



Google™

 Search!

HOME SEARCH MESSAGES CHAT PROPQ CALENDAR VIDEO BLOGS

Front Page

- News
- Politics
- Entertainment
- Kids & Family
- Lifestyle
- Health
- Q & Q

Help

Log On

[Return to PropQ](#)

NC: Court upholds second parent adoption rights, establishes precedent for same-sex couples

From Pam's House Blend - Front Page
 8/19/2009 9:30 AM - 49 views

We've had two great pro-equality events here in my state to report. First, on Monday the Durham City Council [approved a resolution](#) in support of marriage equality, and then this great [legal ruling in support of adoption rights](#) involving our only out state senator, [Julia Boseman](#).



A three-judge panel of the court unanimously agreed that Boseman's 2005 adoption of Melissa Jarrell's child cannot be

undone. State law creates a nearly impossible hurdle for reversing completed adoptions, and to nullify the adoption and deny Boseman joint custody, Jarrell had challenged whether state law even allowed gay or lesbian parents to adopt.

"While [state law] does not specifically address same-sex adoptions, these statutes do make clear that a wide range of adoptions are contemplated and permitted, so long as they protect the minor's 'needs, interests, and rights,'" Judge Wanda Bryant wrote [in the opinion](#).

...State law governing adoption does not specifically mention adoption by same-sex couples. Jim Lea, a domestic law specialist in Wilmington and one of Boseman's attorneys said that such adoptions have already been occurring. But the court opinion affirms the right of gay and lesbian couples to adopt. **"Now I think it's very clear that if a couple chooses to go out and adopt the child and execute the necessary waivers, that homosexual couples can adopt children,"** Lea said. **"To say that a couple should not be able to adopt a child because they're gay, on that reason alone is just**

NO. COA08-957
 NORTH CAROLINA COURT OF APPEALS
 Filed: 18 August 2009

JULIA CATHERINE BOSEMAN,
 Plaintiff,
 v. New Hanover County
 No. 07 CVD 625

MELISSA ANN JARRELL,
 Defendant,
 and
 MELISSA ANN JARRELL,
 Third-Party
 Plaintiff,
 v.

JULIA CATHERINE BOSEMAN and
 THE NORTH CAROLINA DEPARTMENT
 OF HEALTH AND HUMAN SERVICES,
 Third-Party
 Defendants.

Appeal by defendant/third-party plaintiff from judgments entered 14 January 2008, 6 February 2008, 14 February 2008, 20 March 2008, and 16 April 2008 by Judge Lillian B. Jordan in the District Court in New Hanover County. Heard in the Court of Appeals 26 January 2009.

Attorney General Roy Cooper, by Special Deputy Attorney General Mabel Y. Bullock, for the North Carolina Department of Health and Human Services.

Lea, Rhine, Rosrugh & Chleborowicz, PLLC, by James W. Lea, III, Lori W. Rosbrugh, and Holi B. Newsome, for plaintiff / third-party defendant-appellee.

Ward and Smith, P.A., by John M. Martin and Leslie G. Fritscher, for defendant/third-party plaintiff-appellant.

North Carolina Association of Women Attorneys, National Association of Social Workers, North Carolina Chapter of the National Association of Social Workers, and North Carolina Foster and Adoptive Parents Association, by Ellen W. Gerber,



Comments on Other Stories

Doug Commented on [UN-FR Believable RACIST Har](#) 9:35 AM



19 comments

"http://www.youtube.com/watch?v=

james Commented on [Rep. J "You Lie" at the Presidential address to Congress a](#)



460 comments

"Since when does thinking for yours conservative?"

David Commented on [2010 Gubernatorial Candidate Gay Marriage](#) at 9:30 .

plain wrong."

Is Charlie Crist listening down there in Florida?

Hat tip, Billy T.

Other Stories in the News:



NASA Creates Anti-Gravity Field, Makes Lab Rats Levitate [Science]

Congressional race defies expectations

12 views

78 views

Join up or Log on!

You must be a member to respond to questions.

If you are already a member, [log on now](#). If you are not a member, [Join up!](#)

Comments

Comment Order:

No comments yet.



"Basically saying "I'm going to piss people by stripping away rights! Vot

Kevin

Commented on [NASA Gravity Field, Makes L \[Science\]](#) at 8:22 AM



6 comments

"Magnetism is one way to go, but I a better way to nullify gravity. Magn

Mitch

Commented on [Congre defies expectations](#) at



4 comments

"Hang ona minute Christian you are

[Return to PropQ](#)

[Join](#) | [Help](#) | [Contact Us](#) | [Terms of Service](#) | [Privacy](#)

Copyright © 2003-2009 Connexion LLC. All rights reserved.