

My name is Rachel Thomason. I am an attorney, small business owner, mother to two young boys, and wife to a wonderful man who also works as an attorney in Bismarck. We have lived and worked and raised our family in the heart of Bismarck for almost 12 years.

I write to you today to encourage you to vote “no” on HB 1317, as it would unconstitutionally exclude prospective parents on the basis of sex, sexual orientation, and marital status. Title VII bans discrimination of this type, particularly with regard to that based on sexual orientation.

One of the greatest achievements in my legal career has been to help families complete their long-held dreams of adopting children. When my clients visit with me for the first time seeking to adopt a child, I get to be a part of a beautiful process. These prospective parents come to me as caring individuals, willing and capable of providing a child a loving home, completely devoted to providing the best life possible to a child in need.

As an adoption attorney, I work with married couples of the opposite sex, married couples of the same sex, unwed couples, and single parents. I would estimate that at least half of my adoption clients would be negatively impacted by the passage of this bill. My clients come from all walks of life and all financial circumstances, but the cost of adoption can sometimes be debilitating and unmanageable. This financial strain could be such a burden that, absent financial assistance, prospective parents may not be able to adopt at all.

HB 1317 is introduced with the guise of generosity, as it provides that the Department will give financial assistance to individuals for costs associated with a pregnancy resulting in the adoption of a newborn; however, this financial support shall only be provided to married couples who are members of the opposite sex.

While a large portion of my legal practice is adoption, I also work with clients as a mediator in divorce and custody matters, and for the guardianship of children. In these areas, I work with families who face drug or alcohol abuse, domestic violence, and child abandonment. In my experience, a person’s marital status and/or sexual orientation have absolutely no bearing on whether a person will be a good and loving parent.

This bill unconstitutionally and unreasonably excludes from financial assistance an enormous pool of loving, capable, prospective parents. If, as only one attorney, at least half of my adoption clients are same-sex couples, unwed couples, or single parents, how many loving families are being excluded by this bill? How many children will not get the best possible home because their prospective parents can’t afford without assistance to adopt them? If this proposed legislation negatively affects even one child, that is too many.

I urge you to please vote no on this bill.