

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION ONE

C.M. V M.C.

M.C., a gestational carrier, challenges the trial court's declaration that Father is the sole legal parent of triplet children and finding that M.C. has no parental rights. M.C. entered into the surrogacy arrangement with Father, pursuant to a written "In Vitro Fertilization Surrogacy Agreement." As a preliminary matter, the court concluded that M.C. is not estopped from challenging the legal effect or validity of the Agreement. On the merits, the court concluded that Father complied with the requirements for establishing a parent-child relationship and for terminating M.C.'s claimed parental rights pursuant to Family Code section 7962. The court also concluded that the trial court's application of section 7962 is consistent with the constitutional rights of M.C. and the children. In this case, M.C.'s various substantive and procedural challenges are foreclosed by specific legislative provisions and by a prior decision by the California Supreme Court. Because the court found no error in the trial court's ruling, the court affirmed the judgment