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STATE-BY-STATE SURROGACY LAW

ACTUAL PRACTICES

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State-by-State Surrogacy Law: Actual Practices

 By [Diane S. Hinson](#)

Author's Note: The following is a state-by-state compilation of surrogacy law – as *practiced* in the 50 states and the District of Columbia. As I note in the explanation of my research process in [Surrogacy Across America: Both the Law and the Practice](#), the laws on the books and the actual practice in many states can be quite different. Thank you again to the attorneys in all the different states who provided the information necessary to put together this compilation. Many thanks also to Creative Family Connections Associate Attorney and Case Manager Jennifer, for her invaluable assistance in this endeavor.

We first compiled this summary for the American Bar Association, which reports that it is the *first ever* 50 state summary of surrogacy law that has been compiled based on how surrogacy law is *practiced*, rather than just as written. Interestingly, the two turn out to be quite different in a number of states!*

In the 50 state compilation that follows, you can **search by state name by clicking on the state on the map** or you can **search by category by clicking on the category name below the map**:



Map and category image used with permission.

At Creative Family Connections, we know from day-to-day experience that the practice of surrogacy is ever changing, as the make-up of courts change and as individual judges change their minds. What follows, therefore, is a snapshot only. We will update it periodically, but cannot promise that it is always up-to-date. (Please [email me](#) if you have any updates for your state!)

In any individual case, an attorney must still determine the prevailing practice in a particular court at the time of the case. If you are not an attorney, this summary is intended for information purposes only and is not a substitute for seeking professional legal advice. Anyone who reads my legal forum on [Surromomsonline](#), knows how strongly I believe that the parties must each have separate, independent legal counsel.

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