



Gay man seeks perfect woman

Surrogate mothers find a new market niche: single gay men

JESSICA WERB | May 21, 2007 |

Mac and Ella Comber were delivered by C-section on Sept. 23, 2006, weighing 5 lb. 10 oz. and 5 lb. 11 oz. respectively. Both were strong and healthy, though Mac spent a short time in an incubator to help clear some fluid from his lungs. Ella, with her olive skin and dark hair, had her mother's complexion, while Mac, with his fairer skin, looked more like his father.

A week after their birth, Mac and Ella's mother nursed them for the last time in the hospital, bid their father and the twins farewell, and returned home to her husband and two daughters aged 7 and 5. The twins then flew with their father to his home in Vancouver, which had been painstakingly prepared for their arrival.

Confused? There's an explanation, though it's not a particularly simple one. Scott Comber, Mac and Ella's father, is a 45-year-old gay single man; their mother is a 27-year-old heterosexual married woman. (She requested anonymity. We'll call her Jennifer Dickson.) Dickson agreed to be Comber's traditional surrogate -- a controversial arrangement in which a birth mother both conceives and carries a child for someone else, in contrast to the more common gestational surrogacy, which involves carrying an embryo that is not genetically linked to the surrogate.

Finding a woman who would both conceive and bear him a child was easy, says Comber. "I just googled surrogates and mothers, and up popped these surrogate sites," he recalls. After reading through profiles of potential surrogate mothers on [surrogatemomsonline.com](#), he found Dickson, a former egg donor and gestational surrogate. "We emailed and talked on the phone once or twice. It's very much like online dating." According to Dickson, she and Comber "just really hit it off." The two drafted a basic contract, but neither can remember if they ever signed it.

In return for her part of the arrangement, Dickson was paid around \$20,000 to cover her expenses. She says \$15,000 to \$20,000 is typical, depending on a number of factors. "You get a maternity clothing allowance, you get your gas reimbursed, and there's a C-section fee if you end up with a C-section," Dickson adds. Legal? Barely.

In 2004, the federal government enacted the Assisted Human Reproduction Act (AHRA), which prohibits anyone from paying, offering to pay, or advertising to pay a woman to become a surrogate mother. It also prohibits anyone from accepting payment for arranging, offering to arrange or advertising to arrange these services. The act does, however, allow for the reimbursement of expenses. Specific regulations outlining which expenses can be reimbursed, and up to what value, have yet to be determined; these are currently being developed and are expected in late 2007 or early 2008. As it stands, intended parents are essentially free to pay surrogates as much as they like, as long as these payments are couched in a myriad of expenses.

Surrogacy has long been employed by heterosexual couples struggling with infertility. But buoyed by the Civil Marriage Act of 2005 and determined to build families, gay couples and singles -- like Comber -- are increasingly turning to surrogates as well. And, unlike the cold reception they receive in the world of adoption, they're being greeted by surrogates with open arms.

Comber, a business leadership consultant and instructor at Royal Roads University in Victoria, says he

planned on adopting, but was told by the head of an agency that as a single gay male, his chances of success were virtually nil. "[The agency director] told me it is a possibility and it exists in writing in certain places in certain countries, but he has never seen it in his entire 12 or 15 years."

When it comes to inter-country adoptions, explains Sandra Scarth, president of the board of the Canadian Adoption Council, only the U.S. will place children with single-sex couples, and even then it is birth mothers who choose the parents -- the majority of whom prefer a two-parent home with a heterosexual couple. "Internationally it's very, very difficult," says Scarth of gay-parent adoptions. "Inter-country is virtually impossible." And while Scarth knows of a few successful adoptions by gay couples domestically and from the U.S., "it's harder for a single gay male than a couple." The world of surrogacy is very different.

According to Sherry Levitan, a North York-based lawyer who deals with egg donation, embryo donation and surrogacy contracts, "surrogates prefer, number one, gay couples." With heterosexual couples, she points out, surrogacy is a course of last resort following years of infertility. "It's not unusual for a woman who has gone through IVF after IVF, unsuccessfully, to have some negative feelings, whether they be anger or resentment. Sometimes they are directed toward the surrogate, as irrational as it may sound. It is very common for a woman to be angry this other woman can carry a baby and she can't."

Gay couples, on the other hand, "consider this to be just a completely optimistic, happy, wonderful situation," says Levitan. "There's 100-per-cent positive emotion which must be very attractive to a surrogate." Sally Rhoads, a Stratford, Ont.-based former gestational surrogate who manages Surrogacy in Canada Online, agrees: "I know some [surrogates] who carry for same-sex couples say, 'I feel like I have more of a role and I won't be kicked to the side after I give birth.'" Rhoads says that approximately "one in three" surrogacy arrangements she hears about now involve gay intended parents.

While Levitan is hesitant to give firm statistics, she says she's increasingly working with gay couples -- the first of whom contacted her eight years ago. In 2006, she handled her first three single gay male-intended parent surrogacies, all of whom had "no trouble" finding surrogate mothers. Levitan, who charges between \$4,000 and \$5,000 for her services, says she won't touch traditional surrogacy as she can't guarantee a good result for her clients. She only handles gestational surrogacies. But she admits that for a single gay man, "[traditional surrogacy] makes it a lot simpler. It simplifies the process and cuts the costs."

Levitan is fearful that pending changes to AHRA regulations could make it more difficult for surrogacy arrangements to take place if expenses are capped and limited. As it is, Rhoads says there is plenty of cross-border "shopping" going on. "There are couples using American surrogates and American couples using Canadian surrogates," she says, adding that while it's illegal in Canada to be paid to arrange surrogacies, it is legal in many states. "So a Canadian couple can pay an agency fee in the States and a Canadian surrogate can be paid top fee by an American couple," she explains. "That's how people are getting around it. The law only governs what's happening in Canada. If Canadian couples can't find Canadian surrogates, they're paying fees to American surrogates."

Down in L.A., one gestational-surrogacy agency dedicated solely to gay and lesbian intended parents, Growing Generations, says it has handled around 15 cases from Canada. The agency's professional fees are US\$20,000, with overall costs for the entire process going as high as US\$150,000. About 20 per cent of Growing Generations' clients, adds Gail Taylor, its president, are single parents.

In March, the Fertility Institutes, a clinic with offices in L.A. and Las Vegas and plans for a third in New York City, made headlines when it launched what it claimed was the first dedicated surrogacy program for gay men. For an average fee of US\$60,000, the fertility clinics provide connections to egg donors, surrogates and lawyers. For an extra US\$18,000 or so, the clinic also offers gender selection (illegal in Canada) -- which it says about 75 per cent of gay intended parents opt for. The clinic's website assures visitors that its egg donors are all college students between the ages of 18 and 27 and that its surrogates, who receive about US\$30,000 for their services, are medically screened and have delivered at least one infant. When he announced the program, Dr. Jeffrey Steinberg, the clinic's director, said he had already worked with 70 gay male couples, of which 60 per cent came from other countries, including Canada.

In Canada, such an agency would be illegal. One organization, Canadian Surrogacy Options (CSO), charges \$5,500 for a variety of services, such as consultations with intended parents, psychological screening of surrogates, location of legal counsel, hotel bookings and even attending deliveries -- everything short of matching parents with a surrogate, which would overstep the legal boundaries. (No one from CSO agreed to speak on record.)

Comber's do-it-yourself approach to finding a surrogate paid off quickly. He and Dickson began exchanging emails in June 2005 and two months later he was on a plane to Ontario. "I can't tell you how weird it is," he says, of meeting Dickson for the first time. "You walk into a hotel in a strange city and there's a woman standing in the lobby and you go up and shake her hand, and you know this is going to be the mother of your child. You've never seen her before in your life and then within an hour of meeting this strange woman

in a lobby I'm going to inseminate her. It's weird."

Rather than go the home-insemination "turkey baster" route, Comber and Dickson decided to work with a fertility clinic, to maximize their odds. "It was difficult to find a clinic that would work with us," recalls Comber. "Although surrogacy is legal, few clinics will touch it." He and Dickson eventually found SOFT(Southern Ontario Fertility Technologies)in London, Ont. -- one of the few clinics in Canada that will assist with traditional surrogacies. Once a month for six months, Comber and Dickson went through the process of artificial insemination. After three months, Dickson went on the fertility drug Clomid to boost her chances of becoming pregnant. In January 2006, it happened.

Despite carrying infants that were genetically hers, Dickson, who says she was drawn to surrogacy because she "missed being pregnant," insists she had no urge to keep them. "I was happy that they were healthy and everything, but I didn't connect with them as if they were my own children. It's hard to explain that you can have that disconnection."

Seven months after giving birth to Mac and Ella, Dickson is still in regular contact with Comber, who sends her photos and updates. The twins will refer to her as an aunt, Comber says, and will understand the unique circumstances that brought them into the world. He has one photo of Dickson leaning over the newborn twins and plans to hang it in his children's nursery. "I'm going to tell them our story and how grateful we are for what she did for us," he says.

Story from Macleans.ca:
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