

## Peace of mind

*A tough situation could be made easier by a bill aimed at single parents who are terminally ill*

by Inga Sorensen

State Rep. George Eighmey (D-Portland) plans to introduce legislation this session that could make it easier for unmarried people who are both terminally ill and parents of minor children to designate a standby guardian if the parent becomes mentally or physically incapacitated or dies.

"Let's say you've got a situation in which a gay male couple is raising children that were conceived when one of the men was married. If the birth father gets sick and dies, there's the threat that the children's blood relatives—former in-laws or the ex-wife, for instance—could swoop in and try to take the children away from the man's partner. This measure would let the birth father designate his partner as the legal guardian for a 60-day period. After that point, the partner could petition the court to become the full-time guardian."

The measure's backers say many times terminally ill single parents worry whether their wishes for their children's care will be honored after they die or are no longer able to care for them. Backers also say parents often procrastinate in making plans because they fear losing their parental rights upon final execution of the guardianship. Though parental rights are not surrendered when this happens (unless a judge severs those ties), the bill's proponents say it is a widely held misperception. This measure, they say, would give parents peace of mind.

Corvallis resident Margo Denison is a staunch supporter of the bill, currently known as LC 290. Denison's 33-year-old daughter was diagnosed with HIV four years ago and started a newsletter for women with HIV and AIDS.

"Through her work with the newsletter, my daughter became aware of the need for standby guardianship legislation, which had already passed in some other states," says Denison, who works with the Valley AIDS Information Network, running its 24-hour hot line. "Many women who have HIV are single and have children. They were scared about what would happen to their kids and wanted to have a say in who would be the children's caretakers."

According to Denison, the bill could help

relieve an ill parent of unnecessary stress because provisions have already been made for her or his child. Children may also be put at ease because they know who will take care of them.

Eighmey adds the 60-day period is particularly applicable to parents with AIDS, who often alternate between relatively good health and illness—between incapacitation and being able to take care of their kids.

Additionally, for the partners of gay men and lesbians, the bill could bolster one's chances of obtaining permanent guardian status from the



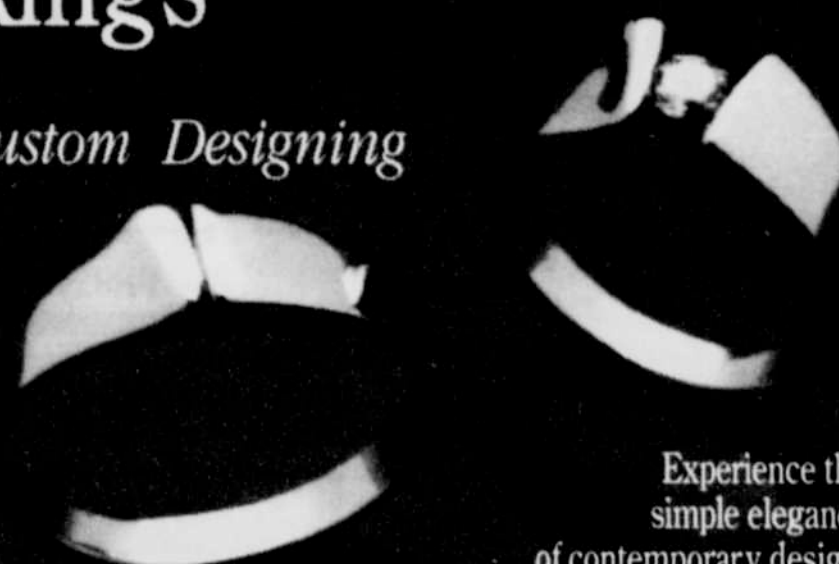
*"Many women who have HIV are single and have children. They were scared about what would happen to their kids and wanted to have a say in who would be the children's caretakers."*

court. Though currently a court will often respect one's choice of guardian, it can impose the standards of the best interests of the child. Because there remain societal and judicial prejudices surrounding gay men and lesbians and children, sexual minorities typically need to present as much "evidence" as possible indicating their guardianship would, in fact, be in the best interest of the child.

"With this measure, a partner who is the standby guardian and is petitioning to become the permanent caretaker could have more credibility when it comes to proving their commitment and dedication to raising the child," says Eighmey. "Every little bit helps."

## Wedding Rings

Custom Designing



Experience the simple elegance of contemporary design. Select from our collection of jewelry by award-winning designers or create a special piece with our designer, \*Jan Gordon.

### The Real Mother Goose

A Shop and Gallery

Eastside

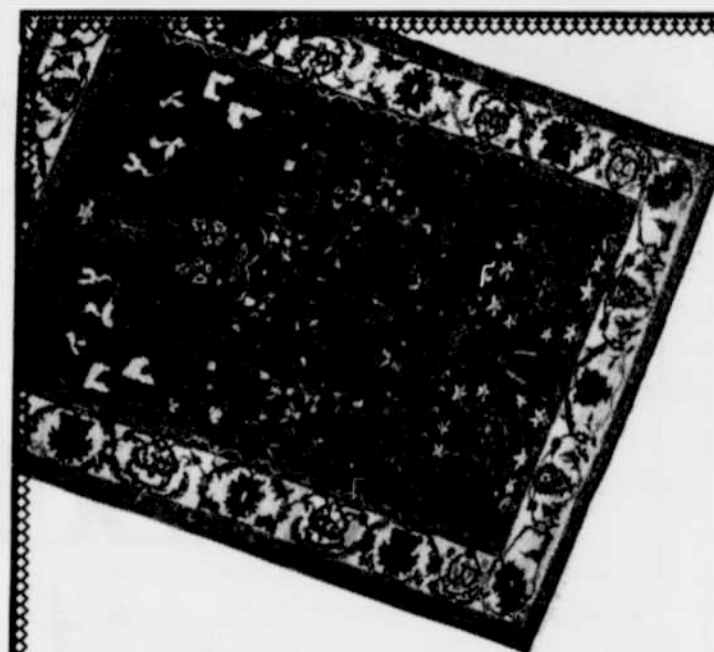
Portland Airport  
(503) 284-9929

\*Downtown

901 S.W. Yamhill  
(503) 223-9510

Westside

Washington Square  
(503) 620-2243



### EXPERIENCE THE EXTRA-ORDINARY RENAISSANCE IN CARPETMAKING.

A new generation of authentic vegetable dyed Turkish rugs has reached remarkable heights in decorative appeal. Come and enjoy James Opie's exclusive selection available now.



**JAMES OPIE**  
ORIENTAL RUGS INCORPORATED

214 S.W. Stark Portland, OR 97204  
For an Appointment, Call 226-0116

**G&M Automotive**  
6006 E Burnside, Portland  
231-8486

**PDX Automotive**  
5934 NE Halsey, Portland  
282-3315



"Mechanics with a Conscience"



**CERTIFIED MECHANICS**  
Complete automotive service of foreign and domestic cars and light trucks

**Free ride to MAX**  
Gerard Lillie  
Todd Connolly

### SOREL VINTAGES LIMITED

Tues-Sat 10:30-6:00  
Sunday 11:00-4:00

3713 SE  
HAWTHORNE BLVD.  
232-8482

"We buy estates"



antiques • vintage furniture • clothing • art • jewelry • collectables • china • household misc

bought & sold