

Selected Newsclippings  
**Adoption & Parenting Issues**  
for Lesbians, Gay Men, & Bisexuals

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October 1989 - Oct 2003

Preliminary note: probably the most common situation where lesbians, gays, or bisexuals seek adoption is where two women or two men are in a relationship, one of them has children, and the other wishes to adopt his/her partner's children in order to have parental rights in law. As matters stand, a child losing her/his birth mother has no legal relationship to the surviving parent.

Studies show that there is no significant differences between children of lesbian and gay parents and those of heterosexual parents. They are no more likely to be molested, show difficulties in gender identity, or grow up gay nor are they generally stigmatized by their parents' orientation.

Unless specified, references are to Canada.

- Oct 1989        Denmark passes a registered partnership law which grants same-sex couples all marriage rights except the right to a church wedding and the right to adopt.
- Nov 1989        Massachusetts becomes the second state in the US (after Wisconsin, 1982) to pass a gay rights bill outlawing discrimination in employment, housing, credit and public accommodation (though senators forced an amendment allowing religious institutions to ban gay marriage and foster parenting).
- Feb 1990        This year for the first time, the US census will ask how many people live with an unmarried partner. Needless to say, the promotion makes no mention of lesbians or gay men.
- Oct 1990        UK: For the first time, a local government, Newcastle City Council, has publicly urged that a lesbian couple be permitted to adopt a child. Home secretary David Waddington says he opposes permitting lesbians and gay men to adopt children. The final decision rests with the courts.
- Dec 1990        Ontario amends Employment Standards Act with respect to pregnancy and parental leave, expands definition of parent to include lesbian and gay parents: "a person who is in a relationship of some permanence with a parent of a child and who intends to treat the child as his or her own."
- March 1991      US: Judge Ignatius Lester rules that the 1977 statewide ruling debarring all homosexuals from adopting children is in violation of the privacy and equal protection rights of lesbians and gay men. The ruling applies only to Monroe County, Florida, but can be cited statewide as a precedent.
- March 1991      Ontario NDP passes pro-gay resolution at its convention, recognizing "the relationships and families of lesbians and gay men ... [as] equal and equivalent to the families and relationships of heterosexual couples," promising changes to the OHRC Code, other laws, and relevant policies etc in accordance, and committing itself "to vigorously support and advance the principles of this resolution in areas of federal jurisdiction."

- June 1991 England: the proposed clause 25 could make illegal most forms of gay sexual activity, eg making love with partner if there's anyone else in the house; it could also prevent lesbians from becoming fostermothers.
- June 1991 Saskatchewan: Coalition for Human Equality still campaigning for protection for lesbians and gay men in provincial human rights legislation; the yearly Saskatchewan Youth Parliament passes resolution in favour of allowing lesbian/gay couples to adopt children.
- June 1991 The California Court of Appeal rules that nonbiological, nonadoptive parents in same-sex relationships have no legal rights in future childrearing, custody, or visitation if the couple breaks up, on the grounds that acting as a parent on a day-to-day basis is not the equivalent of being a natural or adoptive parent.
- June 1991 New York court of appeals rules that nonbiological coparent in lesbian relationship cannot claim visiting rights after relationship ended. (The same court, two years ago, ruled that the definition of family should be extended to include lesbian/gay relationships.)
- August 1991 Sweden's national board of health and welfare rejects a gay man's application to adopt a child, because children need to understand that they "cannot come into the world except through sexual relations between a man and a woman."
- Nov 1991 A lesbian couple in Washington DC become the first openly gay couple in the USA to adopt each other's children.
- mid-1992 Ottawa lawyer Philip MacAdam files suits for Maureen to get legal custody of her lover Cathy's child. The court order goes through in a month. The Children's Law Reform Act governs custody orders and allows any "interested party" to sue for joint custody, decisions being based on the best interests of the child. The legislation doesn't specifically prohibit LG parents from joint custody provisions, says MacAdam. Technically, the nonbiological parent sues their partner and both people consent; no court appearances; \$300. Snag: the other biological parent, if alive, will be notified and may contest. In the case of a breakup, joint custody remains and one mother may sue the other for support. Some lawyers believe that cohabitation agreements, health care directives and will are legal coverage enough.
- mid-1992 The Illinois supreme court refuses to review a Chicago lesbian's custody case; she was refused custody of her five-year-old daughter because she is not married to her lover, although Illinois would not accept such a marriage as legal anyway.
- mid-1992 US supreme court refuses to allow a lesbian mother to appeal; she was denied custody because she is a "practising" lesbian.
- mid-1992 South Dakota state supreme court refuses overnight visits for a lesbian's two sons; ex-husband argued that their psychological development would be harmed by their mother's lifestyle.
- August 1992 Texas jury trial awards custody of her 2½ year old son to a lesbian mother; an informal opinion poll on current issues was used to screen potential jurors for homophobia.
- Fall 1992 Lesbian in Fort Lauderdale files suit to challenge the Florida statute against lesbians and gay men adopting. This is the third challenge; one was won in Key West but failed to set a precedent; one in Sarasota is still pending. New

- Hampshire is the only other state with a law specifically excluding lesbians and gay men from adopting.
- Fall 1992 Paper presented at APA conference by Charlotte Patterson, associate professor of psychology at the University of Virginia, outlines results of a year's survey of lesbian baby boom children in the Bay Area. Children were compared with 1990 survey of heterosexual couples' children and were found to be average and not different in competence from the children of heterosexuals in a 1983 study.
- Fall 1992 Two lesbians in Britain win a court order for permanent custody of a baby they have cared for since birth. The mother, a neighbour, had agreed the baby could be brought up by the couple but social workers challenged the arrangement. (This is 18 months after the government tried to outlaw fostering by lesbians and gay men.)
- Sept 1992 *Newsweek* (US) survey shows that 51% think lesbian and gay rights pose no threat to the traditional family and its values and 53% believe that being lesbian/gay is an acceptable lifestyle;; 78% think lesbians and gay men should be protected from discrimination in the workplace; 70% approve of inheritance rights, 67% approve health insurance, and 58% approve social security for same-sex partners. Approximately one third support the right of lesbians and gay men to marry and adopt children.
- Dec 1992 Norway considers a law (similar to Denmark's 1989 legislation) allowing lesbian and gay couples to mark their relationships with a contract similar to the one that legalizes marriage by registering their relationships with a notary public. Couples would then have the rights and obligations of a married couple except for adoption and marriage in the (state) Lutheran church (viz. same restrictions as Denmark).
- 92/93 Seattle, Washington: tiger scout troop expels boy because he has two mothers. Tuanna Johnson says they knew that when they enrolled her son. After they attended three monthly meetings, the meeting location was changed and they were not informed.
- 92/93 Asheville, North Carolina, judge recognizes the parental rights of a sperm donor over the objections of a lesbian mother and in spite of a written agreement allowing the man visitation but not parental rights. The donor began to assert himself on his mother's urging. The decision also set aside a 1971 NC law barring sperm donors from seeking custody rights.
- April 1993 Norway passes legislation extending broad legal rights to lesbian and gay couples (see Dec 92).
- April 1993 New York judge Edward Kaufmann rules that a sperm donor has no right to be declared the legal father of a child he sired for a lesbian couple, Sandra Russo and Robin Young. See opposite decision, 92/3 North Carolina.
- May 1993 National Adoption Study published by the Adoption Council of Canada recommends that single and unmarried adults, both heterosexual and homosexual, be considered eligible to be adoptive parents.
- May 1993 Todd Armstrong, an Ottawa gay man who is open about his relationship, successfully goes through the Children's Aid Society procedures and legally adopts five-year-old Audla Geetah. Armstrong and his lover André Cyr had been friends with Audla's mother, an Inuit AIDS activist.

- June 1993 Open lesbian couple in Adelaide, Australia, adopts two-year-old, though one is named as legal parent.
- June 1993 A Los Angeles court gives joint custody of a five-year-old girl to Kevin Thomas and the child's mother, who were raising the child together on a friendship basis until last year. The child's biological father filed for paternity rights but failed to show in court so case dismissed.
- (?July) 1993 New York's rainbow curriculum initiative, which proposed to include lesbian and gay families in the progressive multicultural curriculum, is defeated by rightwingers arguing that the inclusion of lesbian and gay families is demeaning to people of colour. The board chancellor, Joseph Fernandez, champions the curriculum and loses his job.
- July 1993 Two lesbians (Sandra Benson and Tracy Potter) in BC file a complaint with the BC Council on Human Rights against a Vancouver doctor (Korn) who refused them AI because of their sexual orientation, because he was called as a witness in a court case involving two lesbians.
- Fall 1993 Alison's Magic Kettle, a 30-second segment showcasing lesbian and gay families, is pulled from *Sesame Street*. It had run 3 times, but was pulled in the fall of 93. Cathy Chilco, the show's Vancouver producer, recalls one irate caller yelling "You are teaching our children tolerance!" CBC Toronto got more than 80 complaints and no letters in support.
- Sept 1993 Virginia court judge Parsons takes a two-year-old boy away from his mother, Sharon Bottoms, who testified that she and her lover sometimes kissed and petted in front of her son, because her sexual "conduct is illegal and immoral and renders her an unfit parent." Custody goes to the grandmother.
- Sept 1993 Pope issues *Veritatis Splendor* which says that homosexuality and all sexual acts outside marriage are mortally sinful and "intrinsically evil."
- Sept 1993 Ontario Law Reform Commission comes out in favour of governmental recognition of same-sex spouses and supports registered domestic partnerships for straights and gay to give unmarried couples the rights and obligations of married couples. Report released Nov 93.
- Oct 1993 An Oklahoma appeals court refuses to let a lesbian, Donna Fox, keep her two children because they might "encounter future prejudice by a disapproving society." The children go to hubby (divorced in 1988).
- Oct 1993 Two male flamingos in Rotterdam zoo who have been in a loving relationship for years are raising a chick hatched from a fertilized egg given them by zoo keepers who felt sorry for them after their repeated attempts to steal the eggs from female flamingos.
- Jan 1994 EGALE, CLGRO named official partner organizations of the Canada Committee for the International Year of the Family as are the Canadian Bible Society and the Evangelical Fellowship of Canada (who have a write-in campaign against same-sex spousal benefits in Ontario).
- Jan 1994 European parliament, a democratically elected body representing some 350 million citizens of the European Union, resolves (159-96) at Strasbourg that homosexual couples be allowed to marry and adopt children. The resolution was drawn up by German Green deputy Claudia Roth and is not binding on the 12 European union states). It also calls for a common age of consent, an end to the

prosecution of homosexuality as a public nuisance or gross indecency and to discrimination in criminal, civil, contract and commercial law.

The Vatican fulminates "no man can take the place of a natural mother," homosexuality is an "aberrant deviation," and children adopted by homosexual will bear the scars of suffering and frustration. "Encouraging homosexual tendencies means overturning the natural order set by God at the moment of creation." (Vatican newspaper *L'Osservatore Romano*, editorial written by Father Gino Concetti, a moral theologian whose views are close to those of Pope John Paul). In Feb the Pope adds a personal comment to the effect that the resolution will legitimize "moral disorder," that same-sex couples cannot build real families, that the children would suffer through not having a father and a mother.

- Jan 1994 Montreal's new police chief Jacques Duchesneau: "There are those who clamour for more prisons to lock up young offender. My answer is that we need more good parents.... It doesn't matter if it's a single parent, gay, lesbian, rich or poor - as long as the parent takes care of the children." Police, he added, "need to get more sensitive to the differences and get closer to the similarities and the will to cooperate with people whose origins or sexual orientation are different from that of the majority."
- Feb 1994 ILGA's Yves de Matthies (Switzerland) addresses the UN Commission on Human Rights in response to the Vatican's denunciation of the European parliament's resolution (Jan 94) that homosexual couples be allowed to marry and adopt children.
- Early 1994 The Children's Aid Society of Toronto approved a policy making lesbians, gays, and bisexuals eligible to become foster parents.
- Feb 1994 *National Enquirer* prints allegations by the Rev Joseph Chambers, a Pentecostal minister from Charlotte NC that *Sesame Street* muppets Bert and Ernie are gay. "They're two grown men sharing a house - and a bedroom! They share clothes. They eat and cook together. They vacation together and they have effeminate characteristics," he said. "In one show, Bert teaches Ernie how to sew. In another, they tend plants together. If this isn't meant to represent a homosexual union, I can't imagine what it's supposed to represent." Children's Television Network say B&E "do not portray a gay couple." They "have no sexual orientation. They're cloth puppets, for Pete's sake."
- Last year, a minister from Charlotte, North Carolina, presumably the same idiot, wrote a booklet (published by Concerned Charlotteans) "Barney the Purple Messiah," about PBS-TV's dinosaur puppet who, he claims, is part of an "evil homosexual" conspiracy. "Barney is teaching kids that we must accept everyone as they are - whether they're homosexuals or lesbians."
- Feb 1994 The Greenland Landstinget (parliament) votes 15-12 to make the 1989 Danish law of registered partnerships for same-sex couples valid in Greenland. Originally Greenland (pop. 56,000) had not gone along with the Danish law.
- May 1994 Ontario's bill 167 (the equality rights statute law amendment act) to introduce relationships recognition for same-sex couples passes first reading 57-52. 20 of the 130 MPPs were absent and 12 NDP MPPs including two cabinet ministers voted against. Aloysius Ambrozic, the Roman Catholic Archbishop of Toronto instructs his 200 parishes (more-than-one-million parishioners) to write to Queen's Park opposing the bill, saying homosexuals must -as individuals - have

all the same rights as everyone else (a change in his position, since he opposed bill 7) but "any attempt to promote a homosexual lifestyle as the equivalent of legal marriage must be vigorously opposed." (In a 1993 interview in *Toronto Life*, AA said, "We should be kind to homosexuals and understand their problems. ...The poor devils, they're their own worst enemies. But all my sympathy for them will not allow me to say, You can go ahead and have relationships." Liberals and Tories are also officially against. But a panel of clerics (RC, Anglican, Jewish, and United Church) holds a press conference in favour.

- May 1994 Toronto City Council refuses to support the Ont' gov't bill giving equal rights to LGB couples, even without the adoption provisions.
- June 1994 Environics Research Group releases March/April survey of 1,000 Ontario residents: 55% for and 39% against same-sex spousal benefits (for: 63% of those aged 18-24, 18% of those over 55); 50% against and 40% for redefining spouse; 37% for and 56% against adoption by LGBs; 60% for inheritance rights and property rights when relationships break up. Support markedly stronger among the young and in larger communities.
- June 1994 Quebec Human Rights Commission says Quebec should introduce a similar bill to Ontario's (leaving out adoption and marriage, but including pensions and establishing a registry for domestic partnerships). The 41 recommendations in the commission's report, *From Illegality to Equality*, also advocated steps to combat antigay violence, to improve health care and community services and change the police from adversaries to protectors. The current Liberal gov't has three weeks left to run and it is expected that an election will be held before the next session of the national assembly. Even before the report is released, justice minister Roger Lefebvre says his government is unlikely to be in favour. LGB activists say they expect better treatment from the Parti Québécois.
- June 1994 Despite the government last minute offer to compromise by dropping adoption and an equal definition of spouse (proposing a category "domestic partner" instead), Ontario's bill 167 (see May 94) is lost on second reading 68-59. 5-10,000 LGBs in Toronto protest march. An Angus Reid poll released June 8 had shown 38% in favour of the legislation as it was and 16% in favour of the legislation but with the adoption provision dropped.

Federal Reform MP Myron Thompson (Wild Rose, AB) issues press release: "The failure of the militant gay and lesbian special interests to get same-sex legislation passed in Ontario is a victory for the traditional family" and "as an executive member of the Reform Family Unity Task Force, he will continue to focus the attention of Canadians, [that] much of the blame for juvenile crime, child and family abuse and violence against women can be directly linked to previous governments that forgot the traditional family was the most important link to social order and peace in Canada."

The Campaign for Equal Families demands that Tim Murphy push forward with his bill (see June, Dec 93); party leader Lynn McLeod forbids him to do so; a demonstration then demands both their resignations. Lynn McLeod who had made progay by-election statements in March, and said in May "I support the extension of family and survivor benefits to same-sex spouses," voted against the bill. McLeod objected to the adoption and "spouse" parts of the bill, which were then dropped; she voted against anyway.

Ont. AG Morion Boyd says she will not automatically contest court actions by lesbians and gay men seeking adoption, and "certainly" not "if the facts of the case are such that it's in the public interest."

Allan Rock says there is no connection between the Ontario vote and the plans of the federal government (but see his "unduly provocative" comments in May).

Toronto mayor June Rowlands later explains why she voted against the city supporting 167. She was worried about adoption, and she just didn't have time to find out the facts. She feels she's an equal rights supporter, but she feels the gay community should only have asked for one right at a time, and anyway "heterosexual couples are generally married and that gives stability."

- June 1994 *Pediatrics* publishes findings of American Academy of Pediatrics study of sexually abused children that they were unlikely (2 cases out of the 269 studied) to have been abused by people identified as lesbian or gay.
- June 1994 Swedish parliament votes 171-141 (5 abstentions, 32 absences) for the registered partnership law, giving same-sex relationships the same rights as heterosexual ones (except for adoption and artificial insemination). The law is similar to those on Denmark and Norway. Swedish PM Carl Bildt: "We accept homosexual love as equivalent to heterosexual. Love is an important force to personal as well as social development and should therefore not be denied."
- June 1994 Virginia appeals court judge Sam Coleman returns custody of her two year old Tyler Doustou to his lesbian mother Sharon Bottoms; it had been given to his grandmother Kay Bottoms (see Sept 93). Judge: A child's natural and legal right to the care and support of a parent and the parent's right to the custody and companionship of the child should only be disrupted if there are compelling reasons to do so." He said the grandmother had only the same status as any other third party and "Even when the parental level of care may be only marginally satisfactory, courts may not take custody of a child from his or her parents simply because a third party may be willing and able to provide better care for the child." The husband had separated from the wife when she was two months pregnant and supported her custody. "The fact that a mother is a lesbian and has engaged in illegal sexual acts does not alone justify taking custody of a child from her and awarding the child to a non-parent." "A court will not remove a child from the custody of the parent based on proof that the parent is engaged in private, illegal sexual conduct or conduct considered by some to be deviant in the absence of proof that such behaviour poses a substantial threat of harm to a child's emotional, psychological, or physical well-being."
- June 1994 Roman gynaecologist Giuseppe Ambrassa, who six months ago provided artificial insemination to a lesbian couple after psychological testing showing that they would make able parents, comes under fire in newspapers. *Corriera della Sera* speaks of "a strange couple," *La Stampa* of the "unnatural environment" for the child. Vatican's official newspaper: "No child lives being known as the child of an unmarried mother, even less so of a lesbian mother. ... Every child has the right to be born into a regular family made up of a man and a woman."
- mid-1994 Spanish ministry of social affairs announces a bill for the fall giving equal rights to unmarried couples, straight or gay - except for adoption and shared paternal authority. If it is passed, it will make Spain unique in the Catholic world. Cp EC resolution Feb. 28 cities including Valencia have approved the registration of gay "stable unions" on the same basis as common-law straight ones.

- July 1994 Italy gives permission to single gay man Arturo Bottacin to adopt and be the legal father of a 22 year old heterosexual Albanian boy. This is the second case of adoption, the first dad being Flavio Arditi of Arci Gay (Empoli).
- July 1994 *Washington Post* initially refuses the (\$100 ad) birth announcement of Ana Vanessa, born July 24 to Valerie Ploumpis and Lu Palma
- July 1994 UK: a first: court ruling gives Manchester lesbian couple equal legal status as parents of a 22-month-old boy; but the man who impregnated the mother faces an investigation by the child support agency since both mothers live on state benefits.
- July 1994 American Academy of Pediatrics study finds children more often sexually abused by heterosexuals than by lesbians or gay men. Of the 249 cases studied, only two offenders were identified as gay/lesbian, making the chances of a child's being molested by a heterosexual 100% higher. Researchers were from the U of Colorado, Denver's Children's Hospital, the Kempe Children's Centre, and the National Jewish Center for Immunology and Respiratory Medicine.
- August 1994 *Star/Enviro* poll of 1001 people find just over half in favour of same-sex spousal benefits, 50% in favour of same-sex spousal rights legislation though 67% think same-sex couples should not have the right to adopt and 55% think "spouse" and "family" should not be legally redefined to include same-sex couples.
- Sept 1994 An Australian appeal court backs the High Court's ruling of earlier this year that lesbianism does not make a woman an unfit mother. 27-year-old mother of two toddlers who lives with her lover, court finds, can give the children "more of a normal life than the father" who has to rely on caregivers
- Sept 1994 New Dutch coalition government under Wim Kok states policy intention to withdraw the bill abolishing the anonymity of sperm donors and investigate LG adoption. The discussion on draft bill for registered partnerships is temporarily halted (see Oct 93).
- Sept 1994 UN Population and Development Conference in Cairo fails to recognize any other family unit than the heterosexual nuclear family; the conference document puts in place a 20-year plan.
- Sept 1994 In Sept 93, Ross and Luis Lopton, a gay couple in Seattle were allowed to adopt a 4 year old boy, Gailen, a year after birth mother Megan Lucas gave him up. When she learned Gailen had gone to a gay couple, Lucas tried to get the boy back. She was turned down, because of a history of alcohol and drugs, by the tribunal. Now the supreme court of state of Washington rejects appeal. Washington is one of the six US states to allow same-sex couple adoption.
- Oct 1994 After a two-year study by staff, foster parents, and board members, Metro Children's Aid society announces they are in support of letting same-sex couples foster and adopt. Director Bruce Rivers: "Our stance is really clear. Same-sex parents ought to be considered as adoptive and foster parents. They should not be discriminated against in the application process." Also "There is no question that we have a number of lesbian and gay foster kids and we are committed to giving them the best role models and providing for them a safe environment." But, he adds, CAS can't change its policy until the law changes. Pity they didn't decide to say all this before 167 went down.

- Nov 1994 The Ontario HRC announces that the provincial Registrar's Office has agreed to allow same-sex parents to give the child(ren) a combination of their surnames.
- Nov 1994 BC social services minister Joy MacPhail tells an LGB meeting that the BC NDP gov't has granted sssbs to its unionized employees and is even now drafting legislation to allow lesbians and gay men to adopt.
- Nov 1994 Spain: Valencia regional parliament approves new adoption law; provisional fostering but not adoption (which is the turf of the national gov't) can be granted to married or common-law couples of either sex.
- Dec 1994 Spain: national parliament approves request that the government consider a law on relationship recognition. The socialist party PSOE and the Spanish society Izquierda Unida (IU) were for, the conservatives (PP) abstained on technical grounds (finding the adoption provisions not specific enough). This proposal is based on a sample law written by Madrid LG group COGAM and the Federation of Spanish LGs in August 93. Other LG groups have made proposals and he IU has made its own. Adoption is the centre of the fuss (see nov 94).
- Late-1994 Despite the Sept 94 Australian appeal court decision reinforcing the Australian High Court's ruling of earlier this year that lesbianism does not make a woman an unfit mother, Australia's northern territory plans to change its laws to exclude lesbians and single straight women from its government-funded artificial insemination programme; lawmakers will change the territory's antidiscrimination legislation to exempt the fertilization procedure to give priority to "stable" family environments.
- Late-1994 South Dakota supreme court justice Robert A Miller gives custody of her two children to Lori van Driel, a lesbian mother who lives with her lover. Miller says justices must be guided by principles of law rather than by moral evaluation of the mother's conduct, the children prefer to live with their mother, and they have not been harmed by her orientation.
- Jan 1995 ALMA, the All Lesbian Mothers' Association of London Ont. is featured on the first billboard of the Families Valued Campaign (illustration of two women with child); 7 billboards are rotating around downtown London in a project curated by UWO visual arts instructor Sara Hartland-Rowe. Other groups profiled include a native friendship centre and a Jewish community centre. Response almost all positive so far.
- Feb 1995 Information gets out via a leaked gov't memo: After a ten-year study, BC government changes adoption rules to allow single people, gay and straight, to adopt children. The ministry of social services issues a directive that "restrictions related to marital status, the capacity to have a biological child, or the number of children in the family are removed." Previously only married people were allowed to adopt a healthy child under 2. Now "couples who are not legally married can apply to adopt, but only one of the parents may adopt." However Trudy Usher, head of the BC adoption services, says the memo was just to give single and married people the same rights under law, and prospective parents are rigorously vetted (no enquiries made into sexual orientation). Reform Party MPs squeaked. Liberal critic Val Anderson, a United Church minister, says he is not against the idea of adoption by same-sex couples, though he later tables a petition against (see Apr 95) as do two other Liberals.

- April 1995 Three Liberal politicians in BC have presented petitions in the legislature opposing LGB adoption (see Feb 95) - Wilf Hurd (Surrey-White Rock) 673 names, Val Anderson even though he is not against (Vancouver-Langara) 415 names, Michael de Jong (Matsqui) 2200 names..
- April 1995 Cardinal Basil Hume, head of the RC church in the UK, says in a media statement: Love between two persons, whether of the same sex or of a different sex, is to be treasured and respected. Nothing in the church's teaching can be said to support or sanction, even implicitly, the victimization of homosexual men and women. Furthermore, homophobia should have no place among Catholics." He noted that the Vatican considers homosex "morally wrong."
- May 1995 Virginia supreme court reverses the June 94 appellate court decision (see June 94, Sept 93) and re-removes custody of her three-year-old Tyler Doustou from his lesbian mother Sharon Bottoms and re-returns it to his grandmother Kay Bottoms. The appeals court said no evidence showed any harmful effect to the child from being with his mother. Grandmama took it to the supreme court.
- May 1995 Chinese daily newspaper, *Ming Pau*, published results of phone poll on gay rights: adoption for 64, against 341, don't know 2; unfortunate effect of adoption on children agree 363, disagree 53, dk 1; adoption is a human rights issue, yes 76, no 330, dk 8; spouse should include same-sex couples yes 73, no 329, dk 8.
- May 1995 In a 42- page judgment, Ontario court provincial division judge David Nevins grants adoption orders to four nonbiological mothers living with lesbian mothers and their (collectively) seven children (families: Alison Kemper, Joyce Barnett, Hannah, Robbie; Sheryl Pollock, Lisa Freedman, Jessica, Jordan; Chris Phibbs, Chris Higgins, Zak; Roberta Benson Miriam Kaufman, Jacob, Aviva) and, citing Charter §15, changes the definition of spouse in Ontario's Child and Family Services Act §136 to include same-sex couples: "Spouse means the person to whom a person of the opposite sex is married or with whom a person of the same or opposite sex is living in a conjugal relationship outside marriage"; the Ont gov't had argued that the act contravened the charter; Marion Boyd announces the government will not appeal the change to the CFSA; last day for filing an appeal is June 8 (election day) but a new government might ask for an extension; the individual adoption orders cannot be appealed. Not yet clear whether the ruling will permit LGB couples to adopt the children of strangers. Lawyers Laurie Pawlitzka and Judy Parrack.

Nevins: There is no evidence at all that families in which both parents are of the same sex are any more unstable or dysfunctional than families with heterosexual parents. There is no evidence that children raised by homosexual parents are any more likely to develop gender roles or identities inconsistent with their biological sex than children raised by heterosexual parents. ... In short, there is no evidence that families with heterosexual parents are better able to meet the physical, psychological, emotional, or intellectual needs of children than families with homosexual parents.

10-year-old Jacob, son of Roberta Benson and Miriam Kaufman: "I feel happy - they're both my legal moms." Both *Star* and *Globe* editorialise in favour. Courts in several US states have allowed second-parent adoption in same-sex couples. This decision is not precedent-setting because provincial court is the lowest level but see Gough case in August.

- June 1995 BC NDP gov't announces intent to amend provincial adoption act to allow any two adults (including common-law same- and opposite-sex couples) to adopt. See Feb 94.
- July 1995 BC human rights minister Ujjal Dosanjh announces Bill 32 to overhaul BC human rights act and replace it with a HRCode; it will include sexual orientation and may include same-sex spousal benefits; bill 51 will replace the old BC adoption act with one that allows common-law couples and unmarried adults to adopt (see Feb/95)\*; a new HRCommission will replace the old council for human rights and will include a tribunal, advisory council and separate administrative and advisory arms; the commission will be empowered to investigate without a complaint being formally laid.
- \*Reform MP Richard Neufeld: Children are raised much better, their whole outlook on life will be different, if they are raised in a traditional family. Reform party leader Jack Weisgerber says in the event of the death of a lesbian or gay parent, children should be taken away and adopted by a traditional family. Jube Reform conventions resolves "the traditional family is the basis of society" and defines marriage as "the legal union of two people of the opposite sex."
- July 1995 BC human rights council orders Vancouver gynaecologist Gerald Korn (see July 93) to pay \$3000 in fines to a couple to whom he refused artificial insemination because they are lesbians.
- July 1995 Two male storks in a German zoo have hatched a penguin egg and are now raising the chick. The egg had been rejected by its parents, so zoo staff tried it out on the couple who took turns sitting on it for 14 days until it hatched.
- August 1995 In July 1993 (qv) Vancouver gynaecologist Gerald Korn refused artificial insemination to a couple because they are lesbians. He was fined by the BC human rights council in July 1995. Now after Sandra Benson delivers a daughter Zoë (via frozen sperm from the US), she and her lover GP Tracy Potter are following up the case. The HRC and the ombuds office are looking into the BC College and Physicians and Surgeons which supports Korn. The College sees the protection of doctors as its main function and points out that the Can. Medical Ass'n's code of ethics does not include sexual orientation.
- August 1995 London family court judge David Aston rules that adoption applications cannot be refused on the basis of sexuality; Cathy and Lynda Gough adopt each other's daughters (Caitlyn 2½, Emily 11 weeks, both conceived by AI from the same donor). Lawyer: Leslie Reaume. Unlike the provincial court decision in May, this decision is precedent setting and binding on all provincial court judges (who decide the bulk of adoption applications in Ontario).
- August 1995 A heterosexual nuclear family (Valerie and James Simson and son) living in Canada seek refugee status while hoping to be reunited with gay Patrick Bailey living in the US whom they consider their adopted second son and who is legal guardian to their own son. The Simsons met Bailey in England, then moved to Minnesota whether Bailey followed them (winning a green card in the lottery). James Simson was then denied US residency because of drug-related UK convictions, though he has been clean for 15 years and ran/runs addiction recovery groups, and was deported to Canada in July.
- August 1995 Denmark, Norway, and Sweden agree each to recognize registered partnerships from the other two countries. This includes us chaps.

- Oct 1995 New Brunswick lieutenant governor Margaret McCain makes a speech recognizing "the emergence of same-sex parented families": "Critics believe the non-traditional unit fosters unhealthy values and morals, threatening everything 'family' stands for" but violence and abuse are the most serious threats to any family and "Research shows that traditional family can be the scene of extreme abuse while a non traditional family can be brimming with love..."
- Sept 1995 US: In Pensacola, Florida, lesbian Mary Ward loses custody of her 11-year-old daughter to her ex-husband, John Ward, a convicted murderer who killed his first wife. The judge felt the girl should have "the opportunity and the option to live in a non-lesbian world."
- Nov 1995 NY appeal court 4-3 strikes down statutory bar on unmarried couples adopting children; appeals court judge Judith Kaye: "to have upheld the law would have maintained the situation in which the thousands of children that are currently being brought up by unmarried couples have only one legal parent." Opposing the ruling AC judge Joseph Bellicosa felt the state and not the courts should be making this change and that it would lead to too many conflicts between biological parents and adopting couples. Republican governor of NY George Papaki: "a defeat for Western civilisation."
- Nov 1995 Children's Aid Society of Algoma Ont. refuses to allow lesbian or gay singles or couples to foster. Board member Mary Borowicz: "Children develop morals and values based on what they see." Toronto CAS does; most other Ont CASs have no official policy.
- late-1995 The Children's Society, one of the 5 biggest children's charities in England, bans lesbian and gay foster parents.
- Dec 27-Jan 2 First ILGA European Conference in East Europe sees about 50 activists gathered in Riga, Latvia. Last fall, a survey found 25% of Latvians in favour of same-sex marriage, 45% against.
- Feb 1996 US: Mary Ward, a lesbian who lost custody of her daughter to her ex-husband, a convicted murderer, lodges appeal. (see Sept 95).
- Feb 1996 UK: the Albert Kennedy Trust, which has placed more than 100 homeless gay teenagers (most 16-19) in gay foster homes is about to be made subject of a department of health enquiry after concerns are raised that the teens might be encouraged to stay gay. Trust spokesman Aamir Ahmed says about 30% of kids sleeping rough are gay teens kicked out by their parents. MP Sir Ivan Lawrence, chair of the home affairs select committee: "Giving the homosexual foster parents will merely set them in that way for life."
- Feb 1996 Ontario court general division judge Gloria Epstein rules that the Ontario family law act is unconstitutional "and of no force or effect to the extent that it excludes same-sex couples from its definition of spouse." In the alimony case of 10-year lovers *MvH* (see apr. 93). Support obligations kick in after three years' cohabitation or "some permanence" or children, natural or adopted. At a hearing last Sept the Ont. gov't conceded that it was discrimination but used the charter §1 "demonstrably justified in a free and democratic society." Judge Epstein cited the reversal of position of the Ont gov't (NDP had intervened on side of M, Tories ditto H) as evidence that politics and not legislative reform was their motive and said that the defeat of bill 167 did not provide clear legislative intent because of legislators' concerns about the pending election. She cited supreme

court judge Iacobucci that to assume no interdependency in same-sex relationships "is not only incorrect but it is also the fruit of stigmatizing stereotype." She found that the legislation was intended to provide spousal support for those who had become economically dependant during the course of a relationship and now needed help to become independent and it was discrimination on the basis of sexual orientation to exclude same-sex couples. She noted that same-sex couples had been included in other Ontario legislation including life insurance, extended medical coverage, dental insurance and bereavement leave and saw no valid reason for not extending the support provisions of the family law act. Support obligations kick in after 3 years relationship or "some permanence" and children. (See also July 96).

- March 1996 Colombia supreme court rules against marriage rights for same-sex couples. "The family is the only social unit and it is formed when a man and a woman freely decide to get married."
- March 1996 John Wright, senior vice-president of Angus Reid polls said 81% of Canadians support ending all forms of workplace discrimination against LGBs and almost 60% consistently support same-sex benefits and registered domestic partnerships, though the acceptance of adoption is lower.
- April 1996 Los Angeles superior court judge Martha Goldin awards custody of mildly retarded 8-year-old girl Courtney Thomas to Kevin Thomas a single gay man not biologically related who has raised her since birth and restricts the mother's visitation rights to one phone call a week.
- April 1996 Virginia: Henrico County Juvenile and Domestic Relations District Court rules that, in spite of Sharon Bottoms changed circumstances, custody stays with her son's grandmother. Sept 93: Custody of Tyler Doustou (born 1992) sought and obtained in HC J&DR DC by his grandmother Kay Bottoms on the grounds that his mother Sharon Bottoms is a lesbian. June 94: Virginia appeals court returns custody of Tyler to his mum Sharon. May 95: Virginia supreme court reverses the appellate court decision and gives Tyler back to grandmama Kay
- April 1996 BC supreme court rules that a doctor's right to refuse patients cannot be based on discrimination as defined in BC's human rights legislation. Dr Gerald Korn loses his appeal of the 1995 Human Rights Council decision which fined him \$3400 (\$2500 for emotional injury, \$896 expenses) for refusing artificial insemination to two lesbians. (see jul 93, jul & aug 1995). CP 1993 Royal Commission on NRTs recommendation: "Women should be guaranteed access to donor insemination services regardless of sexual orientation."
- April 1996 Minister groups of 4 of the 5 parties (the Social Democrats, Left Alliance, Greens, Swedish national Party, but not the National Coalition) in the Finnish cabinet say they favour a Scandinavian-style registered partnership law for same-sex couples (viz. The whole package excluding AI, adoption, and in vitro fertilization).
- April 1996 Netherlands: lower chamber of Dutch parliament passes 81-60 resolution demanding the preparation of a bill for legal recognition of same-sex marriages; a separate resolution demands a bill permitting adoption by same-sex couples.
- May 1996 Canada adds protection on the basis of sexual orientation to the Canadian Human Rights Act.

- May 1996 Hungary (207-73, following a March 1995 court decision) gives same-sex common-law couples the same status as common-law heterosexual couples, except for adoption, while declaring that marriage is an exclusively heterosexual institution.
- June 1996 BC proclaims amendments to its adoption bill which will come into effect in November: gay and lesbian couples will be able to adopt.
- June 1996 At June Reform Party convention in Vancouver, Manning says about controversial opinions: "If it's not necessary to say it, it's necessary not to say it." But delegates applaud Ringma and shout down pro-gay arguments. The party, nearly unanimously, passes resolutions to define "family" as those related by blood, marriage, or adoption, and "marriage" as the union between a man and a woman.
- July 1996 Iceland provides a registered domestic-partnership options for same-sex couples - all the rights and responsibilities including joint custody of each other's children but excluding church weddings, adoption, AI, in-vitro fertilization.
- July 1996 Further to her feb 96 decision in *MvH* Ont court gen div judge Epstein orders the government to pay part of the plaintiff's legal costs; the final total of how much H should pay M is left to an assessment process.
- Aug 1996 *MvH* appeal hearing begins (see feb, july 96, apr 93).
- Aug 1996 Calling lesbianism a sexual "habit" and a sickness "Turkey's supreme court rules that lesbian mothers threaten the moral welfare of their children and strikes down a lower-court ruling granting a lesbian custody of her 2-year-old daughter.
- Sept 1996 Toronto radio station CFRB with Angus Reid conducted a random survey of 400 Toronto residents and found that 63% would attend a gay wedding if invited; 35% said they wouldn't; 2% didn't know. Support was higher among women. 56% were opposed to adoption of children by l/g couples; disapproval being highest among older men of lower educational levels.
- Oct 1996 Chrétien, talking to Manitoba highschool students, says marriage is traditionally heterosexual and he is not personally comfortable with the idea of gay marriage because he doesn't know "how that works in a society." He says he is proud of the addition of "sexual orientation" to the CHRA.
- Nov 1996 BC: adoption ruling comes into effect - single or coupled, gays have the same rights as straights.
- Dec 1996 Hawaii circuit court judge Kevin Chang rules in favour of legal recognition of same-sex marriages. Lawyer Dan Foley first filed suit 1990 on behalf of three couples (two gay male, one lesbian -Ninia Baehr & Genora Dancel, both 36). 1993 Hawaii supreme court instructed state lawyers to show a compelling reason against same-sex marriages. The USA defence of marriage bill (sept 96) gives other states the right not to recognize Hawaiian same-sex marriages. Some 15 US states have legislated not to recognize same-sex marriages valid in other states, thus debarring eg family leave to take care of a sick partner, hospital visitation rights, joint insurance. 17 states, including CA, have voted against such bills.
- Dec 1996 Two of three judges (David Doherty and Louise Charron) in the Ontario court of appeal rule to uphold the judgement in *MvH*; the words "a man and a woman" in the definition of spouse in the alimony section of the Family Law Act are

- replaced with the words “two persons.” The change will come into effect in December 1997.
- End 1996 Australia: New South Wales supreme court rules that the anti-discrimination act’s provisions covering lgbs apply to same-sex family units and therefore two gay men (Bill Brown, Andrew-Whitbread-Brown) and their son are entitled to insurance company’s family rate (NIB, the insurance company, had appealed an equal opportunity tribunal ruling).
- April 1997 Ottawa Civic Hospital fertility clinic changes its policy and agrees to provide AI to women without male partners as a result of an OHRC complaint lodged by Lise Lague and her partner Pam Lengyel in 1994.
- April 97 Although 20 of the 23 parents (3 being absent) of the children in his classroom said Surrey teacher James Chamberlain could use *Asha’s Mums*, *Belinda’s Bouquet*, and *One Dad, Two Dads* in his class, the Surrey board of ed chair and trustees say that parents object and have voted 4-3 to ban their use. Motion to ban introduced by board chair Robert Pickering: “I do believe that if parents want to teach their children that homosexuality is not a healthy choice, then they have that right to in this country - at least for now.” BC Teachers Federation had passed a resolution in March “to create a program to eliminate homophobia and heterosexism in the BC public school system.” The Surrey school board opposed this and has tried to limit attendance at meetings where this is discussed. The teachers’ federation hired an independent polling company and determined that almost 70% believe schools should promote acceptance of lesbians, gays, and bisexuals. GALE-BC ask the BC supreme court to decide whether then ban on books violates the provincial human rights act.
- May 97 Supreme court of Canada agrees to hear Ontario government appeal of the *MvH* decision (feb, july, aug, dec 96, apr 93). Ont govt lawyer says that changing the definition of spouse would “undermine Ontario’s integrated system of spousal rights and obligations and will result in confusion and unfairness in the operation of provincial law.” M is apparently asking for \$5000 a month.
- May 97 US federal appeals court (11<sup>th</sup> circuit) rules 8-4 that Georgia’s attorney general Mike Bowers was entitled to deny a lesbian Robin Shahar a job because she was planning to be married to another woman: “Given the culture and traditions of the nation, considerable doubt exists that plaintiff has a constitutionally protected right to be ‘married’ to another woman.” The appeals court felt he was entitled to believe that this might confuse the public because Bowers had successfully defended the state’s anti-sodomy law before the US supreme court in 1986.
- June 1997 Ontario Human Rights Commission releases report citing 65 Ontario laws that need to be changed immediately to end discrimination against same-sex spouses.
- July 1997 BC passes legislation (59-9, 6 abstentions, of 75 MLAs) changing definition of spouse in Family Relations Act and giving common-law same-sex the same status (rights and responsibilities) as opposite-sex ones. Spouse is defined as “a person who ... lived with another person in a marriage-like relationship for a period of at least two years” and specifies “the marriage-like relationship may be between persons of the same gender.” 8 of the 9 who voted against were Liberals (party leader Gordon Campbell allowed a free vote); the 9<sup>th</sup> was Progressive Democratic Alliance leader Gordon Wilson). The Family Maintenance Enforcement Amendment Act still awaits a vote. Neither bill affects workplace issues such as spousal benefits.

- July 1997 BC arbitrator rules that the BC government should not have denied parental leave to a lesbian whose partner had just had a baby (the gov't said she was not an adoptive or a biological parent and thus not related). The bill passed 2<sup>nd</sup> reading 58-10.
- July 1997 Margaret Buist is denied (sole or joint) custody of Simon (4½), biological child of her ex, Lorraine Greaves, though the pregnancy and artificial insemination of Greaves (Simon born Dec 92) was jointly planned; they lived together 1988-95. Greaves was planning to move to BC; Buist sought an order under the Children's Law Reform Act to be declared a mother of Simon. Madam Justice Mary Lou Benotto rules that "a female person is the mother of a child" means a child has only one mother. Buist has to pay \$450 a month child support.
- July 1997 A memo is leaked from Alberta's family and social service department : It is the position of the Director of Child Welfare that is a child is under temporary or permanent guardianship, the Director will not place a child in a family living in a non-traditional arrangement of with a single person when it is know within the community that thy are a practising gay or lesbian."
- This follows the news that a lesbian foster mother who has cared for 74 children over 18 years (known in the press as "Ms T") has been officially informed by the department that they no longer consider her fit to care for children, although she may keep the children she currently has. Ms T was visited in 1996 by an inspector who went round all the rooms of the house to determine who slept in which bed.
- Fall 97 Netherlands passes a registered partnership measure excluding adoption and AI (see apr 96), to take effect Jan 1 1998
- Fall 97 American woman living in Toronto with Canadian lover has child which is then legally adopted by the Canadian partner. The US consulate then refuses to register the child as an American citizen because the woman cannot fill out the slot for "father" on the requisite form. Rather than fight, the woman retracts the registration.
- August 1997 Gay New Yorker Elmy Martinez, who has adopted 5 boys since 1985 and founded the Adoption Resource Exchange for Single Parents, receives Adoption Activist award from North American Council on Adoptable Children for helping single parents adopt.
- Sept 1997 The gay-oriented *Texas Guardian* organizes a "Two Moms-Two Dads Gay Family Day at the Six Flags amusement park to protest the Southern Baptist Convention's Disney boycott.
- Sept 1997 In a memo, Canada's treasury board instructs federal government to ignore the words "of the opposite sex" when interpreting the definition "common-law spouse."
- Sept 1997 Holland's supreme court refuses to allow a lesbian couple (Van Ijzendoor and Louman) to adopt each other's children (conceived by AI). Appeal planned to European court of human rights (Strasbourg).
- Oct 1997 Right-wing MP Tom "I see no difference between two gay men and a brother and a sister madly in love and living in incest" Wappel introduces private member's bill for a Defence of Marriage Act.

- Dec 1997 Judge rules against m-to-f transsexual Tracy Lauren who sues Valerie Tremain his>her baby's mother for custody of their biological child. Not clear how sexuality and gender identity affect the decision. Appeal lodged.
- Early 1998 As the GALE BC supreme court challenge to the Surrey BC school board's ban on the classroom use of *Asha's Mums*, *Belinda's Bouquet*, and *One Dad, Two Dads* proceeds, Polls conducted by the board's defence counsel show 61% of Surrey residents believe the books should not be used in kindergarten or grade 1 under any circumstances, though 31% said they should; 42% erroneously believed the books had already been removed from school libraries; 32% felt the final decision on use should rest with the board, 29% said teachers, 30% said others including parents.
- Jan 1998 Netherlands: registered partnership measure excluding adoption and AI (passed July 97) takes effect; Dutch parliamentary commission recommends rights be expanded to full equality to protect the estimated 20,000 children being raised by same-sex parents in Holland; recent survey by the newspaper *Te Gay Krant* shows 78% of Dutch public in support of gay marriages.
- Feb 1998 The Netherlands removes the only legal clause differentiating same- from opposite-sex common-law couples: same-sex registered partners are now allowed to adopt children. If a child is born within a same-sex registered partnership both parents automatically have equal rights.
- Feb 1998 British Columbia changes its Family Relations Act and becomes the first jurisdiction in North America to give same-sex couples the same privileges and obligations as opposite-sex couples, including custody, access, child support.
- March 1998 Delegates to the federal Liberal Party convention vote in favour of same-sex marriages and pension benefits. The motions, proposed by Young Liberals of Canada, are not binding on the government.
- June 1998 Australian gay man wins custody of child (an Aussie first) - after ex-wife found to have falsified evidence that man sexually abused boy. Court found mother's new household dysfunctional, hysterical, stressed, crisis-ridden.
- Oct 1998 Two Calgary lesbians, seeking each to adopt her lover's child, launch a challenge to Alberta's adoption laws.
- Oct 1998 Bill reaches French parliament to apply the "civil solidarity act" to any two people living together, romantically or otherwise; this would give same-sex couples most of the rights and status of married couples (not adoption); couples would sign up at a court clerk's office rather than the local registry office; a two-year waiting period for a foreign national partner in a "c s pact" to get residence permit; vote postponed to December. Posters in the Paris metro warn of an end to the family.
- Oct 1998 Catalonia, Spain: registered-partnership law grants cohabiting gay and straight couples many of the rights of matrimony but gays still can't adopt.
- Oct 1998 Dalton McGuinty, head of Ontario Liberals, promises if they are elected, same-sex couples will get the same rights as straight ones, including benefits, adoption, income tax; he had previously said he would support but not introduce a bill, and he voted against bill 167 in 94.
- Nov 1998 Hearing in the case of Emma Blackburn who is trying to get back her three-year-old son Tiberius from a friend in Montana who was minding him while B went

- up to Halifax NS to arrange to live with her lover. Sharon Clark says she is trying to protect the boy from B's lack of parenting skills, but the issue seems to be her sexual orientation.
- February 99 UK: Cambridge University researcher Dr Gill Dunne (now at LSE) publishes the results of a study of 43 couples which finds lesbian couples better at sharing household chores than heterosexuals and more inclined to see parenting as a joint responsibility.
- February 99 UK: Home Office report finds the majority of child molesters are heterosexual males: 13% are relatives of the child, 68% are family friends or otherwise known to the child, 18% strangers; 60-70% of child molesters target only girls; 10% target either sex; adolescent offenders commit about 33% of child-molestation crimes; 5136 convictions in 1985 has fallen 31% to 3530 in 1995. A separate survey by the Brook Advisory Centres which work with teenagers finds LGB teenagers less likely to seek help or advice than their heterosexual counterparts.
- February 99 UK: Townswomen's Guild organizes conference to dispel myths of family life, include speaker Angela Mason, ED of Stonewall, on the gay family.
- February 99 *National Post* survey of 1014 Canadians: 42% believe same-sex couples should have the same benefits as heterosexual couples; 30% said marriage benefits should be for heterosexuals exclusively; 30% said equal couple benefits for LGBs but only if also for cohabiting adult couples bonded by something other than sex. Same-sex couple recognition approved of by 55% in Quebec, 42% nationally; by 51% of women and 34% of men polled; more by younger people.
- March 1999 Alberta premier Ralph Klein attends meeting to discuss same-sex spousal rights and announces that he will do everything in his power to block gay marriages, using the notwithstanding clause of the Charter; but he does says he will ease barriers to fostering and adopting by gay parents. Social services minister Lyle Oberg says all such placements must be justified in writing and personally assessed by him.
- March 1999 French senate overwhelmingly rejects measure passed by National Assembly giving unmarried couples, gay or straight, most of the same rights as married couples and approves instead a proposal that recognizes only male-female cohabiting couples.
- May 1999 Justice minister Anne McLellan releases plan to amend the Divorce Act in the areas of child custody, access, and support. It is based on the 48 recommendations of the Senate-Commons Committee on Joint Child Custody and Access, recently approved by the federal cabinet, which include: that "sexual orientation not be considered a negative factor in the disposition of shared parenting decisions."
- May 1999 Quebec justice minister Linda Goupil announces legislation (bill 32) to overhaul 28 provincial laws and give all common-law couples, straight or gay, the same rights; marriage laws will not be changed; Goupil says the move reflects the values accepted by a large part of Quebec society and Quebecers should be very proud; she says the changes they estimate would cost the province \$15m p.a. and have an impact on the 1-2% of the Quebec population who identify as common-law gay couples. Quebec has the largest number of common-law couples of any Canadian province: 16.5% in 1991, 20%+ in 1996.

- May 1999 Supreme court delivers decision in *MvH*, an alimony case under the Ontario *Family Law Act*. Justices Peter Cory and Frank Iacobucci wrote the decision for the majority (8-1, Charles Gonthier dissenting): "it is clear that the human dignity of individuals in same-sex relationships is violated by the definition of "spouse" .... I conclude that the definition of spouse in section 29 of the *Family Law Act* violates section 15(1) [of the *Charter*]," finding also that the discrimination cannot be justified under § 1. Ontario has six months to rewrite the law, which will otherwise be struck down. PC Harris says he will comply though he disagrees; McGuinty and Hampton say they approve.
- Federal justice minister Anne McLellan views the ruling as dealing only with provincial law and the province of Ontario.
- Star* editorial: "it is a shame that governments have to be dragged, kicking and screaming, into granting legal equality to their citizens, 14 years after Canada's *Charter of Rights* took effect."
- May 1999 Denmark: parliament votes 61-48 to increase rights under registered partnership law, including recognition of registered couples from Norway, Sweden, and Iceland; foreign couples can register after living in the country for two years; most registered partners will be able to adopt each other's children, unless the child was originally adopted from a foreign country. Still omitted: state will not provide AI to lesbians, gay couples cannot adopt foreign children. Effective July 1.
- May 1999 Alberta passes The Miscellaneous Statutes Amendment Act which replaces "spouse" in the Child Welfare Act with "step parent" thus allowing adoption by gay and lesbian couples.
- Mid-1999 Finland: government committee recommends registered partnership law with all the right of heterosexuals except for adoption.
- Mid-1999 Finnish justice minister Johannes Koskinen backs a proposal for registered domestic partnerships (but no adoption).
- June 1999 Quebec passes bill 32, changing 39 laws and regs and giving same-sex common-law couples the same status as heterosexual ones, (incl pension, insurance, and tax issues). (see jun 99)
- June 1999 Quebec's bill 32 (see may 99) passes its 3<sup>rd</sup> and final reading
- June 1999 In response to Reform Party provocation, justice minister Anne McLellan says the government has no intention of supporting same-sex marriage: marriage is for heterosexuals. She says this supports the family without taking away the rights of same-sex couples; she calls the bill unnecessary since no court decisions on same-sex marriage have come down. Reform Party family critic Eric Lowther (Calgary Centre) argues that the recent supreme court ruling (*MvH*) has confused people: "With the capacity for natural heterosexual intercourse as an essential element ... marriage provides a healthy biological design for procreation. Other types of relationships are technically incomplete." He also mentions "[heterosexual] parental fullness" and "the gender-deprived parenting of same-sex relationships," suggesting that the children of straight couples grow up to behave better. Wentworth-Burlington MP John Bryden speaks of "the right of children to heterosexual parents." Winnipeg liberal John Harvard calls all this "fear-mongering." Conservative house leader Peter MacKay says Reform is trying to "raise the hackles of divisiveness," inside and outside the house, for

- political gain. House of Commons votes (216-55) for a heterosexual definition of marriage, excluding “all others.”
- August 1999 Doshik and Yehuda, two gay male vultures at a Jerusalem zoo, are given foster eggs, after being tested with a plastic egg. They brood, takes turns on the nest, and nurture, and are now fostering their second chick.
- August 1999 *New Scientist* reports on lesbian seagulls nesting and rearing chicks, male manatees having gay sex, male ostriches courting each other with their ritual dance, female long-eared hedgehogs engaging in cunnilingus, pygmy chimpanzees (bonobos) have indiscriminate sex, a 12% lesbian mating and nesting rate among roseate terns.
- August 1999 Canadian Bar Association votes to urge federal and provincial governments to change laws discriminating against same-sex couples. CBA has a sexual orientation and gender identity committee. CBA presents first SOGIC awards: Svend Robinson, Marha McCarthy
- August 1999 Canadian Bar Association votes to urge federal and provincial governments to change laws discriminating against same-sex couples. CBA has a sexual orientation and gender identity committee. CBA presents first SOGIC awards: Svend Robinson, Marha McCarthy
- Sept 1999 UK: the Law Society calls for equal recognition of same-sex relationships, in a paper which discusses cohabitation contracts but maintains distinction between common-law and married; an estimated 25% of unmarried adults 16-49 are living together and one in three babies is born out of wedlock, therefore change is necessary.
- Oct 1999 Reform Party leader Preston Manning, in his response to the throne speech, insists the government should concentrate on strengthening the rights of the family and defining the rights of the unborn; the government “should clarify the definition of family as the primary biological and social context into which our children are born; a family should be defined as individuals related by blood, marriage, or adoption.
- Oct 1999 Ontario passes bill 5, sponsored by the conservative government, an act to amend certain statutes because of the supreme court decision in *MvH*, which creates a category “same-sex partner” with all the rights and responsibilities of common-law status, except that adoption is a bit odder step parent adoption is good for same-sex couples but if two people living in a same-sex couple apply jointly to adopt a child, their application will be treated on the same basis as that of any other two unrelated adults). Liberals and NDP agree to support the bill and it passes three readings in two hours. The attorney general says that the government will now drop all spousal challenges it currently has in the courts. He says that the more complicated adoption process now pertaining for lesbians, gays, and bisexuals is not intended to detract from *re K* (Gough case, see aug 95).
- Nov 1999 Follow up in *MvH*: M disapproves of Bill 5, believing it is contrary to the spirit of the *MvH* decision and asks the supreme court to review it.
- Early 2000 Parliament of European Union 265-125 (33 abst) adopts resolution for the 15 EU nations and the 13 applying for EU membership to “guarantee one-parent families, unmarried couples, and same-sex couples rights equal to those enjoyed by traditional couples and families, particularly as regards tax law, pecuniary

- rights, and social rights.” The resolution also deplores unequal age-of-consent provisions. Vatican denounces the resolution, pointing out that it is not binding.
- Jan 2000 Belgium: statutory cohabitation contract law takes effect, providing a mostly symbolic domestic partnership registration in a city’s register of population; the couple will then be jointly responsible for expenses and debts and will jointly own property acquired during the relationship; contract does not cover income tax, adoption, medically assisted procreation, social security, pensions, inheritance, or immigration.
- Jan 2000 Reform Party holds rightwing alliance policy convention and confirm the heterosexual family is “the essential building block for a healthy society.” Delegates vote down even limited recognition of other relationships. Resolutions were passed that the family unit (“where children learn values and develop a sense of responsibility”) should be supported and respected by the government and no bills passed whose effect on the family is not positive, and the legislation and programmes should be passed to strengthen the family. The new party must win 67% support of Reform members in a March mail-in referendum and might then be called the Can. Conservative Reform Alliance Party - CCRAP.
- Feb 2000 Netherlands: the independent, government-appointed Committee for Equal Treatment cites 4 of the country’s 13 in vitro fertilization clinics for refusing to inseminate lesbian couples; the CfET’s rulings are not binding but usually are upheld by the courts.
- Feb 2000 UK: Barrie Drewitt 32 and Tony Barlow, gay millionaires, had arranged for the semen of one of them to fertilise an egg, then implanted in a second woman in California; the resulting twins arrive in Britain with US passports; both men are named as fathers on the birth certificates after a landmark US supreme court ruling; immigration allows temporary stay while deciding whether or not to let them stay because UK citizenship only passes through a father if he is married to the children’s mother; if the men had adopted the babies, they would have UK citizenship.
- June 2000 Navarra, Spain, an autonomous region passes a law allowing all registered couples (including same-sex couples) to adopt on the same terms as heterosexual married couples. During the debate, hateful views were expressed by members of the ruling party Union del Pueblo Navarro.
- April 2000 Bill C-23 reaches 3<sup>rd</sup> reading and passes 174-72 with much argument about bigotry, the moral fibre of society, etc; the term “common-law partners” now covers gay and straight relationships alike. All but 17 Liberals, all NDP, all BQ and most PCs vote for; all Reformers against. 170 amendments filed by opponents.
- August 2000 Australian government blocks in vitro fertilization for single women, citing the need for a child to have a mother and father.
- Oct 2000 Human rights case heard in BC: four lesbians claim the right to be named as parent on a birth certificate, arguing that heterosexual couples don’t have to prove paternity and a child conceived by AI or another man can still have the spouse for a father; step/adoptive parents do not have all the rights of birth parents. Two lesbians in Alberta recently managed to get listed on the certificate as mother and father. The legal status of known and unknown sperm donors remains undefined.

- Nov 2000 In a 77-page document of the Pontifical Council for the Family, the Vatican denounces laws recognizing unions of unmarried couples (a "conception of love detached from any responsibility" and inherently unstable), calls gay marriage contrary to common sense, opposes gay adoption. "De facto unions between homosexuals are a deplorable distortion of what should be a communion of love and life between a man and a woman in a reciprocal gift open to life."
- Nov 2000 Nova Scotia passes Bill 75 to give gay and common-law heterosexual couples some of the rights formerly reserved only for married heterosexuals - excluding adoption.
- Dec 2000 *Australian Medicine* publishes article by IVF pioneer Prof Carl Wood (who wants to renew the push for all lesbians to be granted rights to infertility treatment) detailing 12 American research studies of several years ago. Children of lesbians did not differ from other children in most aspects, including psychological health, social relationships, personality and maturity. were more tolerant of diversity and more socially skilled, also suffered far less parental sexual and physical abuse and incest. In Victorian, only lesbians who can prove they are infertile can use IVF, so most are still forced to travel to New South Wales for treatment.
- Dec 2000 Mexico City: legislators from the leftist Democratic Revolution Party (the party of Mexico City's mayor) working with gay and lesbian rights groups to draft a bill to legally recognize gay unions and allow gay couples to adopt.
- Dec 2000 France: appeals court in Nancy denies a lesbian the right to adopt - rejecting an administrative tribunal's recommendation, as well as the advice of its commissioner - because the lesbian involved has a partner and French law prevents gay and lesbian couples from adopting children. The commissioner stated the lesbian was a teacher and was therefore capable of raising a child; the Besancon tribunal recommended the adoption the woman's relationship was stable.
- Dec 2000 Senate votes in favour (takes effect in April 2001): Netherlands legalizes gay marriage, adoption; the Dutch parliament will begin sifting through laws to expunge phrases such as "father and mother" and "man and woman" after legalizing marriage and adoption by homosexuals. The legislation passed the Dutch lower house in September; domestic partnerships for same sex couples since 1998.
- Dec 2000 The upper chamber of the German Parliament, the Bundesrat, debates proposals which would give same-sex relationships 90% of the rights of married couples: adoption excluded.
- 2000 US: John Hancock insurance company ad shows an adopted Cambodian infant being embraced by her two mothers, slogan: "We're a family." The first draft had one woman saying to the other "You'll make a great mom," and being answered "So will you." The American Family Association, led by Rev. Donald Wildmon, asked readers of its website to tell Hancock "to stop the promotion of homosexuality to our children ... [and] this fierce attack on the institution of the American family will weigh heavily upon your current and future choice of insurance provider."
- Mitchell Gold furniture magazine ad shows a smiling, blond toddler with his two fathers, slogan "A kid deserves to feel at home."

- Date? 2000 Connecticut,, after one failed attempt and much lobbying, passes the *Second Parent Adoption Act*, which entitles unmarried couples to share parental custody of a child.
- Date? 2000 Paul Farrell, 35, and David Smagata, 36, become the first same-sex couple to adopt a child (nine-month old baby Jared) jointly from the Children's Aid Society in Toronto
- Jan 2001 After a two-year court battle, NY supreme court justice Marilyn Diamond rules a 3-year old boy born to a gay man and his (graphic design company) boss, the surrogate mother, would be better off with his father, who has raised him since birth, and that the mother can visit twice a week, have overnight visits every other weekend, be consulted on major decisions, and pay child support (amount to be determined later). The parents had written a letter (which was used to shape the court's decision) agreeing that the men would take the baby home from hospital and adopt him "after a respectable period of time". The men waived child support money; the woman waived visitation rights. The man agreed to pay \$30,000 but never did. The woman said she had intended from the outset to be a full mother to the child, but her memo of April 1996, before she became pregnant, said she would "not meddle in baby's rearing," wanted "no strict scheduled visitation arrangements," and did not want the father to "hit me up for child support if I ever become rich and famous." Surrogacy contracts are illegal in New York, but the judge found the memo shed light on the parents' intentions.
- August 2001 Finland takes up process of implementing registered domestic partnership system on the lines of Denmark etc. - excluding adoption.
- Early 2001 Australian: Morgan poll shows 54% oppose letting single women get sperm from sperm banks, 59% oppose lesbians ditto; younger people less disapproving; over-50s most disapproving; Australian federal court cleared the way for access last July.
- Feb 2001 Switzerland: Geneva canton's grand council passes Pact of Civil Solidarity law to give same-sex couples some of the rights of married couples - excluding inter alia adoption.
- March 2001 Israel's supreme court supports a lesbian's right to live with her partner and children as a family, overruling a rabbinical court (Haifa District Rabbinical Court supported by the Chief Rabbinical Court in Jerusalem) decision that prevented the woman, a divorced lesbian, from introducing her three children to her girlfriend (which the ex-husband did not want). The rabbinical court ruled that the mother's behaviour 'immoral and severely detrimental to the children's education and souls'; the supreme court stood on the technicality that the rabbinical courts acted beyond their authority because the divorce had already been settled.
- March 2001 Larson US: custody battle over 10-year-old Miguel W takes place between his grandfather and the gay couple (his uncle, Paul Washington Jr. and his partner Timothy Forrester) who have raised him since infancy (his mother having been declared mentally incompetent). Counselling and mediation have been ordered; Judge Randall White now schedules a May 11 trial to decide guardianship, visitation and other issues Grandpa Paul Washington Sr. filed for temporary custody last Nov and left the area with the boy after saying they were going on a weekend fishing trip. Judge White denied the temporary custody bid and ordered

the boy returned to Forrester and Washington who have had temporary joint custody since October. White also bars Paul Washington Sr. from contacting his son and Forrester, pending a March 16 hearing on the couple's request for a restraining order.

- April 2001 Belgium: ministers says they are considering similar same-sex marriage legislation to that in the Netherlands - including adoption
- April 2001 Senator Anne Cools introduces a bill S-9, *An Act to Remove Certain Doubt Regarding the Meaning of Marriage*, which excludes same-sex couples and also those who cannot procreate or give birth.
- June 2001 Belgian government approves a bill to fully legalize same-sex weddings, a measure that, if approved by parliament, would make the country the second in the world to recognize gay marriages, after the Netherlands. The Dutch law applies to anyone who has lived there for four months, but Belgium's law will apply only to those whose home country also recognizes same-sex marriages.
- June 2001 San Mateo YMCA publishes results of its survey of 300 LGB San Mateo County residents: 33% are parents; most gay families avoid visibility in favor of safety; over 75% were in a relationship, 87% of these monogamous and lasting at least 11 years.
- June 2001 Florida law says gays can be foster parents but can't adopt. Conservatives say that's good for family values. Williams, 9, has been raised since he was 3 by Doug Houghton, who first met him at a Miami clinic where he worked as a nurse practitioner. He became Oscar's legal guardian in 1996, has helped the boy tackle health problems and learning disabilities, and he wants to adopt him. Oscar's relatives are amenable; the state of Florida says no. A 1977 state law prohibits adoption by any lesbian or gay man, the toughest anti-homosexual adoption measure in the country. A federal court trial in Key West will take place in September and could lead to the US Supreme Court. Two of Houghton's co-plaintiffs, Wayne Smith (45, a commercial lawyer) and Dan Skahen (35, a real-estate broker) of Key West, have jointly cared for seven foster children during the past 16 months, with the support of Florida's Department of Children and Families, children ranging from infants to a 15-year-old, most traumatized by emotional abuse at their previous homes. Smith got involved in the lawsuit when he realized that his married sister, who lives in Nevada, could not stipulate in legal papers that Smith should adopt her two children if she and her husband died.
- In many states, adoptions by gays have become common; in others, they remain rare but are not barred by statute. Mississippi and Utah enacted laws last year prohibiting adoption by same-sex couples, but only Florida has an explicit ban extending to all gays and lesbians. The state will defend the law in court, but officials display little enthusiasm and the Department of Children and Families takes no public position.
- June 2001 New study by two University of Southern California sociologists, Judith Stacey and Timothy Biblarz, published in the June issue of the *American Sociological Review*, shows children with lesbian or gay parents have more empathy for social diversity, are less confined by gender stereotypes, and are probably more likely to explore homosexual activity themselves. Stacey and Biblarz' work is a survey and re-evaluation of 21 psychological studies conducted 1981-98. The thrust of those studies was that children raised by same-sex parents were no different from those reared by heterosexual parents. Stacey and Biblarz didn't try to quantify

- their findings with statistical projections, saying simply that children with same-sex parents "seem to grow up to be more open to homoerotic relations."
- June 2001 Léger Marketing national poll of 1507 shows 75% of Canadians feel gays should have the same rights as straights but only 65% are for marriage and 50% for adoption rights.
- June 2001 Manitoba AG Gord Mackintosh introduces bill 41 (which passes within the month) to change 10 statutes to give same-sex couples coverage in superannuation, dependants' relief, family maintenance, survivor's benefits, pension benefits, and workers' compensation - but not adoption, inheritance, property division, and conflict of interest. Gov't strikes Review Panel on Common-Law Relationships to determine other amendments required to bring Manitoba's laws into conformity with the Charter, report due by the end of the year. More than 70 other Manitoba laws still discriminate. (4 provinces already have same-sex couple adoption: Ontario, Quebec, BC, and Saskatchewan)
- July 2001 Australian researchers (a team including Dr Orly Lacham-Kaplan from Monash University in Melbourne) believe they have discovered a way of fertilizing an egg with cells from any part of the body rather than sperm and have successfully used the method with mice. The research was intended to aid heterosexual couples to have a baby that is their own genetic offspring even when the man has no sperm or even sperm-making cells and women to "reprogramme" donated eggs with their own genetic recipe. Maybe lesbian couples could soon be giving birth to babies that are genetically their own: the technique could allow one woman to contribute an egg and her partner to fertilize it with a cell. There might (or not) be a problem in combining the genes of two women because certain aspects of development are controlled by male genes. Perhaps (an adaptation of the technique under development which enables donated eggs to be "reprogrammed" with the DNA from an infertile woman so she can have her own children) gay male couples could have their own children by creating a male egg by removing DNA from an egg donated by a woman and swapping it with that from sperm.
- July 2001 Germany's constitutional court okays a new law giving legal recognition and certain inheritance and other rights to same-sex couples, to come into effect on 1 August, as planned when passed by German parliament earlier this year. Gay partners will not be entitled to married couples' tax breaks, neither will they be able to adopt children, but they will be able to use the name of their spouse, and will receive inheritance and residency benefits.
- July 2001 New plans to amend the US constitution will damage legal protection for gay and lesbian families. The ACLU says will invalidate all state and local domestic partnership laws across the country and prohibit state and local governments from making their own decisions on providing benefits to their employees. It would undermine state adoption, foster care and kinship care laws. In many states, the ACLU said, unmarried persons - including unmarried relatives, heterosexual couples, gay and lesbian couples and even unrelated clergy members - have the same rights as married persons to jointly adopt or provide foster care or kinship care. ACLU spokesperson Anders says "With only a few exceptions, most of the anti-gay attacks in Congress are the legal equivalent of sticks and stones. This amendment is the legal equivalent of a nuclear bomb. It will wipe out every single law protecting gay and lesbian families and other unmarried couples."

- July 2001 Doctors at the Centre for Women's Reproductive Care at a New York university give woman IVF (eggs from an anonymous donor) with brother's sperm. Doctors agreed because the woman's mother was a Holocaust survivor and there were few remaining members of her family. The lesbian wanted a child who would have some "genetic likeness" to herself and her family. The American woman, who has not been named, is 51, in a long-term relationship and is described as "a highly successful professional." The baby is six months old and healthy. The treatment cost \$30,000 (£21,000).
- July 2001 Saskatchewan passes bills 47 and 48 changing 24 pieces of provincial legislation and giving most spousal rights to same-sex couples, including public pensions and adoption of partner's children.
- July 2001 Madam Justice Deborah Gass in the Nova Scotia supreme court rules unconstitutional the provincial *Children and Family Services Act* since it prevented unmarried (same-sex and heterosexual) couples from adopting. The *Charter* case was launched last October by a lesbian couple who have raised their children since birth, but could not legally both be recognized as parents. Children of unmarried common-law couples will now be able to register their relationships with both parents, inherit under the *Intestate Succession Act*, and receive maintenance from both parents. Madam Gass rules that families are an essential part of the democratic society and can't be restricted based on sexual orientation.
- August 2001 Africa: Judge Frans Kgomo, brought in from the Northern Cape to rule on the applications, says there are many similarities between the two cases currently before Pretoria High Court, both involving joint adoption of children by same-sex couples and pension and other benefits being extended to the same-sex partners of the lesbian judges who brought the cases. Judge Anna-Marie de Vos seeks to co-adopt children with her lesbian partner (case postponed) and applies to have sections of the *Child Care Act* declared unconstitutional, since it allowed only De Vos to adopt two children; Judge Kathy Satchwell from the Johannesburg High Court seeks to have sections of the *Judges Remuneration and Conditions of Employment Act* declared unconstitutional, since it prevents her same-sex partner from sharing in benefits available to spouses of other judges. Satchwell's application is opposed by the state while no resistance is expected against De Vos's.
- August 2001 Sweden: Gallup poll for *Expressen* newspaper and TV4 news channel shows 53% opposed to the adoption of children by gay couples, 32% in favour, 15% without opinion. Men 59% negative, women 47%. Young people more positive. Sweden introduced partnership recognition in 1995 but still withholds legal adoption and access to AI. After two years' studying, a parliamentary committee proposed in January that the law be changed, since it found gay parents able to provide a healthy childhood environment. The proposal should come before parliament next spring, including insemination of lesbians in a registered partnership and joint custody of a child.
- August 2001 Ireland: the news that a surrogate mother had given birth to triplets Max and Tom, and Connie (born in June in California and brought to Ireland last week) for two gay Irishmen, Dublin hair salon owners John MacMahon, 42, and Gerard Whelan, 37, who is the father, led to calls from Mary Henry, member of the Republic's Senate, for new legislation to regulate both surrogate births and adoptions by gay and lesbian couples. In the south, there is no law governing

surrogate parenthood and any couple, heterosexual or homosexual, can avail of the services of a surrogate mother or agency. The men are thought to have paid £100,000 to a Californian agency to have the babies through a surrogate mother. Gay Senator David Norris: "I think it's a lovely thing to do. Studies in countries where this is more widespread have shown it has no effect on the children's sexual orientation. The problems arrive from attitudes of society."

- August 2001 Provincetown, Mass: Family Week, 6<sup>th</sup> annual camp hosted by two national nonprofit groups, Children of Lesbians and Gays Everywhere (COLAGE) and Family Pride Coalition, for gay and lesbian parents and their kids, has grown from the 20 families that attended to first camp to over 400 families with 560 children, more than half under age 5. An NGLTF analysis of the 1990 census says some 20% of lesbian couples and 5% of gay male couples living together were raising kids 10 years ago.
- August 2001 Miami: US District Judge James Lawrence King, senior judge of the US Southern District of Florida, upholds the 1977 state ban on adoptions by homosexuals, citing the stability of heterosexual families compared with gay couples. Gov. Jeb Bush and the Florida Department of Children and Families say in prepared statements they approved of the ruling. Case brought jointly by Doug Houghton of Coconut Grove, Fla., who has cared for Oscar Williams, 9, for six years and cannot adopt him, and Steven Lofton, a foster parent seeking adoption of a 10-year-old boy.
- August 2001 New York: Public Agenda poll shows 57% nationally oppose allowing gay men and lesbians to adopt children.
- August 2001 BC human rights tribunal headed by Carol Roberts of Victoria rules that, when a lesbian couple conceives a child using sperm from an anonymous donor, both members of the couple are legally entitled to register as parents on a child's birth certificate. Before, the non-birth mother had to legally adopt the child before being officially recognized as a parent. Karen Popoff and Bren Murray of Vancouver and Peggy Maher and Michele Gill of Victoria had challenged the province's Vital Statistics Act on the grounds of sex, sexual orientation and family status. Roberts: "Vital Statistics has denied same-sex couples the right to register a birth in the same way that opposite sex couples do, based on the director's definition of a 'father,' as well as its practice of allowing males to register as father without any inquiry into a biological relationship with a child." The agency must now register each child's non-biological parent and provide an option on birth registration forms for a "co-parent" to be listed as a mother or father. Roberts awards each couple \$500, far lower than the \$10,000 in general damages each was seeking.
- Sept 2001 Czech Republic cabinet approves and sends to parliament legislation to legalize same-sex partnerships (local authorities to unite two members of the same sex in a "cohabitation" arrangement giving them surviving-partner inheritance and other legal rights, but no adoption). October 2001: Czechoslovakia: parliament turns down a bill and sends it back to the cabinet.
- Sept 2001 At the American Psychological Association annual conference in San Francisco, Nanette Silverman of the Johnson and O'Connor National Survey of Gay and Lesbian Parents based at Dowling College in Oakdale, NY, presents results of study of 256 families in 34 states, including rural areas, and says sexual orientation is totally irrelevant to good child outcomes. Gay parents are more than usually reluctant to use physical punishment (under 15% do, compared over

60% of straight households) and tend to employ reasoning and conversation. Silverman says hers is the largest data sample to date on the long-term effects of gay parenting.

- October 2001 Brazil: judge Marcos Brant rules against the mother of a two-year-old girl who sought to gain custody of the child over the father, Jose Dias, 31, who has lived with his partner, a hairdresser, for 15 years - the first time in Brazil a judge recognizes a gay couple as having the right to be fathers.
- October 2001 Finnish parliament passes law allowing same-sex couples to register and obtain some of the rights of married couples (no adoption, not even of each other's children), much Christian opposition.
- October 2001 US: new nationally syndicated talk show airing in Utah on KJZZ-TV and across America on Chicago WGN Superstation features Gayle Ruzicka, mother of 12 and grandmother of 18, who does needlepoint in the gallery of Utah's House of Representatives while reigning as self-appointed overseer of the state's moral climate and Cristy Gleave and Roni Wilcox, lesbian parents of a 2-year-old son, Yeager, who spearhead the fight over the Utah law that banning same-sex couple adoption. Not quite two years ago, Eagle Forum state President Ruzicka led her followers to Capitol Hill to successfully lobby for a law denying unmarried, sexually involved couples the right to adopt, she says about LGBs: "It's their choice if they choose to live an immoral, illegal lifestyle."
- October 2001 California: Gov. Gray Davis signs legislation bringing California's domestic partnership law closer to marriage: adds healthcare, estate planning and adoption (domestic partner treated as a stepparent seeking adoption), sue for emotional distress if his or her partner is killed in a negligent way, unemployed person can relocate with a partner without losing benefits. Law comes into effect, Jan 1 2002.
- October 2001 California: state appellate court in San Diego in the case of Annette Friskopp and Sharon Silverstein rules 2 to 1 that California law does not authorize second-parent adoptions, although over the past 15 years, an estimated 10-20,000 same-sex couples in California have adopted children this procedure, thought to be state-approved. The new decision could invalidate every such adoption in the state, unless the state Supreme Court overturns the ruling. Jan. 1 2002, when a law recently signed by Gov. Gray Davis takes effect, registered domestic partners will be able to adopt each other's children (as married couples do) through step-parent adoption, a streamlined procedure. Partners will be able to validate previously attempted adoptions, the Court of Appeal majority said, so the new law will have the effect of "minimizing the feared impact of this decision on those relationships." However the new law covers only existing domestic partnerships. Couples who have broken up or moved out of state since adopting a child, and those in which the biological parent has died, will not be able to revive the adoption without getting married, which same-sex couples cannot do.
- Friskop and Silverstein together since 1989: 1996, Silverstein bore a son by AI; Friskopp won Superior Court approval for a second-parent adoption; 1999, Silverstein had another son and the couple again petitioned for adoption, but when they broke up last year, Silverstein sought to withdraw her consent. A Superior Court judge said she had waited too long, but the appellate court ruled Thursday that there was no legal basis for the adoption. State law specifies that an unmarried birth parent who wants to give up a child for adoption must surrender parental rights permanently and cannot agree to a co-parenting

arrangement, says Justice James McIntyre, adding state Department of Social Services policies allowing such adoptions in individual cases are illegal.

- October 2001 Ohio appellate court reverses lower court order granting custody of a toddler to an HIV-positive couple, saying the couple failed to go through proper adoption procedures. Linda Lowd had reneged on an agreement she made with her brother Robert Decker and his partner David Pope to bear a child through artificial insemination with donor sperm for the two men. They had had an oral agreement and put it in writing the week before Lowd gave birth to Lillian Andrea (July 1999). Lowd now says she did not understand because she was on medication for an abscessed tooth at the time. Decker had asked his sister to bear the child since he thought he and his partner would be denied adoption on account of being HIV+. Lowd refused to list Pope as the father of the child, but put Lowd as the baby's name on her birth certificate and her estranged boyfriend as father. The lower court had given Pope and Decker custody of the child and Lowd participation in her upbringing. Lowd now gets full custody.
- October 2001 US: Florida, Pinellas County circuit judge hears custody case of Michael and Linda Kantaras. Michael filed for divorce in 1998. Michael, 42, was born Margo, but 14 years ago he had a sex change. Now Linda says he shouldn't have the children because he is not really a man. The boy is Linda's from a prior relationship; Michael adopted him. They had a girl by AI in 1992. Michael is leaving Linda for another woman. Florida allows marriage only between a man and woman and does not allow people to change the gender on their birth certificate after a sex change.
- October 2001 Nebraska Supreme Court hears arguments to overturn the Dec 2000 decision of Lancaster County Court Judge James Foster to deny AE the right to adopt her partner (BP)'s 3-year-old biological son, Luke (conceived with anon. sperm from bank. Foster said AE's adopting Luke would terminate BP's parental rights, two unmarried people could not adopt a child; the adoption (recommended by family references and the Jewish Family Service) was not in Luke's best interests. Nebraska argues its law permits a person to adopt a biological parent's child only when he or she is married to the biological parent AE, 34, cares for Luke at home full time while BP, 31, works fulltime to support the family. AE and BP met eight years ago and were joined in a commitment ceremony in 1995. The family lives in Lincoln. Nebraska voters Nov 2000 overwhelmingly approved a constitutional amendment not to recognize same-sex relationships - the language goes farther than any other such ban in the country. Pro-gay intervenors: Lambda Legal Defense and Education Fund, American Psychological Association, National Association of Social Workers, 5 other Nebraska and national organizations. Anti: Colorado-based Family Research Institute, Nebraska Nonpartisan Family Coalition, Nebraska Catholic Conference, Family First (which led the campaign to ban same-sex relationships recognition, Initiative 416)
- October 2001 Manitoba: four lesbian couples challenge Manitoba's June 2001 relationships recognition law (bill 41, qv) for excluding adoption rights
- Nov 2001 A state appeals court in Seattle rules a judge cannot force a King County woman to pay child support to her former lesbian partner because the woman doesn't meet the legal definition of a parent. In the first such appellate ruling in Washington state and nationally, the Court of Appeals Division I said someone can only be a legal parent through biological means or through adoption. Case of

Tracy Wood and Kelly McDonald, who tried for 1½ years to have a baby by AI and split up in 1996 before learning McDonald was pregnant. Wood never adopted the child, but agreed to help financially. McDonald severely limited visits, so Wood cut off financial support. In 1998, McDonald sought state welfare benefits for herself and the child and King County prosecutors filed a petition in King County Superior Court that asked a judge to order Wood to pay child support. In 1999, Superior Court Judge Stephen Scott concluded that Wood wasn't a legal parent and therefore couldn't be ordered to pay support. The county appealed.

- Dec 2001 Liechtenstein parliament passes gay partnership legislation including taxation, insurance, residency but not adoption or reprotch; awaits ratification.
- Dec 2001 Sweden: county administrative court orders sperm donor to pay SEK 3,000 (USD265) per month to the woman that has custody of the three children after a 10-year lesbian couple splits up; man will appeal. Swedish law does not count an anonymous sperm donor as the legal parent of a child, but this man was a friend of the lesbian couple.
- Dec 2001 Virginia: Episcopal priest Linda Kaufman asks an Arlington court to force Virginia to allow her to adopt a foster child from the District, contending that the state is stalling on her application because she is a lesbian though the District has more than 1,000 children awaiting placement and District officials and an adoption agency licensed in Virginia have found she is well qualified to care for a second child. In 1992, Virginia approved Kaufman's adoption of a boy, then 5 years old, from District foster care.
- Dec 2001 Quebec Justice Minister Paul Begin tables a draft bill to change Quebec's Civil Code to create a civil-union status for same-sex couples; it would offer most of the legal benefits of marriage, including division of assets after a break-up, the right to see a partner's medical records, and automatic status as a beneficiary when a partner dies - but not adoption. (Single gay men or lesbians in Quebec can adopt.)
- Dec 2001 Manitoba Justice Minister Gord Mackintosh. Announces his gov't will introduce legislation granting gay and lesbian adoption in the spring. Earlier this year the province enacted limited partner rights laws for same-sex couples. A report dealing with property rights and conflict-of-interest legislation is due by Dec. 31.
- Jan 2002 Brazil: rock star Cassia Eller, 39, died Dec 2001, leaving her partner of 14 years Maria Eugenia Vieira and an eight-year-old son, Francisco Ribeiro Eller; juvenile court Judge Leonardo Castro Gomes awards custody and administration of assets inherited by the boy to Vieira, the first court recognition of the right of a same-sex partner to custody; the sentence is under appeal.
- Jan 2002 NZ: Family Planning Association's St Luke's clinic in Auckland sets up a fertility clinic for lesbians and gay men 15-minute consultation is free; specialized counselling costs (true for everybody). Practitioner Liz Harding says she has seen three lesbian women since the service began last December. The clinic does not provide AI but offers information and screening. At mainstream fertility clinics and insemination cycle costs about US\$950, so many lesbians do "home inseminations".
- Jan 2002 Australia: Family Court in Melbourne hears dispute over boy conceived after the mother responded to advertisements for sperm donors in a gay magazine; gay donor father wants to spend a day with his son every few weeks; lesbian mother,

who lives with partner, wants to limit visits to a few times a year. Judge found unbelievable that parenting had not been discussed during the 27-35 attempts at insemination. Prof Robert Jansen, medical director of Sydney IVF, ends the practice of anonymous sperm donation at his clinic, because of his increasing discomfort about the ethical and moral implications. The practice of sperm donation will change further if a proposal to set up a central registry of sperm donors in NSW is passed - it would end the concept of anonymous sperm donations by enabling people older than 18 to seek out their biological father. The proposal is part of a review of the Human Tissues Act due to go before Cabinet within weeks.

- Jan 2002 UK: govt will not oppose Adoption and Children Bill which gives unmarried couples the right to adopt; to get more children adopted (though it will be a free vote); Dept of Health removes its long-standing opposition; a subsidiary amendment, being prepared by Tory backbenchers, will seek to restrict the definition to a man and a woman. There are about 60,000 children in care, but only 3,000 a year are adopted. Currently only married and singles can adopt, partners of single adoptive parents do not have full parental rights
- Jan 2002 Reproductive Genetics Institute in Chicago is developing a new fertility technique to fertilize one woman with cells taken from another and turned into artificial sperm. It may be risky because two sets of chromosomes, one from each parent, are forced to split in half which might result in illnesses or metabolic defects. Lori Andrews, Chicago-Kent College of Law, Illinois, examined the impact of a technique in which fertility drugs are used to make women produce eggs that are later re-implanted in their wombs and found the drugs can cause major complications and multiple births.
- Jan 2002 California state Supreme Court agrees (7-0) to decide validity of second-parent adoptions, declared illegal last fall by a lower court. A law allowing registered same-sex domestic partners to adopt each other's children took effect this month but was apparently invalidated by the appellate court ruling, if the couple have broken up or moved out of state or if the biological parent has died. San Diego Annette Friskop's appeal is before the court; she had helped raise the boy, born June 1999, but the partner withdrew her consent to adoption when they broke up.
- Jan 2002 US: Supreme Court of Pennsylvania rules 5-2 that a woman who helped raise a child with her former lesbian partner has legal standing to seek visitation rights with the child after the couple (TB and LRM) separates (though it does not grant visitation rights). The couple got together in the late 1980s; in 1992 LRM had a girl by artificial insemination; the couple broke up in 1996. In 1997, a trial court allowed the LRM sole custody with visitation rights for TB; LRM appealed, saying Pennsylvania does not recognize same-sex relationships.
- Feb 2002 Gay and Lesbian Rights Lobby publishes report *Meet the Parents*, summarizing the results of more than 30 studies undertaken in the past 24 years, covering more than 1000 children. Nearly three decades of research has consistently finds that the children of heterosexual and homosexual parents show no differences in levels of self esteem, happiness, psychiatric state, quality of friendships, popularity or social acceptance, sexual orientation, gender role or gender identity, or level of happiness with their family identity. Available surveys suggest that between 10 and 20 per cent of lesbians and gay men in Australia already have or live with children, and another 15 per cent of lesbians want to have children in the next five years. Research shows that, more than family structure, it is the

happiness and quality of the relationship between the adults, and the openness of warmth and communication between the adults and the children which affects the wellbeing of the children.

The Australian Family Association says gay people are child molesters, excessively promiscuous with other adults (and various animals), and their children grow up gay, impoverished and deeply deprived.

But the law is patchy. EG: Lesbian mothers cannot use the Child Support Agency, if their relationships break up and the partner does not provide child support. Gay men who form families with lesbian mums are caught between the legal status of donor (legally, nothing) and father (legally, a full parent, to the exclusion of the co-mother).

In 1999, a number of areas of NSW law recognized same-sex relationship and the government asked the NSW Law Reform Commission to indicate where it should go next - 2½ years later there are still no suggestions.

Feb 2002 Sweden: Oerebro district court in central Sweden rules a man, who donated sperm to a couple on three separate occasions, resulting in the birth of three children, is their legal father; he must now pay child maintenance of 3,000 kronor [\$300] a month; he intends to appeal.

Feb 2002 European Court of Human Rights 4-3 rules French authorities not guilty of discrimination in refusing to deem a gay man, Philippe Frette of Paris, eligible to adopt a child, saying divisions within the scientific community about “the possible consequences of children being brought up by one or more homosexual parents,” “wide differences of opinion both within and between individual countries,” and the evolving nature of laws on the subject” mean that “a broad margin of appreciation has to be left to the authorities of each state, who are ... in principle better placed than an international court to evaluate local needs and conditions.” But the court does unanimously find the plaintiff, was denied a right to a fair hearing when a French appellate body set aside an earlier ruling in his favor and dismissed his request to be allowed to adopt because Frette had not been properly informed when the appeal was to be heard nor given the opportunity to examine or respond to the government's arguments ahead of the hearing.

Feb 2002 American Academy of Pediatrics endorses homosexual adoption, saying gay couples can provide the loving, stable and emotionally healthy family life children need. The new policy focuses specifically on gaining legally protected parental rights for gay "co-parents" whose partners have children, but it also could apply to gay couples who want to adopt a child, said Joseph Hagan Jr., chairman of the committee that wrote the policy. Citing estimates suggesting that as many as 9 million U.S. children have at least one gay parent, the academy urged its 55,000 members to take an active role in supporting measures that allow gay adoption.

Feb 2002 Alabama Supreme Court 9-0 overturns a court of appeals decision In the concurring opinion, awards custody of three teenagers (15, 17 and 18) to their Birmingham father over their lesbian mother who now lives with her partner in southern California. The father had held custody since 1996, but the mother petitioned for custody in June 2000, contending the father had been abusive. In the concurring opinion, Chief Justice Roy Moore writes that the mother's relationship made her an unfit parent and that homosexuality is “abhorrent,

immoral, detestable, a crime against nature, and a violation of the laws of nature,” “an inherent evil” that shouldn't be tolerated.

Moore is known for his decision to place washing machine-sized monuments of the Ten Commandments in the state judicial building after he became chief justice last year. He also fought to keep a Ten Commandments plaque in his courtroom when he was a district judge. He is now accused of violating the Alabama Canon of Judicial Ethics and is the subject of calls for an investigation by the Alabama Judicial Inquiry Commission.

Feb 2002 American Civil Liberties Union files appeal in the 11th Circuit Court of Appeals in Atlanta to reverse a decision issued by U.S. District Judge James Lawrence King of Miami in August (qv) banning gay people from adopting. ACLU says this violates the right to equal protection of lesbians and gay men who seek to adopt, and of children raised by lesbian and gay caregivers who cannot be adopted by them. The appeal was filed on behalf of four gay men, who are either a foster parent or legal guardian to children placed in their South Florida homes by the state. The men are suing for the legal rights and security an adoption would give them and the children, who are all either developmentally disabled or HIV positive.

One of the men is Steve Lofton, a registered nurse who gave up his career 10 years ago to care for several HIV positive children the state placed in his home. In 1998, the agency that placed the children on behalf of DCF created a foster parent of the year award and named it after Lofton and his partner Roger Croteau, the first to receive the honor. Last June, Lofton received a telephone call from someone at DCF informing him that his foster care is not supposed to be permanent. The state said it planned to take a boy that he wants to adopt from his home. The DCF worker asked whether he knew anyone who wanted to adopt the boy, since Lofton isn't allowed. Florida has some 3,400 children in foster care waiting to be adopted.

Feb 2002 US: Florida: Custody case of Linda Kantaras (see October 2001) heard but judge does not expect to have a ruling for months.

Feb 2002 Quebec national assembly tables draft bill to amend 56 acts (including pension plan, automobile insurance act, mining duties act etc) and recognize same-sex civil unions (as NS has) - excluding couple adoption

Feb 2002 Manitoba: justice minister Gord Mackintosh announces upcoming legal change to permit same-sex couple adoption: see Oct 2001 challenge by 4 lesbian couples of Manitoba's June 2001 relationships recognition law (bill 41, qv) for excluding adoption rights

March 2002 Western Australia: parliament passes legislation granting same-sex couples the same rights as heterosexual couples such as adoption, property transfer, medical treatment, in-vitro fertilization, inheritance, and death benefits; it also lowers the legal age for gay sex from 21 to 16.

March 2002 Swedish government proposes new legislation to allow same-sex couples to adopt registered partners jointly or one partner adopts the other's child(ren) and lesbians to be artificially inseminated at public hospitals, following parliamentary research committee report saying homosexual couples have the same ability to care for children as heterosexual parents. Justice Minister Thomas Bodstroem:

“The proposal means that only the best interest of the child will determine when an adoption will take place, not the sexual orientation of the parents.” Although most parties support the government proposal, dissent within parties could make it a close parliamentary vote. Nordic countries Sweden, Norway, Denmark, Finland and Iceland already recognize legal partnerships between gays, but only Denmark and Iceland allow gays to adopt children.

- March 2002 Finland: for over-18s, registered same-sex union in a civil ceremony comparable to matrimony now in effect giving gay couples most of rights of marriage eg inheritance and divorce but not adoption or use of the same surname; the legislation, passed last September, does not address the rights of children in gay partnerships, but a government working group is looking into the issue.
- March 2002 France: both main presidential candidates, incumbent President Jacques Chirac, a conservative, and Socialist Prime Minister Lionel Jospin, say gay couples should not marry or adopt children but both promise to strengthen legislation against homophobia.
- March 2002 UK: government-sponsored adoption bill currently before the house of parliament would allowing same-sex couples and unmarried heterosexual couples to register their relationship and give them the right to adopt children.
- March 2002 Scotland: Glasgow Sheriff Court gives full parental rights to a 30 year-old gay man who acted as a sperm donor for a lesbian couple, saying the lesbian couple did not constitute a family by the law, and the man’s name was written on the birth certificate as the father, giving him full parental rights.
- March 2002 Pennsylvania Supreme Court is about to hear the case of Carole and Barbara Fryberger, a lesbian couple from New Providence, who ask the judges to allow Barbara to adopt Carole's twin sons. A male couple from Erie also is part of the legal case. The Court of Common Pleas of Lancaster and Erie counties and the Superior Court of Pennsylvania have ruled against the couples' request, saying the state Adoption Code does not allow for adoption of a child by two unrelated people. Christine Biancheria of Pittsburgh, attorney for the couples, says the wording of the adoption code allows a judge to make an exception if cause is shown. She may get support from a Dec. 28, 2001 Supreme Court decision that allowed a same-sex parent custody of the children she helped raise. Pennsylvania Family Institute, Focus on the Family, American Family Association, Family Research Council, and the Urban Family Council of Philadelphia file a briefs against.
- March 2002 UK: government-sponsored adoption bill currently before the house of parliament would allowing same-sex couples and unmarried heterosexual couples to register their relationship and give them the right to adopt children.
- April 2002 Australia: High Court upholds a ruling granting single women and lesbians access to in-vitro fertilization (IVF); Australian Catholic Bishops Conference had asked the court to reconsider an original ruling that found Victorian state laws restricting access to IVF as inconsistent with the Federal Sex Discrimination Act; the full bench dismissed the challenge. Case prompted by single heterosexual Victorian Leesa Meldrum, who was forced to travel interstate for IVF treatment because of her home state's laws.
- April 2002 Scotland: Archbishop Mario Conti, head of the Catholic church in Scotland, says gay couples who seek parental rights are selfish, and children will become the victims, and he criticized parents who lived out of wedlock, claiming that

statistics showed they were more likely to split up than those who are married. Edinburgh sheriff Noel McPartlin recently granted parental rights to a lesbian couple over children they each had from previous relationships. In the second case in Glasgow, a natural father was granted parental rights despite the wishes of the child's lesbian mother.

- April 2002 USA: ABCNEWS.com March poll shows 47% for 42% against gay couple adoption; opposition down 23 points since 1994, 15 points since 1998. Support higher among younger adults, women, and those with higher education, also higher in the East and Midwest, among Democrats and Independents.
- April 2002 USA: Sharon Duchesneau and Candace McCullough, both deaf, specifically sought out a sperm donor with a history of deafness in his family to increase the chances of their son being deaf; the women's local sperm bank would not help them because congenital deafness is a trait that disqualifies a potential donor. Story hits headlines.
- May 2002 UK: PM Tony Blair and his health ministers throw their weight behind backbench efforts to open adoption rights to unmarried couples - both straight and gay, judges and adoption agencies need only be persuaded that a child in care would be received into "an enduring family relationship" Health secretary Alan Milburn endorses amendments to the adoption and children bill put forward by David Hinchliffe, Labour chairman of the Commons health select committee and a former social worker. Government hopes that adoptions will increase by 40% by 2005; Secretary of State (Health) Alan Milburn says the amendment wasn't so much giving more rights to some citizens, but to children who could be adopted.
- May 2002 UK: Commons vote 288-133 (Tories on a 3-line whip to oppose) for unmarried and gay couples adopting children; debate acrimonious; Lords expected to make difficulties.
- May 2002 Indiana: 3-judge panel in Court of Appeals rules 3-0 gay parents who live with their partners should not lose visitation rights or custody because of their sexual orientation. Case of Venessa Downey vs husband, Todd Muffley; Downey initially had custody of the 2 children, then a Marshall County court forbade her to live with her lover. In 1999, the Indiana Courts of Appeals ruled that sexual orientation alone may not be used as the sole reason for denying parents visitation or custody in divorce cases.
- May 2002 Florida: if elected Governor of Florida, Janet Reno vows to fight for gay adoption; presently, LGBs can be baby-sitters, pediatricians, and child-care workers but not adopt .
- June 2002 Tel Aviv: civil rights group The New Family asks Israel's High Court of Justice to order the government to register two men (names protected; the men have been in a domestic relationship for 13 years and hold dual American and Israeli citizenship) as the co-parents of a child they adopted from an East Asian country while living in the US where authorities registered both men as the fathers of the boy. Israel's Interior Ministry has refused and also refused to grant the child Israeli citizenship. Court reserves judgement.
- June 2002 Brazil: Justice Leonardo Castro Gomes, of the 1st Child and Youth Court, Rio de Janeiro, rules Maria Eugenia Vieira Martins gets custody over out lesbian singer Cassia Eller's 8-year-old son Francisco Ribeiro Eller (Cassia died last December; she and Martins had lived together for the last 14 years); Francisco was conceived with and raised by the couple. Cassia's mother, her two sisters and one

brother also signed a document affirming that Eugenia was the most suitable person to take care of Francisco, though her father initially expressed opposition. Brazilian tradition says an orphaned child goes to the grandparents. Brazilian laws do not recognize gay unions. Survey by a popular Rio de Janeiro newspaper has over 80% agreeing the decision. .

- June 2002 San Francisco: New York lesbian Janis plans new court battle to get visitation rights to the 6-year-old boy and 4-year-old girl she helped raise with her former partner. Oct 2000, Janis became the first person in the state to win child visitation in a same-sex partnership, with Westchester Family Court Judge Joan Cooney applying a legal principle called "equitable estoppel" in the best interest of the children. Sharon, birth mother, former partner, appealed. May 2002 state court's Appellate Division overturned the ruling, declaring, "Any extension of visitation rights to a same sex domestic partner who claims to be a 'parent by estoppel,' 'de-facto parent' or 'psychological parent' must come from the New York state Legislature or the Court of Appeals."
- June 2002 US Sacramento: Assemblywoman Judy Chu, D-Monterey Park, has proposed legislation, bill AB 2651, to require all foster parents to undergo sensitivity training on gay, lesbian and transgender issues. Former foster children testify in favor of the bill that they have been bullied and harassed by foster families, even forced to go to church to "cure" them.
- June 2002 Michigan: Washtenaw County Circuit Court Chief Judge Archie Brown rules against second-parent adoption. ACLU debates what steps to take. 1984, California judge granted the first second-parent adoption; now family courts in more than 20 states have followed suit (incl Vermont, Connecticut and California legislatures)
- June 2002 San Francisco State University researchers receive a three-year, \$876,965 grant from The California Endowment, the state's largest health foundation to conduct the first-ever study of physical and mental health outcomes of lesbian, gay and bisexual youth who disclose their sexual orientation to family members during adolescence; the study is also the first to comprehensively explore sexual orientation in Latino families.
- June 2002 New York: despite 100,000 protest e-mails and phone calls, Nickelodeon telecasts "Nick News Special Edition: My Family is Different," a special for children about same-sex parents, half-hour report, featuring Rosie O'Donnell and comments from the Rev. Jerry Falwell who later urged Nickelodeon not to air it.
- June 2002 Canada: polling firm Strategic Counsel conducts national survey for Focus on the Family on family issues including divorce, spanking, family finances, gay relationships and marriage. FoTC has submitted briefs to courts in BC, Ontario, and Quebec opposing civil union legislation for gay and lesbian families. Result: 46% believe same-sex couples should be allowed to legally marry; 44% don't. Of those under 40, 60% are in favour. 46% (55% of under-40s) think "children raised by same-sex couples are as likely as any other children to be happy and well-adjusted." 55% generally (68% of under-40s) think same-sex couples should be entitled to the same tax, pension, and other benefits as heterosexual couples." FoTC omitted the entire section from its mailings to the media, saying only that 78% of the public undervalues the importance of the family and 82% of families believe tax policies should be changed so that one parent could stay home with children and that most people believe divorce is too easy to attain.

- June 2002 NWT passes amendments to the Family Law and Adoption Acts giving same-sex couples the right to adopt, seek division of property, restraining orders and spousal support.
- June 2002 Quebec's National Assembly passes bill 84, Canada's most comprehensive civil unions legislation, recognizing civil unions for gay couples and gives them the right to adopt, making Quebec the second Canadian province after Nova Scotia to pass such a law. The civil union law creates a separate category for gay and lesbian couples, establishes a civil unions registry, and allows for one partner to adopt the children of the other; it grants gay and lesbian couples the same rights and obligations as those of married couples, including adoption and artificial insemination rights, protection of the family residence, constitution of a familial heritage and mutual spousal support but the minimum age for civil unions for gay couples has been set at 18, compared to 16 for heterosexual couples. . According to a 1996 census, 20% of Quebec couples live as common law spouses, of whom 3% are same-sex couples.
- June 2002 Manitoba tables omnibus bill that extends adoption and co-adoption rights to same-sex couples and makes it illegal to refuse to do business with someone because of sexual orientation. Justice Minister Gord Mackintosh said separate legislation will soon be introduced to extend property rights to common-law and same-sex couples.
- July 2002 UK: Conservative Lord Campbell of Alloway in the House of Lords makes last bid to stop gay adoption, warns Lords must allow a full scale debate on the floor of the House rather than in a Grand Committee. Health Minister Lord Hunt rejects the challenge: "The Grand Committee process has allowed us to debate these issues with a great deal of scrutiny and care."
- July 2002 London: Roman Catholic Church launches campaign against the gay adoption amendment; the bill has passed Commons and is now in the Lords. Church says it threatens the institution of marriage and anyway gays and lesbians are "too unstable to forge lasting relationships" so cannot commit to a child.
- July 2002 Massachusetts: court rules lesbian must pay child support (\$261 per week for two children) to her ex though she was neither related to nor the adoptive parent of the child; 1<sup>st</sup> Massachusetts judge to order a same-sex partner to pay child support; Grace A. Connolly and Annette Michell were raising two children when they split up; Connolly offered to support the child she had officially adopted, but not the other. Judge rules Conolly was a de facto parent of the boy, aged 5; says no support, no visits.
- July 2002 Atlanta: in federal appeals court, lawyers for Florida state fight a constitutional challenge to the state ban on gay adoption, saying the law serves to "further the public moral sense," and saying because Florida can limit the legal number of spouses and recognize only heterosexual marriages, they can also allow only heterosexuals to adopt; further the law cannot violate any fundamental rights because there is no fundamental right to adopt or to be adopted. Five gay foster parents/guardians seek to overturn the ban. This is the first time the state law has been challenged in federal court. At least three previous attempts to have it declared unconstitutional in state court failed. The ban was passed in 1977. Florida is the only US state with a blanket prohibition against adoptions by all gay people, married or single. Mississippi and Utah prohibit gay couples from adopting.

- July 2002 Georgia: new lawsuit (Bellmore v. United Methodist Children's Home and Department of Human Resources of Georgia) filed challenging public funding of religious organization (United Methodist Children's Home of Decatur) that discriminates against gays in employment and indoctrinates foster youth in religion; case brought by 7 Georgia taxpayers, including fired lesbian counselor and Jewish therapist denied job.
- July 2002 Florida: Florida Voter statewide June survey shows 57% opposed to gays and lesbians adopting, 36% for. Florida the only US state with a blanket ban on gay and lesbian adoption. 65% opposed and 28% supported same-sex marriage.
- July 2002 Florida, Miami: 21 members of the legislature file a friend-of-the-court brief saying banning gay adoption is in "the best interest of children". The ACLU is fighting the ban on behalf of four gay men, all of them foster parents or guardians. The Child Welfare League of America sent in a brief supporting gay adoption. The 21 claim the league's own data suggest "an increased likelihood of the child's developing a homosexual sexual orientation" which correlates with depression, substance abuse, and suicide.
- July 2002 Florida: would-be governor Janet Reno: "If you can be a perfectly wonderful parent, and take an unadoptable child and make them adoptable, you should be able to do that." Reno also says she will work for the passage of state and federal laws to prohibit job discrimination on the basis of sexual orientation. Her Democratic opponent, Bill McBride, refuses to back gay adoption (leave it to the courts to decide). Her strongest opponent is Republican governor Jeb Bush
- July 2002 Winnipeg: 30 rally outside the provincial legislature, asking the government to kill bill 34 to grant same-sex couples adoption rights. Family Services minister Tim Sale rejects demands that the bill be shelved.
- August 2002 Perth: Anglican Archbishop of Perth and head of the church in Australia, Dr Peter Carnley, says he supports moves for gay couples to have the same property and next-of-kin rights as heterosexuals but opposes same-sex marriages and same-sex couple adoption, believes the Church should bless committed gay couples but not marry them. "If gay people get into lifelong committed relationships I want to say to them well, normally you would not be thinking of having children but nevertheless I'd want to say to you that your relationship is better than promiscuity."
- August 2002 Denmark (in 1989, the first country in the world to recognize gay couples), stills does not allowed couple adoption or AI; moves to reform the law have stalled. Radical Left Party which had supported gay adoption now says 'We are more concerned about the environment children are raised in, than the right of adults to have children.'
- August 2002 UK: DC Comics, UK's largest publisher of comic books and the global brand name behind Superman and Batman, introduces gay superheroes; *The Authority* features two male superheroes - Apollo and the Midnighter - who marry and adopt a child.
- August 2002 Arkansas: ACLU files in Pulaski County Circuit Court asking a judge to skip a trial (scheduled for November) and lift a ban on lesbian and gay foster parenting - on behalf of four prospective foster parents, including a gay couple and a heterosexual man with a gay son, who are challenging the ban on gays and lesbians from becoming foster parents in Arkansas; 1999, the state Child Welfare

- Agency Review Board voted 6 - 1 to bar gays and lesbians, so Dept Human Services asks prospective foster parents if they are gay;
- August 2002 California: two key gay rights bills sent to Senate for vote: one bill by Assembly Speaker Pro Tem Fred Keeley (D-Santa Cruz) provides surviving registered domestic partners the right to inherit a specified share of a partner's estate if s/he died intestate, and this right would be added to benefits domestic partners began receiving last year; the other, by Assembly Member Judy Chu (D-Monterey Park), prohibits discrimination and harassment in the foster care system based on sexual orientation and gender identity; both bills already approved by the California Assembly. September 11: CA Governor Gray Davis signs law in. Of 8 gay civil rights proposals put before the Democratically controlled Assembly this year, 6 were passed; Gov. Davis has signed 3 into law (all grant new rights to registered same-sex partners who suffer the loss of a partner). Davis is still considering bills that would boost gay participation in the state's foster care system, and allow gays and non-gays to take paid family leave.
- August 2002 California Senate 23-12 approves bill (approved earlier this year by the State Assembly) to protect lesbian, gay, bisexual, and transgender (LGBT) youth in foster care and prohibit discrimination and harassment based on sexual orientation and gender identity; bill protects youths in the system, foster parents, and other foster household members on grounds including sexual orientation, gender identity, and HIV/AIDS status.; bill provides funding for training foster parents in teenage sexual health, STD prevention, sensitivity to the challenges faced by LGBT youth, sensitivity to youth who have been sexually or physically abused; bill now goes back to the Assembly for vote on Senate amendments, then to Governor to sign. Rightwing Christian Campaign for California Families demonstrate against "brainwashing and indoctrinating" foster children into questioning their sexuality, "trampling on religious freedom" by preventing foster parents' ability to freely express their disapproval of GLBT people.
- August 2002 Ohio Supreme Court 5-2 rejects lesbian couple's petition to coparent each other's children; Teri Bonfield and Shelly Zachritz from Cincinnati have been together 14 years; Bonfield adopted two sons in 1996, had a son by AI in 1996 and twins in 1998; Zachritz later had a son by AI; Zachritz is primary caregiver and the children consider her their parent. Juvenile court said it didn't have jurisdiction because Ohio does not recognize same-sex parenting; appeals court agreed. Supreme Court now sends case back to juvenile court saying it does have jurisdiction over deciding the custody of any child who is not a ward of the court but majority opinion says women can't be considered parents of each other's children because under Ohio law, "parent" typically includes only the biological or adoptive parent.
- August 2002 Pennsylvania Supreme Court: Chief Justice Stephen A. Zappala and unanimous court overturns 2000 state superior court ruling, rules state's Adoption Act unequivocally allows a same-sex partner to adopt partner's child (gay couples can adopt); second-parent adoptions extended potential legal benefits to children including health insurance, social security coverage, inheritance from the adopting parent and the right to financial support from both parents; would-be second-parents must apply to their county courts for approval; cases of gay couple in Erie County (together since 1982, sought to adopt a boy and a girl who had already been adopted by one partner). and lesbian couple Carole and Barbara Fryberger (together 19 years - Carole, 41, a respiratory therapist, had twin boys,

Robby and Reese, by IVF, Barbara, 47, a telephone-installation technician) of Lancaster County; before 2000 some counties (including Philadelphia) permitted second-parent adoptions, though most did not; Superior Court 2000 decision barred second-parent adoptions across the board.

- August 2002 Virginia: state reverses own position and will allow gays and lesbians to adopt; decision ends a lawsuit by an Arlington lesbian Linda Kaufman, a Washington Episcopal priest who adopted a 5-year-old DC foster child in 1992, and has been trying to adopt a sibling for him since 1999; Kaufman works in DC but lives in Arlington with partner Liane Rozzell; a Virginia adoption agency and DC officials called her well qualified but Virginia state officials had refused to approve the adoption placement because Kaufman is a lesbian.
- August 2002 Manitoba: "gay-adoption" bill 34 passes 31-22 in the face of united Tory opposition; gay-rights advocates and government politicians slam a failed attempt by Manitoba Conservatives to block the bill as flip-flopping Premier Gary Doer's New Democrats and opposition Liberals banded together to ensure the legislation. Last April, PC party leader Stuart Murray was for the bills: "We don't support discriminatory legislation because we govern for all people," but then he gave his caucus a free vote, and all 22 there voted against.
- Sept 2002 Israeli State Prosecutor's Office files brief with High Court saying adopted son of gay couple will not be registered, cannot be granted citizenship, the government "does not recognize a family unit comprised of parents of the same sex." (See June 2002 - names protected; men together 13 years, hold dual American and Israeli citizenship, adopted in US infant son born in east Asia). Couple's lawyer Irit Rosenblum says state's response has no legal basis, Israeli law contains no definition of what constitutes a family unit.
- Sept 2002 Judge Lewis Skweyiya in South Africa's highest rules laws preventing gay and lesbian couples from adopting are unconstitutional, says people in permanent same-sex partnerships can provide children with the same stability, support and affection as in heterosexual homes; case of judges Anne-Marie de Vos and Suzanne du Toit, together since 1989 who went to the high court when du Toit was prevented from adopting de Vos's two children.
- Sept 2002 California governor Gray Davis signs family leave bill: paid leave (up to 6 weeks at 55% of salary) for workers who need to care for new/adopted baby, sick domestic partner, spouse, or other family member; program funded through contributions from employees @ less than three dollars a month per employee.
- Sept 2002 California Alliance for Pride and Equality (CAPE) expresses disappointment with Governor Gray Davis' veto of a bill which would have protected lesbian, gay, bisexual, and transgender (LGBT) youth in the state's foster care system, banned discrimination and harassment against foster youth, foster parents, other foster household members and staff based on a number of factors including sexual orientation, gender identity and HIV/AIDS status, allowed optional training for foster parents to include education on teenage sexual health and STD prevention, sensitivity to the challenges faced by LGBT youth, and sensitivity to youth who have been sexually or physically abused, directed the Department of Social Services to expand its recruitment activities to specifically include LGBT individuals who might be interested in caring for LGBT youth. Davis, in the midst of a re-election campaign, leads Republican opponent by only 10%
- Sept 2002 Colorado: Senate committee kills HB1356 (measure to prevent same-sex parents from putting both their names on a birth certificate) on a party line vote after it

passed the House; supporters said law was needed to guarantee the accuracy of state records; opponents said it was antigay and would hurt children of committed couples, both names needed on birth certificates to protect children's rights of inheritance and access to health insurance, Social Security and other benefits and to avoid placing children in foster care if the biological mother dies. Some lawmakers say killing the bill doesn't solve anything because the existing law remains unclear and is subject to various interpretations.

- Sept 2002 Colorado: Denver lesbian ex-couple fighting for custody in Colorado Court of Appeals; women were together 11 years, wanted to adopt a baby from China together, but only one could legally adopt the girl under Colorado law; Denver District Court judge grants request to share rights and responsibilities for their daughter; couple broke up February 2001; magistrate Diane Dupree ruled both were mothers of the child and gave each woman equal parenting time and joint decision-making responsibilities; adoptive mother appealed; appeal denied by District Court Judge Michael Mullins; adoptive mother appeals to Court of Appeals, wants sole decision-making powers and the majority of the now-7-year-old's time. ACLU and National Center for Lesbian Rights and the Center's Legal Initiatives Project intervenor for partner ("psychological mother")>
- Sept 2002 Chicago: Cook County judge Susan McDunn cleared of bias charges.; she had voided adoption orders for lesbian couples in two separate cases and sent private information about the couples and the children to a rightwing Washington DC group that opposes adoption by gays; in both adoption cases, lesbian couples sought to have one partner legally adopt the other partner's biological child; court-appointed guardian for both children had signed off on the adoptions, Cook County Department of Supportive Services had declared both sets of parents "stable, loving and nurturing"; Cook County and Illinois practice is to grant such uncontested adoptions as routine; Judge Susan McDunn instead ordered hearings where asked about women's coming-out and early sexual experiences and the nature of their relationship, then refused to grant the adoptions; McDunn's presiding judge voided the orders and granted the adoptions; McDunn signed new orders reinstating her orders; earlier this year, Illinois Appellate Court Justice Mort Zwick, in scathing language, rebuked McDunn for bias and voided all her orders, finalizing the lesbian couples' adoptions; Illinois Judicial Inquiry Board called for sanctions against McDunn and brought the case before the Illinois Courts Commission, which oversees judges in the state; commission now dismisses bias complaint because McDunn never made any explicit statements of bias against gays.
- Sept 2002 PEI considers a major review of its laws on marriage following court decisions in Ottawa, Toronto, and Montreal; PEI's Family Law Act defines a couple as a man and a woman; other issues include family law, adoption, health law, benefits and entitlements law; province is expected to introduce an omnibus bill in the fall o change 42 pieces of legislation and legalize civil unions.
- Oct 2002 Australian Capital Territories: government considers introducing same-sex partnerships and adoption rights as part of an overhaul of ACT law to remove discrimination; ACT Chief Minister Jon Stanhope says govt aims to achieve equal legal status for lesbian, gay, bisexual, transgender and intersex people by eliminating discriminatory references in legislation (currently in over 70 ACT Acts and regulations). The first part of the process: deal with 39 pieces of legislation that are relatively simple through non-controversial amendments, eg

replacing spouse with domestic partner. A draft of these changes will be introduced to the Assembly in December, a final Bill presented next autumn. Phase 2: more controversial and complex matters, such as those involving children (eg recognizing the same-sex partner of a birth mother as a parent of a child, adoption by same-sex couples, and succession matters). Even when ACT laws are changed, same-sex couples will still be affected by Commonwealth laws on taxation, social security, superannuation and industrial relations, marriage

- Oct 2002 Tasmanian legislated registered domestic partnership and the right to adopt for same-sex couples (from next summer, gay couples will be able to officially register their relationships with the Office of Births, Deaths and Marriages and gay couples adopt). Attorney-General Judy Jackson says the legislation will give same-sex couples the same rights as heterosexual couples: "Same-sex couples should have the same access to register their relationships as heterosexual couples can through marriage." She adds the majority of adoptions in the state involve second-parent adoptions, also the number of adoptions in Tasmania was very low - under 10 a year.
- Oct 2002 Spain: Socialist Party spokesperson Rafael Simancas announces intent to pass law granting same-sex couples the same rights as heterosexual couples, including adoption.
- Oct 2002 Sweden: justice ministry announces law passed in June that gay couples who have entered into a legal partnership can legally adopt children will come into effect February 1 2003; also one partner will be able to adopt the biological child of the other.
- Oct 2002 UK: Lords coalition led by Baroness O'Cathain but including peers from all parties defeats 196-162 the bill that would have allowed gay and lesbian couples to adopt; bill now returns to the Commons and could be bounced back and forth between the elected and appointed houses of parliament until a compromise is reached; spokesperson for Tony Blair says the legislation will not be allowed to die. Coalition says bill would "undermine marriage and risk moving children from institutional care into unstable relationships." Before the vote, Christian Institute urges people to carry wallet cards saying that if anything happens to them they do not want their children to be given to gays; CI says recent poll shows nearly 66% of parents in Blair's own riding would make a legal declaration to stop their children being adopted by a gay male couple. British Association for Adoption and Fostering survey finds only 36% nationally oppose same-sex couples adopting. At present, only married couples or single people can adopt; cohabiting people cannot adopt as a couple.
- Oct 2002 UK: Conservative party hardliners reject motion for free vote on gay adoption when it comes back to the commons, which will prevent the government from overriding the Lords.
- Oct 2002 UK: parliamentary select committee points out that banning gay couples from adopting children would contravene European human rights legislation on marital status and is fundamentally wrong; committee includes three Conservatives;"The risk that adoptive parents will abuse children sexually is no less present when a heterosexual couple adopt a child of either sex than when a bisexual couple adopt a child, or a same-sex homosexual couple adopt a child of the same sex."
- Oct 2002 Wales: unnamed gay priest and partner fostered boy, now 15, with severe learning and behavioural difficulties; press find out; ?diocese of Monmouth;

couple together 22 years, have known the boy for 10 years; have been giving mother respite care; in July, mother gave the boy up to social services; boy placed with couple; fostering is said to have approval of ABC Williams; Williams criticized for "endorsing immorality"; priest resigns, says two opp-sex parents is best for all.

- Oct 2002 San Diego CA; at annual meeting Congress of Delegates (governing body) of American Academy of Family Physicians approves call from doctors to "establish policy and 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"; AAFP represents over 93,500 physicians and medical students; new policy defines family as "a group of individuals with a continuing legal, genetic, and/or emotional relationship. Society relies on the family group to provide for the economic and protective needs of individuals, especially the children and the elderly"; motion is similar to that endorsed by a committee of the American Academy of Pediatrics earlier this year. Family Research Council, a rightwing Christian lobbying group, mounts major campaign to oppose this "abandoning children," discounting 49 studies of gay and lesbian parenting that showed children suffer no ill effects from growing up in gay homes, and often fare better than children in homes with heterosexual parents; FRC said all of the studies were flawed.
- Oct 2002 Northwest Territories Thursday creates a Human Rights Commission and prohibits discrimination based on sexual orientation; has already granted limited spousal status including the right of adoption to gay and lesbian couples. The new law extends GLBT rights to the north pole and means the only area in Canada which does not recognize gay families or provide GLBT human rights protections is Nunavut in the eastern Arctic. The territorial government there is examining legislation, and a civil rights bill could come as early as this spring.
- Oct 2002 Ottawa: Children's Aid Society, which has been accepting same-sex couples as foster parents for several years, now says it welcomes them.
- Nov 2002 Tasmania: at Liberal conference Liberal delegate and newly elected Meander Council alderman Michael Ferguson admitted puts motion opposing gay couples adopting in any circumstance; Young Liberal president Mo Sultan argues gay couples should be allowed to adopt, if the child was the biological son or daughter of one of the partners; motion to allow gays to adopt was supported by about 60% of the delegates at the state Liberal conference. Last month, Attorney-General Judy Jackson said she would legislate by the middle of next year to allow gays to adopt children and to legally register their relationships. Lib leader Hidding says he will allow Liberals a conscience vote. Later, Deputy Premier Paul Lennon, Health Minister David Llewellyn and Cabinet Secretary Steve Kons commit to supporting the gay adoption bill.
- Nov 2002 Switzerland: governing cabinet proposes law to give civil recognition (inheritance and social security equiv. to married status) to same-sex couples (no adoption rights); Zurich first canton to grant legal rights to gay couples (Sept)
- Nov 2002 Denmark: two largest parties, Liberal Party and Social Democratic Party, say they are ready to discuss a Social Liberal Party proposal to let gay couples adopt; Liberal Party's Irene Simonsen: 'We're in a dilemma, because the only arguments against allowing homosexuals to adopt are emotional, and I can't stand up in Parliament and argue about emotions.'

- Nov 2002 Belgium: 46-15 (4 abst) senate approves legislation to recognize gay and lesbian marriage in the areas of inheritance and pensions but not permit adoption; bill must be approved by lower house.
- Nov 2002 France's Minister for the Family Christian Jacob tells *Le Figaro* he is opposed to gay adoptions. "Why should a child be adopted by a gay couple when children want more than anything not to be different from other children?" but will not go back on previous adoptions by singles, whether straight or gay. "We are not impeding the family. Most gay adoptions are purely symbolic ... Every child needs a father and mother ... Gays just want to further their cause".
- Nov 2002 UK: Commons pass *The Children and Adoption Bill* with amendment to allow gay and unmarried couples to adopt jointly with a majority of 199; in May the majority was 155 seats; Leader of the Opposition leader Iain Duncan Smith imposed a three-line whip on his MPs (which caused the resignation of shadow cabinet minister John Bercow, saying it is an issue of conscience), but then sent MPs a private message saying they could defy the whip (8 MPs openly defied the whip and voted for the amendment; 35 (including six shadow cabinet ministers) chose to stay away and abstain). Lords then pass the bill 215-184; bill then receives royal assent; will not be fully implemented until 2004, although some parts expected to come into force next year.
- Nov 2002 UK: Mori September opinion poll finds 44% think gay and lesbian couples in stable, long term relationships should be allowed to adopt; 36% opposed, 20% dk.
- Dec 2002 Australia: ACT chief minister Jon Stanhope introduces the Legislation (Gay, Lesbian And Transgender) Amendment Bill to remove discriminatory language taken from 37 pieces of ACT law; similar to the "missing pieces" bill passed in NSW and Western Australia earlier this year, but omitting adoption rights and legal recognition of same-sex relationships; Stanhope promises consultation with community members and organizations.
- Dec 2002 Sweden: Court of Appeal for western Sweden upholds a January lower court ruling, finding Igor Lehnberg the legal father of children born after he donated sperm to a lesbian couple in 1991 and later signed a document saying he was the biological father of three children raised by the couple; Anna Bjurling splits with partner, asks IL for child support; IL decides doc is not legally valid, signed only so the children would know their origin, not to accept any responsibility for them. Swedish law grants same-sex couples the right to adopt children but not to undergo artificial insemination, so that was illegal too.
- Dec 2002 Sweden: GLBT rights group RFSL announces plans to open adoption agency, says despite new legislation allowing gays and lesbians to adopt, most agencies will not accept them; gay adoption in Sweden becomes legal in February 2003.
- Dec 2002 UK: Charity Commission investigates Christian Institute's charitable status after it issues a card reading "In the event of my death I do not want my children to be adopted by homosexuals"; follows complaint from the Gay and Lesbian Humanist Association (GALHA). Charity Commission says it does recognize a religious charity can articulate a view consistent with "its understanding of the teachings of the Bible".
- Dec 2002 US: American Psychiatric Association (APA) on Friday endorses the right of gay and lesbian couples to adopt; follows 2000 APA supporting for same-sex couples to have their unions legally recognized by the state. APA: "research over the past

30 years has consistently demonstrated that children raised by gay or lesbian parents exhibit the same level of emotional, cognitive, social and sexual functioning as children raised by heterosexual parents."

- Dec 2002 Pennsylvania Superior Court 3-0 affirms trial court ruling ordering Helen Naumoff child to pay Lise Kove support for the 5 children they had in the relationship mid-80s-1997 (Kove bore and stayed at home with kids, N returned to work in a civilian job for the Navy, N sought and was awarded partial physical custody and joint legal custody); Kove sued for child support in 1998. Naumoff argued that she had no duty to pay child support because she was not a biological or adoptive parent; trial court rejected that; Superior Court says Naumoff could not argue that she had acted as a parent in order to seek custody, but then argue that she was not a parent in order to avoid paying child support.
- Dec 2002 Texas: in the 2003 session of legislature, Rep. Warren Chisum, R-Pampa, files bill specifically outlawing recognitions of same-sex marriages from other jurisdictions (already cannot be conducted in Texas); House Bill 194, from Rep. Robert Talton, R-Pasadena, requires Protective and Regulatory Service, which approves foster parents, ask applicants if they are homosexual; if yes, disqualified; if no, "reasonable investigation" conducted to ensure they are, indeed, heterosexual. Free Market Foundation staff attorney for Hiram Sasser: "Homosexual sodomy is against the law [in Texas] ... You wouldn't want to put children in homes where [the parents] break the law, would you?"
- Dec 2002 Canada: Nov telephone survey of 1,400 adult Canadians conducted for CanWest Global Communications and Maclean's magazine by The Strategic Council, a Toronto-based polling firm: 75% say they had sex before marriage; nearly 50% support legally recognizing gay marriage and allowing gay couples to adopt.
- Dec 2002 PEI Attorney General Jeff Lantz introduces amendments to the *Family Law Act* to expand the rights of common law partners in such areas as child custody, property division and spousal support, also changes the definition of a common law relationship from a "man and a woman co-habiting outside of marriage" to "two persons co-habiting outside of marriage" for a period of not less than three years (requirements dropped if the couple are the natural or adoptive parents of a child). Lantz says the law essentially gives common law partners the same rights as married couples in the event of a break-up. First PEI legislation to recognize gay relationships; about 40 laws will actually have to be changed before the process is completed.
- Jan 2003 Belgium Chamber of Deputies votes 91-22, Belgium joins Holland in giving gays and lesbians the right to marry (but no couple adoption), i.e. abolishes laws preventing gay marriage; at least one partner must be a Belgian citizen. New York City the only area outside of Belgium and Holland that will recognize a gay marriage from another jurisdiction.
- Jan 2003 Colorado: Rep. Tom Plant introduces bill to allow civil unions for gay and lesbian couples (500 legal rights straights have incl couple adoption, health-care benefits, inheritance rights). Focus on the Family (based in Colorado Springs) denounces, says civil unions between people of the same sex amounts to a "radical human experiment."
- Jan 2003 Metro Washington, DC: first baby of the year born to lesbian couple Helen Rubin (birth mother) and Joanna Bare, 5 lb 2 oz, one minute after midnight at Fair Oaks Hospital in Fairfax, Virginia; Ai baby, father a family friend whom the couple decline to identify; a week before the birth the couple moved from Virginia to

Bethesda, Maryland, because Virginia does not permit second-parent adoption; baby delivered at Fair Oaks because their obstetrician practices there; Rubin and Bare together 12 years.

- Jan 2003 Maclean's Magazine and Canwest Global Communications poll (conducted by Toronto-based Strategic Counsel): overall 49% for gay marriage (women 55%, men 39% for; 65% for in Quebec, 54% in BC, 50% in Atlantic Canada, 42% in Saskatchewan-Manitoba, 41% AB, 40% Ont) ), 46% against, 5% dk; adoption: 48% for, 46% against, 6% dk.
- Feb 2003 Texas House of Representatives considers bill to ban GLBs from becoming foster parents; House Bill 194 (author Rep. Robert Talton, R-Houston) is referred to the House Committee on Juvenile Justice and Family Issues; bill also calls for the removal of children already living with GLB foster parents; Texas does not have a state law preventing co-parent or single-parent adoptions by GLBs; bill's hearing not yet scheduled.
- March 2003 Australian Capital Territory considers bill to recognize gay couples (some of the rights of heterosexual married couples but no civil union registry or couple adoption). ACT Chief Minister Jon Stanhope says the bill would remove discriminatory language in 37 laws and provide better legal protection for GLTs.
- March 2003 Australia, Tasmania: Tasmanian Law Reform Institute solicits input and receives 600 submissions on same-sex couple adoption, of which about two-thirds of the submissions were against; a number of submissions were from one church group which had collected signatures against the proposed changes to legislation; Institute will present report and recommendations to the Attorney-General Judy Jackson by the end of April or early May.
- March 2003 Wales: Conservative candidate John Jenkins stands own from contesting the Llanelli seat after posting comments that his party described as "totally unacceptable" on an internet website ("I hold my hands up and admit to being 'homophobic' if you must label me": gays need medical help, state should not recognise gay marriage or adoption); Conservative Central Office Wales says remarks not the views of the party.
- March 2002 Scotland: Liberal Democrats at spring conference overwhelmingly vote to give same-sex couples the same rights as married couples, support plan to allow gay and lesbian couples who live together to register their relationships (getting same pension, insurance, inheritance and adoption rights as married couples - as unmarried cohabiting heterosexuals do), will support the Scottish Executive in legislation to give gay couples the same pension, insurance, inheritance and adoption rights as married couples. RC Church's parliamentary officer John Deighan: "We believe these plans will undermine the role of marriage . Ultimately, the focus of sexual relationships is within marriage as a stable building block for our society. Anything which damages marriage is damaging to society as a whole."
- March 2003 US Census Bureau released first report with 2000 data on families headed by same-sex partners, SSP households raising children, average age and racial makeup of same-sex couples. 594,391 reported same-sex households in the country, of which 301,026 are male partners, 293,365 female; gay and lesbian families reported in 99.3% of all US counties. New report shows 34.3% of female households and 22.3% of male are raising children (8 eight states and DC, as well as some counties guarantee same-sex couples access to second-parent adoption). Average age of male partners: 42.4-44.5; av age of female partners

42.2-43.4 (cp straight couples av age late 40s, unmarried opposite-sex households average age 30-35. 11.5% of male same-sex households have multi-racial partners, 10% of female (CP 5.7% of married couples, 12.2% of opposite-sex partners).

- March 2003 California: Community Care Licensing Division of the California Department of Social Services (which licenses private adoptions) now rules a privately owned adoption agency licensed by the state cannot deny its services to a couple just because they are gay or lesbian. Dr. Shannon Rose and her partner Jane Brooks had filed a successful complaint against Orange County Olive Crest Foster Family and Adoption Agency in Santa Ana, Calif. for slowing (stonewalling) process to prevent them adopting. Olive Crest said the delay was nothing more than a part of the agency's process in checking out prospective foster parents and appealed. State demands Olive Crest create a policy excluding sexual orientation as a factor in barring denying someone from adopting.
- March 2003 Florida: 3 federal appellate judges question "rational basis" for Florida's 26-year-old law banning gay men and lesbians from adopting children; appeal mounted by four gay men (with ACLU) who lost their 2001 lawsuit in the US District Court in Miami in 2001. State Dept of Children & Families says optimal place for adopted children is in a traditional household with a married mother and father though they allow gay men and lesbians to be foster parents and legal guardians. Plaintiffs Steven Lofton (Portland, Or), Douglas Houghton (Miami), Wayne Smith and Daniel Skahen (Key West) are either foster parents or guardians for four children they want to adopt. 3,400 children in state custody await adoption. 25% of child placements are in single-parent homes. Court expected to rule after Supreme Court rules in June on a challenge to a Texas sodomy law that criminalizes gay intercourse.
- March 2003 Iowa: legislation to ban gays and lesbians from adopting children or becoming foster parents dies in committee.
- April 2003 Buenos Aires city area and Río Negro province institute same- and opposite-sex civil unions (laws approved last Dec); civil union couples will be able to share social security services, claim leave when a partner is sick, and enter into agreements - such as buying a house - as if they were married but not marriages, adoption, inheritance rights without prior formalized agreement (three aspects not considered because they are included in the national Civil Code).
- April 2003 California: Human Services Committee of the State Assembly 4-2 approve a bill to protect foster youth, foster parents, foster household members, and agency staff from discrimination in a number of areas, incl race, religion, disability, sexual orientation, gender identity and HIV/AIDS; bill by Assemblymember Judy Chu (sponsored by CA chapter of the National Association of Social Workers, supported by CA Alliance for Pride and Equality) requires foster parents and other caregivers to receive training on the nondiscrimination requirements and is follow-up to a bill passed last year by the legislature which was vetoed by Governor Davis.
- April 2003 Texas: House state affairs committee of the Texas legislature starts hearings on a bill tabled Feb to ban placing foster children in homes with someone who is unmarried; sponsor of the bill Rep. Robert Talton (Pasadena) says putting children in homes with gay or bisexual adults "is child abuse" and children are better off in orphanages, homosexuality is a learned behaviour LGBs will try to teach their foster children to be gay, anyway gays are likely to be pedophiles

(one-man rant, no evidence, no witnesses in favour); committee must vote before the bill can move to the House floor for a full vote; then it would need passage in the Senate and the governor's signature to become law. Talton later clarifies his intentions by suggesting "unmarried individuals" be changed to "homosexual or bisexual individuals."

House State Affairs Committee Chairman Ken Marchant (R-Carrollton) then decides not to bring the bill up for a vote because it lacks support from committee members; bill will not reach the Texas House floor for debate.

May 2003

South Africa: Supreme Court of Appeal in Bloemfontein agrees to hear a case involving two women who want to marry: Marie Fourie and Cecilia Bonthuys who have been together since 1994; women say unfairly discriminated against because a marriage between them would have no legal power; local magistrate said she would marry them but would not be able to register the marriage; High Court in Pretoria dismissed case last year; because not married they cannot open a joint bank account, obtain a joint mortgage, adopt a child or take one in foster care.

May 2003

NZ: two gay men seek permission to father a surrogate baby; NZ has no clear legal guidelines covering a woman having a baby for another couple; people can enter into informal arrangements, then adopt; one of the few requirements is that people wishing to use a surrogate mother must first get permission from a national ethics committee which considers each request on a case-by-case basis; since 1997, 19 of 22 requests granted; application by the two men put on hold; committee seeks more info on the health of the proposed birth mother and the legal status of the child in light of the couple's intent to move out of the country. Committee cannot discriminate against the couple on the grounds they are gay but adoption law specifies joint application to adopt a child can only be made by two spouses. Same month, couple withdraws surrogacy bid, saying they are outraged at the prejudice against them and the way word of the proposal was made public.

May 2003

ACT Chief Minister Jon Stanhope introduces bill to remove discrimination in the Adoption Act: "The adoption law is quite explicit, it says that only a heterosexual couple may adopt children. That's discrimination." Australian Christian Lobby upset. Western Australia gave same-sex couples the right to adopt children.

May 2003

Tasmania: Law Reform Institute report tabled in Parliament today by Tasmania's Attorney-General, Judy Jackson recommends amending the Adoption Act to allow a couple to apply for adoption regardless of their gender or marital status; says that to deny same sex couples eligibility is not in the best interests of children and discriminates against gay couples,

May 2003

UK: a Tory backbench attempt to block gay couples adopting children was scuppered when members of the shadow cabinet defied Iain Duncan Smith and refused to back the motion; the five modernisers were absent from the division lobbies when MPs voted on a Tory amendment which would have removed same-sex couples from the definition of those entitled to new adoption rights; amendment rejected 301-174. It was after Iain Duncan Smith said at the weekend that unmarried couples should not be allowed to adopt that the five revolted.

May 2003

Lancashire: Sefton Metropolitan Borough Council will dismiss social workers Mrs Norah Ellis and Mrs Dawn Jackson unless they changed their position,

which is based on their Christian faith: they oppose adoption by gay and lesbian couples; both are highly regarded employees with unblemished records and over 50 years experience between them; council's objective is "promoting social inclusion, equality of access and opportunity"; gay adoption legalised in the Adoption and Children Act, which received Royal Assent last November; Mrs Ellis says same-sex couples cannot provide the right environment for bringing up children. "I am not homophobic but the welfare of the child must come first, ahead of any politically correct policies of equal opportunity." Social workers threaten legal action; council backs down, says they may be reinstated after "a bit more discussion"; women say council's threats make it impossible for them to go back to their jobs. Ann Widdecombe, former shadow home secretary, says there should be a "conscience clause" in the legislation, similar to that in abortion law, to protect people who had religious objections.

May 2003 California Supreme Court hears arguments in coparenting case of Sharon S. who gave birth via AI in 1999 and her ex (partner of 10 years) Annette F., who was to adopt the boy; couple split up while adoption pending; S withdrew consent to allow F. to adopt; 1986 California was first state to allow the same-sex partner of a child's biological parent to adopt and become a defacto coparent. [The first couple to be granted second-parent adoption rights were Donna Hitchens and Nancy Davis. Both are currently San Francisco Superior Court judges.] 2001 appeals court in San Diego ruled that the practice was illegal and said it was never the intent of the legislature to permit both parents in gay relationships to serve as parents of the same child, nullifying an estimated 10,000 second-parent adoptions, though parents could commence new adoption petitions under a law passed 2002 to allow same-sex partners to adopt their children.

May 2003 California assembly passes bill to protect LGBTs in the foster care system; passed on mainly party lines. still has to pass Senate and be signed by Gov. Gray Davis Similar legislation was passed last year but vetoed by Davis over a provision that required the state to recruit gay foster care providers in the same way it recruits minority-group providers. Davis said the state's budget crisis prevented it from taking on a major new outreach effort. Currently 250,000 foster children in California.

June 2003 Chile (where divorce is still illegal) considers bill to grant civil unions and legal status to gay and lesbian couples who have lived together for at least two years (incl pension and inheritance rights). A provision in the law would permit heterosexual married couples to divorce and permit same-sex couples to end their partnerships on the grounds of family violence or by mutual agreement. It would not permit gay and lesbian couples to adopt.

June 2003 Tasmanian Gov't table bill recognizing same-sex relationships, a watered-down version of what was promised; allows gays and lesbians to adopt only the biological child of their partner, does not allow gay couples to apply for general placement adoptions of unknown children, gov't compromise to pressure from rightwing religious groups; but amends over 70 pieces of state law, establishing a domestic partnership registry (incl partner health decisions, guardianship when a partner is incapacitated, partner's public sector pensions; a child born as a result of fertility treatment to two women will be deemed the child of both women). Australian Catholic Bishops Conference also began a media campaign  
Health Minister David Llewellyn points out Health Dept does not discriminate on the basis of age, gender or relationship status when making decisions about who

was eligible to care for children under foster care arrangements, only criterion a background check to ensure a person was of good character. A same-sex couple in the south of the state was accepted as an appropriate foster-care family for children under guardianship orders; none currently in the North-West but children had previously been cared for by same-sex couples in that region; no same-sex couples have fostered children in the northern region. Greens justice spokesman Nick McKim moves an amendment to allow de facto couples -- same-sex and heterosexual -- to adopt children they have fostered for minimum three years. Government uses its numbers to defeat the amendment but four Liberal members vote with the Greens.

- June 2003 Tasmanian Government passes same- sex adoption legislation in House of Assembly after two days of passionate debate; gays and lesbians can now adopt the children of their partners and co-parent them; a provision to allow general adoption by same-sex couples dropped at the last minute. Bill heads to the Upper House where it faces opposition.
- June 2003 Ireland: Department of Health publishes new discussion document on "open adoption," allowing the adoption of children whose parents are married, and allowing people who are cohabiting to adopt (including gay couples); invites submissions from the public; Junior Health Minister Brian Lenihan is reviewing the adoption laws, will hold open forum on the changes in the autumn.
- June 2003 California 41-29 (mainly along party lines) passes Domestic Partners Rights and Responsibility Act of 2003 giving same-sex domestic partners nearly all the rights of marriage (legal and financial benefits ranging from the ability to file joint income taxes, through bereavement and family care leave, exemptions from estate and gift taxes, child custody and visitation hearings, and health coverage under a spouse's insurance plan, to the right to petition courts for child support and alimony). Bill now moves to the Senate. 1999, California allowed gay and lesbian couples to register as domestic partners; 2001 provided registered partners the right to make medical decisions for incapacitated partners, to sue for a partner's wrongful death and to adopt a partner's child.
- June 2003 Vermont becomes 1<sup>st</sup> state in the US to actively seek gay and lesbian couples to become adoptive parents; Social and Rehabilitation Services says it has more children in the system than there are prospective 'traditional' families to adopt them; SRS officials believe same-sex couples are particularly good at parenting children who've been in the system, all of whom are considered "special needs" children.
- July 2003 South Africa: carpet technologist Marie Fourie and partner (local nurse) Cecilia Bonthuys (together since 1994) granted leave to appeal to the Supreme Court of Appeal in Bloemfontein against the Pretoria High Court's refusal last October to legalize their marriage. A local magistrate was prepared to marry them but said she would not be able to register the marriage; no bank was prepared to open a joint bank account for them and they could not obtain a joint mortgage, could only with difficulty become members of a medical aid fund and to adopt a child or take one in foster care.
- July 2003 Argentine: Buenos Aires begins to register civil unions for gay couples; last December, city council voted 29-10 for Civil Unions Law No. 1004 for "couples formed by two people regardless of their sex or sexual choice"; couples must have lived together for at least two years within the city limits; they get health

and insurance benefits, hospital visit rights, but not inheritance or adoption; a poll conducted on an Argentine website shows 44% still oppose.

July 2003

Vatican releases biggest assault on "evil" of same-sex marriage/adoption, 12-page document available in seven languages "Considerations Regarding Proposals to Give Legal Recognition to Unions Between Homosexual Persons" prepared by Congregation for the Doctrine of the Faith, directs the clergy to exert pressure on Catholic politicians, directs politicians to vote according to Church doctrine, laws safeguarding marriage must be promoted and "in no way can other forms of cohabitation be placed on same level as marriage, nor can they receive legal recognition as such." Says gay unions "totally lacking in the biological and anthropological elements of marriage and family which would be the basis ... for granting them legal recognition." Says artificial reproduction medical practices involve "a grave lack of respect for human dignity." Adoption "creates obstacles to [their] normal development." "Allowing children to be adopted by persons living in such unions would actually mean doing violence to these children, in the sense that their condition of dependency would be used to place them in an environment that is not conducive to their full human development."

July 2003

UK: government tables draft legislation for same-sex (only) relationships recognition in England and Wales, essentially a domestic partnership registry (15 days after applying), "registered civil partnerships", to be introduced in 2010, many of the rights and responsibilities of marriage. Tory party agrees on free vote. Get: inherit a partner's state pension (after 2010); treated as next of kin in hospitals; register death of partner and have a say over funeral arrangements; inherit partner's estate and tenancy; state bereavement benefits and criminal injuries compensation scheme; treated as "close family" for prison visits; exempted from testifying against each other in court; immigration rules changed to remove the two-year prior cohabitation requirement for gay couples before one partner can move with the other to Britain (but once in UK, 2-year probationary period as for heterosexual couples; same protection as married spouses from domestic violence; treated as a "single family unit" for state benefits; right to a partner's life insurance; partnership a factor when a couple want to adopt jointly; splitting up, a) allowed to apply to a court for a contact order to ensure they see their ex-partner's children, b) duty on one partner to provide alimony; c) property and pensions divided, d) courts can make orders to provide "reasonable maintenance" for children; registered names publicly available (unlike current confidentially run schemes) Partnerships registered earlier in London, Bath, Birmingham, Brighton, Darlington and Leeds, and in Devon and Dorset, not legally binding, nor transferable: this one has to be done again. Ministers predict up to a third of gays and lesbians get civil registration by 2050, maybe as many as heterosexuals get married; total annual cost to the gov't may be around £75m in 2010 (incl. state pension, public service pension, and dissolution costs); annual cost to private employers could be up to £20m a year. The 25% of heterosexual people under 60 cohabiting in Britain are excluded; they are treated as married when cutting their benefits, but not when it comes to pension sharing.

July 2003

Colorado: Jennifer Veiga, first out lesbian in the Colorado legislature (Democratic leader in house), becomes first out lesbian in state Senate (rep. portions of Denver and Adams counties), elected by a selection committee to fill seat of resignee; will face the voters for the first time in 2004. Veiga one of 10

out LGB state senators in US. As a state rep, Veiga played a key role in defeating a bill preventing adoptions by same-sex couples and supported LGBT civil rights and hate crimes measures.

- July 2003 Utah: Salt Lake couple Sonja Kaufman,46, and Kari Fuller,38, (together 10 years), challenges Utah's ban on cohabiting straight of gay couples from adopting each other's children( or children in state foster care); they cite the supreme court ruling in the Texas sodomy case because it says gays and lesbians are entitled to Due Process and Equal Protection under the Constitution; Fuller is a stay-home mom with 7-month-old Karson and 6-year-old Angus; Kaufman adopted Angus, but in 2000 Utah changed the law and banned adoption by couples who are not married . If Kaufman died, the family would be split up and the kids put up for adoption; if the couple split, Fuller could seek visitation rights for Angus, but not Karson. Second-parent adoptions have been sanctioned by the highest courts of Vermont, Massachusetts, NY, and NJ. Courts in 21 other states have allowed second-parent adoptions for same-sex couples. Two other states, Florida and Mississippi, block gay couples from adopting. Arkansas restricts gays and lesbians from being foster parents.
- July 2003 Virginia Housing Development Authority abolishes rule denying low-interest home-mortgage loans to gay couples, limiting them to joint applicants "related by blood, marriage or adoption or by legal custodial relationship."
- August 2003 Australia: weekly Victorian gay publication *The Melbourne Star* carried ads from two adoption agencies, Share Care and Good Shepherd Youth and Family Services, for foster carers; Share Care spokesperson Janet Elefsiniotis says sexuality shouldn't be an issue in foster care placements and so far children have already been placed with seven gay and lesbian families. Marilyn Webster, the social policy manager for Good Shepherd Youth and Family Services, an agency with links to the Catholic Church, says the placements to date were emergency ones, not permanent.
- August 2003 Tasmania: Relationships Bill passes upper house 7-5, (effective Jan. 1) passes Legislative Council 7-5, after passing House of Assembly 22-3; institutes a registry for same-sex couples (also carers and long-term companions)(whether the relationship is sexual or not, whether they live together or not, and whether they even choose to register or not), allows them to adopt their partner's children and have access to their partner's pension, guarantees inheritance rights, allows one partner the power to make medical decisions when the other partner is incapacitated. Adoption and relationships bills guaranteed passage after the five Labor members in the Upper House agreed to an amendment which took away the presumptive conclusion of parenthood for the female partners of women who conceived a child through artificial fertilisation techniques. Upper House agrees to suspend standing orders to allow debate and voting on the legislation to be fast-tracked. The reforms could be in place by January.
- August 2002 Norway: Oslo's council leader Erling Lae spearheads a Conservative Party initiative to court the gay vote; the party has a number of central politicians who are out and is the only one with a direct message to gay voters; they have a webpage devoted to gay policies and support equal opportunity for gay couples seeking to adopt. Lae marched in Oslo's Skeive Dager (Bent Days) parade in June and contributed money to getting Europride to Norway's capital; party's main concern is better information to help gays come out. Norway's Minister of Finance, Per-Kristian Foss, became the first cabinet minister seen to enter into a

- gay partnership last year; 2 Conservative MPs are out and, in the Oslo council, 4 of their 19 representatives are out. Lae lives with an out gay Oslo pastor.
- August 2003 Sinn Féin Dááil spokesperson on Social and Family Affairs Seán Crowe calls Vatican on gay marriage "reactionary and "homophobic," calls on Church to end "its campaign of vilification" against homosexuals and same-sex marriages." Adds "Sinn Féin fully supports the right of same-sex couples to marry and adopt children and calls on the government to introduce legislation to this effect, which we would be happy to support."
- August 2003 UK Charity Commission order Christian Institute to withdraw card saying "In the event of my death I do not want my children to be adopted by homosexuals; CC says it is "inappropriate", though it did not think the CI had "overstepped the mark" as far as charitable restrictions on political campaigning are concerned.
- August 2003 American Bar Association at its annual convention in San Francisco does not take up a call to support gay marriage but votes to call on states to allow same-sex partners to adopt children together, will begin to lobby; already supports general right of gay people to adopt; about half the states do not permit adoptions giving both parents legal rights and allow children to qualify for inheritance and other benefits from both; 27 states already allow gays to adopt, but only California, Connecticut, Indiana, Massachusetts, New Jersey, New York, Pennsylvania and Vermont guarantee joint adoption. Florida expressly bans adoption by any gay person. Mississippi bans adoption by gay couples, and Utah forbids adoption by any unmarried couple, including gay couples.
- August 2003 California Supreme Court 6-1 affirms the validity of second-parent adoptions, which permit both partners in a same-sex relationship to be legal parents of their children, reverses a 2001 California Court of Appeal decision that it was never the intent of the legislature to permit both partners in gay relationships to serve as parents of the same child. There have been as many as 10,000 "second-parent" adoptions in the state since courts began recognizing co-parenting in 1986. Case of Sharon S. who tried try to prevent her former partner Annette from adopting a child the two women had planned to raise together. Other states in which appellate courts have approved this procedure include: DC, Illinois, Indiana, Massachusetts, NJ, NY, Pennsylvania, and Vermont; plus 3 state legislatures - California, Connecticut, and Vermont - have enacted adoption statutes that explicitly permit same-sex partners to adopt, and second parent adoptions have been granted by trial courts in more than fifteen additional states. Altogether, second-parent adoptions are generally available in more than half the country.
- Sept 2003 Union of Serbia and Montenegro: Belgrade lesbian human rights group gives Serbian Ministry of Social Issues a draft of suggested changes and additions to the Family Code; draft made by the Ministry of Social Issues does not mention gay and lesbian relationships in the Code that regulates marriage and relations in marriage, relations in common law marriage, relations of child and parent, adoption, fostering, guardianship, alimony, relation of material assets within the family, protection from domestic violence, measures regarding family relations and personal name. Labris suggests either change definition of marriage to "legally regulated union of two persons" (instead of "man and woman") or creating new legal definition of "union of persons of the same sex" with all the same rights.
- Sept 2003 European Parliament's annual report on Fundamental Rights in the EU (for 2002) calls on the member states to "abolish all forms of discrimination -whether

legislative or de facto - which are still suffered by homosexuals, in particular as regards the rights to marry and adopt children," explicitly mentions the current limitations of free movement rights and urges member states to take the necessary steps to extend these rights to all definitions of "family," condemns interference of the Catholic Church in political life; report is adopted on a 221-195 vote (23 abst) against the wishes of the main parliamentary group, the conservative European People's Party.

- Sept 2003 Europe: EOS Gallup Europe surveyed 30 European countries January 2003: 57% for legalizing gay marriage (23% in the 13 candidate countries); 42% for gay-couple adoption (17% in candidate countries); countries having already adapted their laws, or in the stage of doing so, receive firm support from their citizens; women, younger people, and the highly educated more favourable, as are non-believers and left-wingers.
- Sept 2003 Finland: working group of the Ministry of Social Affairs and Health recommends "in-family adoptions" for registered same-sex couples (2<sup>nd</sup> parent adoption) to solve problems in legal status of children living with parents in a same-sex relationship. Working group chair Matti Läähteinen of the Ministry for Social Affairs and Health: "Securing the interests of the child is what is most important. The living arrangements of the parents should not affect the child's position" In certain conditions, registered same-sex couples could adopt a child who is not the biological child of either of the two - only if the child is already well-acquainted with the couple in question - eg death of the child's own parents. Group also recommends extending other family benefits, eg family leave, to registered same-sex couples.
- Sept 2003 Scottish cabinet abandons plans to bring in legislation granting recognition to same-sex couples, nor will it support a private member's bill to accomplish the same thing; will use a clause in the Scottish constitution to leave the issue up to the Parliament in London.
- Scottish Executive proposes change to law to allow adoption by gay couples; follows publication of a discussion document on fostering and adoption; current legislation dates back to the 1970s and says only one half of an unmarried couple, whether same-sex or heterosexual, can adopt a child. Euan Robson, deputy minister for education and young people: "We want to ensure future legislation serves the best interests of individual children. We must also ensure we don't discriminate against any couple who can offer a child the opportunity to grow up in a nurturing family environment."
- Sept 2003 USA: Witeck-Combs/ Harris Interactive poll (for Out & Equal Workplace, released at 2003 Out & Equal Workplace Summit in Minneapolis) shows heterosexual adults 62% say that employees with same-sex partners should be equally eligible for key workplace benefits available to spouses of married employees; 74% for feel same-sex partners are entitled to the same leave benefits as straight married spouses receive when there is a loss of a partner or other close family member; 66% agree leave rights for family and medical emergencies as outlined in the Family and Medical Leave Act should be the same for same-sex employees as they are for heterosexual employees; 62% agree health insurance benefits for both partners of same-sex employees and spouses of heterosexual married couples should be tax-free; 61% agree health insurance coverage under COBRA should also be available to same sex partners of employees; 60% agree, when the same-sex partner of an employee accepts transfer to a new work

location, same-sex partner should be treated with same attention and support as a heterosexual employee's married spouse; 50% believe adoption assistance (eg counselling, financial benefits) should be available to both same-sex employees and married heterosexual employees.

- Oct 2003 American Academy of Family Physicians (AAFP) vote to defeat efforts to rescind their Academy's policy, adopted in September 2002, supporting equal protections for same-sex parents and their children; policy calls on the AAFP and its members to "establish policy and 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."
- Oct 2003 Florida: ACLU and advocacy group Children First sue the state in Federal court on behalf of several gays who are foster parents but want to adopt; Department of Children & Families new regulations make it easier for single people to adopt children; the department no longer expresses a preference for married couples adopt children and deletes a rule banning unmarried couples who are "sexually cohabitating" from adopting; state attorney says this is not meant to make things easier for gays. Ban on gay adoption was passed in 1977, although gays are permitted to be foster parents.
- Oct 2003 NJ: administrative law judge in Voorhees reviews case of Nicolaj Sikes Caracappa, child of Eva Kadrey and Camille Caracappa, who had him together; lovers 7 years; Caracappa principal breadwinner, so Eva had the child 1998; Camille continued work fulltime as a freelance oncology nurse; Eva stayed at home with Nicolaj and parttime bookkept for Camille's business; before Camille finished the adoption process, she died suddenly of an undiagnosed brain aneurysm at 38; Eva filed for Social Security survivorship benefits for Nicolaj in November 2000; Social Security Administration refused because Camille and Eva weren't married and Camille wasn't Nicolaj's biological mother. ACLU files amicus brief urging the Social Security Administration to provide survivor benefits to the child of a lesbian mother.

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