

## **What is an “Amicus Brief” and why should The Field Center wish to file one?**

An amicus brief or “brief amicus curiae” is a written memorandum also called a “friend of the court” brief. Any organization wishing to express its views on an important court case may seek permission to file an amicus brief with a court about to decide a case.

While an amicus brief may be useful at the trial stage, it is most often used when a case reaches the appeals stage, or when it is heard by the highest court of a state or by the Supreme Court of the United States.

The purpose of the amicus brief or friend of the court brief is not to take sides in the dispute but rather to provide the court with additional information and perspectives on the potential impact of the decision.

Sometimes the parties in a case lack the expertise or the resources to fully explore the issues. Often, a decision in a seemingly simple case may have complex effects on individuals or groups who are not parties.

The amicus brief provides an opportunity to raise these issues and to brief the court on research, policies and practices that should guide its decision. An amicus brief must be written by an attorney but it is filed on behalf of an organization or group of organizations. Typically, such organizations are engaged in advocacy, research and development of public policy.

Children are especially in need of skilled advocacy. Children’s voices are seldom heard in the corridors of power or in the courts of law. One part of the mission of The Field Center is to monitor the docket of the United States Supreme Court and other courts for pending court cases that may have an impact on the welfare of children.

When we identify such a case, we will assemble a team to research the issues in the case. If the case seems important, we may decide to author or join others in submitting a brief that educates the court on current research on child development, child welfare law and practice, education and social sciences.

An amicus brief authored by The Field Center provides a vehicle for influencing the direction of the law in ways that promote the interests of children. It can assure that the latest interdisciplinary perspectives are available to the judges charged with deciding landmark cases and it can alert the court to the impact on children of its decisions.