

MASSACHUSETTS PARENTAGE ACT

An Act to Ensure Legal Parentage Equality H 1713 /S 947

Lead sponsors: Reps Sarah Peake & Hannah Kane / Senators Julian Cyr & Bruce Tarr

www.massparentage.org

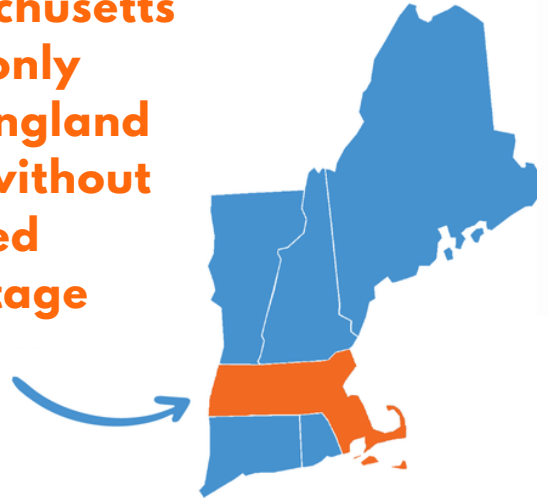
Bill Summary

There are many paths to parenthood and many types of families in the Commonwealth, but Massachusetts statutes have not kept pace with modern science and the diversity of our families, leaving children vulnerable.

The Massachusetts Parentage Act (MPA) updates Massachusetts statutes to clarify who can be a parent and how to establish parentage. This bill is critical to ensuring that all children can access the security of legal parentage, regardless of the circumstances of their birth.

This bill is based on the Uniform Parentage Act (UPA), which serves as a best-practice framework for ensuring the protection of the parent-child relationship and the constitutionality of parentage laws. Originally passed in 1973 to protect children born to unmarried people, the UPA was most recently revised in 2017. Every other New England state has comprehensive parentage protections in their statutes.

Massachusetts is the only New England state without updated parentage laws.



"Foster care took my son on a Friday and said we could visit him on Monday. But when I showed up, they wouldn't let me see him because they didn't recognize me as a parent."

— Simone



“The reality is that families are being created in a wide range of ways now, and the law needs to catch up to that fact. The Massachusetts Parentage Act would provide guidance not only for parents, donors and surrogates, but for courts faced with determining parentage. The Legislature should move this legislation forward.”

— MA Lawyer's Weekly

If you wish to support the MPA or have any questions, visit massparentage.org or contact:

Kate Weldon LeBlanc at Resolve New England: kwleblanc@resolvenewengland.org
Patience Crozier at GLBTQ Legal Advocates & Defenders: pcrozier@glad.org

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"11 years later, I'm questioned on my parental status... even though I've raised him since the day he was born. I have basically no legal rights.

Laws like [the MPA] make me excited for the future... so that people like myself who are in the LGBTQ community can stand next to their kid without feeling the insecurity of being questioned legally."

— J. Shia

Key Highlights of the MPA

- **Ensures that children born through assisted reproduction technology** (such as in vitro fertilization) have a clear route to establish their parentage.
- **Provides clear standards** for establishing parentage through **surrogacy**.
- **Ensures equality for LGBTQ families** so they can establish their parentage like other families, including through a voluntary acknowledgement of parentage.
- **Provides a clear standard for courts** to resolve competing claims of parentage
- **Codifies parentage precedents** from the Supreme Judicial Court.
- **Ensures greater efficiency and consistency** in our courts and reduces unnecessary litigation.

Paths to Parentage Under the MPA

The MPA clarifies the paths to parentage:

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

The MPA provides clear standards for the establishment of parentage under each path.



"It's just not right for anyone to have to adopt their own child. I don't want other families to have to go through that."

— Jane and Sylvia

Coalition Partners



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