

CONNECTICUT PARENTAGE ACT

RAISED BILL NO. 5178

LEAD SPONSORS: REP. JEFF CURREY, REP. THEMIS KLARIDES, REP. JASON ROJAS, REP. CRISTIN MCCARTHY VAHEY, REP. RAGHIB ALLIE-BRENNAN

Protecting children's parental relationships

Benefits of the Connecticut Parentage Act:

All children will have equal access to securing their parent-child relationships.
Connecticut parentage law will be constitutional and will reflect best practices.
Court procedures will be more accessible, efficient, and consistent.

Bill Summary

The Connecticut Parentage Act (CPA)

ensures all children have equal access to the security of a legal parent-child relationship, regardless of the circumstances of their birth, or the marital status, gender, or sexual orientation of their parents.

Right now, **Connecticut parentage law is outdated and unconstitutional**, and it leaves many children without the protection of a legal relationship with their parents.

The CPA ensures that parentage law reflects and protects the great diversity of families in Connecticut. The bill clearly states who can establish legal parentage and how to establish parentage. The CPA fills gaps in existing protections and ensures access to legal parentage for all children, including those with unmarried, same-sex, or non-biological parents.

What is parentage?

Parentage refers to the legal parent-child relationship, and this legal bond is core to a child's stability and security. Legal parentage comes with a number of rights such as custody, parenting time, and decision making. And it also comes with a number of responsibilities such as providing care, financial support, and health insurance.

Why is establishing parentage so important for protecting children?

Establishing parentage quickly ensures that a child is secured to their parents for all purposes and increases clarity for all involved in a child's life. This is particularly important if a problem arises; for example, legal parents are able to make medical decisions, to provide health insurance and other benefits, and to ensure that their child inherits in the event of death.

It is critical to secure all children equally – marital and non-marital alike.

Roughly 37% of CT children were born to unmarried parents in 2016¹

PHOTO BY MARTIN R. SMITH

Gaps in Current CT Law that leave children and families vulnerable

Current Connecticut law:

- Does not protect children's relationships with unmarried, non-biological parents and instead treats those parents as legal strangers to their children, regardless of how long they have been parenting or how deep the parent-child bond. **CT is the only New England state without protections or paths to parentage for non-biological parents to establish their legal parent-child relationship.²**
- Does not protect LGBTQ couples raising children and leaves the relationship between the non-biological parent and child vulnerable.
- Does not provide LGBTQ parents access to parentage through an **Acknowledgment of Parentage**, which is the simple administrative route that establishes parentage at the time of birth.
- Does not protect all children born through assisted reproduction by securing the relationship between intended parents and their children.
- Lacks clear standards to protect all involved in the surrogacy process, including both the intended parents and the person acting as the surrogate.

The CPA was drafted in consultation with and reviewed by state agencies including:

Connecticut Probate Court
Connecticut Judicial Branch: Support Enforcement Services
Connecticut Uniform Law Commissioners
Department of Social Services
Department of Public Health & Vital Records
Department of Children & Families
Legislative Commissioner's Office
Office of the Attorney General

How the CPA Will Help Families

Jane and Lia carefully planned to create a family. They are a long-term committed couple, and they are not married. They used in vitro fertilization (IVF) to conceive. Lia contributed her eggs, and embryos were created using donor sperm. Jane carried the baby. When their baby was born, Jane and Lia were not allowed to sign an acknowledgment of parentage form to establish their joint legal parentage. Their only option is to go through a long, burdensome and costly adoption process. **With the CPA, Jane and Lia would be able to protect their child right after birth, at the hospital, like other families.**

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Sally is a non-biological mother who co-raised her partner's child, conceived through assisted reproduction, since infancy. The couple never married. For 8 years, they lived together as a family, and both considered Sally a parent. When the couple separated, the birth mother drastically reduced Sally's access to their child as she was the only legal parent and held all of the decision-making power. Current law has no clear standards or recourse to protect this parent-child relationship and to ensure that the child continues to have a relationship with Sally. **With the CPA, Sally would have a path to secure her relationship with her child.**

CT has the second highest rate of births through assisted reproduction in the country³

These children deserve equal protection of their parentage

THE CONNECTICUT PARENTAGE ACT IS SUPPORTED BY:

Center for Advanced Reproductive Services at UCONN | Center for Children's Advocacy | Connecticut ACLU | Connecticut Gay & Lesbian Chamber | Connecticut Voices for Children | Connecticut Women's Education and Legal Fund (CWEALF) | Fertility Within Reach | Freed Marcroft | GLAD (GLBTQ Legal Advocates & Defenders) | Gay Parents to Be at Reproductive Medicine Associates of Connecticut | National Association of Social Workers – CT Chapter | New Haven Pride Center | PFLAG Hartford | Planned Parenthood of Southern New England | Reproductive Medicine Associates of Connecticut | Resolve New England | Triangle Community Center | True Colors | Yale Child Study Center | Professor Douglas NeJaime, Yale Law School* | Yale Law students*

*Affiliation is provided for identification purposes only

Sources

1. www.cdc.gov/nchs/data/nvsr/nvsr67/nvsr67_01.pdf
2. www.glad.org/nep
3. www.cdc.gov/mmwr/volumes/67/ss/ss6703a1.htm