

Same Sex Adoption

For individuals in same sex partnerships who wish to have children, adoption is one a few options. The legality of same sex adoption, however, can often be ambiguous, obscure, or just plain confusing as it varies from state to state in the U.S. and across countries around the world.

One form of same sex adoption is called "second parent adoption," in which one partner can adopt the biological or adoptive child of the other partner without terminating the parental rights of the parent. So, theoretically, one member of a same sex partnership could adopt a child as a single parent. Then, the other partner could adopt the same child, essentially making each partner a parent to the child. This process would not work in Florida or Utah. The former forbids adoption by a homosexual, and the latter does not allow adoption by anyone in a cohabiting relationship that is not a legal marriage. Oddly enough, single people may adopt in Utah.

Second parent adoption within same sex partnerships is explicitly permitted in the states of California, Connecticut, Illinois, Massachusetts, New Jersey, New York, Pennsylvania, Vermont and Washington, as well as in Washington, D.C. In the remaining 38 states, however, any laws regarding adoption by same sex couples are ambiguous at best. With the legal status of civil unions and same sex marriages being pushed to the forefront as a social issue, it may only be a matter of time before these ambiguities and obscurities are shaken out.

Much of the reason for the lack of explicit language on same sex adoption is that it is relatively new as a social issue, at least within the public consciousness. Another reason is because it is often seen as such a controversial subject. It is a hotly contested issue, with firmly held opinions on each side.

Some opponents object to gay adoption on moral grounds. They feel that homosexuality is amoral in itself, and so adoption by homosexuals is amoral by extension. They may also believe that participants in same sex relationships cannot perform as well as parents as traditional heterosexual parenting units. Several organizations, among them the American Psychological Association and the American Academy of Pediatrics hold that homosexual couples are just as qualified to be parents as heterosexual couples.

There are others who fear that being raised by a same sex couple will influence a child to be homosexual, or that there may be a detrimental effect on the child's overall well-being. Research has shown that this is not the case, however, as the sexual orientation of parents is not related to that of their

children and that children of same sex couples perform just as well on several measures of overall well-being. What's more, a study conducted UCLA estimates that disallowing adoption by LGBT couples can cost the United States between \$87 million and \$120 million annually. Researchers say this is because these couples are often willing to adopt children that heterosexual couples are not, such as older children, children with behavioral problems, and children who are HIV positive. If these children go unadopted, the financial strain of their care falls on the foster care system, sapping government funds.

Same sex adoption remains a controversial issue, but one on which progress is being made. Same sex couples interested in adopting are encouraged to research laws in their area and investigate possible options.