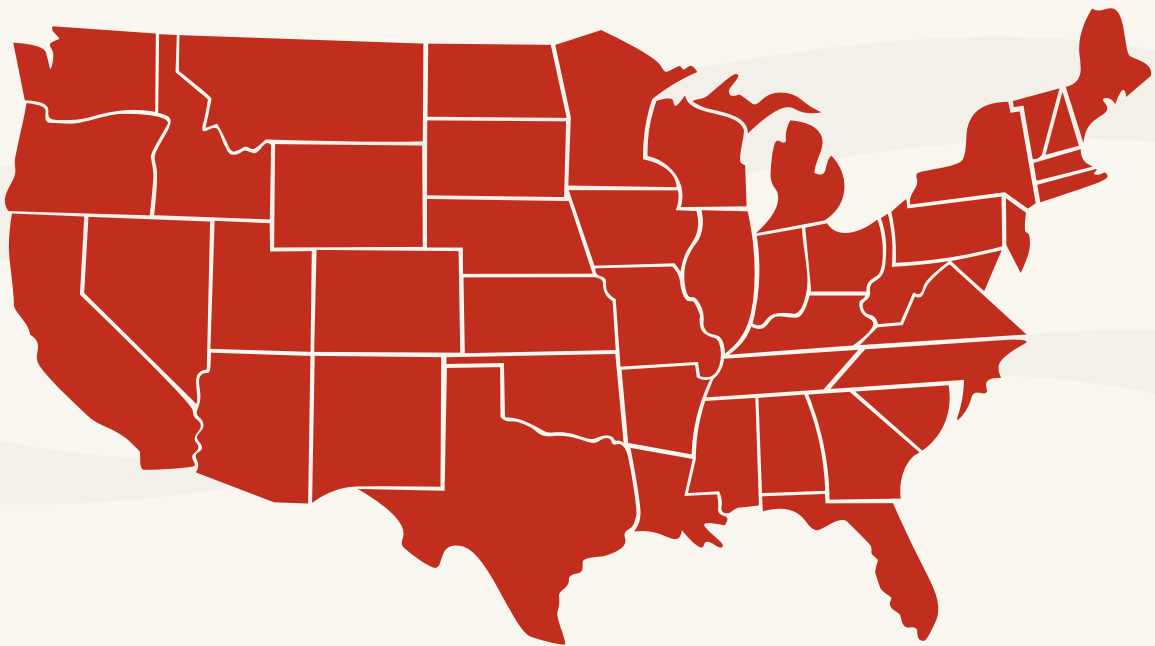




CHILDREN'S RIGHTS ACROSS THE STATES: A 50 STATE REPORT CARD

*Grading States on How Well Their Laws Protect
Children's Fundamental Right to Their Mother & Father*



Them Before Us

TABLE OF CONTENTS

| | |
|---|-----------|
| Introduction | 3 |
| Part 1: Understanding the threats to children’s rights | |
| • Threats in Parentage Law..... | 4 |
| • Threats from Surrogacy..... | 7 |
| • Threats from Donor Conception and IVF..... | 9 |
| • Threats in Marriage Law..... | 11 |
| Part 2: Understanding the impact | |
| • Voices of the Victims..... | 13 |
| • What Now?..... | 15 |
| Part 3: Rubric, Grading Process, and Scoresheet | 16 |
| • Rubric | |
| • Grade distribution | |
| • Scoresheet | |
| Part 4: State Summaries | |



INTRODUCTION

Children’s rights are under attack, and one of the strongest indicators is the breakdown and redefinition of the family. Some of these changes have been incredibly obvious, ushered in by major events like the passage of no-fault divorce in California in 1969, quickly followed by a domino effect in all 50 states, or the Supreme Court’s unilateral redefinition of marriage in 2015 under *Obergefell v. Hodges*. Other changes have been quieter and more subtle, like the gradual replacement of terms like “mother” and “father” with gender-neutral “parent” language that denies the biological reality that every child comes from one man and one woman, or the introduction and expansion of reproductive technologies like surrogacy and third-party gamete use that intentionally sever children from their genetic and birth parents for the sake of profit. Many of these changes are legislative, as we have seen with the passage of bills like the Uniform Parentage Act of 2017 in a growing number of states. In some cases, these changes come through administrative code and vital records, establishing processes that allow unrelated adults to be listed on birth certificates through pre-birth parentage orders. Other changes come at the hands of courts, deciding to allow more than two adults to legally be considered a child’s “parents”, or validating contracts that treat children as commodities.

Defenders of children’s rights need to see and understand these infringements in order to defend against them and protect children’s natural rights to their own mother and father. To facilitate that, our team has analyzed three major categories of laws in all 50 states and the District of Columbia and scored them on how well they do or do not protect children. These three categories are parentage, assisted reproductive technologies, and marriage—each of which directly intersects with children’s rights in the family.

As our findings show, there is much work to be done when it comes to putting the needs and well-being of children back at the center of public policy. All too often, the laws, policies, and practices on display put the desires of adults first, leaving the rights of children by the wayside.

In this report, you will find the story of children’s rights under attack. But you will also find areas where states are championing the rights of children, and where there are ready opportunities to speak up for the most vulnerable and defend children in all 50 states!



CATEGORY I: PARENTAGE

HOW SUBTLE LANGUAGE SHIFTS REDEFINE THE FAMILY

The words we use matter. They can declare the truth of the natural world, or they can obscure it. They can be used to introduce new and novel legal categories to reinvent the family, straying from the natural family in which children’s most vital relationships are preserved and protected, replacing it with a “progressive” version that privileges adult ideologies over children’s needs. This is especially true in how states use terms like “mother,” “father,” and “parent” and who is able to claim legal rights as a child’s parent.

Our rubric scores states on three different criteria under the category of parentage: whether the state’s parentage laws maintain mother and father language, whether the state allows parentage to be established on the basis of “intent”, and whether the state allows more than two adults gain legal recognition as a child’s “parents.”

Mother-Father Language

A subtle yet insidious shift that we have observed in a growing number of states is the replacement of terms like “mother,” “father,” “maternity,” and “paternity” in family law with gender-neutral terms like “parent” and “parentage.” This is a denial of the basic biological reality that every child naturally has a mother and father. When these terms are removed and replaced in statutes, the state ratifies an idea of the family that is rooted not in biology, but ideology, and that a child simply needs any two (or more) adults and loses nothing when deprived of his own mother and father. 17 states have erased the terms “mother” and “father” from some or all of their family laws, replacing the terms with gender-neutral language.

**17 STATES HAVE ERASED
THE TERMS "MOTHER" AND
"FATHER" FROM SOME OR
ALL OF THEIR FAMILY
LAWS.**

Intent-Based Parentage

Typically seen in the context of reproductive technologies, especially surrogacy, the recognition of “intent: as a basis for parentage allows adults to legally establish a parent-child relationship with a biologically unrelated child without undergoing the adoption process. This dangerous innovation fails to protect children—unrelated and unsafe adults who would never be approved to adopt can and have used this workaround to commission and gain custody of children.



As we will discuss in the surrogacy section of this report, multiple high profile scandals from just last year revealed how intent-based parentage in the context of surrogacy places children in harm's way.

Our analysis found that 28 states allow parentage to be established on the basis of intent.

**28 STATES ALLOW PARENTAGE
TO BE ESTABLISHED ON THE
BASIS OF "INTENT."**

Polyparenting

Polyamory may be the latest relationship trend in pop culture, but it's far from a pro-child arrangement. Unfortunately, polyamory has been quietly gaining acceptance in parentage laws. Ten states allow more than two adults to gain the status of legal parents to a single child, and 8 more states allow a third adult to become a "de facto" parent with the permission of a child's parents. Research has clearly demonstrated that an unrelated adult in the home poses a significant risk to a child's safety. Children with an unrelated adult in the home are at a nearly 50-fold increased risk of suffering a fatal inflicted injury.¹ An analysis of polygamous versus monogamous societies shows that polygamous marriages see higher rates of conflict², creating a less stable environment for children to grow up in.

We scored states on whether they explicitly allow courts to grant legal parentage to more than two individuals, as well as whether a third-party can gain "de facto" parentage status or if courts have granted third-party parentage in specific cases. While there can be legitimate reasons for a third-party to have custody or legal decision-making power, such as when a child is in foster care, allowing a third (or fourth) adult to be legally recognized as a "parent" obscures and dilutes the reality of the natural parent-child bond.

**10 STATES ALLOW MORE THAN TWO ADULTS TWO
BE LEGALLY CONSIDERED A CHILD'S PARENTS.
8 MORE STATES ALLOW A THIRD-PARTY TO
BECOME A "DE FACTO PARENT" OR HAVE COURTS
THAT HAVE GRANTED THIRD-PARTY PARENTAGE**

10 states allow courts to determine that more than two adults are legally a child's parents, and 8 more states allow a third adult to gain the legal status of "de facto parent" with the consent of both parents, or have granted a third-party parentage rights in certain circumstances.

¹ <https://pubmed.ncbi.nlm.nih.gov/11927705/>

² <https://royalsocietypublishing.org/doi/full/10.1098/rstb.2011.0290>



Categories II and III: Assisted Reproductive Technologies

When technology undermines rights

Technology can be an incredible gift, but it also has the potential to enable terrible abuses. When it comes to assisted reproductive technologies, recent decades have only begun to reveal the extent to which these technologies can violate children’s rights to their mother and father, as well as their right to life. Practices like surrogacy have enabled the role of mother to be split between three different women—genetic, birth, and social mother—all three of whom are treated as an optional part of the child’s life. Gamete donation has enabled people to trade their parental rights for money, leaving their offspring to struggle with their sense of identity as they face unanswered questions about their origins. Finally, neither surrogacy nor gamete donation would be possible without the use of in vitro fertilization (IVF), which is practiced with little to no regulation or oversight in the United States. Increasingly, red and blue states alike are declaring IVF to be a “right” closing the door to future regulation.

Because of the breadth of assisted reproductive technology’s threat to children’s rights, it has been divided into two categories—surrogacy, and donor conception and IVF—containing 12 scoring criteria between the two of them.



CATEGORY II: ASSISTED REPRODUCTIVE TECHNOLOGIES—SURROGACY

The practice of surrogacy allows a couple or an individual to commission a woman to gestate and give birth to a child whom she will give to the commissioning parent or parents upon birth, usually in return for payment. This child will be created using the commissioning parents' sperm and eggs, donor sperm and eggs, the surrogate mother's eggs, or some combination of the above. When the surrogate mother's eggs are used, this is known as genetic or "traditional" surrogacy. When the commissioning parents' or donor gametes are used, this is known as gestational surrogacy.

Every surrogacy arrangement forces children to go through the trauma of maternal separation, usually within moments of birth. Research shows that such separation is a significant stressor for infants³, to the extent that even brief maternal separation can cause permanent alterations in brain structure⁴. While there is a lack of high-quality research on the long-term outcomes of children born via surrogacy, the clearly established body⁵ of research⁶ on maternal-fetal bonding⁷ and the impact of maternal separation tells us that this is not in the best interest of children.

Additionally, the widespread practice of commercial surrogacy commodifies children, allowing them to be exchanged for money. No child should have to live with the fact that his birth mother took money in exchange for him.

The practice of surrogacy has created a dangerous marketplace dealing in human beings. In nearly every state where surrogacy is practiced, unrelated adults are able to gain full parental rights without so much as passing a background check. Sexual predators and other unsafe adults can and have used surrogacy to commission and gain custody of children they intend to abuse. Last summer saw three high-profile surrogacy scandals — a California couple with 21 children, nearly all of whom were commissioned via surrogacy, is currently under investigation amid evidence that the children were being abused⁸. A 74-year-old man made headlines for keeping the 6-year-old twins he had commissioned via surrogacy in a cage-like structure⁹, and in Pennsylvania, a registered sex offender was confirmed to have commissioned and gained full parental rights to a child via surrogacy.¹⁰

³ <https://www.sciencedirect.com/science/article/abs/pii/S0006322311006391>

⁴ <https://www.sciencedaily.com/releases/2018/05/180503142724.htm>

⁵ <https://www.stanfordchildrens.org/en/topic/default?id=newborn-senses-90-P02631>

⁶ <https://www.sciencedirect.com/science/article/pii/S2666497623000152?via%3Dihub>

⁷ <https://www.tandfonline.com/doi/full/10.4161/cib.2.3.8227>

⁸ <https://www.cnn.com/2025/07/17/us/california-children-removed-abuse-surrogacy-hnk>

⁹ <https://thepostmillennial.com/6-year-old-twin-boys-freed-by-police-from-elderly-fathers-human-size-cage-in-san-francisco>

¹⁰ <https://www.bucksindependence.com/surrogacy-bill-puts-children-in-harms-way/>



We evaluated states on whether they allow gestational surrogacy, genetic surrogacy, or both; whether they allow paid surrogacy contracts, altruistic surrogacy contracts, or both; and whether or not they grant pre-birth parentage orders, meaning that commissioning or “intended” parents are able to get court approval to be legally considered the child’s parents immediately after birth.

Our analysis found that only three states—Nebraska, Indiana, and Louisiana—have banned commercial gestational surrogacy or declared contracts to be unenforceable. 22 states have not addressed it in law, leaving the industry to operate freely, and the remaining 25 states and the District of Columbia have directly legalized commercial gestational surrogacy. Thirteen states and the District of Columbia allow commercial genetic surrogacy, with only five states explicitly banning the practice. Notably, Virginia is the only state to ban surrogacy brokers—agencies and businesses that profit by matching commissioning couples with surrogate mothers.

**ONLY 3 STATES BAN COMMERCIAL GESTATIONAL SURROGACY OR HAVE
DECLARED CONTRACTS TO BE UNENFORCEABLE
25 STATES HAVE DIRECTLY LEGALIZED COMMERCIAL GESTATIONAL SURROGACY
13 STATES HAVE EXPLICITLY LEGALIZED COMMERCIAL GENETIC SURROGACY**



CATEGORY III: ASSISTED REPRODUCTIVE TECHNOLOGIES—DONOR CONCEPTION

Donor conception

“Donor conception” is a misnomer. In donor conception, “donor” parents are paid for their sperm and eggs, which will be used to create children who will have no connection with them. It is a lucrative business, and when it comes down to it, it is the exchange of money for parental rights and the buying and selling of children. This industry operates with almost no regulation in the United States.

Our analysis found that only two states—Colorado and Oregon—ban donor anonymity.* Four more states—Connecticut, Rhode Island, Utah, and Washington—allow donor-conceived individuals to request identifying information about their genetic parents upon turning 18, unless their donor has requested anonymity, in which case only non-identifying information will be provided. Unfortunately, this carveout does more to protect the “donor” parent’s desire to remain anonymous than it does to protect the donor-conceived individual’s right to have access to their family and medical history.

Only one state—Colorado—makes any effort to limit donation frequency. Colorado requires clinics and gamete banks to make a good-faith effort to ensure that no more than 25 families use a single donor’s gametes. This is a good first step, but it is worth noting that a 2008 mathematical analysis¹¹ found that this limit is still far too high to reasonably prevent unintentional consanguinity.

Finally, only one state—Indiana—places any sort of limit on compensation for gametes. Indiana limits the amount that an egg donor can be compensated for her eggs (and thus her parental rights to any resulting children) to \$4000. It is also worth noting that the American Society for Reproductive Medicine—the professional body that oversees most assisted reproduction in the United States—removed its recommended limit on egg compensation in 2016, following a class action lawsuit in which they were accused of price-fixing.¹²

**ONLY 2 STATES BAN DONOR ANONYMITY.
1 STATE LIMITS DONATION FREQUENCY.
1 STATE LIMITS COMPENSATION FOR
GAMETES.**

**As of writing, two bill which would ban donor anonymity are pending in the Delaware legislature.*

¹¹ <https://www.sciencedirect.com/science/article/pii/S0015028207013635>

¹² <https://topclassactions.com/lawsuit-settlements/lawsuit-news/egg-donors-get-price-cap-removed-in-class-action-lawsuit-settlement/>



Redefined infertility and the “right” to IVF

Infertility is a very real tragedy that affects millions of Americans. In a slap in the face to couples experiencing real infertility, progressive states have begun to redefine infertility to include “social infertility”—that is, the inability to conceive because one is single or in a naturally non-procreative relationship, such as a same-sex marriage. So-called “social infertility” requires the use of third-party gametes and surrogacy. This redefinition is typically happening in states that have some form of insurance mandate for fertility care, or have declared IVF and related procedures to be a right. So far, six states and the District of Columbia have adopted this redefinition of infertility, distracting from treatments that truly address root causes of infertility, downplaying the reality of medical infertility, and leaving children to pay the price.

Similarly, the years since the Supreme Court overturned *Roe v. Wade*, and especially since the Alabama Supreme Court held a fertility clinic responsible for the deaths of embryos that were accidentally destroyed due to clinic negligence¹³, red and blue states alike have begun introducing measures to “protect” IVF. One very popular approach is to declare IVF to be a “right.” While seemingly innocuous, this carries significant implications. Once something has been declared a “right,” it is extremely difficult to regulate. This is particularly dangerous when it comes to the fertility industry, given its rampant disregard for human life in the creation and destruction of human embryos, eugenic screenings, weeding out of “unfit” embryos, and leaving human lives abandoned in frozen storage. A “right” to IVF quickly becomes a blank check to the fertility industry to engage in whatever practices they choose.

**6 STATES HAVE REDEFINED INFERTILITY
TO INCLUDE “SOCIAL INFERTILITY”
3 STATES HAVE DECLARED IVF TO BE A
“RIGHT”**

Furthermore, since rights are for all, not some, declaring IVF to be a “right” has implications for donor conception and surrogacy, especially when infertility is redefined to include “social infertility.” One major insurance company has started covering IVF and IUI for same-sex couples using third-party gametes following a class-action lawsuit¹⁴, and two men in a same-sex relationship are suing New York

City because they were denied IVF benefits under the city’s employee benefits plan—which, in their case, would require surrogacy since neither one of them has a womb. So far, three states—Colorado, Tennessee, and Washington—have declared a “right” to IVF, with three more—Illinois, Ohio, and Minnesota—using language that could be interpreted to include this so-called “right.”

¹³ <https://law.justia.com/cases/alabama/supreme-court/2024/sc-2022-0579.html>

¹⁴ <https://www.cbsnews.com/news/ivf-treatments-aetna-same-sex-couples-settlement/>



CATEGORY III: MARRIAGE THE CORNERSTONE OF THE FAMILY

Marriage protects a child's relationship with the two adults from whom he came. When marriage is redefined or eroded, children pay the price. When Obergefell redefined marriage, the redefinition of parentage quickly followed. As a result, children's rights to their own mother and father were undermined. Some states have retained language that recognizes the truth of natural marriage despite the Court's override of state laws and constitutions.

In many ways, no-fault divorce was the original redefinition of the family. The permanence and commitment of marriage were replaced with transient, easily dissolvable unions that left children to pick up the pieces of their parents' broken relationships. Children of divorce face diminished outcomes¹⁵ in all aspects of their personal and professional lives. Many children of divorce begin adopting different personalities in their two different homes in order to adapt to their new lives. No-fault divorce allows an adult to say to a child, "This burden is too heavy for me, you carry it instead."

We scored states on four criteria in the marriage category: whether or not their laws or constitution affirm natural marriage instead of redefining it, fault-based divorce, waiting periods before divorce, and parental education on the impact of divorce on marriage.

Natural Marriage

The first criterion we analyzed was whether or not states retain language affirming natural marriage (marriage between one man and one woman) in their constitution or laws. Marriage was not created by government to validate adult desires. Rather, government recognizes marriage because it has an interest in child wellbeing and protection. Decades of research confirms that children are most likely to thrive when raised by their married biological parents¹⁶. Obergefell put adult desires before children's rights. When states recognize natural marriage instead of redefining it, they show that they understand that marriage law exists to bind children to their mother and father and bind mothers and fathers to the children they create. 12 states and the District of Columbia have language in their constitution or laws redefining marriage.

**12 STATES AND WASHINGTON, D.C.,
HAVE REDEFINED MARRIAGE**

¹⁵ <https://onlinelibrary.wiley.com/doi/abs/10.1111/j.1545-5300.2006.00191.x>

¹⁶ <https://thembeforeus.com/dr-paul-sullins-refutes-common-same-sex-studies/> and <https://files.eric.ed.gov/fulltext/EJ1079423.pdf>



Fault

While all 50 states have adopted no-fault divorce, some states have taken this a step further and completely done away with fault-based grounds. When all divorces are treated the same, “falling out of love” becomes just as valid a reason for leaving as domestic violence, adultery, or abandonment. If we are to restore sanity and faithfulness to discussions about marriage, we must not conflate no-fault and fault-based divorce.

Our rubric scores states on whether they allow no-fault divorce, and whether they still recognize fault-based grounds. Unfortunately, 19 states have already removed fault-based grounds for divorce from their statutes.

19 STATES HAVE REMOVED FAULT-BASED GROUNDS FOR DIVORCE FROM THEIR LAWS, TREATING "FALLING OUT OF LOVE" AS NO DIFFERENT THAN ADULTERY OR ABUSE

Waiting Periods

The third criterion we analyzed was wait times, with our team finding that only nine states require a waiting period of six months or more either before beginning the legal process of divorce, or before finalization. Short waiting periods, or no waiting period at all, fast-tracks upheaval for the children involved and limits opportunities for reconciliation. Waiting periods help to prevent “heat of the moment” divorces, and are associated with lower overall divorce rates¹⁷.

ONLY 9 STATES REQUIRE A WAITING PERIOD OF SIX MONTHS OR MORE

It is worth noting that our team also found that every state that required a waiting period of six months or more either waived this requirement in cases involving domestic violence or had strong protection in place for domestic violence victims who were seeking divorce.

Parental Education

Our team also analyzed parental education requirements. It is essential that parents understand the reality of divorce’s impact on children. It is an injustice when the adults in a child’s life insist that the unnecessary splitting of their family was “best” for everyone, denying the real pain that the child experiences as his home is split in two. While 24 states require parental education in some circumstances or in some jurisdictions, only 11 require all divorcing parents to understand the impact of divorce on children, and 15 states and the District of Columbia do not require any sort of parental education before initiating or finalizing a divorce.

Three states recognize “Covenant Marriages,” which limit grounds of divorce and require proof of fault, and often require marital counseling before proceeding to divorce. Additionally, under Arizona law, when an annulment, dissolution, or legal separation is filed, if it appears to the court that the child will be adversely affected and there is a reasonable possibility of reconciliation, the case may be transferred to the conciliation court.

¹⁷ <https://www.journals.uchicago.edu/doi/abs/10.1086/667710?journalCode=jle>

VOICES OF THE VICTIMS

When laws and policies are rewritten to accommodate the desires of adults rather than the rights and needs of children, we are not simply talking about bad ideas. These changes are dangerous, and they have real victims. At Them Before Us, we are committed to giving those victims a voice and ensuring that their stories are heard. Children deserve justice, and those who would deny them justice in the name of kindness to adults must be willing to take a clear-eyed look at the consequences of their policies.

Kat Quire¹⁸ was commissioned via genetic surrogacy and sperm donation by a known child abuser and sexual predator who had already lost custody of another child he had commissioned. Throughout her early life, he abused and trafficked her. In the three decades since then, her home state has done nothing to prevent other sexual predators from obtaining parental rights on the basis of contracts and “intent.”

Less than a decade after being fired from the school he worked at and facing felony charges for child pornography and soliciting a minor, Brandon Riley Mitchell launched a GoFundMe with his partner to raise money for commissioning a child via surrogacy. Mitchell’s identity and past were exposed in August 2025 when a video of him and his partner celebrating the commissioned child’s first birthday went viral¹⁹. Although he would never be eligible to adopt, Mitchell was able to obtain parental rights on the basis of contracts and intent.

“When you know that a huge part of the reason that you came into the world is due solely to a paycheck, and that after being paid you are disposable, given away and never thought of again, it impacts how you view yourself.” – **Jessica, child of surrogacy**

“I lived it as an abandonment. I feel as if I was abandoned by my birth mother... as I was sold. There’s nothing worse than for a child to feel that at one moment in my life I was literally sold for a check.”

– **Olivia, child of genetic surrogacy**

“When you exchange something for money it is called a commodity. Babies are not commodities. Babies are human beings. How do you think this makes us feel to know that there was money exchanged for us?”

– **Brian, child of surrogacy**

“The practice of “donor conception” left me with this tangible feeling of the ground constantly shifting under my feet, a never ending stream of trust issues and a lost kinship with the first male role model in my young adult life.” – **Nicholas, donor conceived**

“I grew up in a household with my father, mother, and another woman. I hated seeing my dad kiss another woman in front of me. It would anger me to see my own dad with someone else who was not my mom. But at such a young age—like those of the children in this household—I didn’t know how to react or voice my discomfort. I never told anyone how I felt because I didn’t feel it was my place to do so. It took me well over fifteen years to reflect on the household structure in which I grew up, and understand how it affected me...Before we declare that the “throuple” is the future of relationships and parenting, let’s wait for these kids to grow up so they can speak for themselves. I’d wager that the children’s perspective on the “throuple” will not be as positive as the adults.” – **James, raised in a polyamorous home**

¹⁸ <https://www.instagram.com/reel/C6wGIH6uStR/>

¹⁹ <https://broadandliberty.com/2025/08/14/surrogacy-bill-puts-children-in-harms-way/>



"We, the donor conceived, are being denied some pretty basic human rights. We are commodified, existing only because our biological parent was willing to sell genetic material in order to make someone else a parent... We are at the mercy of the adults who created us as to whether they even tell us that we aren't biologically related to them. We are denied medical family histories, histories that might one day save our lives, as well as genealogical histories that would help us piece together our identities. Donor conception has caused this donor conceived person enough grief that I actively speak out against any donor conception to friends considering this route as a way to solve their own infertility grief. It doesn't resolve the grief, but rather passes that pain on to the next generation by denying them access to their missing biological family."

– Ellie, donor conceived

"As a 'donor,' you are intentionally separating your child from his or her father or mother in the most formative years of life, whether for money or for altruistic intentions. You are entrusting your child to the hands of people unknown to your baby. This is not in keeping with the protective nature of parenting. This makes donor conception unlike adoption, in which adults are trying to remedy a situation for a child in need by providing a stable home life, even though that home life is separated from their biological relatives."

– Kathryn, donor conceived

"The divorce and the moves really pounded into me that getting close to people, and allowing them to get close to me, was a fool's errand. I struggle now with friendships, with allowing anyone to be close to me, even my new wife. I try but there is always this lingering anxiousness about things like: When will they leave? How will they use what they know to hurt me? When will they find out that I am not that great of a person and want to be apart from me?"

– Adam, child of divorce

"My mom had just made my sister and I our favorite cinnamon roll breakfast before she and my dad sat us down at the bottom of our stairs and shared they were divorcing. I was 7, my sister 6, and I remember understanding things were sad because my mom cried... The divorce has shaped every aspect of my life. I struggled to commit and trust in relationships, fearing I'd be left. Making everyday decisions trying to please both families even into adulthood; wrestling with who would walk me down the aisle when I got married, how to split time to please everyone at holidays, and to explain it all to my own children."

– Faye, child of divorce

"By textbook standards, other kids would say that I was "spoiled" because I had two rooms all to myself in two different houses, and on Christmas I visited each house and got to open presents at each location. I, on the other hand, recall longing for a family that I never felt I ever had-even as a very young child. I remember feeling very lonely as an only-child of divorced parents and longing for a single family in one home together and feeling very jealous of kids who had one home and just two parents instead of four and wishing I felt loved and possibly enjoying the company of siblings that I would never have."

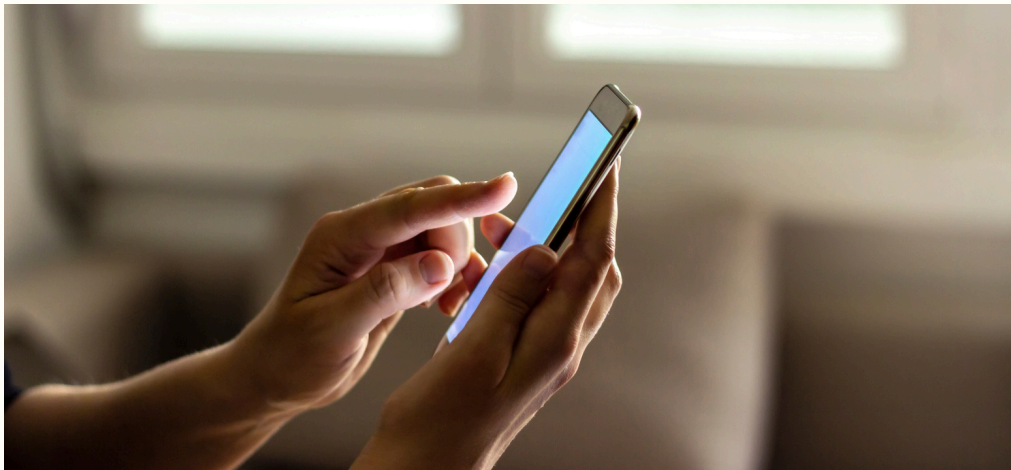
– Christina, child of divorce



WHAT NOW?

Knowledge is power, and our goal is to empower you to speak up for children's rights in your state and community. Whether you are a legislator, a lobbyist, a parent, or a concerned citizen who cares about children's rights in your community, this report is designed to be a tool to equip you. Children do not vote, they do not lobby, and no candidate runs the risk of being primaried by children in his district who are paying the price for his bad record. This is where the adults come in. We are the ones who give children a voice by amplifying their stories, by sharing clear data about the worsened outcomes they face when their rights to their mother and father are violated, and by calling for real and lasting change.

If your state received a poor score, understand that this does not have to be permanent. You can be the reason that it changes in the coming years. Share this map and this report with the people in your community, and with your legislators. Highlight the specific areas where your state is doing poorly and the consequences for children. Write, post, share, and speak! And reach out to our team — we would love to come alongside you and support your efforts!



SCORING RUBRIC AND GRADING PROCESS

Each state received between -2 and 2 points per criterion, based on the following rubric, which was then divided between the four main categories and converted to a letter score.

| Criterion | -2 points | -1 point | 0 points | 1 point | 2 points |
|--|--|--|---|---|--|
| 1. Mother-Father language | Replaces mother-father language with gender neutral parentage language | Statutes contain a mix of mother-father language and gender-neutral parentage language | | | Maintains mother-father language in parentage laws |
| 2. Intent-based parentage | Has a category of intent-based parentage in statute or case law | | | Does not have a category of intent-based parentage in law | |
| 3. Polyparenting | Allows more than two adults to be legally recognized as | Does not have statute or case law directly allowing more | | Does not allow more than two adults to be legally | |
| 4. Commercial gestational surrogacy | Has statute or case law legitimizing commercial gestational surrogacy | | Does not have statute or case law legitimizing commercial gestational surrogacy | | Has statute or case law banning commercial gestational surrogacy or making contracts unenforceable |
| 5. Commercial genetic surrogacy | Has statute or case law legitimizing commercial genetic surrogacy | | Does not have statute or case law legitimizing commercial genetic surrogacy | | Has statute or case law banning commercial genetic surrogacy or making contracts unenforceable |



| | | | | | |
|--|--|--|---|---|--|
| 6. Altruistic gestational surrogacy | Has statute or case law legitimizing altruistic gestational surrogacy | | Does not have statute or case law legitimizing altruistic gestational surrogacy | | Has statute or case law banning altruistic gestational surrogacy or making contracts unenforceable |
| 7. Altruistic genetic surrogacy | Has statute or case law legitimizing altruistic genetic surrogacy | | Does not have statute or case law legitimizing altruistic genetic surrogacy | | Has statute or case law banning altruistic genetic surrogacy or making contracts unenforceable |
| 8. Pre-birth orders for gestational surrogacy | Grants pre-birth orders and is considered a "surrogacy friendly" state | Grants pre-birth orders in some, but not all, jurisdictions, or grants pre-birth orders but has additional requirements for finalization after birth | | Does not grant pre-birth orders for gestational surrogacy | |
| 9. Pre-birth orders for genetic surrogacy | Grants pre-birth orders and is considered a "surrogacy friendly" state | Grants pre-birth orders in some, but not all, jurisdictions, or grants pre-birth orders but has additional requirements for finalization after birth | | Does not grant pre-birth orders for genetic surrogacy | |
| 10. Donor Anonymity | Has statute or case law protecting donor anonymity | Allows donor anonymity | | | Bans donor anonymity |

| | | | | | |
|--|---|--|---|--|---|
| 11. Donation frequency | Does not have limits on donation frequency | | | | Has limits on donation frequency |
| 12. Donor payment | | | Does not have limits on payment to donors | Limits payment to donors | Bans payment to donors |
| 13. Artificial insemination (donor gametes) | Automatically lists the mother's domestic partner or another unrelated individual who "intends" to parent on the birth certificate of a donor-conceived child | Automatically lists the mother's husband on the birth certificate of a donor-conceived child despite the fact that he is known not to be the father. | | Does not have an artificial insemination statute automatically establishing paternity/paren tage for an unrelated adult. | |
| 14. Redefinition of infertility | | Redefines infertility to include "social infertility" | | | Maintains a medical definition of infertility or does not define it in statute/case law |
| 15. Right to IVF | Has statute or case law declaring IVF to be a "right" | Has statute or case law with broad language regarding "reproductive rights" that could be construed to include a right to IVF | Does not have statute or case law declaring IVF to be "right" | | |

| | | | | | |
|--|--|---|--|---|--|
| 16. Natural Marriage | Has statutory or constitutional language redefining marriage | Has constitutional language recognizing natural marriage but statutory language redefining marriage | Does not have constitutional or statutory language recognizing natural marriage without replacing it with redefined marriage | | Has statutory or constitutional language recognizing and protecting natural marriage |
| 17. No-fault divorce | Is a "true" no-fault state (fault-based divorce cannot be pursued) | Allows no-fault divorce | | | Does not allow no-fault divorce |
| 18. Wait times | | | Does not have a required wait-time of at least 6 months | | Has a required wait-time of 6 months or more |
| 19. Required parental education before/during divorce | | | Does not require parental education in divorce cases | Requires parental education in some circumstances or in some jurisdictions. | Requires parental education prior to initiation or finalization of a divorce |

| State | Mother-Father Language | Intent-Based Parentage | Polyparenting | Commercial Gestational Surrogacy | Altruistic Genetic Surrogacy | Altruistic gestational surrogacy | Pre-birth orders for gestational surrogacy | Pre-birth orders for genetic surrogacy | Donor anonymity | Donor frequency | Donor payment | Artificial Insemination | Redefinition of infertility | Right to IVF | Natural Marriage | No-fault divorce | Wait times | Parental education before divorce | Total | |
|-------|------------------------|------------------------|---------------|----------------------------------|------------------------------|----------------------------------|--|--|-----------------|-----------------|---------------|-------------------------|-----------------------------|--------------|------------------|------------------|------------|-----------------------------------|-------|-----|
| AL | 2 | 1 | 1 | 0 | 0 | 0 | 0 | -1 | 1 | -1 | 0 | 0 | -1 | 2 | 0 | -1 | -1 | 0 | 0 | 0 |
| AK | 2 | 1 | -1 | 2 | 0 | 0 | 0 | -1 | 1 | -1 | 0 | 0 | -1 | 2 | 0 | 2 | -1 | 0 | 1 | 4 |
| AZ | 2 | 1 | 1 | 2 | 0 | 0 | 0 | -1 | 1 | -1 | 0 | 0 | -1 | 2 | 0 | 2 | -1 | 0 | 2 | 7 |
| AR | 2 | 1 | 1 | 2 | -2 | 0 | -2 | 1 | 1 | -1 | 0 | 0 | -1 | 2 | 0 | 2 | -1 | 0 | 1 | 4 |
| CA | -2 | -2 | -2 | -2 | 0 | -2 | 0 | -2 | -1 | -1 | 0 | 0 | -2 | -1 | 0 | 0 | -2 | 2 | 0 | -15 |
| CO | -1 | -2 | 1 | -2 | -2 | -2 | -2 | -2 | -2 | 2 | 2 | 0 | -2 | -1 | -2 | 0 | -2 | 0 | 1 | -15 |
| CT | -2 | -2 | -2 | -2 | -2 | -2 | -2 | -2 | 1 | -2 | 0 | 0 | -2 | 2 | 0 | 0 | -1 | 0 | 2 | -14 |
| DE | 2 | -2 | -1 | -2 | 0 | -2 | 0 | -2 | 1 | -1 | 0 | 0 | -2 | 2 | 0 | -2 | -1 | 2 | 1 | -9 |
| DC | -1 | -2 | -1 | -2 | -2 | -2 | -2 | -2 | -1 | -1 | 0 | 0 | -2 | -1 | 0 | -2 | -2 | 0 | 0 | -22 |
| FL | 2 | 1 | 1 | 2 | 0 | -2 | -2 | -1 | -1 | -1 | 0 | 0 | -1 | 2 | 0 | 2 | -2 | 0 | 2 | 0 |
| GA | 2 | 1 | 1 | 2 | 0 | 0 | 0 | -1 | 1 | -1 | 0 | 0 | -1 | 2 | 0 | 2 | -1 | 0 | 1 | 6 |
| HI | -2 | -2 | -2 | -2 | -2 | -2 | -2 | -2 | 1 | -1 | 0 | 0 | -2 | 2 | 0 | -2 | -2 | 0 | 2 | -16 |
| ID | 2 | 1 | 1 | -2 | 2 | -2 | 2 | -2 | 1 | -2 | 0 | 0 | -1 | 2 | 0 | 2 | -1 | 0 | 1 | 2 |
| IL | -1 | -2 | 1 | -2 | 0 | -2 | 0 | -2 | 1 | -1 | 0 | 0 | -2 | -1 | -1 | 2 | -2 | 0 | 1 | -10 |
| IN | 2 | 1 | 1 | 2 | 0 | 0 | 0 | 1 | 1 | -1 | 0 | 1 | 0 | 2 | 0 | 2 | -1 | 0 | 0 | 9 |
| IA | 2 | -2 | 1 | -2 | 0 | -2 | 0 | -1 | 1 | -1 | 0 | 0 | 0 | 2 | 0 | 2 | -2 | 0 | 1 | -3 |

| | | | | | | | | | | | | | | | | | | | | |
|----|----|----|----|----|----|----|----|----|----|----|---|---|----|----|----|----|----|---|---|-----|
| KS | 2 | -2 | 1 | 2 | 0 | 0 | 0 | -1 | 1 | -1 | 0 | 0 | -1 | 2 | 0 | 2 | -2 | 0 | 0 | 1 |
| KY | 2 | 1 | 1 | 2 | 2 | 0 | 0 | -1 | 1 | -1 | 0 | 0 | -1 | 2 | 0 | 2 | -2 | 0 | 1 | 7 |
| LA | 2 | 1 | -2 | 2 | 2 | -2 | 2 | 1 | 1 | -1 | 0 | 0 | -1 | 2 | 0 | 2 | -1 | 2 | 0 | 8 |
| ME | -2 | -2 | -2 | -2 | 0 | -2 | -2 | -2 | -1 | -1 | 0 | 0 | -2 | -1 | 0 | -2 | -1 | 0 | 1 | -19 |
| MD | -1 | 1 | -1 | -2 | 0 | 0 | 0 | -2 | 1 | -1 | 0 | 0 | -2 | 2 | 0 | 0 | -2 | 0 | 1 | -5 |
| MA | -2 | -2 | -2 | -2 | -2 | -2 | -2 | -2 | -1 | -1 | 0 | 0 | -2 | 2 | 0 | 0 | -1 | 2 | 2 | -13 |
| MI | -1 | -2 | 1 | -2 | -2 | -2 | -2 | -2 | -2 | -1 | 0 | 0 | -2 | 2 | 0 | 2 | -2 | 2 | 0 | -12 |
| MN | 2 | 1 | 1 | 0 | 0 | 0 | 0 | -1 | 1 | -1 | 0 | 0 | -2 | 2 | -1 | 0 | -2 | 0 | 1 | -1 |
| MS | 2 | 1 | 1 | 0 | 0 | 0 | 0 | -1 | 1 | -1 | 0 | 0 | -1 | 2 | 0 | 2 | -1 | 0 | 0 | 3 |
| MO | 2 | 1 | 1 | 0 | 0 | 0 | 0 | 1 | 1 | -1 | 0 | 0 | -1 | 2 | 0 | 2 | -1 | 0 | 2 | 7 |
| MT | 2 | 1 | 1 | 0 | 0 | 0 | 0 | -1 | 1 | -1 | 0 | 0 | -1 | 2 | 0 | 2 | -2 | 0 | 0 | 2 |
| NE | 2 | 1 | 1 | 2 | 2 | 2 | 2 | 1 | 1 | -1 | 0 | 0 | 1 | 2 | 0 | 2 | -2 | 0 | 1 | 15 |
| NV | -1 | -2 | -2 | -2 | 2 | -2 | 2 | -2 | 1 | -1 | 0 | 0 | -2 | 2 | 0 | -2 | -1 | 0 | 1 | -8 |
| NH | -2 | -2 | 1 | -2 | 0 | -2 | 0 | -2 | 1 | -1 | 0 | 0 | -1 | 2 | 0 | -2 | -1 | 0 | 2 | -7 |
| NJ | 2 | -2 | -2 | -2 | 0 | -2 | 0 | -2 | 1 | -1 | 0 | 0 | -2 | -1 | 0 | -2 | -1 | 0 | 2 | -14 |
| NM | 2 | -2 | 1 | 2 | 0 | 0 | 0 | -2 | 1 | -1 | 0 | 0 | -2 | 2 | 0 | 0 | -1 | 0 | 0 | -2 |
| NY | -1 | -2 | -1 | -2 | 0 | -2 | 0 | -2 | 1 | -1 | 0 | 0 | -2 | 2 | 0 | -2 | -1 | 0 | 0 | -12 |
| NC | 2 | 1 | -1 | 0 | 0 | 0 | 0 | -1 | 1 | -1 | 0 | 0 | -1 | 2 | 0 | 2 | -2 | 2 | 1 | 3 |
| ND | 2 | -2 | -1 | -2 | 0 | -2 | 0 | -1 | 1 | -1 | 0 | 0 | -2 | 2 | 0 | 2 | -1 | 0 | 0 | -7 |
| OH | 2 | 1 | 1 | -2 | 0 | 0 | 0 | -1 | 1 | -1 | 0 | 0 | -1 | 2 | -1 | 2 | -1 | 0 | 1 | 1 |
| OK | 2 | -2 | 1 | -2 | 0 | -2 | 0 | -2 | 1 | -1 | 0 | 0 | -1 | 2 | 0 | 2 | -1 | 0 | 2 | -3 |
| OR | -2 | -2 | 1 | -2 | -2 | -2 | -2 | -2 | -2 | 2 | 0 | 0 | -2 | 2 | 0 | -2 | -1 | 0 | 0 | -14 |
| PA | 2 | -2 | -1 | -2 | 0 | -2 | 0 | -1 | 1 | -1 | 0 | 0 | 0 | 2 | 0 | 2 | -1 | 0 | 0 | -5 |
| RI | -1 | -2 | 1 | -2 | -2 | -2 | -2 | -2 | 1 | -2 | 0 | 0 | -2 | 2 | 0 | -2 | -1 | 2 | 0 | -13 |

| | | | | | | | | | | | | | | | | | | | | |
|-----------|----|----|----|----|----|----|----|----|----|----|---|---|----|----|----|----|----|---|---|------------|
| SC | 2 | 1 | 1 | 2 | 0 | 0 | 0 | -1 | 1 | -1 | 0 | 0 | 0 | 2 | 0 | 2 | -1 | 0 | 1 | 7 |
| SD | 2 | 1 | 1 | 2 | 0 | 0 | 0 | -1 | 1 | -1 | 0 | 0 | 0 | 2 | 0 | 2 | -1 | 0 | 1 | 7 |
| TN | 2 | 1 | 1 | 2 | 0 | 0 | 0 | -1 | 1 | -1 | 0 | 0 | -1 | 2 | -2 | 2 | -1 | 0 | 1 | 4 |
| TX | 2 | -2 | 1 | -2 | 0 | -2 | 0 | -2 | 1 | -1 | 0 | 0 | -1 | 2 | 0 | 2 | -1 | 0 | 1 | -4 |
| UT | 2 | -2 | 1 | -2 | 0 | -2 | 0 | -2 | 1 | -2 | 0 | 0 | -1 | 2 | 0 | 2 | -1 | 0 | 1 | -5 |
| VT | -2 | -2 | -2 | -2 | -2 | -2 | -2 | -2 | -2 | -1 | 0 | 0 | -2 | 2 | 0 | -2 | -1 | 2 | 2 | -16 |
| VA | 2 | 1 | 1 | 4 | 0 | -2 | -2 | 1 | 1 | -1 | 0 | 0 | -2 | -1 | 0 | -1 | -1 | 2 | 1 | 1 |
| WA | -2 | -2 | -2 | -2 | -2 | -2 | -2 | -2 | 1 | -2 | 0 | 0 | -2 | 2 | -2 | 0 | -2 | 0 | 2 | -17 |
| WV | 2 | 1 | 1 | 0 | 0 | 0 | 0 | -1 | 1 | -1 | 0 | 0 | -2 | 2 | 0 | 2 | -1 | 0 | 1 | 3 |
| WI | 2 | 1 | 1 | -2 | -2 | 0 | -2 | 1 | 1 | -1 | 0 | 0 | -1 | 2 | 0 | 2 | -2 | 0 | 1 | -1 |
| WY | 2 | -2 | 1 | 2 | 0 | 0 | 0 | 1 | 1 | -1 | 0 | 0 | -1 | 2 | 0 | 2 | -2 | 0 | 1 | 4 |

Each of these criteria are grouped into one of the four categories discussed in this report: parentage (light red), surrogacy (light blue), donor conception and IVF (blue), and marriage (light purple).

In each category, states could receive a rating of Very Good, Good, Fair, Poor, or Very Poor. Because the number of total available points varies by category, the number of points that are earned by a Very Good versus a Good, and so on, varies from one category to the next. Any score below zero falls into the Poor or Very Poor tier.

Ratings by category:

| Tier | Parentage | Surrogacy | Donor Conception/IVF | Marriage |
|-----------|-----------|-----------|----------------------|----------|
| Very Good | 4 to 5 | 8 to 10 | 7 to 9 | 6 to 8 |
| Good | 2 to 3 | 4 to 7 | 4 to 6 | 3 to 5 |
| Fair | 0 to 1 | 0 to 3 | 0 to 3 | 1 to 2 |
| Poor | -1 to -4 | -1 to -6 | -1 to -5 | -2 to 0 |
| Very Poor | -5 to -8 | -7 to -12 | -6 to -9 | -3 to -4 |

These ratings are then translated into a composite score, with each Very Good earning 5 points, Good earning 4 points, Fair earning 3 points, Poor earning 2 points, and Very Poor earning 1 point.

The composite score maps to a base letter grade using the scale below:

| Composite Score | Base Grade |
|-----------------|------------|
| 20 | A+ |
| 19 | A |
| 18 | A- |
| 17 | B+ |
| 16 | B |
| 15 | B- |
| 12-14 | C+ |
| 10-11 | C |
| 8-9 | C- |
| 7 | D+ |
| 6 | D |
| 5 | D- |
| 4 | F |

The composite score tells you how a state did on average — but a state where everything is mediocre looks identical to one that excels in two areas and struggles in two others, even if their totals match. To fix that, the final grade is adjusted based on how many Very Good and Very Poor ratings a state earned:

- **Very Good ratings boost the grade.** Each one shifts the final grade up by half a step. Two Very Good ratings = a full grade bump; four = two full grades.
- **Very Poor ratings drag it down.** Each one shifts the grade down by half a step, stacking with additional Very Poor ratings.
- **They offset each other.** A state with one Very Good and one Very Poor gets no net adjustment — they cancel out.

A Quick Example

Nebraska earned Very Good ratings in both Parentage (+4) and Surrogacy (+10), with Fair ratings in Donor Conception/IVF (+2) and Marriage (+1). Its tier values sum to 5 + 5 + 3 + 3 = 16, which maps to a base grade of B. The two Very Good ratings each shift the grade up by half a step — a total boost of one full grade — bringing Nebraska's final grade to A-.

On the other end, a state with two Very Poor ratings that starts with a base grade of D loses a full grade from the penalty, ending up at F — a recognition of the seriousness of widespread violations of children’s rights across categories.

Below you can see each state’s category score, composite score, and letter grade:

| State | Parentage | Surrogacy | Donor/IVF | Marriage | CompositeScore | Final Grade |
|-------------|----------------|-----------------|-----------|-----------|----------------|-------------|
| Alabama | 4 (Very good) | 0 (Fair) | 0 (Fair) | -2 (Poor) | 13 | B- |
| Alaska | 2 (Good) | 2 (Fair) | 0 (Fair) | 2 (Fair) | 13 | C+ |
| Arizona | 4 (Very good) | 2 (Fair) | 0 (Fair) | 3 (Good) | 15 | B |
| Arkansas | 4 (Very good) | 0 (Fair) | 0 (Fair) | 1 (Fair) | 14 | B- |
| California | -6 (Very poor) | -7 (Very poor) | -4 (Poor) | 0 (Poor) | 6 | F |
| Colorado | -2 (Poor) | -12 (Very poor) | -1 (Poor) | -1 (Poor) | 7 | D |
| Connecticut | -6 (Very poor) | -9 (Very poor) | -2 (Poor) | 1 (Fair) | 7 | D- |
| Delaware | -1 (Poor) | -5 (Poor) | -1 (Poor) | 0 (Poor) | 8 | C- |

| | | | | | | |
|----------------------|----------------|-----------------|-----------|----------------|----|----|
| District of Columbia | -4 (Poor) | -11 (Very poor) | -4 (Poor) | -4 (Very poor) | 6 | F |
| Florida | 4 (Very good) | -4 (Poor) | 0 (Fair) | 2 (Fair) | 13 | B- |
| Georgia | 4 (Very good) | 2 (Fair) | 0 (Fair) | 2 (Fair) | 14 | B- |
| Hawaii | -6 (Very poor) | -9 (Very poor) | -1 (Poor) | -2 (Poor) | 6 | F |
| Idaho | 4 (Very good) | -1 (Poor) | -1 (Poor) | 2 (Fair) | 12 | B- |
| Illinois | -2 (Poor) | -5 (Poor) | -5 (Poor) | 1 (Fair) | 9 | C- |
| Indiana | 4 (Very good) | 4 (Good) | 2 (Fair) | 1 (Fair) | 15 | B |
| Iowa | 1 (Fair) | -4 (Poor) | 1 (Fair) | 1 (Fair) | 11 | C |
| Kansas | 1 (Fair) | 2 (Fair) | 0 (Fair) | 0 (Poor) | 11 | C |
| Kentucky | 4 (Very good) | 4 (Good) | 0 (Fair) | 1 (Fair) | 15 | B |
| Louisiana | 1 (Fair) | 6 (Good) | 0 (Fair) | 3 (Good) | 14 | C+ |
| Maine | -6 (Very poor) | -9 (Very poor) | -4 (Poor) | -2 (Poor) | 6 | F |
| Maryland | -1 (Poor) | -3 (Poor) | -1 (Poor) | -1 (Poor) | 8 | C- |
| Massachusetts | -6 (Very poor) | -11 (Very poor) | -1 (Poor) | 3 (Good) | 8 | D |
| Michigan | -2 (Poor) | -12 (Very poor) | -1 (Poor) | 2 (Fair) | 8 | D+ |
| Minnesota | 1 (Fair) | 0 (Fair) | -1 (Poor) | -1 (Poor) | 9 | C |
| Mississippi | 4 (Very good) | 0 (Fair) | 0 (Fair) | 1 (Fair) | 14 | B- |
| Missouri | 4 (Very good) | 2 (Fair) | 0 (Fair) | 3 (Good) | 15 | B |
| Montana | 4 (Very good) | 0 (Fair) | 0 (Fair) | 0 (Poor) | 13 | B- |
| Nebraska | 4 (Very good) | 10 (Very good) | 2 (Fair) | 1 (Fair) | 16 | A- |
| Nevada | -5 (Very poor) | -1 (Poor) | -1 (Poor) | -2 (Poor) | 7 | D |
| New Hampshire | -3 (Poor) | -5 (Poor) | 0 (Fair) | -1 (Poor) | 9 | C- |
| New Jersey | -2 (Poor) | -5 (Poor) | -4 (Poor) | -1 (Poor) | 8 | C- |
| New Mexico | 1 (Fair) | 1 (Fair) | -1 (Poor) | -1 (Poor) | 10 | C |
| New York | -4 (Poor) | -5 (Poor) | -1 (Poor) | -3 (Very poor) | 7 | D |

| | | | | | | |
|----------------|----------------|-----------------|-----------|----------------|----|----|
| North Carolina | 2 (Good) | 0 (Fair) | 0 (Fair) | 3 (Good) | 14 | C+ |
| North Dakota | -1 (Poor) | -4 (Poor) | -1 (Poor) | 1 (Fair) | 9 | C- |
| Ohio | 4 (Very good) | -2 (Poor) | -1 (Poor) | 2 (Fair) | 12 | B- |
| Oklahoma | 1 (Fair) | -5 (Poor) | 0 (Fair) | 3 (Good) | 12 | C+ |
| Oregon | -3 (Poor) | -12 (Very poor) | 2 (Fair) | -3 (Very poor) | 7 | D- |
| Pennsylvania | -1 (Poor) | -4 (Poor) | 1 (Fair) | 1 (Fair) | 10 | C |
| Rhode Island | -2 (Poor) | -9 (Very poor) | -2 (Poor) | -1 (Poor) | 7 | D |
| South Carolina | 4 (Very good) | 2 (Fair) | 1 (Fair) | 2 (Fair) | 14 | B- |
| South Dakota | 4 (Very good) | 2 (Fair) | 1 (Fair) | 2 (Fair) | 14 | B- |
| Tennessee | 4 (Very good) | 2 (Fair) | -2 (Poor) | 2 (Fair) | 13 | B- |
| Texas | 1 (Fair) | -5 (Poor) | 0 (Fair) | 2 (Fair) | 10 | C |
| Utah | 1 (Fair) | -5 (Poor) | -1 (Poor) | 2 (Fair) | 10 | C |
| Vermont | -6 (Very poor) | -12 (Very poor) | -1 (Poor) | 1 (Fair) | 7 | D- |
| Virginia | 4 (Very Good) | -2 (Poor) | -4 (Poor) | 1 (Fair) | 12 | B- |
| Washington | -6 (Very poor) | -9 (Very poor) | -4 (Poor) | 0 (Poor) | 6 | F |
| West Virginia | 4 (Very good) | 0 (Fair) | -1 (Poor) | 2 (Fair) | 13 | B- |
| Wisconsin | 4 (Very good) | -4 (Poor) | 0 (Fair) | 1 (Fair) | 13 | B- |
| Wyoming | 1 (Fair) | 4 (Good) | 0 (Fair) | 1 (Fair) | 13 | C+ |

Finally, states are ranked based on their final letter grade, with raw scores being used to rank states that received the same grade, meaning that each state's rank reflects its performance across categories, as well as the underlying granularity of its individual scores.

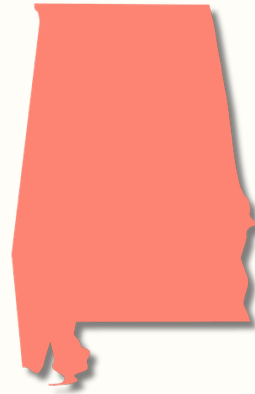
Final state rankings and grades:

| Rank | State | Final Grade |
|-------------|----------------|--------------------|
| 1 | Nebraska | A- |
| 2 | Indiana | B |
| 3 | Arizona | B |
| 4 | Kentucky | B |
| 5 | Missouri | B |
| 6 | South Carolina | B- |
| 7 | South Dakota | B- |
| 8 | Georgia | B- |
| 9 | Tennessee | B- |
| 10 | Arkansas | B- |
| 11 | Mississippi | B- |
| 12 | West Virginia | B- |
| 13 | Idaho | B- |
| 14 | Montana | B- |
| 15 | Ohio | B- |

| | | |
|----|----------------|-----------|
| 16 | Alabama | B- |
| 17 | Florida | B- |
| 18 | Wisconsin | B- |
| 19 | Virginia | B- |
| 20 | Louisiana | C+ |
| 21 | Alaska | C+ |
| 22 | Wyoming | C+ |
| 23 | North Carolina | C+ |
| 24 | Oklahoma | C+ |
| 25 | Kansas | C |
| 26 | New Mexico | C |
| 27 | Iowa | C |
| 28 | Minnesota | C |
| 29 | Texas | C |
| 30 | Pennsylvania | C |
| 31 | Utah | C |
| 32 | North Dakota | C- |
| 33 | Maryland | C- |
| 34 | Delaware | C- |
| 35 | New Hampshire | C- |
| 36 | Illinois | C- |
| 37 | New Jersey | C- |

| | | |
|----|----------------------|-----------|
| 38 | Michigan | D+ |
| 39 | Nevada | D |
| 40 | New York | D |
| 41 | Rhode Island | D |
| 42 | Massachusetts | D |
| 43 | Colorado | D |
| 44 | Connecticut | D- |
| 45 | Oregon | D- |
| 45 | Vermont | D- |
| 47 | California | F |
| 48 | Hawaii | F |
| 49 | Washington | F |
| 50 | Maine | F |
| 51 | District of Columbia | F |

STATE: ALABAMA



At a glance:

Parentage: Very Good

Surrogacy: Fair

Donor Conception and IVF: Fair

Marriage: Poor

Overall Grade: **B-**

Ranking: 16

Parentage:

Mother-Father Language: Alabama parentage law maintains language that refers to mothers and fathers, recognizing the biological reality that every child naturally has a mother and a father.

Intent-based parentage: Alabama does not have law or case law that establishes parentage on the basis of "intent."

Polyparenting: Alabama does not have laws or case law redefining the family to allow more than two parents.

Surrogacy:

Surrogacy: While Alabama does not currently have laws establishing a legal framework for surrogacy, AL Code § 26-17-801 is reserved for surrogacy, although the section is currently empty. Alabama law regulating adoption placement clarifies that the section does not apply to surrogacy agreements, thus offering some legal protection to surrogacy agencies operating in the state. Courts will generally grant pre-birth orders, but they're considered "interlocutory orders" and will need post-birth finalization.

Donor Conception and IVF:

Donor-Conception: Alabama does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Under Alabama law, parentage is automatically granted to the mother's husband in cases of donor conception, and the child's birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Alabama does not have laws or case law that redefine infertility to include "social infertility" or establish a "right" to IVF. However, following the Alabama Supreme Court ruling in 2024 that recognized the negligent destruction of embryos as the wrongful death of a child, the legislature enacted protections for the IVF industry, providing civil and criminal immunity for the industry.

Marriage:

Natural Marriage: Alabama has strong constitutional language recognizing natural marriage (marriage between one man and one woman). However, in 2019, the state updated its marriage statutes to recognize same-sex marriages.

Divorce: Alabama allows no-fault divorce, but recognizes fault-based grounds. The state does not require a six-month waiting period before filing or finalizing a divorce (the wait time is 30 days from filing to final judgment) and does not require any sort of parental education regarding the impact of divorce on children.



STATE: ALASKA



At a glance:

Parentage: Fair

Surrogacy: Fair

Donor Conception and IVF: Fair

Marriage: Fair

Overall Grade: **C+**

Ranking: 21

Parentage:

Mother-Father Language: Alaska law maintains language that refers to mothers and fathers, recognizing the biological reality that every child naturally has a mother and a father.

Intent-based parentage: Alaska does not have law or case law that establishes parentage on the basis of “intent.”

Polyparenting: Alaska does not have statute or case law directly allowing more than two parents, but it does recognize a category of “psychological parent” (see *Evans v. McTaggart*), and courts have, in a few notable cases, allowed for third-parent adoption.

Surrogacy:

Surrogacy: Alaska does not have any statute or case law dealing with surrogacy. However, surrogacy agencies operate in the state, and pre-birth orders are generally granted.

Donor Conception and IVF:

Donor-Conception: Alaska does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Under Alaska law, parentage is automatically granted to the mother’s husband in cases of donor conception, and the child’s birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Alaska does not have laws or case law that redefine infertility to include “social infertility” or establish a “right” to IVF.

Marriage:

Natural Marriage: Alaska has both constitutional and statutory language recognizing natural marriage (marriage between one man and one woman) as the only valid marriage arrangement.

Divorce: Alaska allows no-fault divorce, but still recognizes fault-based grounds. The state does not require a waiting period of six months or more before filing or finalizing a divorce (courts require at least 30 days between filing and finalization). Alaska courts require parental education on the impact of divorce on children before finalization, but requirements vary by location.



STATE: ARIZONA



At a glance:

Parentage: Very Good

Surrogacy: Fair

Donor Conception and IVF: Fair

Marriage: Good

Overall Grade: B

Ranking: 3

Parentage:

Mother-Father Language: Arizona parentage law maintains language that refers to mothers and fathers, recognizing the biological reality that every child naturally has a mother and a father.

Intent-based parentage: Arizona does not have law or case law that establishes parentage on the basis of “intent.”

Polyparenting: Arizona does not have laws or case law redefining the family to allow more than two parents.

Surrogacy:

Surrogacy: Arizona statute prohibits surrogacy contracts. However, *Soos v. Superior Court* (1994) held that such a ban violates the 14th Amendment because it allowed the commissioning/genetic father to prove and claim parental rights, but not the commissioning/genetic mother. In the ruling, the court noted that what was at issue was not whether the intended mother or the surrogate had a greater claim to parental rights, but rather, whether it was discriminatory that an equally situated man and woman (each genetically related to the child) did not have the same opportunity to prove parental rights. This ruling leaves the legal status of surrogacy in Arizona ambiguous, although surrogacy agencies operate in the state and courts generally grant pre-birth orders.

Donor Conception and IVF:

Donor-Conception: Arizona does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Arizona law automatically grants parentage to the unrelated spouse in cases of donor conception.

Redefinition of infertility and right to IVF: Arizona does not have laws or case law that redefine infertility to include “social infertility” or establish a “right” to IVF.

Marriage:

Natural Marriage: In 2008, Arizona amended its constitutional language to acknowledge natural marriage (marriage between one man and one woman). Arizona explicitly holds same-sex marriage invalid by statute.

Divorce: Arizona is considered a “modified no-fault state.” That is, fault-based grounds are not accepted, except in the case of Covenant Marriages. The state does not require a waiting period of six months or more (the waiting period is 60 days). Parental education on the impact of divorce on children is required. When an annulment, dissolution, or legal separation is filed, if it appears to the court that the child will be adversely affected and there is a reasonable possibility of reconciliation, the case may be transferred to the conciliation court.



STATE: ARKANSAS



At a glance:

Parentage: Very Good

Surrogacy: Fair

Donor Conception and IVF: Fair

Marriage: Poor

Overall Grade: B-

Ranking: 10

Parentage:

Mother-Father Language: Arkansas parentage law maintains language that refers to mothers and fathers, recognizing the biological reality that every child naturally has a mother and a father.

Intent-based parentage: Arkansas does not have law or case law that establishes parentage on the basis of “intent.”

Polyparenting: Arkansas does not have laws or case law redefining the family to allow more than two parents.

Surrogacy:

Surrogacy: AR Code § 9-10-201 provides a legal framework for establishing parentage in surrogacy cases using artificial insemination (also known as genetic or traditional surrogacy) when the intended father is also the genetic father or when an anonymous sperm donor is used. The law does not explicitly mention IVF or egg donation, leaving gestational surrogacy legally ambiguous, although it is practiced. For birth registration purposes, the surrogate mother is listed as the mother, but a new birth certificate is issued when ordered by a court.

Donor Conception and IVF:

Donor-Conception: Arkansas does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Under Arkansas law, parentage is automatically granted to the mother’s husband in cases of donor conception, and the child’s birth certificate will not reflect their true parentage. This led to the presumption of paternity being applied to same-sex couples under the U.S. Supreme Court ruling *Pavan v. Smith*.

Redefinition of infertility and right to IVF: Arkansas does not redefine infertility to include “social infertility” and has not declared IVF to be a “right.” However, it does have a mandate requiring insurance plans to cover IVF.

Marriage:

Natural Marriage: Arkansas has both constitutional and statutory language recognizing natural marriage (marriage between one man and one woman) as the only valid marriage arrangement.

Divorce: Arkansas allows no-fault divorce, but still recognizes fault-based grounds. The state does not require a six-month waiting period (the wait-time is 30 days), but living apart for 12 months or more is grounds for divorce. Under statute, the court may require parents to undergo education about the effects of divorce on children, but it is not legally required. Arkansas is also a Covenant Marriage state, which means that in the case of a covenant marriage, additional standards must be met before a divorce can be pursued.



STATE: CALIFORNIA



At a glance:

Parentage: Very Poor

Surrogacy: Very Poor

Donor Conception and IVF: Poor

Marriage: Poor

Overall Grade: F

Ranking: 47

Parentage:

Mother-Father Language: California maintains mother-father language in state law, rather than gender-neutral language, recognizing the biological reality that every child naturally has a mother and a father.

Intent-based parentage: Under California's surrogacy law, parentage may be established on the basis of intent, without a genetic or biological relationship between the intended parent and the child, and without a formal adoption process.

Polyparenting: Under California Family Code, more than two adults may be legally determined to be a child's parents if a court decides it is in the child's best interest.

Surrogacy:

Surrogacy: California has both statute and case law allowing commercial gestational surrogacy. The wording of California Family Code Sections 7960-7962 does not expressly prohibit genetic surrogacy, and it is practiced in the state. California statute provides a framework for pre-birth orders in gestational surrogacy arrangements. Pre-birth orders for genetic surrogacy are granted at the discretion of the courts.

Donor Conception and IVF:

Donor-Conception: California does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. California law automatically grants parentage to an unrelated "intended parent" in cases of donor conception, and the child's birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: California redefines infertility to include "A person's inability to reproduce either as an individual or with their partner without medical intervention. It does not have any law or case law directly declaring IVF to be a "right", but it does mandate insurance coverage.

Marriage:

Natural Marriage: California does not have constitutional language or statutes recognizing natural marriage (marriage between one man and one woman) as the only marriage arrangement. In 2025, the state updated its constitution to define marriage as a gender-neutral contract.

Divorce: California is a true no-fault state, meaning that it does not accept fault-based grounds for divorce. There is a mandatory 6-month wait time from filing to completion. The state does not require parental education on the impact of divorce on children.



STATE: COLORADO

At a glance:

Parentage: Poor

Surrogacy: Very Poor

Donor Conception and IVF: Poor

Marriage: Poor

Overall Grade: **D**

Ranking: 43

Parentage

Mother-Father Language: Although Colorado parentage law uses mother and father language, it also clarifies that “any reference in this title to ‘father’ includes a parent of any gender, any reference to ‘mother’ includes a parent of any gender, and any reference to ‘paternity’ is equally applicable to ‘parentage’”.

Intent-based parentage: Colorado law establishes a category for intent-based parentage in the context of assisted reproduction generally, as well as specifically in cases of surrogacy.

Polyparenting: Colorado does not have any statute redefining the family to allow more than two parents, and in 2021, the Colorado Court of Appeals held that a child could not have more than two legal parents.

Surrogacy

Surrogacy: The Colorado Surrogacy Agreement Act establishes legal commercial and altruistic gestational and genetic surrogacy. The Act includes a process for obtaining pre-birth or post-birth orders.

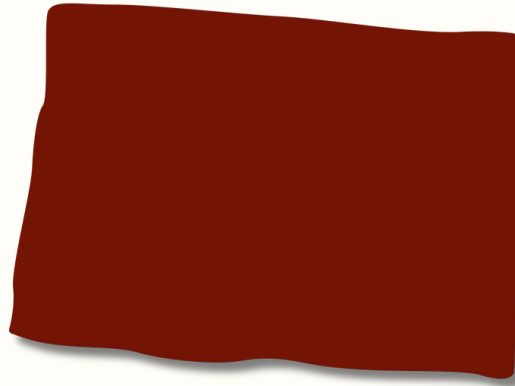
Donor-Conception: Colorado became the first state in the nation to ban anonymous gamete donation when it passed the Protections for Donor Conceived Persons and Families Act. Although substantial portions of the original act were rolled back in 2025, including requiring fertility clinics and gamete banks to keep up-to-date information about donors, the ban on anonymity has stayed in effect. Additionally, Colorado law stipulates that clinics and gamete banks will make a good faith effort to ensure that no more than 25 families have used a donor's gametes. Colorado does not place any limits on payment to donors. Colorado law automatically grants parentage to an unrelated “intended parent” in cases of donor conception, and the child’s birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Colorado redefines infertility to include “A person’s inability to reproduce either as an individual or with the person’s partner.” This is known as “social infertility”, defining someone as “infertile” (and thus eligible to use assisted reproductive technologies such as surrogacy) based on lifestyle choices and relationship status (i.e., single, or in a same-sex relationship). Colorado also declares a right to reproductive healthcare that includes the right to use, destroy, or donate embryos.

Marriage

Natural Marriage: In 2024, voters removed language recognizing natural marriage (marriage between one man and one woman) from the state constitution. When marriage is redefined, parentage is also redefined. Natural marriage protects a child’s relationship with the two adults from whom he came.

Divorce: Colorado is considered a true no-fault state, meaning that it does not recognize fault-based grounds for divorce. The state does not require a waiting period before filing or finalizing a divorce, as long as the 91-day residency requirement has been met. Parental education on the impact of divorce on children is not required in all cases, but may be ordered by the court.



STATE: CONNECTICUT



At a glance:

Parentage: Very Poor

Surrogacy: Very Poor

Donor Conception and IVF: Poor

Marriage: Fair

Overall Grade: D-

Ranking: 44

Parentage:

Mother-Father Language: With a few exceptions, Connecticut parentage law generally replaces terms like “mother” and “father” with gender-neutral language.

Intent-based parentage: Connecticut allows parentage to be established on the basis of intent in the context of surrogacy.

Polyparenting: Under the Connecticut Parentage Act, courts may determine that a child has more than two legal parents.

Surrogacy:

Surrogacy: Connecticut law allows commercial and altruistic gestational and genetic surrogacy. The Connecticut Parentage Act provides a process for obtaining pre-birth orders in cases of gestational surrogacy and post-birth orders for genetic surrogacy.

Donor Conception and IVF:

Donor-Conception: Connecticut does not have any laws addressing donation frequency or payment to donors. Fertility clinics and gamete banks are required to provide donor-conceived individuals with identifying information about their genetic parents upon request once the individual has turned 18, unless the donor has opted out of identity disclosure, in which case their offspring only have the right to non-identifying medical information. Unfortunately, with this carveout, the law does more to protect donor anonymity than to ban it. Connecticut law automatically grants parentage to an unrelated “intended parent” in cases of donor conception, and the child’s birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Connecticut does not have any statute or case law redefining infertility to include “social infertility” or establishing a “right” to IVF or surrogacy.

Marriage:

Natural Marriage: While Connecticut has not constitutionally legitimized same sex marriage, husband and wife language was removed from the definition of marriage.

Divorce: Connecticut allows no-fault divorce but still recognizes fault-based grounds. The state does not require a six-month waiting period (there is a mandatory waiting period of 90 days, which can be waived). Connecticut requires parental education on the impact of divorce on children.



STATE: DELAWARE



At a glance:

Parentage: Poor

Surrogacy: Poor

Donor Conception and IVF: Poor

Marriage: Poor

Overall Grade: C-

Ranking: 34

Parentage:

Mother-Father Language: Delaware parentage law maintains language that refers to mothers and fathers, recognizing the biological reality that every child naturally has a mother and a father.

Intent-based parentage: Under Delaware’s surrogacy law, parentage may be established on the basis of intent, without a genetic or biological relationship between the intended parent and the child, and without a formal adoption process. This means that an adult may gain full parental rights without any natural relationship to the child or any background check.

Polyparenting: Although Delaware law does not explicitly allow more than two parents, the Delaware Uniform Parentage Act allows a third-party to obtain the status of a “de facto parent.”

Surrogacy:

Surrogacy: Delaware legalized gestational surrogacy in 2013. State statute provides a process for obtaining pre-birth parentage orders, but they are stayed until birth. Neither statute nor case law addresses genetic surrogacy.

Donor Conception and IVF:

Donor-Conception: Delaware does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Delaware law automatically grants parentage to an unrelated “intended parent” in cases of donor conception, and the child’s birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Delaware law defines infertility based on medical criteria and does not expand the definition to include “social infertility.” State law does not establish a “right” to IVF, but it does mandate insurance coverage and shields providers from legal action.

Marriage:

Natural Marriage: Delaware does not recognize natural marriage (marriage between one man and one woman) as the only marriage arrangement. Delaware has legitimized same sex marriage by statute. When marriage is redefined, parentage is also redefined. Natural marriage protects a child’s relationship with the two adults from whom he came.

Divorce: Delaware allows no-fault divorce but still recognizes fault-based grounds. There is a mandatory six-month separation period prior to filing a divorce. State law requires parental education on the impact of divorce on children before the finalization of a divorce, but this may be waived by the courts.



STATE: DISTRICT OF COLUMBIA



At a glance:

Parentage: Poor

Surrogacy: Very Poor

Donor Conception and IVF: Poor

Marriage: Very Poor

Overall Grade: **F**

Ranking: 51

Parentage:

Mother-Father Language: District of Columbia code maintains language that refers to mothers and fathers, recognizing the biological reality that every child naturally has a mother and a father.

Intent-based parentage: The District of Columbia allows parentage to be established on the basis of intent in the context of surrogacy.

Polyparenting: Although the District of Columbia Code does not explicitly allow more than two parents, it does allow a third party to become a “de facto” parent.

Surrogacy

Surrogacy: The District of Columbia legalized commercial surrogacy in 2017, allowing both gestational and genetic surrogacy and establishing a process for obtaining pre-birth parentage orders in cases of gestational surrogacy. In cases of genetic surrogacy, parentage orders cannot be finalized until after birth.

Donor Conception and IVF:

Donor-Conception: The District of Columbia does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. The District of Columbia automatically grants parentage to an unrelated “intended parent” in cases of donor conception, and the child’s birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: The District of Columbia redefines infertility to include “A person's inability to reproduce without medical intervention either as a single individual or with their partner.” It does not have law or case law declaring a “right” to IVF, but it does mandate insurance coverage of IVF in large group plans.

Marriage:

Natural Marriage: Washington D.C. does not recognize natural marriage (marriage between one man and one woman) as the only valid marriage arrangement. D.C. has also legitimized same sex marriage by statute.

Divorce: Washington DC is a true no-fault jurisdiction, meaning that it does not recognize fault-based grounds for divorce. The District does not require a waiting period before filing or finalizing a divorce. In 2007, the District announced a pilot parental education program for contested divorces. It is not required under the District’s divorce code.



STATE: FLORIDA



At a glance:

Parentage: Very Good

Surrogacy: Poor

Donor Conception and IVF: Fair

Marriage: Fair

Overall Grade: B-

Ranking: 17

Parentage:

Mother-Father Language: Florida parentage law maintains language that refers to mothers and fathers, recognizing the biological reality that every child naturally has a mother and a father.

Intent-based parentage: Florida does not have law or case law that establishes parentage on the basis of "intent."

Polyparenting: Florida does not have laws or case law redefining the family to allow more than two parents.

Surrogacy:

Surrogacy: Florida statute allows gestational surrogacy if the intended mother is physically unable to carry a pregnancy to term. Payment is limited to "reasonable living, legal, medical, psychological, and psychiatric expenses of the gestational surrogate that are directly related to prenatal, intrapartum, and postpartum periods." Florida also allows for "pre-planned adoption agreements," which allow "volunteer mothers" to enter into a non-binding agreement to become pregnant with the intention of relinquishing parental rights to the commissioning parents. This statute also allows the intended parent(s) to agree to pay all "reasonable legal, medical, psychological, or psychiatric expenses of the volunteer mother related to the preplanned adoption arrangement and may agree to pay the reasonable living expenses and wages lost due to the pregnancy and birth of the volunteer mother and reasonable compensation for inconvenience, discomfort, and medical risk." Pre-birth orders may be sought, but transfer of parental rights cannot take place until after the birth of the child.

Donor Conception and IVF:

Donor-Conception: Florida does not have any statute or case law addressing donor anonymity or gamete donation frequency. It does have a statute that states, "Only reasonable compensation directly related to the donation of eggs, sperm, and preembryos shall be permitted", but does not define reasonable compensation. Under Florida law, parentage is automatically granted to the mother's husband in cases of donor conception, and the child's birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Florida does not have laws or case law that redefine infertility to include "social infertility" or establish a "right" to IVF.

Marriage:

Natural Marriage: Florida has both constitutional and statutory language recognizing natural marriage (marriage between one man and one woman) as the only valid marriage arrangement. Natural marriage protects a child's relationship with the two adults from whom he came.

Divorce: Florida is generally considered a true no-fault state, with grounds for divorce being limited to "irretrievable breakdown" or mental incapacity. The state does not require a six-month waiting period (wait-time is usually 20 days, but sometimes longer in cases involving minor children). Parental education on the impact of divorce on children is required before a divorce can be finalized.



STATE: GEORGIA



At a glance:
Parentage: Very Good
Surrogacy: Fair
Donor Conception/IVF: Fair
Marriage: Fair

Overall Grade: B-

Ranking: 8

Parentage:

Mother-Father Language: Georgia's parentage laws retain language referring to mothers and fathers, recognizing the biological reality that every child naturally has a mother and a father.

Intent-based parentage: Georgia does not have law or case law that establishes parentage on the basis of "intent."

Polyparenting: Georgia does not have laws or case law redefining the family to allow more than two parents.

Surrogacy:

Surrogacy: Georgia does not have any statute or case law regarding surrogacy. Pre-birth parentage orders are generally granted.

Donor Conception and IVF:

Donor-Conception: Georgia does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Under Georgia law, parentage is automatically granted to the unrelated spouse in cases of donor conception, and the child's birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Georgia does not have laws or case law that redefine infertility to include "social infertility." In 2025, an Act was passed clarifying that nothing in the Georgia Code should be construed as prohibiting or preventing a person from obtaining IVF; however, the language of "rights" was not used in the final version signed by the Governor.

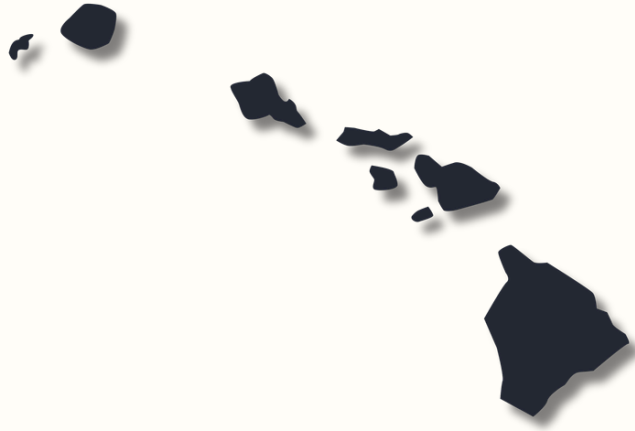
Marriage:

Natural Marriage: Georgia has both constitutional and statutory language recognizing natural marriage (marriage between one man and one woman) as the only valid marriage arrangement.

Divorce: Georgia law allows no-fault divorce, but still recognizes fault-based reasons. The state does not require a six-month waiting period (there is a mandatory 30-day waiting period), and there is no statute requiring parental education on the effects of divorce prior to finalization, but it is required in most counties.



STATE: HAWAII



At a glance:

Parentage: Very Poor

Surrogacy: Very Poor

Donor Conception/IVF: Poor

Marriage: Poor

Overall Grade: **F**

Ranking: 48

Parentage:

Mother-Father Language: The Hawaii Uniform Parentage Act, which passed in 2025 and went into effect in January 2026, replaced terms like “mother” and “father” in Hawaii Parentage Law with gender-neutral parentage language.

Intent-based parentage: Under Hawaii’s surrogacy law, parentage may be established on the basis of intent.

Polyparenting: Under the Hawaii Uniform Parentage Act, a court may legally determine that a child has more than two parents.

Surrogacy:

Surrogacy: Under the Hawaii Uniform Parentage Act, both gestational and genetic commercial surrogacy contracts are legal. Pre-birth orders are granted in gestational surrogacy arrangements. In a genetic surrogacy arrangement, the birth mother may withdraw consent up to 72 hours after birth.

Donor Conception and IVF:

Donor-Conception: Hawaii does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Hawaii law automatically grants parentage to an unrelated “intended parent” in cases of donor conception, and the child’s birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Hawaii does not have laws or case law that redefine infertility to include “social infertility” or establish a “right” to IVF.

Marriage:

Natural Marriage: Hawaii does not recognize natural marriage (marriage between one man and one woman) as the only marriage arrangement. Hawaii has also legitimized same sex marriage by statute and removed husband and wife language from the definition of marriage.

Divorce: Hawaii is a true no-fault state, meaning that it does not accept fault-based grounds for divorce. There is no required wait time before filing or finalizing a divorce. While not required by statute, Hawaii courts require parental education on the impacts of divorce on children.



STATE: IDAHO

At a glance:

Parentage: Very Good

Surrogacy: Poor

Donor Conception/IVF: Poor

Marriage: Fair

Overall Grade: B-

Ranking: 13



Parentage:

Mother-Father Language: Idaho parentage law maintains language that refers to mothers and fathers, recognizing the biological reality that every child naturally has a mother and a father.

Intent-based parentage: Idaho does not have law or case law that establishes parentage on the basis of “intent.”

Polyparenting: Idaho does not have laws or case law redefining the family to allow more than two parents.

Surrogacy:

Surrogacy: As of 2023, Idaho has statute allowing commercial gestational surrogacy. The law explicitly states that the surrogate may not use her own eggs (thus banning genetic surrogacy). Pre-birth orders are granted, but under statute, they must be finalized with a post-birth order once the baby is born. Prior to 2023, *Doe v. Doe* had declared a surrogacy contract to be a violation of public policy, pointing out that Idaho's process for terminating and re-establishing parental rights required adoption proceedings, and that a surrogacy contract was insufficient.

Donor Conception and IVF:

Donor-Conception: Idaho does not have any statute or case law addressing gamete donation frequency or compensation. Idaho's surrogacy law specifies that if a gamete donor wishes to remain anonymous, only non-identifying medical information will be shared. This means that Idaho prioritizes protecting donor anonymity over ensuring donor-conceived individuals can know their parents' identities. Under Idaho law, parentage is automatically granted to the mother's husband in cases of donor conception, and the child's birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Idaho does not have laws or case law that redefine infertility to include “social infertility” or establish a “right” to IVF.

Marriage:

Natural Marriage: Idaho has both constitutional and statutory language recognizing natural marriage (marriage between one man and one woman) as the only valid marriage arrangement.

Divorce: Idaho allows no-fault divorce but also recognizes fault-based grounds. The state does not require a six-month wait time (there is a mandatory wait time of 21 days), and there is no law requiring parental education regarding the impact of divorce on children, although it may be required by the court.



STATE: ILLINOIS



At a glance:

Parentage: Poor

Surrogacy: Poor

Donor Conception/IVF: Poor

Marriage: Fair

Overall Grade: C-

Ranking: 36

Parentage:

Mother-Father Language: Illinois parentage law maintains some language referring to mothers and fathers, but has begun shifting toward gender-neutral language.

Intent-based parentage: Under Illinois' surrogacy law, parentage may be established on the basis of intent.

Polyparenting: Illinois does not have laws or case law redefining the family to allow more than two parents.

Surrogacy:

Surrogacy: Illinois' Gestational Surrogacy Act legalizes commercial and altruistic gestational surrogacy and does not address genetic surrogacy. Pre-birth orders are granted.

Donor Conception and IVF:

Donor-Conception: Illinois does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Illinois law automatically grants parentage to an unrelated "intended parent" in cases of donor conception, and the child's birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Illinois redefines infertility to include "A person's inability to reproduce either as a single individual or with a partner without medical intervention." It does not directly declare IVF to be a "right", but the Reproductive Health Act, which sets forth a set of "reproductive rights", could be interpreted to include IVF.

Marriage:

Natural Marriage: Illinois does not recognize natural marriage (marriage between one man and one woman) as the only marriage arrangement. Illinois has also legitimized same sex marriage by statute.

Divorce: Illinois is considered a true no-fault state, meaning that it does not accept fault-based grounds. There is no mandatory wait time before filing or between filing and finalization. Parental education on the impact of divorce on children is required under Illinois Supreme Court Rule 924, but mandatory attendance may be excused "for good cause" by the court.



STATE: INDIANA



At a glance:

Parentage: Very Good

Surrogacy: Good

Donor Conception/IVF: Fair

Marriage: Fair

Overall Grade: B

Ranking: 2

Parentage:

Mother-Father Language: Indiana parentage law maintains language that refers to mothers and fathers, recognizing the biological reality that every child naturally has a mother and a father.

Intent-based parentage: Indiana does not have law or case law that establishes parentage on the basis of “intent.”

Polyparenting: Indiana does not have laws or case law redefining the family to allow more than two parents.

Surrogacy:

Surrogacy: Under Indiana statute, surrogacy contracts are unenforceable. However, surrogacy is still practiced in the state. Pre-birth orders are generally not granted, although there may be some exceptions.

Donor Conception and IVF:

Donor-Conception: Indiana does not have any statute or case law addressing donor anonymity or frequency. State law limits compensation to egg donors to \$4000 for lost earnings due to absence from employment, travel expenses, hospital expenses, medical expenses, and recovery time. However, at least one egg donation agency's website suggests they may be paying egg donors in Indiana more than the stated \$4000 limit. Indiana does not place limits on compensation for sperm donation

Redefinition of infertility and right to IVF: Indiana does not have laws or case law that redefine infertility to include “social infertility” or establish a “right” to IVF.

Marriage:

Natural Marriage: Indiana has statutory language recognizing natural marriage (marriage between one man and one woman). However, there is no constitutional language acknowledging natural marriage as the sole marriage arrangement.

Divorce: Indiana allows no-fault divorce, but also recognizes limited fault-based grounds. The state does not require a six-month waiting period before initiating or finalizing a divorce (the waiting period is 60 days), and there is no state-wide parental education requirement, although it may be required at the county level.



STATE: IOWA



At a glance:

Parentage: Fair

Surrogacy: Poor

Donor Conception/IVF: Fair

Marriage: Fair

Overall Grade: **C**

Ranking: 27

Parentage:

Mother-Father Language: Iowa parentage law maintains language that refers to mothers and fathers, recognizing the biological reality that every child naturally has a mother and a father.

Intent-based parentage: Iowa Administrative Code allows intent-based parentage in the context of surrogacy.

Polyparenting: Iowa does not have laws or case law redefining the family to allow more than two parents.

Surrogacy:

Surrogacy: In 2018, the Iowa Supreme Court upheld a commercial gestational surrogacy contract. The only direct reference to surrogacy in Iowa's statutes is in IA Code § 710.11, the state's law banning the purchase and sale of persons states that surrogacy is not considered child-selling. Additionally, Iowa Administrative Code 641.99.15 stipulates the process for registering the intended parents of a surrogate-born child in the state's Vital Records. Partial pre-birth orders are granted and depend on the genetic relationship to the child.

Donor Conception and IVF:

Donor-Conception: Iowa does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors.

Redefinition of infertility and right to IVF: Iowa does not have laws or case law that redefine infertility to include "social infertility" or establish a "right" to IVF.

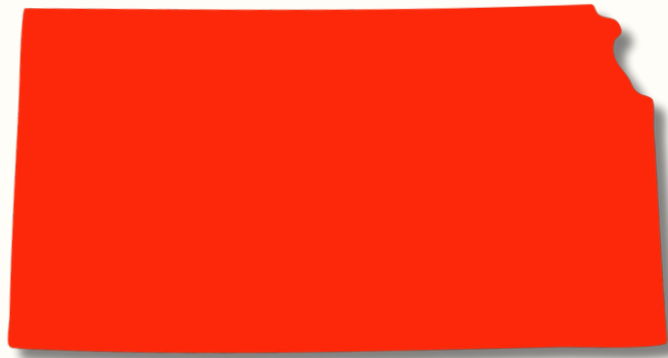
Marriage:

Natural Marriage: Iowa has statutory language recognizing natural marriage (marriage between one man and one woman). However, there is no constitutional language acknowledging natural marriage as the sole marriage arrangement.

Divorce: Iowa is a true no-fault state, meaning that it does not accept fault-based grounds for divorce. The state does not require a six-month waiting period (the waiting period is 90 days). Parental education regarding the impact of divorce on children is required in cases involving child custody or visitation, but may be waived by the court.



STATE: KANSAS



At a glance:

Parentage: Fair

Surrogacy: Fair

Donor Conception/IVF: Fair

Divorce: Poor

Overall Grade: C

Ranking: 25

Parentage:

Mother-Father Language: Kansas parentage law maintains language that refers to mothers and fathers, recognizing the biological reality that every child naturally has a mother and a father.

Intent-based parentage: Kansas does not have any statute adding a category of parentage on the basis of intent, but in 2020 the Kansas Supreme Court ruled that a same-sex partner of a woman who conceived through artificial insemination and gave birth during the couple's relationship may be recognized as a parent of the birthed child if the birth mother consents to shared parenting time with the partner at the time the child is born even if there was no oral or written coparenting agreement.

Polyparenting: Kansas does not have laws or case law redefining the family to allow more than two parents.

Surrogacy:

Surrogacy: Kansas does not have any statute or case law addressing surrogacy, although it is practiced within the state. Pre-birth orders are generally granted, but only if the intended parents used their own sperm and egg.

Donor Conception and IVF:

Donor-Conception: Kansas does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Under Kansas law, parentage is automatically granted to the mother's husband in cases of donor conception, and the child's birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Kansas does not have laws or case law that redefine infertility to include "social infertility" or establish a "right" to IVF.

Marriage:

Natural Marriage: Kansas has both constitutional and statutory language recognizing natural marriage (marriage between one man and one woman) as the only valid marriage arrangement.

Divorce: Kansas is generally considered a true no-fault state, though it also accepts failure to perform marital duty and insanity as grounds for divorce. The state does not require a six-month waiting period before filing or finalizing a divorce (the wait-time is 60 days, which can be waived in certain circumstances). Kansas does not require parental education on the impact of divorce on children before finalizing a divorce.



STATE: KENTUCKY

At a glance:

Parentage: Very Good

Surrogacy: Good

Donor Conception/IVF: Fair

Marriage: Fair



Overall Grade: **B**

Ranking: 4

Parentage:

Mother-Father Language: Kentucky parentage law maintains language that refers to mothers and fathers, recognizing the biological reality that every child naturally has a mother and a father.

Intent-based parentage: Kentucky does not have case law or statute directly establishing parentage on the basis of intent.

Polyparenting: Kentucky does not have laws or case law redefining the family to allow more than two parents.

Surrogacy

Surrogacy: A 1985 Kentucky Supreme Court ruling held that gestational surrogacy was not the sale of children under Kentucky law and asked the legislature to take up the issue to clarify the legality of surrogacy. Kentucky does not currently have any laws addressing gestational surrogacy, but commercial genetic surrogacy is prohibited under KRS 199.590(4). Pre-birth orders are generally granted as long as at least one intended parent is genetically related to the child.

Donor-Conception: Kentucky does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Under Kentucky law, a donor-conceived child's birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Kentucky does not have laws or case law that redefine infertility to include "social infertility" or establish a "right" to IVF, although there is an [ongoing case](#) challenging the state's pro-life laws brought by a plaintiff who is undergoing IVF.

Marriage

Natural Marriage: Kentucky has both constitutional and statutory language recognizing natural marriage (marriage between one man and one woman) as the only valid marriage arrangement. Natural marriage protects a child's relationship with the two adults from whom he came.

Divorce: Kentucky is a true no-fault state, meaning that it does not accept fault-based grounds for divorce. The state does not require a six-month waiting period before filing or finalization (the waiting period is typically 60 days, but may be extended if one party denies the marriage is irretrievably broken). Parental education on the impact of divorce on children is required in many legal circuits, but not required state-wide.



STATE: LOUISIANA



At a glance:

Parentage: Fair

Surrogacy: Good

Donor Conception/IVF: Fair

Marriage: Good

Overall Grade: **C+**

Ranking: 20

Parentage:

Mother-Father Language: Louisiana parentage law maintains language that refers to mothers and fathers, recognizing the biological reality that every child naturally has a mother and a father.

Intent-based parentage: Louisiana does not have law or case law that establishes parentage on the basis of “intent.”

Polyparenting: Under LA Civ Code Art 190.1, Louisiana recognizes "dual paternity" in certain circumstances when a woman's husband is not the biological father of the child. In *McCormic v. Rider*, the Supreme Court upheld a lower court's decision to allow tripartite custody.

Surrogacy

Surrogacy: Louisiana law permits altruistic gestational surrogacy. This is limited to instances where the intended parents are married to each other and use their own sperm and eggs. Commercial surrogacy is not legal in Louisiana. Pre-birth orders are not granted, and statute provides a process for post-birth orders.

Donor Conception and IVF:

Donor-Conception: Louisiana does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors—meaning that Louisiana allows the industry to operate without any state regulations limiting or banning the intentional selling of parental rights through gamete donation. In Louisiana, parentage is automatically granted to the mother’s husband in cases of donor conception, and the child’s birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Louisiana does not have laws or case law that redefine infertility to include “social infertility” or establish a “right” to IVF.

Marriage:

Natural Marriage: Louisiana’s Constitution recognizes natural marriage (marriage between one man and one woman) as the only valid marriage arrangement. However, the only statute recognizing natural marriage is ambiguous.

Divorce: Louisiana allows no-fault divorce, but still recognizes fault-based grounds. It is also a Covenant Marriage state, which means that in the case of a covenant marriage, additional standards must be met before a divorce can be pursued. There is a six-month wait time for all divorces, which is extended to 12 months when minor children are involved. The state does not require parental education on the impact of divorce on children.



STATE: MAINE



At a glance:

Parentage: Very Poor

Surrogacy: Very Poor

Donor Conception/IVF: Poor

Marriage: Poor

Overall Grade: F

Ranking: 50

Parentage:

Mother-Father Language: The Maine Parentage Act replaces terms like “mother” and “father” with gender-neutral parentage language.

Intent-based parentage: Under the Maine Parentage Act, parentage may be established on the basis of intent, without a genetic or biological relationship between the intended parent and the child, and without a formal adoption process.

Polyparenting: Under the Maine Parentage Act, courts may determine that a child has more than two legal parents.

Surrogacy:

Surrogacy: The Maine Parentage Act explicitly legalizes gestational surrogacy, including commercial gestational, and has provisions for pre-birth orders. Genetic surrogacy is only allowed when the surrogate mother is entering into a contract with a family member. Prior to the 2016 enactment of the Act, the Maine Supreme Court held that the intended parents, not the surrogate mother of a child, should be listed on the child’s birth certificate.

Donor-Conception: Maine does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Maine law automatically grants parentage to an unrelated “intended parent” in cases of donor conception, and the child’s birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Maine’s definition of infertility relies on medical causes and does not directly include “social infertility”, but it does include “an individual unable to conceive as an individual or with a partner because the individual or couple does not have the necessary gametes for conception” which could be interpreted as medical infertility of one’s spouse, or so-called “social infertility” such as relationship status (i.e., being single) or being in a same-sex relationship. Maine has not declared IVF to be a “right”.

Marriage

Natural Marriage: Maine does not recognize natural marriage (marriage between one man and one woman) as the only marriage arrangement. Maine has also legitimized same sex marriage by statute.

Divorce: Maine allows divorce on both fault and no-fault grounds. The state does not require a six-month waiting period (a couple must live apart for 60 days before the divorce can be finalized). Parent education is not required by statute, but may be ordered by the court.



STATE: MARYLAND



At a glance:

Parentage: Poor

Surrogacy: Poor

Donor Conception/IVF: Poor

Marriage: Poor

Overall Grade: C-

Ranking: 33

Parentage:

Mother-Father Language: Maryland partially maintains mother-father language in state parentage laws, but does so in a way that attempts to differentiate sex and gender. According to MD Family Law Code § 5-1001, "Father' means an individual, regardless of gender, whose sperm fertilizes an ovum, resulting in the birth of a child.", (i) "'Mother' means an individual, regardless of gender, who gives birth to a child unless parentage is otherwise established."

Intent-based parentage: Maryland does not have law or case law that establishes parentage on the basis of "intent."

Polyparenting: Maryland does not have any statute addressing or allowing more than two parents, but in *E.N. v. T.R.*, the Maryland Court of Appeals established a category for a third "de facto" parent when both parents consent.

Surrogacy:

Surrogacy: Maryland does not have statutes addressing surrogacy, but the state Supreme Court (then called the Maryland Court of Appeals) upheld a gestational surrogacy contract in 2007. Genetic surrogacy has not been addressed in case law. Pre-birth orders for gestational surrogacy are generally granted.

Donor Conception and IVF:

Donor-Conception: Maryland does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Under Maryland law, parentage is automatically granted to the unrelated spouse in cases of donor conception, and the child's birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Maryland's insurance laws include both medical definitions of infertility and "social infertility," such as being married to a member of the same sex. While the state does not have any laws or case law applying the language of "rights" to IVF, it does mandate insurance coverage.

Marriage

Natural Marriage: Maryland does not have either constitutional language or statutes recognizing natural marriage (marriage between one man and one woman) as the only marriage arrangement. Maryland has not constitutionally legitimized same sex marriage. In 2024, husband and wife language was removed from the definition of marriage.

Divorce: Maryland is a true no-fault state, meaning that it does not accept fault-based grounds for divorce. There is no mandatory waiting period before filing or finalizing a divorce. Under Maryland Family Law §7-103.2, the Court may require divorcing parents to participate in a parent education seminar. Court rules also phrase this as something the court may order.



STATE: MASSACHUSETTS



At a glance:

Parentage: Very Poor

Surrogacy: Very Poor

Donor Conception/IVF: Poor

Marriage: Good

Overall Grade: D

Ranking: 42

Parentage:

Mother-Father Language: The Massachusetts Parentage Act, passed in 2024, replaces the terms “mother” and “father” with gender-neutral language.

Intent-based parentage: Under the Massachusetts Parentage Act, parentage may be established on the basis of intent in the context of assisted reproduction.

Polyparenting: The Massachusetts Parentage Act allows courts to determine that a child has more than two parents. Prior to the passage and implementation of the act, courts allowed third-parent adoption on a case-by-case basis.

Surrogacy:

Surrogacy: Under the Massachusetts Parentage Act, both gestational and genetic surrogacy are legal. Under the Act, pre-birth parentage orders are granted in cases of gestational surrogacy, but cannot be finalized until birth for genetic surrogacy agreements.

Donor Conception and IVF:

Donor-Conception: Massachusetts does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Massachusetts law automatically grants parentage to an unrelated “intended parent” in cases of donor conception, and the child’s birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Massachusetts law maintains a medical definition of infertility and does not expand it to include “social infertility” such as relationship status or being in a relationship with a person of the same sex. The state has not declared IVF to be a “right”, but does mandate insurance coverage of IVF.

Marriage:

Natural Marriage: Massachusetts does not explicitly recognize natural marriage (marriage between one man and one woman) in its Constitution or statutes as the only marriage arrangement. However, Massachusetts statutes sometimes use husband and wife language. Other times, the statutes use gender neutral language. Massachusetts has not constitutionally legitimized same sex marriage.

Divorce: Massachusetts allows no-fault divorce, but still accepts fault-based reasons. There is a mandatory six-month waiting period before a divorce can be finalized. Court rules require parental education prior to the finalization of divorce, but this may be waived.



STATE: MICHIGAN



At a glance:

Parentage: Poor

Surrogacy: Very Poor

Donor Conception/IVF: Poor

Marriage: Fair

Overall Grade: D+

Ranking: 38

Parentage:

Mother-Father Language: In general, Michigan parentage law maintains language that refers to mothers and fathers, with the exception of the Assisted Reproduction and Parentage Act, which only uses gender-neutral language to refer to parents.

Intent-based parentage: Under Michigan’s surrogacy law, parentage may be established on the basis of intent.

Polyparenting: Michigan does not have laws or case law redefining the family to allow more than two parents.

Surrogacy

Surrogacy: Michigan was the last state in the nation to have a statute banning surrogacy contracts. This was reversed in 2024 when the state passed the Assisted Reproduction and Surrogacy Act. The law allows commercial gestational and genetic surrogacy contracts and establishes a process for pre-birth orders that applies to both gestational and genetic surrogacy arrangements.

Donor Conception and IVF:

Donor-Conception: Michigan does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Michigan law automatically grants parentage to an unrelated “intended parent” in cases of donor conception, and the child’s birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Michigan does not have laws or case law that redefine infertility to include “social infertility” or establish a “right” to IVF.

Marriage:

Natural Marriage: Michigan has both constitutional and statutory language recognizing natural marriage (marriage between one man and one woman) as the only valid marriage arrangement. Michigan has not legitimized same sex marriage. Natural marriage protects a child’s relationship with the two adults from whom he came.

Divorce: Michigan is a true no-fault state and does not accept fault-based grounds. There is a wait-time of six months for divorces involving minor children, which may be waived by the court in cases of “unusual hardship”, such as abuse. The state does not require parental education on the impact of divorce on children.



STATE: MINNESOTA



At a glance:

Parentage: Fair

Surrogacy: Fair

Donor Conception/IVF: Poor

Marriage: Poor

Overall Grade: **C**

Ranking: 28

Parentage:

Mother-Father Language: Minnesota parentage law contains a mix of language referring to mothers and fathers and gender-neutral “parentage” language.

Intent-based parentage: Minnesota does not have law or case law that establishes parentage on the basis of “intent.”

Polyparenting: Minnesota does not have laws or case law redefining the family to allow more than two parents.

Surrogacy

Surrogacy: Minnesota does not have any statute addressing surrogacy. In a 2007 unpublished opinion, the Minnesota Court of Appeals upheld a surrogacy contract between a Minnesotan surrogate mother and an Illinois commissioning parent, who had entered into a contract in Illinois. The ruling is clear that it does not condemn or condone surrogacy, although it does hold that surrogacy contracts are not contrary to Minnesota public policy. The ruling primarily focuses on whether the district court was right in upholding the Illinois contract. Minnesota Vital Records provides a process for issuing a birth certificate with the intended parents' names, but this requires post-birth finalization.

Donor Conception and IVF:

Donor-Conception: Minnesota does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Minnesota law automatically grants parentage to an unrelated “intended parent” in cases of donor conception, and the child’s birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Minnesota does not have laws or case law that redefine infertility to include “social infertility” or establish a “right” to IVF. However, Minnesota’s PRO Act declaring a “fundamental right to... use or refuse reproductive healthcare” could be interpreted to include a right to IVF.

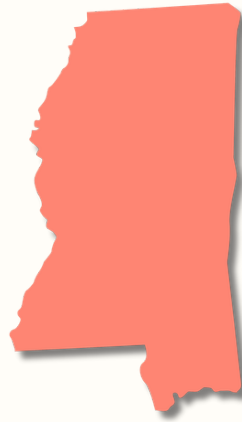
Marriage:

Natural Marriage: Minnesota does not have constitutional language or statutes recognizing natural marriage (marriage between one man and one woman) as the only marriage arrangement. Minnesota has not constitutionally legitimized same sex marriage. Statutes removed man and woman language and now define marriage between two persons.

Divorce: Minnesota is a true no-fault state, meaning that it does not accept fault-based grounds for divorce. A six-month waiting period is not generally required, but six months of separation may be grounds for divorce when one party disagrees over whether the marriage is irretrievably broken. Under state statute, the court may require parental education in any case involving custody, support, or parenting time, and shall require it when the parents have not agreed to a custody or parenting schedule.



STATE: MISSISSIPPI



At a glance:

Parentage: Very Good

Surrogacy: Fair

Donor Conception/IVF: Fair

Marriage: Fair

Overall Grade: B-

Ranking: 11

Parentage:

Mother-Father Language: Mississippi parentage law maintains language that refers to mothers and fathers.

Intent-based parentage: Mississippi does not have law or case law that establishes parentage on the basis of “intent.”

Polyparenting: Mississippi does not have laws or case law redefining the family to allow more than two parents.

Surrogacy

Surrogacy: Mississippi does not have any statute or case law addressing surrogacy. Pre-birth orders are sometimes granted, but post-birth orders are more common in the absence of statute or case law.

Donor Conception and IVF:

Donor-Conception: Mississippi does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. In Mississippi, parentage is automatically granted to the mother’s husband in cases of donor conception, and the child’s birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Mississippi does not have laws or case law that redefine infertility to include “social infertility” or establish a “right” to IVF.

Marriage:

Natural Marriage: Mississippi’s Constitution recognizes natural marriage. Mississippi does not recognize natural marriage in its statutes as the only marriage arrangement. However, husband and wife language is used in the statutes. Mississippi has not legitimized same sex marriage.

Divorce: Mississippi allows no-fault divorce, but still recognizes fault-based grounds. The state does not require a six-month waiting period before a divorce can be finalized (there is a 60-day waiting period after filing), and parental education regarding the impact of divorce on children is not required.



STATE: MISSOURI



At a glance:

Parentage: Very Good

Surrogacy: Fair

Donor Conception/IVF: Fair

Marriage: Good

Overall Grade: B

Ranking: 5

Parentage:

Mother-Father Language: Missouri parentage law maintains language that refers to mothers and fathers.

Intent-based parentage: Missouri does not have law or case law that establishes parentage on the basis of “intent.”

Polyparenting: Missouri does not have laws or case law redefining the family to allow more than two parents.

Surrogacy

Surrogacy: Missouri does not have statute or case law addressing surrogacy. While some sources suggest that experienced attorneys may be able to get pre-birth parentage orders, generally, only post-birth orders are allowed.

Donor Conception and IVF:

Donor-Conception: Missouri does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Under Missouri law, parentage is automatically granted to the mother’s husband in cases of donor conception, and the child’s birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Missouri does not have laws or case law that redefine infertility to include “social infertility” or establish a “right” to IVF.

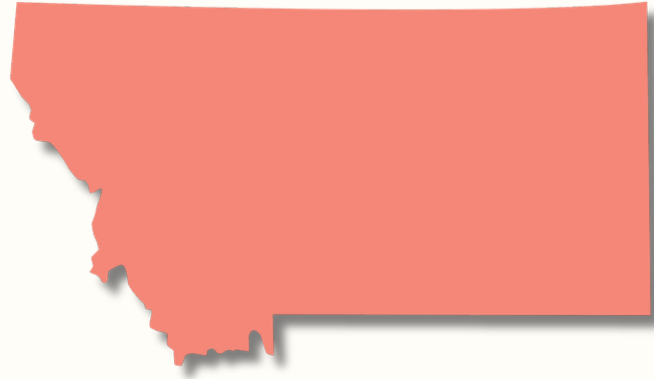
Marriage:

Natural Marriage: Missouri has both constitutional and statutory language recognizing natural marriage (marriage between one man and one woman) as the only valid marriage arrangement. Missouri has not legitimized same sex marriage.

Divorce: Missouri allows no-fault divorce, but still recognizes fault-based grounds. The state does not require a six-month waiting period (a divorce may be obtained within 30 days as long as the 90-day residency requirement has been met). State statute requires parental education on the impact of divorce on children in all cases involving the custody or visitation of a minor child.



STATE: MONTANA



At a glance:

Parentage: Very Good

Surrogacy: Fair

Donor Conception/IVF: Fair

Marriage: Poor

Overall Grade: B-

Ranking: 14

Parentage:

Mother-Father Language: Montana parentage law maintains language that refers to mothers and fathers.

Intent-based parentage: Montana does not have law or case law that establishes parentage on the basis of “intent.”

Polyparenting: Montana does not have laws or case law redefining the family to allow more than two parents.

Surrogacy

Surrogacy: Montana does not have statute or case law addressing surrogacy. Pre-birth orders are generally granted if at least one parent is genetically related to the child, although it varies depending on the judge.

Donor Conception and IVF:

Donor-Conception: Montana does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Under Montana law, parentage is automatically granted to the mother’s husband in cases of donor conception, and the child’s birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Montana does not have laws or case law that redefine infertility to include “social infertility” or establish a “right” to IVF.

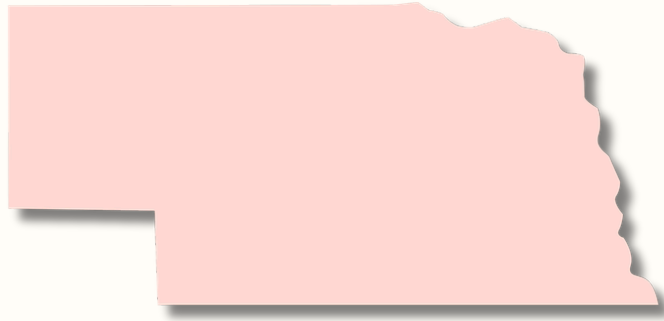
Marriage

Natural Marriage: Montana’s Constitution recognizes natural marriage. Montana does not recognize natural marriage in its statutes as the only marriage arrangement. However, husband and wife language is used in the statutes. Montana has not legitimized same sex marriage.

Divorce: Montana is a true no-fault state, meaning that it does not accept fault-based grounds for divorce. A six-month period of separation can be grounds for granting a divorce, but it is not required. The state does not require parental education on the impact of divorce on children.



STATE: NEBRASKA



At a glance:

Parentage: Very Good

Surrogacy: Very Good

Donor Conception/IVF: Fair

Marriage: Fair

Overall Grade: **A-**

Ranking: 1

Parentage:

Mother-Father Language: Nebraska parentage law maintains language that refers to mothers and fathers.

Intent-based parentage: Nebraska does not have law or case law that establishes parentage on the basis of “intent.”

Polyparenting: Nebraska does not have laws or case law redefining the family to allow more than two parents.

Surrogacy:

Surrogacy: Under Nebraska law, commercial surrogacy contracts are considered void and unenforceable. The child's genetic father is recognized as the father at birth, and any other "intended parent" must pursue parentage through second-parent adoption. Surrogacy arrangements are typically facilitated by a Memorandum of Understanding, which is a non-binding legal document describing the understanding between the parties regarding payment, parental responsibilities, etc.

Donor Conception and IVF:

Donor-Conception: Nebraska does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Under Nebraska law, parentage is automatically granted to the mother's husband in cases of donor conception, and the child's birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Nebraska does not have laws or case law that redefine infertility to include “social infertility” or establish a “right” to IVF.

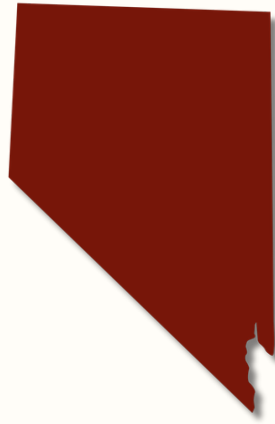
Marriage:

Natural Marriage: Nebraska's Constitution recognizes natural marriage. Nebraska does not recognize natural marriage in its statutes as the only marriage arrangement. However, husband and wife language is used in the statutes. Nebraska has not legitimized same sex marriage.

Divorce: Nebraska is a true no-fault state, meaning that it does not accept fault-based grounds for divorce. The state does not require a six-month waiting period before initiating or finalizing a divorce (the wait time is 60 days). Parental education on the impact of divorce on children is required, but failure to participate will not delay finalization of a divorce by more than six months.



STATE: NEVADA



At a glance:

Parentage: Very Poor

Surrogacy: Poor

Donor Conception/IVF: Poor

Marriage: Poor

Overall Grade: D

Ranking: 39

Parentage:

Mother-Father Language: Nevada parentage law replaces terms like “mother” and “father” with gender-neutral language

Intent-based parentage: Under Nevada’s surrogacy law, parentage may be established on the basis of intent.

Polyparenting: Under N.V. Rev. Stat. § 126.021(3), Nevada allows the courts to determine that a child has a legal parent-child relationship with more than two adults.

Surrogacy:

Surrogacy: Nevada statute legalizes gestational surrogacy, and the state provides a process for obtaining pre-birth orders. Nevada law explicitly prohibits genetic surrogacy.

Donor Conception:

Donor-Conception: Nevada does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Nevada law automatically grants parentage to an unrelated “intended parent” in cases of donor conception, and the child’s birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Nevada does not have laws or case law that redefine infertility to include “social infertility” or establish a “right” to IVF.

Marriage:

Natural Marriage: Nevada does not recognize natural marriage (marriage between one man and one woman) by statute or in its Constitution as the only marriage arrangement. Nevada has also legitimized same sex marriage by statute and in its Constitution.

Divorce: Nevada is generally considered a true no-fault state, limiting the grounds for divorce to insanity, living separate and apart for one year, or incompatibility. There is no mandatory wait time before a divorce can be finalized. The state does not require parental education on the impact of divorce on children, but some counties do.



STATE: NEW HAMPSHIRE



At a glance:

Parentage: Poor

Surrogacy: Poor

Donor Conception/IVF: Fair

Marriage: Poor

Overall Grade: C-

Ranking: 35

Parentage:

Mother-Father Language: New Hampshire parentage law replaces the terms “mother” and “father” with gender-neutral language.

Intent-based parentage: NH Rev Stat § 168-B:7 and NH Rev Stat § 168-B:8 allow parentage to be established on the basis of intent in the context of assisted reproductive technologies.

Polyparenting: New Hampshire does not have laws or case law redefining the family to allow more than two parents.

Surrogacy:

Surrogacy: New Hampshire statute allows gestational surrogacy and provides a process for obtaining pre-birth orders. There is no statute or case law addressing genetic surrogacy.

Donor Conception and IVF:

Donor-Conception: New Hampshire does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Under New Hampshire law, parentage is automatically granted to the mother’s husband in cases of donor conception, and the child’s birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: New Hampshire maintains a medically-based definition of infertility that does not include “social infertility.” The state has not declared IVF to be a “right”, but it does mandate insurance coverage.

Marriage:

Natural Marriage: New Hampshire does not recognize natural marriage (marriage between one man and one woman) as the only marriage arrangement. New Hampshire has also legitimized same sex marriage by statute. When marriage is redefined, parentage is also redefined. Natural marriage protects a child’s relationship with the two adults from whom he came.

Divorce: New Hampshire allows no-fault divorce but still recognizes fault-based grounds. There is no required wait time before initiating or finalizing a divorce. Parental education on the impact of divorce on children is required under NH Rev Stat § 458-D:1.



STATE: NEW JERSEY



At a glance:

Parentage: Poor

Surrogacy: Poor

Donor Conception/IVF: Poor

Marriage: Poor

Overall Grade: C-

Ranking: 37

Parentage:

Mother-Father Language: New Jersey parentage law maintains language that refers to mothers and fathers, recognizing the biological reality that every child naturally has a mother and a father.

Intent-based parentage: Under New Jersey's surrogacy law, parentage may be established on the basis of intent, without a genetic or biological relationship between the intended parent and the child, and without a formal adoption process. This means that an adult may gain full parental rights without any natural relationship to the child or any background check.

Polyparenting: New Jersey does not have any statutes allowing more than two parents, but in 2015, the Superior Court granted joint legal and residential custody to three adults who were raising a child in a "tri-parenting" arrangement.

Surrogacy:

Surrogacy: New Jersey statute allows gestational surrogacy and provides a process for obtaining pre-birth orders. The state does not have statute or case law addressing genetic surrogacy.

Donor Conception and IVF:

Donor-Conception: New Jersey does not have any statute or case law addressing donor anonymity, donation frequency, or payments to donors. New Jersey law, parentage is automatically granted to the unrelated spouse in cases of donor conception, and the child's birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: New Jersey redefines infertility to include "a person's inability to reproduce as a single individual or with a partner of the individual without medical intervention] the need for medical intervention, including, but not limited to, the use of donor gametes or donor embryos in order to achieve a successful pregnancy either as an individual or with a partner". The state has not declared IVF to be a "right" but it has mandated insurance coverage.

Marriage:

Natural Marriage: New Jersey does not recognize natural marriage (marriage between one man and one woman) as the only marriage arrangement. New Jersey has also legitimized same sex marriage by statute.

Divorce: New Jersey allows no-fault divorce, but still recognizes fault-based grounds. There is no standard mandatory waiting period, but certain reasons for divorce, such as desertion, require proof of separation for a certain period of time. Parental education on the impact of divorce on children is required, but that requirement may be waived by the court with "good cause" and/or in cases involving domestic violence.



STATE: NEW MEXICO



At a glance:

Parentage: Fair

Surrogacy: Fair

Donor Conception/IVF: Poor

Marriage: Poor

Overall Grade: C

Ranking: 26

Parentage:

Mother-Father Language: New Mexico parentage law maintains language that refers to mothers and fathers, recognizing the biological reality that every child naturally has a mother and a father.

Intent-based parentage: The New Mexico Uniform Parentage Act allows parentage to be established on the basis of intent.

Polyparenting: New Mexico does not have laws or case law redefining the family to allow more than two parents.

Surrogacy:

Surrogacy: New Mexico § 40-11A-801 states that surrogacy is neither permitted nor prohibited under state law. Pre-birth orders are generally granted by the courts.

Donor Conception and IVF:

Donor-Conception: New Mexico does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. New Mexico law automatically grants parentage to an unrelated “intended parent” in cases of donor conception, and the child’s birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: New Mexico does not have laws or case law that redefine infertility to include “social infertility” or establish a “right” to IVF.

Marriage:

Natural Marriage: New Mexico does not have constitutional language or statutes recognizing natural marriage (marriage between one man and one woman) as the only marriage arrangement. Statutes removed husband and wife language and now define marriage as a contractual relationship. New Mexico has not constitutionally legitimized same sex marriage. When marriage is redefined, parentage is also redefined. Natural marriage protects a child’s relationship with the two adults from whom he came.

Divorce: New Mexico allows no-fault divorce but also recognizes fault-based grounds. The state does not require a waiting period of six months or more, nor does it require parental education on the impact of divorce on children.



STATE: NEW YORK



At a glance:

Parentage: Poor

Surrogacy: Poor

Donor Conception/IVF: Poor

Marriage: Very Poor

Overall Grade: D

Ranking: 40

Parentage:

Mother-Father Language: With a few exceptions, New York parentage law generally replaces terms like “mother” and “father” with gender-neutral language. In other words, New York law generally denies the biological reality that every child naturally has a mother and a father.

Intent-based parentage: Under the New York Child-Parent Security Act, parentage may be established on the basis of intent.

Polyparenting: New York does not have any statutes or case law allowing more than two parents. However, in 2017, the New York Supreme Court of Suffolk County granted “tri-custody” to three adults in a romantic relationship who had agreed to raise a child together. This case is worth noting, but it is not a binding state-wide precedent.

Surrogacy:

Surrogacy: New York legalized gestational surrogacy under the Parent-Child Security Act in 2021. The Act details a process for obtaining pre-birth parentage orders. New York does not have statute or case law addressing genetic surrogacy.

Donor Conception and IVF:

Donor-Conception: New York does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. New York law automatically grants parentage to an unrelated “intended parent” in cases of donor conception, and the child’s birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: New York does not have laws or case law that redefine infertility to include “social infertility” or establish a “right” to IVF.

Marriage:

Natural Marriage: New York does not recognize natural marriage (marriage between one man and one woman) as the only marriage arrangement. New York has also legitimized same sex marriage by statute.

Divorce: New York allows no-fault divorce, but also recognizes fault-based grounds. There is no mandatory six-month waiting period, but a six-month period of separation may be considered grounds for divorce. The state does not require parental education on the impact of divorce on children.



STATE: NORTH CAROLINA



At a glance:

Parentage: Fair

Surrogacy: Fair

Donor Conception/IVF: Fair

Marriage: Good

Overall Grade: **C+**

Ranking: 23

Parentage:

Mother-Father Language: North Carolina parentage law maintains language that refers to mothers and fathers, recognizing the biological reality that every child naturally has a mother and a father.

Intent-based parentage: North Carolina does not have law or case law that establishes parentage on the basis of “intent.”

Polyparenting: While North Carolina does not apply the term “parent” to more than two adults, North Carolina General Statutes § 50-13.2 allows custody to be granted to two or more individuals, agencies, or organizations.

Surrogacy

Surrogacy: North Carolina does not have statute or case law addressing gestational or genetic surrogacy. Pre-birth parentage orders are generally granted.

Donor Conception and IVF:

Donor-Conception: North Carolina does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Under North Carolina law, parentage is automatically granted to the mother’s husband in cases of donor conception, and the child’s birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: North Carolina does not have laws or case law that redefine infertility to include “social infertility” or establish a “right” to IVF.

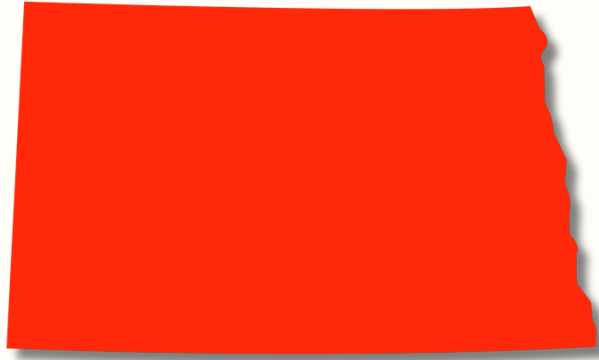
Marriage:

Natural Marriage: North Carolina has both constitutional and statutory language recognizing natural marriage (marriage between one man and one woman) as the only valid marriage arrangement. North Carolina has not legitimized same sex marriage.

Divorce: North Carolina is generally considered a no-fault state, limiting grounds for divorce to living separate and apart for one year and incurable insanity. The state does not require a six-month waiting period before filing or finalization. Parental education is offered, but is only mandatory in the 12th district.



STATE: NORTH DAKOTA



At a glance:

Parentage: Poor
Surrogacy: Poor
Donor Conception: Poor
Marriage: Fair

Overall Grade: **C-**

Ranking: 32

Parentage:

Mother-Father Language: North Dakota parentage law maintains language that refers to mothers and fathers, recognizing the biological reality that every child naturally has a mother and a father.

Intent-based parentage: While less explicit than some intent-based parentage states, North Dakota surrogacy law does allow parentage to be established on the basis of intent.

Polyparenting: North Dakota does not have law or case law redefining the family to allow more than two parents. It does allow a third adult to gain custody under the Nonparent Custody and Visitation Act, and in 2010, the North Dakota Supreme Court determined that an unrelated adult who had acted in a fatherly role was a “psychological parent” and could be granted partial custody on that basis.

Surrogacy:

Surrogacy: North Dakota statute legalizes gestational surrogacy arrangements. Pre-birth orders are generally granted. Genetic surrogacy agreements are void under North Dakota law.

Donor Conception and IVF:

Donor-Conception: North Dakota does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Under North Dakota law, parentage is automatically granted to the unrelated spouse in cases of donor conception, and the child’s birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: North Dakota does not have laws or case law that redefine infertility to include “social infertility” or establish a “right” to IVF.

Marriage:

Natural Marriage: North Dakota has both constitutional and statutory language recognizing natural marriage (marriage between one man and one woman) as the only valid marriage arrangement. North Dakota has not legitimized same sex marriage.

Divorce: North Dakota allows no-fault divorce, but still recognizes fault-based grounds. There is no mandatory wait-time, as long as the six-month residency requirement has been met. Parental education on the impact of divorce on children is not required.



STATE: OHIO



At a glance:

Parentage: Very Good

Surrogacy: Poor

Donor Conception/IVF: Poor

Marriage: Fair

Overall Grade: B-

Ranking: 15

Parentage

Mother-Father Language: Ohio parentage law maintains language that refers to mothers and fathers.

Intent-based parentage: Ohio does not have law or case law that establishes parentage on the basis of “intent.”

Polyparenting: Ohio does not have laws or case law redefining the family to allow more than two parents. The state does allow third-parties to seek companionship or visitation rights if it is found to be in the best interest of the child.

Surrogacy:

Surrogacy: Ohio does not have any statutes addressing surrogacy. In 2007, the Ohio Supreme Court ruled that a surrogacy contract did not violate the public policy of the state. In the ruling, the Court made a distinction between gestational and genetic surrogacy and clarified that they were only dealing with the question of gestational surrogacy. Pre-birth orders are generally granted.

Donor Conception and IVF:

Donor-Conception: Ohio does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Under Ohio law, parentage is automatically granted to the mother’s husband in cases of donor conception, and the child’s birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Ohio does not have laws or case law that redefine infertility to include “social infertility.” A recent amendment to the state constitution includes a “right to make and carry out one’s own decisions” on fertility treatment. This could make it difficult for Ohio to place child-protective regulations on the fertility industry.

Marriage:

Natural Marriage: Ohio has both constitutional and statutory language recognizing natural marriage (marriage between one man and one woman) as the only valid marriage arrangement. Ohio has not legitimized same sex marriage. Natural marriage protects a child’s relationship with the two adults from whom he came.

Divorce: Ohio allows no-fault divorce, but still recognizes fault-based grounds. There is no mandatory six-month waiting period before filing or finalizing a divorce (wait time is 30 days). Under Ohio statute, courts may require parental education on the impact of divorce on children, but it is not required by law for all divorcing parents.



STATE: OKLAHOMA



At a glance:

Parentage: Fair

Surrogacy: Poor

Donor Conception/IVF: Fair

Marriage: Good

Overall Grade: **C+**

Ranking: 24

Parentage:

Mother-Father Language: Oklahoma parentage law maintains language that refers to mothers and fathers.

Intent-based parentage: Under Oklahoma's surrogacy law, parentage may be established on the basis of intent.

Polyparenting: Oklahoma does not have laws or case law redefining the family to allow more than two parents.

Surrogacy:

Surrogacy: The Oklahoma legislature legalized commercial gestational surrogacy in 2019, including a process for obtaining a pre-birth order. The state does not have statute or case law addressing genetic surrogacy.

Donor Conception and IVF:

Donor-Conception: Oklahoma does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Under Oklahoma law, parentage is automatically granted to the mother's husband in cases of donor conception, and the child's birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Oklahoma does not have laws or case law that redefine infertility to include "social infertility" or establish a "right" to IVF.

Marriage:

Natural Marriage: Oklahoma has both constitutional and statutory language recognizing natural marriage (marriage between one man and one woman) as the only valid marriage arrangement. Oklahoma has not legitimized same sex marriage.

Divorce: Oklahoma allows no-fault divorce, but still recognizes fault-based grounds. There is no six-month waiting period (the wait time for divorces involving a minor child is 90 days). Parental education on the impact of divorce on children is required in all divorces involving minor children.



STATE: OREGON



At a glance:

Parentage: Poor

Surrogacy: Very Poor

Donor Conception/IVF: Fair

Marriage: Very Poor

Overall Grade: **D-**

Ranking: 45

Parentage:

Mother-Father Language: The Oregon Uniform Parentage Act removes terms like “mother” and “father” from Oregon parentage law, replacing them with gender-neutral language.

Intent-based parentage: Under the Oregon Uniform Parentage Act, parentage may be established on the basis of intent.

Polyparenting: Oregon does not have laws or case law redefining the family to allow more than two parents.

Surrogacy:

Surrogacy: Oregon’s Uniform Parentage Act legalizes commercial gestational and genetic surrogacy. The Act outlines a process for obtaining pre-birth parentage orders in cases of gestational surrogacy, and does not specify a separate process for genetic surrogacy contracts.

Donor Conception and IVF:

Donor-Conception: As of 2025, Oregon is one of only two states to ban donor anonymity. The state requires gamete banks and fertility clinics to maintain donor registries and to provide identifying information to the children of donors upon request once they have turned 18. Oregon does not have any statute or case law addressing donation frequency or compensation. Under Oregon law, parentage is automatically granted to the unrelated spouse in cases of donor conception, and the child’s birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Oregon does not have laws or case law that redefine infertility to include “social infertility” or establish a “right” to IVF.

Marriage:

Natural Marriage: Oregon has strong constitutional language recognizing natural marriage (marriage between one man and one woman). However, in 2023, the state updated their marriage statutes to favor same-sex marriages.

Divorce: Oregon is a true no-fault state, meaning that it does not accept fault-based grounds for divorce. There is no mandatory waiting period, and requirements for parental education on the impact of divorce on children vary by county.



STATE: PENNSYLVANIA



At a glance:

Parentage: Poor

Surrogacy: Poor

Donor Conception/IVF: Fair

Marriage: Fair

Overall Grade: C

Ranking: 30

Parentage

Mother-Father Language: Pennsylvania parentage law maintains language that refers to mothers and fathers, recognizing the biological reality that every child naturally has a mother and a father.

Intent-based parentage: Pennsylvania does not have a statute allowing intent-based parentage, but in 2025, the state Supreme Court created a category of intent-based parentage in *Glover v. Junior*, granting parenting rights to a mother's former same-sex partner on the basis of the individual's intent to parent the child, despite the lack of genetic relationship, marriage, or parenting agreement.

Polyparenting: Pennsylvania does not have statutes or case law redefining the family to allow more than two parents. A third-party who stands in loco parentis to a child may file for legal or physical custody.

Surrogacy:

Surrogacy: Pennsylvania does not currently have any statutes addressing surrogacy. An unpublished Supreme Court case upheld a commercial gestational surrogacy contract, and pre-birth parentage orders are generally granted, but it varies by county and judge.

Donor Conception:

Donor-Conception: Pennsylvania does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors—meaning that Pennsylvania allows the industry to operate without any state regulations limiting or banning the intentional selling of parental rights through gamete donation.

Redefinition of infertility and right to IVF: Pennsylvania does not have laws or case law that redefine infertility to include “social infertility” or establish a “right” to IVF.

Marriage:

Natural Marriage: Pennsylvania has statutory language recognizing natural marriage (marriage between one man and one woman). However, there is no constitutional language recognizing natural marriage.

Divorce: Pennsylvania allows no-fault divorce, but still recognizes fault-based grounds. There is no mandatory six-month waiting period (the wait time is 90 days). The state does not require parental education on the impact of divorce on children, but it may be required in some counties.



STATE: RHODE ISLAND



At a glance:

Parentage: Poor

Surrogacy: Very Poor

Donor Conception/IVF: Poor

Marriage: Poor

Overall Grade: **D**

Ranking: 41

Parentage:

Mother-Father Language: With a few exceptions, Rhode Island parentage law generally replaces terms like “mother” and “father” with gender-neutral language. In other words, Rhode Island law generally denies the biological reality that every child naturally has a mother and a father.

Intent-based parentage: Rhode Island parentage law establishes a category of parentage on the basis of intent in the context of assisted reproduction.

Polyparenting: Rhode Island does not have statute or case law redefining the family to allow more than two parents.

Surrogacy:

Surrogacy: The Rhode Island Parentage Act legalizes commercial gestational surrogacy and provides a process for obtaining a pre-birth order. The Act also allows genetic surrogacy, but only when the surrogate mother is related to a commissioning parent.

Donor Conception and IVF:

Donor-Conception: Under RI Gen L § 15-8.1-904, donor-conceived individuals may request identifying information about their donor upon turning 18, unless the donor has specifically opted out of having their identity disclosed. Unfortunately, with this carveout, the law does more to protect donor anonymity than to ban it. Rhode Island does not have statute or case law addressing donation frequency or compensation. Rhode Island law automatically grants parentage to an unrelated “intended parent” in cases of donor conception, and the child’s birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Rhode Island does not have laws or case law that redefine infertility to include “social infertility” or establish a “right” to IVF.

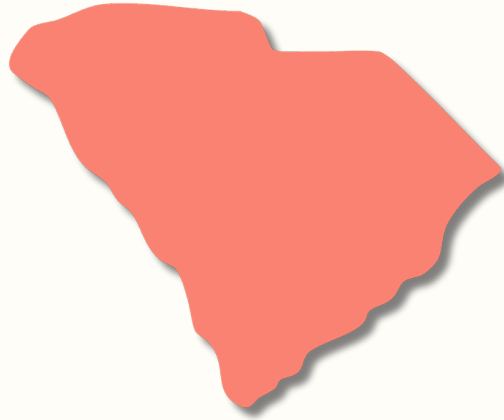
Marriage:

Natural Marriage: Rhode Island does not recognize natural marriage (marriage between one man and one woman) by statute or in its Constitution as the only marriage arrangement. Rhode Island has also legitimized same sex marriage by statute.

Divorce: Rhode Island allows no-fault divorce, but also recognizes fault-based grounds. There is no mandatory waiting period, and no parental education requirements regarding the impact of divorce on children.



STATE: SOUTH CAROLINA



At a glance:

Parentage: Very Good

Surrogacy: Fair

Donor Conception/IVF: Fair

Marriage: Fair

Overall Grade: B-

Ranking: 6

Parentage:

Mother-Father Language: South Carolina parentage law maintains language that refers to mothers and fathers.

Intent-based parentage: South Carolina does not have law or case law that establishes parentage on the basis of “intent.”

Polyparenting: South Carolina does not have laws or case law redefining the family to allow more than two parents.

Surrogacy:

Surrogacy: South Carolina does not have any statutes or case law addressing surrogacy. A 2003 Supreme Court case addressed the insurance status of a child conceived via surrogacy and whether she was the “natural born child” of the commissioning parents, but did not directly address the question of whether surrogacy is in line with public policy, leaving surrogacy to continue to operate in a legal grey area. Pre-birth orders are generally granted.

Donor Conception and IVF:

Donor-Conception: South Carolina does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors.

Redefinition of infertility and right to IVF: South Carolina does not have laws or case law that redefine infertility to include “social infertility” or establish a “right” to IVF.

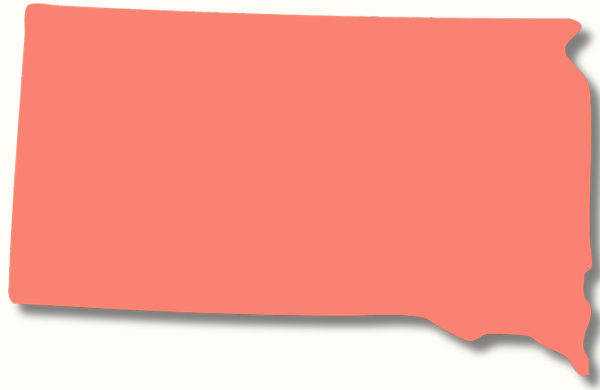
Marriage:

Natural Marriage: South Carolina’s Constitution recognizes natural marriage. South Carolina does not explicitly recognize natural marriage in its statutes as the only marriage arrangement. However, husband and wife language is used in the statutes. South Carolina has not legitimized same sex marriage.

Divorce: South Carolina law allows no-fault divorce, but also recognizes fault-based grounds. No-fault divorces require a one-year period of separation before filing. There is no mandatory wait time for fault-based divorce. South Carolina does not have a state-wide parental education requirement regarding the effects of divorce on children.



STATE: SOUTH DAKOTA



At a glance:

Parentage: Very Good

Surrogacy: Fair

Donor Conception/IVF: Fair

Marriage: Fair

Overall Grade: B-

Ranking: 7

Parentage:

Mother-Father Language: South Dakota parentage law maintains language that refers to mothers and fathers.

Intent-based parentage: South Dakota does not have law or case law that establishes parentage on the basis of "intent."

Polyparenting: South Dakota does not have laws or case law redefining the family to allow more than two parents.

Surrogacy

Surrogacy: South Dakota does not have any statute or case law addressing gestational or genetic surrogacy. Pre-birth orders are generally granted.

Donor Conception and IVF:

Donor-Conception: South Dakota does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors.

Redefinition of infertility and right to IVF: South Dakota does not have laws or case law that redefine infertility to include "social infertility" or establish a "right" to IVF.

Marriage

Natural Marriage: South Dakota has both constitutional and statutory language recognizing natural marriage (marriage between one man and one woman) as the only valid marriage arrangement. South Dakota has not legitimized same sex marriage.

Divorce: South Dakota allows no-fault divorce, but still recognizes fault-based grounds. The state does not require a six-month waiting period before filing or finalizing a divorce (the waiting period is 60 days). Parental education on the impact of divorce on children is required in cases involving child custody or parenting time, but this may be waived by the court "with good cause."



STATE: TENNESSEE



At a glance:

Parentage: Very Good

Surrogacy: Fair

Donor Conception/IVF: Poor

Marriage: Fair

Overall Grade: B-

Ranking: 9

Parentage:

Mother-Father Language: Tennessee parentage law maintains language that refers to mothers and fathers.

Intent-based parentage: Tennessee does not have law or case law that establishes parentage on the basis of “intent.”

Polyparenting: Tennessee does not have laws or case law redefining the family to allow more than two parents.

Surrogacy:

Surrogacy: Tennessee statute defines surrogacy, but it neither classifies it as legal nor illegal. Pre-birth orders are generally granted if at least one commissioning parent is genetically related to the child.¹

Donor Conception and IVF:

Donor-Conception: Tennessee does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Under Tennessee law, parentage is automatically granted to the mother’s husband in cases of donor conception, and the child’s birth certificate will not reflect their true parentage.²

Redefinition of infertility and right to IVF: Tennessee does not redefine infertility to include “social infertility”, but in 2025, the state passed a law declaring IVF to be a “right”, creating potential challenges for future child-protective regulations on the fertility industry.

Marriage

Natural Marriage: Tennessee has both constitutional and statutory language recognizing natural marriage (marriage between one man and one woman) as the only valid marriage arrangement. Tennessee has not legitimized same sex marriage.

Divorce: Tennessee allows no-fault divorce, but still recognizes fault-based grounds. The state does not require a six-month waiting period before filing or finalizing a divorce (the wait time is 60 days without children and 90 days for divorcing couples with minor children). Parental education on the impact of divorce on children is mandatory for all divorcing parents entering into a parenting plan, but the divorce cannot be denied if one party fails to attend the class, and the requirement may be waived by the court “for good cause.”



STATE: TEXAS



At a glance:

Parentage: Fair

Surrogacy: Poor

Donor Conception/IVF: Fair

Marriage: Fair

Overall Grade: C

Ranking: 29

Parentage:

Mother-Father Language: Texas parentage law maintains language that refers to mothers and fathers.

Intent-based parentage: Under Texas surrogacy law, parentage may be established on the basis of intent.

Polyparenting: Texas does not have statute or case law redefining the family to allow more than two parents.

Surrogacy:

Surrogacy: Texas statute allows gestational surrogacy under specific circumstances (medical inability to carry a pregnancy). Under this statute, pre-birth orders are granted. The state does not have statute or case law addressing genetic surrogacy.

Donor Conception and IVF:

Donor-Conception: Texas does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Under Texas law, parentage is automatically granted to the mother's husband in cases of donor conception, and the child's birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Texas does not have laws or case law that redefine infertility to include "social infertility" or establish a "right" to IVF.

Marriage:

Natural Marriage: Texas has strong constitutional language recognizing natural marriage (marriage between one man and one woman), and their marriage statutes also recognize natural marriage.

Divorce: Texas allows no-fault divorce, but still accepts fault-based grounds. The state does not require a six-month waiting period before filing or finalizing a divorce (the wait time is 60 days). Under Texas statute, the court may require parental education on the impact of divorce on children, but it is not mandatory in all cases.



STATE: UTAH



At a glance:
Parentage: Fair
Surrogacy: Poor
Donor Conception/IVF: Poor
Marriage: Fair

Overall Grade: C

Ranking: 31

Parentage:

Mother-Father Language: Utah parentage law maintains language that refers to mothers and fathers.

Intent-based parentage: UT Code § 78B-15-807 establishes parentage on the basis of intent if a surrogacy agreement has been validated.

Polyparenting: Utah does not have laws or case law redefining the family to allow more than two parents.

Surrogacy:

Surrogacy: Surrogacy is legal under the Utah Uniform Parentage Act, which also provides a process for obtaining a pre-birth order. In 2019, prior to the adoption of the Uniform Parentage Act, the Utah Supreme Court held that a previous statute limiting surrogacy to instances in which the commissioning mother was medically unable to carry a pregnancy was unconstitutional because it excluded same-sex couples. Utah does not have statute or case law addressing genetic surrogacy.

Donor Conception and IVF:

Donor-Conception: Under Utah Code 85-1-708, donor-conceived individuals may access non-identifying medical history of their genetic parents upon turning 18. Otherwise, the donor's request to remain anonymous shall be given full deference. Unfortunately, with this carveout, the law does more to protect donor anonymity than to ban it. Utah does not have statute or case law addressing donation frequency or compensation. Under Utah law, parentage is automatically granted to the mother's husband in cases of donor conception, and the child's birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Utah does not have laws or case law that redefine infertility to include "social infertility" or establish a "right" to IVF.

Marriage:

Natural Marriage: Utah has both constitutional and statutory language recognizing natural marriage (marriage between one man and one woman) as the only valid marriage arrangement. Utah has not legitimized same sex marriage.

Divorce: Utah allows no-fault divorce, but still recognizes fault-based grounds. The state does not require a waiting period of six months prior to filing or finalizing a divorce (the wait time is 30 days). All divorcing parents are required to take a parental education course on the impact of divorce on children, although the court may waive this requirement.



STATE: VERMONT



At a glance:

Parentage: Very Poor

Surrogacy: Very Poor

Donor Conception/IVF: Poor

Marriage: Fair

Overall Grade: D-

Ranking: 46

Parentage:

Mother-Father Language: With a few exceptions, Vermont parentage law generally replaces terms like “mother” and “father” with gender-neutral language.

Intent-based parentage: Under Vermont’s surrogacy law, parentage may be established on the basis of intent in the context of surrogacy.

Polyparenting: Vermont statute allows the courts to grant parental status to more than two adults if it is determined to be in the child’s best interest.

Surrogacy:

Surrogacy: Vermont statute allows gestational surrogacy agreements, as well as genetic surrogacy agreements when the surrogate mother is related to one of the commissioning parents. The statute provides a process for obtaining pre-birth parentage orders and does not specify a different process in cases of genetic surrogacy for a family member.

Donor Conception and IVF:

Donor-Conception: Vermont does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Under Vermont law, parentage is automatically granted to the unrelated spouse in cases of donor conception, and the child’s birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Vermont does not have laws or case law that redefine infertility to include “social infertility” or establish a “right” to IVF.

Marriage:

Natural Marriage: Vermont does not have constitutional language or statutes recognizing natural marriage (marriage between one man and one woman) as the only marriage arrangement. The state’s statutes removed husband and wife language and now define marriage as a union between two people. However, Vermont has not constitutionally legitimized same sex marriage.

Divorce: Vermont allows no-fault divorce, but also recognizes fault-based grounds. A no-fault divorce requires a six-month period of separation before a divorce can be initiated, and a 90-day period before a decree for divorce can be finalized. Parental education on the impact of divorce on children is required by the courts.



STATE: VIRGINIA

At a glance:

Parentage: Very Good

Surrogacy: Poor

Donor Conception/IVF: Poor

Marriage: Fair



Overall Grade: **B-**

Ranking: 19

Parentage:

Mother-Father Language: Virginia parentage law maintains language that refers to mothers and fathers.

Intent-based parentage: While Virginia allows surrogacy, it requires that commissioning parents undergo a home study, meet the “standard of fitness applicable to adoptive parents”, and that there is a genetic relationship between the child and at least one commissioning parent, thus meeting a higher standard for establishing a parent-child relationship than mere intent.

Polyparenting: Virginia does not have laws or case law redefining the family to allow more than two parents.

Surrogacy:

Surrogacy: Virginia law allows surrogacy, but limits it to instances of medical infertility and prohibits payment beyond medical and pregnancy-related expenses. Genetic surrogacy is allowed, but a genetic surrogate may terminate the contract within 180 days of assisted reproduction. Virginia is the only state to ban surrogacy brokers.

Donor Conception and IVF:

Donor-Conception: Virginia does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Under Virginia law, parentage is automatically granted to the unrelated spouse in cases of donor conception, and the child’s birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Virginia redefines infertility to include “a person’s inability to reproduce either as a single individual or with such person’s partner without medical intervention.” The state does not have any statute or case law declaring IVF to be a “right”, but it does mandate insurance coverage.

Marriage:

Natural Marriage: Virginia’s Constitution recognizes natural marriage (marriage between one man and one woman). However, Virginia does not have statutory language recognizing natural marriage as the only marriage arrangement. While Virginia has not constitutionally legitimized same sex marriage, the state’s statutes have removed husband and wife language. The statutes now state that marriage shall not be denied to two willing parties.

Divorce: Virginia allows no-fault divorce, but still recognizes fault-based grounds. A six-month period of separation is required before filing a no-fault divorce in cases without minor children, and a 12-month period when there is a minor child involved. This wait time is not required for fault-based divorce. Parental education on the impact of divorce on children is required in all cases involving contested child custody, child support, or visitation.



STATE: WASHINGTON



At a glance:

Parentage: Very Poor

Surrogacy: Very Poor

Donor Conception/IVF: Poor

Marriage: Poor

Overall Grade: F

Ranking: 49

Parentage:

Mother-Father Language: Washington parentage law generally replaces terms like “mother” and “father” with gender-neutral language.

Intent-based parentage: Under the Washington Uniform Parentage Act, parentage may be established on the basis of intent.

Polyparenting: Under the Washington Uniform Parentage Act, more than two adults may be legally determined to be a child’s parents if the court deems it to be in the child’s best interest to do so.

Surrogacy:

Surrogacy: The Washington Uniform Parentage Act legalizes both gestational and genetic commercial surrogacy. The Act outlines a process for obtaining pre-birth orders in cases of gestational surrogacy. A genetic surrogate mother may terminate the agreement up to 48 hours after birth.

Donor Conception and IVF:

Donor-Conception: Washington requires gamete banks and fertility clinics to make a good faith effort to provide donor-conceived individuals with identifying information about their genetic parents upon request once the individual has turned 18, unless the donor has signed a declaration stating they do not wish to have their identity disclosed. Unfortunately, with this carveout, the law does more to protect donor anonymity than to ban it. Washington does not have statute or case law addressing donation frequency or compensation. Washington law automatically grants parentage to an unrelated “intended parent” in cases of donor conception, and the child’s birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Washington does not have laws or case law that redefine infertility to include “social infertility”. Under Washington law, “reproductive healthcare services”, including assisted reproduction, are considered “protected healthcare.”

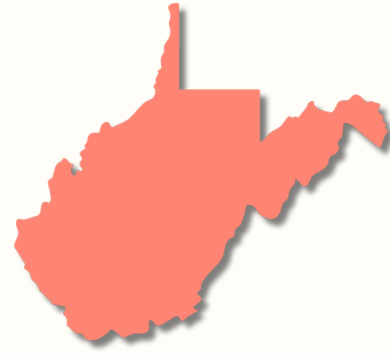
Marriage:

Natural Marriage: Washington does not have constitutional language or statutes recognizing natural marriage (marriage between one man and one woman) as the only marriage arrangement. The state’s statutes removed husband and wife language and now define marriage as a union between two people. However, Washington has not constitutionally legitimized same sex marriage.

Divorce: Washington is a true no-fault state, meaning that it does not accept fault-based grounds for divorce. The state does not require a six-month waiting period before initiating or finalizing a divorce (the waiting period is 90 days). Parental education on the impact of divorce on children is required.



STATE: WEST VIRGINIA



At a glance:

Parentage: Very Good

Surrogacy: Fair

Donor Conception/IVF: Poor

Marriage: Fair

Overall Grade: B-

Ranking: 12

Parentage:

Mother-Father Language: West Virginia parentage law maintains language that refers to mothers and fathers.

Intent-based parentage: West Virginia does not have law or case law that establishes parentage on the basis of “intent.”

Polyparenting: While West Virginia parentage laws do not explicitly state that a child can only have two parents, they are written in a way that assumes two parents and frequently refers to father and mother.

Surrogacy:

Surrogacy: West Virginia statute does not provide a framework for surrogacy, but its law prohibiting the sale of children states that surrogacy is not considered baby selling, and does not specify gestational or genetic surrogacy. Pre-birth orders are generally granted.

Donor Conception and IVF:

Donor-Conception: West Virginia does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. West Virginia law automatically grants parentage to an unrelated “intended parent” in cases of donor conception, and the child’s birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: West Virginia does not have laws or case law that redefine infertility to include “social infertility” or establish a “right” to IVF.

Marriage:

Natural Marriage: West Virginia has statutory language recognizing natural marriage (marriage between one man and one woman). However, there is no constitutional language recognizing natural marriage.

Divorce: West Virginia allows no-fault divorce, but also recognizes fault-based grounds. There is no mandatory waiting period before filing or finalizing a divorce. Parental education on the impact of divorce on children is mandatory, unless the judge makes special findings that it is not necessary.



STATE: WISCONSIN



At a glance:

Parentage: Very Good

Surrogacy: Poor

Donor Conception/IVF: Fair

Marriage: Fair

Overall Grade: B-

Ranking: 18

Parentage:

Mother-Father Language: Wisconsin parentage law maintains language that refers to mothers and fathers.

Intent-based parentage: Wisconsin does not have law or case law that establishes parentage on the basis of "intent."

Polyparenting: Wisconsin does not have laws or case law redefining the family to allow more than two parents.

Surrogacy:

Surrogacy: In 2013, the Wisconsin Supreme Court upheld a genetic surrogacy contract, implicitly endorsing gestational surrogacy, as well. Wisconsin statute does not expressly legalize gestational or genetic surrogacy, but the statute dealing with vital records outlines the process of listing the surrogate and then the commissioning parents on a child's birth certificate. Pre-birth parentage orders can be obtained, but a post-birth order is necessary once the child is born.

Donor Conception and IVF:

Donor-Conception: Wisconsin does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Under Wisconsin law, parentage is automatically granted to the mother's husband in cases of donor conception, and the child's birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Wisconsin does not have laws or case law that redefine infertility to include "social infertility" or establish a "right" to IVF.

Marriage:

Natural Marriage: Wisconsin has both constitutional and statutory language recognizing natural marriage (marriage between one man and one woman) as the only valid marriage arrangement. Wisconsin has not legitimized same sex marriage. Natural marriage protects a child's relationship with the two adults from whom he came.

Divorce: Wisconsin is considered a true no-fault state, meaning that it does not accept fault-based grounds for divorce. The state does not require a six-month waiting period before filing or finalizing a divorce (the waiting period is 120 days). Parental education on the impact of divorce on children may be ordered by the court, but it is not mandatory in all cases.



STATE: WYOMING

At a glance:
Parentage: Fair
Surrogacy: Good
Donor Conception/IVF: Fair
Marriage: Fair

Overall Grade: **C+**

Ranking: 22

Parentage:

Mother-Father Language: Wyoming parentage law maintains language that refers to mothers and fathers.

Intent-based parentage: Wyoming allows paternity to be established on the basis of intent in the context of assisted reproduction.

Polyparenting: Wyoming does not have laws or case law redefining the family to allow more than two parents.

Surrogacy:

Surrogacy: Under WY Stat § 14-2-403, Wyoming neither authorizes nor prohibits surrogacy, and surrogacy agreements are unenforceable under state statute. However, WY Stat § 35-1-410 outlines how vital records should record the birth of a child born via surrogacy and grants parentage to intended parents.

Donor Conception and IVF:

Donor-Conception: Wyoming does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors. Under Wyoming law, parentage is automatically granted to the mother's husband in cases of donor conception, and the child's birth certificate will not reflect their true parentage.

Redefinition of infertility and right to IVF: Wyoming does not have laws or case law that redefine infertility to include "social infertility" or establish a "right" to IVF.

Marriage:

Natural Marriage: Wyoming has statutory language recognizing natural marriage (marriage between one man and one woman). However, there is no constitutional language recognizing natural marriage.

Divorce: Wyoming is considered a true no-fault state, meaning that it does not recognize fault-based grounds. The state does not require a waiting period of six months prior to filing or finalizing a divorce (wait time is 20 days). Parental education on the impact of divorce on children may be required by the courts, but is not mandatory in all cases.

