

Michigan Democrats introduce bills to protect same-sex couples from discrimination by adoption agencies

by Michal Ruprecht
April 21, 2019





Democratic lawmakers in both chambers of the Michigan Legislature proposed a series of bills Wednesday that would enact protections for LGBT couples when adopting children.

The lawmakers behind House Bills 4469-4472 and Senate Bills 272-275 hope to allow same-sex parents to adopt their partner's biological or adoptive child, further protect same-sex couples from discrimination when adopting and hold adoption agencies accountable for discrimination.

State Sen. Jeff Irwin, D-Ann Arbor, told The Daily he and his colleagues proposed the package of bills because former Gov. Rick Snyder signed bills allowing faith-based adoption agencies to discriminate against LGBT individuals.

“In some cases, (adoption agencies) were using their religious beliefs as a rationale to deny adoption to certain parents, particularly LGBT parents ... and parents who may be out of the mainstream in any number of other ways,” Irwin said. “I personally thought that was very offensive and very much against our most closely held American values.”

The move came shortly after Michigan Attorney General Dana Nessel settled a 2017 lawsuit filed by American Civil Liberties Union of Michigan. Nessel's settlement banned state-funded adoption agencies from refusing service for LGBT couples, requiring the Michigan Department of Health and Human Services to terminate contracts with foster care and adoption agencies that discriminate against same-sex couples.

Irwin was the main sponsor of Senate Bill 275, which he said addresses second-parent adoption. Second-parent adoption allows a parent to adopt their partner's biological or adoptive child.

"Our laws still need to be amended to facilitate these types of adoptions ... that would be in the best interest of children," Irwin said. "Same-sex or opposite-sex (couples) should be able to adopt a child in the best interest of the child. We as a state should allow that, and for a long time partially or largely as a result of discrimination against same-sex couples, we haven't allowed these types of second-parent adoptions."

In an interview with Public Media from Michigan State University, Nessel said the settlement will work in the best interest of families.

"This settlement helps place children in loving homes and helps Michiganders complete their families," Nessel said.

Bethany Christian Services, one of the agencies accused of discriminating against same-sex couples, issued a statement Thursday announcing they planned to change their policies.

"Bethany will continue operations in Michigan, in compliance with our legal contract requirements," the statement said. "The mission and beliefs of Bethany Christian Services have not changed."

LSA sophomore Camille Mancuso, communications director for the University of Michigan's chapter of College Democrats, said her organization is supportive of the LGBT community and making the adoption process more equitable is important in this support.

"These bills are definitely a step in the right direction when it comes to LGBT equality Michigan," Mancuso said. "LGBT individuals in Michigan face discrimination on a number of levels and these bills will help ensure equal treatment of LGBT individuals across the state. I know here at College Democrats we are really grateful for Attorney General Dana Nessel as well as our democratic allies in the state House and state Senate who have and will continue to fight for LGBT equality across the state."

The University's Chapter of the College Republicans and the Spectrum Center did not respond to request for comment in time for publication.

Irwin said even though marriage equality is now legal, the package of bills may face some resistance from the Republican majority in the House and Senate.

“Hopefully all my colleagues are now in a space where we want to recognize equal rights of all families,” Irwin said. “We could pass this law and rectify these situations for children who really deserve it, and it’s also in the state’s best interest to have two parents. The same individuals who put those policies in place are still in charge to some extent.”

Irwin said the LGBT community at the University would benefit from the bills and further expressed his hope that conservative representatives will see the positives of the proposed bills.

“Many University community members ... will also have families, and so for them this could be of great importance,” Irwin said. “I am hopeful that my colleagues now on the other side of the aisle will have at least a somewhat different position than my more conservative colleagues did four, six or eight years ago.”