

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

APRIL DEBOER, ET. AL.,

Plaintiffs,

-v-

Case Number: 12-10285

RICHARD SNYDER, ET. AL.,

Defendants.

/ VOLUME 1 PART A

BENCH TRIAL
BEFORE THE HONORABLE BERNARD A. FRIEDMAN
UNITED STATES DISTRICT JUDGE

100 U. S. Courthouse & Federal Building
231 West Lafayette Boulevard West
Detroit, Michigan 48226
TUESDAY, FEBRUARY 25TH, 2014

APPEARANCES:

For the Plaintiffs:

Carole M. Stanyar, Esq.
Dana M. Nessel, Esq.
Kenneth Mogell, Esq.
Robert Sedler, Esq.

For the Defendants:

Richard Snyder,
Bill Schuette,

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Proceedings recorded by mechanical stenography.
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I N D E X

PLAINTIFFS' CASE IN CHIEF

WITNESS:

PAGE:

David M. Brodzinsky, Ph.D.

Direct Examination by Ms. Stanyar

3

DIRECT EXAMINATION
DAVID M. BRODZINSKY, Ph.D.

3

1 D A V I D M . B R O D Z I N S K Y , P h . D . ,
2 (being duly sworn, testified as follows:)

3 DIRECT EXAMINATION

4 BY MS. STANYAR:

5 Q Good morning, Dr. Brodzinsky.

6 A Good morning.

7 Q What is your occupation?

8 A I'm a developmental clinical and forensic
9 psychologist.

10 Q Within the field of psychology do you have speciality
11 areas?

12 A I have several speciality areas, the primary one is
13 adoption and foster care.

14 Q How about other areas of speciality?

15 A Child development, non traditional family life,
16 parenting by same sex couples and individual, gay and
17 lesbian individuals.

18 Q Let's focus on your teaching experience, have you had
19 any academic affiliations and for how long?

20 A Yes, I was professor of psychology at Rutgers from
21 1974 to 2006 when I took early retirement. I've had adjunct
22 professor affiliations at the Rutgers Medical School and at
23 the Graduate School of Applied and Professional Psychology
24 at Rutgers as well.

25 Q Focusing first on your teaching experience in a

1 university have you taught in the area of child
2 development?

3 A Yes.

4 Q Have you taught in the area of clinical psychology?

5 A Yes.

6 Q Have you taught in the area of adoption?

7 A Yes.

8 Q Have you taught on the topic of same sex -- have you
9 included the topic of same sex parenting in any courses
10 that you've taught?

11 A Yes.

12 Q Did you teach at Rutgers University in the Department
13 of Psychology?

14 A I did, yes.

15 Q I think you've already told us over what period of
16 time?

17 A '74 to 2006.

18 Q Did you run any clinical programs there?

19 A From 1989, to 2006, I ran what was the Rutgers Foster
20 Care Counseling Project. It was a state-funded counseling
21 and training program servicing the foster families and
22 foster children in two- or three-county area around New
23 Brunswick, New Jersey.

24 Q How many children were seen by the project?

25 A Roughly around 700 during the years that I was there.

1 Q Do you conduct research in the field of psychology?

2 A I do, yes.

3 Q Over what period of time?

4 A Well, I started as an undergraduate and certainly as I
5 entered graduate school, but most of my research was once I
6 became an academic at Rutgers from '74, and -- through
7 2006, and I continue to do research through the Donaldson
8 Adoption Institute.

9 Q We'll talk about that in a moment.

10 What are your primary areas of research?

11 A My primary area of research is in adoption or foster
12 care. I focus on many different areas of adoption.

13 Q Have you done any research related to adoption by gay
14 and lesbian parents?

15 A I have, yes.

16 Q Can you describe that?

17 A Well, we have two national surveys of adoption agency
18 policies and practices related to working with gay and
19 lesbian individuals. I've done a large scale of study of
20 gay and lesbian adopters or adoptive families looking at
21 their needs, their experiences, the type of adoptions they
22 engage in, the extent of openness of those adoptions and a
23 variety of other factors. That wasn't a comparative study.
24 We've just collected data on about 1600 families, adoptive
25 families around the country which include about 250 to 260

1 of gay and lesbian families, and will be doing an analysis
2 of that. But that study is not just on differences or
3 similarities between gay and lesbian families. It's called
4 the Adoption Diversity Study. It's looking at all different
5 kinds of adoptive families.

6 Q Okay. Have you ever authored any publications?

7 A Yes.

8 Q Can you give us an estimate of the total number of
9 publications that you've authored?

10 A Roughly 100, yes.

11 Q Were the publications peer reviewed?

12 A About 50 percent of them were. Those are the journal
13 articles. They're in peer journals. The rest are book
14 chapters or books, including textbooks and six books and
15 adoption.

16 Q Are books typically peer reviewed or is there some
17 other review process with respect to books?

18 A It is a peer review process. It's different than
19 journals. It's not a blind review. When I'm asked to review
20 books, you know, I know who the authors are and I review it
21 for its integrity, its validity and so forth. The same
22 happens when I submit a prospectus to a publication house.
23 They'll send out that prospectus for review by, you know,
24 other people in the field and then later on once the book
25 is complete they'll have other people look at it more

1 completely. Same with book chapters, too.

2 Q Okay. Can you tell us of some of your more important
3 works in this area?

4 A Well, probably the first book on adoption, "Psychology
5 of Adoption" was the first edited book in the field
6 focusing on mental health issues in adoption.

7 My second book "Being Adopted" is one of the best
8 selling books in the adoption field. That focused on the --
9 kind of the internal experience of adoptive individuals
10 from -- you know, young childhood through the adult years.

11 And then the most recent book is an edited book
12 on "Adoption by Gay and Lesbians" and that's been very
13 received in the field.

14 Q That's been published and is in circulation?

15 A Yes, it's published by Oxford University Press.

16 Q All right. If you look at Exhibit 1. Is that a copy of
17 your curriculum vitae?

18 A Yes, it is.

19 Q Does that document also list your educational degrees,
20 your employment and your publications?

21 A It does.

22 MS. STANYAR: I move it's admission.

23 MR. POTCHEN: No objection, your Honor.

24 THE COURT: It will be received, Exhibit 100.

25 MS. STANYAR: Exhibit 100.

1 (Plaintiffs' Exhibit No. 100 received into
2 evidence)

3 BY MS. STANYAR:

4 Q Do you serve on the editorial board of any academic
5 journals?

6 A I currently serve on the board of Adoption Quarterly
7 which is one of the better known journals in the child
8 welfare field. I was on the editorial board of the "Journal
9 of Applied Developmental Psychology" and "Youth in
10 Society." I've been a reviewer, a regular reviewer for all
11 the top tier developmental and child clinical journals
12 throughout my academic career and to the present, too.

13 Q So you were just talking about when you peer reviewed
14 others.

15 A Exactly, yes.

16 Q Okay. Over the course of your career how many would
17 you guesstimate that you've reviewed?

18 A It's hard to say. I regularly review probably two or
19 maybe three a month. So if we multiple that by 12 and then
20 multiple that by 40 years since 1974, it's a large number.

21 Q All right. Do you have a private clinical practice as
22 well?

23 A I do.

24 Q Tell us about your private clinical practice as a
25 psychologist.

DIRECT EXAMINATION
DAVID M. BRODZINSKY, Ph.D.

1 A I'm in partnership with my wife who is also a
2 psychologist. The trade name is Family Mental Health
3 Consultants. I've been practicing since 1985, first in New
4 Jersey where I lived until 2006, and currently in
5 California where I currently live and practice.

6 Since I've been an academic it's never been a
7 full time, you know, five days a week, eight hours a day
8 kind of practice. It's usually anywhere between 10 and 20
9 clients a week. At this point it's probably between 10 and
10 12 clients a week.

11 (END OF PART A.)

12 -- --- --

13 CERTIFICATE

14 I, JOAN L. MORGAN, Official Court Reporter for the
15 United States District Court for the Eastern District of
16 Michigan, appointed pursuant to the provisions of Title 28,
17 United States Code, Section 753, do hereby certify that the
18 foregoing proceedings were had in the within entitled and
19 number cause of the date hereinbefore set forth, and I do
20 hereby certify that the foregoing transcript has been
21 prepared by me or under my direction.

22 S:/ JOAN L. MORGAN, CSR
23 Official Court Reporter
24 Detroit, Michigan 48226

25 February 25th, 2014