The Three-Parent Problem

Netflix has a show called “The Three-Body Problem.” Aaron Baltes recently prevailed in a case that could be called “The Three-Parent Problem.” In 2015, the Maine Parentage Act modernized the statutes governing parentage, providing for several different methods for establishing legal parentage beyond a genetic link to the child. The Act proved critical in establishing parental rights for Aaron’s client in *Rose v. Rose*, where two married females recruited a male friend to be a sperm donor for one of them in the “old-fashioned” way and used a sperm donor agreement they found on the Internet. Because they did not use IVF or another form of assisted reproduction, however, the agreement was not enforceable and the sperm donor advanced a parental rights claim that was consolidated with the females’ divorce. After protracted litigation and a contested hearing, Aaron’s client was granted allocated parental rights and primary residence despite having no genetic link to the children. As they say, “love is thicker than blood.”

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