

**IN THE CIRCUIT COURT FOR THE SEVENTH JUDICIAL CIRCUIT
SANGAMON COUNTY, ILLINOIS**

CATHOLIC CHARITIES OF THE)
DIOCESE OF SPRINGFIELD-IN-ILLINOIS,)
an Illinois non-profit corporation,)
CATHOLIC CHARITIES OF THE)
DIOCESE OF PEORIA, an Illinois non-profit)
corporation, and CATHOLIC CHARITIES)
OF THE DIOCESE OF JOLIET, INC., an)
Illinois non-profit corporation,)

Plaintiffs,)

v.)

STATE OF ILLINOIS, LISA MADIGAN, in)
her official capacity as the Attorney General)
of the State of Illinois, ERWIN McEWEN, in)
his official capacity as Director of the)
Department of Children and Family Services,)
State of Illinois, and the DEPARTMENT OF)
CHILDREN AND FAMILY SERVICES,)
State of Illinois,)

Defendants.)

Case No. 11-MR-254

AFFIDAVIT OF DR. DAVID BRODZINSKY

The undersigned declares that he is an adult over the age of 18 and is competent to testify to the following matters if called as a witness:

I. Professional Qualifications

1. I received a Ph.D. in developmental psychology from the State University of New York at Buffalo in 1974, as well as additional training as a clinical psychologist during a clinical internship (approved by the American Psychological Association) at the Irving Schwartz

Institute for Children and Youth in Philadelphia from 1972 to 1974 and a post-doctoral fellowship at the same institution from 1973 to 1974.

2. I am a licensed psychologist in the states of California (#21152) and New Jersey (#2014). I also received a Certification in Advanced Studies in Child Maltreatment, with Specialization in Child Sexual Abuse from the New Jersey Child Abuse Training Institute in 2004.

3. From 1974 to 2006, I served as an assistant professor, associate professor and then full professor in the Department of Psychology at Rutgers University, where I taught undergraduate and graduate courses in developmental and clinical psychology (including the psychology of adoption and foster care), conducted research, and supervised clinical Ph.D. and Psy.D. students. Currently, I am Professor Emeritus of Clinical and Developmental Psychology at Rutgers University.

4. From 1989 to 2006, I was Director of the Rutgers Foster Care Counseling Project, a state funded training and service program focusing on the clinical needs of foster children and their families in central New Jersey. During this period, I trained over 100 doctoral level students in psychological issues in foster care and adoption and the project served over 700 foster families.

5. From 1996 to 2006, I was on the Board of Directors of the Evan B. Donaldson Adoption Institute in New York City, an internationally known non-profit organization focusing on policy analysis, research, education, and advocacy in the field of adoption. From 2006 to the present, I have served as Research Director for the Institute.

6. I have over 30 years of experience in the adoption and foster care fields as a researcher, scholar, teacher, clinician, trainer, and consultant. I have published numerous peer-

reviewed journal articles, book chapters, and six books on adoption and foster care (as well as on other topics).

7. I have been in private practice as a psychologist for 27 years. Most of my clinical work is with children and families, including several thousand families who have adopted or fostered children.

8. I have also been a practicing forensic psychologist for nearly 25 years. During this time, I have been involved in 550 to 600 cases, testifying over 100 times in 11 different states. Most of my cases involved issues related to child custody, dependency, contested adoption, wrongful adoption, child abuse, and trauma-related personal injury. Between 25 to 30 of the cases involved lesbian, gay, bisexual, transgender (“LGBT”) issues.

9. I have given hundreds of conference presentations, professional workshops, grand rounds presentations, and community lectures to mental health professionals, child welfare professionals, legal professionals, and/or the public related to adoption and foster care, both in the United States and abroad.

10. I have been a consultant to hundreds of public and private adoption agencies and child welfare agencies throughout the United States, Canada, England, Ireland, Spain, Italy, Holland, Sweden, and Norway.

11. My curriculum vitae is attached as Ex. 1.

II. Specific Qualifications Related to LGBT Adoption, Foster Care, and Parenting

12. I recently edited a book for professionals entitled, Adoption by Lesbians and Gay Men: A New Dimension in Family Diversity (Oxford University Press). It is due to be released later this month.

13. I have published two book chapters and two other research articles on adoption by lesbians and gay men. In addition, a number of my other articles on adoption also cover issues in LGBT adoption.

14. I am currently heading up a project on LGBT adoption for the Evan B. Donaldson Adoption Institute that focuses on the views, experiences, and needs of these families, as well as recommendations for best practices in this area. This project involves empirical data from over 150 lesbian and gay adoptive families across the country. Several articles will be published based on this project.

15. I have worked clinically with hundreds of LGBT families during my career, including those who have adopted or fostered children. Approximately 40% of my current practice is with LGBT families.

16. I am on the Scientific Advisory Board of the Rockway Institute in San Francisco. This Institute, which is associated with Alliant University, focuses on LGBT issues.

17. I am a clinical supervisor and consultant to the Pacific Center in Berkeley, CA, a non-profit organization serving the mental health needs of the LGBT community.

18. I have been involved in numerous court cases related to LGBT issues, both as an evaluator and as a testifying expert, including the gay marriage trial in Hawaii (*Baehr v State of Hawaii*) and several challenges to Florida's ban on adoption by same sex couples (*Amer v Johnson*; *Lofton v Department of Children and Family Services*; *In the Matter of the Adoption of JCB*; and *In the Matter of the Adoption of XG and NG*). In all of these cases, I was accepted by the court as an expert on issues related to LGBT parenting, adoption, and foster care.

19. I have made numerous presentations on issues related to LGBT parenting, adoption, and foster care to mental health professionals, child welfare professionals, and legal/judicial professionals throughout the United States, Canada, Spain, England, and Italy.

III. Opinions

Following each opinion is a list of supporting references. These references include books, peer reviewed articles, and other documents viewed by me and other experts in the field as authoritative sources of information related to adoption and foster care. In addition to the supporting documents, my opinions are also based upon over 25 years of clinical, consultation, and training experience in adoption and foster care.

20. There is no rational basis for categorically excluding lesbian and gay male individuals and couples from adopting or fostering children and, consequently, to do so is inconsistent with the best interests of children. Over a quarter century of social science research indicates that lesbian and gay male parents are as well adjusted emotionally and have similar parenting competence as their heterosexual peers. Furthermore, children growing up in same-sex headed households show no meaningful differences in their developmental outcomes compared to those boys and girls raised by heterosexual parents. These results are valid not only for lesbian and gay families with biological children but also for those with adopted children. [Although there has been no research specifically conducted on adjustment outcomes for children living in LGBT-headed foster homes, there is no reason to expect that they would differ from those children who were adopted. In fact, many of the children who are adopted by sexual minorities come from the foster care system and so are included in the research noted above.]

Selective References Supporting Opinion:

- Brodzinsky, D., Green, R.J., & Katuzny, K. (2011). Adoption by lesbians and gay men: What we know, need to know, and ought to do. In D. Brodzinsky & A. Pertman (Eds.), Adoption by lesbians and gay men: A new dimension in family diversity. New York: Oxford University Press.
- Brodzinsky, D. & Pertman, A. (2011). Adoption by lesbians and gay men: A new dimension in family diversity. New York: Oxford University Press.

- Erich, S., Leung, P., Kindle, P. & Carter, S. (2005). Gay and lesbian adoptive families: An exploratory study of family functioning, adoptive child's behavior, and familial support networks. Journal of Family Social Work, 9, 17-32.
- Farr, R., Forssell, S., & Patterson, C. (2010a). Parenting and child development in adoptive families: Does parental sexual orientation matter? Applied Developmental Science, 14, 164-178.
- Gartrell, N., Peyser, H. & Bos, H. (2011). Planned lesbian families: A review of the U.S. National Longitudinal Lesbian Family Study. In D. Brodzinsky & A. Pertman (Eds.), Adoption by lesbians and gay men: A new dimension in family diversity. New York: Oxford University Press.
- Goldberg, A. (2010). Lesbian and gay parents and their children. Washington, D.C.: American Psychological Association.
- Patterson, C.J. & Wainright, J.L. (2011). Adolescents with same-sex parents: Findings from the National Longitudinal Study of Adolescent Health. In D. Brodzinsky & A. Pertman (Eds.), Adoption by lesbians and gay men: A new dimension in family diversity. New York: Oxford University Press.
- Stacey, J. & Biblarz, T. (2001). (How) does the sexual orientation of parents matter? American Sociological Review, 66, 159-183.

21. Support for parenting, adoption and fostering by lesbian and gay male adults is reflected in the position statements on these topics of virtually all major professional organizations whose focus is the health and well-being of children and families including, but not limited to: American Medical Association, American Academy of Pediatrics, American Psychiatric Association, American Academy of Child and Adolescent Psychiatry, American Psychoanalytic Association, American Psychological Association, Association, Child Welfare League of America, National Association of Social Workers, Evan B. Donaldson Adoption Institute and the American Bar Association.

In addition, national survey research conducted by the Donaldson Adoption Institute indicates that approximately 90 percent of public agencies and 80 percent of private secular agencies in the United States accept lesbians and gay men as prospective adoptive parents, regardless of the clients' relationship status (i.e., single or partnered). Furthermore, research data

also suggest that two characteristics of agencies differentiated those accepting lesbian and gay male applicants from those that did not: the type of adoptions most often facilitated by the agency and the agency's religious affiliation. Adoption agencies, whether public or private, that primarily placed special needs children from the child welfare system were much more likely to accept adoption applications from lesbians and gay men (85%) than were private agencies that primarily placed domestically-born infants (i.e., those not placed through a state child welfare agency) (48%) or those that placed children from abroad (68%). In addition, Jewish affiliated agencies (100%) and Lutheran agencies (67%) were significantly more likely to work with sexual minorities than were Methodist (38%), Catholic (28%), Mormon (6%), Baptist (0%) or other Fundamentalist Christian (0%) affiliated agencies. Of further relevance are the data specifically from Catholic agencies. Of the 277 private agencies surveyed, 17 percent (47 agencies) reported being affiliated with Catholicism. Considering the 28 percent figure noted above, this means that 13 respondents from Catholic agencies acknowledged a willingness to accept adoption applications from lesbian and gay male individuals and couples.

Selective References Supporting Opinion:

- Brodzinsky, D. (2011). Adoption by lesbians and gay men: A national survey of adoption agency policies and practices. In D. Brodzinsky & A. Pertman (Eds.), Adoption by lesbians and gay men: A new dimension in family diversity. New York: Oxford University Press.
- Brodzinsky, D., Patterson, C.J. & Vazari, M. (2002). Adoption agency perspectives on lesbian and gay prospective parents: A national study. Adoption Quarterly, 5, 5-23.
- Brodzinsky, D. & Pertman, A. (Eds.), (2011). Adoption by lesbians and gay men: A new dimension in family diversity. New York: Oxford University Press.
- Howard, J. (2006). Expanding resources for children: Is adoption by gays and lesbians part of the answer for boys and girls who need homes? New York: Evan B. Donaldson Adoption Institute. Available online at www.adoptioninstitute.org.

- Howard, J. & Freundlich, M. (2008). Expanding resources for waiting children II: Eliminating legal and practice barriers to gay and lesbian adoption from foster care. New York: Evan B. Donaldson Adoption Institute. Available online at www.adoptioninstitute.org.
- Mallon, G.P. (2006). Lesbian and gay foster and adoptive parents: Recruiting, assessing, and supporting an untapped resource for children and youth. Washington, D.C.: Children Welfare League of America.
- Pertman, A. & Howard, J. (2011). Emerging diversity in family life: Adoption by gay and lesbian parents. In D. Brodzinsky & A. Pertman (Eds.), Adoption by lesbians and gay men: A new dimension in family diversity. New York: Oxford University Press.

22. Children's physical, psychological, social, academic, moral, and spiritual

adjustment have less to do with the type of family they grow up in (i.e., family structure) than with the quality of parenting they receive and the resources available to them. The primary factors that influence the variability in children's adjustment, regardless of their parents' sexual orientation or their parents' marital status include, but are not limited to: mental health of the parents; quality of relationship between parenting figures; parental expectations, beliefs, and style; peer relationships; educational opportunities; and resources and supports available to the family. Child welfare decision-making that categorically excludes prospective foster or adoptive parents based solely or primarily on their family structure rather than on their parenting competences, resources, and supports is inconsistent with accepted professional judgment and practices and the best interests of children.

Selected References Supporting Opinion:

- Bornstein, M.H. (2002). Handbook of parenting. Second Edition: Volumes 1-5. Mahwah, NJ: Lawrence Erlbaum Associates.
- Chan, R.W., Raboy, B. & Patterson, C.J. (1998). Psychosocial adjustment among children conceived via donor insemination by lesbian and heterosexual mothers. Child Development, 69, 443-457.

- Kiernan, K. & Mensah, F. (2009). Poverty, maternal depression, family status and children's cognitive and behavioral development in early childhood: A longitudinal study. Journal of Social Policy, 38, 569-588.
- Kiernan, K. & Mensah, F. (2010). Unmarried parenthood, family trajectories, parent and child well-being. In K. Hansen, J. Joshi, & S. Dex (Eds.), Children of the 21st century: From birth to age 5. London: Policy Press.
- Patterson, C.J. & Hastings, P.D. (2006). Socialization in the context of family diversity. In J. Grusec & P. D. Hastings (Eds.), Handbook of Socialization (pp. 328 - 352). New York: Guilford Press.
- Sullivan, A. (Ed.). (1995). Issues in gay and lesbian adoption: Proceedings of the Fourth Annual Pierce-Warwick Adoption Symposium. Washington, D.C.: Child Welfare League of America.
- Wainright, J.L., Russell, S.T., & Patterson, C.J. (2004). Psychosocial adjustment, school outcomes, and romantic relationships of adolescents with same-sex parents. Child Development, 75, 1886-1898.

23. There are over 425,000 children in foster care in the United States, 115,000 of whom have been freed for adoption but continue to linger in care because of an insufficient number of families willing or able to adopt them. Categorically excluding lesbian and gay male individuals and couples from the pool of potential adopters undermines efforts to find timely residential, psychological, and legal permanence for these boys and girls, which increases their risk for long-term psychological problems. This is especially true given that more than 50 percent of foster children are of racial minority status and/or have "special needs" (i.e., older age, members of sibling groups, and/or physical, psychological, or academic problems) and that lesbian and gay male adults very often adopt these types of children. Furthermore, given that those foster children who eventually are adopted more often are adopted by their foster parents than by others, any policy or practice that categorically excluded LGBT individuals or couples from the pool of potential foster parents would also reduce the timeliness of finding safe and nurturing homes for these children. In light of the difficulties that child welfare agencies have in recruiting, training, supporting, and retaining motivated and capable foster families for special

needs children, such a policy would be inconsistent with accepted professional judgment and practices, as well as inconsistent with the best interests of children.

Selected References Supporting Opinion:

- Brodzinsky, D. and the Staff of the Evan B. Donaldson Adoption Institute (2011). Adoption by lesbians and gay men: Their views, experiences, and needs. Unpublished article in draft form. New York: Evan B. Donaldson Adoption Institute.
- Brooks, D. & Goldberg, S. (2001). Gay and lesbian adoptive and foster care placements: Can they meet the needs of waiting children? Social Work, 46, 147-158.
- Farr, R.H. & Patterson, C.J. (2009). Transracial adoption by lesbian, gay, and heterosexual couples: Who completes transracial adoptions and with what results? Adoption Quarterly, 12, 187-2004.
- Gates, G.J., Badgett, M.V., Macomber, J.E., & Chambers, K. (2007). Adoption and foster care by gay and lesbian parents in the United States. Jointly issued by the Williams Institute (Los Angeles) and the Urban Institute (Washington, D.C.).
- Goldberg, A.E. & Smith, J.Z. (2009). Predicting non-African American lesbian and heterosexual preadoptive couples' openness to adopting an African American child. Family Relations, 58, 346-360.
- Howard, J. (2006). Expanding resources for children: Is adoption by gays and lesbians part of the answer for boys and girls who need homes? New York: Evan B. Donaldson Adoption Institute. Available online at www.adoptioninstitute.org.
- Howard, J. & Freundlich, M. (2008). Expanding resources for waiting children II: Eliminating legal and practice barriers to gay and lesbian adoption from foster care. New York: Evan B. Donaldson Adoption Institute. Available online at www.adoptioninstitute.org.
- Richardson, H.B. & Goldberg, A.E. (2010). The intersection of multiple minority identities: Perspectives of white lesbian couples adopting racial/ethnic minority children. The Australian and New Zealand Journal of Family Therapy, 31, 340-353.
- Sullivan, A. (Ed.). (1995). Issues in gay and lesbian adoption: Proceedings of the Fourth Annual Pierce-Warwick Adoption Symposium. Washington, D.C.: Child Welfare League of America.

24. Contrary to existing myths and stereotypes about lesbian and gay male adults, research indicates that they are highly motivated to parent children and, in fact, are already doing

so. For example, an estimated 27 percent of same-sex couples identified in Census 2000 have a child under 18 living in the home with them. In addition, 41 percent of lesbians and 52 percent of gay men report that they want to have children. More relevant are findings on adoption and fostering by sexual minorities. National survey data indicate that lesbians and bisexual women report more interest in the possibility of adoption compared to heterosexual women (46.2% v 32.1%) and have more often taken steps toward adopting a child (5.7% v 3.3%). [Comparable data are not available for gay men compared to heterosexual men.] In fact, there are an estimated 65,000 adopted children and 14,000 foster children already living with lesbian, gay, and bisexual parents. These figures represent four (4) percent of adopted children and three (3) percent of foster children in the United States. These families live in every state in the country and in virtually every county in the nation. Given their desire and ability to parent, and their high level of motivation to adopt and foster children, categorically excluding lesbian and gay male individuals and couples as potential adopters and foster parents is clearly inconsistent with the best interests of children, especially in light of the difficulties faced by child welfare agencies in recruiting, training, and supporting families willing to parent boys and girls with special needs.

Selective References Supporting Opinion:

- Gates, G.J., Badgett, M.V., Macomber, J.E., & Chambers, K. (2007). Adoption and foster care by gay and lesbian parents in the United States. Jointly issued by the Williams Institute (Los Angeles) and the Urban Institute (Washington, D.C.).
- Gates, G. & Ost., J. (2004). The gay and lesbian atlas. Washington, D.C.: The Urban Institute.

25. Accepted child welfare judgment and practice related to adoption and foster care emphasize the importance of matching the needs of the child with the strengths of the family. Categorically excluding lesbians and gays as potential adopters or foster parents eliminates

individuals and couples who offer unique resources and strengths for children and youth such as: their willingness to parent children of color and those with special needs (categories of children who often linger the longest in foster care); their ability to offer an LGBT-affirmative environment for older children who are questioning their sexual orientation, gender identity or gender expression; their tendency to promote a high level of egalitarianism and diversity tolerance in their children; and their interest in and support for contact with birth families. Every child entering foster care or adoption has a unique and often complicated set of needs. Finding families that can meet the full range of a child's needs can be a daunting task for child welfare professionals. Categorically eliminating lesbian and gay male individuals and couples reduces the pool of motivated and competent parents who potentially can meet the needs of these children and, consequently, is inconsistent with accepted practices in the foster care and adoption fields, as well as inconsistent with the best interests of boys and girls who continue to linger in foster care.

Categorically excluding lesbian and gay male adults as foster and adoptive parents could also undermine children's well-being if this policy resulted in subsequent placements that were in a different community from the one in which they currently resided. Such a move would disrupt children's education and social relationships, as well as the services and resources currently being received. It could also disrupt visitation and reunification efforts with the birth family. In short, accepted policy and practice in the child welfare field dictates that out-of-home placements be as least restrictive as possible and maintain continuity in the children's lives as much as possible, regardless of the new caregivers' sexual orientation or marital status.

Selective References Supporting Opinion:

- Brodzinsky, D. and the Staff of the Evan B. Donaldson Adoption Institute (2011). Adoption by lesbians and gay men: Their views, experiences, and needs.

Unpublished article in draft form. New York: Evan B. Donaldson Adoption Institute.

- Brooks, D. & Goldberg, S. (2001). Gay and lesbian adoptive and foster care placements: Can they meet the needs of waiting children? Social Work, 46, 147-158.
- Farr, R.H. & Patterson, C.J. (2009). Transracial adoption by lesbian, gay, and heterosexual couples: Who completes transracial adoptions and with what results? Adoption Quarterly, 12, 187-2004.
- Gates, G.J., Badgett, M.V., Macomber, J.E., & Chambers, K. (2007). Adoption and foster care by gay and lesbian parents in the United States. Jointly issued by the Williams Institute (Los Angeles) and the Urban Institute (Washington, D.C.).
- Goldberg, A. (2010). Lesbian and gay parents and their children. Washington, D.C.: American Psychological Association.
- Goldberg, A.E. & Smith, J.Z. (2009). Predicting non-African American lesbian and heterosexual preadoptive couples' openness to adopting an African American child. Family Relations, 58, 346-360.
- Howard, J. (2006). Expanding resources for children: Is adoption by gays and lesbians part of the answer for boys and girls who need homes? New York: Evan B. Donaldson Adoption Institute. Available online at www.adoptioninstitute.org.
- Howard, J. & Freundlich, M. (2008). Expanding resources for waiting children II: Eliminating legal and practice barriers to gay and lesbian adoption from foster care. New York: Evan B. Donaldson Adoption Institute. Available online at www.adoptioninstitute.org.
- Mallon, G.P. (2006). Lesbian and gay foster and adoptive parents: Recruiting, assessing, and supporting an untapped resource for children and youth. Washington, D.C.: Children Welfare League of America.
- Richardson, H.B. & Goldberg, A.E. (2010). The intersection of multiple minority identities: Perspectives of white lesbian couples adopting racial/ethnic minority children. The Australian and New Zealand Journal of Family Therapy, 31, 340-353.

26. Categorically excluding non-marital couples from fostering or adopting a child is also inconsistent with the needs of thousands upon thousands of children who require safe, nurturing and stable homes. This is true whether the individuals are lesbian, gay or heterosexual. Consider the common situation of an agency that makes a foster placement with a single adult, only to be confronted at some point in time with that person entering into a non-marital

relationship with another adult. Although accepted policy and practice in the child welfare field require that the other adult be assessed if the couple intend to live together, it would not be in the child's best interests to disrupt the placement simply because the couple decided not to marry or could not marry for legal reasons. Continuity and quality of care for the child far outweighs the legal status of the couple's relationship in determining his/her best interests.

Research also suggests that many unpartnered lesbians and gay men do not reveal their sexual orientation when they begin working with a child welfare agency. Should a child be placed with them and they later enter into a same-sex relationship and eventually decide to live with their partner, it would not be in the child's best interests for the agency to disrupt the placement. Once again, continuity and quality of care for the child far outweighs the sexual orientation of the foster/adoptive parents or the relationship status of the couple (co-habiting, civil union, domestic partnership, or married) in determining the child's best interests.

Selective References Supporting Opinion:

- Brodzinsky, D. & Pertman, A. (2011). Adoption by lesbians and gay men: A new dimension in family diversity. New York: Oxford University Press.
- Brodzinsky, D. and the Staff of the Evan B. Donaldson Adoption Institute (2011). Adoption by lesbians and gay men: Their views, experiences, and needs. Unpublished article in draft form. New York: Evan B. Donaldson Adoption Institute.

27. Referring LGBT clients to another agency that does not exclude sexual minorities as foster or adoptive parents is not an acceptable solution, both from a child welfare perspective or a mental health prospective, for the following reasons. First, it reduces the timeliness of placement for those children for whom the agency is already responsible, which, in turn, increases the adjustment risk for these youngsters. Second, it reinforces stigma for LGBT prospective parents, increasing their risk for internalized homophobia and potentially undermining their motivation to foster or adopt children. If this occurs, it reduces the pool of

available families for those needy children waiting for safe and stable homes. Third, in some geographical regions there might not be other agencies to which the clients could be referred. If this is the case, a referral to another agency could involve one that is at a distance, resulting in considerable travel on the part of the family and the professionals in order to meet the requirements of application, homestudy assessment, child preparation and visitation, placement, and monitoring. This barrier could undermine the motivation of prospective clients, increase their costs and those of the placing/supervising agency, and compromise the services provided by the agency. Fourth, if an agency is unwilling to work with LGBT families, but have older children in their caseload who have begun questioning their sexual orientation, gender identity or gender expression, the agency's policy sends a strong negative message to these boys and girls, potentially undermining their self-esteem and emotional well-being. This would be especially true if the child expressly requested a placement with a LGBT family, but was told that this was not possible, except through another agency. Moreover, referring the youngster to another agency in order to support their desire would require disruption to the casework services already being received. In short, the policy of categorically excluding sexual minorities from being foster or adoptive parents, but instead referring them to a "gay affirmative" agency, is not in the best interests of children.

Selective References Supporting Opinion:

- Goldberg, A. & Smith, J. (2011). Stigma, social context, and mental health: Lesbian and gay couples across the transition to adoptive parenthood. Journal of Counseling Psychology, 58, 139-150.
- Herek, G., Gillis, J., & Cogan, J. (2009). Internalized stigma among sexual minority adults: Insights from a social psychological perspective. Journal of Counseling Psychology, 56, 32-43.
- Howard, J. (2006). Expanding resources for children: Is adoption by gays and lesbians part of the answer for boys and girls who need homes? New York: Evan B.

Donaldson Adoption Institute. Available online at www.adoptioninstitute.org.

- Howard, J. & Freundlich, M. (2008). Expanding resources for waiting children II: Eliminating legal and practice barriers to gay and lesbian adoption from foster care. New York: Evan B. Donaldson Adoption Institute. Available online at www.adoptioninstitute.org.
- Pachankis, J, Goldfried, M. & Ramrattan, M. (2008). Extension of the rejection sensitivity construct to the interpersonal functioning of gay men. Journal of Consulting and Clinical Psychology, 76, 306-317.
- Woodford, M, Sheets, K., Scherrer, K., d'Eon-Blemings, R., Tenkate, I., & Addams, B. (2010). Lesbian adoptive couples: Responding to shifting identities and social relationships. Journal of Women and Social Work, 25, 278-290.

28. All agencies working with foster and adopted children must be trained in working with lesbian, gay, bisexual, transgendered and questioning (LGBTQ) youth. Because "coming out" is a process and LGBTQ youth do not always self-identify when they enter care, agencies must be prepared to understand and respond to their needs in a sensitive, respectful, and LGBTQ-affirmative manner. It is not in the best interests of these children to simply refer them to another agency when their sexual orientation or gender exploration becomes known, especially when they have been under the care of the first agency for some time. To do so could delay the timeliness of finding them a safe and nurturing environment, disrupt community ties and the services already being provided to them, and reinforce their own internalized homophobia. LGBTQ youth, especially those in foster care, are a population at significant risk for adjustment difficulties if they are not provided with a safe, supportive, and affirmative environment in which to explore issues related to their sexual orientation, gender identity, and gender expression. Consequently, agencies working with foster and adopted children must have the knowledge and motivation to create such an environment.

Selective References Supporting Opinion:

- Brodzinsky, D. and the Staff of the Evan B. Donaldson Adoption Institute (2008). Adoptive Parent Preparation Project. Phase 1: Meeting the mental health and

developmental needs of adopted children. New York: Evan B. Donaldson Adoption Institute. Available at www.adoptioninstitute.org.

- Illinois Department of Children and Family Services (2009). Procedures 302. Appendix K, Support and well-being of lesbian, bisexual, transgender and questioning (LGBTQ) youths.
- Jacobs, J. & Freundlich, M. (2006). Achieving permanency for LGBTQ youth. Child Welfare, 85, 299-316.
- Ragg, M.D., Patrick, D., & Ziefert, M. (2006). Slamming the closet door: Working with gay and lesbian youth in care. Child Welfare, 85, 243-265.
- Wilber, S., Reves, C., & Marksamer, J. (2006). The Model Standards Project: Creating inclusive systems for LGBT youth in out-of-home care. Child Welfare, 85, 133-194.

Under penalties of perjury as provided by law, pursuant to Section 1-109 of the Illinois Code of Civil Procedure, 735 Ill. Comp. Stat. 5/1-109, the undersigned hereby certifies that the statements set forth in this instrument are true and correct, except as to such matters therein stated to be on information and belief and as to such matters, the undersigned certifies as aforesaid that he verily believes the same to be true.

DATED: 7/26/11



David M. Brodzinsky