

# WE'RE JUST ANOTHER FAMILY

## LGBTQ+ PARENTING (1979)

### IN CONTEXT

#### FOCUS

#### Equal parental rights

#### BEFORE

**1956** American organization Daughters of Bilitis holds the first known discussion groups on lesbian motherhood.

**1968** Bill Jones becomes the first single father to adopt a child in California and one of the first in the US. He is advised by a social worker not to mention that he is gay.

#### AFTER

**1999** In California, a court allows two gay fathers to appear on their child's birth certificate for the first time in the US.

**2005** The UK's Adoption and Children Act is finally passed into law, allowing same-sex couples to jointly adopt children.

**L**GBTQ+ people have been raising children for generations. However, prior to the rise of the gay liberation movement in the 1970s, it was almost impossible to live openly as a gay or transgender parent, out of fear of social condemnation and persecution. Those who did come out faced losing contact with their children, as demonstrated by a surge of custody cases in the 1960s involving LGBTQ+ parents who had left heterosexual marriages.

Driven by their struggles in the family courts, LGBTQ+ parents began to build community networks. In 1955, the support group the Daughters of Bilitis was founded in

**See also:** The gay liberation movement 171–79 ■ Transgender rights 206–13 ■ Section 28 248–49 ■ Marriage equality 292–97 ■ Transgender pregnancy and reproductive healthcare 302–03



**The Ladder magazine** was published from 1956 to 1972 by Daughters of Bilitis, the first lesbian rights group in the US. The founders also held the first known support groups for lesbian mothers.

San Francisco. They helped lesbian mothers and parents caught in custody battles. In 1979, the Gay Fathers Coalition was created at a gay rights march in Washington, DC; it later expanded to include lesbian parents and was renamed the Family Equality Council.

The rise of the gay rights movement and a wave of custody cases involving LGBTQ+ parents, focused attention on LGBTQ+ parenthood and led to a backlash against same-sex adoption and foster parents. Adoption agencies either rejected applications from LGBTQ+ people or recommended that they stay closeted. In 1968, Bill Jones, a member of San Francisco Bay Area Gay Fathers, became the first single father to adopt in the US and later revealed that he had been advised not to disclose his sexuality.

### Out of hiding

In 1978, John Kuiper, a pastor with the Good News Metropolitan Community Church in Albany, New York, adopted a 13-year-old boy from foster care. However, after Kuiper announced in 1979 that he lived with his partner, Roger Hooverman, a court investigation into the adoption was launched.

The inquiry into Kuiper obtained reports from a social worker and his son's school, as well as psychological evaluations. The judge decided that Kuiper was "providing a good home" and granted permanent custody, making him the first openly LGBTQ+ individual to adopt a child in the US. The case was a turning point in establishing that LGBTQ+ individuals were not automatically "unfit" parents and the judge's decision opened doors for more adoptions by gay single parents.

In the 1970s, a new type of family began to emerge when more openly LGBTQ+ people became adoptive parents and lesbian couples began to start families using artificial home insemination. At the end of the decade, New York and California



**Frank Martin Gill** won a landmark case in 2010 when a Florida appeals court ruled that the state law banning LGBTQ+ individuals from adoption was unconstitutional.

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The reverend is providing a good home, the boy loves his adoptive father and wants to be with him. Who knows in this world of ours? You do the best you can and hope it works out.

**Judge James Battista**  
on granting permanent custody to  
**John Kuiper of his adopted son**

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became the first US states to allow same-sex couples to adopt jointly on a case-by-case basis.

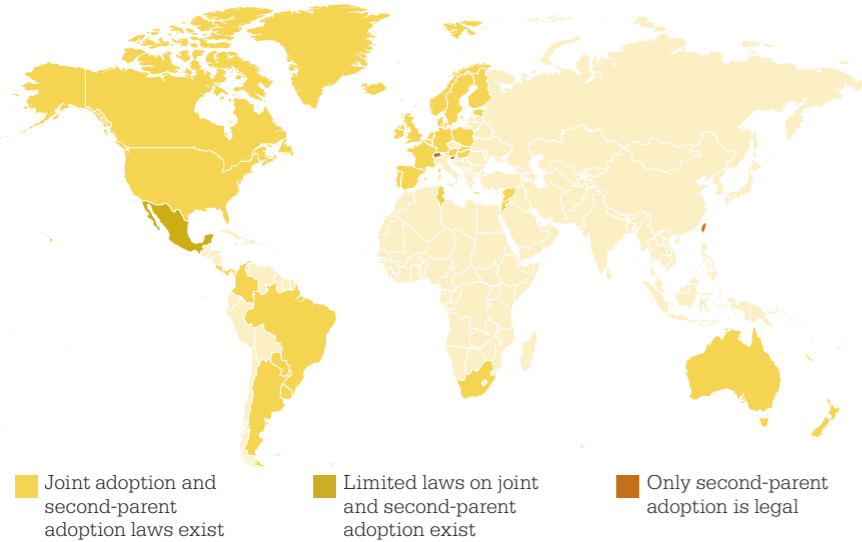
### Landmark decisions

In the 1980s and 1990s, LGBTQ+ couples began to explore fertility services, such as artificial insemination, IVF, and surrogacy. Many sperm banks would not serve single mothers or lesbians and excluded same-sex couples by requiring couples to be married to adopt. This discrimination, as well as custody battles between same-sex parents who had split up, emphasized the need for LGBTQ+ families to have legal protection. The fight for rights to equal marriage and parental civil rights became central to LGBTQ+ activism during the 1980s.

In 1985, LGBTQ+ activists developed "second-parent adoption". Inspired by step-parent adoptions, second-parent adoptions allowed the applicant to secure



Same-sex adoption worldwide



This map shows countries where LGBTQ+ people can adopt either by joint adoption or second-parent adoption. A joint adoption allows an LGBTQ+ couple to adopt a child together; a second-parent adoption allows the applicant to adopt the biological or adopted child of their partner.

parental rights with a child that their partner had adopted as a single person or conceived with a sperm donor.

In 2003, the US Supreme Court made a landmark decision in *Lawrence v. Texas*, in which all nationwide sodomy laws were overturned. The decision led to a growth in public acceptance and normalization of same-sex



relationships and the tide began to turn in the family courts. Judges who were governed by deciding the “best interests of the child” showed an increasing willingness not to automatically rule that LGBTQ+ people were unfit as parents.

Researching outcomes

In 1986, the *New England Journal of Medicine* began a study following the children of lesbian mothers, conceived through donor insemination, from infancy to adulthood. In 2018, the final report indicated that the now 25-year-olds had no significant differences from children of heterosexual, cisgender parents in their scoring on mental

Transgender parent Bianca Bowser stated in 2014 that she had to sign the box for “father” when she registered her children’s births. She described the experience as “crushing”.

health diagnostic scales, or in studies of their behavioural or emotional problems.

In 2015, the US Supreme Court ruled in favour of marriage equality. Several states used “Religious Freedom” laws to continue to allow discrimination against same-sex adoption, until a ruling by the US Supreme Court in 2017 made adoption by LGBTQ+ couples or individuals legal in all 50 states.

Parental recognition

In 2001, two lesbian couples in Canada filed a complaint against the Ministry of Health in British Columbia, after they were not allowed to include the names of the non-biological mothers on their children’s birth certificates. After the court was informed that heterosexual couples could place the names of non-biological fathers on children’s birth certificates when the children had been conceived with sperm donors, the complainants were successful.

By the end of the 20th century, organizations for same-sex parents included transgender and bisexual parents and provided legal advice around custody battles as well as support for new and prospective

“We have all the same joy and love – when there’s something you need to tell your kid, we figure it out as all families have to figure it out.”  
**Freddy McConnell**



parents. In the 21st century, transgender parents still experience significant barriers in family law, including discrimination in custody battles. Courts can ask for medical tests to confirm gender identity and former partners sometimes argue that a transgender partner’s gender identity may negatively impact their children. These parents also face challenges in establishing legal relationships and documentation for their children that accurately represents the parent’s gender.

In a high profile case, Freddy McConnell, a British transgender man who gave birth to his child in 2019, lost his appeal in the High Court in April 2020 to be recorded



Whitney and Megan Bacon-Evans won the “Unsung Hero” award at the 2022 DIVA Awards in London for their work promoting LGBTQ+ rights.

*Heather Has Two Mommies* (1989) by American author Lesléa Newman was one of the first children’s books to depict a family with LGBTQ+ parents.

as the “parent” or “father” on the birth certificate; he remains listed as the “mother”.

In 2015, an American survey found that that nearly a third of transgender people had been denied services, experienced harassment, or been assaulted when presenting an identity document that includes an incorrect name or gender marker. In 2020, a legal victory in the US gave trans parents hope for gaining accurate gender representation on their children’s birth certificates.

A new generation

The growth in acceptance and legal recognition for LGBTQ+ parents has led to greater representation of LGBTQ+ parents and their children in media, including children’s books. LGBTQ+ inclusive curricula have been introduced in schools to help create a safe and comfortable environment for children now being raised by openly LGBTQ+ parents.

LGBTQ History Month began in 1994 and recognizes the importance of LGBTQ-inclusive curricula. It is

The price of parenthood

Many LGBTQ+ couples require egg or sperm donation to start their families and they can experience the same fertility issues as any other member of the population. Fertility treatments can be limited for many LGBTQ+ people and many countries still refuse to offer them at all.

In 2021, British couple Megan and Whitney Bacon-Evans began legal proceedings against the National Health Service (NHS). They alleged that the NHS’s

celebrated in Brazil, Germany, Italy, Finland, Cuba, Hungary, Australia, Canada, the US, and the UK.

The greater visibility of LGBTQ+ parents challenges the misconception that heterosexual families are best for the child. Though some legal and family planning services need better training, there is greater awareness and acceptance of LGBTQ+ parents, though the fight for full parental rights for LGBTQ+ people worldwide goes on.

“We’re doing this for every LGBT+ couple who had to give up on their hopes and dreams of creating a family. It’s time for discrimination to end and for there to be equal treatment with heterosexual couples in the healthcare system.”  
**Megan Bacon-Evans**