**LGBT LOUISIANA SAME SEX MARRIAGE & ADOPTION LAWS**

**Marriage**

On June 26, 2015, U.S. Supreme Court in, **Obergefell v Hodges, 576 US\_\_ (2015)**, overturned same-sex marriage bans.

On July 2, 2015, Federal Judge Martin Feldman, (Dist. Court, Eastern District of Louisiana)- overturned Louisiana's same-sex marriage ban (by rescinding a September 3, 2014 Dist Court ED Louisiana judgment- Robicheaux v Caldwell- which previously upheld Louisiana's same-sex marriage ban) stating- the US Supreme Court's decision is "the law of the land"

Feldman ordered:

1-The state shall issue marriage licenses to same-sex couples seeking them.

2- The state shall recognize same-sex marriages that are performed in other states

3- Same-sex married couples can jointly adopt and be recognized as parents on their children's birth certificates (unmarried couples-same sex or heterosexual couples- cannot adopt…see adoption infra)

(4- The ruling also enforces the state to allow same-sex married couples to jointly file their taxes.)

Pursuant to Judge Feldman’s order, the Eastern District Court of Louisiana ordered the Louisiana Department of Health and Hospitals to begin issuing marriage licenses to same-sex couples who complete a marriage application at the Department's Office of Vital Records in Orleans Parish. The Department made necessary modifications to the marriage license application printed forms and the certified copies. (Changes were also made to the Louisiana Electronic Event Registration System (LEERS) to accommodate the changes necessitated by the court's judgement.)

**Adoption**

**CH C (Children’s Code) Art. 1198.  Persons who may petition for adoption- Agency adoption**

A single person, eighteen years or older, or a married couple jointly may petition to adopt a child through an agency.  When one joint petitioner dies after the petition has been filed, the adoption proceedings may continue as though the survivor was a single original petitioner.

**CH C Art. 1221.  Persons who may petition for adoption- Private adoption**

A single person, eighteen years or older, or a married couple jointly may petition to privately adopt a child.  When one joint petitioner dies after the petition has been filed, the adoption proceedings may continue as though the survivor was a single original petitioner.