

In B. L. Bottoms, M. B. Kovera, & B. D. McAuliff (Eds.), *Children, social science and the law* (pp. 176–199). New York: Cambridge University Press.

Patterson, C. J., Kupersmidt, J. B., & Griesler, P. C. (1990). Children's perceptions of self and of relationships with others as a function of sociometric status. *Child Development*, 61, 1335–1349.

Patterson, C. J., Kupersmidt, J. B., & Vaden, N. A. (1990). Income level, gender, ethnicity, and household composition as predictors of children's school-based competence. *Child Development*, 61, 485–494.

Patterson, C. J., & Mischel, W. (1975). Plans to resist distraction. *Developmental Psychology*, 11, 369–378.

Patterson, C. J., & Redding, R. (1996). Lesbian and gay families with children: Public policy implications of social science research. *Journal of Social Issues*, 52, 29–50.

Wainright, J. L., & Patterson, C. J. (2008). Peer relations among adolescents with female same-sex parents. *Developmental Psychology*, 44, 117–126.

Wainright, J. L., Russell, S. T., & Patterson, C. J. (2004). Psychosocial adjustment and school outcomes of adolescents with same-sex parents. *Child Development*, 75, 1886–1898.

Children of Lesbian and Gay Parents: Psychology, Law, and Policy

Charlotte J. Patterson
University of Virginia

Legal and policy questions relevant to the lives of lesbian and gay parents and their children have recently been

Editor's Note

Charlotte J. Patterson received the Award for Distinguished Contributions to Research in Public Policy. Award winners are invited to deliver an award address at the APA's annual convention. A version of this award address was delivered at the 117th annual meeting, held August 6–9, 2009, in Toronto, Ontario, Canada. Articles based on award addresses are reviewed, but they differ from unsolicited articles in that they are expressions of the winners' reflections on their work and their views of the field.

subjects of vigorous debate. Among the issues for which psychological research has been seen as particularly relevant are questions regarding child custody after divorce, same-sex marriage, adoption, and foster care. This article provides an overview of the current legal terrain for lesbian and gay parents and their children in the United States today, an overview of relevant social science research, and some commentary on the interface between the two. It is concluded that research findings on lesbian and gay parents and their children provide no warrant for legal discrimination against these families.

Keywords: parent, lesbian, gay, law, sexual orientation

In the past few decades, legal and policy questions relevant to the family lives of lesbian and gay people have been the subject of vigorous debate. Across the United States, many such questions have been the subjects of heated controversy in the media, in the courts, and in the halls of government. In many states, arguments about whether to provide legal recognition for same-sex marriages have been heard in courts as well as in legislative bodies. Recent discussions of civil unions and domestic partnerships have taken place in many other states. Issues related to adoption and foster care by lesbian and gay adults have recently been considered in several states. In each instance, the debates have raised a fundamental issue: How and in what ways should laws and policies regulate the family lives of lesbian and gay citizens?

These controversies pose important questions for psychologists (Herek, 2006; Patterson, 2007). In the public sphere, the arguments may be framed in religious terms or in terms of fundamental rights, but discussions often raise questions that are undeniably empirical in nature. For instance, when children are reared by lesbian and gay parents, how do these children develop? Do they develop in typical ways, or do they show special strengths or characteristic difficulties? Psychological research cannot resolve disagreements over basic values (Herek, 2006). Psychologists are, however, well placed to address many questions that have arisen in the context of debates surrounding the family lives of lesbian and gay citizens.

This article has three main parts. The first section provides an overview of current legal and policy issues relevant to lesbian and gay parents and their children in the United States today and, in so doing, identifies some questions that have arisen. In response to such questions, the second section summarizes research evidence about development and adjustment among children of lesbian and gay parents. The third section offers some comments on the relevance of research to legal and policy decisions and also includes recommendations for changes in law and policy that would benefit children who are growing up with lesbian and gay parents. In short, in this article, I seek to pro-

vide an overview of the current legal terrain for lesbian and gay parents and their children in the United States today, a summary of the relevant social science literature, and some commentary on the interface between the two.

It is helpful to begin with recognition of the diversity of family constellations that include lesbian and gay parents. One important distinction is between families in which children were born or adopted in the context of heterosexual marriages that later dissolved when one or both partners came out as lesbian or gay, on the one hand, and those in which children were born or adopted after parents had affirmed their lesbian or gay identities, on the other. Families of the first type undergo stresses associated with parental divorce and separation, whereas families of the second type do not necessarily experience problems. Even though all have lesbian or gay parents, children's needs and experiences may accordingly often be different in the two kinds of families.

There are many other forms of diversity among lesbian- and gay-parented families. In addition to variations that may be exemplified by any family, there are also a number of forms of diversity that are specific to lesbian and gay parents and their children (Patterson, 1992, 1995). For instance, a lesbian couple and a gay couple may agree to conceive children together and rear them together. The adults may or may not live in the same household. Children may be conceived by lesbian mothers using sperm from a known or an unknown donor or by gay men with the help of a surrogate mother. Lesbian- and gay-parented families may be more likely than others to include members from more than one ethnic group (Rosenfeld, 2007).

Different types of lesbian- and gay-parented families have given rise to diverse legal and policy issues (Joslin & Minter, 2008). For instance, child custody cases involving lesbian or gay parents may arrive in court when previously married heterosexual parents are divorcing after one has come out as lesbian or gay and the parents cannot agree on custody and visitation arrangements (Patterson, 2009). In some jurisdictions, such cases raise questions about whether a parent's sexual orientation should be considered in making custody and visitation decisions for minor children; in other jurisdictions, these questions are matters of settled law, and they do not. If a lesbian couple has adopted a child and subsequently separates, questions about custody and visitation may also find their way into court. Here, however, the issues raised are likely to be different ones. Because only one member of a same-sex couple is recognized as a parent by the law in some jurisdictions, questions may revolve around the standing of a second parent to bring a custody matter at all. Other lesbian- and gay-parented families may suggest a variety of legal and policy issues, including those involved with the use of reproductive technology, surrogacy, adoption, and foster care (Joslin & Minter, 2008).

With diversity among lesbian- and gay-parented families in mind, the next section provides an overview of law and policy issues for lesbian and gay parents and their children in the United States today. This is followed by a discussion of the research literature on children of lesbian and gay parents and by recommendations for change in law and policy that would benefit these children, their parents, and their communities.

Legal and Policy Contexts Relevant to Children of Lesbian and Gay Parents

The right to marry and the right to rear children have both been seen as fundamental in American law. The Supreme Court of the United States has ruled that the Constitution guarantees the right to marry (*Loving v. Virginia*, 1967), to procreate (*Skinner v. Oklahoma*, 1942), and to rear children (*Meyer v. Nebraska*, 1923). Although these rights are taken for granted by many Americans, they have often been denied to lesbian and gay Americans. Legal recognition of same-sex marriage has been the subject of animated debates in many jurisdictions across the country (Sullivan, 1997; Wolfson, 2004). Over the years, lesbian and gay parents have also endured many challenges to their custody of and visitation with children from previous heterosexual marriages, as well as limitations on their opportunities to become foster or adoptive parents after affirming lesbian or gay identities (Joslin & Minter, 2008; Richman, 2009; Rubenstein, 1996). This section provides a brief overview of some domains in which research on children with lesbian and gay parents has been seen as relevant to public debates.

Legal Recognition of Same-Sex Relationships

There is considerable variability across jurisdictions in the extent of legal recognition that is offered for same-sex couple relationships today, and there have been many recent changes in this regard. In 1990, no state offered legal recognition for same-sex couple relationships (Joslin & Minter, 2008). At the time of this writing, however, five states—Connecticut, Iowa, Maine, Massachusetts, and Vermont—offer legal recognition of same-sex marriages. In New Hampshire, new legislation will allow legal recognition of same-sex couples' marriages beginning in January 2010. Two states—New York and Rhode Island—do not allow same-sex marriage but do recognize same-sex marriages undertaken in other jurisdictions. The District of Columbia recently voted to recognize same-sex marriages that have been legally contracted in other jurisdictions, but the legislation is subject to Congressional oversight and the outcome is not yet known. In California, 18,000 same-sex couples have legally married, but the state does not currently allow new marriages of same-sex couples. California, New Jersey, and New Hampshire currently offer same-sex couples civil unions that carry all of the state-level

rights of marriage. Oregon, Washington, and the District of Columbia offer domestic partnerships for same-sex couples that carry most if not all of the state-level rights of marriage. Hawaii and Maryland offer neither civil unions nor domestic partnerships but do offer more limited forms of relationship recognition to same-sex couples. At the time of this writing, the remaining states offer no legal recognition for same-sex relationship partners. Federal-level benefits of marriage, such as social security benefits, are not, however, available to same-sex partners in any state. It is clear that the last 20 years have witnessed many changes with regard to legal recognition of same-sex relationships (Herek, 2006).

Whether they are nominally about domestic partnerships, civil unions, or marriages, debates over legal recognition of same-sex relationships have often involved questions about the impact of these arrangements on children. Such questions seem to have emerged in the early 1990s (see Sullivan, 1997). In 1993, the Hawaii Supreme Court ruled that prohibiting same-sex couples from marrying might violate Hawaii's ban on sex discrimination and that this prohibition could be upheld only if it could be justified by a compelling reason (*Baehr v. Lewin*, 1993; later known as *Baehr v. Miike*, 1996). When the case was sent to a trial court for further adjudication, the state argued that legal recognition for marriages between same-sex couples would be harmful to children and that this harm represented a compelling rationale for the prohibition. After a lengthy hearing, during which experts on both sides agreed that lesbian and gay adults can be good parents and can rear healthy children, the trial court judge ruled that there was no compelling reason to bar legal recognition of same-sex marriages. In 1998, before the Hawaii Supreme Court could issue its final ruling, voters amended the Hawaii Constitution to restrict legal marriage to different-sex couples. In this way, the same-sex couples' challenge to Hawaii marriage law was halted, but pathways through which future challenges would be defended had been laid down (Sullivan, 1997).

In the context of many subsequent same-sex marriage cases, the claim has been made that allowing legal recognition of same-sex marriage would somehow prove harmful to children (Joslin & Minter, 2008). In Massachusetts, in New York, in New Jersey, and in Iowa, the case made by the state against legal recognition of same-sex marriages has involved some version of the claim that if same-sex couples were allowed to marry, this would disadvantage children. For instance, in *Varnum v. Brien*, the Iowa same-sex marriage case, the state's attorney argued that opposite-sex couples provide the best home environments for children and hence that the state had an interest in limiting legal recognition of marriage to opposite-sex couples (Marty, 2008).

Yet many potential benefits of legalized marriage have been identified for children of same-sex couples. For instance, children born to legally married same-sex couples have two legal parents, thus guaranteeing continuity of care if one parent dies and ensuring that the child's ties with both parents will be protected by law if the parents separate. Children with legal ties to both parents in a same-sex couple can receive health insurance from either one, thus making it more likely that children will receive adequate health care. These and other benefits of same-sex marriage to children have been recognized by the American Psychological Association (APA; 2004) as well as by the American Psychiatric Association (2005), and both groups have advocated for legal recognition of same-sex marriages.

Child Custody and Visitation

Should a parent's sexual identity be considered relevant in deciding a child's best interest, for purposes of child custody and visitation? Answers to this question have shown tremendous variability from one jurisdiction to another (Brantner, 1992; Joslin & Minter, 2008; Richman, 2009). In some states, such as Massachusetts and California, parental sexual orientation is considered irrelevant to custody and visitation disputes. In others, parental sexual orientation is considered relevant if (and only if) it can be shown to have a definite effect on the child, especially if it can be shown to have a negative effect. In these states, a connection, or *nexus*, must be demonstrated between a parent's sexual orientation, on the one hand, and a negative outcome for the child, on the other. Because a connection of this type can be difficult to establish, nexus rules have often resulted in judgments favorable to lesbian and gay parents. For instance, in *Boswell v. Boswell* (1998), a Maryland visitation case, the court refused to limit children's visitation with their gay father in the presence of his same-sex partner because there was no evidence of harm to the children from such visitation.

In contrast, some states maintain presumptions against lesbian and gay parents. In a custody case involving a lesbian mother (*Bottoms v. Bottoms*, 1995), for example, the Virginia Supreme Court reiterated its earlier holding that a lesbian mother is not unfit as a matter of law but included the mother's sexual orientation among factors considered to make her an undesirable parent. Thus, in some states, lesbian and gay parents must overcome formal or informal presumptions that their sexual identities make them less than ideal parents.

In other states, legal standards for custody appear to fall between the extremes. In these states, the law does not explicitly deny rights on the basis of parental sexual orientation, but it nevertheless looks askance at lesbian and gay parents. In *Pulliam v. Smith* (1998), for example, a North Carolina court denied custody of his children to a gay father because of the court's concern about the father's long-

term relationship with a male partner and the influence that this might have on the children. In *Burgess v. Burgess* (1999), the Indiana Supreme Court refused a gay father's request for review of a lower court's decision that denied him custody of his son. Although Indiana law does not permit parental sexual orientation to be considered as a determinative factor in child custody proceedings, the court noted that the father's sexual orientation "raises the specter of an aberrant lifestyle" (*Burgess v. Burgess*, 1999).

As Richman (2009) has noted, it is often difficult to anticipate the outcomes in these cases. In *Eldridge v. Eldridge* (2001), a Tennessee trial court allowed a child's unrestricted overnight visitation with her lesbian mother, regardless of the presence of the mother's lesbian partner, but on appeal, this judgment was reversed. On further appeal, the Supreme Court of Tennessee ultimately ruled that the trial court had not abused its discretion in ordering unrestricted overnight visitation with the mother and her same-sex partner and reversed the judgment of the Court of Appeals (*Eldridge v. Eldridge*, 2001). Thus, despite legal progress in many states, child custody and visitation for lesbian and gay parents after the dissolution of heterosexual marriages continue, in some jurisdictions, to be adjudicated in an atmosphere of uncertainty (Patterson, 2009). In these cases, social science research on children who have been reared by lesbian and gay parents can be useful to the court by providing information about issues that are central to their decisions.

Adoption and Foster Care

Legal adoptions of minor children by adults are of at least two kinds (Patterson, 1995). So-called *stranger adoptions* occur when biological parents are unable or unwilling to take care of a child. In these cases, a court dissolves legal bonds between children and their biological parents while creating new legal ties between children and their adoptive parents. Another type of adoption may be relevant when lesbian and gay couples rear children together. In some states, only one member of a same-sex couple may be recognized as a parent by the legal system. So-called *second parent adoptions* may be sought by such families to establish legal status for the second parent without terminating the rights or responsibilities of the first legal parent. In recent years, both stranger adoptions and second parent adoptions have been completed by openly lesbian and gay adults in many jurisdictions across the United States (Richman, 2009).

Like laws on custody and visitation, those governing adoption vary considerably across the states (Joslin & Minter, 2008; Patterson, 1995). At the time of this writing, adoption of minor children by lesbian or gay adults is specifically barred by statute only in Florida (*Lofton v. Secretary of the Department of Children and Family Services*, 2004). A recent Florida Court of Appeals ruling does, how-

ever, require that Florida recognize adoptions by same-sex couples from other states (*Embry v. Ryan*, 2009). In Arkansas, Mississippi, and Utah, the law bars adoptions by unmarried couples (and also forbids legal recognition of same-sex marriages), thus effectively preventing any adoptions by lesbian or gay couples. In Michigan, same-sex couples who have been married in another state are not legally allowed to complete joint adoptions. At the time of this writing, legislation similar to that barring unmarried couples in Arkansas from adopting minor children was recently defeated in Kentucky and is under consideration in Tennessee (Dizon, 2009; "Gay Couples Protest Bill," 2009). In many other states, such as New York, Massachusetts, and California, the law allows adoptions by openly lesbian and gay adults. For instance, in a well-known New York second parent adoption case, *In re. Adoption of Evan* (1992), the court noted that "the fact that the petitioners here maintain an open lesbian relationship is not a reason to deny adoption. . . . A parent's sexual orientation or sexual practices are presumptively irrelevant" (*In re. Adoption of Evan*, 1992, pp. 1001–1002).

Even though state laws vary, adoptions by openly lesbian and gay adults have occurred in many jurisdictions (National Gay and Lesbian Task Force, 2008). Openly lesbian or gay adults have completed stranger adoptions in many states, including California, Maryland, Ohio, and the District of Columbia. Many more stranger adoptions have no doubt been accomplished by lesbian and gay adults without their sexual orientation becoming a topic of public discussion. Second parent adoptions have been granted in 26 states, as well as in the District of Columbia. In 9 states, including Massachusetts (*Adoption of Tammy*, 1993) and Vermont (*Adoptions of B. L. V. B. & E. L. V. B.*, 1993), appellate courts have affirmed second parent adoptions. In four states, however, appellate courts have rejected them—that is, in Colorado, Nebraska, Ohio, and Wisconsin (see, e.g., a Nebraska case, *In re. Adoption of Luke*, 2002).

Issues related to foster care also draw on information about children with lesbian and gay parents. For example, in *Howard v. Child Welfare Agency Review Board* (2006), the Supreme Court of Arkansas was asked to decide whether a regulation prohibiting lesbian or gay adults from becoming foster parents should be left on the books. In the lower court, expert witnesses made appearances, and substantial amounts of testimony about lesbian and gay parenting were presented. Findings of fact from the trial court formed a part of the Supreme Court decision. Ruling that there was no connection between such a "blanket exclusion" (p. 10) and the "health, safety, and welfare of foster children" (p. 10), the Supreme Court of Arkansas struck down the regulation (*Howard v. Child Welfare Agency Review Board*, 2006). In a reminder that courts are not alone in considering these questions, however, the voters of Ar-

kansas soon thereafter approved Act 1, which again created a ban on lesbian and gay foster parents. At the time of this writing, a legal challenge to Act 1 is in the Arkansas courts ("Challenge to Arkansas Gay Adoption Ban Continues," 2009).

Summary

Across the United States today, legal and policy contexts for lesbian and gay parents and their children are remarkably varied. At one end of the scale is a state such as Massachusetts, in which the law recognizes same-sex marriages, stranger adoptions, and second parent adoptions and in which parental sexual orientation is deemed irrelevant for purposes of foster care, child custody, and visitation proceedings. At the other end, in a state such as Missouri, the law does not recognize same-sex marriages and also disadvantages lesbian and gay parents in custody and visitation proceedings. Stranger adoptions by lesbian and gay adults may have occurred in Missouri, but if they have taken place, they have been out of the public eye; no second parent adoptions have been reported. Thus, within the United States, the legal landscape for lesbian and gay parents and their children varies dramatically from one jurisdiction to another. The legal rights of lesbian and gay parents and their children are a subject of passionate debate in many jurisdictions, and the situation is in rapid flux.

Social Science Research on Lesbian and Gay Parents and Their Children

How do the results of social science research address legal and policy issues raised by child custody, visitation, adoption, and foster care by lesbian and gay parents? In this section, I offer an overview of the research literature focused on children of lesbian and gay parents that is relevant to these questions. I summarize research relevant to each of the three main areas of debate about children of lesbian and gay parents—namely, children's gender development, other aspects of children's personal development, and children's social relationships. For other recent overviews of this literature, see Patterson (2006) and Tasker and Patterson (2007).

Children's Gender Development

It has sometimes been suggested that gender development may be compromised among children reared by lesbian or gay parents. Those who express this concern may worry about the development of gender identity (i.e., the fundamental sense of oneself as male or female), about the development of gendered behavior (i.e., the acquisition of behavior that conforms to prevailing norms for masculine or feminine behavior), and/or about the development of sexual orientation (i.e., a person's choice of sexual partners, whether homosexual, heterosexual, or bisexual; see Patterson, 1992). To examine the possibilities in this area,

researchers have focused their studies on all three of these aspects of gender development.

The study of gender development and sexual orientation among the offspring of lesbian and gay parents can be criticized on the grounds that atypical gender development and/or nonheterosexuality are neither illnesses nor disabilities. The APA and the American Psychiatric Association, among others, have long disavowed notions of homosexuality or nonnormative gender behavior as representing either disease or disorder (see APA, 2004). Demands for children to embody heterosexuality or demonstrate only gender behavior that conforms to familiar norms are inappropriate and unwarranted. Nevertheless, such demands are still made in many circles, and they may be especially relevant in child custody cases involving lesbian and gay parents. As a result, researchers have addressed these questions.

It is interesting that research has generally failed to identify important differences in the development of gender identity or gender role behavior as a function of parental sexual orientation (e.g., Golombok, Spencer, & Rutter, 1983; Green, Mandel, Hotvedt, Gray, & Smith, 1986). For example, in interviews with children who had grown up with divorced lesbian mothers and children who had grown up with divorced heterosexual mothers, Green and his colleagues reported no differences with respect to favorite television programs, television characters, games, or toys. Brewaeys, Ponjaert, Van Hall, and Golombok (1997) used the Preschool Activities Inventory—a parental report questionnaire designed to assess children's preferences for gendered games, toys, and activities—to assess gender development among children conceived via donor insemination and reared by lesbian or heterosexual couples and reported no significant differences as a function of parental sexual orientation. Using the same instrument, Patterson, Farr, and Forssell (2009) recently found no significant differences in the gender role behavior of young children adopted by lesbian, gay, and heterosexual couples. No reports of differences in gender identity as a function of parental sexual orientation have emerged.

A number of researchers have also studied the sexual orientation of those reared by lesbian or gay parents. For instance, Huggins (1989) interviewed a group of adolescents, half of whom were the offspring of heterosexual mothers and half of whom were the offspring of lesbian mothers. She found that none of the adolescents with lesbian mothers identified as nonheterosexual, but one child of a heterosexual mother did. Tasker and Golombok (1997) also studied the sexual identities of young adults who had been reared by divorced lesbian or divorced heterosexual mothers and reported no differences. Bailey, Bobrow, Wolfe, and Mikach (1995) interviewed gay fathers about the sexual identities of their adult sons; they found that 7 of 75—9%—of the sons were identified as gay or bisexual.

No information about the daughters of these gay fathers was obtained in this study. Overall, the clearest conclusion from these and related studies is that the great majority of children with lesbian or gay parents grow up to identify as heterosexual (Bailey & Dawood, 1998).

Other Aspects of Children's Personal Development

A general concern about children of lesbian and gay parents that has been mentioned in many legal and policy debates in the United States is the fear that their personal development might be impaired or compromised (see Patterson, 1992, for elaboration of this claim). Research has assessed a broad array of characteristics, including separation-individuation, psychiatric evaluations, behavior problems and competencies, self-concept, locus of control, moral judgment, school adjustment, intelligence, victimization, and substance use (Patterson, 2000, 2006; Stacey & Biblarz, 2001). As was the case for sexual identity, studies of these aspects of personal development have revealed no major differences between the offspring of lesbian or gay parents and those of heterosexual parents. The research findings thus suggest that concern about difficulties in these areas among the offspring of lesbian mothers is unwarranted.

Particular worries have sometimes been voiced for the development of adolescents with lesbian or gay parents, who are seen as possibly experiencing greater difficulties than younger children do (e.g., Baumrind, 1995). In a recent pair of studies, Wainright and colleagues (e.g., Wainright & Patterson, 2006; Wainright, Russell, & Patterson, 2004) have studied adjustment in a national sample of teenagers in the United States. Their data showed that adolescents living with female same-sex couples did not differ significantly from those living with different-sex couples on measures of anxiety, depressive symptoms, self-esteem, delinquency, or victimization or in their use of tobacco, alcohol, or marijuana (Wainright & Patterson, 2006; Wainright et al., 2004). In this nationally representative sample, whether adolescents' parents had same-sex or different-sex partners was unrelated to adolescent adjustment (Patterson, 2006). Overall, the adjustment of children and adolescents does not appear to be related to parental sexual orientation.

Children's Social Relationships

A third type of concern that has been voiced about children and adolescents with lesbian or gay parents is that their social relationships, especially those with peers, may be compromised (see Baumrind, 1995; Patterson & Redding, 1996). To the contrary, however, research has repeatedly found that children and adolescents with nonheterosexual parents report normal social relationships with family members, with peers, and with adults outside their nuclear families. Moreover, observers outside the family agree with these assessments (Tasker & Golombok, 1997; Wainright

& Patterson, 2008). In particular, the contacts that children of nonheterosexual parents have with extended family members have not been found to differ significantly from those of other children (e.g., Fulcher, Chan, Raboy, & Patterson, 2002).

Youngsters growing up with lesbian or gay parents have often provided anecdotal reports of teasing or peer harassment that focuses on parental sexual orientation. For instance, Gartrell and her colleagues have reported that a substantial minority of children with lesbian mothers in their longitudinal study reported hearing negative comments from peers (Gartrell, Deck, Rodas, Peyser, & Banks, 2005; see also Bos, Gartrell, Peyser, & van Balen, 2008). In that most children are probably teased about something, an important question has been the degree to which any such teasing or peer harassment may affect overall adjustment or peer relations among the offspring of nonheterosexual parents.

The results of a recent study of peer relations among adolescents living with female same-sex couples are particularly important in addressing this question (Wainright & Patterson, 2008). These authors studied a nationally representative sample of adolescents in the United States and compared peer relations among those who lived with same-sex versus different-sex parenting couples. They studied peer reports as well as adolescents' own self-reports about friendships, activities with friends, and popularity among classmates. They also studied measures of density and centrality in peer networks. Across these and other measures of adolescent peer relations, there were no significant differences as a function of family type (Wainright & Patterson, 2008). In short, claims that youngsters' peer relations suffer when they live with same-sex couples are not supported by the findings of empirical research (see also Vanfraussen, Ponjaert-Kristoffersen, & Brewaeys, 2002).

Summary

More than 25 years of research on the offspring of nonheterosexual parents has yielded results of remarkable clarity. Regardless of whether researchers have studied the offspring of divorced lesbian and gay parents or those born to lesbian or gay parents, their findings have been similar. Regardless of whether researchers have studied children or adolescents, they have reported similar results. Regardless of whether investigators have examined sexual identity, self-esteem, adjustment, or qualities of social relationships, the results have been remarkably consistent. In study after study, the offspring of lesbian and gay parents have been found to be at least as well adjusted overall as those of other parents.

Discussion

Despite the sometimes adverse legal climates in which many families live, results of research on children of les-

bian and gay parents suggest that they develop in positive ways. Thus, the research findings provide no justification for limitations on child custody or visitation by lesbian or gay parents in divorce proceedings. Similarly, the results of research do not support the idea that lesbian and gay adults are less likely than others to provide good adoptive or foster homes. One could wish for the existing research to be expanded in several ways, such as increased study of gay fathers and their offspring (Tasker & Patterson, 2007). Despite the need for further research, however, it remains clear that existing findings on the development of children with lesbian and gay parents provide no warrant for legal discrimination against them or against their parents (Herek, 2006; Patterson, 2007, 2009).

The clarity of research findings in this area has been widely recognized by professional organizations such as the APA. In a 2004 policy statement, APA acknowledged that research findings suggest that "the adjustment, development, and psychological well-being of children is unrelated to parental sexual orientation" and that the "children of lesbian and gay parents are as likely as those of heterosexual parents to flourish" (APA, 2004). On this basis, APA has also opposed "any discrimination based on sexual orientation in matters of adoption, child custody and visitation, foster care, and reproductive health services" (APA, 2004).

The APA has provided significant leadership in this regard, and its contributions have been bolstered by those of other mainstream professional groups. Indeed, a consensus has emerged among professional organizations such as the American Bar Association, the American Medical Association, the American Academy of Pediatrics, and the National Association of Social Workers on the body of research on lesbian and gay parents and their children. Like APA, these organizations have adopted policies that oppose discrimination based on sexual orientation and that support legalization of second parent and stranger adoptions by lesbian and gay adults.

The focus in this article has been on the contributions of psychological research to the resolution of empirical issues that arise in the context of legal and policy debates relevant to lesbian- and gay-parented families in the United States today. Considering the issues that have arisen, it is inevitable that such a discussion has centered on comparisons between families headed by lesbian and gay parents, on the one hand, and those headed by heterosexual parents, on the other. In other words, legal and policy debates tend to center on categorical understandings of sexual orientation. Such categorizations unfortunately obscure tremendous variability within as well as between categories (Garnets, 2002). Even though discussions about public policy usually assume that all individuals fit into a few categories, it should be recognized that reality is far more complex. When associations among sexual behavior, sexual desire,

and sexual identity are considered, and especially when these are followed over time, the complexity of issues related to sexual orientation begins to become apparent (Diamond, 2008). Although the multiple strands of such complexity cannot be disentangled here, it should be recognized that the reality is more complex than is usually acknowledged in legal and policy debates.

However one may undertake to identify lesbian and gay parents, research relevant to policy usually compares them with heterosexual parents (Patterson, 2006). In other words, research designs of major interest to policy debates usually involve group comparisons. Such designs address questions about differences and similarities among lesbian-mother, gay-father, and heterosexual-parent families. As described above, studies relevant to law and policy have reported striking similarities among children who are growing up in all three family types. These findings should not, however, be taken to mean that no differences exist. Lesbian- and gay-parent families are clearly not identical to those led by heterosexual parents.

Without a doubt, many differences between children growing up in lesbian-, gay-, and heterosexual-parented homes do exist (Patterson, 1992, 2000). For instance, the young adult offspring of lesbian mothers report feeling fewer antigay sentiments than do the offspring of heterosexual mothers (Tasker & Golombok, 1997). With regard to parental divisions of labor within couples, lesbian mothers report sharing child-care duties more evenly than do heterosexual parents (Patterson, 2000). Although not relevant to policy debates, these and other differences have been reported in the research literature. It seems likely that future research will uncover yet more information about the unique qualities of different family types (Tasker & Patterson, 2007).

Because lesbian-mother and gay-father families are of interest in their own right and not just in comparison with heterosexual-parent families, additional research questions and designs can also be valuable (Patterson, 1992, 2000). For example, we psychologists need to learn more about individual differences within groups of lesbian-mother and gay-father families. We would benefit from knowing more about the qualities of environments that support parents' efforts to provide good homes for their children. By undertaking such studies, it will be possible to learn more about unique issues and strengths of lesbian and gay parents and their children (Patterson, 1992, 2000; Tasker & Patterson, 2007).

In particular, it will be important to learn more about the impact of legal and policy contexts on lesbian mothers, gay fathers, and their children (Patterson, 2007). A recent study by Shapiro, Peterson, and Stewart (2009) points the way in this regard. These authors studied aspects of mental health among lesbian and heterosexual mothers living in the United States and Canada. This is an interesting con-

trast because, despite many similarities between the two countries, Canada provides a more supportive legal climate for lesbian mothers and their children. For example, adoption and marriage rights are available to lesbian mothers in Canada but not to those in many parts of the United States. Shapiro et al. (2009) found that lesbian mothers in the United States reported more worries about legal problems and about discrimination based on sexual orientation—but not more general family worries—than did lesbian mothers in Canada. Among heterosexual mothers, whose family relationships enjoyed protection of law in both countries, there were no differences among those living in the United States and those living in Canada. These findings begin to suggest the benefits for lesbian mothers and their children of living in supportive legal contexts. Further work in this vein, especially if it can reveal the impact of contextual factors on gay fathers as well as on lesbian mothers and on children as well as on parents, seems likely to be fruitful.

In summary, there are many ways in which evidence from psychological research can inform legal and policy debates that affect lesbian and gay parents and their children. Among the issues for which research has been seen as particularly relevant are questions regarding child custody following divorce, same-sex marriage, adoption, and foster care. In all of these areas, research suggests that lesbian and gay parents function much like other parents do and that their children also develop in much the same ways as do other children. Where necessary, legal and policy changes in these areas could and should extend to lesbian and gay parents and their children legal protections, such as those provided by marriage and adoption, that are already available to other families. In this way, research findings may contribute not only to ongoing legal and policy debates but also to the improvement of living conditions for all Americans, regardless of sexual orientation.

Author's Note

Charlotte J. Patterson, Department of Psychology, University of Virginia, and Williams Distinguished Research Fellow, University of California, Los Angeles, School of Law.

I thank the Williams Institute at the University of California, Los Angeles, for financial support. I am also grateful for the contributions of many families, students, and colleagues, without whom the work reported in this article could not have been completed.

Correspondence concerning this article should be addressed to Charlotte J. Patterson, Department of Psychology, University of Virginia, P.O. Box 400400, Gilmer Hall, Charlottesville, VA 22904. E-mail: patterson@virginia.edu

References

- Adoption of Tammy, 416 Mass. 205, 619 N.E.2d 315 (Mass. 1993).
- Adoptions of B. L. V. B. & E. L. V. B., 628 A. 2d 1271 (Vt. 1993).
- American Psychiatric Association. (2005). *Support of legal recognition of same-sex civil marriage* [Position statement]. Retrieved September 14, 2009, from http://www.psych.org/edu/other_res/lib_archives/archives/200502.pdf
- American Psychological Association. (2004). *Resolution on sexual orientation, parents, and children* [Policy statement]. (Adopted by the APA Council of Representatives, July 2004)
- Baehr v. Lewin, 852 P. 2d 44 (1993).
- Baehr v. Miike, 910 P. 2d 112 (1996).
- Bailey, J. M., Bobrow, D., Wolfe, M., & Mikach, S. (1995). Sexual orientation of adult sons of gay fathers. *Developmental Psychology*, 31, 124–129.
- Bailey, J. M., & Dawood, K. (1998). Behavior genetics, sexual orientation, and the family. In C. J. Patterson & A. R. D'Augelli (Eds.), *Lesbian, gay and bisexual identities in families: Psychological perspectives* (pp. 3–18). New York: Oxford University Press.
- Baumrind, D. (1995). Commentary on sexual orientation: Research and social policy implications. *Developmental Psychology*, 31, 130–136.
- Bos, H. M. W., Gartrell, N. K., Peyser, H., & van Balen, F. (2008). The USA National Longitudinal Lesbian Family Study (NLLFS): Homophobia, psychological adjustment, and protective factors. *Journal of Lesbian Studies*, 12, 455–471.
- Boswell v. Boswell, 352 Md. 204; 721 A. 2d 662 (1998).
- Bottoms v. Bottoms, No. 941166 (Va. 1995).
- Brantner, P. A. (1992). When mommy or daddy is gay: Developing constitutional standards for custody decisions. *Hastings Women's Law Journal*, 3, 97–121.
- Brewaeys, A., Ponjaert, I., Van Hall, E. V., & Golombok, S. (1997). Donor insemination: Child development and family functioning in lesbian mother families. *Human Reproduction*, 12, 1349–1359.
- Burgess v. Burgess, 708 N.E.2d 930; 1999 Ind. App. LEXIS 300.

- Challenge to Arkansas gay adoption ban continues.* (2009, March 2). Retrieved March 2, 2009, from <http://www.365gay.com/news/challenge-to-arkansas-gay-adoption-ban-continues/>
- Diamond, L. M. (2008). *Sexual fluidity: Understanding women's love and desire*. Cambridge, MA: Harvard University Press.
- Dizon, R. (2009, February 25). Tennessee bill would bar unmarried couples from adopting. *The Advocate*. Retrieved February 27, 2009, from http://www.advocate.com/news_detail.ektid73755.asp
- Eldridge v. Eldridge, 42 S.W.3d 82 (2001).
- Embry v. Ryan, No. 2 D08-1323 (Fla. 2d DCA May 13, 2009).
- Fulcher, M., Chan, R. W., Raboy, B., & Patterson, C. J. (2002). Contact with grandparents among children conceived via donor insemination by lesbian and heterosexual mothers. *Parenting: Science and Practice*, 2, 61–76.
- Garnets, L. (2002). Sexual orientations in perspective. *Cultural Diversity and Ethnic Minority Psychology*, 8, 115–129.
- Gartrell, N., Deck, A., Rodas, C., Peyser, H., & Banks, A. (2005). The National Lesbian Family Study: 4. Interviews with the 10-year-old children. *American Journal of Orthopsychiatry*, 75, 518–524.
- Gay couples protest bill to ban adoptions.* (2009, February 26). Retrieved February 27, 2009, from <http://www.365gay.com/news/gay-couples-protest-bill-to-ban-adoptions/>
- Golombok, S., Spencer, A., & Rutter, M. (1983). Children in lesbian and single-parent households: Psychosexual and psychiatric appraisal. *Journal of Child Psychology and Psychiatry*, 24, 551–572.
- Green, R., Mandel, J. B., Hotvedt, M. E., Gray, J., & Smith, L. (1986). Lesbian mothers and their children: A comparison with solo parent heterosexual mothers and their children. *Archives of Sexual Behavior*, 15, 167–184.
- Herek, G. M. (2006). Legal recognition of same-sex relationships in the United States: A social science perspective. *American Psychologist*, 61, 607–621.
- Howard v. Child Welfare Agency Review Board, 367 Ark. 55, 238 S.W.3d 1 (2006).
- Huggins, S. L. (1989). A comparative study of self-esteem of adolescent children of divorced lesbian mothers and divorced heterosexual mothers. In F. W. Bozett (Ed.), *Homosexuality and the family* (pp. 123–135). New York: Harrington Park Press.
- In re. Adoption of Evan, 583 N.Y.S. 2d 997 (Sur. 1992).
- In re. Adoption of Luke, 640 N.W.2d 374 (2002).
- Joslin, C. G., & Minter, S. P. (2008). *Lesbian, gay, bisexual and transgender family law*. New York: Thomson West.
- Lofton v. Secretary of Department of Children and Family Services, 377 F. 3d 1275 (2004).
- Loving v. Virginia*, 388 U.S. 1 (1967).
- Martyn, C. (2008, December 16). Same sex marriage backgrounder: Court will choose between two dueling standards for equality. *The Iowa Independent*. Retrieved March 16, 2009, from <http://iowaindependent.com>
- Meyer v. Nebraska, 262 U.S. 390 (1923).
- National Gay and Lesbian Task Force. (2008). *Adoption laws in the United States map*. Retrieved September 14, 2009, from http://www.thetaskforce.org/reports_and_research/adoption_laws/
- Patterson, C. J. (1992). Children of lesbian and gay parents. *Child Development*, 63, 1025–1042.
- Patterson, C. J. (1995). Adoption of minor children by lesbian and gay adults: A social science perspective. *Duke Journal of Gender Law and Policy*, 2, 191–205.
- Patterson, C. J. (2000). Family relationships of lesbians and gay men. *Journal of Marriage and Family*, 62, 1052–1069.
- Patterson, C. J. (2006). Children of lesbian and gay parents. *Current Directions in Psychological Science*, 15, 241–244.
- Patterson, C. J. (2007). Lesbian and gay family issues in the context of changing legal and social policy environments. In K. J. Bieschke, R. M. Perez, & K. A. DeBord (Eds.), *Handbook of counseling and psychotherapy with lesbian, gay, bisexual, and transgender clients* (2nd ed., pp. 359–377). Washington, DC: American Psychological Association.

- Patterson, C. J. (2009). Parental sexual orientation, social science research, and child custody decisions. In R. M. Galatzer-Levy, L. Kraus, & J. Galatzer-Levy (Eds.), *The scientific basis of child custody decisions* (2nd ed., pp. 285–306). Hoboken, NJ: Wiley.
- Patterson, C. J., Farr, R. H., & Forssell, S. L. (2009, April). *Sexual orientation, parenting, and child development in adoptive families*. Paper presented at the biennial meeting of the Society for Research in Child Development, Denver, Colorado.
- Patterson, C. J., & Redding, R. (1996). Lesbian and gay families with children: Public policy implications of social science research. *Journal of Social Issues*, 52, 29–50.
- Pulliam v. Smith, 348 N.C. 616; 501 S.E.2d 898 (1998).
- Richman, K. D. (2009). *Courting change: Queer parents, judges, and the transformation of American family law*. New York: New York University Press.
- Rosenfeld, M. J. (2007). *The age of independence: Interracial unions, same-sex unions, and the changing American family*. Cambridge, MA: Harvard University Press.
- Rubenstein, W. B. (1996). Lesbians, gay men, and the law. In R. C. Savin-Williams & K. M. Cohen (Eds.), *The lives of lesbians, gays, and bisexuals: Children to adults* (pp. 331–344). New York: Harcourt Brace.
- Shapiro, D. N., Peterson, C., & Stewart, A. J. (2009). Legal and social contexts and mental health among lesbian and heterosexual mothers. *Journal of Family Psychology*, 23, 255–262.
- Skinner v. Oklahoma, 316 U.S. 535 (1942).
- Stacey, J., & Biblarz, T. J. (2001). (How) Does sexual orientation of parents matter? *American Sociological Review*, 65, 159–183.
- Sullivan, A. (Ed.). (1997). *Same-sex marriage: Pro and con: A reader*. New York: Random House.
- Tasker, F. L., & Golombok, S. (1997). *Growing up in a lesbian family: Effects on child development*. New York: Guilford Press.
- Tasker, F., & Patterson, C. J. (2007). Research on gay and lesbian parenting: Retrospect and prospect. *Journal of Gay, Lesbian, Bisexual and Transgender Family Issues*, 3, 9–34.
- Vanfraussen, K., Ponjaert-Kristoffersen, I., & Brewaeys, A. (2002). What does it mean for youngsters to grow up in a lesbian family created by means of donor insemination? *Journal of Reproductive and Infant Psychology*, 20, 237–252.
- Wainright, J. L., & Patterson, C. J. (2006). Delinquency, victimization, and substance use among adolescents with female same-sex parents. *Journal of Family Psychology*, 20, 526–530.
- Wainright, J. L., & Patterson, C. J. (2008). Peer relations among adolescents with female same-sex parents. *Developmental Psychology*, 44, 117–126.
- Wainright, J. L., Russell, S. T., & Patterson, C. J. (2004). Psychosocial adjustment and school outcomes of adolescents with same-sex parents. *Child Development*, 75, 1886–1898.
- Wolfson, E. (2004). *Why marriage matters: America, equality, and gay people's right to marry*. New York: Simon & Schuster.

