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LGBTQ+

# An Oklahoma judge just transferred a lesbian mom's parental rights to her son's sperm donor

A ruling citing the state's parentage act could have substantial implications for marriage equality and LGBTQ+ parental rights nationwide, legal experts warn.

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Kris Williams is a lesbian, and that means she won't be seeing her son anytime soon. That is the official [ruling](#) of an Oklahoma court. On Monday, Oklahoma County District Judge Lynne McGuire ruled that Williams had failed to adopt her son and had forfeited her parenting rights to his sperm donor.

[Advocates say](#) Williams' case may test the bounds of equal marriage laws in Oklahoma and beyond. According to Williams, she and her ex-partner Rebekah Wilson planned to have their son and found sperm donor Harlan Vaughn on a paternity website together. The two married while Wilson was pregnant.

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In most states, married couples are presumed parents of children born within those unions. Williams said she and Wilson raised W. (whose name has been excluded to protect his identity) for two years. But the couple split bitterly in 2021, and Wilson moved in with Vaughn, taking W. with her. She argued that Williams was not W.'s mom.

McGuire agreed and retroactively removed Williams from W.'s birth certificate last May.

“I don’t feel like we should have to adopt our own children,” Williams told the 19th. “If I was a man, then nobody could come back and you know, question whether that child was mine or not, after they’re the age of two.”

[McGuire reinstated Williams](#) on the birth certificate in June, and Williams’ name remains. But the issue of Williams’ parental rights was still undecided until February 13, when McGuire ruled that Oklahoma’s parentage act predated marriage equality and therefore didn’t apply to Williams and Wilson.

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“[The act] does not take into account same-sex marriage, and there is no presumption that the wife of the mother is automatically presumed the parent of a child born during the marriage,” McGuire wrote.

Williams' attorney Robyn Hopkins said they will immediately appeal the decision.

"Today, I'm disappointed to be an Oklahoman," Hopkins said. "I feel like this is our community's cry for help and we need all hands on deck. I'm comparing it to a natural disaster."

Legal experts warn that the case could have substantial implications for marriage equality nationwide. Advocates battled a number of cases to enshrine same-sex marriage protections after the Supreme Court granted those rights nationwide in 2015. Among those fights was the right of parentage. The 2015 Supreme Court case *Pavan v. Smith* found that it was unconstitutional to treat queer couples differently than heterosexual couples when it came to presuming parentage. If married heterosexual couples were presumed to be parents of children born during their marriage, the same must be true for LGBTQ+ couples.

However, laws vary state to state.

Wilson [has previously alleged](#) that Williams was abusive toward her and that she is attempting to remove Williams from her son's life for his safety. During the divorce proceedings, Wilson was granted an emergency victim protective order that barred Williams from contact with her and W. That order was [extended in June](#). Williams denies the abuse accusation and says it is irrelevant to the question of parentage.

The 19th reached out to Stoddard Morris Family Law, the firm representing Wilson and Vaughn, for comment. A representative told the 19th, “it is our policy not to comment on cases,” and then immediately ended the phone call.

In separate written statements provided to The 19th, Vaughn and Wilson wrote: “We remain focused exclusively on our child’s protection and well-being. We are grateful for the court’s validation.”

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