



# Yale Law School

DOUGLAS NEJAIME • *Anne Urowsky Professor of Law*

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Dear Chairs Winfield and Stafstrom, Vice Chairs Kasser and Blumenthal, Ranking Members Kissel and Fishbein, and Members of the Joint Committee on Judiciary,

My name is Douglas NeJaime. I grew up in Torrington, where much of my family still lives, and I currently reside in Guilford with my husband and two-year-old son. I am the Anne Urowsky Professor of Law at Yale Law School, where I teach in the areas of family law, constitutional law, gender and sexuality, and legal ethics. I also hold a secondary faculty appointment as Professor at the Yale Child Study Center, where I collaborate with doctors and scientists on the relationship between child development and law. **I am testifying in support of Proposed Bill No. 6321, An Act Concerning Adoption and Implementation of the Connecticut Parentage Act.** I have been the principal drafter of this legislation, working in coordination with your Legislative Commissioners' Office, as well as the Judicial Branch and the Probate Court, to ensure that it fits within the framework of our state's existing statutes.

My primary research involves parentage—the legal status of the parent-child relationship. Parentage gives rise to rights, such as custody and decision-making authority, and responsibilities, such as financial support. Parentage is critical to children's welfare. Yet, many children in Connecticut are deprived of the protection and security that parentage provides. This is because the law fails to treat their parents—who love and care for them—as legal parents. The Connecticut Parentage Act (CPA) fixes this problem. The CPA brings order to an area of law where there is too much uncertainty. It brings equality and inclusion to an area of law where families have been excluded based on gender, sexual orientation, and marital status. And it updates an area of law that is woefully outdated.

I focus my testimony on a few major aspects of the CPA: (1) that it would fix constitutional problems with Connecticut's parentage laws; (2) that it would protect children by ensuring that they have access to the security that parentage provides; (3) that it would establish clear and accessible paths to parentage; and (4) that it has been drafted in consultation with all of the relevant courts, agencies, legal organizations, advocacy groups, and nonprofits in Connecticut.

## I. Connecticut Parentage Law is Unconstitutional

Connecticut parentage law is currently unconstitutional because it excludes same-sex couples. As the Connecticut Supreme Court has made clear, "Connecticut law has long provided that a child born in wedlock is presumed to be the legitimate child of the mother and her husband."<sup>1</sup> A number of Connecticut statutes refer to the marital presumption, also sometimes called the presumption of legitimacy, in ways that assume only a heterosexual marriage.<sup>2</sup> In an unpublished opinion, the superior court noted that it "is not aware of any controlling authority [in Connecticut] . . . that expressly addresses whether the presumption of legitimacy extends to children born to same-sex marriages, or that its counterpart, the marital presumption, extends to same-sex married couples."<sup>3</sup> Six years after

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<sup>1</sup> *Weidenbacher v. Duclos*, 234 Conn. 51, 69, 661 A.2d 988, 997 (1995).

<sup>2</sup> See, e.g., Conn. Gen. Stat. §§ 45a-772, 45a-774, 45a-776.

<sup>3</sup> *Barse v. Pasternak*, No. HHBFA124030541S, 2015 WL 600973, at \*8 (Conn. Super. Ct. Jan. 16, 2015).

that decision, we are in the same place. Our statutes continue to take the view that married parents are heterosexual, even though same-sex couples have long been able to marry and have children in the state.

Limiting the marital presumption to different-sex married couples has been found unconstitutional by virtually all federal and state courts that have examined the question. Consider developments in Iowa. In 2009, the Iowa Supreme Court held that the Iowa Constitution prohibited the state from excluding same-sex couples from marriage,<sup>4</sup> just months after the Connecticut Supreme Court in *Kerrigan v. Commissioner of Public Health* ruled that our state's constitution required opening marriage to same-sex couples.<sup>5</sup> Indeed, the Iowa Supreme Court relied extensively on the reasoning of our supreme court, at one point declaring that "it would be difficult to improve upon the words of the Supreme Court of Connecticut" in *Kerrigan*.<sup>6</sup> After its decision on marriage, the Iowa Supreme Court held that "the [Iowa] presumption of parentage statute," which used the gendered terms of mother and father, "violates equal protection under the Iowa Constitution as applied to married lesbian couples."<sup>7</sup> That was eight years ago, yet Connecticut's statute remains the way Iowa's looked at that time.

In 2015, in *Obergefell v. Hodges*, the U.S. Supreme Court ruled that states must afford same-sex couples' families the same legal rights and recognition, including marriage, that it affords different-sex couples' families.<sup>8</sup> Two years later, the Supreme Court ruled in *Pavan v. Smith* that Arkansas must treat both women in a married same-sex couples as parents.<sup>9</sup> When a woman in a different-sex marriage gave birth to a child, the state treated her husband as a legal parent, regardless of whether he was in fact the child's biological father. But when a woman in a same-sex marriage gave birth to a child, the state refused to treat her wife as a legal parent. The Court rejected the state's argument that parentage tracks biology since the state itself had made "its birth certificates more than just a mere marker of biological relationships."<sup>10</sup> The Constitution, the Court held, "proscribes [the state's] disparate treatment" of same-sex couples.<sup>11</sup>

A number of federal and state courts have applied the Supreme Court's decisions in *Obergefell* and *Pavan* to the marital presumption of parentage.<sup>12</sup> The Arizona Supreme Court, for example, declared that "the [marital] presumption of paternity . . . cannot, consistent with the Fourteenth Amendment's Equal Protection and Due Process Clauses, be restricted to only opposite-sex couples."<sup>13</sup> A marital presumption limited to different-sex couples, the court observed, harms same-sex couples and their children—"demeaning them, humiliating and stigmatizing their children and family units, and teaching society that they are inferior in important respects."<sup>14</sup>

It is not only state courts but federal courts that have taken this view. Last year, the Seventh Circuit Court of Appeals ruled that Indiana must apply its marital presumption of parentage to same-sex

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<sup>4</sup> *Varnum v. Brien*, 763 N.W.2d 862 (Iowa 2009).

<sup>5</sup> 289 Conn. 135, 957 A.2d 407 (2008).

<sup>6</sup> *Varnum*, 763 N.W.2d at 895.

<sup>7</sup> *Gartner v. Iowa Dep't of Public Health*, 830 N.W.2d 335, 354 (Iowa 2013).

<sup>8</sup> 135 S. Ct. 2071 (U.S. 2015).

<sup>9</sup> 137 S. Ct. 2075 (U.S. 2017).

<sup>10</sup> *Id.* at 2078.

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

<sup>13</sup> *McLaughlin v. Jones*, 401 P.3d 492, 496 (Ariz. 2017).

<sup>14</sup> *Id.*

couples.<sup>15</sup> In an opinion written by Judge Easterbrook, one of most respected conservative jurists in the country, and joined by Judge Sykes, another high-profile conservative judge, the court held that, “after *Obergefell* and *Pavan*, the state cannot presume that a husband is the father of a child born in wedlock, while denying an equivalent presumption to parents in same-sex marriages.”<sup>16</sup>

Given the overwhelming consensus among courts, lawmakers, and scholars, it is clear that Connecticut’s current parentage laws regulating marital parentage are unconstitutional. Statutory reform is necessary to clearly meet the state’s constitutional obligations, as well as to bring clarity where there is uncertainty. The CPA would solve this constitutional problem by codifying a gender-neutral marital presumption, providing that “a person is presumed to be a parent of a child” if the person is married to the woman who gave birth and “the child is born during the marriage.”<sup>17</sup>

The constitutional problems with Connecticut’s statutes are not limited to the marital presumption. They also appear in the state’s regulation of assisted reproduction. LGBTQ parents primarily rely on assisted reproduction to have children. Like many other states, Connecticut maintains specific statutes addressing parentage in this context. These statutes were adopted before same-sex couples could marry in the state. Section 45a-774, which furnishes legal status to a child born through assisted reproduction, refers only to “husband and wife.” Courts that have considered statutes of this kind have determined that they are unconstitutional. As a federal district court in Utah announced in 2015, a law “treating male spouse[s] of women who give birth through assisted reproduction involving the use of donor sperm differently than identically situated female spouse[s] . . . violates [same-sex couples’] rights to Equal Protection.”<sup>18</sup>

Because Connecticut’s many statutes on assisted reproduction by their terms apply only to “husband and wife,” they are unconstitutional and must be reformed.<sup>19</sup> The CPA would resolve this issue by allowing parents who engage in assisted reproduction to be treated as legal parents without respect to gender, sexual orientation, or marital status. The bill provides that, in cases of assisted reproduction other than surrogacy, a person who consents in writing “to assisted reproduction by another person with the intent to be a parent of a child conceived by the assisted reproduction is the parent of the child.”<sup>20</sup>

The CPA’s assisted reproduction provision would also cover another situation in which Connecticut’s treatment of same-sex couples is unconstitutional. Some same-sex couples have a child through co-IVF, in which one woman is the genetic mother (it is her egg) and the other woman is the gestational mother (she gives birth). If a Connecticut same-sex couple who has children in this way are unmarried, they are not able to obtain a birth certificate listing both women as parents without undertaking an adoption or obtaining a court order. The state currently treats these women as engaging in surrogacy, even though no legal definition of surrogacy would cover this situation and even though both the birth mother and genetic mother are intended parents and will raise the child together.

Going as far back as 2005, courts in other states have rejected the way that Connecticut currently

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<sup>15</sup> *Henderson v. Box*, 947 P.3d 482 (7th Cir. 2020).

<sup>16</sup> *Id.* at 487.

<sup>17</sup> Proposed Bill No. 6321 § 36(a)(1).

<sup>18</sup> *Roe v. Patton*, No. 2:15-cv-00253, 2015 WL 4476734, at \*3 (D. Utah July 22, 2015).

<sup>19</sup> See, e.g., Conn. Gen. Stat. §§ 45a-772, 45a-774, 45a-776, 45a-777.

<sup>20</sup> Proposed Bill No. 6321 § 53.

treats same-sex couples in this situation. The Supreme Courts of California and Nevada have each ruled that, in situations of this kind, both women in an unmarried couple are legal parents of the child.<sup>21</sup> In 2013, the Florida Supreme Court ruled that the state's failure to treat both women as legal parents violates federal constitutional guarantees of equal protection and due process.<sup>22</sup> The court remarked that, "[i]t would indeed be anomalous if, under Florida law, an unwed biological father would have more constitutionally protected rights to parent a child after a one night stand than an unwed biological mother who, with a committed partner and as part of a loving relationship, planned for the birth of a child and remains committed to supporting and raising her own daughter."<sup>23</sup> The CPA would treat both the birth mother and the genetic mother in an unmarried same-sex couple as legal parents of their child.

Most same-sex couples having children do not use co-IVF, but instead use intrauterine insemination, in which one woman is inseminated with donor sperm. That woman gives birth to her own genetic child, and her same-sex partner has no biological connection to the child. The failure to provide a pathway for unmarried nonbiological parents to establish parentage means that the children of same-sex couples are provided fewer protections than the children of different-sex couples.

In 2016, in a case involving an unmarried nonbiological mother in a same-sex couple, the New York high court rejected that state's adherence to a definition of "parent" limited to marriage, biology, and adoption.<sup>24</sup> In its decision, the court reasoned that the recognition of same-sex couples' families on constitutional grounds rendered the parentage law's "foundational premise of heterosexual parenting and nonrecognition of same-sex couples . . . unsustainable."<sup>25</sup> It noted that for the ordinary different-sex couple, "both former partners will have standing regardless of marriage or adoption," because both will be "biologically related to the child," but "[u]nder the current legal framework, which emphasizes biology, it is impossible—without marriage or adoption—for both former partners of a same-sex couple to have standing, as only one can be biologically related to the child."<sup>26</sup> The court held that, because different-sex and same-sex couples are differently situated with respect to biological parenthood, "a proper test for standing that ensures equality for same-sex couples" requires a path to nonbiological parentage without marriage or adoption.<sup>27</sup>

The protection of nonmarital nonbiological children is not only necessary to meet the state's constitutional obligation to treat same-sex couples equally; it is also necessary to meet the state's obligation to protect children without respect to the marital status of their parents. Beginning in the late 1960s, the U.S. Supreme Court repudiated a system of parentage limited to marriage. While states had long treated unmarried parents and their children as legal strangers, the Supreme Court held that such treatment violated constitutional principles of equal protection.<sup>28</sup> A few years later, the Court held that, not only did nonmarital children have a right to a legally recognized parent-child relationship, but unmarried parents also had a constitutional right to be treated as legal parents.<sup>29</sup> The original

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<sup>21</sup> See *St. Mary v. Damon*, 309 P.3d 1027 (Nev. 2013); *K.M. v. E.G.*, 117 P.3d 673 (Cal. 2005).

<sup>22</sup> See *D.M.T. v. T.M.H.*, 129 So.3d 320 (Fla. 2013).

<sup>23</sup> *Id.* at 339.

<sup>24</sup> See *Brooke S.B. v. Elizabeth A.C.C.*, 61 N.E.3d 488 (N.Y. 2016).

<sup>25</sup> *Id.* at 498.

<sup>26</sup> *Id.*

<sup>27</sup> *Id.* at 498-99.

<sup>28</sup> See, e.g., *Levy v. Louisiana*, 391 U.S. 68 (1968).

<sup>29</sup> See *Stanley v. Illinois*, 405 U.S. 641 (1972).

Uniform Parentage Act was promulgated in the wake of these decisions and aimed to help states meet their constitutional obligations to treat every child equally regardless of the marital status of their parents. That constitutional commitment equal treatment of nonmarital children remains a core part of the UPA, and in turn, is central to the CPA. Today, in order to treat every child equally regardless of the marital status, gender, or sexual orientation of their parents, it is necessary, as the New York high court found, to protect children's relationships with their unmarried nonbiological parents.

## II. Connecticut Parentage Law Fails to Protect Children in Families Across Our State

Connecticut's parentage laws are some of the most outdated in the country. They have failed to keep pace not only with constitutional developments but also with the way people in our state form families. By limiting parentage on the basis of marriage and genetics, our laws leave many children without the security that legal parentage provides.

As the high court of New York declared in 2016, a legal system that treats nonbiological parents as legal strangers to their children not only fails to treat same-sex couples with the respect they deserve but also harms their children.<sup>30</sup> When two women in an unmarried same-sex couple have a child together, Connecticut law does not treat the nonbiological mother as a legal parent. Instead, she must adopt her own child. Adoption is a time-consuming, invasive, and costly process. Especially after using scarce resources to access fertility services required to have a child, same-sex couples struggle to afford the adoption process. Also, after going through an often stressful and exhausting process to have a child, and then dealing with a newborn, the adoption process may quite reasonably fall to the bottom of the list. Of course, some parents do not even know they have to adopt their own child. Without an adoption, when an unmarried same-sex couple in this state breaks up, the nonbiological mother has no legal standing to go into a court as a parent seeking custody or visitation. The law regards her as a legal stranger to her child.

LGBTQ parents and their children are not the only ones affected. Many other families in Connecticut feature a nonbiological parent who is not treated as a legal parent. While every other New England state, as well as a majority of states across the country, allow a parent who is not a biological parent and not married to the legal parent to seek a legally recognized parental relationship, Connecticut does not. This is traumatic for children, who are harmed when their relationship with their parents is severed.

The bill would fill this gap in Connecticut law by providing critical pathways to parentage for unmarried nonbiological parents—pathways that other jurisdictions, including other New England states, have had for several years. First, the nonmarital presumption of parentage would presume that a person is a parent when that “person, jointly with another legal parent, resided in the same household with the child and openly held out the child as the person’s own child from the time the child was born . . . and for a period of at least two years thereafter . . .”<sup>31</sup> Under the CPA, a person who satisfies this presumption must formally establish their parentage through an Acknowledgment of Parentage or an adjudication. Second, the bill allows an individual to seek an adjudication that she is a *de facto* parent of the child. This requires showing by clear and convincing evidence that the individual formed

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<sup>30</sup> See *Brooke S.B.*, 61 N.E.3d at 498-99.

<sup>31</sup> Proposed Bill No. 6321 § 36(a)(3).

a parent-child relationship that the other parent actively supported and fostered.<sup>32</sup> It provides a number of strict requirements in order for a person to qualify.

These protections for nonmarital nonbiological parent-child relationships is why the Yale Child Study Center supports the CPA. My colleagues who study child development have shown that an actual parent-child relationship depends not on a biological connection or on the marital status of the parents. The key is attachment, which arises from the daily interaction between the parent and the child. A child's loss of or separation from a parent who is an attachment figure can have lifelong negative effects. I have worked closely with scholars and researchers at the Child Study Center on questions of parentage, and their work supports, from a child-centered perspective, the parentage protections included in the CPA.

A majority of states now provide protections to unmarried nonbiological parents and their children. No one has pointed to any evidence in any of those jurisdictions that the doctrine has been misapplied or used in ways that depart from its intended purpose. And my own work has shown that the doctrine has been essential to protecting children who live in families that do not conform to the traditional model of a married couple raising their biological children—families that are increasingly common in our state.<sup>33</sup>

### III. The Connecticut Parentage Act Promotes Children's Interests by Providing Clear, Simple, and Accessible Ways to Establish Parentage

The Connecticut Parentage Act provides clear and accessible paths to parentage. These paths are provided for married parents and unmarried parents, biological parents and nonbiological parents, and intended parents who use assisted reproduction to have children.

The bill also provides a mechanism by which some parents can easily establish parentage when their children are born. Currently, when an unmarried woman gives birth to a child, she is given an Acknowledgement of Paternity that she and the man who purports to be the biological father may sign at the hospital. If the acknowledgement is not rescinded within 60 days, it has the force of a judgment of parentage. Federal law requires Connecticut to have these acknowledgements, and under federal law other states are required to give our acknowledgements Full Faith and Credit. The Connecticut Parentage Act changes Acknowledgements of Paternity to Acknowledgements of Parentage—a step many other states have already taken—and allows not only different-sex couples but also same-sex couples who used assisted reproduction to sign them to establish parentage.

Married and unmarried same-sex couples will sign acknowledgements—often before the child is born so that it will be effective immediately upon the child's birth. The nonbiological parent will be able to make decisions regarding her child from the moment the child is born—an especially important right if the birth mother is incapacitated. The nonbiological mother will no longer be treated as a legal stranger to her child. She will no longer need to undertake an adoption of her own child. And she will no longer have to worry that states hostile to LGBTQ parents will refuse to treat her as a parent. Unmarried different-sex couples who have children through assisted reproduction will also be able to

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<sup>32</sup> Proposed Bill No. 6321 § 38.

<sup>33</sup> See, e.g., Douglas NeJaime, *The Constitution of Parenthood*, 72 STAN. L. REV. 261 (2020); Douglas NeJaime, *The Nature of Parenthood*, 126 YALE L.J. 2260 (2017); Douglas NeJaime, *Marriage Equality and the New Parenthood*, 129 HARV. L. REV. 1185 (2016).

sign acknowledgements to establish parentage and will no longer need to undergo a second-parent adoption.

The acknowledgement process is not available to individuals who have children through surrogacy. Instead, surrogacy is handled separately. Connecticut has long permitted surrogacy arrangements, yet the only statutes addressing surrogacy are found in our vital records statutes and relate to birth certificates, which are evidence of parentage but do not establish parentage. Lawyers routinely help clients navigate the surrogacy process, and the courts have allowed intended parents to secure their parentage. Nonetheless, the CPA provides regulations relating to parentage that are currently missing in our statutes. The bill sets out requirements for entry into a surrogacy arrangement and specifies what must be included in a surrogacy agreement for it to be deemed compliant. The bill makes clear that the intended parents are the legal parents of the child, regardless of the parents' gender, sexual orientation, marital status, or genetic connection. The bill provides important protections to women who serve as surrogates—protections that reflect best practices but are currently absent in Connecticut law. All of these provisions are aimed at not only protecting the interests of the parties involved but also ensuring that the child's interest is primary and the child need not endure a period of uncertainty where the intended parents are not able to make decisions regarding the child.

#### IV. The Connecticut Parentage Act Reflects Best Practices and Has Been Drafted in Consultation with All Relevant Stakeholders in the State

The CPA is based on the Uniform Parentage Act of 2017, developed by the Uniform Law Commission, a non-partisan body of state lawmakers, state judges, scholars, and lawyers that produces uniform laws on a wide range of state-law issues. The UPA committee included experts on parentage law and related fields such as child support and medical ethics. A leading trusts and estates attorney from Connecticut, Molly Ackerly, is a Uniform Law Commissioner and served on the UPA Committee. The Uniform Law Commission charged the UPA Committee with producing a parentage act that would allow state law to reflect best practices and meet constitutional obligations given the requirement that same-sex couples be treated equally and that children not be disadvantaged based on their parents' marital status. The 2017 UPA has been endorsed by numerous groups, including the American Bar Association, the American Academy of Adoption & Assisted Reproduction Attorneys, the National Association for Public Health Statistics and Information Systems, the Society for Assisted Reproduction, and the National Child Support Enforcement Association. I served as an Observer to the UPA Committee, and I am a member of the UPA National Enactment Committee. In drafting the CPA, I have benefited from the expertise of those involved with the UPA, including most critically Courtney Joslin, the Martin Luther King Jr. Professor of Law at UC Davis School of Law and the Reporter (drafter) on the UPA. I also have been advised by Sen. Jamie Pedersen (WA), the Chair of the UPA Committee.

Even though the CPA is based on the UPA, it is tailored to Connecticut law and practices. The CPA is structured differently than the UPA, in a way that makes more sense for existing Connecticut law and policy. (The CPA's structure is more analogous to the structure of the Maine and Vermont Parentage Acts.) While the CPA would make Connecticut law an adopter of the UPA, there are some substantive differences. The structural and substantive differences in the CPA are the result of work over the last two-and-a-half years, collaborating with relevant stakeholders in Connecticut to make the Act work for our state.

The courts have been critical partners in drafting the CPA. On behalf of the Judicial Branch, Judge Bozzuto and Judge Albis dedicated significant time and energy over the course of several months to work closely with me on the bill and to resolve any issues in a mutually agreeable way. (Before working exclusively with Judge Bozzuto and Judge Albis, I met with other leaders of the judicial branch, including the Chief Juvenile Court Judge, the Chief Family Support Magistrate, and the Director of Support Enforcement Services.) The Probate Court has also been a tremendous partner in this effort. In a series of meetings beginning in 2019 and running through the end of 2020, Judge Streit-Kefalas, the Probate Administrator, and her counsel, worked on both high-level and technical aspects of the CPA. In 2020, I also had joint meetings with the Judicial Branch and the Probate Court, where we effectively resolved any questions about jurisdiction over parentage petitions and addressed other issues identified by the courts.

All relevant state agencies have also been consulted in drafting the bill. The bill in its current form reflects suggestions and edits from the Attorney General's Office, the Department of Social Services, including the Office of Child Support, the Department of Public Health, including the State Vital Records Office, and the Department of Children and Families. Counsel for these agencies, as well as Assistant Attorneys General representing DSS and DCF, have worked closely with me to edit the bill line-by-line and ensure that statutes being maintained are consistent with the bill. I am grateful that state agencies support the CPA.

Lawyers and non-profit organizations have been essential partners in drafting the CPA. GLAD (GLBTQ Legal Advocates & Defenders) brings to this issue invaluable expertise and a critical regional perspective. Mary Bonauto and Polly Crozier at GLAD have collaborated in drafting parentage laws recently enacted in Maine, Vermont, and Rhode Island and have litigated parentage questions across New England. Crozier, GLAD's lead parentage attorney, has been a key partner in drafting the CPA and also serves with me on the UPA National Enactment Committee.

The Connecticut Bar Association voted to support the bill—a reflection of the work that has been done with the LGBTQ Section, the Family Law Section, and the Estates & Probate Section. I worked closely with the Family Law Section's special study committee on the bill, and the bill reflects extensive changes requested by the section as part of that study committee. Most significantly, the provisions regulating surrogacy were revised in light of the Family Law Section's recommendations, and accordingly closely track the ABA's Model Act Governing Assisted Reproduction—a model statute ratified by the ABA in 2019 and considered generally consistent with the UPA. The bill as introduced this session also includes changes responsive to concerns raised in the Family Law Section's testimony last year.

Other legal organizations have also played a key role in this bill. Family law attorneys at the state's legal services organizations created a study committee to examine the bill, and Greater Hartford Legal Aid has testified in support of the bill. Organizations working specifically on domestic violence provided critical guidance to ensure that the bill would not have unintended consequences. Without derogating from the bill's central purpose of protecting children's parental relationships, the bill includes protections for victims of domestic violence in its provisions on presumptions of parentage and de facto parentage. It is my expectation that the bill's provisions in this regard will be a model for other states reforming their parentage laws.

Non-legal organizations have also been essential partners. For example, doctors at the Center for



Advanced Reproductive Services, which is affiliated with the University of Connecticut, reviewed the provisions on assisted reproduction and advised me on language that would reflect best practices and align with professional ethics. The bill provides important protections regarding medical decision making for women who serve as surrogates.

A broad range of other organizations support the Connecticut Parentage Act. These include children's organizations, including the Center for Children's Advocacy and Connecticut Voices for Children; civil rights organizations, including the Connecticut ACLU; women's rights organizations, including CWEALF (Connecticut Women's Education and Legal Fund); social work organizations, including the Connecticut Chapter of the National Association of Social Workers; LGBTQ organizations, including the Connecticut Gay & Lesbian Chamber, the New Haven Pride Center, the Triangle Community Center, COLAGE, and Family Equality; lawyers and lawyer organizations, including the Connecticut Bar Association, the Academy of Adoption & Assisted Reproduction Attorneys, Freed Marcroft, and the Ferrara Law Group; scholars and researchers, including faculty at Yale Law School, Yale Medical School, UConn School of Law, and the Yale Child Study Center; fertility organizations, including Resolve New England, Fertility Within Reach, and the New England Fertility Society; reproductive medicine providers and associations, including Dr. Hugh Taylor, the Chair of Obstetrics, Gynecology and Reproductive Sciences at Yale School of Medicine and President of the American Society for Reproductive Medicine, the Center for Advanced Reproductive Services, Reproductive Medicine Associates of Connecticut, the Yale Fertility Center, and Yale Medicine Greenwich Fertility; and pediatricians, including Dr. Trish Garcia and Dr. Alex Hogan at Connecticut Children's.

Thank you for your consideration of my testimony regarding Proposed Bill No. 6321. I remain available for any questions and look forward to supporting this important effort.

Sincerely,

A handwritten signature in black ink, reading "Douglas NeJaime". The signature is written in a cursive, flowing style.

Douglas NeJaime  
Anne Urowsky Professor of Law  
Yale Law School