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national news

Quest ends on a smile

A Seattle couple is allowed to adopt a 4-year-old boy despite months of legal wrangling

by Inga Sorensen



or Luis and Ross Lopton, it is a dream come true. After four years of training, and months of legal wrangling, the Seattle gay male couple has become the adoptive parents of a 4-year-old boy, Gailen.

"We've wanted this for so long, we are absolutely thrilled," says 31-year-old Luis Lopton, a banker. "This hasn't been the easiest time, but we're glad things ultimately turned out the way they did."

A King County Superior Court commissioner last month signed an adoption decree allowing the couple to adopt Gailen, a special needs child who has been placed in numerous foster homes over the years. For the Loptons, who began their quest to become adoptive parents more than four years ago, that action was a long time in coming: Luis and Ross, a 35-year-old banker, spent years training for this moment by receiving counseling for prospective parents and attending a support group for people considering adopting special needs children. In September 1993, the Washington state Division of Children and Family Services placed Gailen with the couple. State officials said the placement was a good one particularly because of the men's extensive training and the fact that Luis and Gailen are both of Latino descent. (Gailen's birth father, who has never been publicly identified, is of Puerto Rican descent, as is Luis Lopton. Ethnic and racial compatibility is often a factor considered by officials when placing a child in a home.) "Gailen had been bounced from foster home to foster home and he had some behavioral problems," says Luis. "We understood this and knew that he needed parents who would have the patience and love necessary to work with him. That's one of the reasons we spent so much time training and studying and learning about special needs children. Ross and I knew we could create a secure home for Gailen." Upon learning her son had been placed with a gay male couple, Gailen's birth mother, Megan Lucas, who had given Gailen up for adoption in 1992, attempted to rescind her decision to surrender her custody rights. In a newspaper interview, Lucas said seeing a gay male couple adopt Gailen

would be her "worst nightmare."

With the assistance of the Rutherford Institute, a national religious right organization, Lucas launched a publicity and legal campaign to get Gailen back. A Whatcom County Superior Court judge rejected her effort because Lucas missed the petition deadline. She and her husband, who is not the boy's birth father, then attempted to adopt Gailen, but state officials rejected that effort citing her history of drug abuse and her criminal record. She appealed that decision to the state Supreme Court, which refused to hear Lucas' appeal last September. "We think it's very unfortunate this blew up the way it did. For us, it was simply an issue of creating a home which could meet the needs of a child like Gailen," says Luis Lopton. "It's unfortunate that the mother had to make this into a gay issue, because it isn't. It's a matter of who can best meet the needs of this child and we're delighted the state has viewed it that way as well." He adds, "We caught flak from both sidesthe right wing and gay leaders who wanted us to become their poster family. They thought we were ideal for that because we are a very boring couple; you know, we go to work and go square dancing for fun. But we wanted to keep a low profile and focus on adopting Gailen. We didn't want to become symbols of the gay rights movement." Luis says it is "unfortunate" that Megan Lucas appears to have become a "pawn of the right wing." He says he'd like Gailen to have a relationship with his birth mother at some point. "We're not trying to replace his mother," he says. (Megan and her husband, Wade, have since legally separated and he has filed for divorce. Her husband was awarded custody of the couple's 2-year-old daughter after Megan reportedly threatened to kill him, their daughter, and herself.) Luis says, "Gay families are so well prepared to become parents because of the incredible scrutiny we are placed under by the state and the public. We train for this. This is not some fantasy we are fulfilling on a whim. We have to really think about the consequences and responsibilities. It would be great if all prospective parents would be required to go through the same type of training."

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