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Amy Nuttall:

The legal definition is the legal control and custody of that child. That is established through either if you are a heterosexual couple right now in North Carolina and you have a child and your name's going on the birth certificate, you're presumed to be the legal parents.

Now, in the case of let's say the wife stepped out and the baby is someone else's, that father could step up with DNA and say I am in fact the parent. Then they would go through the legal process of having things changed so that legal parentage is conferred to the actual biological genetic father. For lesbian couples and for gay men, it is established through a parentage petition or an order declaring parentage.