

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

APRIL DEBOER, et al,

Plaintiffs,

ED Mi No. 12-10285

-vs-

RICHARD SNYDER, et al,

Defendants.

EXPERT WITNESS REPORT OF JILL G. DETTMAN, LBSW

I, Jill G. Dettman, LBSW, hereby declare and state as follows:

I. Expert Background and Qualifications

1. I have been retained by the Plaintiffs' counsel. My background, experience, education, and opinions are summarized below. This declaration is based on my specialized knowledge of the adoption process.
2. For the past seventeen years, I have been employed by a variety of foster care and adoption agencies as a licensed social worker. I have been required to testify in court on various of occasions in order to provide a supervising judge with periodic updates on the welfare of children under my supervision. I have also been required to offer my opinion about the suitability of parents adopting children. I have assisted in or been charged directly with

the responsibility of placing children into adoptive and foster homes on hundreds of occasions.

3. My compensation for serving as an expert witness in this matter is my hourly rate of \$15.85 per hour. My compensation does not depend on the outcome of this litigation, the opinions I express, or the testimony I provide.
4. In connection with my anticipated testimony in this case, I may use portions of this report or the references cited within this report as exhibits. In addition, I may use reports produced in this case that relate to the matters discussed in this report. I may also draft or help create demonstrative exhibits and/or summaries of my findings and opinions to assist me in my testimony.
5. In 1996, I earned a Bachelor of Arts degree in Social Work. I began working as a foster care case manager for Lutheran Social Services of Michigan. In 1998, I moved to the adoption unit of the same agency. From 1999 to 2002, I worked for three other foster care and/or adoption agencies. In 2002, I began working for Hands Across The Water, Inc. I have been employed by this agency for the past eleven years. It is my job to work with families from the very first contact with the agency all the way through to the finalization of adoption. Generally, this process begins with my answering a family's adoption questions. I would then complete the adoptive family home study, which includes four or more interviews that assess the appropriateness of the family. I would draft a report detailing this information. Next, I would assist the family in determining the best way to locate a child for adoption by facilitating the match between adoptive parents and child (or birth mother in the case of an unborn child). I would support the adoptive family through the physical placement of the child by petitioning the court for legal placement of the child. I would then provide the adoptive family with post-placement supervision for a minimum of six months before petitioning the

court for finalization of adoption. I would accompany the adoptive family to court for the finalization of adoption, and lastly, I would continue to be available to the family and the child for as long as they feel that my support is beneficial to them. It is not uncommon for me to hear from a family five to ten years after their adoption was finalized. These families often ask questions about how they can meet their child's needs. Presently, LGBT families comprise 80% of my current caseload. That number, give or take 10%, has been the norm for me for at least the past three years.

II. SUMMARY OF FACTS AND OPINIONS

6. The opinions expressed herein are my true opinions as an expert in the field of adoptions. In addition to my seventeen years of adoption and foster care work, I also have as much or more experience as any social worker in Michigan working specifically with gay and lesbian individuals and same-sex couples. I have spent the last eleven years working for an agency that is one of only a few in Michigan that will even consider facilitating the adoption process with a gay or lesbian individual or same-sex couple, since most agencies are "faith-based." My agency has received the Human Rights Campaign (HRC) "All Children All Families" seal of approval for our work with the LGBT community and as such, the HRC refers Michigan gay and lesbian individuals and same-sex couples interested in pursuing adoption to our agency.
7. My report deals with the adoption of children. We are facing a crisis surrounding the adoption of children in Michigan. In 2012, there were over 14,000 children, aged 0-17, in Michigan's foster care system.¹ These children deserve to be placed with families

¹ <http://www.acf.hhs.gov/programs/cb/resource/fy2003-2012-foster-care-entries-exits>.

who can provide them with love, stability, and security. It is my opinion, that the sexual orientation of the prospective parents of these children has no bearing on their ability to provide a loving, nurturing, and stable home. Further, it is my opinion, based on my many years of experience, that the current laws which prohibit both parents from jointly adopting, compromises both the stability and security of these children.

8. After many years of working with prospective foster and adoptive parents, it is my opinion that, while it is generally true that children do better with two parents as opposed to one, such a broad generalization does not allow for the consideration of who the parents are. There are excellent single parent families just as there are incompetent two parent homes. Determining the needs of each specific child and choosing a family based on that child's needs is the responsibility of every adoption agency. Making the best choice for a child is contingent upon having a wide pool of prospective foster/adoptive parents from which to choose because each child's needs are different.
9. Working with prospective parents of every sexual orientation has led me to conclude that parenting skills are not determined by a person's sexual orientation. Gay and lesbian individuals and same-sex couples are just as likely to be good parents as heterosexual individuals and opposite-sex couples who seek to adopt.
10. It has been my experience that adoption is very rarely a first choice for heterosexual couples. Most heterosexual couples have experienced infertility, so their choice to adopt is typically based on grief or loss. In my experience, these couples are usually hoping to adopt a child who is of the same racial and ethnic background as themselves and that the child have no physical, mental, or emotional issues, and no family history of any of these issues. Alternately, same-sex couples come to view adoption not as a second choice based on grief or loss, but as the best choice.

The grief or loss that heterosexual couples experience is rarely a part of their situation. Same-sex couples are more likely to consider a child with special needs. They are more likely to consider a child who is not an infant. They are more open to considering a child who is not “perfect”. In short, they are more likely to choose to parent a child who might otherwise never be adopted.

11. Further, in my experience, gay and lesbian individuals and same-sex couples are significantly more likely than opposite-sex couples to initiate and actively maintain contact with their adopted child’s birth family. This practice is known as ‘open adoption’. The adoption community as a whole, encourages, supports, and widely believes open adoptions are in the best interest of the children. It is my opinion that gay and lesbian individuals and same-sex couples maintain open adoptions because they do not come to adoption with a history of grief or loss as most opposite-sex couples do, nor are they likely to believe the child’s birth origins should be masked in secrecy, as some heterosexual couples do.
12. Gay and lesbian individuals and same-sex couples are more willing and open to the idea that they do not come into the adoption process already knowing everything about parenting. As such, they are often more willing than their opposite-sex couple counterparts to accept advice, suggestions, guidance, training, and education from their social worker.
13. There are a great many same-sex couples who begin the process of adopting and, upon learning that both individuals are not permitted to be their prospective child’s adopting parent, elect to discontinue the adoption/foster care process altogether. My experience is that these couples’ relationships are greatly strained by having to make the decision as to which person would become the legal parent and which person would have absolutely no legal rights to a child

being raised together. Often times, choosing to remain childless becomes preferable to negotiating the law.

14. A large number of same-sex couples who choose to proceed with an adoption after learning that Michigan law prohibits joint adoptions often elect to complete the home study process as required by the adoption statute, but then locate a child in another state that allows parental and adoption rights for both parties. The ICPC (The Interstate Compact for the Placement of Children) allows Michigan licensed foster parents to adopt from the foster care agencies of any state in the nation. This permits Michigan same-sex couples to adopt foster care children from other states which allow recognition of parental rights for both parties in a same-sex couple. This practice denies a foster child in Michigan the protection and love of a permanent family based exclusively on the unfortunate circumstance of that child's geography. In fact, since 2002, only one same-sex couple with whom I have specifically worked, has elected to remain in Michigan to adopt their child, while all others have chosen to adopt from states that allow both parents to legally adopt the child.

15. Michigan not only loses the adoptive family structure to another state, it also loses a substantial amount of revenue. Adoptive families spend thousands of dollars to adopt a child from another state. Placement, agency, attorney, and court fees are all paid when a child (usually an infant) is placed for adoption. Additionally, travel costs, hotel expenses, meals, and entertainment dollars are spent in that state. Since same-sex couples know they are both permitted to be legally adoptive parents in other states, they almost always spend their time and money in these states. This provides their child with the greatest possible security that comes from two legally adoptive parents.

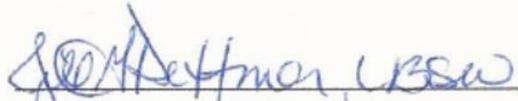
16. Having only one legal parent poses significant problems for both the child and the parents. These restrictive adoption laws have real

effects on a child's education and medical care. Questions arise such as: "Who can teachers talk to?" "Who can pick up the child from school?" "Who is able to consent to medical treatment?" "Who is able to provide health insurance coverage for the child?" Even something as simple as signing a child up to play baseball for the summer can be challenging. The most serious issue confronting parents in a same-sex relationship is the death or incapacitation of the legal parent. The non-adoptive parent is left with no legal rights to the child. If this occurs, the potential exists that a child could lose not one, but both of his parents. From the child's perspective, he has two parents. By removing the child from his remaining parent, he is certain to suffer even further emotional trauma and distress.

17. There are no reasons that I have ever heard, seen, read, witnessed, or that I consider to be supported by any credible evidence that suggest that children should not be placed for adoption with gay or lesbian individuals or same-sex couples. In fact, my personal experience is that children with same-sex parents thrive in these households to the same extent that they would in a heterosexual household in every aspect of their lives, save for the insecurities related to Michigan's Adoption Code.

I declare under the laws of the United States that the foregoing is true and correct.

Executed this 19 day of December, 2013, in Ann Arbor, Michigan.


Jill G. Dettman, LBSW