Artificial Conception: Artificial Insemination and In Vitro Fertilization

Modern medicine and science have allowed opportunities for conceiving children through artificial insemination, in vitro fertilization, and embryo transplantation. These new techniques have also created legal questions and disputes regarding the child's status and the rights and designation of the parents.

Artificial Insemination

When a married woman -- with the consent of her husband -- conceives a child by artificial insemination from a donor other than her husband, the law generally recognizes the child as the husband's legitimate child. Most states have "presumption" laws, which presume that a child born to a married woman is the child of her husband, and the designation of the husband as father in a case involving artificial insemination derives from those laws.

In Vitro Fertilization

In vitro fertilization and egg transplantation involves the fertilization of the egg outside the womb. Where the egg is donated by another woman, the birth mother will be treated as the legitimate mother of the child in the eyes of the law.
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