

## Case 6: Nest Eggs

Soon after Chuck and Kate married, they learned she had Hodgkin's lymphoma and that the treatment would probably limit her ability to conceive and carry a fetus to term. So, prior to starting treatments, they went through the process of in vitro fertilization. Because neither of them felt they would be able to focus on raising a child right then, even one birthed by a surrogate mother, they chose to freeze the viable embryos. As a further precaution, they stored several eggs and vials of sperm.

Kate survived several years of treatments, but her marriage didn't. Although Kate would have liked to hire a surrogate who would gestate one or two of the frozen embryos, she acknowledged Chuck's right to abandon a plan begun during a happier time. She also put off deciding what to do with her stored eggs. She was ambivalent about raising a child as a single parent and ultimately chose to focus on regaining her health and her once active life.

Only a few years later, however, she died in a car accident, leaving behind neither spouse nor offspring. In her will she directed that her parents receive complete title to all her property. Kate had been an only child, so her parents grieved not only their loss of a daughter but also the lost prospect of grandchildren. In one meeting with the probate lawyer, they voiced this regret. The lawyer suggested they use Kate's frozen eggs as, perhaps, Kate herself would have wanted them to do: acquire some sperm through a sperm bank, hire a surrogate to gestate the fetus, and raise the child themselves.

The suggestion comforted Kate's parents but left them with many questions. Are Kate's eggs just property they could inherit? Should they make a child without Kate's explicit consent? Would they be doing the right thing?

Case from the 2017 International Ethics Bowl on February 26, 2017 in Dallas Texas



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