

April 8, 2026

**MEMORANDUM IN SUPPORT
S9748 (Cooney) / A4880 (González-Rojas)**

Family Equality strongly supports passage of the Rights Act Initiating Security and Equality for Children (RAISE Children), S9748 (Cooney) / A4880 (González-Rojas). If enacted, RAISE Children would protect all New York families by creating and codifying clearer, more streamlined paths to parental recognition.

Family Equality is a national organization advocating to advance legal and lived equality for lesbian, gay, bisexual, transgender, and queer (LGBTQ+) families and those who wish to form them. We are based in New York, and we support many families in New York.

RAISE Children is vitally important because it would provide legal security for families. RAISE Children ensures that New York families can protect and preserve their parent-child relationships by making adoption and parentage more accessible to legally vulnerable families, including families created through assisted reproduction, LGBTQ+ families, and families in which a parent and a child do not share a genetic connection, including where children have more than two parents.

All children in New York need and deserve legal family security. Legal recognition of parent-child relationships is essential to children's well-being. It ensures protections, rights, and responsibilities related to education, health, social security benefits, custody, permanency, and more. Children born of assisted reproduction may not share a genetic connection with one or both of their parents, which makes securing a legal relationship even more critical.

If enacted, RAISE children would create meaningful access to legal parent-child relationships. It would create a streamlined adoption process for people who created their families through assisted reproduction and who are already parents under New York law ("Confirmatory Adoption"). Currently, when a child is born of assisted reproduction, the intended parents who consent to assisted reproduction are legal parents under New York law.¹ Even still, many of these families choose to pursue a court order, such as an adoption, to provide greater legal security.² When a New York family secures legal parent-child relationships through adoption, they are not only protected within the state, but also across state lines under full faith and credit principles of the U.S. Constitution.³ A family who plans to travel across state lines or abroad, or to pass foreign citizenship to their child, may pursue an adoption to ensure that their parentage is respected.

¹ NY FAM CT § 581-303.

² Movement Advancement Project. June 2023. Relationships at Risk: Why We Need to Update State Parentage Laws to Protect Children and Families. <https://www.mapresearch.org/2023-parentage-report>.

³ See *V.L. v. E.L.*, 577 U.S. 404, 136 S. Ct. 1017 (2017).

In New York today, completing an adoption requires an expensive and intrusive process, including a background check and home inspection, even when a parent is adopting their own child. RAISE Children would remove these legal and practical barriers, addressing the important need to allow parents to secure their parent-child relationships through adoption in an efficient and validating process. If someone who is already a parent under New York law seeks to confirm their parent-child relationship through adoption, they do not have to complete an invasive home inspection. They do not have to endure record checks, attend a hearing, or demonstrate a minimum residency period, onerous and time-consuming requirements that can deter families who desperately need the protection of a court order. However, for good cause, a court can still require any of these for the purposes of evaluating and granting a petition for confirmatory adoption, maintaining a judge's discretion to ensure an adoption is in the child's best interests. If enacted, New York would join 12 other states that have adopted similar legislation, including California, Colorado, Illinois, Maine, Maryland, Nevada, New Hampshire, New Jersey, New Mexico, Rhode Island, Vermont and Virginia.⁴ We anticipate more states will adopt this common-sense option for family security in the near future.

RAISE Children advances New York's interest in protecting the security of the family unit by preserving parent-child relationships through multi-parent adoption and recognition. Many children have more than two parents. For decades, courts and legislatures have acknowledged this reality by conferring legal rights on third parents. In so doing, the law benefits children by reducing conflict and increasing stability. Several states, including California, Connecticut, Delaware, Maine, Massachusetts, New Mexico, Vermont, and Washington have enacted statutes expressly allowing courts to find that a child has more than two parents.⁵ However, due to lack of clear statutory guidance, New York courts have been inconsistent in their treatment of multi-parent families, and often limit recognition to those with pre-conception agreements.⁶ If enacted, RAISE Children will give the courts clear authority to not only grant multi-parent adoptions, but also to recognize all parents of a child and review custody claims, awarding custody to more than two parents when it is in a child's best interests to do so. RAISE Children will also update New York's child support guidance to ensure that children have the financial security that comes from these

⁴ See Cal. Fam. Code § 9000.5; Colo. Rev. Stat. § 19-5-203.5; 750 Ill. Comp. Stat. § 50/21.1; Me. Rev. Stat. Ann. tit. 18-C, §9-316; Md. Code Ann. Fam. Law § 5-3B-27; Nev. Stat., ch. 237; N.H. Rev. Stat. Ann. § 170-B:4; N.J. Stat. § 9:17-71; N.M. Stat. Ann. § 32A-5-46; 15 R.I. Gen. Laws Ann. § 15-7-27; H.98 (Act 31) (VT, 2025); Va. Code Ann. § 63.2-1241.

⁵ See Cal. Fam. Code § 7612(c); Conn. Gen. Stat. § 46b-475(c); Del. Code Ann. tit. 13, § 8-201(c); Me. Stat. tit. 19-A, § 1891(1); Mass. General Laws c. 209C §26(c); N.M. Stat. Ann. § 32A-5-46(G)(3); Vt. Stat. Ann. tit. 15C, § 206(b); Wash. Rev. Code § 26.26A.460(3).

⁶ See, e.g., *Dawn M. v. Michael M.*, 55 Misc. 3d 865 (Sup Ct. NY County 2017) (upholding a child's relationship with his three parents because failing to recognize the child's third parent would deprive him of a continued relationship with a person that he understood to be his mother); *Matter of David S. v. Samantha G.*, 59 Misc. 3d 960 (Fam Ct. 2018) (holding that "there is not currently any New York statute which grants legal parentage to three parties"); *Matter of Shanna O. v. James P.*, 176 A.D.3d. 1334 (3rd Dept. 2019) (holding that, baring extraordinary circumstances [a third parent] does not have standing to seek custody); *Matter of Tomeka N.H. v. Jesus R.*, 183 A.D.3d 106 (4th Dept. 2020) (holding that the use of the word "either" in the statute indicates that a child can only have two legal parents and a third party petitioner may only establish standing when there is a pre-conception agreement with the biological parents to raise the child as co-parents).

parent-child relationships. This will protect all children and families, helping to ensure that they cannot be torn apart from parents who love and care for them.

While the passage of this bill is important for all New York children and families, it is especially important for LGBTQ+ parents who often use assisted reproduction to grow their families. LGBTQ+ families are facing an increasingly hostile environment throughout the United States. Recently, a court Oklahoma stripped a child of their non-birth LGBTQ+ parent, even though the parents had been married when the child was born.⁷ Although this bill benefits all New York families, it is critical that LGBTQ+ families in New York have an option to ensure their families are recognized and protected no matter where they travel.

RAISE Children is an important, common-sense bill that offers streamlined protections for New York children and families. Family Equality strongly supports RAISE Children, S9748/A4880.

Respectfully submitted,



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⁷ *Wilson v. Williams*, FD-2021-3681 (Okla. 7th Dist. Feb. 13, 2023).