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ing the policies behind the new minimum rent and community service requirements.

The unmitigated burdens imposed by these new provisions "simply set single parents up to fail," Farrell said. "And the price of this failure is steep. It's either less time with their children, or eviction from public housing."

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Bridging the Generation Gap: Grandparents Raising Grandchildren

By Felisha L. Thomas

For centuries, grandparents have been involved in the raising of their grandchildren, however this trend has exploded with more than a 76 percent increase since 1970.

Between 1990 and 2000, the number of children in such households increased by 30 percent. According to U.S. 2000 census data, nearly 2.5 million grandparents in the United States are heads of households, with primary caregiving responsibilities for more 4.5 million children under the age of 18. Further, it is suggested that there are likely many more children in informal care arrangements than data reflects.

The occurrence of grandparents raising grandchildren happens for many reasons. The circumstances may involve death of a parent, financial hardship, illness, immaturity, child abuse, neglect, or even substance abuse. Whatever the reason, grandparents often must step in to give their grandchildren what they need, and what they cannot receive, from their parents. However, challenges emerge as grandparents become second-time parents.

According to Barb Schwartz, coordinator of the Grandparents Raising Grandchildren Program of Illinois, "there are so many obstacles they face; it's like peeling onion, layer after layer."

One such challenge is the increased financial pressure on many grandparents already on tight budgets. Some grandparents stop working because they cannot afford child care. Other grandparents begin new jobs after retirement, or take on a second job to bear the extra financial burden. These households are twice more likely to live in poverty than other American families. Another challenge for grandparents raising grandchildren involves dealing with the emotional and psychological issues that occur in these new living situations.

Raising grandchildren can also pose legal challenges. A biological relationship to the grandchildren does not automatically create a legal relationship. Usually grandparents assume responsibility for their grandchildren through informal agree-

"I love my grandkids and my kids. I feel like if I do not take care of them, no one else will."

-Lillie Cotton, grandmother

ments. The state is not involved in creating these relationships, and is usually unaware of grandparent's role in caring for the children. Without legal authority, a grandparent may have significant difficulties enrolling the children in school, obtaining medical services, and qualifying for public benefits.

"It is so difficult to get legal standing to get services," said Schwartz. "I have known many grandparents [who] have spent \$10- to \$60,000 on legal fees to become guardians. What grandparent really wants to go into court and say their child is an unfit parent?"

Many grandparents are reluctant to begin legal action against an adult child who is the parent of the grandchildren in their care. They may legitimately fear that applying for public benefits on behalf of the child will lead the parent to retaliate by removing the child. Seeking public benefits may also cause the state to go after the parents for child support. Despite a parent's dysfunction, most grandparents are hopeful that the parent will rehabilitate, and are usually not interested in estranging the parent from the child.

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Lillie Cotton is a grandparent raising eight of her nine grandchildren. Two of her three adult daughters are not mature or financially stable to parent. She says that raising her grandchildren is challenging.

"Because I am not the legal guardian, I can't even do simple things, like enroll the kids in school," Cotton said. "While I could definitely use public services and benefits, I do not want to go the legal route. I do not want the kids to be caught in the system. What if they take them away? I keep hope that one day my daughters will be able to take on the responsibility of parenting alone."

The concern for many like Cotton is the loss of control. For many, the risk of being involved with the state can create uncertainty. Instead, many grandparents make choices that take into account not only the best interests of their grandchildren, but also the dignity and rights of the parent.

More resources for grandparents raising grandchildren are available at:

The Illinois Dept. of Aging Web site:
www.state.il.us/aging/1intergen/grg.htm
 and

FirstGov's Site for Grandparents:
www.firstgov.gov/Topics/Grandparents.shtml

Federal Marriage Amendment Defeated by Congress: What Lies Ahead?

By Jamie Friye

In its 1978 decision in *Zablocki v. Redhail*, the Supreme Court held that a Wisconsin statute limiting the right to marry to those who were not current in their child support obligations violated equal protection and impinged on a fundamental right - the right to marry. The ability for gay and lesbian partners to marry, however, has not yet been deemed worthy of similar constitutional protections.

In July, the Federal Marriage Amendment, which defined marriage as solely between a man and a woman, was defeated by the Senate and it was subsequently defeated in the House of Representatives as well.

"Activist judges and local officials in some parts of the country are not letting up in their efforts to redefine marriage for the rest of America, and neither should defenders of traditional marriage flag in their efforts," President Bush said

in response to Congress's action.

Advocates of the FMA, such as the members

of the Christian Legal Society (CLS), emphasize the need for such an amendment. In *Goodridge v. Dept. of Public Health* (2002), the Supreme Court of Massachusetts struck down existing marriage laws prohibiting same-sex unions. The CLS and other legal analysts believe that the *Goodridge* decision, combined with the fact that many same-sex couples have already traveled to Massachusetts to marry, will embolden the efforts of advocates to effect similar judicial upheaval in the more than 40 states that bar same-sex marriages. Their concern is that out-of-state couples will take advantage of the

Goodridge decision and marry in Massachusetts, then move home and file lawsuits demanding marital rights under the Constitution's full faith and credit clause.

The CLS argues that when it is properly understood, marriage is not an individual right, but an institution that

must be acknowledged by the state. Heterosexual marriage, they say, is the more acceptable means of

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-President Bush

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