



## Summary of Expert Testimony from the Gill Adoption Trial

This document summarizes the expert testimony presented at trial by counsel for Martin Gill and counsel for John Doe and James Doe. Mr. Gill is a gay Miami man who is seeking to adopt John and James Doe, two young children he and his partner have been fostering for four years. In order for these adoptions to go forward, Gill and the children had to challenge the constitutionality of Florida's law that automatically bans adoption by gay people. That involved presenting expert testimony on the harm the ban causes to children such as John and James Doe, the scientific research on the well-being of children raised by gay and lesbian parents, as well as expert testimony refuting the asserted rationales for the exclusion offered by the State and its expert witnesses. Below is a summary of the expert testimony presented by Gill and the children's expert witnesses.

### ***Expert Testimony About The Harm The Gay Exclusion Visits upon The Children In This Case: Dr. David Brodzinsky***

Dr. David Brodzinsky, a clinical and developmental psychologist, evaluated the family over a two day period. The undisputed testimony of Dr. Brodzinsky was that John Doe and James Doe are very strongly and securely attached to Martin and Tom Roe, Sr. as parents, and Tom Roe, Jr. as a sibling.

Dr. Brodzinsky further testified that being removed from this family would be "emotionally devastating" for John Doe and James Doe and would cause them long-term damage.

Dr. Brodzinsky explained:

For James Doe, it's the only home he's ever known. Not only are these his parents in every sense of the word . . . , he's very emotionally bonded, connected, attached to them. Disrupted attachments raise the risk, significantly, for all sorts of long-term problems.

For John Doe, he's a child who came into the family with a risk history already, previous disrupt[ed] placements. To remove him at this time, when he has stability in his life, residential stability and emotional stability, would be devastating to him. In my opinion, it would cause long-term damage.

Dr. Brodzinsky testified that the long-term damage that could result were John Doe to be separated from Martin and Tom Roe Sr. includes academic problems, depression, anxiety, trust issues, and difficulty forming bonds.



Dr. Brodzinsky concluded that it is in the best interest of the children to be adopted by Martin and to remain in this family.

***Testimony about the scientific research on the well-being of children raised by gay parents: Dr. Michael Lamb***

The expert testimony showed that over 40 years of scientific research in the field of child development has established that the predictors of children's healthy adjustment are: i) the quality of the child's relationship with the parent(s) —a relationship characterized by warmth, closeness, and parental sensitivity and commitment promotes healthy adjustment; ii) the quality of the relationship between the parents (if there are two)—harmonious relationships support healthy adjustment of children while significant conflict impedes it; and iii) adequate resources. This is widely recognized among child development researchers and a topic about which there is consensus in the field.

The scientific research also shows that these same three factors correlate with children's adjustment in all sorts of family forms. If the quality of the parent-child relationships is good, the relationship between the parents is harmonious (if there are two), and there are adequate resources, children develop equally well in a range of "non-traditional" family environments, e.g., divorced families, single parent families, families with employed mothers and stay at home fathers, and families in which children spend time in day care. This is widely accepted among child development researchers and a matter of consensus within the field.

Thus, before the commencement of scientific research studying children of gay parents, there was no basis to start with the assumption that being raised by gay parents would have adverse effects on children.

When researchers did study gay parents and their children, they consistently found that gay people do not differ from heterosexuals in terms of the quality of their parenting and that children raised by gay parents are just as well adjusted psychologically, socially and academically as children raised by heterosexual parents.

Numerous studies of gay parent families have been conducted by various well-respected developmental psychologists since the 1970s. This body of research includes studies that compare children raised since birth in same-sex and married heterosexual couple families, studies of subjects drawn from representative samples, longitudinal studies following subjects over a period of time, and some studies of families with gay adoptive parents.

The findings were uniform; not a single one of these studies found an elevated rate of adjustment problems among children raised by gay parents.



That being raised by gay parents has no adverse impact on children’s healthy adjustment is a topic of consensus within all of the professional fields dedicated to children’s health and welfare—psychology, psychiatry, pediatrics, social work and child welfare. The major national professional associations in those fields, including the American Psychological Association, the American Psychiatric Association, the American Academy of Pediatrics, the National Association of Social Workers and the Child Welfare League of America, have taken public positions against restrictions on placing children with gay parents.

*Testimony Rebutting the Various Justifications  
The State Offered In Support of the Ban*

**Psychiatric disorders / Substance Abuse – Dr. Susan Cochran**

Experts for the state testified that higher rates of psychiatric disorders such as depression, anxiety and substance abuse within the gay community justify categorically banning all gay people from adopting.

Dr. Cochran testified that there are disparities in rates of psychiatric disorders across various demographic lines. While gay people as a group suffer a somewhat higher rate of psychiatric disorders than the general population, there are other demographic characteristics such as ethnicity and income that correlate with similar or higher rates of psychiatric disorders yet those groups aren’t excluded from adopting.

There are people who abuse drugs or have other psychiatric disorders in every demographic group. That’s why all adoption applicants are individually screened as opposed to judged based on the demographic groups they are part of.

Homosexuality itself isn’t considered a mental disorder by the psychiatric profession.

**Relationship instability – Dr. Anne Peplau**

Experts for the state argued that gay couples have unstable relationships.

Dr. Peplau testified that many same-sex couples have stable, enduring relationships.

Some people in all groups—including gay people and heterosexuals—have stable relationships and some don’t (as evidenced by the high divorce rate).

Relationship breakup rates vary across demographic groups. Other demographic characteristics that are not excluded from adopting have higher correlations with relationship break ups than sexual orientation.



The same factors that predict breakups among heterosexual couples predict breakups among same-sex couples; thus, couple stability can be evaluated as effectively for gay couples as for heterosexual couples.

#### Domestic violence- Dr. Anne Peplau

An expert for the state argued that gay people are more prone to domestic violence.

Dr. Peplau testified that there is no basis for saying this and that, in fact, studies show that the highest rate of domestic violence is experienced by women in heterosexual relationships and that the rates for people in same-sex couples and men in heterosexual relationships are all lower.

#### **The sexual orientation of the children – Dr. Frederick Berlin**

Experts for the state argued that having gay parents could make children gay.

Dr. Berlin testified that the sexual orientation of parents doesn't determine the sexual orientation of their children. The overwhelming majority of gay people were raised by heterosexual parents and the overwhelming majority of children raised by gay parents are heterosexual. Scientific research has found no differences in the rates of those who identified as gay among those raised by gay and heterosexual parents.

Placing children for adoption with gay parents does not cause them to become gay. There is no evidence that being raised by a gay parent might make a child develop same-sex attractions.

#### **Stigma – Dr. Michael Lamb**

An expert for the state argued that the societal discrimination that gay people suffer is a reason to discriminate against gay people when it comes to adoption. He argued that societal prejudice against gay parents would adversely affect children raised by gay parents.

However, Dr. Lamb testified that research on gay parent families uniformly found that the healthy development of children raised by gay parents isn't harmed by societal prejudice against their parents. Children of gay parents fare just as well as children of heterosexuals in social development and peer relationships.

Research also shows that children can experience negative peer reactions to all sorts of things about them or their families that are perceived as differences, e.g. their parents' ethnic background or appearance, and that children of gay parents are no more likely than other children to experience peer rejection or teasing.



**The “kids need a mother and a father” argument – Dr. Michael Lamb**

The State’s lawyers argued that children develop best when they have a mother and a father, although they presented no expert testimony to support this view.

Dr. Michael Lamb testified that the research confirms that children of same-sex couples develop just as well as children of married heterosexual couples, and that men and women have equal capacity to be good parents.

While research shows that children in two-parent families are more likely to be well-adjusted than children raised in single-parent families, it also shows that this disparity is about the number of parents, not the gender of the parents.