
Indiana legislature rules in favor of lesbian couples using donor insemination

Last Updated Tuesday, 20 February 2007

Indiana legislature rules in favor of lesbian couples using donor insemination

Last published / updated on 02/04/2005

In a landmark decision, the Indiana Court of Appeals has ruled that lesbian partners who agree to conceive a child through artificial insemination are both the legal parents of any children born to them.

In a unanimous ruling, the court said that "no (legitimate) reason exists to provide the children born to lesbian parents through the use of reproductive technology with less security and protection than that given to children born to heterosexual parents through artificial insemination."

This case arose when the two partners split up and one wanted visitation rights for the child. The lower court initially ruled that one partner had no parental rights because she was not a biological parent.

Now, I'm no lawyer but, it seems to me that this ruling is important not just for gay couples but for all my Indiana patients who use donor egg, donor sperm or donor embryos. If the lower court could negate the parental rights of a partner in a gay relationship, the same would apply for those in a heterosexual relationship who use donated gametes.

In my opinion, the Indiana court made the right decision and one which will benefit all of my patients who live there.