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Protecting Families: Standards for Child Custody in Same-Sex Relationships with an Introduction by William B. Rubenstein-Editor's Note

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## EDITORS' NOTE

### **PROTECTING FAMILIES: STANDARDS FOR CHILD CUSTODY IN SAME-SEX RELATIONSHIPS WITH AN INTRODUCTION BY WILLIAM B. RUBENSTEIN**

Lily C. Wong

Family court judges are increasingly faced with child custody issues involving familial arrangements that do not fit within the traditional two opposite-sex parent family model. As with a traditional family, a nontraditional family with children must confront child custody and visitation issues when the couple's relationship disintegrates. In so doing, however, a nontraditional family also must deal with a legal system ill-equipped to handle the complex issues that arise when a family is comprised of a same-sex couple raising a child or, for instance, two lesbians coparenting with a gay male sperm donor.

Gay & Lesbian Advocates & Defenders (GLAD) has stepped into the void created by the legal system's inability to deal effectively with the issues raised by nontraditional families upon dissolution. In collaboration with a number of lawyers, mediators, social workers, parents, and organizations dedicated to same-sex rights, GLAD has authored a list of standards intended as a tool to help nontraditional families maintain the status quo for their children. GLAD's guidelines aim to help families whose ties are not defined by biology, adoption, or marriage to act in the best interest of the children upon breakup.

GLAD's work creates an opportunity for reflection on the legal situation of same-sex couples and their children at the millennium. UCLA Law Professor William Rubenstein offers an introduction to GLAD's standards. Professor Rubenstein's introduction situates GLAD's recommendations in an historical

and legal context. Further, his introduction assesses the strengths and weaknesses of GLAD's efforts and of the proposed standards.