

SUPREME COURT OF NORTH CAROLINA

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JULIA CATHERINE BOSEMAN, )

Plaintiff )

v. )

MELISSA ANN JARRELL, )

Defendant )

and )

From New Hanover County

07-CVD-625

MELISSA ANN JARRELL, )

COA08-957

Third-Party Plaintiff )

v. )

JULIA CATHERINE BOSEMAN )

and )

NORTH CAROLINA DEPARTMENT )

OF HEALTH AND HUMAN SERVICES, )

Third-Party Defendants )

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MOTION OF THE AMERICAN PSYCHOLOGICAL ASSOCIATION,  
NATIONAL ASSOCIATION OF SOCIAL WORKERS AND ITS  
NORTH CAROLINA CHAPTER, FOR LEAVE TO FILE *AMICI*  
*CURIAE* BRIEF

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Pursuant to Rule 28(i) of the North Carolina Rules of Appellate Procedure,  
the American Psychological Association, National Association of Social Workers,  
and National Association of Social Workers, North Carolina Chapter, move for

leave to file an *amici curiae* brief in support of plaintiff-appellee in the above styled case, and in support of the motion states the following:

1. The American Psychological Association (APA) is a nonprofit scientific and professional organization founded in 1892. APA has more than 148,000 members and affiliates, including the majority of psychologists holding doctoral degrees from accredited universities in this country. Among APA's major purposes is to increase and disseminate knowledge regarding human behavior and to foster the application of psychology to important human concerns. Human sexuality, familial relationships, and stigma are professional concerns of a substantial number of APA's members.

2. Established in 1955, the National Association of Social Workers (NASW) is the largest association of professional social workers in the world with 145,000 members and chapters throughout the United States, in Puerto Rico, Guam, the Virgin Islands, and an International Chapter in Europe. The NASW, North Carolina Chapter has 4,100 members. With the purpose of developing and disseminating standards of social work practice while strengthening and unifying the social work profession as a whole, NASW provides continuing education, enforces the *NASW Code of Ethics*, conducts research, publishes books and studies, promulgates professional standards and criteria, and develops policy statements on issues of importance to the social work profession.

3. Both APA and NASW have participated in numerous cases involving mental health, social science, family and discrimination issues, and are deeply committed to providing scientific information to help inform the courts on issues of importance before them.

4. Defendant-Appellant appeals from the Court of Appeals's affirmance of the District Court's ruling that the adoption decree was valid.

5. The *amici curiae* brief, which APA, NASW, and NASW North Carolina Chapter will file on behalf of the Plaintiff-Appellee, will support the position that the Court of Appeals acted properly.

6. APA, NASW, and NASW North Carolina Chapter will provide the Court with important information relevant to the legal issues in this case, that no other party or organization involved in this litigation has provided. APA and NASW are leading national associations of mental health professionals and behavioral scientists, who are thoroughly familiar with current scientific theory, research methods, empirical findings, and clinical techniques concerning sexual orientation, parenting, and stigma and prejudice. Specifically, the brief will provide the Court with a comprehensive and balanced review of the scientific and professional literature pertinent to the issues before the Court. The brief will review the relevant empirical research from the social and behavioral sciences on the nature of sexual orientation and whether sexual orientation affects a person's

suitability to raise children. The research reviewed in the brief will include data from studies conducted using the scientific method – research that typically is subject to critical review by outside experts, usually during peer review process preceding publication in a scholarly journal.

7. This case has significant implications for North Carolina families and raises important questions about the protections afforded to parents and children in adoptive relationships.

8. APA, NASW, and NASW North Carolina Chapter's substantial expertise concerning the current state of psychological and psychosocial knowledge and literature and their unique perspective on the interests of children will assist the Court in its consideration of this appeal. Accordingly, APA, NASW, and NASW North Carolina Chapter request permission to file a brief as *amici curiae* in this case.

Respectfully submitted, this \_\_\_\_ day of March, 2010.

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Workers, and National Association of Social  
Workers North Carolina Chapter*

CERTIFICATE OF SERVICE

This is to certify that this **Motion of the American Psychological Association, National Association of Social Workers and its Local Chapter, for Leave to File an *Amici Curiae* Brief** was served upon the parties by first class mail addressed to:

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This the \_\_\_\_\_ day of March, 2010.

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