

TALKING ABOUT



Family Recognition Laws & LGBTQ Families



Authors

Partners

INTRODUCTION

Family recognition laws ensure a secure legal relationship between a child and their parent or parents. These legal ties—referred to in legal contexts as *parentage*—are essential to a child’s security and well-being.

It’s common to assume that becoming a parent automatically brings with it a legal parent-child relationship. But the fact is that many state family recognition laws haven’t been updated in decades and don’t recognize all families—including families formed with the assistance of fertility care such as IVF—and families where a child does not have a biological connection to one or both parents. These outdated laws leave many children and families vulnerable, including LGBTQ families.

Establishing strong legal ties between children and parents ensures that children can benefit from the rights and responsibilities of that legal relationship, such as legal decision-making, financial support, health insurance coverage, custody, inheritance rights, and more. A secure legal relationship also helps ensure that a child does not lose their family ties if one parent dies or becomes incapacitated or if there’s a change in the relationship between parents. Updating family recognition laws provides safeguards not only for LGBTQ families, but also for a wide range of families formed via fertility care.

This resource provides guidance for conversations about family recognition laws that can help conflicted audiences understand the significance of clear, accessible, and strong legal child-parent ties—and why families, no matter how they are formed, should be treated equally under the law.

There are three key approaches for conversations that can build support for family recognition that includes LGBTQ families and their children:

1. **Emphasize shared values;**
2. **Show how strong legal ties are vital to a child’s well-being; and**
3. **When needed, illustrate concrete harms that stem from the denial of legal ties.**

In addition, GLBTQ Legal Advocates & Defenders (GLAD Law) and MAP offer resources on family recognition laws and their impact on LGBTQ families. Links to these resources are located at the end of this guide.

APPROACH #1: EMPHASIZE SHARED VALUES

Family and *freedom* are deeply interconnected values when talking about family recognition. Consider starting conversations about these laws with a simple, direct expression of those values:

- *We should all have the freedom to start a family on our own terms, and that includes the freedom to establish secure legal parent-child relationships, regardless of biological connection.*

At the same time, emphasize that *love, care, and commitment are what makes a family*—and that every child, including the children of LGBTQ parents, should have strong legal relationships with the parents who love and care for them.

- *Love, care, and commitment are what makes a family. LGBTQ parents love, raise, and provide for their kids, creating a caring family where their children can thrive. We should update the law to ensure that every parent, including those with children born through the assistance of fertility care, can protect their family through strong legal connections to their kids.*

These core values also serve to ground our resistance to politicians’ efforts to restrict fertility care and undermine legal recognition for non-biological parents—including for many LGBTQ families. Elevate the fundamental freedom to start and protect a family as a deeply held value, made even more urgent in the face of attempts at government overreach and control when it comes to our families:

- *Every child, including those born through fertility care, should have a right to the security that comes from having strong legal ties with their parents. That security makes it possible for so many parents—including those who are LGBTQ—to realize their dream of creating a family free from government overreach and control.*
- *Politicians shouldn’t be able to restrict legal rights, responsibilities and protections to only one type of family and deny those same rights, responsibilities, and protections to others.*

APPROACH #2: SHOW HOW STRONG LEGAL TIES ARE VITAL TO A CHILD’S WELL-BEING

Kids need a secure legal bond with their parents because it gives them the safety and stability they need to flourish. That strong parent-child relationship helps ensure a child receives countless rights and protections that are essential to their security and well-being. We want all children to have access to these rights and to have the strongest possible foundation from which to thrive.

Make the stakes of the issue clear by illustrating how equal treatment under the law is vital to the well-being of children. Strong legal family ties ensure that a child can fully benefit from committed and loving parents—and that parents can support the best interests of their children. It also helps ensure that a child will maintain a connection with their parents if anything in their family were to change.

- A secure legal connection between parents and their kids is part of the foundation of a child's stability and well-being. So many rights and responsibilities flow from the legal ties between children and parents—from medical care to education to survivor benefits. Updating the law will provide legal clarity and security for all children and families, however a family is formed.

APPROACH #3: ILLUSTRATE HARMS THAT STEM FROM THE DENIAL OF LEGAL TIES

While it's important to focus on positive shared values around family, love, and a child's well-being, there may be times when you need to illustrate the concrete harms that stem from denying families the legal ties they need. In those cases, focus on how LGBTQ families and children are put at risk by the denial of a legal relationship. When doing so, open with shared values before connecting the dots to how the lack of legal recognition can negatively impact a child's well-being and legal security.

- *Loving, responsible parents make ensuring their kids' safety and well-being their top priority. Denying legal recognition to LGBTQ families puts their kids at risk. Without the protections that come with the legal recognition of the parent-child relationship, LGBTQ families are left in legal jeopardy, eroding the stability a child needs to grow up happy and healthy.*

Resources and Further Reading

For resources on LGBTQ family recognition, parentage, and access to fertility care, please visit the links below.

Movement Advancement Project (mapresearch.org)

[Equality Maps: Parental Recognition Laws](#)

[Report: "Relationships at Risk: Why We Need to Update Laws to Protect Children and Families"](#) (developed in partnership with COLAGE, Family Equality, GLAD Law, and the National Center for LGBTQ Rights)

GLAD Law (gladlaw.org)

[FAQ: "Voluntary Acknowledgement of Parentage: A Simple Way for Your Family to Be Recognized and Respected Through Legal Parentage"](#)

[LGBTQ Paths to Parentage Security](#) (developed in partnership with Mombian)

Helping People Navigate Questions About Fertility Care

Fertility care enjoys broad familiarity and support, but some people may be unfamiliar with and/or have questions about treatments such as IVF, surrogacy, and egg or sperm donation. Opponents can exploit that unfamiliarity in their attacks on LGBTQ families. Our conversations can help people understand that fertility care has clear guardrails that help protect the best interests of everyone—parents, donors and surrogates when involved, and especially children.

When these questions arise, we can navigate them in the context of building support for legal recognition of families formed through fertility care:

- *A lot of us have questions about IVF, surrogacy, and other family building through fertility care. Parents who rely on them for family building know that they include strong guardrails, clear consent, and ethical care for everyone involved. Families started through fertility care are deeply considered and chosen—and we should strengthen those safeguards by ensuring secure legal ties between children and their parents, regardless of biological ties.*
- *Tens of thousands of families are started with the assistance of fertility treatments every year in the United States, but our laws haven't caught up with advances in medical care. Outdated laws leave families formed through fertility care legally vulnerable, since the non-biological parent may not be recognized under the law as a parent, thereby denying a child essential rights and protections.*

We can also help people sort through questions they have about fertility care for LGBTQ families via journey stories that emphasize common ground with other parents.

- *Like many straight couples and individuals who struggle with fertility, LGBTQ couples often face barriers to access and affordability when it comes to fertility care in their hopes to start or grow a loving family. The journey for LGBTQ families is rarely easy; ensuring a secure legal relationship to their kids should not be one of the obstacles they have to overcome.*

TALKING ABOUT LGBTQ FAMILY RECOGNITION LAWS

MAP gratefully acknowledges the contributions of our partners in the development of this guide; the recommendations are those of MAP. To download this and other resources for building effective conversations about LGBTQ people and the issues that affect their lives, visit mapresearch.org/talkingaboutseries. © 2026 Movement Advancement Project.