



The Massachusetts Parentage Act Coalition

June 27, 2022

House Chair Mike Day
Senate Chair Jamie Eldridge
Joint Committee on Judiciary
Massachusetts Legislature
State House
Boston, MA 02133

Via Email

Re: Massachusetts Parentage Act (S 1133 / H 1714)

Dear Chair Day, Chair Eldridge, Vice Chair Tyler, Vice Chair Lesser, and Members of the Judiciary Committee:

We are strong supporters of the Massachusetts Parentage Act (MPA), and we write to urge the Judiciary Committee to act favorably on the MPA by the deadline of June 30.

No doubt you are familiar with the U.S. Supreme Court's Dobbs decision that issued on Friday and are already thinking about how to respond to it in the Commonwealth. Thank you. It is obviously devastating for millions of women and girls and for anyone who can become pregnant.

The majority opinion's historical methodology looks to law and rights at the times of the Founding and the ratification of the 14th Amendment to ascertain which unenumerated rights are protected by the Constitution. This methodology for ascertaining protected liberties, and the invitation in Justice Thomas's concurrence to take up Obergefell v. Hodges (marriage equality) and Lawrence v. Texas (LGBTQ intimacy), are causing serious concern for LGBTQ people worried about their family relationships. Even this weekend we have heard from numerous Massachusetts residents very worried for their children and families.

This anxiety is heightened in Massachusetts because of significant gaps in our core family law protections for LGBTQ families and their children as compared to other states in New England. The Massachusetts Parentage Act is critically important to protect children born to LGBTQ families. The MPA will ensure, among other things, the following key protections:

- Expanded access to voluntary acknowledgments of parentage so that children born into marriages (same or different sex couples) and children born through assisted reproduction can be secured from the moment of birth to their parents.
- Protections for children born through assisted reproduction so that marital and non-marital children alike are protected.
- Protections for children born through surrogacy.
- Inclusion of LGBTQ families in our core “paternity” laws so that these laws are gender-inclusive and protect all children regardless of the sexual orientation or gender identity of their parents.
- Access to the security of legal parentage for children of de facto parents.

Massachusetts parentage law – which was largely legislated in the 1980s with certain case-specific judicial interventions since then – is outdated and leaves LGBTQ families and others unprotected and many children vulnerable. The MPA is based on a best-practice model parentage law - the UPA 2017 - and ensures that Massachusetts statutes protect all children.

We urge you to act on our shared values of affirming and protecting all families, including LGBTQ families. Please report the MPA favorably in its current form by June 30, 2022. Coalition co-chairs, Polly Crozier of GLBTQ Legal Advocates & Defenders (pcrozier@glad.org) and Kate Weldon LeBlanc of Resolve NE (kwleblanc@resolvenewengland.org), are available at any time to discuss language and to work with you to move this important legislation forward.

We look forward to hearing from you, and we are grateful for your work to protect the fundamental rights of all people in the Commonwealth.

Towards parentage equality,

The Massachusetts Parentage Act coalition children and families and including
 Academy of Adoption & Assisted Reproduction Attorneys
 ACLU of Massachusetts
 American Society for Reproductive Medicine
 Association of Family & Conciliation Courts Massachusetts
 BAGLY
 Bay State Stonewall Democrats
 Black and Pink Massachusetts
 Jay Blitzman, First Justice Middlesex Juvenile Court Division, Ret.
 Boston IVF
 Cappelli Law LLC
 Center for Surrogacy & Egg Donation
 Children's Law Center of Massachusetts

Circle Surrogacy & Egg Donation
Citizens for Juvenile Justice
COLAGE
Committee for Public Counsel Services (CPCS)
Conceiveabilities
Family Equality
Fenway Health
Fertility within Reach
Friends of Children
GLBTQ Legal Advocates & Defenders
Greater Boston Family Law Inn of Court
Greater Boston PFLAG
Kauffman Law & Mediation
Keshet
Massachusetts Advocates for Children
Massachusetts Chapter of the American Academy of Pediatrics
Massachusetts Gay & Lesbian Caucus
Massachusetts LGBTQ Bar Association
Massachusetts Medical Society
Massachusetts PPD Fund
Massachusetts Society for the Prevention of Cruelty to Children
Massachusetts Transgender Political Coalition
MassEquality
Mental Health Legal Advisors Committee
Modern Family Law
National Association of Social Workers -MA Chapter
New England Fertility Society
Nichols, DeLisle & Lightholder
OUT MetroWest
Prager, Sarah
Reproductive Equity Now
Resolve New England
Roxbury Youthworks, Inc.
SeedTrust