their healthy development.

Conservative activists are misrepresenting the single-parenthood research as showing that children need a mother and a father—a male and a female parent—and, thus, that gay couples are poorer parents. That is simply not true. The research shows that the poorer outcomes for children in single-parent families are not attributable to the gender of the parents. They are consequences of having one parent instead of two to supervise, guide, and provide resources for a child, and the unfortunate byproducts of divorce for many children such as conflict, the loss of a relationship with one parent, and dislocations such as moving to a new neighborhood and changing schools. The leading scholars on single-parent families agree that the absence of a male or female parent is not the issue for these children; it's the absence of a second parent and the negative circumstances that often accompany divorce. There is no evidence that the gender combination of parents represents a risk factor for healthy child development.

**Some opponents of lesbian and gay parenthood argue that the studies you cite (and the ones we summarize in this book) are not reliable because they used flawed research methods and resulted in flawed findings. What is your response?**

The studies that have been conducted are certainly not perfect—virtually no study is. First, it's almost never possible to transform complex social relationships, such as parent-child relationships, into distinct and meaningful quantifiable measures. Second, because many lesbians and gay men remain in the closet, we cannot know if the participants in the studies are representative of all gay people. However, the studies we reviewed are just as reliable and respected as studies in most other areas of child development and psychology. They generally compare well-matched groups of children with heterosexual and lesbian or gay parents. The studies we discussed have been published in rigorously peer-reviewed and highly selective journals, whose standards represent expert consensus on generally accepted social scientific standards for research on child development. Those journals include *Child Development* and *Developmental Psychology*, the two flagship journals in the field of child development. The first is published by the 5,000-member academic Society for Research in Child Development, and the second is published by the American Psychological Association.

So those critics of this body of research are really leveling attacks on well-accepted social science methods. Yet, they do not raise objections to studies that are even less rigorous or generalizable on such issues as the impact of divorce on children. It seems evident that the critics employ a double standard. They attack these particular studies not because the research methods differ from, or are inferior to, most studies of family relationships, but because these critics politically oppose equal family rights for lesbians and gay men.

**There are other articles out there that not only criticize the studies you cite but also come up with findings that actually say lesbians and gay men should not be parents. Why don't you include those studies in your review?**

We were unable to find a single social scientist conducting and publishing research in the area of children's development who claims to have found that gay and lesbian parents harm children. The only legitimate disagreement among scholars concerns the degree of confidence they place in the generalizability of the existing research to all lesbians and gay men.

When people claim that there are studies showing that gay parents harm children, most often they are referring to the work of Paul Cameron. Paul Cameron has been completely discredited as a social scientist. He was dropped from membership in the American Psychological Association and censured by the American Sociological Association for unethical scholarly practices, such as misrepresenting research.

Rarely is there as much consensus in any area of social science as in the case of gay parenting, which is why the American Academy of Pediatrics and all of the major professional organizations with expertise in child welfare have issued reports and resolutions in support of gay and lesbian parental rights.

**A few years ago, you and your colleague Tim Biblarz released a review of the then existing studies on lesbian and gay parenting. This review caused a bit of a commotion in the media. Are people representing the review accurately? What did you say in the review that caused so much controversy?**

In our review we found that many researchers in this field shied away from studying or analyzing any areas of difference between families with lesbian and gay parents and those with heterosexual parents. In contrast, we emphasized some of the scattered findings of small but interesting differences that have been reported in some of this research, particularly in the areas of gender and sexual conformity. Conservative activists and journalists immediately seized on our discussion of these differences and began to cite these and our article as evidence in support of their efforts to deny partnership and parenting rights to lesbians and gay men. This is a serious misreading and abuse of our work. None of the differences reported in the research apply to child self-esteem, psychological well-being, or social adjustment. Nor were there differences in parents' self-esteem, mental health, or commitment to their children. In other words, even though we noted some differences, we emphasized that the differences were not deficits. In fact, the studies found no negative effects of lesbian and gay parenting, and a few studies reported some differences that could represent a few advantages of lesbian parenting.

**What are some of the differences you noted?**

Well, for example, several studies find that lesbian co-mothers share family responsibilities more equally than heterosexual married parents, and some research hints that children benefit from egalitarian co-parenting.

A few studies found that lesbians worry less than heterosexual parents about the gender conformity of their children. Perhaps that helps to account for a few studies that found that sons of lesbians play less aggressively and that children of lesbians communicate their feelings more freely, aspire to a wider range of occupations, and score higher on self-esteem. I think most people would see these as positive things, but some of the critics have misrepresented these differences as evidence that the children are suffering from gender confusion.

Finally, some studies reported that lesbian mothers feel more comfortable discussing sexuality with their children and accepting their children's sexuality, whatever it might be. More to the point are data reported in a 15-year British study. Although few of the young adults identified themselves as gay or lesbian, a larger minority of those with lesbian mothers did report that they had at one time or another considered or actually had engaged in a same-sex relationship.

**Are you saying that the social science finds that children of lesbians and gay men are more likely to be gay themselves?**

Sexuality is far more complicated than that. Most gay adults, after all, were brought up by straight parents. We are still in the dark ages when it comes to understanding the roots of specific sexual attractions. Regardless of the relative impact of nature and nurture, it seems likely that growing up with gay parents should reduce a child's reluctance to acknowledge, accept, or act upon same-sex sexual desires if they experience them. Because the first generation of children parented by self-identified lesbians or gay men are only now reaching adulthood, it is too soon to know if the finding in that one study will prove to be generally true. Personally, I would not be surprised to find that to be the case.

**In 2004, a federal appeals court upheld the Florida law banning adoption by lesbians and gay men. In its opinion, the court cited the Stacey and Biblarz article as saying that the body of research on children of gay parents is methodologically flawed and that children raised by gay parents fare worse on some measures. Did you say that?**

That's almost exactly the opposite of what we said. We are aware that conservative activist groups are misrepresenting our work in their efforts to restrict parenting by lesbians and gay men, but it is especially disturbing to see a court mischaracterize what we said.

Our paper discussed a number of the challenges faced by those researching children of gay parents, including the difficulty of drawing a random, representative sample of this population given that the complicated and diverse meanings of gay mean that we can't even know how many gay people there are, and some gay parents might be reluctant to come out because of persistent homophobia. We did not characterize the research as flawed or otherwise suggest that it is not solid, reliable research. In fact, we made it very clear that we sharply disagree with the conservative activists' characterization of the quality of this body of research. There are numerous studies that meet the high standards of the field.



By now we have quite robust findings that there is absolutely no reason to be concerned that children of gay parents will be harmed or experience any problems in adjustment. In our review, we concluded:

Because every relevant study to date shows that parental sexual orientation per se has no measurable effect on the quality of parent child relationships or on children's mental health or social adjustment, there is no evidentiary basis for considering parental sexual orientation in decisions about children's "best interest."

**Has there been any new research on children of lesbian and gay parents since the Stacey and Biblarz review article was published?**

Since our 2001 article, many new studies have appeared on planned lesbian parenthood, generally couples who had children through donor insemination. We also now have some research with representative national or community samples. And new research on planned gay fatherhood through adoption or surrogacy is under way.

**Are there any parental factors that have been shown to negatively impact children?**

Some factors in parents have been found consistently to correlate with problems in child development. These include poverty, a low level of parental education, a high level of conflict between parents, and depression in parents. On the other hand, "authoritative" (rather than authoritarian) parenting by emotionally responsive, reliable, and consistent adults generally correlates with positive child outcomes.

**Summaries of Leading Social Science Studies on Gay Parenting**

What follows are summaries of 25 of the leading studies on lesbian and gay parents and their children that were published in peer-reviewed academic journals. Each summary describes who was studied, how the researchers recruited participants, what the study measured, and the findings of the study. In the interest of making the summaries concise and clear, we exclude details about methodology, as well as the theoretical discussions of the findings. We do not exclude any findings of significant differences between the groups studied.

Some studies have quantitative findings, while others offer descriptive information about the children and their parents. Most of the studies we include are more quantitative in their findings. Though the descriptive studies offer less generalizable conclusions, we include some of them because they offer useful information about the families that were studied. The more quantitative social science research determines whether findings are "statistically significant." A finding (for example, the observed differences between two groups) is described as statistically significant when it can be demonstrated that the probability of obtaining such a difference by chance only is relatively low. We use the term "significant differences" as shorthand for "statistically significant differences." If the studies themselves do not report that differences are significant, then we do not use the term significant.

## CHART OF LEADING STUDIES AND WHAT THEY MEASURE

	Child's Emotional/Psychological Well-Being	Child's Social Adjustment and Peer Relationships	Child's Cognitive Development and School Functioning	Quality of Parent/Child Relationship	Parenting Practices and Attitudes	Parent's Psychological Well-Being	Quality of Relationship between Parents	Child's Gender Behavior	Child's Sexuality
Bigner, 1989.					X				
Bigner, 1992.					X				
Bos, 2004.					X		X		
Brewaeys, 1997.	X			X	X		X	X	
Chan, Brooks, 1998.	X	X				X	X		
Chan, Raboy, 1998.	X	X			X		X		
Flaks, 1995.	X	X	X		X		X		
Fulcher, 2002.		X							
Golombok, 1983.		X		X	X	X		X	
Golombok, 1996.									X
Golombok, 1997.	X	X	X	X	X				
Golombok, 2003.	X		X	X		X		X	
Green, 1986.		X	X			X		X	
Hoeffler, 1981.								X	
Hotvedt, 1982.	X	X						X	
Huggins, 1989.	X								X
Kirkpatrick, 1981.	X							X	
MacCallum, 2004.	X	X	X	X	X	X	X	X	
Miller, 1981.					X				
Patterson, 1998.		X							
Patterson, 2004.					X		X		
Tasker, 1995.	X	X		X					X
Vanfraussen, 2002.	X	X							
Vanfraussen, 2003.				X					
Wainright, 2004.	X		X	X					X
How many studies include this measure?	13	12	6	8	11	5	7	8	4

## Parenting Behaviors of Homosexual and Heterosexual Fathers

**JERRY J. BIGNER AND R. BROOKE JACOBSEN (1989)**

**Summary:** This study investigated parenting behaviors of heterosexual and gay fathers. Gay fathers did not differ significantly from heterosexual fathers in terms of overall parental involvement, intimacy, and parenting skills. There were some differences between the groups in approaches to parenting: gay fathers tended to be more communicative with their children, to enforce rules more strictly, and to be more responsive to the perceived needs of children.

**Measures:** Parenting practices

**Types of families:** Single-parent heterosexual and gay fathers with at least two children

Bigner and Jacobsen's 1989 study is one of the few studies that focuses on gay fathers. A total of 68 packets were sent to gay fathers in a support group in Denver, Colorado, of which 33 were returned. The 33 gay father participants were then matched with 33 fathers, presumed to be non-gay, who were selected randomly from a large subject pool of participants that had previously participated in a study. The men were all white, had a high level of income, and lived in an urban area. The mean age was 40 years, and the mean level of education was high school graduate. The group included 6 married men, 48 divorced men, 8 men who were separated, and 4 who were never married. All participants had at least two children, and the mean age of the children was 11 years.

Each father was given the Iowa Parent Behavior Inventory to complete. The test is composed of 36 items designed to measure five factors: 1) involvement with children, 2) limit-setting, 3) responsiveness, 4) reasoning guidance, and 5) intimacy. Significant differences between the two groups of fathers were found in three factors: 1) limit-setting, 2) responsiveness, and 3) reasoning guidance. Gay fathers tended to be more consistent in setting and enforcing limits on children's behaviors. In addition, they were more likely to promote cognitive skills by explaining rules. They placed greater emphasis on verbal communication and tended to be more responsive to the perceived needs of their children. Although no differences were found in the factors of involvement and intimacy as a whole, differences were found in specific areas. Gay fathers went to greater lengths to act as a resource for activities with children. Also, although gay fathers showed no differences with other fathers in terms of intimacy with children, they were less likely to be affectionate with their partners in front of their children. Gay fathers were more egalitarian and more likely to encourage their children to discuss their fears with them. Overall, however, gay fathers and heterosexual fathers had few differences in parenting abilities and skills.

Bigner, Jerry J. and R. Brooke Jacobsen. 1989. "Parenting Behaviors of Homosexual and Heterosexual Fathers." *Journal of Homosexuality* 18: 173-186.

## Adult Responses to Child Behavior and Attitudes Toward Fathering: Gay and Nongay Fathers

**JERRY J. BIGNER AND R. BROOKE JACOBSEN (1992)**

**Summary:** This study explored parenting behaviors and attitudes about fathering of gay and heterosexual fathers and found no differences between the two groups.

**Measures:** Parenting practices

**Types of families:** Gay fathers and heterosexual single fathers

This 1992 study looked at parenting behaviors and attitudes toward the role of fathering among gay and heterosexual fathers. The authors recruited 24 self-identified gay fathers from a gay fathers support group. They recruited 29 other men from a support group for single parents. They assumed the men in the single parent support group were heterosexual and did not specifically ask these men about their sexual orientation. Subjects in both groups were mostly well-educated and entirely non-Hispanic white.

The authors used two testing methods. The first was designed to discern attitudes toward discipline. This method placed these attitudes into three categories: child-oriented, parent-oriented, and task-oriented. The second measured the fathers' overall parenting styles—traditional vs. developmental. Traditional parenting places less emphasis on training and are more authoritative; developmental emphasizes training children to be self-reliant. The authors found almost no difference between the two groups of fathers. The parenting attitudes of both groups of men leaned heavily toward developmental parenting.

Bigner, Jerry J. and R. Brooke Jacobsen. 1991. "Adult Responses to Child Behavior and Attitudes Toward Fathering: Gay and Nongay Fathers." *Journal of Homosexuality* 23, no. 3: 99-112.

## Experience of Parenthood, Couple Relationships, Social Support, and Child-Rearing Goals in Planned Lesbian Mother Families

**HENNY M.W. BOS, FRANK VAN BALEN, AND DYMPHNA C. VAN DEN BOOM (2004)**

**Summary:** This study examined whether lesbian families

differ from heterosexual families with regard to factors believed to influence the parent-child relationship: experience of parenthood, child-rearing goals, couple relationships, and social support. Results showed no differences between lesbian and heterosexual parents in terms of parental competence or burden. Lesbian mothers were found to differ from heterosexual parents in that they viewed conformity as a less important child-rearing goal. It was also found that lesbian nonbiological mothers (“social mothers”) were more likely than heterosexual fathers to feel the need to justify their parenting roles.

Measures: Parenting practices and attitudes, quality of relationship between the parents, parents’ use of social supports

Types of families: Planned two-parent lesbian families with children conceived by donor insemination and two-parent heterosexual families with conventionally conceived children

This study was conducted in the Netherlands, and compared 100 lesbian two-mother families with children conceived by donor insemination with 100 heterosexual two-parent families in which the children had been conceived naturally. The children in these families had all been raised in their families since birth and were between the ages of four and eight.

Lesbian couples were recruited from all patients of a fertility clinic between 1992 and 1996, a mailing list of a gay parent group, counselors working with gay and lesbian people, and by placing an advertisement in a lesbian magazine. The heterosexual comparison group was drawn from the population register of two cities and through schools and referrals from the lesbian parent group. Families were matched between groups according to degree of urbanization in which they lived, the number of children in the family, and the age and gender of the target children. Researchers used standard questionnaires to measure the experiences of parenthood, the quality of relationship between partners, the use of social support mechanisms (such as reliance on friends or consultation with schoolteachers), and child-rearing goals.

The study found no significant differences between the lesbian biological mothers and the heterosexual mothers in terms of parental competence, burden or justification. As between lesbian social mothers and fathers, there were no differences in parental competence or burden, but lesbian social mothers reported significantly more often than fathers that they felt the need to justify their parenthood. There were no significant differences between the two groups in terms of couple relationship satisfaction, but lesbian biological mothers expressed more satisfaction with their part-

ner as a co-parent than heterosexual mothers did. There were no significant differences in child-rearing goals with one exception: lesbian parents found it significantly less important than heterosexual parents that their children develop qualities of social conformity. There were no significant differences between lesbian and heterosexual families with regard to use of social support, although among the heterosexual couples, the mothers were more likely than the fathers to use informal social support.

Bos, Henny M.W., Frank van Balen and Dymphna C. van den Boom. 2004. "Experience of Parenthood, Couple Relationships, Social Support, and Child-Rearing Goals in Planned Lesbian Mother Families." *Journal of Child Psychology and Psychiatry* 45, no. 4: 755-764.

## Donor Insemination: Child Development and Family Functioning in Lesbian Mother Families

**A. BREWAEYS, I. PONJAERT, E.V. VAN HALL, AND S. GOLOMBOK (1997)**

**Summary:** This study found no differences in the adjustment or gender role development of children of lesbian mothers compared to children raised by heterosexual parents. It found that lesbian non-biological mothers had better relationships with their children than the heterosexual fathers did. And it found that biological mothers experienced more positive feelings than lesbian non-biological mothers and heterosexual fathers.

**Measures:** Child's emotional/psychological well-being, parenting practices, quality of parent-child relationship, child's gender behavior

**Types of families:** Lesbian donor-inseminated, heterosexual donor-inseminated, heterosexual conventionally conceived

This study looked at 30 lesbian couple families who conceived via donor-insemination, 38 heterosexual couple families who conceived via donor insemination, and 30 heterosexual couple families who conceived naturally. Each family had a child between four and eight years old. The families were recruited from all families that had attended two Belgian fertility clinics during a six-year period. Most of the demographics of the groups, such as the mean age of the mother, the mean age of the children, and the number of children in the family, did not differ greatly. There were some differences in education levels and genders of the children, but in general, sexual orientation and means of conception were the only differences between the groups. The biological mothers were interviewed and the children were given a psychological assessment.

The researchers measured the quality of the parent-child relationship through a standardized interview of the parents. Data was also obtained about the division of professional and child care activities and the extent to which partners were helpful with disciplinary issues. The child's own perception of his/her relationship with each parent was measured using a standard family relations test. The emotional and behavioral adjustment of the child was measured via a standard parental report instrument (CBCL), and the gender role behavior of the child was assessed using the Preschool Activities Inventory, a standardized measure to assess stereotypically masculine and feminine behaviors.

No differences were found in the quality of the biological mother and child relationships between the three groups, but there were some significant differences among the nonbiological mothers, nonbiological fathers, and biological fathers. The nonbiological lesbian mothers were found to have significantly better relationships with the children than either of the groups of fathers. Similarly, the lesbian nonbiological mothers were found to be significantly more involved in practical childcare activities and with disciplinary issues than either group of fathers.

Among the children, no difference was found between the lesbian mother group and either heterosexual group in terms of emotional or behavioral problems, gender role development, or the children's feelings for their biological mothers versus their fathers/nonbiological mothers. In all groups, however, the biological mother received a greater quantity of positive feelings than the other parent (the nonbiological lesbian mothers or either group of fathers).

Brewaeyts, A., I. Ponjaert, E.V. Van Hall and S. Golombok. 2004. "Donor Insemination: Child Development and Family Functioning in Lesbian Mother Families." *Human Reproduction* 12, no. 6: 1349-1359.

## Division of Labor Among Lesbian and Heterosexual Parents: Associations with Children's Adjustment

**RAYMOND W. CHAN, RISA C. BROOKS, BARBARA RABOY,  
AND CHARLOTTE J. PATTERSON (1998)**

**Summary:** This study found that lesbian couples and heterosexual couples reported even splits of household labor and decision-making. In the area of childcare, the heterosexual couples had a less equal distribution of responsibilities, with the mothers generally taking a larger role. There were no differences between the groups of children in their social adjustment with peers.

**Measures:** Child's emotional/psychological well-being, child's social adjustment, parent's psychological

well-being, quality of relationship  
between parents

Types of families: Lesbian and heterosexual couples who conceived through donor insemination

This study compared the division of family labor between lesbian-headed families and heterosexual-headed families, all of whom conceived via donor insemination. All the children were elementary school-aged at the time of the study. The study looked at the overall level of satisfaction in the couples' relationships and the impact of this variable on the psychological adjustment of sons and daughters. Thirty lesbian and 16 heterosexual couples, with a total of 30 boys and 16 girls, participated in the study. Participating families were drawn from the former clients of The Sperm Bank of California. All of the parents were predominantly well-educated, non-Hispanic white, and relatively affluent. The lesbian mothers had a slightly higher level of education.

To assess division of labor in the household and satisfaction with that division, the authors used a test that measures actual and ideal distribution of household tasks, family decision-making, and child care tasks. To assess the couples' relationship quality, the study used another psychological test designed to measure relationship adjustment. Finally, the authors used a standardized questionnaire to measure love, emotional attachment, and conflict. Children's social competence and behavior were measured through standardized questionnaires given both to the child's biological mother and to the child's teacher.

The study found some significant differences between the lesbian and heterosexual couples. Both the lesbian and the heterosexual couples shared household tasks and made decisions in a relatively egalitarian fashion. However, the lesbian couples split the child care responsibilities more equally than the heterosexual couples. The heterosexual mothers performed the majority of the child-care tasks in their families. Moreover, the lesbian couples placed a high value on an equal distribution of household and decision-making tasks and were generally pleased with their current family situation. The heterosexual mothers generally wanted their husbands to take more responsibility for child care, but the fathers preferred leaving this to their wives. For this reason, the fathers generally reported satisfaction with child care arrangements, and the mothers reported dissatisfaction. Despite the heterosexual mothers' desire for more egalitarian distribution of child care tasks, both the lesbian and the heterosexual parents showed equal levels of satisfaction with their relationships and their participation in household tasks.

Both groups of parents had relationship adjustment scores above the national average. Also, all of the parents reported high levels of love and low or moderate levels of conflict; there were no significant differences in reported love or conflict between the lesbian and heterosexual couples. No differences were found between the children of heterosexual parents and the children of lesbian



parents when it came to the ability of the children to relate with peers and the existence of behavioral problems.

Chan, Raymond W., Risa C. Brooks, Barbara Raboy and Charlotte J. Patterson. 1998. "Division of Labor Among Lesbian and Heterosexual Parents: Associations with Children's Adjustment." *Journal of Family Psychology* 12, no. 3: 402-419.

## Psychosocial Adjustment among Children Conceived via Donor Insemination by Lesbian and Heterosexual Mothers

**RAYMOND W. CHAN, BARBARA RABOY, AND CHARLOTTE J. PATTERSON (1998)**

**Summary:** This study found that the sexual orientation and relationship status of parents had no significant impact on the psychological well-being of their children. Rather, children were impacted by other factors, such as parents' psychological well-being and parenting stress—neither of which correlated with sexual orientation.

**Measures:** Child's emotional/psychological well-being, child's social adjustment, parents' psychological well-being

**Types of families:** Lesbian single mothers and couples, heterosexual single mothers and couples, all of whom conceived through donor insemination

This study compared lesbian single mothers, lesbian mother couples, heterosexual single mothers, and heterosexual parent couples who conceived children via donor insemination. The children were compared in terms of psychological well-being and social adjustment, and the parents were compared in terms of psychological well-being and, when applicable, couples' relationships.

Participants were recruited from The Sperm Bank of California. All clients who had conceived children who were at least five years old were contacted. The researchers obtained a sample of 34 lesbian couples, 21 lesbian single mothers, 16 heterosexual couples, and 9 heterosexual single mothers. Demographically, the families were very similar: they were mostly well-educated, employed at least part time, and had family incomes above national averages. Both the lesbian biological mothers and nonbiological mothers were more educated than the heterosexual biological mothers and nonbiological fathers, respectively. The couples had higher annual household incomes than the single mothers. There were no other significant demographic differences.

Parents and the children's teachers were given standard questionnaires to evaluate the children's social adjustment and behavioral problems. The questionnaires assessed social competence, the way children handle their problems, total behavior problems, academic performance, and ability to adapt to different situations. Parents were evaluated for parenting stress, depressive symptoms, and self-esteem. In addition, for families headed by couples, various tests were used to assess their relationships—relationship satisfaction and amount of conflict.

The results showed that the parents and the children in each group were well-adjusted, regardless of sexual orientation and whether or not their mothers had partners. Nonbiological lesbian mothers were more likely to report behavior problems in their children than the nonbiological heterosexual fathers. Parents and teachers' reports of children's behavior problems did not correlate with parents' sexual orientation but did correlate with parents' stress. Among the couples, parents who reported greater satisfaction with their relationship, higher levels of love, and lower inter-parental conflict had children who were better adjusted.

Chan, Raymond W., Barbara Raboy and Charlotte J. Patterson. 1998. "Psychosocial Adjustment Among Children Conceived via Donor Insemination by Lesbian and Heterosexual Mothers." *Child Development* 69, no. 2 (April): 443-457.

## Lesbians Choosing Motherhood: A Comparative Study of Lesbian and Heterosexual Parents and Their Children

DAVID K. FLAKS, IDA FICHER, FRANK MASTERPASQUA,  
AND GREGORY JOSEPH (1995)

**Summary:** This study found that children of lesbians and children of heterosexuals were equally healthy in terms of psychological well-being and social adjustment. The lesbian mothers were found to have more developed parenting awareness skills than the heterosexual parents. And the lesbian couples showed higher levels of cohesion and the heterosexual couples showed lower levels of consensus.

**Measures:** Child's emotional/psychological well-being, child's social adjustment, parenting practices, quality of relationship between parents

**Types of families:** Lesbian donor-inseminated couples, heterosexual couples who conceived conventionally

In this study, the researchers compared lesbian donor-inseminated couples with heterosexual couples who conceived conventionally. The research focused on the

children's psychological well-being and social adjustment, as well as parenting practices and the parents' relationships.

Subjects were recruited through a lesbian mother support group, advertisements in publications including a lesbian newspaper and newsletters of women's organizations and gay and lesbian parenting groups, friendship networks, professional referrals, and referrals from other participants. The researchers used these criteria for choosing the couples: 1) the lesbian couple must be two self-identified lesbians living together with their children in an ongoing relationship, 2) the lesbian couples were required to have used donor insemination, 3) the heterosexual couples must be married and living together with their biological children in an ongoing relationship, and 4) each couple must have had at least one child between three and ten years old. Fifteen lesbian couples and 15 heterosexual couples were selected. Each lesbian couple was then matched with the most similar heterosexual couple on the variables of sex, age, and birth order of the children as well as on race, educational level, and income of the parents. Each parent group had 8 girls and 7 boys; a total of 30 children were studied.

Most of the families who participated in the study lived in Pennsylvania. They were all white, mostly well-educated, employed at least part time, and had been living with their partners for similar lengths of time. The only difference was that the lesbian parents were somewhat older than the heterosexual parents. Each group of children had a mean age of 5.8 years and, for the most part, were in the same grades at school.

Standardized questionnaires were given to the parents and the teachers, measuring the children's cognitive functioning, behavioral adjustment, social adjustment, performance in school, and well-being. A standardized questionnaire given to parents evaluated the couple relationships—level of agreement, affection, satisfaction, and cohesion. And parenting skills, sensitivity, and effectiveness were assessed through a standardized interview.

The tests showed that parents' sexual orientation did not affect the cognitive and behavioral functioning of the children. The tests also showed that the lesbian mothers had significantly more parenting skills than the heterosexual parents, specifically in terms of the ability to recognize a child care problem and formulate acceptable solutions. This differences related to gender, not sexual orientation, as both lesbian and heterosexual women demonstrated superior awareness of parenting skills to that of heterosexual fathers. There were no differences in the relationship quality between the two groups except that the lesbian couples showed significantly higher cohesion and the heterosexual couples showed significantly lower levels of consensus.

Flaks, David K., Ida Ficher, Frank Masterpasqua and Gregory Joseph. 1995. "Lesbians Choosing Motherhood: A Comparative Study of Lesbian and Heterosexual Parents and Their Children." *Developmental Psychology* 31, no. 1: 105-114.

# Contact with Grandparents among Children Conceived via Donor Insemination by Lesbian and Heterosexual Mothers

MEGAN FULCHER, RAYMOND W. CHAN, BARBARA RABOY,  
AND CHARLOTTE J. PATTERSON (2002)

**Summary:** This study found that the children of lesbian mothers were as likely to have contact with their grandparents as the children of heterosexual parents. In addition, there was no significant difference between the amount of contact the children had with other related or nonrelated adults. But there were significant differences in grandparent contact based on biological relatedness.

**Measures:** Children's contact with grandparents and other related and unrelated adults

**Types of families:** Lesbian single mothers and couples, heterosexual single mothers and couples, all of whom conceived through donor insemination

This study compared lesbian single mothers and couples, heterosexual single mothers and couples, all of whom conceived through donor insemination. The children were compared in terms of their contact with grandparents, as well as their contact with other important related and nonrelated adults. Participants were recruited from a list of former clients of The Sperm Bank of California. The researchers obtained a sample of 49 lesbian couples, 6 lesbian single mothers, 17 heterosexual couples, and 8 heterosexual single mothers. All clients had conceived and given birth prior to July 1990. The children averaged seven years of age and biological mothers averaged forty-two years of age; the children of single parents were significantly older than those of coupled parents, and the single mothers were significantly older than coupled mothers. The parents were generally well-educated, employed at least part time, and relatively affluent. Lesbian biological mothers were more educated than heterosexual mothers, and lesbian nonbiological mothers were more educated than non-biological fathers.

The data was obtained through a structured telephone interview about family background, current family status, and contact with grandparents and other adults. Contact was defined as a visit, telephone call, card, or e-mail, ranging from "no contact" to "daily contact." The mother reported where each grandparent lived. Geographic proximity scores ranged from "in the house" to "out of the country." Parents also listed 5 adults, in addition to parents and grandparents, who were seen as important in the child's life.

This study found that most children were in regular contact with their grandparents, regardless of their parents' sexual orientation or relationship status. Most

parents also reported that their children had a substantial social network of both related and unrelated adults. The amount of contact did not differ significantly in the two family types. There was also no difference in the number of adult men with whom either group of children had contact. Regardless of parental sexual orientation, significantly more children were reported to be in regular contact with their biological grandparents as compared to their nonbiological grandparents.

Fulcher, Megan, Raymond W. Chan, Barbara Raboy and Charlotte J. Patterson. 2002. "Contact with Grandparents among Children Conceived via Donor Insemination by Lesbian and Heterosexual Mothers." *Parenting: Science and Practice* 2, no. 1: 61-76.

## Children in Lesbian and Single-Parent Households: Psychosexual and Psychiatric Appraisal

SUSAN GOLOMBOK, ANN SPENCER, AND MICHAEL RUTTER (1983)

**Summary:** This study found no significant differences between children raised by lesbians and children raised by single heterosexual mothers on measures of emotions, behavior, relationships with peers, gender identity, or gender behavior.

**Measures:** Child's social adjustment, quality of parent-child relationship, parenting practices, parent's psychological well-being, child's gender behavior

**Types of families:** Divorced lesbian and heterosexual mothers

This study compared 37 children reared in lesbian mother households (a combination of single and coupled mothers) with 38 children being raised in heterosexual, single-mother households. In each group there were 27 parents. The children were five to seventeen years old, and their average age was nine to ten years. The two groups of parents had equally mixed vocations, though the lesbians tended to have more education, and more were in professional occupations. The children of the lesbian mothers had more contact with their fathers than the children of the heterosexual mothers. The authors recruited their families through advertisements in a range of gay and single-parent publications and through contacts with gay and single-parent organizations.

The mothers and the children were interviewed individually by psychologists who administered standardized interviews to assess various aspects of personal and family functioning. One section of the interview was specific to lesbian mothers with partners, who were asked a series of questions about household activities and division of labor and the quality of their relationship. The portions of the interviews pertaining to the child's psychiatric state, peer relationships and sexual orientation were conducted separately by a child psychiatrist, who

did not know the mother's sexual orientation. To determine gender behavior, the authors interviewed mothers and children about the children's preferred toys and play activities (e.g. playing tea party versus cops and robbers). Interviews also collected data about children's friendship patterns, their feelings about their gender, and the mothers' activities with their children. Additionally, the parents filled out two standardized questionnaires. One was called the "malaise inventory," and measured emotional stability in the mothers, and the other questionnaire assessed the children's emotions, behavior, and peer relationships. Finally, the children's teachers filled out similar questionnaires assessing the child's well-being and behavior.

The lesbian mothers and heterosexual mothers did not differ significantly on any of the measures reflecting current psychiatric status. The lesbian mothers had slightly lower (i.e. more normal) scores on the malaise inventory than the heterosexual mothers. Significantly more of the lesbian mothers reported receiving psychiatric therapy at some time during their adult life, and slightly more had taken anti-depressant medication during the previous year. Systemic ratings of mothers' warmth to their children did not show differences between the groups. Fourteen of the lesbian mothers lived with a partner. Rating schemes determined that the great majority of these relationships were harmonious. In almost every case the two women shared parenting and housekeeping roles.

The mean scores on assessments of the children's behavior by both parents and teachers showed no significant differences between the two groups of children. However, in the heterosexual mother group, substantially more children (8 out of 38) showed significant psychiatric problems compared with children raised by lesbians (2 out of 31). There were no significant differences in either group of children's overall ability to make and maintain healthy relationships with people of their own age. There was no evidence that any child in the study identified him or herself as the opposite sex. Additionally, boys and girls in both groups had closely similar scores in the scales testing for stereotypically masculine and feminine behavior. The prepubescent children in both groups tended to have friends that were predominantly of their own sex, and almost all reported having a best friend of the same sex. All the pubescent and post-pubescent children in the study reported having either heterosexual sexual interests or no definite interests.

Golombok Susan, Ann Spencer and Michael Rutter, "Children in Lesbian and Single-Parent Households: Psychosexual and Psychiatric Appraisal." 1989. *Journal of Child Psychology* 24, no. 4: 551-572.

## Do Parents Influence the Sexual Orientation of Their Children? Findings from a Longitudinal Study of Lesbian Families

**SUSAN GOLOMBOK AND FIONA TASKER (1996)**

**Summary:** This study found no significant difference between the number of self-identified lesbian and gay young adults from lesbian-headed families and from heterosexual-headed families. Similarly, no significant difference was found between the two groups in those who reported experiencing same-sex attraction. Daughters of lesbians, however, were significantly more likely to report being open to same-sex attractions or relationships. Children of lesbians were significantly more likely to have had a same-sex sexual experience.

**Measures:** Child's sexuality

**Types of families:** Single and divorced lesbian and heterosexual mothers

This study is a follow-up of Golombok and Tasker's previous studies, which took place in 1976-1977. In the first study, 27 lesbian mothers and their 39 children, and 27 heterosexual mothers and their 39 children were investigated (data from three of these children were not reported in the original study but are included here). These original participants were recruited from lesbian and single-parent organizations and could not participate if there was an adult male living in the home. At that time, the children had a mean age of 9.5 years.

In this 1991-92 follow-up, the children had a mean age of 23.5 years. Of the original participants, only 25 children of lesbian mothers (8 men and 17 women) and 21 children of heterosexual mothers (12 men and 9 women) agreed to participate. The participants from lesbian and heterosexual families were similar with respect to age, gender, ethnicity, and education. Also, most of the children in both groups had lived in a step-family during their adolescent years.

The participants were interviewed individually. The researchers divided "sexual orientation" into four areas: 1) the presence of same-sex attraction (objects of crushes, etc.), 2) consideration of a same-sex relationship as a future possibility (this did not necessarily involve actual desire), 3) same-sex sexual experience (could be anything from a single kiss to cohabitation lasting over one year), and 4) self-identification as heterosexual, bisexual, lesbian, or gay. The researchers then used two rating systems, a composite same-sex sexual interest rating, and a Kinsey scale rating (a continuum of sexuality from exclusively homosexual to exclusively heterosexual).

No significant differences were found in terms of self-identification as gay or lesbian, and no significant differences were found in terms of reported same-sex sexual attraction. There were, however, differences in two areas. The participants raised by lesbians were more likely to have had a sexual relationship with some-

one of the same sex (5 daughters and 1 son from lesbian families, no children from heterosexual families). Also, significantly more of the daughters from lesbian families had previously considered or thought it a future possibility to have same-sex sexual attraction or a same-sex relationship. All of the participants had experienced at least one opposite-sex sexual relationship.

Golombok Susan, and Fiona Tasker. 1996. "Do Parents Influence the Sexual Orientation of Their Children? Findings from a Longitudinal Study of Lesbian Families." *Developmental Psychology* 32, no. 1: 3-11.

## Children Raised in Fatherless Families from Infancy: Family Relationships and the Socioemotional Development of Children of Lesbian and Single Heterosexual Mothers

SUSAN GOLOMBOK, FIONA TASKER, AND CLARE MURRAY (1997)

**Summary:** This study found that children raised from infancy in families without fathers, both by lesbian mothers and by single heterosexual mothers, experienced greater warmth and mother-child interaction than children from father-present families. They also felt more secure in their attachment to their parents than their peers. There was no significant difference in the presence of behavioral problems, but children raised in fatherless families reported feeling less physically and cognitively competent than their peers. Disputes between mothers and their children in families without fathers were no more frequent but more severe than in father-present families.

**Measures:** Child's emotional/psychological well-being, child's social adjustment, parenting practices and attitudes, parent's psychological well-being

**Types of families:** Single and coupled lesbian mothers, single heterosexual mothers, and heterosexual couples

This study compared children raised by lesbian mothers, single heterosexual mothers, and heterosexual couples. Thirty lesbian mother families participated, half of which were headed by single women and half of which were headed by a couple. The lesbian mothers were recruited by the researchers who drew from the families they had contacted for previous studies. Forty-two families headed by a single heterosexual mother were recruited through articles published in the



national press. Forty-one two-parent heterosexual families were recruited from maternity ward records and were selected based on their comparability to the other family types. The average age of the children was six, and in the lesbian and single heterosexual mother families, the children had been raised without a father from birth. None of the families were experiencing economic hardship. The heterosexual families had a higher proportion of working class families. There were fewer children in the lesbian and single heterosexual mother families. All the families were predominately white.

Standardized tests were given to the mothers and questionnaires were given to the children's schoolteachers. The researchers measured the mothers' psychological state, which included levels of stress, anxiety and depression. They measured the quality of parenting, levels of warmth exhibited by the mothers, mother-child interaction, and the level of emotional involvement mothers had with their children. They also measured children's psychological well-being—emotional problems, behavior problems, relationships, and their perceptions of their attachment with their parents.

The results showed the mothers' psychological state to be similar in all three groups. Mothers in families without fathers exhibited greater levels of warmth than the mothers of father-present families. There was no difference in warmth between the lesbian mothers and the single heterosexual mothers. Mothers in families without fathers also showed greater parent-child interaction, lesbian mothers having a higher level than heterosexual single mothers. There was no difference between the lesbian and single heterosexual mothers in terms of emotional involvement with the child. There were no differences in the frequency with which mothers disciplined their children, but disputes between mothers and their children in families without fathers were more severe than in father-present families. There was no difference in the seriousness of the disputes between lesbian and single heterosexual mothers. Most of the children in all groups scored below the cut-off point for emotional or behavioral problems. The scores of children in families without fathers reflected greater security of attachment than their peers. But children in these families perceived themselves as less physically and cognitively competent than children in father-present homes.

Golombok, Susan, Fiona Tasker and Clare Murray. 1997. "Children Raised in Fatherless Families from Infancy: Family Relationships and the Socioemotional Development of Children of Lesbian and Single Heterosexual Mothers." *Journal of Child Psychology and Psychiatry and Allied Disciplines* 38, no. 7: 783-791.

## Children with Lesbian Parents: A Community Study

**SUSAN GOLOMBOK, BETH PERRY, AMANDA BURSTON, CLARE MURRAY, JULIE MOONEY-SOMERS, MADELEINE STEVENS, AND JEAN GOLDING (2003)**

**Summary:** This study, drawn from a large representative sample, found that there were no significant differences between children raised by lesbian and heterosexual parents in terms of the quality of the mother-child relationships, the level of adjustment, and gender development. It also found no differences in parents' psychological state or relationship satisfaction based on sexual orientation. And it found that lesbian mothers were less likely than heterosexual parents to hit their children.

**Measures:** Quality of parent-child relationship, child's psychological well-being, parents' psychological well-being, child's gender role behavior

**Types of families:** Lesbian-mother (some single, some coupled), heterosexual couple, and single heterosexual mother families

The study examined mother-child relationships, parents' psychological well-being, child adjustment and child gender role behavior in lesbian-mother, heterosexual two parent, and heterosexual single mother families. The researchers drew their sample from the Avon Longitudinal Study of Parents and Children (ALSPAC), a study of all women in Avon, England who were expecting a baby between April 1, 1991, and December 31, 1992. The population of Avon is similar to the larger national population of England. Additional subjects were identified by snowballing procedures and through a local lesbian mothers' support group, a local lesbian and gay organization, and newspaper advertisements. The sample included 39 lesbian-mother families (20 single, 19 with partners), 74 two-parent heterosexual families, and 60 single heterosexual mother families. The children were between the ages of five and seven. Standardized interviews and questionnaires were administered to biological mothers, lesbian non-biological mothers ("co-mothers")/fathers, children, and teachers measuring the quality of the parenting, children's socioemotional adjustment, parents' psychological state, and children's gender role behavior.

With respect to parenting, co-mothers, as compared with heterosexual fathers, were significantly less likely to hit children and showed a tendency toward less frequent disputes. Similarly, lesbian mothers were less likely than heterosexual mothers to hit their children. Lesbian mothers also engaged in imaginative and domestic play more frequently with children than did heterosexual mothers. Co-mothers were less likely than fathers to show raised levels of emotional involvement but reported similar or higher levels of involvement in play. Parental sexual orientation did not account for any significant differences with respect to children's socioemotional adjustment. There were no significant differences among any of the groups in children's psychiatric disorders. There

were no differences in parents' psychological state based on sexual orientation. There were no differences in the relationship satisfaction between lesbian and heterosexual mothers. No significant differences between lesbian and heterosexual mothers were identified with respect to children's gender development. Single mothers, in general, reported more negative relationships with their children than did mothers in two parent families, regardless of parents' sexual orientation. Teachers also reported a greater degree of psychological problems of children in single parent families.

Golombok, Susan, Beth Perry, Amanda Burston, Clare Murray, Julie Mooney-Somers, Madeleine Stevens and Jean Golding. 2003. "Children with Lesbian Parents: A Community Study." *Developmental Psychology* 39, no. 1.

## Lesbian Mothers and Their Children: A Comparison with Solo Parent Heterosexual Mothers and Their Children

**RICHARD GREEN, JANE BARCLAY MANDEL, MARY E. HOTVEDT,  
JAMES GRAY, AND LAUREL SMITH (1986)**

**Summary:** This study found that children of lesbians and children of heterosexual single mothers show no differences in I.Q., gender identity, and social adjustment with peers. Some differences were detected in gender behavior: daughters of lesbians were found to be less confined in their choices by stereotypical notions of feminine- and masculine-appropriate behavior. Some significant differences were detected between the mothers themselves. Lesbian mothers had higher levels of self-confidence and sought more leadership roles, while the heterosexual mothers had lower self-confidence and sought subordinate roles.

**Measures:** Child's social adjustment, parent's psychological well-being, child's gender behavior, child's cognitive development

**Types of families:** Lesbian mothers (some with partners) and heterosexual mothers who were divorced, separated, or never married

This study explored the gender identity and gender behavior of children in lesbian mother families. The subjects were recruited from women's groups and friendship networks in ten states. They included 50 lesbians and their 56 children (30 girls and 26 boys) and 40 heterosexual women and their 48 children (28 girls and 20 boys) from ten states. Each mother had to be currently unmarried, the legal custodian of

at least one child between three and eleven years, and have no adult male living in the house. The groups were matched in terms of mothers' age and race, children's sex and age, length of time separated from the husband/father, mother's current marital status, current family income, mother's educational level, and amount of time an adult male had not been living in the household. The children had a mean age of eight years. The mothers were white women between the ages of 25 and 46 and had been single for at least two years with a mean of four years. The majority were separated or divorced, although 3 of the lesbians were widowed, and 10% of both groups had never married. Income and occupation ranged from the unemployed on welfare to professionals who earned over \$2000 a month; the median income was \$850 per month. The majority of women worked at least part time, and education ranged greatly with the average having at least two years of college.

The mothers were given questionnaires that measured child raising, parenting experiences, marital and romantic relationships, and attitudes about divorce, sex roles, sex education of the children, and child discipline. They were also given personality tests and tests that measure gender behavior. In addition, mothers completed questionnaires about their children that covered gender identity, peer group popularity, and preferred play activities. The children's intelligence was measured, their gender identity was evaluated, and their gender behavior was assessed through toy and activity preferences.

The lesbian mothers scored higher on self-confidence, seeking leadership roles, and eliciting attention from others while heterosexual mothers scored higher on abasement and seeking subordinate roles. The lesbian mothers were more likely than the heterosexual mothers to have been less sex stereotyped as children and adults. There were no significant differences in the I.Q. of the children in the two groups. No differences were found between the two groups of children in terms of gender identity. With respect to children's gender development, none of the children in the study met the criteria for gender identity disorder. As for gender role behavior, differences were noted in a few areas. The daughters of lesbians were more likely than the daughters of heterosexuals to engage in a wider range of play behaviors, e.g., showing interest in toys and activities that are considered traditionally masculine in addition to those that are traditionally feminine. And sons and daughters of lesbians were more likely than heterosexual mothers' children to prefer playing with children of both sexes as opposed to just same-sex playmates.

Green, Richard, Jane Barclay Mandel, Mary E. Hotvedt, James Gray and Laurel Smith. 1986. Lesbian Mothers and Their Children: A Comparison with Solo Parent Heterosexual Mothers and Their Children." *Archives of Sexual Behavior* 15, no. 2 : 167-185.

## Children's Acquisition of Sex-Role Behavior in Lesbian-Mother Families

BEVERLY HOFFER (1981)

**Summary:** This study found no significant differences between the gender behavior of children of lesbian and heterosexual mothers. It also found that lesbian mothers were significantly more likely to prefer a more equal mix of masculine and feminine toys, while heterosexual mothers tended to prefer that girls play with stereotypically feminine toys and boys play with stereotypically masculine toys.

**Measures:** Child's gender behavior and parent's preference for child's gender behavior/sexuality

**Types of families:** Lesbian mothers and single heterosexual mothers

This 1981 study examined the gender behavior of the children of lesbian and heterosexual mothers as well as the mothers' preference and influence on their children's gender behavior and sexuality. The study consisted of 20 lesbian and 20 heterosexual single mothers from the San Francisco Bay area whose oldest or only child was between six and nine years old. All of the children were white, raised in the United States, and their fathers had left the household by the time they were five years old. The groups were matched by age and gender, so that each group had 10 boys and 10 girls. There were no significant differences between the families in terms of marital status, educational background, or occupation. Most had at least a college degree, were separated or divorced, and worked in a white-collar occupation. All were white. The only major difference between the two groups is that while 95% of the lesbian mothers identified moderately or strongly with feminism, just 55% of the heterosexual mothers did so.

The children were tested for gender-classified toy preferences using a toy preference test, which consisted of showing children photographs of gender-typed masculine (e.g., toy snakes, trucks), feminine (e.g., dolls, tea sets), and neutral toys (e.g., sea shells, puzzles) to determine the child's preferences. The mothers were asked to choose the toys with which they would prefer their children to play. The mothers were also given a test to determine their attitudes toward the toys with which their children played.

No significant differences were found between the gender identity of children of lesbian and heterosexual mothers. The boys of both groups preferred masculine and neutral toys and girls preferred feminine and neutral toys. However, the mother's sexual orientation correlated with their preference of toys for their children. Lesbian mothers generally did not base their preferences for toys on their

child's gender, but heterosexual mothers tended to prefer masculine sex-typed toys for their boys and feminine sex-typed toys for their girls. Lesbian mothers were found to prefer a more equal mixture of masculine and feminine toys for their children than did heterosexual mothers.

Hoeffler, Beverly. 1981. "Children's Acquisition of Sex-Role Behavior in Lesbian-Mother Families." *American Journal of Orthopsychiatry* 51, no. 3 : 536-544.

## Children of Lesbian Mothers

MARY E. HOTVEDT AND JANE BARCLAY MANDEL (1982)

**Summary:** No significant differences were found between children of divorced lesbian and heterosexual mothers in terms of general well-being and relationships with peers. There were no differences between boys in terms of gender behavior, but daughters of lesbians tended to have preferences in play and career choice that were not confined by traditional notions of female toys and occupations.

**Measures:** Child's emotional/psychological well-being, child's social adjustment, child's gender behavior

**Types of families:** Divorced, separated, or widowed lesbian and heterosexual mothers

In this article, the authors report preliminary findings of their study of divorced, separated, or widowed lesbian and heterosexual mothers. Participants were selected from ten states representing the Northeast, Midwest, and South and came from both rural and urban areas. Lesbian mothers were required to be self-identified lesbians, have custody or joint custody of at least one child between the ages of three and eleven, and have had no adult male in the house for at least two years. Heterosexual mothers were matched with the lesbian mothers on the basis of the mother's age and race, the children's age and sex, length of time separated from father, marital status (never married, divorced, separated, widowed), income level of the family, education level of the mother, and (when possible) mother's religion of upbringing. All of the participants were white and had been living as single parents for an average of four to five years. Income and occupation ranged from unemployed and on welfare to full-time professional women earning up to \$2000 per month. Education ranged greatly, but most participants had at least one year of college. The authors do not provide information about how subjects were recruited.

Each participant was required to fill out questionnaires and attitude/personality scales that measured parenting experiences, upbringing, marital and relation-

ship patterns, and attitudes toward divorce, gender roles, sex education for children, and discipline. Children were interviewed and tested in the home on gender behavior, play preferences, friendships, television habits, and thoughts about adulthood.

No differences were found between the two groups of children in terms of the sex of their closest friends. Daughters of lesbian mothers tended to rate themselves more popular with other children than daughters of heterosexual mothers did; however, there were no differences between the two groups of sons. There were also no signs of gender identity confusion. The daughters of lesbians scored as less traditionally feminine, but not masculine, on a number of items. For example, they tended to pick possible careers that were not traditionally female occupations and engaged in somewhat wider variety of play than the other daughters.

Hotvedt, Mary E., and Jane Barclay Mandel. 1982. "Children of Lesbian Mothers," in *Homosexuality, Social, Psychological, and Biological Issues*, ed. W. Paul. 275-285. Beverly Hills, CA: Sage.

## A Comparative Study of Self-Esteem of Adolescent Children of Divorced Lesbian Mothers and Divorced Heterosexual Mothers

**SHARON L. HUGGINS (1989)**

**Summary:** This study found no significant difference in the level of self-esteem of children with heterosexual mothers and children with lesbian mothers.

**Measures:** Child's self-esteem

**Types of families:** Divorced lesbian and heterosexual mothers

Huggins explored the self-esteem of 36 adolescent children, ages thirteen to nineteen years: 18 of the children lived with divorced heterosexual mothers and 18 lived with divorced lesbian mothers. Half of the children in each category were girls and half were boys. All children and their mothers were non-Hispanic white and lived in Southern California. Huggins recruited the families through solicitation and personal referral by the study participants. The study used a 58-item inventory that has been used in several self-esteem studies since 1967. A higher score on the inventory corresponds to a higher self-esteem. Huggins interviewed the adolescents and their mothers, and all the adolescents completed the self-esteem inventory.

There was no significant difference in the self-esteem of children with lesbian mothers and children with heterosexual mothers. However, children of both lesbian mothers and heterosexual mothers had higher self-esteem scores if their mothers were currently living with a partner or remarried.

Huggins, Sharon L., "A Comparative Study of Self-Esteem of Adolescent Children of Divorced Lesbian Mothers and Divorced Heterosexual Mothers." In *Homosexuality and the Family*, ed. F.W. Bozett, 123-135. New York: Haworth.

## Lesbian Mothers and Their Children: A Comparative Survey

**MARTHA KIRKPATRICK, CATHERINE SMITH, AND RON ROY (1981)**

**Summary:** This study found no difference between children of lesbian mothers and children of single heterosexual mothers in psychological well-being or gender behavior.

**Measures:** Child's emotional/psychological well-being, child's gender behavior

**Types of families:** Lesbian and heterosexual mothers, most of whom were divorced

This study investigated the children of lesbian and heterosexual women through the observations of two psychiatrists and one psychologist. Two of the professionals were not aware of the sexual orientation of the child's mother until the evaluations were completed. Participants included 40 children, 10 sons and 10 daughters of lesbian mothers, and 10 sons and 10 daughters of single heterosexual mothers. All children were between the ages of five and twelve. The mothers were contacted through friendship circles and through a local National Organization of Women (NOW) newsletter. Subjects were offered free psychological evaluations.

Half of the lesbian mothers lived with a partner. Few of the heterosexual mothers had partners living in the home. The two groups of mothers were found to be similar in their socioeconomic status and occupational history, age at marriage and length of marriage, pregnancy and delivery histories, and age at children's birth. The heterosexual mothers tended to have larger families due to remarriages or children after divorce. Almost all the mothers were working, in school, or both. Both groups were also similar in the age of child at family separation and the length of time since separation except for two children in the lesbian groups who never had a father in the home. Fathers' involvement with the children was comparable in the two groups. There were seven "only children" in the lesbian mother group and none in the heterosexual mother group.

Children's psychological well-being and gender behavior were extensively evaluated through tests and a 45-minute interview. The results between the two groups were found to be "remarkably" similar. There were no significant differ-



ences in the level of emotional disturbance or types or frequency of pathology. Gender evaluations were based on historical data of favorite toys and games, the sex of closest friends, a human figure drawing test, and responses to questions concerning gender, current interests, and future roles. There was no difference between the two group of children in terms of gender behavior. The researchers found that lesbian mothers tended to be more concerned than heterosexual mothers with providing their children with male figures in their lives.

Kirkpatrick, Martha, Catherine Smith, and Ron Roy. 1981. "Lesbian Mothers and Their Children: A Comparative Survey," *American Journal of Psychiatry* 51, no. 3 (July): 545-551.

## Children Raised in Fatherless Families from Infancy: A Follow-Up of Children of Lesbian and Single Heterosexual Mothers at Early Adolescence

**FIONA MACCALLUM AND SUSAN GOLOMBOK (2004)**

**Summary:** This study was a follow-up to an earlier study and compared lesbian mother families, single heterosexual mother families, and two-parent heterosexual families to examine how adolescent children are affected by having been raised in a family without a father. Overall, results showed that the absence of a father does not negatively affect children's social and emotional development in adolescence. Children in families without fathers regarded their mothers as sharing more interests and activities with them, more available, and more dependable than children in two-parent heterosexual families. And mothers in families without fathers reported more serious disputes with their children and more irritability and loss of temper during disciplinary interactions. Results also found that boys raised in fatherless families, irrespective of mothers' sexual orientation, showed more feminine behaviors than boys raised in families with fathers; however, they showed no fewer masculine characteristics than boys raised with fathers.

**Measures:** Parents' psychological state, parenting practices and attitudes, quality of parent-child relationship, child's emotional/psychological well-being, child's school functioning, child's gender behavior

Types of families: Single and two-parent lesbian families, single heterosexual mother families, and two-parent heterosexual families

This study was a follow-up to a previous study (Golombok et. al., 1997), and included 25 lesbian mother families, 38 single heterosexual mother families, and 38 two-parent heterosexual families, all with children of the same mean age. Researchers administered interviews and questionnaires to parents and children, investigating mothers' psychological state, the quality of the parenting (warmth, sensitivity, emotional involvement, disciplinary aggression), the quality of the parent-child relationship (e.g., warmth between parent and child, confiding of child in mother, severity of disputes), children's socioemotional development (child's psychiatric state, peer problems, school functioning), and gender role orientation. Teachers also filled out questionnaires about children's behavioral and emotional problems.

There were no differences between groups of children on any measures of adjustment. They had similar scores on emotional and behavioral problems, school adjustment, peer relationships, and self-esteem. In terms of quality of the parenting and the parent-child relationship, the groups were similar on most measures, but there were two significant differences. First, in the lesbian and single heterosexual mother families, children perceived their mothers as interacting with them more and as being more available and dependable than did children in two-parent heterosexual families. Second, lesbian and single heterosexual mothers reported more serious disputes with their children and more irritability and loss of temper during disciplinary interactions; single heterosexual mothers reported higher levels of disciplinary aggression than the lesbian mothers. The authors suggested the possibility that this might be due to fathers taking on more of the disciplining role in heterosexual couple families. Neither the lesbian nor the single heterosexual mothers showed dysfunctional levels of disciplinary aggression. Finally, with respect to children's gender role orientation, it was found that boys raised without a father, regardless of their mothers' sexual orientation, showed more feminine characteristics though no fewer masculine characteristics.

MacCallum, Fiona and Susan Golombok. 2004. "Children Raised in Fatherless Families from Infancy: A Follow-Up of Children of Lesbian and Single Heterosexual Mothers at Early Adolescence." *Journal of Child Psychology and Psychiatry* 45, no. 8: 407-1419.

## The Child's Home Environment for Lesbian vs. Heterosexual Mothers: A Neglected Area of Research

**JUDITH ANN MILLER, R. BROOKE JACOBSEN, JERRY J. BIGNER (1981)**

**Summary:** This study measured the way lesbian and heterosexual mothers responded to a variety of

situations involving their children. It found that lesbian mothers were significantly more likely to respond in a child-oriented way (oriented more towards helping the child understand the situation) than the heterosexual mothers who responded in more task-oriented ways (simply disciplining the children without explaining why).

Measures: Parenting practices

Types of families: Lesbian and heterosexual mothers with children from heterosexual marriages

Researchers explored and compared the parenting practices of lesbian and heterosexual mothers. The sample of lesbians was recruited from a feminist recreation center and the heterosexual mothers were recruited from local Parent-Teacher Association (PTA) meetings. There were 34 lesbians with a mean age of 32.6 years and 47 heterosexual mothers with a mean age of 35.6 years. There were no significant differences in the level of education of the mothers in the two groups. Almost two thirds of the heterosexual mothers were stay-at-home moms; none of the lesbian mothers were. Over 94% of the lesbian mothers reported a household income of less than \$15,000, while over 87% of the heterosexual mothers reported an income over \$15,000. All of the heterosexual women in the group were married while nearly a quarter of the lesbian mothers were single.

The subjects were asked to complete a self-administered questionnaire and to respond to a presentation consisting of slides portraying children in various situations: fighting, disrupting furniture, or refusing to go to bed. The mothers were given three options of response. The responses were categorized as adult oriented, child oriented, and task oriented. For example, one slide portrayed two children in a sword fight with the smaller child in imminent danger. The choices for response were: (a) "Break it up. Stop that right now" (Adult-Orientated Response), (b) talk to them about how hitting can hurt and suggest something else for them to do (Child-Oriented Response), or (c) take the sticks away from them (Task-Oriented Response). There were significant differences in the responses of lesbian and heterosexual mothers; lesbian mothers were more likely to be child-oriented than heterosexual mothers, who tended to be more task-oriented.

Miller, Judith Ann, R. Brooke Jacobsen, Jerry J. Bigner. 1981. "The Child's Home Environment for Lesbian vs. Heterosexual Mothers: A Neglected Area of Research." *Journal of Homosexuality* 7, no. 1 (Fall): 49-56.

## Families of the Lesbian Baby Boom: Children's Contact with Grandparents and Other Adults

**CHARLOTTE J. PATTERSON, SUSAN HURT, AND CHANDRA D. MASON (1998)**

**Summary:** This study found that the children of lesbian parents were likely to have regular contact with their grandparents, as well as with other related and unrelated adults, although in two-parent families, biological relatedness correlated with greater relative contact. The study also looked at the relationship between the children's contact with their grandparents and the children's adjustment, finding that the children who had regular contact with their grandparents reported fewer behavioral problems.

**Measures:** Child's social adjustment, child's emotional/psychological well-being

**Types of families:** Lesbian couples and lesbian single mothers

This study examined the extent to which the children of lesbian mothers had contact with their grandparents and other related and unrelated adults, and the possible associations of any such contacts with the children's mental health. Thirty-seven families participated, 26 headed by a couple and 7 by a single mother. The mothers had a mean age of 39.6 years. Most were white, well-educated, middle class, and employed full time. The mean age of the children was six years and two months. All of the families lived in the greater San Francisco Bay area. The families were recruited through friends, acquaintances, and colleagues. Ninety-five percent of the families contacted agreed to participate.

The researchers interviewed the mothers about their children's contacts with grandparents and other adults. The children's adjustment and self-concept were measured using standardized tests. The behavioral test scored internalizing and externalizing behavior and was completed by the mothers. The self-concept test was administered individually to participating children.

The majority of the children were found to have at least annual contact with grandparents, and many had monthly or more frequent contact. The relationship status of the parent (couple versus single) was not found to have a significant impact on the frequency with which children saw their grandparents. About one third of the children reported being in at least annual contact with other female relatives of both the biological and nonbiological mothers. Most of the children also reported being in regular contact with adults (both men and women) who were not their relatives. On average, the children were described as having monthly or more frequent contact with six adults outside their households, among whom there were twice as many nonrelatives. Like other children in the U.S., these children were found to have more contact with adult women than with adult men; on average they saw approximately four women and two men.

Among children in two-parent families, they were found to have more contact

with relatives of their biological mother than those of their nonbiological mother. Ninety-seven percent had annual or more frequent contact with their biological mother's mother, while 74% had such contact with their nonbiological mother's mother. Most of the children had at least monthly contact with their biological mother's parents, while only a third had that much contact with their non-biological mother's parents. With regard to the children's adjustment, more frequent contact with grandparents was associated with fewer internalizing behavior problems and fewer total behavior problems. There were no significant association between grandparent contact and externalizing behavior problems. While there was no association between the children's reports of well-being and their contact with grandparents or other relatives, children who had frequent contact with non-relative adults experienced greater feelings of well-being.

Patterson, Charlotte J., Susan Hurt, and Chandra D. Mason. "Families of the Lesbian Baby Boom: Children's Contact with Grandparents and Other Adults." *Journal of Orthopsychiatry* 68, no. 3 (1998): 390-399.

## Division of Labor Among Lesbian and Heterosexual Parenting Couples: Correlates of Specialized vs. Shared Patterns

**CHARLOTTE J. PATTERSON, ERIN L. SUTFIN, AND MEGAN FULCHER (2004)**

**Summary:** This study found that lesbian couples were more likely to divide paid and unpaid labor evenly, whereas within heterosexual couples, husbands were more likely to invest more time in paid employment and wives devoted more time to unpaid family work. In heterosexual couples, structural variables, such as the husband's hours of paid work, determined the division of labor. In lesbian couples, ideological variables, such as parents' ideas about ideal divisions of labor, determined the actual division of labor.

**Measures:** Parenting practices and attitudes; quality of relationship between parents

**Types of families:** Lesbian and heterosexual couples with children

This study compared the division of family labor between lesbian and heterosexual couples who were parenting four- to six-year-old children. Sixty-six families participated: 33 lesbian couples and 33 heterosexual couples. The families were recruited through churches, daycare centers, parenting support groups, and word of mouth. All resided in the Mid-Atlantic region of the United States. The couples were well-matched, but there were some demographic differences between the two groups. The lesbian genetic/adoptive mothers were older than the het-

erosexual mothers (mean age of 42 compared to 39), and the children of the lesbian couples were more likely to be nonwhite (16 versus 2) and adopted (17 versus 5). The children's race and adoptive status were found to have no correlation with parental division of labor. Standardized tests were used to measure parental attitudes concerning children's gender-related behavior, parental division of labor, satisfaction with the couple relationship, and demographic information.

The study found that lesbian couples divided child care more evenly than heterosexual couples. Each mother was likely to do about half of the childcare, while heterosexual mothers reported doing more child care than fathers. Lesbian mothers ideally wanted an equal distribution of child care, while heterosexual mothers reported that they would ideally do somewhat more than half of the child care. In terms of household work, both lesbian and heterosexual couples reported that each partner did about half the work. There were no differences between or within groups in terms of subjects' feelings of competence in performing child care tasks.

Researchers then examined the variables that might account for the differences in the participation of second parents (fathers and nonbiological lesbian mothers). The study found that there was no significant association between couples' relationship satisfaction and the second parent's participation. Occupational prestige, however, did have an effect among lesbian couples. When there was a difference between occupational prestige, the second mother participated more. The numbers of hours spent in paid employment by the second parent affected participation for both lesbian and heterosexual couples. When second parents spent more time at work, they reported doing less child care. Second parent's ideal distribution of labor for child care was strongly associated with that parent's participation in both lesbian and heterosexual couples. In lesbian couples, the more the second parent wanted to be responsible for child care, the more she actually participated in it. For heterosexual couples, there was no strong connection between ideal division of labor and actual division of labor.

Patterson, Charlotte J., Erin L. Sutfin and Megan Fulcher. 2004. "Division of Labor among Lesbian and Heterosexual Parenting Couples: Correlates of Specialized versus Shared Patterns." *Adult Development* 11, no. 3: 179-189.

## Adults Raised as Children in Lesbian Families

**FIONA TASKER AND SUSAN GOLOMBOK (1995)**

**Summary:** This study found no significant difference between young adults raised by lesbian parents and those raised by heterosexual parents in the quality of their relationships with their mothers, exposure to teasing or bullying in high school, or their emotional well-being. No differences were found in the proportion of each group that

reported experiencing sexual attraction to some one of the same sex, although the children of lesbians were more likely to act, or consider acting, on those attractions.

Measures: Child's emotional/psychological well-being, child's social adjustment, quality of parent-child relationship, child's sexuality

Types of families: Divorced lesbian and heterosexual mothers

This follow-up study of Golombok and Tasker's 1976-1977 study took place in 1991-1992. The original study looked at a group of families headed by divorced lesbian mothers and a group of families headed by single, divorced heterosexual mothers. In the original study, each group had 27 mothers and 39 children. For this study, 25 of the adult children raised by lesbian mothers (8 men and 17 women) and 21 of the children raised by heterosexual mothers (12 men and 9 women) decided to participate again. In each group, the average age of the participants was 23.5 years. The authors used individual interviews to obtain data on the participants' family relationships, peer relationships, and sexual orientation. They used two standardized questionnaires to measure participants' anxiety and depression levels.

In the original study, the authors excluded any heterosexual mother with a live-in partner, but in this follow-up almost all of the heterosexual mothers had remarried or had live-in partners. According to reporting from the two groups of children, significantly more children of lesbian mothers felt positively about their relationship with their mothers' partners than children of heterosexual mothers felt about their mothers' new husbands or boyfriends. Young adults with lesbian mothers were also significantly more likely to report being "proud" of their mother's sexual identity and having positive feelings towards their mothers' identities (i.e., lesbian mother or single, heterosexual mother). There was no difference, however, between the two groups' retrospective reports of these same feelings during adolescence. Nor did the groups differ in the overall quality of participants' current relationship with their biological mother.

Both groups were equally likely to remember being teased or bullied by their peers, and they also did not differ in the proportion who remembered being teased specifically about their family background or mother's lifestyle. However, participants from lesbian families—particularly male participants—were significantly more likely to recall being teased about being lesbian or gay themselves. A majority of the children of lesbian parents had told at least one friend about their mother's sexual orientation. Five had successfully concealed that information. Four reported that they tried to conceal it but friends found out. Five reported negative reactions from a friend, but two subsequently turned positive. The groups did not significantly differ in the proportion of young adults who reported at least one instance of sexual attraction to someone of the same sex. Young adults raised by lesbians, however, were significantly more likely to

report having been involved in, or having considered, acting on those same-sex attractions. All participants from both groups reported at least one sexual relationship with someone of the opposite sex. There were no significant differences between the two groups in terms of anxiety level or depression level, and similar proportions of both groups had seen a health care professional for problems arising from anxiety, depression, or stress.

Tasker, Fiona, and Susan Golombok. 1995. "Adults Raised as Children in Lesbian Families." *American Journal of Orthopsychiatry* 65, no.2: 203-215.

## What Does It Mean for Youngsters to Grow Up in a Lesbian Family Created by Means of Donor Insemination?

**KATRIEN VANFRAUSSEN, INGRID PONJAERT-KRISTOFFERSEN,  
AND ANNE BREWAEYS (2002)**

**Summary:** This study found no difference in the psychological well-being of children of lesbian couples born through donor insemination and children born to heterosexual couples. It also found that almost all children in two-mother homes openly discussed their family life with close friends but discussed the topic with others only when asked. Furthermore, children from lesbian families were more likely than their peers to experience family-related teasing; they did not experience a greater degree of teasing overall. Researchers found that children from heterosexual parent families had more aggressive behaviors and teachers reported greater attention problems among children from lesbian mother families.

**Measures:** Child's social adjustment, child's emotional/psychological well-being

**Types of families:** Lesbian couples with children born by means of donor insemination and heterosexual couples with children conceived conventionally

This study examined the peer relationships and the psychological well-being of children born into lesbian families by means of anonymous donor insemination as compared to children born into heterosexual families. This is the second part of the Belgian longitudinal study on lesbian parenthood. The sample had been drawn from patients at a fertility clinic from 1986-1991. The subjects in the two groups were closely matched with regard to education, age and gender of child, family size and family type (single versus two-parent). At this stage, 24 lesbian mother fami-



lies and 24 heterosexual parent families were included in the study. In each group, six couples had divorced or separated. All of the children were between the ages of four and eight.

Data were collected from questionnaires filled out by parents and teachers and by separate interviews with children and parents of both family types. Children of lesbian mother families were interviewed about how they convey the nature of their nontraditional family to peers and the degree of contact they allowed between their family and peers. All children were interviewed about the incidence and content of teasing experiences. Teachers and parents of both family types completed questionnaires regarding children's self-esteem and emotional/behavioral adjustment.

Researchers found that most children of lesbian mother families openly explained the absence of a father by disclosing that they have two mothers. While most children would not explain the nature of their two-mother families to strangers or acquaintances unless explicitly asked, they would spontaneously share the information with their close friends. Moreover, children of lesbian mother families expressed no reluctance in inviting friends home. Children of lesbian and heterosexual parent families showed no differences with respect to self-esteem, emotional well-being, behavioral well-being, or perceived acceptance by peers. Both groups of children reported equal levels of overall teasing. However, children of lesbian mother families reported more family-oriented teasing than children of heterosexual parent families. Researchers found significantly greater aggressive behavior in children of heterosexual parent families than in those of lesbian mother families, particularly among boys. Teachers reported significantly more attention problems for children of lesbian families than those from heterosexual parent families.

Vanfraussen, Katrien, Ingrid Ponjaert-Kristoffersen, and Anne Brewaeys. 2002. "What Does it Mean for Youngsters to Grow up in a Lesbian Family Created by Means of Donor Insemination?" *Journal of Reproductive and Infant Psychology* 20, no. 4: 237-252.

## Family Functioning in Lesbian Families Created by Donor Insemination

**KATRIEN VANFRAUSSEN, INGRID PONJAERT-KRISTOFFERSEN,  
AND ANNE BREWAEYS (2003)**

**Summary:** This study focused on the importance of biological ties to parent-child relationships in lesbian parent families created by donor insemination. It found that the quality of the children's relationship with the lesbian nonbiological mother ("social mother") is comparable to that with the biological mother. Moreover, lesbian social mothers (unlike

heterosexual fathers) were as involved in child activities as biological mothers. And lesbian social mothers had as much authority as the fathers in heterosexual families.

Measures: Quality of the parent-child relationship

Types of families: Heterosexual couples with conventionally conceived children and lesbian couples with children born through donor insemination

This study focused on the role of social mothers (those with no biological tie to their children) within lesbian parent families. It compared the parenting roles of social mothers with those of biological mothers in lesbian households and those of fathers in heterosexual households. The study included 24 lesbian parent families whose children had been conceived through donor insemination, and 24 naturally-conceived heterosexual parent families. Families were matched as closely as possible according to educational level, age and gender of children, family size, and whether parents were split or together. Children were about ten years old. Interviews were conducted with both parents and separately with the children in each family to address activities, communication, affections, quarrels/disputes, and authority. Participants were also asked to complete the Parent-Child Interaction Questionnaire (PACHIQ), which measures the quality of the parent-child relationship.

The study found no difference in the quality of the parent-child relationships in lesbian and heterosexual parent families. It further found that social mothers held as much authority as heterosexual fathers. Overall, children in lesbian parent families were found to experience as much acceptance and authority as children in heterosexual parent families. The only significant difference that the study found was that, unlike heterosexual parent families, where mothers have greater involvement with their children than fathers do, in lesbian mother families, social mothers shared as much involvement in their children's activities as did biological mothers.

Vanfraussen, Katrien, Ingrid Ponjaert-Kristoffersen and Anne Brewaeys. 2004. "Family Functioning in Lesbian Families Created by Donor Insemination" *American Journal of Orthopsychiatry* 73, no. 1: 78-90.

## Psychosocial Adjustment, School Outcomes, and Romantic Relationships of Adolescents with Same-Sex Parents

**JENNIFER WAINWRIGHT, STEPHEN T. RUSSELL,  
AND CHARLOTTE J. PATTERSON (2004)**

Summary: This study examined associations among family type (same-sex versus opposite-sex parents); family and relationship variables; and the

psychosocial adjustment, school outcomes, and romantic attractions and behaviors of adolescents. The researchers found that adolescents were functioning well and their adjustment was not generally associated with family type. Assessments of romantic relationships and sexual behavior were not associated with family type. Regardless of family type, adolescents whose parents described closer relationships with them reported better school adjustment.

Measures: Child's emotional/psychological well-being, child's school functioning, quality of parent-child relationship, child's sexuality

Types of families: Lesbian couples and heterosexual couples with adolescent children

This study compared 44 adolescents raised by lesbian couples with 44 adolescents raised by heterosexual couples. The adolescents were twelve to eighteen years old, and their average age was fifteen. The authors drew their sample from the National Longitudinal Study of Adolescent Health (Add Health), a national study of 12,105 adolescents from high schools across the United States. Data for the Add Health study were collected through in-school surveys of students as well as in-home interviews, surveys, and questionnaires of students and their parents. The sample collected from the Add Health study is nationally representative. Adolescents in the two groups were matched by sex, age, ethnic background, adoption status, learning disability status, family income, and parents' educational attainment.

Adolescents were assessed on a wide variety of variables, including various aspects of their psychosocial adjustment (depression, anxiety, self-esteem), school functioning (GPA, school connectedness, trouble in school), and romantic relationships, attractions, and behaviors. The study also examined several family and relationship variables such as parents' assessment of the quality of the parent-child relationship and adolescents' perceptions of parental warmth, care from adults and peers, integration into the neighborhood, and autonomy. The analyses were conducted in two steps. The first set of analyses evaluated the degree to which adolescents living with lesbian couples differed in their adjustment from the comparison group. The second set of analyses explored associations of adolescent adjustment with assessments of family and relationship processes.

Across a diverse array of assessments, the authors found that the personal, family, and school adjustment of adolescents living with same-sex parents did not differ from that of adolescents living with heterosexual parents. Adolescent self-esteem did not vary as a function of family type. There were no differences as a function of family type in measures of personal adjustment, such as depressive symptoms

and anxiety, or in quality of family relationships. There were no differences as a function of family type in measures of school adjustment with one exception—adolescents living with same-sex parents reported feeling more connected to school than did those living with opposite-sex parents. Analyses of adolescents' reports of romantic attractions and behaviors revealed no difference between the groups in the percentage of adolescents who reported ever having engaged in sexual intercourse (34% of adolescents in each group). There was also no significant difference between the groups in the percentage of adolescents who had had a romantic relationship in the past 18 months (68% of adolescents with same-sex parents and 59% of those with opposite-sex parents). Few adolescents reported same-sex attractions or romantic relationships in the past 18 months. Regardless of family type, adolescents were more likely to show favorable adjustment when they perceived more caring from adults and when parents described close relationships with them. When parents reported more satisfying parent-adolescent relationships, adolescents reported significantly less trouble at school and greater feelings of connectedness at school. The qualities of adolescent-parent relationships, rather than the structural features of families, were significantly associated with adolescent adjustment.

Wainwright, Jennifer, Stephen T. Russell and Charlotte J. Patterson. 2004 "Psychosocial Adjustment, School Outcomes, and Romantic Relationships of Adolescents With Same-Sex Parents." *Child Development* 75, no. 2 (November/December): 1886-1898.

## The Price: Restrictions on Gay Parenting Are Harmful to Children

The previous chapter explained why there is no child welfare basis to restrict parenting by lesbians and gay men. It discussed the social science research that demonstrates that lesbians and gay men are just as capable of being good parents and that their children develop just as healthily as other children. This chapter will explain why such restrictions are not only unnecessary to protect children but, in fact, extremely damaging to the very children the restrictions are purportedly meant to protect. Whether the issue is a custody or visitation determination, an application for a second-parent adoption, or adoption and foster care eligibility, children suffer when restrictions are imposed on parenting by lesbians and gay men.

It is not hard to see how children of divorced families can suffer if custody and visitation issues are decided based on factors that have nothing to do with children's well-being, such as parental sexual orientation. The legal standard for deciding custody and visitation in every state is the best interest of the child. In making a best interest determination, judges are required to weigh all factors that affect the child's well-being. These include the child's relationship with each parent, the safety and stability of each parent's household, and each parent's willingness to foster the child's relationship with her noncustodial parent. If custody or visitation is determined based on arbitrary factors that have nothing to do with children's well-being, such as parents' sexual orientation, it means that factors that do matter to children get overlooked. For example, a Mississippi court left a child in the custody of his mother even though he was exposed to domestic violence in her home because the court objected to the father's same-sex relationship.<sup>120</sup>

It is also easy to see how children of same-sex couples suffer if their parents are not able to obtain a co-parent adoption or otherwise secure children's legal relationships with both of their parents. Numerous benefits and protections for children flow from a legally recognized parent-child relationship. These include material benefits such as children's right to support, insurance benefits, and inheritance. There is also the important psychological benefit of security in the continuity of the parent-child relationship. If a child's relationship with one of her parents is not legally recognized, she is vulnerable to being cut off from that

parent if the other parent dies or her parents separate on bad terms. Sadly, far too many children of same-sex couples have suffered this grievous loss because they live in states where their parents cannot both be legally recognized.

What may be less obvious at first glance is that gay parenting restrictions undermine the interests of children in foster care and other children in the child welfare system. When gay people are categorically excluded from being considered as adoptive or foster parents, parentless children are needlessly deprived of adults who are willing and able to take care of them. Given the severe shortage of adoptive parents in this country, such exclusions mean that some of society's most vulnerable children will have to wait for years to be adopted, and some will grow up without ever having a family of their own. Moreover, disqualifying a class of people means that some children will not be able to be placed with available relatives or with families who are otherwise deemed to be the ideal placement for them given their individual needs. The rest of this chapter will focus on the terribly high price to children of excluding lesbians and gay men from adopting and fostering.

## The Adoption and Foster Placement

### Process: Case-by-Case Determinations

As discussed in Chapter 3, all of the major children's health and welfare organizations, whose only agenda is to serve the best interest of children, have issued statements opposing restrictions on adopting and fostering by lesbians and gay men. Those policy statements were informed in part by the social science research on lesbian and gay parents and their children, which firmly establishes that there is no child welfare basis for such restrictions because being raised by lesbians or gay men poses no disadvantage to children. But they were also informed by well-established child welfare policy that rejects categorical exclusions of groups of people as contrary to the best interests of children in the child welfare system.

Child welfare experts agree that child placement decisions should be based on children's specific needs and prospective parents' ability to meet those needs. Child welfare professionals understand that every child is unique and has individual needs. Children have diverse personalities, family experiences and physical and emotional needs that all need to be taken into account when making a placement. Similarly, adults seeking to adopt and foster are not all alike. They are diverse individuals who have different skills, qualities, and family environments to offer a child.

Adoption and foster placement is a matching process. Caseworkers seek to find the family that is the best match for each child. For example, one child may fare better with adoptive parents who have other children; another may be better off as an only child. A child may have medical problems and would benefit from being placed with someone who has medical expertise. Some children might do well with a couple; others might be better off with a single parent (e.g., children who have experienced sexual abuse or who need focused attention).<sup>121</sup> In other words, there is no one-size-fits-all when it comes to children. The bigger and more diverse the pool of prospective adoptive and foster parents, the greater the

likelihood that placement professionals will be able to make good matches. Categorical exclusions, which throw away individuals who could meet the needs of children, seriously undermine this goal.

The rejection of blanket exclusions in favor of the principle that placement decisions should be made on a case-by-case basis is well-established in the child welfare field. Indeed, it is reflected in the Child Welfare League of America's Standards of Excellence for Adoption Services:

When the agency providing adoption services is responsible for selecting the adoptive family, it should base its selection of a family for a particular child on a careful review of the information collected in the child assessment and on a determination of which of the approved and prepared adoptive families could most likely meet the child's needs.

Applicants should be assessed on the basis of their abilities to successfully parent a child needing family membership and not on their race, ethnicity or culture, income, age, marital status, religion, appearance, differing life style, or sexual orientation.

Applicants should be accepted on the basis of an individual assessment of their capacity to understand and meet the needs of a particular available child at the point of the adoption and in the future.<sup>122</sup>

The CWLA Standards are widely accepted as the foundation for sound child welfare practice in the United States. They are a source relied upon by the group's 900 member agencies, which include the state child welfare department in almost every state.<sup>123</sup> The Standards are formulated "based on current knowledge, the developmental needs of children, and tested ways of meeting these needs most effectively."<sup>124</sup> State child welfare departments are significantly involved in the development of the Standards.<sup>125</sup>

Case-by-case evaluation is such a central principle of child welfare practice that categorical exclusions have become aberrations in child welfare law around the country, the only exceptions being for those who have demonstrated conduct that is dangerous to children, such as those convicted of violent crimes or drug offenses.<sup>126</sup> This was not always the case. Until the 1970s, generally only middle-class, white, married, infertile couples in their late twenties to early forties, who were free of any significant disability were considered suitable to adopt. Many agencies excluded applicants who did not meet this ideal such as older couples, low-income families, disabled people, and single adults.<sup>127</sup> But by the 1970s, adoption policy and practice moved away from such exclusions as the field recognized that they were arbitrary and that many individuals who were rejected were valuable parenting resources.<sup>128</sup> It is now the consensus in the child welfare field that case-by-case evaluation is the best practice.

The child welfare professionals agree that the way to ensure healthy, positive

placements is to do what every state child welfare agency currently does: subject *every* applicant to a rigorous evaluation process. There are good and bad parents in every group; thus, every applicant must be seriously scrutinized. Whether gay or straight, no one is approved to adopt or foster a child unless he or she clears a child abuse and criminal records check, a reference check, an evaluation of physical and mental health, and a detailed home study that examines the applicant's maturity, family stability, and capacity to parent. Applicants will not be approved unless they are deemed able to protect and nurture and provide a safe, loving family for a child. And no adoption or foster care placement is made unless a caseworker first determines that the placement is the best match available for a particular child.<sup>129</sup>

## Barring Lesbians and Gay Men from Adopting or Fostering Needlessly Deprives Children of Good Parents

Blanket exclusions of lesbians and gay men from adopting or fostering—like any other blanket exclusions—deny children access to available safe, stable, and loving families. For some children, such exclusions mean that they cannot be placed with the family that is best suited to meet their needs. Categorical exclusions tie the hands of caseworkers and prohibit them from making what they deem to be the best placements for some children. For example, a caseworker could not place a child with a gay nurse who is willing to adopt a child with severe medical needs even if there are no other available prospective adoptive parents with the skills necessary to take care of that child. Similarly, a blanket rule would prevent a caseworker from placing a child with a lesbian aunt with whom the child has a close relationship. Instead, that child would have to be placed with strangers, even though the child welfare profession agrees that, wherever possible, children should be placed with relatives.<sup>130</sup>

Blanket exclusions do not just deprive children of the best possible placement. By reducing the number of potential adoptive and foster parents, categorical exclusions of lesbians and gay men condemn many children to a childhood with no family at all. Most states in this country have a critical shortage of adoptive and foster parents. Across the country, more than 118,000 children are waiting to be adopted. Many wait for years in foster care or institutions; some wait out their entire childhoods, never having a family of their own (see the following sidebar “The Desperate Need for Adoptive Parents”). Many people are not aware of this problem because we often hear about couples who spend years waiting to adopt a baby. But most of the children in the child welfare system in this country are not healthy infants. They are older children and teens, children with serious psychological and behavioral problems, children with challenging medical needs, and groups of siblings who need to be placed together. It is difficult to find families willing to take care of these children.<sup>131</sup>

The child welfare agencies go to great lengths to recruit adoptive and foster parents for these children, even posting photos and profiles of waiting children on the Internet.<sup>132</sup> They provide financial subsidies to people who adopt children who are in state care so that the expense of caring for a child is not a barrier to low-income



people adopting. Yet thousands of children are still left waiting for families.

The shortage of foster families means that some children get placed far away from their biological families, communities and schools; some get placed in overcrowded foster homes; and some get no foster family at all and instead are placed in institutional settings.<sup>133</sup>

For children waiting to be adopted, the shortage of adoptive families means that some will remain in foster care for years, where they often move around among temporary placements.<sup>134</sup> Some will have to be separated from their siblings in order to be adopted. Some will be placed with families that are not well-suited to meet their needs. And some will never be adopted, and instead “age out” of the system without ever getting to have a family of their own.

You do not have to be a child welfare expert to understand how scarring it is for a child to grow up without the love and security of a parent. And the scientific research confirms the importance to children’s development of forming a parent-child relationship and having a secure family life.<sup>135</sup> Thus, children who are adopted are much less likely than children who spend much of their childhoods in foster care or residential institutions to be maladjusted.<sup>136</sup>

Young people who age out of foster care without ever becoming part of a family are the most seriously affected. These young people are significantly more likely than their peers to drop out of school, be unemployed, end up homeless and get involved in criminal conduct.<sup>137</sup> According to the federal government, approximately 20,000 young people between the ages of 18 and 21 are discharged from foster care each year.<sup>138</sup> A national study prepared for the federal government reported that within two years after discharge, only 54% had completed high school, fewer than half were employed, 60% of the young women had given birth to a child, 25% had been homeless, and 30% were receiving public assistance.<sup>139</sup>

Blanket exclusions throw away qualified parents, which we cannot afford to do. We don’t know how many lesbians and gay men are adopting children, as no such statistics are kept. But we do know that each qualified lesbian or gay parent who is excluded because of his or her sexual orientation represents a potential loving family for a waiting child.

Under the governing child welfare policy across the country, no child is placed with an applicant unless, after a rigorous screening, a caseworker concludes that the applicant is the best match for the child. Excluding gay people (or any group) from being considered therefore does nothing whatsoever to protect children or promote good placements. All such exclusions do is prevent placement professionals from making some placements that they deem to be best for a particular child. Reducing the pool of available adoptive and foster parents from which caseworkers can choose provides no conceivable benefit to children and it creates harms that are all too real.

## THE DESPERATE NEED FOR ADOPTIVE PARENTS

The child welfare systems across the country are in crisis. In almost every state, there is a dramatic shortage of adoptive parents available to meet the needs of children waiting to be adopted. Data from the federal government tell us the extent of the shortage and its impact on children.

The information in this section is based on estimates from the U.S. Dept. of Health and Human Services' most recent report of that agency's Adoption and Foster Care Analysis and Reporting System (AFCARS),<sup>140</sup> which covers 2003.

### **Child welfare systems in the U.S. are overburdened with more children than they can handle and not enough qualified adoptive adults coming forward to help.**

- At the end of 2003, there were 523,085 children in foster care nationwide; 297,308 of those children entered foster care during that year.
- 118,761 of these kids were waiting to be adopted.
- Only 50,144 of them were adopted.

### **Once in foster care, kids often languish for years without being placed in permanent, loving homes.**

- The median age of kids in foster care who are waiting to be adopted was 8.62 years: 3% were less than a year old; 32% were 1-5 years old; 28% were 6-10 years old; 30% were 11-15 years old; and 6% were 16-18 years old.
- They had spent an average of 43.9 continuous months in foster care.
- 47% of them have spent more than three years in continuous foster care.
- 24% had spent more than five years continuously in foster care.
- Over 21,000 kids left the foster care system not because they found permanent homes but because they reached adulthood and "aged out" of the system.

## Profiles of Waiting Children

These are just a few of the thousands of children for whom lesbians and gay men might offer a loving family. These children's descriptions and photographs were featured on adoption recruitment websites run by the federal and state governments.



**Mechelle**  
AGE 10, 07/1995,  
FEMALE, TX

Mechelle is a tender and caring child who enjoys demonstrating affection. She is highly extroverted and loves to engage others in activities and conversation. Mechelle receives additional assistance in classes for math, language, science, and social studies. She does well in school and loves to go to school. She tries hard to please her teachers. She is eager to learn and is curious about any and everything!

Mechelle experiences pulmonary issues year round. Currently, she receives all her nutrition through a gastrointestinal tube because of medical complications, but she is capable of learning to eat by mouth. She also is legally blind. Currently, she has difficulties with depth perception and seeing long distances. Mechelle participates in speech and occupational therapy.

Mechelle loves to engage all individuals and enjoys receiving attention. She models the behaviors of older children and thus acquires new skills in this fashion. She loves to play outside. Mechelle is very attached to her foster family. Mechelle will need understanding and compassion through not only the adoption transition but also the grieving process.

Mechelle would benefit from a family knowledgeable about resources to provide for

special needs children. She would also do well with siblings who are older to identify and follow their lead. The family would need to be understanding of Mechelle's pulmonary issues while encouraging her to engage in a variety of activities to gain self-sufficiency.<sup>141</sup>



**Landon**  
AGE 8, 12/1996,  
MALE, LA

Landon, born 12/96, is a very energetic and handsome youngster who needs a permanent adoptive home. Landon enjoys playing video games and spending long hours on the computer. Landon also enjoys toys and gifts that are from the movie "The Lion King." Landon is very caring and loving toward his caretakers. He also enjoys playing with puzzles and animals. He does, however, have a tendency to aggravate the animals without having any intentions of doing so. Landon has been promoted in school due to continued progress that he has made academically. Landon has been diagnosed with PDD, ADHD, with having some difficulty in the area of communication. He is currently taking medication to address these behaviors. Landon is very active and in need of ongoing supervision due to his behavior issues. In school, Landon would benefit from having a school aide assigned to him to further assist him with his academics and behaviors.

Landon will need an adoptive family who can

provide close supervision due to his diagnosed behaviors. Landon is very loveable and will become a joyful heart of any family.<sup>142</sup>



**Trevaugn**  
AGE 3, 01/2002,  
MALE, TX

Trevaugn is an adorable child who loves affection. He has beautiful eyes and a sweet smile. Trevaugn suffered many complications at birth; however, he has made remarkable progress. He has cerebral palsy and receives speech, occupational, and physical therapy every week to help him adapt. He entertains himself by playing with toys that light up and make sounds.

Trevaugn, with extensive therapy, has learned to crawl and pull himself up. However, when he wants to get somewhere fast, he uses his wheelchair. Trevaugn likes to laugh. For fun, he likes to look at himself in the mirror and make funny faces. He enjoys playing peek-a-boo, watching television, and interacting with people. One of his favorite cartoons to watch is "Blues Clues."

Trevaugn's family will need to be prepared to provide long-term care to a child with medical needs. His family will require knowledge about specialized care for children with medical and therapeutic needs. Trevaugn thrives on love and affection from his caregivers. His new family will need to be committed to giving him the time and attention he deserves.<sup>143</sup>



**Christina**  
AGE 9, 04/1996,  
FEMALE, OR

Christina is clearly loved by her foster mom, who has taken the time to understand Christina's early years and the past trauma she has endured. While Christina can be delightfully bubbly and joyous and pleasant to be around, she is also a child desperate to have some control of her life and is prepared to take control wherever she can.

Christina likes to read poems and books about horses. She also loves stickers. She enjoys being outdoors riding her bike and satisfying her interest and curiosity about the insect world, especially caterpillars. She has also become quite attached to the family's pet pug dog, which has been very beneficial to Christina, according to her foster mom.

A cute girl with pretty, light brown, shoulder length hair and lovely green eyes, her whole face brightens when she smiles. Christina enjoys good physical health... Christina so wants to be the center of attention, yet her immature and inappropriate social skills tend to turn other children and even adults away.

... Christina has been in three foster homes since she came into care; she has been in her current home since May 2004. She has been participating in mental health therapy since coming into care. Her intervention program includes individual and group counseling to help her work through issues of past trauma, abuse, and abandonment.

In school, she benefits from having extra behavioral and emotional support in a self-contained classroom. Her teacher reports

that while Christina does very well academically, she has difficulties establishing positive peer relationships and is challenging to adults. It will be important for the folks who adopt Christina to have a very good grasp of how early neglect, lack of healthy adult-child boundaries, domestic violence, and parental mental health issues can interfere with a child's sense of well being and safety, and with her emotional, social, and behavioral development.

Christina must have an adoptive home that is emotionally warm and nurturing with a kind, patient mother as a primary parent to guide and direct her. Because her behavior is challenging and can be taxing to the most energetic and healthy woman, it is important for there to be two parents in the home. Structure and predictable limits are critical to Christina doing well in her daily life. She needs to know where the boundaries are and she needs parents to be consistent in the setting and enforcing of those boundaries. Older siblings who could be good role models for her would be a plus.<sup>144</sup>



**Brandi**  
AGE 17, 4/88,  
FEMALE, TN

Brandi is tall, slim, and attractive. She wants a family and she has dreams of excelling in basketball at her high school, going to college on a basketball scholarship, and then being a professional basketball player or a lawyer. Brandi likes to go to movies, skating, school functions, and out to eat. She enjoys being with her female peers. She sometimes has problems abiding by her curfew and grounding works when this occurs. Brandi is smart and capable of making good grades. She has changed schools several times in the past

year for various reasons, yet she has maintained passing grades. She is enjoying working on her life book. Brandi came from a very chaotic lifestyle. She maintains contact with her birth sister and other relatives, but there is no relative who is a resource for adopting her. She will want to continue periodic contact with her sister....

Brandi needs and wants a permanent family. She would do well with a single female as she has always lived in a household with female caregivers and relates best to mother figures. Brandi needs to be encouraged to continue her basketball skills and continue her dream of going to college. She will need someone who can be firm and set rules but she also needs to know she is loved and wanted by this family. If there are other children in the home, it would be best if they were younger.<sup>145</sup>



**Curtis and Joshua**  
CURTIS, AGE 13,  
01/92, MALE, GA  
JOSHUA, AGE 12,  
09/93, MALE, GA

Curtis and his brother Joshua were born 01/92 and 09/93. Curtis is a very loving and outgoing child. He is energetic and enjoys playing basketball, football, and kickball. Curtis also enjoys drawing, skating, and riding his bike. Religion is very important to him. Although Curtis currently attends a Hindu temple, he is open to other religions. He has a very healthy appetite and enjoys a variety of foods. Curtis' favorite foods include curried rice, fish, pizza, and chicken. Enrolled in special education classes for those with emotional and behavioral issues, he enjoys social studies and excels in math. Although Curtis does well academically, he requires

assistance with his schoolwork. At times, he exhibits disruptive behavior in the classroom. Due to the structured setting of the classroom along with medication and therapy, Curtis's behaviors have significantly improved. His teachers consider him a role model for the other students to follow. Curtis hopes to become a veterinarian. It is likely that he will require special education services on an ongoing basis.

Joshua is a sweet and soft-spoken child. He enjoys playing football, basketball and watching television. Joshua also enjoys playing with his miniature toy cars and action figures. He is very responsible and enjoys helping with chores. Joshua occasionally displays trying behaviors. Special education classes and medication assist him in understanding and managing his behavior. Joshua excels in science and social studies. He hopes to become a movie director. Joshua will require assistance to ensure that his academic needs are met.

These children have experienced a great deal of instability, both in their birth home and in foster care. A loving, committed and patient family is needed, one who will provide Curtis and Joshua with a stable home filled with structure, understanding, and individualized attention. These brothers are very bonded and must be adopted together. Their ideal family is experienced in parenting children with behavior issues.<sup>146</sup>



**Ashley, Nathan,  
Jelisa, and  
Devin**

**ASHLEY, AGE 15,  
05/90, FEMALE, GA**

**NATHAN, AGE 14, 08/91, MALE, GA**

**JELISA, AGE 12, 05/93, FEMALE, GA**

**DEVIN, AGE 10, 07/95, MALE, GA**

Ashley, her sister and brothers Nathan, Jelisa, and Devin were born 5/90, 8/91, 5/93, and 7/95. Ashley is a very outgoing child once she gets over some initial shyness at new situations. She enjoys playing basketball, reading, and shopping. Ashley needs patience and understanding as she deals with birth family separation issues. Nathan is a very polite and likable child. He loves being outside, riding his bike, and playing video games. Nathan is on medication for Attention Deficit Disorder. Jelisa is a sweet child who is very eager to please. She loves playing with her siblings and her dolls. Jelisa is in special education classes for those with learning disabilities. Medication and therapy help her with Attention Deficit Hyperactivity Disorder. Devin is an outgoing child who loves to laugh. Just being outside is enjoyable for Devin, and he also loves to ride his bike. In special education classes for those with emotional and/or behavioral problems, Devin is also on medication and in therapy for Attention Deficit Hyperactivity Disorder. These children are very close to each other and want to be adopted together. Being together is helping them deal with separation issues and other issues from their early life experiences.<sup>147</sup>

## The Economic Costs of Blanket Exclusions of Lesbian and Gay Adoptive and Foster Parents

In addition to the terrible human cost of denying children access to available, qualified adoptive and foster parents, blanket exclusions of lesbians and gay men would impose significant economic costs on a state, which would be paid by the taxpayers. Foster care costs money. States have to pay families and residential care facilities to take care of the thousands of children in state care. Throwing away available qualified adoptive parents and leaving more children in foster care means the state has to pay that much more to take care of these children.

For example, an economist's analysis of a 2002 Texas bill that would have categorically excluded lesbians and gay men from adopting and fostering estimated that the economic cost to the state of enacting the proposed law would have been \$16 million in the first year and nearly \$76 million over the following five years.<sup>148</sup> \$3.7 million was the estimated cost of taking care of the additional children who would have to remain in care if lesbians and gay men were barred from adopting. (The average annual foster care payment was over \$17,000 per child; more than 200 children per year were estimated to remain in care as a result of the ban.) Other costs identified in the Texas economic impact study include reexamining and re-certifying existing licensed families; counseling costs for children who would have to be removed from their foster families; the cost of having to place more children in costly institutional settings because fewer family homes would be available; administrative costs such as training personnel about the ban and documentation and reporting; and judicial costs due to legal disputes over denials and disputes over the new placements of children who were removed from gay foster parents (an estimated cost of \$30,000 in attorneys fees and costs per dispute).

In addition to the costs, a blanket exclusion would also mean a loss of significant federal funding for a state's child welfare system. In order to promote adoptive placements, the federal government provides funding to the states for each child who is adopted out of foster care, as well as incentive payments of \$4,000 to \$6,000 per child for states that exceed the previous year's number of adoptions.<sup>149</sup> By reducing the pool of eligible adoptive parents and, thus, the number of children who get adopted, a blanket ban on adoption by lesbians and gay men would result in a reduction in this funding. For example, if 200 children are not able to be placed for adoption because of a ban on gay applicants (as estimated in Texas), that would result in a loss of \$800,000 to \$1.2 million in federal funding.

Of course the money should not be the issue. What matters is how we treat our children. When gay people are disqualified from adopting regardless of their ability to be good parents, children are unnecessarily left without families.

## Debunking the Myths: Arguments Against Gay Parenting and Why They're Wrong

In the past few years, conservative advocacy organizations have made restricting parenting by lesbians and gay men a top agenda item. As a result, there has been a wave of bills introduced in state legislatures to bar gay people from adopting children or serving as foster parents. And anti-gay groups have waded into court cases arguing that children of same-sex couples should not be able to have legally recognized relationships with both of their parents.

Whether in a legislative hearing, in court or on talk shows, anti-gay activists use the same handful of arguments. The previous chapters of this book provide the full explanation of why these arguments are wrong. But this chapter captures the seven main anti-gay parenting arguments and refutes them point by point. The purpose of this chapter is to show how these arguments are grounded in distortions and to help those who are fighting restrictions on gay parenting in their own communities.

### Argument 1: “Kids Need a Mom and a Dad”

“All the research we do and look at, we see children in a fatherless home don’t seem to do as well, the same probably in a motherless home. If you’re talking about two people of the same sex raising a child, they’re advocating a fatherless home or a motherless home.”

**Rep. Bill Dunn, Tennessee State Legislature, February 17, 2005.**<sup>150</sup>

“There is an abundance of research demonstrating that children do best when raised by a mother and a father who are committed to one another in marriage. Mothers and fathers alike make significant contributions to the physical, emotional, and social development of their children. To support a policy that would intentionally deprive a child of such benefits is unconscionable.”

**Ken Connor, Family Research Council, February 2002.**<sup>151</sup>

The most common argument made by those who oppose parenting by lesbians and gay men is the assertion that children develop best in a family in which there



is both a mother and a father. They say that children need role models of both sexes or that there are differences in the way men and women parent that matter to children's development.

First of all, for children who are waiting to be adopted, the choice is not between a married couple or gay parents. As discussed in Chapter 5, there are not enough adoptive parents to go around. Excluding gay people does not mean that more children will be placed with married couples; it means more children will be left with no family at all, and we know that this is bad for children.

Moreover, the child welfare professionals across the country recognize that children's healthy development does not require having a mother and a father as they make a third of all adoptive placements with single parents.<sup>152</sup>

And, as discussed in Chapter 4, the body of research demonstrating the equally good outcomes for children raised by lesbian parents refutes the notion that children's healthy development depends on having a male and a female parent. This claim is also refuted by a half century of scientific research that extensively examined the roles of mothers and fathers in children's development. This body of research found that both men and women have the ability to be good parents and that the absence of male or female parent or a masculine or feminine role model in the household does not impair children's development in any way.<sup>153</sup>

Opponents of gay parenting typically point to research showing that children raised in single-parent families are at greater risk of numerous negative outcomes (e.g., dropping out of school, delinquency, teen pregnancy, substance abuse, etc.) than children raised in married-couple families. They say this body of research proves that children need a mother and a father and, thus, that heterosexual couples make the best parents. This is a complete mischaracterization of that research, which says nothing whatsoever about parents' sexual orientation or gender.

First, all of the studies on the impact of single parent family life on children compared children of single and married-couple *heterosexual* parents. None examined the development of children raised by same-sex couples. All the studies that compared children of heterosexual and same-sex couples found no differences in adjustment.

Moreover, the single-parent family research does not indicate that it is the *gender* of the absent parent that accounts for the worse outcomes for children in single-parent families. The leading researchers in the field have concluded that it is the *number* of parents, as well as the disruptive effects of divorce (the route to single-parent family life for most children), that account for these differential risks.<sup>154</sup> Children in single-parent families typically enjoy lesser economic and educational resources than two adults can offer a child.<sup>155</sup> Numerous studies show that with adequate socioeconomic resources, most children who grow up in single-parent families do well.<sup>156</sup> And divorce often involves parental conflict, rejection by one parent, and loss of resources; the negative effects of these circumstances on children are well documented in the research.<sup>157</sup> There is no evidence that it is the

absence of a male or a female parent that accounts for the poorer outcomes for children raised by single parents, or that the gender combination of the parents has any impact on children's adjustment (see Chapter 4).

## **Argument 2: "Gay People Cannot Provide Stable Homes"**

"The long-term consequences of homosexual adoption far outweigh any short-term relief of foster care. Studies show that most homosexual relationships are temporary and high-risk. Evidence indicates homosexual parents often fall far short of the mark of responsible and caring behavior."

**Sen. Nancy Schaefer, Georgia State Legislature, in support of banning adoption by gay people, September 21, 2005.**<sup>158</sup>

"Homosexual partnerships are notoriously unstable and many homosexual relationships are breeding grounds for domestic violence. This is not the kind of environment that children should be raised in."

**Rev. Lou Sheldon, Traditional Values Coalition, August 30, 2001.**<sup>159</sup>

"The gay lifestyle does suffer from a high incidence of suicide, disease, and instability."

**Rep. Glen Casada, Tennessee State Legislature, in support of a proposal to ban gay people from adopting in Tennessee, March 16, 2005.**<sup>160</sup>

The research on lesbian and gay parents and their children shows that gay people are equally capable of providing exactly the kind of home environment in which children thrive. Not a single study has found anything unstable about the families created by lesbian and gay parents. The social science literature demonstrates that sexual orientation has nothing to do with a couple's capacity to form a committed, stable relationship. Many lesbians and gay men, like many heterosexuals, have long-lasting relationships.<sup>161</sup> And studies of couples—including couples with children—show that relationship quality and satisfaction and level of relationship conflict are consistent across gay, lesbian, and heterosexual couples.<sup>162</sup>

Some of the more extreme opponents of gay parents assert that lesbians and gay men cannot provide stable families for children because, they say, gay people are prone to drug abuse and psychiatric disorders. There is no basis for such group generalizations. It is clear that there are some people in every group who abuse drugs or suffer from mental illness. This is why all prospective adoptive and foster parents are subjected to a rigorous individualized evaluation. The intensive home study and background checks screen out individuals who have a history of mental illness or drug abuse or any other characteristics that would prevent them from providing a safe, nurturing, and stable home for a child (see Chapter 5). Only individualized assessments can ensure that children will be placed with safe and stable families. Substituting group membership for individualized evaluations in order to screen out people with unstable relationships, drug abusers, or the mentally ill would allow many if not most of the unsuitable applicants to slip through and throw away many excellent parents.

### **Argument 3: “Gay People Pose a Risk of Child Sex Abuse”**

“In an article entitled ‘Homosexual Parents’ by Dr. Kirk Cameron and Dr. Paul Cameron these men report that 29% of children raised by at least one homosexual parent report having sex with that parent . . . .”

**Robin Woodruff, member of the Arkansas Child Welfare Agency Review Board, in support of the exclusion of gay people from fostering in Arkansas, August, 1998.**<sup>163</sup>

“The evidence indicates that homosexual men molest boys at rates grossly disproportionate to the rates at which heterosexual men molest girls.”

**Timothy J. Dailey, “Homosexuality and Child Sexual Abuse,” Family Research Council.**<sup>164</sup>

Although few still believe the ugly stereotype of gay men as sexual predators of children and many anti-gay activists do not rely on it, some of the more extreme groups continue to cite this myth as a basis to restrict parenting by gay people. This is shameful because there is not a shred of evidence to support it. In fact, the scientific research shows that gay men are no more likely than heterosexual men to be sexually attracted to children or to sexually abuse children<sup>165</sup> (women are rarely perpetrators of such abuse). And those who offend against children, whether the children are male or female, are no more likely to be gay men than heterosexual men. In fact, many pedophiles have no sexual attraction to adults of either gender.<sup>166</sup> The only “study” purporting to show a link between gay people and child sex abuse was written by Paul Cameron. Cameron is an anti-gay activist who has been completely discredited in his profession for misrepresenting the research on gay people (see Chapter 4).

### **Argument 4: “Being Raised by Gay Parents Will Cause Kids to Be Gay”**

“What I’m trying to protect them from is learned behavior. I think we should expose them to the straight life as much as we can.”

**Rep. Robert Talton, Texas House of Representatives, in statement in support of a proposal to ban fostering by gay people, April 19, 2005.**<sup>167</sup>

“We cannot risk creating a nation of sexually confused children by experimenting with homosexual adoptions or homosexual marriages. Our children are too valuable to be used as guinea pigs for homosexual social engineers!”

**Rev. Lou Sheldon, Traditional Values Coalition, August 30, 2001.**<sup>168</sup>

Little is known about the factors that cause a person to become heterosexual, gay, or bisexual, but it is clear that children’s sexual orientation is not determined by the sexual orientation of their parents. The evidence indicates that the vast majority of lesbian and gay adults were raised by heterosexual parents, and the vast majority of children raised by lesbian and gay parents (and heterosexual parents) grow up to be heterosexual.<sup>169</sup> It seems logical that growing up in a family with

lesbian or gay parents would make a person more comfortable accepting and acting upon same-sex attraction if he experiences such feelings. And one study reported such findings. But there is no evidence that gay parents (or heterosexual parents) can cause their kids to be gay (or heterosexual).

### **Argument 5: “Kids of Gay Parents Will Get Picked On”**

“It is contrary to the welfare of foster children ‘to place them in a home where they will have to endure the stigma of residing in a home that many in the community may not approve of.’”

**State of Missouri, in brief in support of its policy barring lesbians and gay men from becoming foster parents, February 3, 2004.**<sup>170</sup>

Some who object to parenting by lesbians and gay men argue that they should not be parents because their children will be exposed to social prejudice, including teasing by their peers. Unfortunately, children get teased for all sorts of reasons, e.g., their appearance, their skill at sports, what their parents look like, the fact that their family is a religious or ethnic minority. Any perceived difference about a child or his or her family can be the focus of teasing and even bullying by other children. Excluding gay people from parenting will not shield children from such behavior.

The research shows that children of gay parents make friends and form healthy peer relationships just as well as other children.<sup>171</sup> And studies show that they are not subjected to a greater amount of teasing or bullying than other children. One study found that if children of gay parents were teased, it was more likely to be about their family or their own sexuality, but they were not teased more than other kids.<sup>172</sup> Moreover, in this country, we do not endorse prejudice by yielding to it. The same concerns about social stigmatization have been raised with respect to children of other “nontraditional” families such as interfaith and interracial couples—“it’s not fair to the children.” But it would go against core values we hold dear to bar adoption by interfaith, interracial, or gay and lesbian couples to give in to societal prejudice.

### **Argument 6: “The Studies on Children of Gay Parents Are Flawed”**

“The methods used in these studies are so flawed that these studies prove nothing.”

**Robert Lerner and Althea Nagai, “No Basis: What the Studies Don’t Tell Us About Same-Sex Parenting,” published in 2001 by the Marriage Law Project, a group whose mission is to limit marriage to heterosexual couples.**<sup>173</sup>

“There is *no* reliable social-scientific data demonstrating that children raised by same-sex couples (or groups) do as well as children raised by married, heterosexual parents.”

**Sen. Sam Brownback, in a July 9, 2004 article he published in the *National Review*.**<sup>174</sup>

Because a significant body of research uniformly shows that children of lesbian and gay parents fare just as well as other children and, thus, definitively refutes all of the claims of the opponents of gay parenthood, their response is to try to attack the research, asserting that it is flawed and, thus, worthless. They have invested significant resources into publishing reports that purport to substantiate this characterization of the research. It is important to note that none of these so-called scientific reports come from researchers in the field. They are published exclusively by advocacy organizations such as the Family Research Council.

Their assertion that 25 years of research is flawed—that not a single one of these diverse researchers did a proper job, and the top peer-reviewed journals repeatedly published shoddy work on this particular topic—suggests a staggering level of incompetence in the social science field. And of course this assertion is baseless. As discussed in Chapter 4, this body of research, which was conducted by esteemed developmental psychologists at universities in the United States and Europe and published in respected academic journals, uses standard, well-accepted methods in the field of psychological research. It has satisfied the rigorous peer review process required for publication in these scholarly journals. And it is considered reliable by all of the major professional associations with expertise in child welfare, including the American Academy of Pediatrics, the American Psychological Association, the National Association of Social Workers, and the Child Welfare League of America.

The primary “flaw” cited by anti-gay activists is that the studies on families with gay parents use small samples that are not randomly selected. First of all, this is simply not true of all of the studies. Some have been drawn from random samples, including one nationally representative sample of over 12,000 U.S. teenagers, and their findings are consistent with the rest of the body of literature: children raised by gay parents were just as well-adjusted as their peers.<sup>175</sup> More importantly, the use of small, nonrepresentative samples is not a flaw. Such samples are commonly used in psychological research. Psychologists typically use small groups of subjects in order to do in-depth, intensive study of those individuals. And there is no need for a sample that is representative of the general population when the research seeks to determine the effect of a particular variable on an outcome (e.g., the effect of having lesbian parents on children’s adjustment). By matching lesbian mothers and heterosexual mothers on a variety of relevant variables (e.g., age, family structure, and socioeconomic position), psychologists can determine whether there are any differences in children’s outcomes attributable to parental sexual orientation.

The research designs used in the studies on gay parents and their children are the predominant methods used throughout the entire discipline of psychology. Opponents of gay parents attempt to hold a specific area of psychological research to a standard that is not applicable to research in this field. If their complaints about the research on gay parent families were valid, the vast majority of research in child development, and in the field of psychology more broadly, would have to be dismissed as unscientific.

The anti-gay activists' characterization of the body of research on gay parents as flawed is baseless. More to the point, they fail to produce any studies supporting the contrary position that lesbians and gay men are less capable parents or that their children are disadvantaged in any way. Those who do claim to have such studies are referring to the work of Paul Cameron. As discussed in Chapter 4, Cameron, who runs the anti-gay advocacy organization, the Family Research Institute, has been thoroughly discredited in his profession for distorting the data on homosexuality.

### **Argument 7: "Parenting by Lesbians and Gay Men Is a Social Experiment"**

"Are we really ready to usher in a society that is indifferent as to whether children have a mother and a father? This is far too important a topic to be left to social experimentation."

**Massachusetts Gov. Mitt Romney in a lecture at the Heritage Foundation, June 22, 2004.**<sup>176</sup>

"It is unwise to embark on a historically unprecedented and unproven social experiment with our children fueled by adult desire."

**Glenn T. Stanton, Focus on the Family, January 2003.**<sup>177</sup>

Some people who object to lesbian and gay parents argue that children who are being raised by lesbians and gay men are unfairly being subjected to a "social experiment." Parenting by gay people is a "social experiment," they say, because we just do not have enough information yet about the impact of being raised by lesbians and gay men. They say that the research on children of gay parents is sparse, so it's premature to allow children to be raised in such families. This description of the research is completely false. As discussed in Chapter 4, there is over a quarter century of solid research in this area. A variety of researchers have intensively scrutinized numerous children, and they consistently found that according to every standard measure of children's adjustment, children of gay and heterosexual parents were equivalently well-adjusted. This is hardly a sparse body of research. Indeed, there is more research concerning the development of children raised in gay parent families than children raised in various other family settings that no one is seeking to outlaw, such as families with stay-at-home fathers.

Among social scientists, whether parental sexual orientation has an impact on children's adjustment is no longer an open question or a subject of debate. Because a well-developed body of research has answered that question, it is well-settled that children raised by gay parents are just as healthy and well-adjusted as their peers. Indeed, there is consensus among all of the major professional organizations in the social science fields devoted to children's health and welfare, including the American Academy of Pediatrics, the American Psychological Association, the National Association of Social Workers and the Child Welfare League of America (see Chapter 3), that being raised by lesbian or gay parents does not adversely affect children's development in any way.

# NOTES

## Chapter 1

<sup>1</sup> Tavia Simmons and Grace O’Neill, *Households and Families: 2000* (Washington, DC: U.S. Census Bureau, September 2001), <http://www.census.gov/prod/2001pubs/c2kbr01-8.pdf> (10 December 2005).

<sup>2</sup> Edward O. Laumann, John H. Gagnon, Robert T. Michael, and Stuart Michaels, *The Social Organization of Sexuality in the United States* (Chicago: University of Chicago Press, 1994), quoted in National Opinion Research Center, *The National Health and Social Life Survey, “The Sex Survey,” Summary*, <http://cloud9.norc.uchicago.edu/faqs/sex.htm> (29 November 2005).

<sup>3</sup> Ellen Perrin, “Coparent or Second Parent Adoption by Same-Sex Parents,” *Pediatrics* 109, no. 2 (2002): 341.

<sup>4</sup> David M. Smith and Gary Gates, *Gay and Lesbian Families in the United States* (Washington, DC: Urban Institute, 2001), 3, <http://www.urban.org/publications/1000491.html> (10 November 2005).

<sup>5</sup> Tavia Simmons and Martin O’Connell, *Married-Couple and Unmarried-Partner Households: 2000* (Washington, DC: U.S. Census Bureau, February 2003), <http://www.census.gov/prod/2003pubs/censr-5.pdf> (3 November 2005).

<sup>6</sup> Kaiser Family Foundation, *Inside-OUT: A Report on the Experiences of Lesbians, Gays and Bisexuals in America and the Public’s Views on Issues and Policies Related to Sexual Orientation*, Publication #3193 (Menlo Park, CA: Henry J. Kaiser Family Foundation, 2000), 1-4, <http://www.kff.org/kaiserpolls/upload/New-Surveys-on-Experiences-of-Lesbians-Gays-and-Bisexuals-and-the-Public-s-Views-Related-to-Sexual-Orientation-Report.pdf> (4 December 2005).

<sup>7</sup> Lisa Bennett and Gary J. Gates, *The Cost of Marriage Inequality to the Children and Their Same-Sex Parents: A Human Rights Campaign Foundation Report* (Washington, DC: Human Rights Campaign, 2004), [http://www.hrc.org/Content/ContentGroups/Publications1/kids\\_doc\\_final.pdf](http://www.hrc.org/Content/ContentGroups/Publications1/kids_doc_final.pdf) (1 November 2005).

## Chapter 2

<sup>8</sup> See, e.g., *Damron v. Damron*, 670 N.W.2d 871 (N.D. 2003) (collecting cases).

<sup>9</sup> *Ex parte JMF*, 730 So.2d 1190 (Ala. 1998), *Ex parte D.W.W.*, 717 So.2d 793 (Ala. 1998); *Pulliam v. Smith*, 501 S.E.2d 898 (N.C. 1998); *Weigand v. Houghton*, 730 So.2d 581 (Miss. 1999); *Bottoms v. Bottoms*, 457 S.E.2d 102 (Va. 1995).

<sup>10</sup> *Ex parte H.H.*, 830 So.2d 21, 26 (Ala. 2002)(Moore, C.J., concurring specially).

<sup>11</sup> *Weigand v. Houghton*, 730 So.2d 581 (Miss. 1999).

<sup>12</sup> *Id.* at 589 (McRae, J., dissenting).

<sup>13</sup> *Id.* at 584-85; *Id.* At 588-89 (McRae, J., dissenting).

<sup>14</sup> *In re Marriage of Birdsall*, 243 Cal. Rptr. 287 (Cal. Ct. App. 1988); *In re Marriage of Dorworth*, 33 P.3d 1260 (Colo. Ct. App.. 2001); *In Interest of R.E.W.*, 471 S.E.2d 6 (Ga. Ct. App.

1996); *Pleasant v. Pleasant*, 628 N.E.2d 633 (Ill. App. Ct. 1993); *In re Marriage of Walsh*, 451 N.W.2d 492 (Iowa 1990); *Boswell v. Boswell*, 721 A.2d 662 (Md. 1998); *Weigand v. Houghton*, 730 So.2d 581 (Miss. 1999); *Gould v. Dickens*, 143 S.W.3d 639 (Mo. Ct. App. 2004); *Conkel v. Conkel*, 509 N.E.2d 983 (Ohio Ct. App. 1987); *In re Marriage of Collins*, 51 P.3d 691 (Or. App. 2002); *Blew v. Verta*, 617 A.2d 31 (Pa. Super. Ct. 1992); *In the Matter of the Marriage of Cabalquinto*, 669 P.2d 886 (Wash. 1983), appeal after remand, 718 P.2d 7 (Wash. Ct. App. 1986).

<sup>15</sup> *Ex parte D.W.W.*, 717 So.2d 793 (Ala. 1998); *Bottoms v. Bottoms*, 1999 Va. App. 1129720 LEXIS 402.

<sup>16</sup> Fla. Stat. § 63.042

<sup>17</sup> Cal. Welf. & Inst. Code § 16013 (2004); Md. Regs. Code tit. 7, § 05.03.09 (2005); Mass. Regs. Code tit. 110 § 1.09 (2005); Nev. Admin. Code § 127.351 (2005); N.J. Admin. Code tit. 10, § 121C-2.6 and 4.1(c) (2001); N.Y. Comp. Codes R. & Regs. Tit. 18, § 421.16(h) (2005)

<sup>18</sup> Conn. Gen. Stat. § 45a-724(a)(2) and (3); 45a-731(5), (6) and (7); *K.M. and D.M.*, 653 N.E.2d 888 (Ill. App. Ct. 1995); *In re Adoption of K.S.P.*, 804 N.E.2d 1253 (Ind.App.,2004); *Adoption of R.B.F.*, 803A2d 1195 (Pa. 2002); *Adoptions of B.L.V.B. and E.L.V.B.*, 628 A.2d 1271 (Vt. 1993); *In re M.M.D.*, 662 A.2d 837 (D.C. 1995)

<sup>19</sup> *Adoption of Tammy*, 619 N.E.2d 315 (Mass. 1993); *In re M.M.D.*, 662 A.2d 837 (D.C. 1995); New Jersey entered into a consent decree allowing for joint adoption by unmarried couples.

<sup>20</sup> Cal. Fam. Code § 297.5 (2003); Connecticut Substitute Senate Bill 963 (2005); Vt. Stat. Ann. tit. 15, §1204(f)(2003)

<sup>21</sup> Miss. Code Ann. § 93-17-3

<sup>22</sup> Ut. Code §78-30-1

<sup>23</sup> Okla. Stat., tit.10, §7502-1.4 (Supp. 2004)

<sup>24</sup> *In re Adoption of T.K.J. and K.A.K.*, 931 P.2d 488 (Col. Ct. App. 1997); *Adoption of Jane Doe*, 719 N.E.2d 1071 (Ohio Ct. App. 1998); *In re Adoption of Luke*, 640 N.W.2d 374 (Neb. 2002); *Interest of Angel Lace M.*, 516 N.W.2d 678 (Wis. 1994)

<sup>25</sup> *Sharon S. v. Superior Court*, 73 P.3d 554 (2003); Conn. Gen.Stat. §§ 45a-724(a)(2) and (3); 45a-731(5), (6) and (7); *K.M. and D.M.*, 653 N.E.2d 888 (Ill. App. Ct. 1995); *In re Adoption of K.S.P.*, 804 N.E.2d 1253 (Ind.App.,2004); *Adoption of Tammy*, 619 N.E.2d 315 (Mass. 1993); *Adoption by H.N.R.*, 666 A.2d 535 (N.J. Super. Ct. App. Div. 1995); *In re Jacob and Dana*, 660 N.E.2d 397 (N.Y. 1995); *Adoption of R.B.F.*, 803A2d 1195 (Pa. 2002); *Adoptions of B.L.V.B. and E.L.V.B.*, 628 A.2d 1271 (Vt. 1993); *In re M.M.D.*, 662 A.2d 837 (D.C. 1995)

<sup>26</sup> *Elisa B. v. Superior Court*, 37 Cal.4th 108, 33 Cal.Rptr.3d 46 (Cal.,2005); *In re E.L.M.C.*, 100 P.3d 546 (Col. App., 2004); *King v. S.B.*, 837 N.E.2d 965 (Ind. 2005); *S.F. v. M.D.*, 751 A.2d 9 (Ct Spec. App. Md, 1999); *E.N.O. v. L.M.M.*, 429 Mass. 824 (1999); *V.C. v. M.J.B.*, 725 A.2d 13 (N.J. 1999); *Barnae v. Barnae*, 943 P.2d 1036 (N.M. Ct. App. 1997); *T.B. v. L.R.M.*, 786 A.2d 913 (Pa. 2001); *Rubano v. DiCenzo*, 759 A.2d 959 (R.I. 2000); *In re Parentage of L.B.*, 122 P.3d 161 (Wash. 2005); *In re Clifford K.*, 619 S.E.2d 138 ( W.Va.,2005); *In re custody of H.S.H.-K.*, 533 N.W.2d 419 (Wis. 1995)

<sup>27</sup> *Kazmierazak v. Query*, 736 So.2d 106 (Fla. App. 1999); *Alison D. v. Virginia M.*, 572 N.E.2d 27 (N.Y. 1991); *Liston v. Pyles*, 1997 WL 467327 (Ohio App. 10 Dist.); *but see In re Bonfield*, 780 N.E.2d 241 (Ohio, 2002); *In re Thompson*, 11 S.W.3d 914 (Tenn. 1999); *Titchenal v. Dexter*, 693 A.2d 682 (Vt. 1997)



<sup>28</sup> *In re Clifford K.*, 619 S.E.2d 138 ( W.Va.,2005)

<sup>29</sup> Cal. Welf. & Inst. Code § 16013 (2004); Mass. Regs. Code tit. 110 § 1.09 (2005); N.J. Admin. Code tit. 10, § 122B-1.5 (2001)

<sup>30</sup> *Lofton v. Kearney*, 157 F. Supp. 2d 1372 (S.D.Fla 2001)

<sup>31</sup> *Lofton v. Sec., Dept. of Children and Families*, 358 F.3d 804 (11th Cir. 2004)

<sup>32</sup> *Lofton v. Sec., Dept. of Children and Families*, 377 F.3d 1275 (11th Cir. 2004)

<sup>33</sup> *Id.* at 1290-1303 (Barkett, J., dissenting) (joined by Anderson and Dubina, JJ.)

<sup>34</sup> *Id.* at 1313 (Marcus, J., dissenting) (joined by Tjoflat, C.J., and Wilson, J.)

<sup>35</sup> *Howard v. Child Welfare Agency Review Board*, 2004 WL 3200916 and 2004 WL 3154530, at \*8 (Ark. Cir. 2004), appeal pending.

<sup>36</sup> *Howard*, 2004 WL 3200916, at \*1-4.

### Chapter 3

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## Chapter 6

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