

IAFL Introduction to International Family Law Conference Milan, Italy

THURSDAY 21 MARCH Session 2 The Modern Family – surrogacy, gay marriage and cohabitation rights

QUESTIONS FOR THE PANEL

Surrogacy

- Would you categorise your jurisdiction's approach to surrogacy as: prohibitive, tolerant, free market or regulatory?
- What legal procedures, if any, can be put in place in advance of the birth, and how soon afterwards can the applicant parents become legal parents?
- How straight forward is the process?
- For those whose surrogate births take place out of the jurisdiction, what steps must be taken when the return home in order to ensure or protect their parental status?
- In what ways could the legal procedure surrounding surrogacy be improved in your jurisdiction?

Gay marriage

- Approximately what proportion of your client base are in same sex relationships?
- How would you categorise the approach of the courts in your jurisdiction to same sex couples, and how has that changed during your professional experience?
- In what ways can those in same sex relationships protect their position in the event of separation?
- To what extent, if at all, are same sex parents treated differently by the courts in your country?
- In what ways do you think the family justice system in your jurisdiction could better protect those in same sex relationships?

Cohabitation

- In your jurisdiction, how can cohabitants best protect their interests in the event of separation?
- What are the ways in which you think that your current legal framework could be improved, and to what extent is there any pressure on the government to improve it?
- Are children of unmarried parents entitled to the same levels of provision and protection as those whose parents are married?