

Gay couples quietly adopting in Florida

Tampa Tribune, The (FL) - June 1, 2011

- Author/Byline: ELAINE SILVESTRINI, The Tampa Tribune
- Edition: FINAL
- Section: METRO
- Page: 1
- Readability: 10-12 grade level (Lexile: 1190)

Appeals court tossed state restriction in September

BY ELAINE SILVESTRINI

The Tampa Tribune

TAMPA Stanley Kroh knew he was the boys' father, even though Florida didn't agree.

His partner of 12 years, Joel Kroh, adopted Noah from Guatemala in 2003 and Gabriel from Vietnam in 2007.

"I've always wanted to be a father," said Joel Kroh, 43, a director of client services for a technology company.

His status in the adoptions was as a single man.

The Krohs, who live in Lutz, said the social worker who did the home study didn't ask about their sexual orientation, even though it was illegal for gay people to adopt in Florida and even though Stanley was present.

Stanley changed his last name to Kroh so there would be less confusion for the boys.

As far as they were concerned, they had two fathers: Daddy Joel and Poppy Stanley.

But Stanley Kroh said he feared something might happen to his partner, leaving him with no legal right to keep the boys. They had legal papers drawn up naming Stanley as guardian but were told he didn't have the same rights he would if he were legally the boys' father.

That changed in September when a state appeals court threw out Florida's ban on gay adoptions, meaning there no longer was any barrier to Stanley making official his relationship with his sons.

"I never thought it would happen in my lifetime," said Stanley Kroh, 56, who adopted Noah and Gabriel in February.

"It's terrifying not to have the family legally recognized," he said.

Stanley Kroh, an environmental manager for Tampa Electric Co., said he was told that his was the first adoption by a gay person officially sanctioned in Hillsborough County.

Since the court ruling, gays quietly have begun forming legally recognized families across the state.

"We know it's happening," said American Civil Liberties Union lawyer Shelbi Day, who argued the South Florida case that resulted in the lifting of the ban.

There are no statewide statistics because officials do not ask the sexual orientation of adoptive parents.

However, Day said agencies that handle adoptions for the state "are getting a lot of people enrolling in their classes that are gay men and lesbians wanting to adopt. ... So far, we haven't heard of any glitches of people wanting to adopt and being told they can't."

Jeff Rainey, chief executive officer of Hillsborough Kids, which handles local adoptions for the Florida Department of Children & Families, said nine gay couples and individuals have attended classes as part of the adoption process.

There are about 150 children available for adoption in Hillsborough. At any given time, the county has six or seven foster families led by gay parents.

"We always need adoptive families," Rainey said. "All these kids deserve a loving home to grow up in."

Hillsborough Circuit Judges Emily Peacock and Catherine Catlin each has presided over one gay adoption in the past few months. And Catlin said she's aware of at least two others in the county.

Both judges said they were thrilled to see children going to loving homes, adding that the change in the law has been quietly welcomed in the legal community.

Still, some fear the change will be short-lived. They worry another court challenge, a new state law or a change in the state's constitution will reinstate the ban.

Brian Winfield, a spokesman for Equality Florida, said the gay rights organization is preparing to mobilize if necessary.

"Our adoption phone banks have resulted in 24,640 Florida voters being educated on the issue and also identified as in support of fair adoption that focuses on the best interest of the child and not a parent's sexual orientation," he said.

One of the main opponents of gay adoption is Liberty Counsel, a conservative legal foundation with a headquarters near Orlando. Several requests for comment from Liberty Counsel officials were unsuccessful.

In November, Liberty Counsel founder Matthew Staver told Christian Web News that he planned to ask the Legislature to pass a law reinstating the ban. No such bills were proposed in the 2011 legislative session.

"Children should not be placed in a homosexual household," Staver, a lawyer, told the website. "Recent studies have indicated that children raised in a homosexual environment are more likely to engage in homosexual activity at an exponentially increased rate."

In its ruling overturning the ban, however, the 3rd District Court of Appeal said scientific evidence overwhelmingly supports allowing gay people to adopt. The issue "is so far beyond dispute that it would be irrational to hold otherwise; the best interests of children are not preserved by prohibiting homosexual adoptions."

The court said gay people can become foster parents and permanent legal guardians in Florida.

The state, which had argued that children have better role models and face less discrimination in two-parent heterosexual households, chose not to appeal to the Florida Supreme Court.

Since no other district court in Florida has issued a contrary opinion, the 3rd DCA ruling applies statewide.

Judge Catlin said the court wrote "such a well-reasoned decision" that she doesn't expect it to be overturned anytime soon.

Some lawyers remain guarded.

Tampa attorney Kim Byrd, who specializes in gay, lesbian and transgender issues, was reluctant to discuss adoption because his clients fear a possible backlash.

"There's a lot of concern about the doors being closed on gay adoptions," he said. "They're concerned about press, in general, bringing attention to stories of gay people adopting."

Tampa lawyer Jeanne Tate, who owns an adoption agency, said her phones have been "ringing off the hook," with dozens of gay people looking to adopt, many of them afraid that the current opening is temporary.

St. Petersburg lawyer Maria Bates, who also owns an adoption agency, said the change is happening slowly.

"The ban was in place for over 30 years," she said. "People are nervous to take the next step."

Stanley Kroh would not have gone public before his adoption of the boys was final.

"I wouldn't want to alert people to the fact that I guess we were vulnerable in that way," he said.

Kroh acknowledged it's possible his sons will be teased for having two fathers.

But he said it wouldn't be tolerated at the charter school they attend, where he is chairman of the board and Joel is secretary-treasurer of the parent and volunteer organization.

Their neighborhood includes an interracial family, a family that had an interracial adoption and a family with lesbian parents.

"I think the boys are growing up in an environment where it just seems perfectly normal to see all those variety of families out there," Stanley Kroh said. "They're not going to feel strange or different at all."

Noah, 8, is a Rays fan and plays Little League baseball. He said he recently came close to hitting his first home run.

As far as Gabriel, a squirmy giggly 4-year-old, is concerned, everyone in sight is simply an "apple head."

"Our boys have loving parents," Stanley Kroh said. "They feel safe and secure. We want exactly the same thing for our kids that any other loving parent wants."

esilvestrini@tampatrib.com

(813) 259-7837

Photo Credit: JASON BEHNKEN/STAFF

Photo: Partners Joel, left, and Stanley Kroh of Lutz are Daddy Joel and Poppy Stanley to Noah, seated, and Gabriel.

Photo Credit: COREY BECKMAN/STAFF

Photo: Hillsborough Circuit Judges Catherine Catlin and Emily Peacock both have presided over adoptions
by gay couples in the past few months.

• Record: MERLIN_18789469

• Copyright: Copyright (c) 2011 Media General Communications Holdings, LLC All Rights Reserved.