

House Judiciary Committee
124 North Capitol Avenue
Lansing, MI 48933

Dear Chair Breen, Vice Chair Edwards, Vice Chair Fink, and members of the committee,

I write this letter in strong support of the Michigan Family Protection Act..

The Michigan Family Protection Act will comprehensively update Michigan's parentage laws, ensuring that all children have equal access to the security of a legal parent-child relationship, regardless of the circumstances of the child's birth or the marital status, gender, or sexual orientation of their parents. A child's parental relationship is the foundation of their healthy development and well-being over a lifetime, and Michigan law must respect and protect all children.

Michigan has not updated its parentage statutes for a generation, and this leaves our children vulnerable to many harms, including family separation. Michigan courts have tried to keep pace through the case law, but they need guidance and comprehensive policy to ensure that these core protections are codified in our statutes.

This bill is important to me because I am a mother through surrogacy.

Born and raised in Flint, Michigan, I am now a London-based journalist. For me to expand my family, we needed to use surrogacy, as I have unexplained infertility. Because I am a resident of Michigan, I wished to work with a surrogate in the state, but I was unable to because of the 1988 Surrogate Parenting Act, which makes it illegal to do a surrogacy contract in Michigan. It also means that the law remains unclear as to who will legally be considered the child's parents upon birth—some judges rule it should be the surrogate, who often has no genetic connection to the child. That means that the genetic parents have to adopt their own biological child from the surrogate.

Because surrogacy contracts are not legal in Michigan, I made the choice to work with a surrogate in Illinois, where the laws are clear. The moment my twins came into the world, the state of Illinois recognized that their father and I were the legal parents of our children. After all that we went through, to have to suffer the trauma of not being considered the parents of our children seemed shocking and cruel.

Currently, our statutes do not adequately protect all children born through fertility treatments like surrogacy. We need comprehensive protections securing the relationship between the intended parents and their children, and we need clarity that gamete donors are not parents. Best-practice guidance is long overdue.

Based on the Uniform Parentage Act of 2017, the Michigan Family Protection Act has been thoughtfully crafted by leading experts in parentage law to meet the needs of children and families. The bill will ensure that the Great Lakes state parentage laws remain constitutional, reflect best practices, and protect all children in our state.

I hope you will report the Michigan Family Protection Act favorably out of committee. Thank you so much for your consideration, and please do not hesitate to contact me for any additional information.

Sincerely,

Virginia (Ginanne) Brownell

3655 Pilgrim Highway, Frankfort, Michigan 49635 and 25 Westbere Road, London, NW2 3SP,
United Kingdom

gbrownell@gmail.com