

Senate Health & Human Services

03/23/2022 01:30 PM

HB22-1153 Affirm Parentage Adoption In Assisted Reproduction

Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
Lisa Dacey For Self	<p>To the members of the committee:</p> <p>We urge you to support HB22-1153, the Family Affirmation Act. Jen and I have been married for nearly seven years and live in Boulder with our children, Tess (4) and Wyatt (1.5). We are each biologically related to one child, both getting pregnant with the help of donor sperm and a fertility clinic. We used the same donor, so our children are biological half-siblings as well.</p> <p>In 2017, Jen gave birth to Tess in San Francisco. Within a few months, I had applied for and received my court order granting me adoption. In California, this is fairly straightforward. There are a series of forms to fill out and documents to submit; however, it was a manageable and affordable process. The only cost to us was a \$20 filing fee.</p> <p>In 2020, I gave birth to Wyatt here in Colorado. After consulting with a lawyer about the UPA and adoption processes, we petitioned for Jen’s formal adoption of Wyatt. This involved a background check, fingerprinting, a hearing with the county magistrate, and the lawyer’s fee of \$1600. Because many other LGBT families like ours had been granted adoptions, we expected to have a positive outcome. However, after a process lasting nine months, the petition was ultimately denied. The reason the magistrate gave was that because Jen was already a presumed parent, Wyatt was not available for adoption, and therefore she could not grant Jen the adoption without first removing her presumed parentage (which could only be done if Jen was found to be a neglectful parent).</p> <p>The outcome in our case demonstrates why this legislation is necessary. The current laws in Colorado do not clearly address confirmatory adoption. As a result, our two children have different and unequal legal relationships with their parents, simply because of where they happened to be born. Additionally, even if our petition had been successful, the current process and cost are burdensome and likely inaccessible to many families.</p> <p>It is necessary for our family, and others with similar family structures, to have equal and unequivocal legal status and protections that are recognized in every state. Thank you for your consideration of this legislation.</p> <p>Lisa Dacey and Jen Snook</p>

--	--