



Section Recommendation Adopted by ABA House

The ABA House of Delegates during its Annual Meeting in Atlanta approved the Section of Family Law Recommendation 109. The recommendation was also co-sponsored by the Section of Individual Rights and Responsibilities.

The recommendation was revised prior to passage and then adopted by voice vote of the House of Delegates on Monday, August 9, 2004.

The recommendation as amended and adopted reads as follows:

RESOLVED, THAT the American Bar Association supports law and public policy, both national and international, that oppose or prohibit reproductive cloning.

FURTHER RESOLVED, THAT, notwithstanding the above, the American Bar Association recognizes that attempts at reproductive cloning may have been made, are currently being made, or may be made in the near future, either in the United States or elsewhere in the world, and therefore supports national law and public policy, that:

- 1) Establish a presumption that a live birth resulting from such attempts is a human being;
- 2) Guarantee that any such human being is a person, legally separate and distinct from its biological progenitor, with all rights accorded to any other live born human being under existing law; and
- 3) Establishes legal parentage, including the legal rights and obligations that flow there from, of such person.

FURTHER RESOLVED, THAT, for the purposes of this Recommendation, reproductive cloning shall be defined as the transfer of an embryo containing the nuclear genome of a single progenitor (person from whom the nuclear genome was taken or copied), living or dead, into the body of a woman, with the intent to produce, or for the purpose of producing, a living human being or human beings with that genome.