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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

CALIFORNIA TRIBAL FAMILIES COALITION,
YUROK TRIBE, CHEROKEE NATION, FACING
FOSTER CARE IN ALASKA, ARK OF FREEDOM
ALLIANCE, RUTH ELLIS CENTER, and TRUE
COLORS, INC.,

Plaintiffs,

vs.

ALEX AZAR, in his official capacity as Secretary of
Health and Human Services, LYNN A. JOHNSON,
in her official capacity as Assistant Secretary for the
Administration for Children and Families, U.S.
DEPARTMENT OF HEALTH AND HUMAN
SERVICES, and ADMINISTRATION FOR
CHILDREN AND FAMILIES,

Defendants.

Case No. 3:20-cv-06018

MOTION OF AMERICAN ACADEMY
OF PEDIATRICS FOR LEAVE TO FILE
BRIEF AS *AMICUS CURIAE* IN
SUPPORT OF PLAINTIFFS' MOTION
FOR SUMMARY JUDGMENT

1 The American Academy of Pediatrics (AAP) moves for leave to file the accompanying
2 *amicus curiae* brief in support of Plaintiffs' Motion for Summary Judgment in this action.
3 Plaintiffs consent to AAP filing a brief, and Defendants do not oppose this motion for leave to file
4 an *amicus* brief.

5 The AAP is the largest professional association of pediatricians in the world, representing
6 67,000 primary care pediatricians, pediatric medical subspecialists, and surgical specialists who
7 are committed to the attainment of optimal physical, mental, and social health and well-being for
8 all infants, children, adolescents, and young adults. In its dedication to the health of all children,
9 AAP strives to improve health care access and eliminate disparities for children and youth
10 involved in the child welfare system.

11 AAP regularly publishes peer reviewed studies about pediatric health, including about the
12 health of children in foster care. AAP chapters and districts also engage on regional, state, and
13 local efforts to address the physical, mental, social, and emotional health needs of adolescents and
14 young adults in foster care. Beginning in 2008, AAP commented on the Adoption and Foster Care
15 Analysis and Reporting System ("AFCARS") legislation, including most recently in 2019, when
16 AAP voiced opposition to the revisions proposed by the Notice of Proposed Rulemaking to amend
17 AFCARS, which were finalized in the 2020 AFCARS regulations.

18 The proposed *amicus* brief accompanying this motion elaborates on issues AAP has
19 identified relating to how failing to collect AFCARS data related to American Indian and Alaska
20 Native ("AI/AN") and lesbian, gay, bisexual, transgender, and questioning ("LGBTQ") youth will
21 impact healthcare for these populations. AAP believes this information supplements the parties'
22 briefs and, AAP hopes, will aid the Court in making its decision regarding Plaintiffs' motion for
23 summary judgment.

1 Respectfully submitted,

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3 Dated: May 24, 2021

BAKER & McKENZIE LLP

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5 By: /s/ Jayshree Narendran
6 Jayshree Narendran
7 (Application for *Pro Hac Vice* Pending)

8
9 By: /s/ Scott H. Frewing
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11 Attorneys for *Amicus Curiae*
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