

# TALKING ABOUT



## Adoption & Gay Parents



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## Overview

When considering adoption law, Americans agree that before anything else, we need to do what's in a child's best interest. Each child's case is different, and adoption decisions should be made by experienced child health and social services experts, on a case-by-case basis—based on what's in the best interest of the child.

Blanket adoption bans—laws designed to outlaw all adoptions by lesbian and gay parents—hurt kids. For example, these laws mean that children might be placed with strangers rather than a gay relative should their parents die unexpectedly. Children in foster and government care can be denied forever homes. Adoption bans also take decisions out of the hands of experienced child health and social services authorities and put them in the hands of politicians (which even strong conservatives agree is a bad thing).

What many Americans don't know is that child authorities, who are trusted and charged with acting in the best interests of children, support adoption by qualified gay parents. Not only do these experts understand that adoption bans hurt kids, they also understand the conclusive social science research—research which shows that children of lesbian and gay parents do just as well as children of straight parents.

Note that these messages can be used both to challenge adoption bans and to proactively pass laws that allow lesbian and gay parents to adopt. For example, adoption bans may prevent a decision that's in the best interest of a child, but so does standing in the way of legislation that would allow qualified gay parents to adopt.

## Adoption Messages

### Emphasize Common Ground

**1) Adoption decisions should be made on a case-by-case basis, based on what's in the best interest of the child—not based on a parent's orientation.** There are two parts to this approach: first, that decisions should be made on a case-by-case basis; and second, that those decisions should be based on what's in the best interest of the child. Even people who are ambivalent about the idea of gay parents can be swayed by examples of the myriad situations where adoption by a gay parent or parents is in a child's best interest (see "Adoption bans hurt children" on the next page).

**2) Experienced child health and social services authorities, not politicians, should make adoption decisions.** It takes expertise and training to make adoption decisions. Blanket adoption bans (or opposing legislation that allows lesbian and gay parents to adopt) mean that politicians are taking these decisions out of the hands of the people most qualified to make them. This places politics above the best interests of children and puts children at risk.

**3) Mainstream child health and social services authorities unanimously support adoption by qualified lesbian and gay parents (or unanimously oppose adoption bans).** To date, states have been largely successful in keeping adoption bans off the books. This is in no small part due to the unanimous, credible, and vocal support of mainstream national child health and social services authorities who best understand the needs of the half-million children in foster care. Among these respected, supportive experts are the American Academy of Pediatrics, the American Academy of

## Talking About Adoption

**"It's about what's in the best interest of children."**

### Emphasize common ground

1. "Adoption decisions should be made on a case-by-case basis, based on what's in the best interest of the child."
2. "Experienced child health and social services experts, not politicians, should make adoption decisions."
3. "All mainstream child authorities support adoption by lesbian and gay parents."

### Illustrate concrete harms

4. "Adoption bans hurt children."
5. "Opposing adoption by qualified parents hurts children."

Family Physicians, the National Association of Social Workers, the Evan B. Donaldson Adoption Institute, and the Child Welfare League of America.

NOTE: Don't be confused by the so-called "American College of Pediatricians"—a tiny anti-gay fringe group that was formed to oppose adoption by gay parents.

### Illustrate Concrete Harms

**4) Adoption bans hurt children —OR— Opposing adoption by qualified parents hurts children.** Adoption bans hurt children—as does opposing legislation that would allow qualified lesbian and gay parents to adopt. All children deserve loving homes. Adoption bans mean children are denied a loving, safe, permanent (or forever) home simply because their parents are gay. Below, we've outlined the three major ways in which adoption bans hurt children. For specific and vivid examples, see the ACLU's *Too High a Price* publication ([www.aclu.org/toohighaprice](http://www.aclu.org/toohighaprice)).

- **Adoption bans mean children might be placed with strangers rather than gay relatives.** Parents should have the ability to designate their child's legal guardian, should they die unexpectedly (e.g., a mother should be able to designate her lesbian sister to raise her child). Adoption bans mean that children might be placed with strangers rather than a close family member who happens to be gay. This hurts kids, is definitely not in their best interest, and is one of the most important potential harms of adoption bans.
- **Adoption bans hurt kids in foster and government care waiting for a forever home.** Adoption bans deny children in foster and government care permanent, stable, loving, forever homes. Research clearly shows that children with permanent homes do far

### ABOUT THESE APPROACHES

The *Talking About* series uses two interconnected approaches for discussing LGBT issues. The first approach, **Emphasize Common Ground**, helps reduce the sense of "otherness" that some Americans feel when they think about gay people by focusing on the common values and beliefs that gay and straight Americans share. The second approach, **Illustrate Concrete Harms**, helps people understand and connect with the specific and pervasive injustices that LGBT Americans face.

For additional information, see the *Talking About* document titled **Overall Approaches for LGBT Issues**.

better than children in foster or state care. However, there are more than 500,000 children in our foster care system—and in 2005, more than 119,000 of them weren't able to be placed in permanent, loving homes. Systematically excluding a group of qualified and loving people from a limited pool of prospective parents deprives children of the permanent homes they so desperately need. This hurts kids—and may mean years of state care, frequent relocation to different foster homes, and the absence of love and stability.

- **Adoption bans hurt kids with lesbian and gay parents.** Second-parent adoption occurs when a parent adopts his or her partner's biological or adopted child, giving that child the financial, legal, and emotional security that comes with having two legally connected parents. Denying a child the chance to be adopted by their other parent hurts them. If something happens to their legally connected parent, the child can be ripped away from the only other parent they've ever known. Children can also be denied health insurance because a non-adoptive parent can't include them in their coverage. Note that very few Americans understand the issue of second-parent adoption, and even when explained, the other approaches help people understand the issues better.

### FINDING THE BEST POSSIBLE ADOPTIVE PARENTS

"All potential parents are put through a rigorous screening process to determine which are capable of providing a safe, stable, nurturing family life for a particular child. The responsibility to match a waiting child with the best possible adoptive setting rests with trained placement caseworkers. There are never enough families for these waiting children. So the task of finding a good family for each waiting child can be extremely difficult."

- American Civil Liberties Union, *Too High a Price: The Case Against Restricting Gay Parenting*, 2006.

### THE FINANCIAL COST OF ADOPTION BANS

Adoption bans create an extra burden for taxpayers who must shoulder the burden of growing state and foster care costs. For example, the ACLU estimated that the 2002 proposed Texas ban would have cost \$16 million in the first year alone, and more than \$75 million over the following five years.

## TALKING ABOUT SOCIAL SCIENCE RESEARCH

Studies show that children raised by lesbian or gay parents are just as happy and well-adjusted as children raised by straight parents. So why do anti-gay opponents often say the opposite? Here's what you need to know: Generally speaking, the social science research on parenting shows two things.

**1. The research that studies gay parents shows that children of gay parents do just fine.** There's a large and growing body of research that examines outcomes for children raised by gay parents. All of this research consistently concludes that being raised by gay or lesbian parents has no adverse effects on children. Kids of gay parents are just as healthy and well-adjusted as other children. Also, nearly every credible authority on child health and social services (including the American Academy of Pediatrics and the Child Welfare League of America) has determined that a parent's sexual orientation has nothing to do with the ability to be a good parent.

**2. Children do better with two parents than with one parent.** Social science research does indicate that, all other things being equal, children do better with two parents than with only one. But anti-gay opponents have twisted this finding to claim that "children do best with a mother and a father," as opposed to two loving lesbian or gay parents. In truth, the body of peer-reviewed research they use to justify this misleading claim does not even study gay two-parent households—it only compares straight single parents with straight two-parent households.

## Things to Avoid

**1) DON'T talk about adoption "rights" or use other "rights" language.** Adoption isn't about securing "rights" for adults; it's about providing protection, security, and forever homes for children. Always underscore the fact that children are the focus of these discussions (e.g., "No child should be denied a parent ..." "All children deserve ...").

**2) DON'T talk about how few families "measure up" to the nuclear family ideal.** Citing statistics about divorce and single parenthood doesn't give Americans a reason to support adoption by lesbian and gay parents. Stay focused on the importance of meeting each child's needs on a case-by-case basis, based on what's in that child's best interests.

**3) DON'T get sidetracked when talking about parenting research.** Correct the record if the parenting research is used in a misleading way, but keep it simple: "Those studies didn't look at gay parents; they only examined outcomes for children raised in two-parent vs. single-parent households." Also, focus on what makes a good parent (love, stability, and patience; taking care of and providing for children; keeping them safe and secure).

## Adoption Glossary

### This is about:

- the best interests of children
- taking care of/providing for children
- adoption by gay parents (instead of "gay adoption" or "adoption by gay couples")
- adoption by lesbian and gay parents
- adoption by loving, committed parents

### It's about providing children with:

- love, loving homes
- stability and security
- permanency, permanent homes, forever homes

### Decisions about adoption:

- should be made on a case-by-case basis
- should be made by child authorities/experts, not politicians

### Lesbian and gay parents, like straight parents:

- read bedtime stories
- drive their children to soccer practice
- put Band-Aids on skinned knees
- help their kids with homework

### ABOUT THIS SERIES

This is one in a series of documents on effectively talking about lesbian, gay, bisexual and transgender issues, including: Overall Approaches, Marriage & Relationship Recognition, Inclusive Employment Protections, Inclusive Hate Crimes Laws, Adoption & Gay Parents, and Ending Don't Ask, Don't Tell. For additional information, please email [talkingaboutseries@glaad.org](mailto:talkingaboutseries@glaad.org). © 2009 Gay & Lesbian Alliance Against Defamation and Movement Advancement Project.