

NATIONAL news



Michael Kantaras has been awarded custody of his two children with ex-wife Linda

FLORIDA

In a groundbreaking decision, a Florida Circuit Court judge ruled Feb. 21 that a trans man, Michael Kantaras, is legally male and was legally married to his former wife, Linda. The court also awarded him primary custody of the two children the couple raised together.

"I'm so relieved," Kantaras said. "Now my kids and I can get on with our lives in peace."

Judge Gerard O'Brien's opinion is one of a handful of decisions addressing marriages involving transsexual spouses and one of the first in the United States to hold that such unions are valid. The only states with similarly favorable decisions are New Jersey and California; in contrast, Texas and Kansas courts have held that marriages involving transsexual individuals are void.

Internationally, courts in a number of countries have affirmed the validity of such unions, including a Feb. 21 decision by the Family Court of Australia upholding a marriage between Kevin, a

female-to-male transsexual, and Jennifer, his wife.

"The court recognized that the two children in this case have a devoted, loving father and need to maintain a relationship with both their parents," attorney Karen Doering said. "This court recognized that Michael's transgender status has nothing to do with his ability to be a good parent. Michael is a loving, responsible father who also happens to be transgender."

After completing sex reassignment, Kantaras met and wed Linda in 1989. She was fully aware of his trans status prior to the marriage and permitted him to adopt her then 3-month-old son.

The couple later had a daughter through alternative insemination. The children are now ages 14 and 11.

When the couple divorced in 1999, the focus soon shifted away from the best interests of the children and onto Kantaras' trans status. Linda argued that he should be considered legally female, their marriage deemed void and his

parental rights stripped away. The three-week hearing, which included extensive testimony from medical experts, was covered live by Court TV in January and February.

"To our knowledge, this is the first transgender marriage case in the U.S. in which extensive medical evidence was presented, including testimony from three of the foremost experts on transsexualism in the country," attorney Shannon Minter said. "As the court has recognized, the medical evidence overwhelmingly favors recognizing that the law should accommodate transgender people so they can be productive, functioning members of society. This includes permitting transgender people to marry and raise children."

TEXAS

Quickly following the advancement of legislation banning gay, lesbian and bi Texans from serving as foster parents—including a call for the removal of children in homes with queer foster parents—a measure has been introduced to limit the ability of gay couples to adopt.



House Bill 916, authored by Rep. Sid Miller, R-Stephenville, has been referred to the Juvenile Justice and Family Issues Committee. He has dubbed it the "Defense of Families Act."

"I believe strongly in the preservation of the traditional family, and I do not believe homosexuals should be allowed to continue adopting children in Texas," Miller said. "By allowing two people of the same sex to adopt children, the state of Texas has been sending a signal that it condones

and approves of homosexual activity. I believe homosexuality is immoral, and the state of Texas should not endorse their alternative lifestyle by allowing homosexuals to adopt children."

The Lesbian Gay Rights Lobby of Texas and the Family Pride Coalition have mounted an unprecedented effort to fight these attacks on queer families. They are working to ensure that the Legislature places the best interests of children first and doesn't tear apart loving, stable families with cruel and discriminatory anti-gay foster care and adoption legislation.

NEW MEXICO

The New Mexico Senate voted 22-18 to prohibit discrimination based on sexual orientation and gender identity Feb. 26. It will be the third state to pass a law to protect against discrimination based on gender identity and the 14th based on sexual orientation.

A joint committee will reconcile the House and Senate bills before a final version goes to Democratic Gov. Bill Richardson's desk. He has pledged to sign the measure.

The Coalition for Equality is focusing on moving the Senate bill through a House committee because the margin of victory was wider in the House, executive director Jo Kenny said. Reconciling the two versions in committee might take few weeks because so many measures are going through the system.

The bill broadens the state's Human Rights Act to cover sexual orientation and gender identity in employment, housing, credit, public accommodations and union membership. The legislation first was introduced in 1991 and was rejected 35-31 by the House in 2001.

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