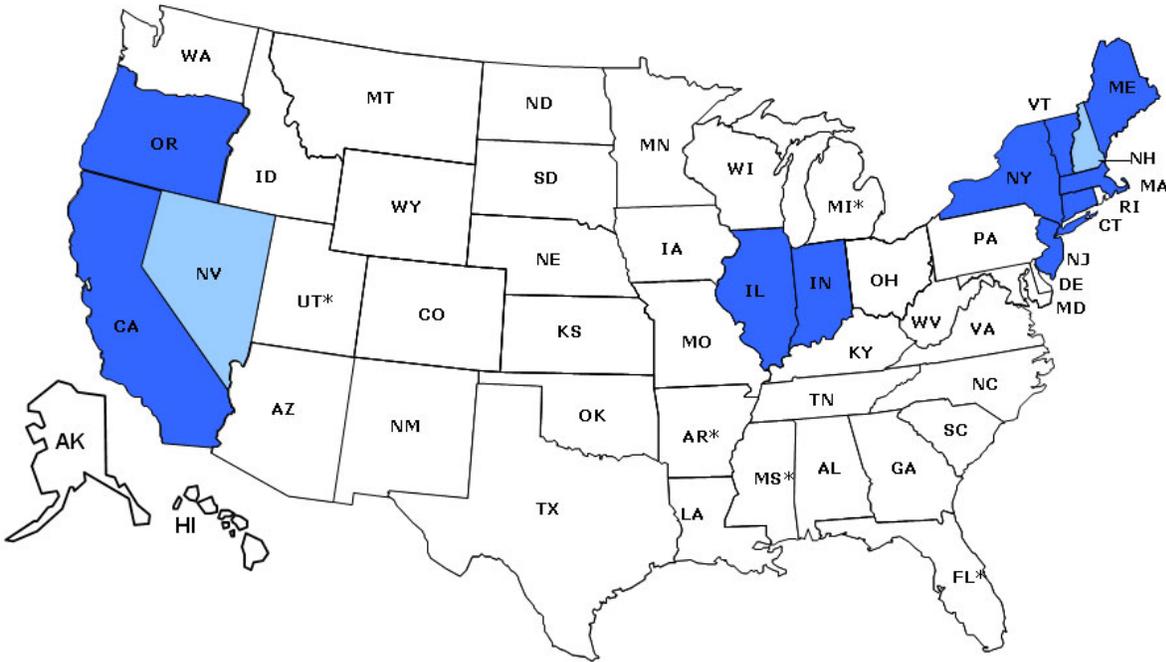




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Parenting Laws: Joint Adoption



Each state has its own laws governing adoption and they vary widely. A *joint adoption* involves a couple adopting from the child's biological parent(s) or is in the custody of the state. In many states it is unclear whether a same-sex couple would be permitted to file a joint petition to adopt. This map provides information on the known laws and policies.

-  States where same-sex couples can jointly petition to adopt statewide. (10 states and D.C.)
California, Connecticut, District of Columbia, Illinois, Indiana, Maine, Massachusetts, New Jersey, New York, Oregon and Vermont.
-  States where same-sex couples have successfully petitioned to adopt in some jurisdictions. (2 states)
Nevada and New Hampshire.

In many states the status of parenting law for LGBT people is unclear. The determination of parenting rights is always made on a case-by-case basis and it is ultimately the decision of the judge whether to grant the adoption petition. If you are considering becoming a parent, you should consult with a lawyer licensed in your state and familiar with LGBT family law.

*Obstacles to equal treatment:

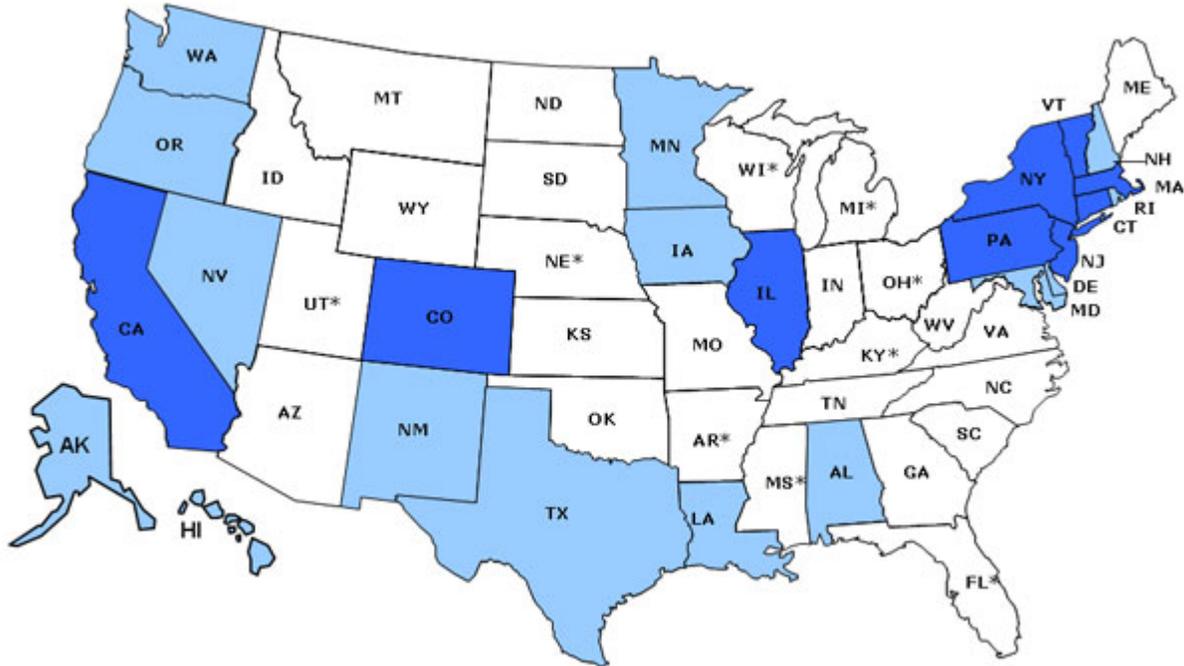
Same-sex couples are prohibited from adopting in Florida, Mississippi and Utah. State courts in Michigan have ruled that unmarried individuals may not jointly petition to adopt. Florida is the only state that explicitly prohibits all LGB people, whether individuals or couples, from adopting. On Nov. 4, 2008, Arkansas voters approved a statutory ban on adoption and foster parenting by unmarried individuals cohabiting with a sexual partner.



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Parenting Laws: Second Parent Adoption



Each state has its own laws governing adoption and they vary widely. In some states, a person can petition to adopt the child of his or her partner. These are usually called *second-parent* or stepparent adoptions. This map provides information on the known laws and policies that apply to same-sex couples.

-  States where second-parent adoption is an option for same-sex couples statewide. (9 states and D.C.)
California, Colorado, Connecticut, District of Columbia, Illinois, Massachusetts, New Jersey, New York, Pennsylvania and Vermont.
-  States where same-sex couples have successfully petitioned for second-parent adoption in some jurisdictions. (15 states)
Alabama, Alaska, Delaware, Hawaii, Iowa, Louisiana, Maryland, Minnesota, Nevada, New Hampshire, New Mexico, Oregon, Rhode Island, Texas and Washington.

In many states the status of parenting law for LGBT people is unclear. The determination of parenting rights is always made on a case-by-case basis and it is ultimately the decision of the judge whether to grant the adoption petition. If you are considering becoming a parent, you should consult with a lawyer licensed in your state and familiar with LGBT family law.

*Obstacles to Equal Treatment:

Same-sex couples are prohibited from adopting in Florida, Mississippi and Utah. State courts in Michigan have ruled that unmarried individuals may not jointly petition to adopt. Florida is the only state that explicitly prohibits all LGB people, whether individuals or couples, from adopting. On Nov. 4, 2008, Arkansas voters approved a statutory ban on adoption and foster parenting by unmarried individuals cohabiting with a sexual partner.” State courts have ruled that second-parent adoptions are not available under current law in Kentucky, Nebraska, Ohio and Wisconsin.