

## Brooks Pierce Attorneys Write Amicus Curiae Brief in Domestic Violence Case

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Brooks Pierce attorneys Eric David and Sarah Saint wrote an Amicus Curiae Brief on behalf of 16 North Carolina nonprofit organizations arguing that the North Carolina law violates the constitutional guarantee of equal protection when victims of same-sex domestic violence are denied a domestic violence order of protection (DVPO).

In the original case, *M.E. v. T.J.*, a woman sought a DVPO against the woman she was dating. Under Chapter 50B, 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. People involved in opposite-sex dating relationships, however, are eligible. Applying North Carolina General Statute 50B to the plaintiff's situation, the trial court ruled that, despite being a victim of domestic abuse warranting civil protection, the plaintiff was not eligible for a DVPO because she was in a same-sex dating relationship with her abuser.

Because a specific group of North Carolinians is singled out from protection by the law and denied equal protection under the law, the brief argues that the law is unconstitutional as applied to the plaintiff and those similarly situated to her, violating both the North Carolina and U.S. Constitutions.

Governor Roy Cooper and Attorney General Josh Stein also submitted an amicus brief in this case.

The full brief is available for review [here](#).

### PEOPLE

Eric M. David

Sarah M. Saint

### SERVICES

Litigation