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Standards issued for custody

by Peg Byron
Special to Q-Notes

NEW YORK—Hoping to help their communities avert a crisis, an ad hoc alliance of GLBT legal and family-oriented organizations has launched an effort to provide guidelines for handling child custody matters when families break apart.

The recommended standards are contained in a publication entitled "Protecting Families: Standards for Child Custody Disputes in Same-Sex Relationships." The groups hope to see this widely circulated and followed by families in crisis and those who work with them.

The piece was authored by Gay & Lesbian Advocates & Defenders (GLAD), a Boston-based legal group, in collaboration with local parents, attorneys, mediators and therapists. Other organizations that later joined in the collaboration include Lambda Legal Defense and Education Fund, the National Center for Lesbian Rights, the ACLU Lesbian and Gay Rights Project, Family Pride Coalition, and COLAGE (Children of Lesbians and Gays Everywhere).

The standards aim to address the increasing prevalence of heartbreaking controversies about whether particular family members can maintain a relationship with their child

when the family separates. Some of these matters go to court and some do not.

The problems have their genesis in the law's elevation of biology over (or in lieu of) actual parent-child relationships. Regardless of the actual parental role a person plays, most established law does not recognize as "parents" those who are not related to the child by biology or adoption, as is the case with many gay and lesbian parents.

In addition, since there is no divorce process to constrain the strong emotions which often accompany a break-up, some birth and adoptive parents who have the impulse to cut off the relationship between children and a family member succeed in doing so by claiming a superior legal status.

Said GLAD Civil Rights Director Mary Bonauto, "Sound judgment is often clouded by the strong emotions that accompany break-ups. It causes terrible lasting injury if the children and adults are permanently torn apart at that unfortunate moment.

"The laws fail lesbian and gay families by not helping them regain a more level-headed

perspective on their children's needs during 'divorce.' Lesbians and gay men who formed families and made commitments should not adopt the law's inappropriate elevation of biology over the reality of relationships."

She added, "The courts and many in our society are confused when they hear members of our community saying that our agreements don't count, our families never existed, and former partners are nothing more than 'legal strangers' or 'roommates.' How we end relationships is critical to our collective interest as well as to our children."

The Standards are directed at all same-sex families in distress. Aiming to create a new community ethic, they urge honoring of agreements among family members and putting children's needs first rather than resorting to the legal system to decide who counts as family. Overwhelmingly, for the good of all concerned, they encourage voluntary resolutions of disputes in

accord with basic principles about child welfare.

The guidelines go on to suggest that those who go to court because they cannot reach agreement forego anti-gay arguments that will encourage or reaffirm the law's failure to accord the proper respect to family members not related by biology or marriage.

According to the groups, "[e]ven if legislature and courts are slow to do so, we must recognize, respect and celebrate that families in our community are joined by intention and commitment rather than by biology or law. When some relationships in a family change or end, we must not use the absence of legal protection to suddenly delete a person as important as a parent from a child's life. We must honor our own families even if the legal system does not. That means honoring the commitments we have made to our children and to each other and acting in the interests of the children."

The groups point to a recent decision from a California Appeals Court to illustrate the problem. The court ruled that, without the legislature making changes to the current law, it had no power to intervene on behalf of a lesbian mother with no biological or adoptive ties unless she showed the biological parent to be entirely unfit for custody.

In the case, Kathleen C. and Lisa W. lived together for several years before deciding to have a child together. Lisa gave birth the next year

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"How we end relationships is critical to our collective interest as well as to our children."

Billboard proclaims "value" of gays

by David Stout
Q-Notes Staff

CHARLESTON, SC—Some interstate travelers have surely received a shock as they approached the edge of this genteel port city and found a decidedly pro-gay billboard along their path.

The billboard, which sits on I-26, has been boldly proclaiming "Gay and Lesbian People, Valued Members of this Community" to as many as 56,000 passers-by per day since it was erected April 28.

"It's a first in South Carolina history," said Linda Kerner, president of the Alliance for Full Acceptance (AFFA), the group sponsoring the message. "We're speaking out against widespread misinformation and untruths."

AFFA is a social and political organization comprised of both gay and straight members whose goal is to secure civil rights and social

justice for GLBT people.

According to AFFA leaders, the billboard is only the beginning of a much more ambitious educational effort that will extend through July.

Reportedly, legal inequities in employment, housing, taxation, adoption, custody and more — encompassing better than 1000 state and federal laws — will be addressed through a direct mail campaign, speakers bureau, homophobia workshop, letters to clergy, print ads, the establishment of a hate crimes reporting line and an educational program targeting SC legislators.

Currently, SC is one of just eight states without a hate crimes statute. A measure passed the state Senate earlier this year, but died in committee in the SC House.

For more information on AFFA or its programs, call (843) 883-0343 or access their web site at <http://www.Affa-sc.org>. ▼



AIDS Walk participants gather at The Great Aunt Stella Center for RAIN

Photo by IDH

AIDS walkers happy to see RAIN

by David Stout
Q-Notes Staff

CHARLOTTE—Approximately 400 walkers converged May 2 at The Great Aunt Stella Center on Seventh St. to cover a mile of uptown — and an immeasurable distance in spirit — to raise money for the Regional AIDS Interfaith Network (RAIN).

RAIN is an innovative program that pairs individuals living with AIDS with CareTeams comprised, mainly, of congregants from local mainline churches. Team members offer living assistance and emotional support to their care partner, creating incredibly strong bonds in the process.

This year's AIDS Walk was RAIN's third annual effort. The group met its \$50,000 goal

and surpassed last year's total by more than \$15,000. Pledges and donations from walkers accounted for \$30,000; the remainder came from corporate donations.

RAIN was formed in 1992 by Rev. Debbie Warren as a spiritual response to the AIDS crisis. It has become an unqualified success during the ensuing decade, providing services to more than 250 clients in a seven-county, two-state region. More than 55 CareTeams have been enlisted through the years, featuring upwards of 700 volunteers.

For more information on RAIN, including how to form a CareTeam or be paired with one, contact the group at (704) 372-7246. RAIN's office is housed at First United Methodist Church on N. Tryon St. ▼

Study to investigate feasibility of a Community Center for Charlotte

by Dan Van Mourik
Q-Notes Staff

CHARLOTTE—The subject of a "community center" has once again been raised in Charlotte. The idea is not a new one and has been talked about for several years, but previous discussions have not gone much beyond the discussion stage. In the past, these discussions have generally been internal conversations within an organization and without the input of the community as a whole.

The subject has been brought up again in response to suggestions received by OutCharlotte, the organization behind the annual cultural festival in Charlotte, and the group is taking a somewhat different approach to the topic.

In 1998, OutCharlotte conducted a strategic planning process in which people voiced their suggestions about how OutCharlotte could best serve the community for the long-term. Community forums were held and one of the repeatedly mentioned desires was for a center which could support and celebrate the GLBT community.

OutCharlotte has retained Grassroots Leadership, a regional resource for community organizations, to conduct an independent study

on whether or not the community is ready for and willing to support a Community Center. The goal is to work with a wide cross-section of community members and representatives of GLBT organizations to emerge with a set of recommendations in January 2000 regarding the need for, feasibility of and depth of support for a number of possible community center options.

The study will be facilitated by Naomi Swinton and staff members of Grassroots Leadership. After canvassing various GLBT organizational leaders, a 30-member committee was selected and began meeting on April 7.

The study will include three town meetings to acquire community feedback. The first meeting will be held on Thursday, May 20 at the West Boulevard Branch of the Public Library, 2157 West Boulevard, Charlotte from 7:00-9:00pm. Various task forces will be created to study issues and concerns and members of the community are invited to participate on these task forces.

For more information, contact Naomi Swinton, Grassroots Leadership, PO Box 36006, Charlotte, NC 28236; (704) 332-3090; email: nswinton@igc.org. ▼

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