

## **...And Baby Makes Three**

### **LGBT Couples Explore Options for Third-Party Reproduction**

by Mindy Berkson, Founder, Lotus Blossom Consulting, LLC

According to the 2000 census, roughly 60,000 male couple households in America, and 96,000 female couple households have children. But with biology working against them, parenting possibilities can be limited for LGBT couples, unless they are able to identify resources to help them in their quest for parenthood. So, for those who are considering the options of third-party reproduction, such as an anonymous egg donor or gestational surrogate, where should their search begin?

#### **Advocacy and Identifying Resources**

Education, awareness, and identifying appropriate resources are paramount for couples and individuals exploring the often-complicated options for infertile couples, particularly those within the LGBT community, since gay, lesbian, bi-, and transgender couples, as well as single parents, face even greater challenges than heterosexual couples when considering third-party reproduction. Discriminatory adoption laws that favor heterosexual couples, and the various obstacles of finding surrogate mothers in gay-friendly states are among the long list of issues that these couples will face.

Advocates can help. It is critical to assemble a team of multi-disciplinary professionals -- fertility centers, reproductive endocrinologists, mental health professionals, attorneys, financial consultants, and estate planners -- who can effectively address the issues uniquely associated with individual needs, as well as situations associated with discriminatory laws and regulations that can adversely affect same-sex couples.

#### **Surrogacy and the Law**

For example, in the case of surrogacy with same sex couples, it is essential to identify a surrogate who resides, and will give birth in, a "gay-friendly" surrogate state, plus surrogates who are willing to work with same-sex couples. Another important distinction to consider is a gestational surrogate or a traditional surrogate. A gestational surrogate is carrying a non-biological embryo, whereas a traditional surrogate is 100% the biological mother of the baby. This slight distinction can make a tremendous difference in the eyes of the law.

Because the laws vary from state to state, it is extremely important to work closely with a legal professional who is familiar with all the parameters of family building, and who has a thorough understanding of the various options for each situation, and the laws of the state where the birth will occur.

Many "gay friendly" surrogate states exist -- it is the process of being named on the birth certificate that varies from state to state.

## **A Balancing Act**

As the numbers of LGBT couples with children reaches record levels, often there are increasing challenges associated with the demands of balancing family and work life. Large numbers of gay fathers are quitting work to stay home with kids, and many employers offer programs and benefits to gay employees to support their efforts.

According to the Human Rights Campaign (HRC), a Washington, D.C. based organization that addresses LGBT issues, roughly 50% of Fortune 500 companies offer domestic partner benefits as non-traditional families are being increasingly recognized and supported by corporate America.

Today's talent and workforce are attracted not only by competitive salaries, but with benefits that translate to financial expenditures and security. Employee Assistance Programs (EAP) have been established to help employees of forward-thinking large companies address work/life balances for their employees.

EAP's have offered many benefits not only to employees, but to their eligible dependents as well. Of the organizations that provide such benefits, sixty percent extend adoption assistance to the domestic partner, and 72% allow employees to take extended family leave to care for a domestic partner or their dependents.

## **Asking the Right Questions, Exploring Possibilities**

As with any life-stage decision, considering all of the options and being as informed as possible will ensure the best outcome relative to having children. With the numerous considerations of parenthood imminent for many, LGBT couples are no exception, and as with any educational process, the answers you get are only as good as the questions you ask.

With the prospect of parenthood on the horizon, LGBT couples should consider their many options in exploring alternative parenting possibilities, from conception through arrival, and beyond.

## **About the Author**

Mindy Berkson has more than a decade of experience in the infertility field. As one of the first infertility consultancies in the United States, Lotus Blossom Consulting, LLC was founded by Mindy Berkson in 2005 after her own personal battle with secondary infertility. Mindy has guided hundreds of intended parents through the stressful demands of the infertility process by providing professional and compassionate assistance in dealing with the emotional, physical, and financial barriers involved with third-party reproduction.

Lotus Blossom Consulting works with individuals on a case-by-case basis, taking into consideration clients' emotional, physical, and financial infertility issues, then develops an individualized, comprehensive plan, including relevant financial and insurance information, to help clients make informed decisions for their overall treatment plan. Lotus Blossom Consulting has worked with many individuals throughout the world to help them fulfill their dreams of having children. For more information or to schedule a free consultation, visit online at [www.lotusblossomconsulting.com](http://www.lotusblossomconsulting.com).