

LGBTQ Families - Research Article Summaries**15. State Adoption Laws and Policies Related to Sexual Orientation:  
Brief Report Deals with Adoption of Foster Care Children by Lesbian and Gay Parents**

Kaye, S., & Kovalanka, K. (2006). State gay adoption laws and permanency for foster youth. *Maryland Family Policy Impact Seminar*. Available at <http://www.hhp.umd.edu/FMST/docsContribute/GayadoptionbriefFINAL0806.pdf>.

This study explores the potential relationship between state adoption laws/policies and exits from foster care to adoption. It centers on the proportion of foster youth waiting for adoption and the likelihood of their adoption. States were categorized as gay-friendly, anti-gay, or neutral based on state laws, policies, statutes, and/or high court decisions. Gay-friendly states guarantee the opportunity for lesbian and gay individuals to be considered as adoptive parents. Anti-gay states bar adoption by lesbian and gay individuals or couples. Gay-friendly states include California, Connecticut, Illinois, Indiana, Maryland, Massachusetts, Nevada, New Jersey, New York, Pennsylvania and Vermont. Anti-gay states include Florida, Missouri, Mississippi, Nebraska, and Utah.

Results showed that the probability of being adopted from foster care was low across all states. In anti-gay states, there is a significantly greater number of children in foster care who are waiting for adoption, in comparison to those in neutral or gay-friendly states. The chance of adoption for a foster child in a gay-friendly state was almost twice that of a foster child in an anti-gay state. State anti-gay policies were correlated with fewer overall adoptions and a substantially lower likelihood of adoption for children in foster care. This indicates that these policies may prevent the successful adoption of children from foster care by a population of willing and capable lesbian and gay parents. More research is necessary to support this claim, and positive outcomes for placing foster children into permanent homes should be included in debates about lesbian and gay adoption policies and laws.