



THE FAMILY
POLICY COUNCIL
OF WEST VIRGINIA

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NEWS Release

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FPCWV asks court to place child with married couple

CHARLESTON, W.V. — The Family Policy Council of West Virginia and the Alliance Defense Fund submitted a friend-of-the-court brief Tuesday with the Supreme Court of Appeals of West Virginia asking the court to place a 14-month -old foster child with a married family. The West Virginia Department of Health and Human Resources had temporarily placed the child with a same-sex couple, but that couple now claims that their desire to adopt the child is more important than the department's effort to place the child in a family with a mom and dad as state law requires.

“The law is simple and clear when it comes to adoption. It's designed to ensure adopted children are placed in homes with a married mom and dad,” said Jeremy Dys, president and general counsel of the Family Policy Council of West Virginia. “In this case, there are several qualified married couples willing to adopt this child, so there is no reason whatsoever to ignore the simple and clear law.”

After the child's mother had her parental rights terminated due to substance abuse problems and because the whereabouts of the father were unknown, the West Virginia Department of Health and Human Resources temporarily placed the child with a same-sex female couple. The child's court-appointed guardian filed a motion that it was in the young girl's best interests to be placed in a home with a mother and father. A Fayette County Circuit Court judge granted the motion.

The same-sex couple appealed to the Supreme Court of Appeals of West Virginia, which ordered the child to be returned to the couple pending a decision from the court.

A copy of the brief submitted to the Supreme Court of Appeals of West Virginia in *BGC v. A* is available for download at www.familypolicywv.com/litigation and www.telladf.org/UserDocs/BGCamicus.pdf. ADF-allied attorneys David Langdon and Brad Peppo of Langdon Law assisted with the brief.

“Foster parenting is, by definition, a temporary arrangement,” said Dys. “Under West Virginia law, people who enter the foster parenting program understand this. They can't demand to become adoptive parents.”

The Family Policy Council of West Virginia is a servant organization that advocates for policies that embrace the sanctity of human life, enrich marriage, and safeguard religious freedom.

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