

## Penna Dexter Commentary

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The following commentary might cause your children to ask questions you are not quite ready to answer. In fact, ethicists, and lawmakers,... even some judges are finding themselves ill-prepared to tackle some issues that arise when science outpaces ethics.

As reproductive technology explodes it gives rise to some mind-boggling legal and ethical problems. For example, growing numbers of babies are born using sperm or embryos that have been stored for months or years. The *Wall Street Journal* recently carried an article entitled “Fertility’s New Legal Front,” which deals with the question of whether the government must provide Social Security survivor benefits for a child conceived after one of the parents’ death. The answer depends upon where the child in question is born. According to the *Journal*, “Eleven states explicitly allow recognition of a parent-child relationship that begins with posthumous conception. The laws of most states, however, define the parent-child relationship more traditionally. For the relationship to exist, the parent must be alive at the time of conception.”

Some parents are taking their cases to court. One lady from Utah, Gayle Burns...age 38... lost her husband, Michael, in 2001. The year before he died, Michael banked some sperm. Baby Ian came along in 2003 and the government paid him survivor benefits to the tune of \$35,000 before deciding they didn’t have proof that Michael was Ian’s father. Paying the government back threw Gayle, who has not remarried, into bankruptcy. She’s suing to get the government to recognize Ian as Michael’s child.

In every state, if a man dies while his wife is pregnant, the child receives survivor benefits. In most states, if a woman conceives one month after her husband dies, the child gets no benefits, even if there’s proof the late husband is the father. Critics say that’s not fair. The law, they argue, needs to catch up with the science. But providing benefits to children conceived after one parent is already dead crosses a line. The *Journal* interviewed Sonny Miller, a Minnesota probate and trust attorney, who explained that these benefits are intended to help in a tragedy, when there’s an unexpected loss of income. He said,(and I quote) “It’s not meant as something you expect to get when you make the decision to have a child.”

Good public policy encourages behavior the government sees as beneficial to society. Government should not encourage the creation of single parent families. Providing Social

Security benefits to children intentionally born to only one parent is not good policy and government has no business subsidizing it.

We wandered into this territory in the sixties when we crafted a welfare system that actually encourages single motherhood. Now the bizarre reality is that lawmakers, unmoored to biblical truth, face pressure to blow past the norms in the name of compassion.

Children do best in the home of their married, biological parents. Our laws should adhere to that standard.

That's my view...and I'm Penna Dexter...for Moody Radio.