



***De Facto* Parent Recognition**

No updates required since January 14, 2020

De facto parenting laws apply when someone is raising a child but is not a legal parent of that child. *De facto* parenting laws provide these parents with some limited legal rights to the child, for example, possibly granting visitation, custody or even full parenting rights should the parent's relationship dissolve.

Alabama

- State recognition of de facto parents is uncertain or state may require parent to provide specific evidence

Alaska

- State recognition of de facto parents is uncertain or state may require parent to provide specific evidence

Arizona

- State allows limited recognition of de facto parents as a basis for visitation and/or custody
- See [A.R.S. 25-409](#)

Arkansas

- State allows limited recognition of de facto parents as a basis for visitation and/or custody
- See [Bethany v. Jones, 2011 Ark. 67](#)

California

- State allows limited recognition of de facto parents as a basis for visitation and/or custody
- See [California Rules of Court Rule 5.534](#)

Colorado

- State allows limited recognition of de facto parents as a basis for visitation and/or custody
- See [C.R.S. 14-10-123 \(2015\)](#)



Connecticut

- State allows limited recognition of de facto parents as a basis for visitation and/or custody
- See [Conn. Gen. Stat. Ann. § 46b-59](#)

Delaware

- State recognizes de facto parents and may grant them visitation, custody or full parenting rights
- See [Del. Code Ann. tit. 13, § 8-201, 2302](#)

District of Columbia

- State allows limited recognition of de facto parents as a basis for visitation and/or custody
- See [D.C. § 16-831.03](#)

Florida

- State recognition of de facto parents is uncertain or state may require parent to provide specific evidence
- See [Kazmierczak v. Query, 736 So. 2d 106 \(Fla. Dist. Ct. App. 1999, review denied, 760 So. 2d 947 \(Fla. 2000\)\)](#)

Georgia

- State recognition of de facto parents is uncertain or state may require parent to provide specific evidence
- See [Clark v. Wade, 544 S.E. 2d 99 \(Ga. 2001\)](#)

Hawaii

- State recognition of de facto parents is uncertain or state may require parent to provide specific evidence

Idaho

- State recognition of de facto parents is uncertain or state may require parent to provide specific evidence

Illinois

- State does not recognize de facto parents
- See [In re Marriage of Simmons, 825 N.E.2d 303 \(Ill. 2005\)](#) and [In re Visitation with C.B.L., 723 N.E.2d 316 \(Ill. App. Ct. 1999\)](#)



Indiana

- State allows limited recognition of de facto parents as a basis for visitation and/or custody
- See [Ind. Code Ann. § 31-9-2-35.5](#)

Iowa

- State does not recognize de facto parents
- See [In re Petition of Ash, 507 N.W. 2d 400 \(Iowa 1993\)](#)

Kansas

- State recognizes de facto parents and may grant them visitation, custody or full parenting rights
- See [Frazier v. Goudschaal, KS S.Ct. No. 103,487 \(2013\)](#)

Kentucky

- State allows limited recognition of de facto parents as a basis for visitation and/or custody
- See [Ky. Rev. Stat. Ann. § 403.270](#)

Louisiana

- State recognition of de facto parents is uncertain or state may require parent to provide specific evidence

Maine

- State recognizes de facto parents and may grant them visitation, custody or full parenting rights
- See [MRSA 19-A §1653](#) and [S.P. 358](#) (2015, effective July 1, 2016; expanded from limited to full recognition)

Maryland

- State recognition of de facto parents is uncertain or state may require parent to provide specific evidence
- See [J.M. v. M.K., 404 Md. 661, 948 A.2d 73 \(Md. Ct. App. 2008\)](#)

Massachusetts

- State allows limited recognition of de facto parents as a basis for visitation and/or custody
- See [E.N.O. v. L.M.M., 711 N.E. 2d 886 \(Mass. 1999\)](#) and [A.H. v. M.P., 447 Mass. 828, 857 N.E. 2d 1061 \(Mass. 2006\)](#)



Michigan

- State does not recognize de facto parents
- See [McGuffin v. Overton, 542 N.W.2d 288 \(Mich. Ct. App. 1995, appeal denied, 546 N.W.2d 256 \(Mich. 1996\)\)](#)

Minnesota

- State allows limited recognition of de facto parents as a basis for visitation and/or custody
- See [Minn. Stat. § 257C.](#)

Mississippi

- State allows limited recognition of de facto parents as a basis for visitation and/or custody
- See [Logan v. Logan, 730 So. 2d 1124 \(Miss. 1998\)](#)

Missouri

- State recognition of de facto parents is uncertain or state may require parent to provide specific evidence

Montana

- State allows limited recognition of de facto parents as a basis for visitation and/or custody
- See [Mont. Code Ann. § 40-4-211](#)

Nebraska

- State allows limited recognition of de facto parents as a basis for visitation and/or custody
- See [Latham v. Schwerdtfeger, 282 Neb. 121 \(2011\)](#)

Nevada

- State allows limited recognition of de facto parents as a basis for visitation and/or custody
- See [Nev. Rev. Stat. §125C.050](#)

New Hampshire

- State recognition of de facto parents is uncertain or state may require parent to provide specific evidence
- See [In re Nelson, 825 A.2d 501 \(N.H. 2003\)](#)



New Jersey

- State allows limited recognition of de facto parents as a basis for visitation and/or custody
- See [V.C. v J.M.B., 163 N.J. 200, 748 A.2d. 539 \(N.J. 2000\)](#)

New Mexico

- State recognizes de facto parents and may grant them visitation, custody or full parenting rights
- See [Chatterjee v. King, 280 P. 3d 283 \(N.M. 2012\)](#)

New York

- State recognition of de facto parents is uncertain or state may require parent to provide specific evidence
- See [2016 NY Slip Op 05903 \[28 NY3d 1\]](#)

North Carolina

- State allows limited recognition of de facto parents as a basis for visitation and/or custody
- See [Price v. Howard, 346 N.C. 68, 484 S.E.2d 528 \(1997\)](#) and [Estroff v. Chatterjee, 660 SE 2d \(N.C. Ct. App. 2008\)](#)

North Dakota

- State recognition of de facto parents is uncertain or state may require parent to provide specific evidence

Ohio

- State allows limited recognition of de facto parents as a basis for visitation and/or custody
- See [In re Bonfield, 97 Ohio St.3d 387, 2002](#)

Oklahoma

- State recognizes de facto parents and may grant them visitation, custody or full parenting rights
- See [Eldredge v. Taylor 2014 OK 92 \(2014\)](#)

Oregon

- State allows limited recognition of de facto parents as a basis for visitation and/or custody
- See [ORS § 109.119](#)



Pennsylvania

- State allows limited recognition of de facto parents as a basis for visitation and/or custody
- See [L.S.K. v. H.A.N., 813 A.2d 872 \(Pa. Super. 2002\)](#)

Rhode Island

- State allows limited recognition of de facto parents as a basis for visitation and/or custody
- See [Rubano v. DiCenzo, 759 A.2d 959 \(R.I. 2000\)](#)

South Carolina

- State allows limited recognition of de facto parents as a basis for visitation and/or custody
- See [S.C. Code Ann. § 63-15-60](#)

South Dakota

- State recognition of de facto parents is uncertain or state may require parent to provide specific evidence

Tennessee

- State does not recognize de facto parents
- See [In re Thompson, 11 S.W.3d 913 \(Tenn. Ct. App. 1999, cert. denied, Jan. 2000\)](#)

Texas

- State allows limited recognition of de facto parents as a basis for visitation and/or custody
- See [Tex. Fam. Code Ann. §102.003 \(9\)](#)

Utah

- State does not recognize de facto parents
- See [Jones V. Barlow, 154 P.3d 808 \(Utah 2007\)](#)

Vermont

- State recognizes de facto parents and may grant them visitation, custody or full parenting rights
- See [H.562 \(2018\)](#)
- Formerly did not recognize de facto parents. See [Titchenal v. Dexter, 166 Vt. 373, 693 A.2d 682 \(Vt. 1997\).](#)



Virginia

- State recognition of de facto parents is uncertain or state may require parent to provide specific evidence

Washington

- State allows limited recognition of de facto parents as a basis for visitation and/or custody
- See [In re Parentage of L.B., 122 P. 3d 161 \(Wash. 2005\)](#)

West Virginia

- State allows limited recognition of de facto parents as a basis for visitation and/or custody
- See [In re Clifford K., 619 S.E.2d 138 \(W. Va. 2005\)](#)

Wisconsin

- State allows limited recognition of de facto parents as a basis for visitation and/or custody
- See [In re the Custody of H.S.H.-K: Holtzman v. Knowtt, 533 N.W.2d 419 \(Wis. 1995\), cert. denied., Knott v. Holtzman, 516 U.S. 975 \(1995\)](#)

Wyoming

- State recognition of de facto parents is uncertain or state may require parent to provide specific evidence

U.S. Territories

American Samoa

- Recognition of de facto parents is uncertain or state may require parent to provide specific evidence

Guam

- There is recognition of [de facto parents](#) in awarding of custody.

Northern Mariana Islands

- Recognition of de facto parents is uncertain or state may require parent to provide specific evidence

Puerto Rico

- Recognition of de facto parents is uncertain or state may require parent to provide specific evidence

U.S. Virgin Islands

- Recognition of de facto parents is uncertain or state may require parent to provide specific evidence