

Determining Family Relationships

Because your estate planning documents may be based on who you intend will comprise your family members, **please help us understand your intentions by placing a check in the blanks below that accurately state your thoughts on the subject:**

Adoption

1. ___ An adopted child should have the same family status as a biological child (current MD law).
___ An adopted child should have the same family status as a biological child only if the child is adopted before reaching the age of _____ years.
___ Only biological children in a parent's bloodline should be regarded as descendants of the parent. Adopted children should not have the same family status as biological children.
2. ___ A biological child should not be treated as the child of a person whose parental status is terminated by his or her consent to the child's adoption by another person.

Children Conceived by Using Assisted Reproduction Technology ("ART") - Unless you indicate otherwise below, we will assume that a woman who is both the genetic mother and the birth mother of a child should be treated as the parent of that child for the purposes of your documents.

3. ___ Concerns about ART children are unlikely to apply in my family. I accept any judgments made in this context by applicable Maryland law.
4. ___ A child conceived using ART should be treated as a child of a genetic or a nongenetic parent only if that parent acknowledges intent to become a parent before gestation begins (i.e., prior intent to be recognized as a parent should be required in the ART context).
5. ___ A child conceived using ART should be treated as a child of a nongenetic parent if the nongenetic parent is married to the genetic parent when the child is conceived or at any time after conception.
6. ___ A genetic father of an ART child should be treated as the parent of the child if the father openly raises or acknowledges the child as his progeny.
7. ___ A woman who is both the genetic mother and the birth mother of a child should not be treated as the parent of that child if the woman, without any intention of being the child's parent after birth, carried the child to birth under an agreement with the child's intended parents.
8. ___ A child conceived using ART must be born before the death of a person who otherwise would be treated as the parent of that child or within _____ months thereafter. (Note: postponing determination of parental status until after a parent's death may delay distributions to others.)

Children Born Out of Wedlock

9. ___ If a child is conceived by the copulation of genetic parents, the child should always be treated as the child of the genetic father.
10. ___ If a child is conceived by copulation of the genetic parents, the child should be treated as the child of a genetic parent only if each of the genetic parents is a party to a marriage with the other genetic parent when the child is conceived or at any time after conception.
11. ___ If a child is conceived by copulation outside of a marriage, the child should be treated as the child of a genetic father who at any time openly raises or acknowledges the child as his.

Effect of Civil Unions, Domestic Partnerships, or Substantially Similar Legal Relationships

12. ___ When "marriage" is referred to in the above statements, it is intended to include a civil union, domestic partnership, or substantially similar legal relationship.

Other comments/concerns: _____