



## wired.com Florida's Gay Adoption Ban Ruled Unconstitutional

A Miami-Dade circuit judge decided Tuesday that a Florida man's sexual orientation should not preclude him from adopting his two foster children, effectively ruling unconstitutional a decades-old state law barring gays and lesbians from adopting children.

Judge **Cindy Lederman**, a child welfare judge, found that the state law has "no rational basis" and ruled that **Frank Martin Gill**, 47, should be entitled to adopt two young boys he has been fostering for the past four years, reports CBS station [WFOR-TV](#) in Miami. The Florida law, dating back to **Anita Bryant's** 1977 homophobic "Save Our Children" crusade, allowed gays and lesbians to foster children but prohibited them from adopting.



The two boys, who are now 4 and 8, had been living with abusive, crack-addicted parents and were removed from their home by the Department of Children and Family Services. Both the department and the attorney general support the state law blocking adoptions by gay people.

According to a statement from the pro-gay [Family Equality Council](#), if the state supreme court takes action on the case and affirms the ruling, the law would be overturned.

"Judge Lederman's ruling is a long-overdue recognition of the equal ability of lesbian, gay, bisexual, and transgender people to raise happy, healthy families," said **Jennifer Chrisler**, executive director the Family Equality Council.

A study by the Family Equality Council found that more than 65,000 adopted children in the United States are being raised by gay and lesbian parents. Florida was the only state to expressly bar gay people from adopting. Arkansas voters recently passed a ballot measure to bar all unmarried couples from adopting or fostering children.

On Election Day, Florida was one of three states to pass a ban on same-sex marriage. Sixty-two percent of Florida voters cast ballots in favor of the ban. Two previously existing statutes in the state already prohibited same-sex marriage, including the statewide Defense of Marriage Act adopted in 1997.

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