



# Rhode Island Uniform Parentage Act S 2136A & H 7541 Lead Sponsors: Sen. Erin Lynch Prata & Rep. Carol Hagan McEntee

## RHODE ISLAND LAW LEAVES CHILDREN AND FAMILIES VULNERABLE

Rhode Island parentage law is obsolete and unconstitutional.

The law needs to change to clarify who can be a parent and how to establish parentage.

RI parentage law is over **40** YEARS out-of-date.

Only 2 other states have laws this outdated - Kentucky and Mississippi.<sup>1</sup>

Critical reforms in the Rhode Island Uniform Parentage Act would recognize the diversity of families in Rhode Island and ensure that all children can have their legal parentage established regardless of the circumstances of their birth.



Now in Rhode Island, many children and families remain vulnerable because they have no clear route to establish their parentage.

## ALL CHILDREN NEED EQUAL ACCESS TO LEGAL PARENTAGE

For children, being secured to their parents as soon after birth as possible is critical to their security and well-being. For parents, having all the responsibilities and rights of legal parentage is crucial to providing that security and stability for their kids.

Many parental rights are automatically granted when a child is born - but only when the parents are married. Since only 50% of RI families are formed with married parents, this leaves numerous children unprotected.<sup>2</sup>

All LGBTQ parents, whether married or unmarried, need straightforward access to parentage protections that are recognized across all jurisdictions.

Rhode Island has **NO statutes** protecting children born through assisted reproduction or surrogacy. In order to be legally recognized as a family, **some parents must adopt their own children** - a lengthy, expensive and intrusive process.<sup>3</sup>



# TO PROTECT ALL CHILDREN, ALL PATHS TO PARENTAGE SHOULD BE PROTECTED



Best practice family law should reflect the diversity of RI families, provide clear protections for all children, and ensure clear standards for all paths to parentage including:

- birth
- adoption
- acknowledgment
- adjudication
- genetics
- assisted reproduction
- surrogacy
- de facto parentage
- presumptions (including a marital presumption)



## WE NEED OUR LAWS TO SECURE ALL FAMILIES IN RHODE ISLAND

**The Rhode Island Uniform Parentage Act would:**

- ★ **Establish that all children – including children born through assisted reproduction – have a route to secure their parentage.**
- ★ **Provide standards and protections for establishing parentage through surrogacy.**
- ★ **Ensure equality for LGBTQ parents so they can establish their parentage like other families, including through a voluntary acknowledgement of parentage.**
- ★ **Clarify the processes for establishing parentage for non-biological parents, including de facto parents.**
- ★ **Provide a clear standard for courts to resolve competing claims of parentage.**
- ★ **Improve access, efficiency and consistency in the courts.**

## The Rhode Island Uniform Parentage Act is supported by:

Academy of Adoption & Assisted Reproduction Attorneys ▪ ACLU of Rhode Island ▪ Adoption Rhode Island ▪ American Academy of Pediatrics, Rhode Island Chapter ▪ Brown College Democrats ▪ College Democrats of Rhode Island ▪ Fertility Within Reach ▪ GLBTQ Legal Advocates & Defenders ▪ LGBTQ Action Rhode Island ▪ National Association of Social Workers, Rhode Island Chapter ▪ New England Surrogacy ▪ NOW Rhode Island ▪ Providence Human Relations Commission ▪ Resolve New England ▪ Rhode Island Academy of Family Physicians ▪ Rhode Island Coalition for Reproductive Freedom ▪ Rhode Island Medical Society ▪ TGI Network Rhode Island ▪ Thundermist Health Center ▪ WOMXN Project

**Rhode Islanders for Parentage Equality (RIPE) is a coalition of RI families and partner organizations.**  
[www.GLAD.org/RIPE](http://www.GLAD.org/RIPE)

1. See Refs. & Annos., Unif. Act on Paternity (noting the following enactment years: Kentucky (1964); Mississippi (1962); and Rhode Island (1979)).

2. Establishment of Paternity, R.I. Office of Child Support Services.

3. Douglas NeJaime, The Nature of Parenthood, 126 Yale L. J. 2260, 2362-81 (2017).