



FACT SHEET

What is the Every Child Deserves a Family Act (ECDF)?

- **EDCF Defined:** ECDF is a federal bill that opens up more homes for foster youth by restricting federal funding for states employing discriminatory practices in adoption and foster care placements based on sexual orientation, gender identity, or marital status or the sexual orientation or gender identity of the foster youth involved.
- **Best Interests of the Child:** ECDF, a child welfare bill, promotes the best interests of the children in the foster care system by increasing their access to the safe and supportive homes of more than 2,000,000 additional LGBT people who would consider serving as foster or adoptive parents but face barriers due to existing state laws, regulations, and policies prohibiting them from doing so.
- **Model Legislation:** ECDF is modeled on existing federal laws, including the Multiethnic Placement Act of 1994 as amended in 1996 – which prohibits entities receiving federal funds from engaging in racial and ethnic discrimination when making placement decisions.

Why is ECDF Necessary?

- **Permanency for At-Risk Youth:** There are an estimated 500,000 children in the U.S. foster care system, approximately 120,000 of which are available for adoption. The current patchwork of state laws does a disservice to these children by denying them access to permanent, safe, and loving homes. In 2007, 25,000 youth “aged out” of the foster care system. Research shows that these youth are at a high risk for poverty, homelessness, incarceration, and early parenthood.
- **Children of Color:** 58% of children in foster care are children of color, while 30% of children waiting for adoption are black (compared to approximately 12% of the general population). In order for all children to find permanent, loving homes, state and local adoption agencies need access to all families and potential parents.
- **Categorical Exclusions:** Currently, Florida is the only state with a statutory ban prohibiting all LGBT people from adopting. A recent decision by a Florida State Appellate Court has deemed this state law unconstitutional, but it is unclear what the long-term impact of this ruling will be. Utah and Arkansas have laws barring individuals who live with unmarried partners (same-sex or different-sex) from adopting or fostering; an Arkansas Supreme Court ruling recently found this law unconstitutional. Arizona recently passed a law that allows foster and adoptive agencies to give preference to a married man and woman when considering a child’s placement.

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- **Lack of Clarity:** The majority of states lack non-discrimination policies and remain silent on how prospective LGBT foster and adoptive parents are to be considered. This lack of clear guidance leaves children vulnerable to the individual biases of agencies and case workers and has resulted in children being denied the benefit of being placed with qualified loving LGBT parents.

What Evidence Exists in Support of ECDF?

- **Scientific Research Supports ECDF:** More than 30 years of scientific research overwhelmingly confirms that children raised in LGBT-headed households have the same advantages and same expectations for health, social and psychological adjustment, and development as children whose parents are heterosexual.
- **LGBT Parents are Already Raising Children:** Approximately 1 million LGBT parents are already raising about 2 million children in the U.S. According to data taken from the 2000 Census, an estimated 27% of same-sex couples have at least one child under 18 living in the home. Some states already apply non-discrimination principles in their foster care and adoption practices. Currently, the majority of states allow unmarried single people to adopt, regardless of sexual orientation or gender identity, and 6 states – CA, MD, MA, NV, NJ and NY – affirmatively allow same-sex couples to adopt jointly.
- **ECDF Makes Fiscal Sense:** Increasing adoption rates, as well as establishing permanency and decreasing risk factors for youth in foster care can yield an annual cost savings of between \$3 - \$6 billion.

Who Support ECDF?

- **Major Legal, Public Health and Medical Associations Support ECDF:** Professional organizations in the fields of medicine, psychology, public health, and legal groups have taken official positions in support of the ability of qualified LGBT and unmarried couples to foster and adopt. Among these organizations are the American Psychological Association, American Bar Association, American Medical Association, and American Academy of Pediatrics.
- **Leading Child Welfare and Civil Rights Advocates Support ECDF:** A coalition of over 80 organizations from leading national education, health, civil rights and other organizations support the bill and include groups like the Child Welfare League of America, the National Association of Social Workers, North American Council on Adoptable Children, and the American Civil Liberties Union.
- **Public Opinion:** Public opinion is changing dramatically. The majority of Americans support increasing the number of foster and adoptive families by allowing LGBT-headed households to foster and adopt. 64% of Americans see a same-sex couple with children as a family, up 10% from 2003. According to research done by non-partisan Public Religion Research Institute, 6-in-10 (60%) Catholics favor allowing gay and lesbian couples to adopt children.

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