





**STATE-BY-STATE: SECOND PARENT ADOPTION LAWS**  
 (This chart has required no update since May 2008)

Some states allow individuals to petition to adopt the child of his or her same-sex partner. These are usually called second-parent or stepparent adoptions.

States must honor second-parent adoption judgments from other states. See *Russell v. Bridgens*, 647 N.W.2d 56 (Neb. 2002) (Nebraska must recognize second-parent adoption granted in Pennsylvania even though Nebraska would not have permitted such an adoption); *Starr v. Erez*, COA99-1534 (N.C. Ct App. Nov. 27, 2000) (North Carolina must honor second-parent adoption granted in Washington state); *Finstuen v. Edmonson*, 2006 U.S. Dist. LEXIS 32122 (W.D. Okla. May 19, 2006) (Oklahoma's statutory ban on recognizing adoptions performed in other states by more than one individual of the same sex violates Full Faith and Credit and Equal Protection Clauses of U.S. Constitution).

<b>States where second parent adoption is allowed for same-sex couples statewide</b>		
1.	California	Cal. Fam. Code § 9000(f) (2004) (registered domestic partners only) <i>Sharon S. v. Superior Court of San Diego County</i> , 73 P.3d 554 (Ca. 2003) (state's adoption law extends to same-sex couples not registered as domestic partners)
2.	Colorado	Colo. Rev. Stat. §§ 19-5-203(1), 19-5-208(5), 19-5-210(1.5), 19-5-211(1.5)(2007)
3.	Connecticut	Conn. Gen. Stat. § 45a-724(3) (2004) (superseding <i>In re Adoption of Baby Z.</i> , 724 A.2d 1035 (1999))
4.	District of Columbia	<i>In re M.M.D. v. B.H.M.</i> , 662 A.2d 837 (D.C. 1995)
5.	Illinois	<i>In re Petition of K.M. &amp; D.M.</i> , 653 N.E.2d 888 (Ill. App. Ct. 1995)
6.	Indiana	<i>In re Adoption of K.S.P.</i> , 804 N.E.2d 1253 (Ind. Ct. App. 2004); <i>In re Adoption of M.M.G.C.</i> , 785 N.E.2d 267 (Ind. Ct. App. 2003)
7.	Massachusetts	<i>In re Adoption of Tammy</i> , 619 N.E.2d 315 (Mass. 1993)
8.	New Jersey	<i>In re the Adoption of Two Children by H.N.R.</i> , 666 A.2d 535 (N.J. Super. 1995)
9.	New York	<i>In re Jacob</i> , <i>In re Dana</i> , 660 N.E.2d 397 (N.Y. 1995)
10.	Pennsylvania	<i>In re Adoption of R.B.F. &amp; R.C.F.</i> , 803 A.2d 1195 (Pa. 2002)
11.	Vermont	Vt. Stat. Ann. tit. 15A, § 1-102(b) (2004) (codifying <i>In re Adoption of B.L.V.B. &amp; E.L.V.B.</i> , 628 A.2d 1271 (Vt. 1993)

<b>States where second parent adoption is allowed for same-sex couples in some jurisdictions</b>		
1.	Alabama	no citations available
2.	Alaska	no citations available
3.	Delaware	no citations available
4.	Hawai'i	no citations available
5.	Iowa	no citations available
6.	Louisiana	no citations available
7.	Maryland	no citations available

8.	Minnesota	no citations available
9.	Nevada	no citations available
10.	New Hampshire	no citations available
11.	New Mexico	no citations available
12.	Oregon	no citations available
13.	Rhode Island	no citations available
14.	Texas	no citations available
15.	Washington	no citations available
16.	West Virginia	no citations available

<b>States where second parent adoption is expressly disallowed for same-sex couples statewide*</b>		
1.	Nebraska	<i>In re Adoption of Luke</i> , 640 N.W.2d 374 (Neb. 2002)
2.	Ohio	<i>In re Adoption of Doe</i> , 719 N.E.2d 1071 (Ohio Ct. App. 1998)
3.	Wisconsin	<i>Interest of Angel Lace M.</i> , 516 N.W.2d 678 (Wis. 1994)

\*adoption restrictions in Arkansas, Florida, Mississippi and Utah have the effect of also prohibiting second parent adoptions by same-sex couples.

Family Equality Council works to ensure equality for lesbian, gay, bisexual and transgender (LGBT) families by building community, changing hearts and minds, and advancing social justice for all families. We envision a future where all families, regardless of creation or composition, will be able to live in communities that recognize, respect, protect, and celebrate them. We envision a country that celebrates a diversity of **family** constellations and respects individuals for supporting one another and sustaining loving families.