

In September, The Massachusetts Supreme Judicial Court ruled that "the state's law on joint adoptions does not require a legal marriage and that same-sex couples are eligible to jointly adopt children," according to a *Washington Blade* article. This ruling was prompted by the joint adoption case of Dr. Susan Love and Dr. Helen Cooksey. Their lawyer, Katherine Triantafillou, stated that the three judges who voted against the ruling "would have voted to approve the adoption if Cooksey was given parental rights and Love surrendered parental rights but retained custody and visitation rights."

In October, an editorial in *The New York Times* stated, "In deciding what's best for a child, it's fair to look at a large range of issues. But the sexual orientation of parents is not one of them. Gay parents should not have to live in fear of losing their children simply because of who they are."

While many positive events are taking place, not all is rosy. In September, a state judge in Virginia gave custody of a two year old to the child's grandmother because the child's mother, Sharon Bottoms, is a lesbian and also involved in a relationship. A circuit court judge said Bottoms' "conduct is illegal and immoral and renders her an unfit parent."

Nancy Polikoff, Assistant Professor of Law at American University in Washington, D.C., cites another downside to

all that is positive. She has stated that most of these adoption rulings apply to gays and lesbians who want to adopt biological children of their partners, and courts are much less likely to grant adoptions to same-sex couples who go through social service agencies. Also, Florida and our neighbor, New Hampshire, have specific laws prohibiting adoptions by partners of the same sex.

Unfortunately, Vermont's H283, if it becomes law, is not far from doing the same. According to Goslant, the Adoption Reform Task Force, the committee that authored the bill, did not want to deal with the issue of adoption by same-sex couples at all. The committee felt that "same-sex marriage" laws should come first. However, they were later convinced that not mentioning the issue was the same as taking a stand against it. "This is by no means the only thing we need to do with custody" Goslant said in a phone interview, "There's still more work to do." He said that with the religious right doing a great deal of grass-roots organizing and the uncertainty of H283, "the rights of our kids are still not guaranteed."

To find out more about the status of the Adoption Reform Bill, contact the Vermont Coalition of Lesbians and Gay Men, PO Box 1125, Montpelier, VT 05602. ▼

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