



NCCADV files Amicus Brief to support the extension of Chapter 50B protections to LGBTQ survivors of domestic violence

January 7, 2019

This week, the North Carolina Coalition Against Domestic Violence (NCCADV) joined with Legal Aid of North Carolina and a host of county Domestic Violence Service Providers from the mountains to the coast in filing an Amicus Brief urging the North Carolina Court of Appeals to end the historic exclusion of same-sex dating couples from the protections of Chapter 50B restraining orders.

The case is on appeal from North Carolina's district courts after a judge ruled that, but for the language of Chapter 50B limiting its definition of personal relationship to persons of the opposite sex who are dating, the Court would have issued a protective order for the survivor in the case.

NCCADV has long been committed to serving all victims of intimate partner violence in our state, and the historic discrimination against LGBTQ survivors in our restraining order statutory scheme is of grave concern to our agency, as well as a multitude of other victim service providers. NCCADV has included an amendment to Chapter 50B on its legislative agenda to remove the prohibition against same sex dating couples for many years. While we have not been successful to date on the legislative frontier, confirmation from the Court of Appeals that our state statute is unconstitutional in its exclusion of same sex dating couples will pave the way toward making that long-needed change in our state's statutes.

NCCADV is committed to helping survivors from all backgrounds and identities achieve peace and safety within their lives. Filing this Amicus Brief is a powerful and concrete symbol of our overall commitment to equality for all survivors across our state. North Carolina is the last state in the country with a domestic violence statutory scheme that discriminates against LGBTQ survivors. NCCADV will continue to stand with LGBTQ survivors of domestic violence, and will fight for equality in our laws for as long as it takes to right that wrong.