

LGBT Parenting: National and State Perspectives

6 million

American children and adults have an LGBT parent.¹

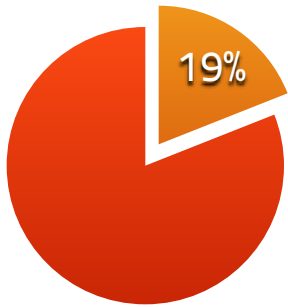
125,000 same-sex households are raising **220,000** children under 18.¹

Same-sex households are **4x** more likely to be raising adopted children & **6x** more likely to be raising foster children than different-sex households.¹

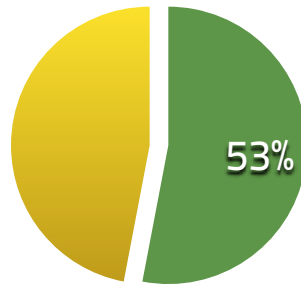
37% of lesbian, gay or bisexual (LGB) identified and **38%** of transgender identified individuals have had a child.¹

- LGBT individuals and same-sex couples raising children are more likely than non-LGBT individuals and couples to report household incomes near the poverty level.¹
- Children living in households with same-sex parents are more likely to be non-white (50%) than children living with different-sex parents (41%).¹
- 25% of same-sex couples raising children are raising grandchildren, siblings or other children.¹

Percent of Same-Sex Couples in Ohio Raising Children Under 18 (2)



Percent of Children Being Raised by Same-Sex Couples in Ohio Who Are Biological Children (2)



Number of Ohio Same-Sex Parent Households (2)



Number of Ohio Children Being Raised Same-Sex Parent Households (2)



The American Academy of Pediatrics recognizes numerous legal, financial and psychosocial ramifications for children whose same-sex parents are not afforded the same legal rights, benefits and protections as different-sex parents.

19 States with Marriage Equality

California
Connecticut
Delaware
Hawaii
Iowa
Illinois
Maine

Maryland
Massachusetts
Minnesota
New Hampshire
New Jersey
New Mexico

New York
Oregon
Pennsylvania
Rhode Island
Vermont
Washington

21 States with Laws Preventing LGBT Discrimination

California
Colorado
Connecticut
Delaware
Hawaii
Iowa
Illinois

Maine
Maryland
Massachusetts
Minnesota
New Hampshire
New Jersey
Nevada

New Mexico
New York
Oregon
Rhode Island
Vermont
Washington
Wisconsin

Sources:

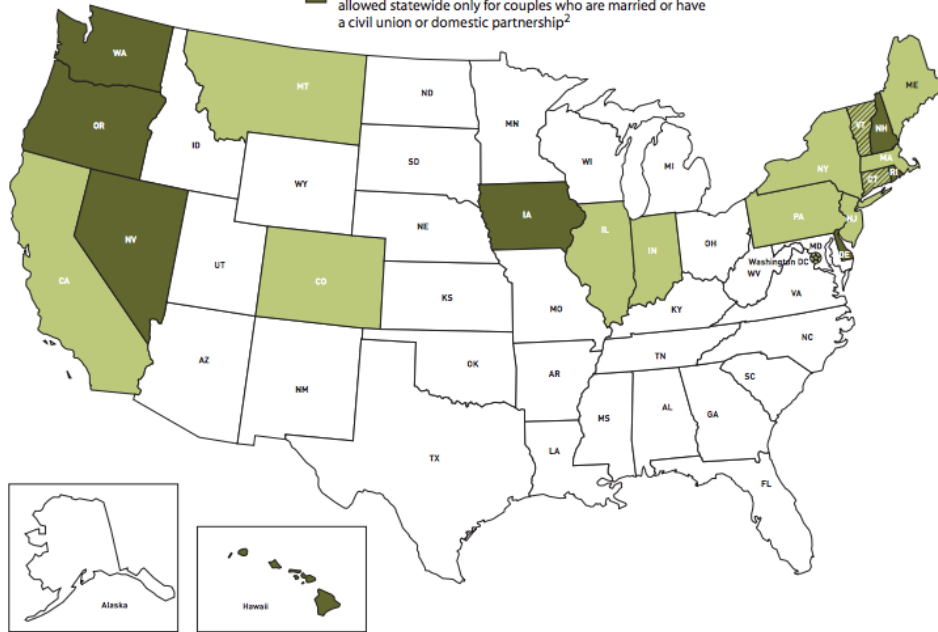
1. Gates, Gary J. 2013. LGBT Parenting in the United States. The Williams Institute. Available at: <http://williamsinstitute.law.ucla.edu/wp-content/uploads/LGBT-Parenting.pdf>
2. Gates, Gary J. 2014. Same-sex Couples in Ohio: A Demographic Summary. The Williams Institute. Available at: <http://williamsinstitute.law.ucla.edu/wp-content/uploads/OH-same-sex-couples-demo-apr-2014.pdf>
3. Pawelski, J. G., Perrin, E. C., Foy, J. M., Allen, C. E., Crawford, J. E., Del Monte, M., ... Vickers, D. L. (2006). The effects of marriage, civil union, and domestic partnership laws on the health and well-being of children. *Pediatrics*, 118(1), 349–364
4. <http://www.freedomtomarry.org/states/>
5. <https://www.aclu.org/maps/non-discrimination-laws-state-state-information-map>

States where same-sex couples are able to get joint and/or second parent adoptions statewide¹

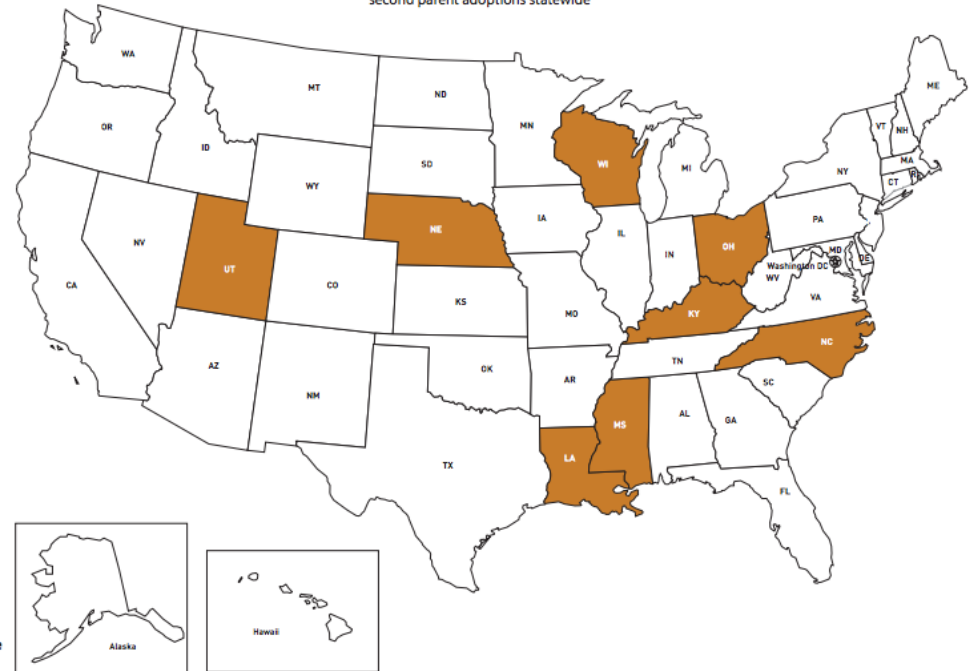
States where same-sex couples are barred from getting joint and/or second parent adoptions statewide¹

KEY: States that allow second parent adoption regardless of marital/civil union/domestic partnership status.

States where joint and/or second parent adoption are allowed statewide only for couples who are married or have a civil union or domestic partnership²



KEY: States where same-sex couples are barred from doing joint and/or second parent adoptions statewide



States that allow second parent adoption regardless of marital/civil union/domestic partnership status.

California: *Sharon S. v. Superior Court*, 73 P.3d 554 [Cal. 2003] (joint and second parent).

Colorado: Colo. Rev. Stat. § 19-5-203 (d.5) [second parent].

Connecticut: Conn. Gen. Stat. §§ 45a-724(a)(2)-(3); 45a-731(5)-(7) [second parent].³

District of Columbia: *In re M.M.D.*, 662 A.2d 837 [D.C. 1995] (joint and second parent).

Illinois: *Petition of K.M.*, 653 N.E.2d 888 [Ill. App. Ct. 1995] (joint); *K.M. and D.M.*, 653 N.E.2d 888 [Ill. App. Ct. 1995] (second parent).

Indiana: *In re Infant Girl W.*, 845 N.E.2d 229 [Ind. Ct. App. 2006] (joint); *In re Adoption of K.S.P.*, 804 N.E.2d 1253 [Ind. Ct. App. 2004] (second parent).

Maine: *In re Adoption of M.A.*, 930 A.2d 1088 [Me. 2007] (joint and second parent).

Massachusetts: *Adoption of Tammy*, 619 N.E.2d 315 [Mass. 1993]. [joint and second parent].

Montana: Mont. Code Ann. § 42-4-302 [second parent].

New Jersey: *Matter of Adoption of Two Children by H.N.R.*, 666 A.2d 535 [N.J. Super. Ct. App. Div. 1995] (joint and second parent).

New York: *In the Matter of Jacob*, 660 N.E.2d 397 [N.Y. 1995] (second parent); N.Y. D.R.L. § 110 [joint].

Pennsylvania: *Adoption of R.B.F.*, 803 A.2d 1195 [Pa. 2002] (joint and second parent).

Vermont: *Adoptions of B.L.V.B. and E.L.V.B.*, 628 A.2d 1271 [second parent].⁴

States where joint and second parent adoption are allowed statewide only for couples who are married or have a civil union or domestic partnership²

Connecticut: 2009 Conn. Legis. Serv. P.A. 09-13 [S.B. 899].³

Delaware: Del Code Ann. tit. 13, § 212.

Hawaii: Haw.Rev.Stat. § 5728-9.

Iowa: *Varnum v. Briem*, 763 N.W.2d 862 [Iowa 2009]; Iowa Code Ann. § 600.4.

Nevada: Nev. Rev. Stat. § 122A.200 § 127.030.

New Hampshire: N.H. Rev. Stat. § 457:1-a; § 170-B:4.

Oregon: Or. Rev. Stat. § 106.300 *et seq.*

Rhode Island: R.I. Gen. Laws § 15-3.1-6.

Vermont: 2009 Vermont Laws No. 3 [S. 115].⁴

Washington: Wash. Rev. Code § 26.33.902.

1 In many states in which there is no law or appellate court decision either barring or permitting joint or second parent adoptions, such adoptions are granted by at least some judges. This map includes only states that have clearly established law that applies statewide.

2 In some of these states, some judges may be granting second parent and/or joint adoptions to same-sex couples without a marriage/civil union/domestic partnership but there is no statewide law.

3 In Connecticut and Vermont, second parent adoption is available statewide regardless of marital status, but joint adoption is only available statewide for married couples.

4 See note 3.

Kentucky: *S.J.L. v. T.L.S.*, 265 S.W.3d 804 [Ky. Ct. App. 2008] (barring second parent adoption).

Louisiana: *Adoption of Meaux*, 417 so.2d 522 [La.App.1982] (barring joint adoption by unmarried couples).

Mississippi: Law enacted in 2000 provides: "Adoption by couples of the same gender is prohibited." Miss. Code § 93-17-3(5).

Nebraska: *In re Adoption of Luke*, 640 N.W.2d 374 [Neb. 2002] (barring second parent adoption).

North Carolina: *Boseman v. Jarrell*, 704 S.E.2d 494 [N.C. 2010] (barring second parent adoption); N.C. Gen. Stat. § 48-2-301 (prohibiting joint adoption by unmarried couples).

Ohio: *Adoption of Jane Doe*, 719 N.E.2d 1071 [Ohio Ct. App. 1998] (barring second parent adoption).

Utah: Law enacted in 2000 provides: "A child may not be adopted by a person who is cohabiting in a relationship that is not a legally valid and binding marriage under the laws of this state." Utah Code Ann. § 78B-6-117(3), see also § 62A-4a-602 (cohabitation prohibition applies to foster parents).

Wisconsin: *Interest of Angel Lace M.*, 516 N.W.2d 678 [Wis. 1994] (barring second parent adoption).

1 This map includes only states that have clearly established law that joint and/or second parent adoption by unmarried couples are barred statewide. In states in which there is no law or appellate court decision either barring or permitting joint or second parent adoption statewide, such adoptions may or may not be available in some family courts.

Retrieved from:
https://www.aclu.org/files/assets/aclu_map4.pdf

Retrieved from:
https://www.aclu.org/files/assets/aclu_map3_0.pdf