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WORLDNETDAILY EXCLUSIVE

QUEERLY BELOVED

Lesbian awarded custody of Christian's only child

Decision sets up showdown over claim from ex-partner

Posted: December 05, 2009
11:45 pm Eastern

By Bob Unruh
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A Vermont court ordered a Christian child taken away from her mother and given to a lesbian ex-partner, setting up, according to a lawyer for the Christian family, a dispute that the U.S. Supreme Court likely will have to resolve.

Mathew Staver, founder of [Liberty Counsel](#), told WND the recent order from the Vermont judge that Lisa Miller turn over her young daughter, Isabella, to the lesbian ex-partner, Janet Jenkins, on New Year's Day is being appealed.

In the interim, a separate court hearing on the dispute is scheduled to be heard in a Virginia court during this coming week.

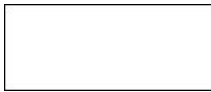
"We're arguing that the state of Virginia cannot enforce an out-of-state, Vermont, civil union because it's contrary to Virginia law," Staver said.

Ultimately, he said, the issue probably will have to be resolved by the U.S. Supreme Court, because the case is being moved along parallel tracks in both Vermont, where Jenkins lives, and Virginia, where the Millers live.

(Story continues below)



Lisa Miller and her daughter, Isabella (photo courtesy Barbara Curtis)



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He said it is possible that the final results from each state will be opposing rulings.

"That is a direct appeal to the U.S. Supreme Court," Staver explained.

[WND has reported on the case multiple times](#), including just weeks ago when the American Civil Liberties Union, on behalf of Jenkins, went to court in Virginia demanding that Miller be jailed for refusing to allow her daughter, 6, to be on unsupervised visits with Jenkins.

Jenkins has stated she believes it is not good for a child to be raised in a Christian atmosphere.

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Miller had refused because of issues over previous visits, including statements by Isabella that she was compelled to bathe naked with Jenkins.

The dispute is over Jenkins' demands for visitation and/or custody of Isabella, with whom she has neither a blood nor an adoptive relationship.

Liberty Counsel has argued that Virginia courts cannot enforce child-custody orders arising from Vermont same-sex civil unions since the state doesn't recognize that status.

Last year, a judge in Vermont gave Jenkins visitation rights with Miller's daughter. Then just days ago, the judge ordered custody transferred to Jenkins.

Liberty Counsel said, "Unrefuted testimony has shown that for the last five years, Janet has neither attempted to [phone](#) nor write Isabella. She has never sent Isabella a card of any kind for any occasion. Janet has refused to attend Isabella's Christmas plays because she does not want to be around a Christian environment. She has also said that it is not in Isabella's best interest to be raised in a Christian home."

Virginia court rulings have declared Miller to be the sole parent.

Isabella was born to Miller from artificial insemination when Miller and Jenkins were living together. They obtained a civil union from Vermont, but Jenkins never adopted the baby.

The relationship terminated when Miller became a Christian and quit the lesbian lifestyle.

Even on the pro-homosexual "Queerty" website, the Vermont court decision startled some.

"What kind of monster takes a child away from their mother. ... This is a human rights violation for the child," said one person.

"It's easy to pick on the biological mother. We don't like her religious beliefs, we don't like her politics. But the fact remains that [this] is dangerous precedent for mothers, who [are] under increasing pressure to 'cooperate' with ex's regarding their children, REGARDLESS of the ex's history of abuse, [alcoholism](#), and abuse. Please familiarize yourself with the fathers rights movement and their war on women – just because you don't identify yourself as heterosexual doesn't mean that you aren't in their crosshairs," added another.

The case earlier was complicated when Jenkins' Virginia attorney withdrew "after he was indicted for obstructing justice and tampering with evidence regarding a murder that occurred in his home, where his college male friend was sodomized and killed," Liberty Counsel said.

If you would like to sound off on this issue, participate in today's [WND Poll](#).

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Bob Unruh is a news editor for WorldNetDaily.com.



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