

Landmark N.C. Civil Rights Case

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Brooks Pierce represented several nonprofits that advocate for the rights of LGBTQ individuals in a landmark North Carolina civil rights case, which now allows same-sex couples to receive domestic violence protective orders (DVPO) in cases where the couple is unmarried and does not live together. Attorneys Eric David and Sarah Saint filed an amicus curiae brief with the courts on behalf of the organizations outlining how domestic violence impacts the LGBTQ community and arguing that they should have equal protection under the law.

The case, *M.E. v T.J.*, was originally filed in 2018 when M.E., a female, sought a DVPO against her former girlfriend T.J. The order was denied because, under North Carolina state law, people involved in same-sex dating relationships who do not have children with their partner, are not and have not been living with their partner, or are not and have not been married to their partner are not eligible for court-ordered protection in situations of domestic violence. The court ruled that while M.E. met the requirements for receiving a DVPO, one could not be granted because she was in a same-sex relationship. M.E. appealed the decision. On Dec. 31, the North Carolina Court of Appeals ruled the law, as applied to M.E. and those similarly situated to her (*i.e.*, other individuals in same-sex dating relationships), violated the United States and North Carolina constitutions. This decision expanded protection from domestic violence to all members of the LGBTQ community.

With this court ruling, North Carolina became the last state to expand full protections from domestic violence to all LGBTQ individuals.

The amicus curiae brief filed by Brooks Pierce on behalf of the nonprofits was one of three filed in the case in support of expanding domestic violence protections to LGBTQ individuals. Briefs of support were also filed by North Carolina Governor Roy Cooper and Attorney General Josh Stein as well as by organizations which provide support to victims of domestic violence.

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