



WISCONSIN FAMILY COUNCIL
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US SUPREME COURT SAYS GOVERNMENT CAN'T DISCRIMINATE AGAINST FAITH-BASED ADOPTION AGENCIES

Madison, WI – In a 9-0 decision issued today in [*Fulton v. City of Philadelphia*](#), the United States Supreme Court ruled that government cannot discriminate against a foster-care agency on the basis of that agency's religious beliefs.

The case involved Catholic Social Services (CSS) in Philadelphia which refused to place children in same-sex-parented foster homes. The city had refused to refer any children to CSS because of this religious belief, even though at the time the city made this decision, they were issuing an urgent call for more foster parents.

Wisconsin Family Council president, Julaine Appling, notes, "Today's decision is about both respecting religious freedom and also protecting children. Children deserve and need a forever home. Shutting out CSS from referrals actually reduced the number of foster homes available, thereby depriving children of the opportunity for a foster home or potentially even adoption. The City of Philadelphia showed they were more devoted to an ideological position than to the well-being of children. The US Supreme Court did the right thing in upholding the Free Exercise Clause of the First Amendment and considering the best interest of children."

Chief Justice John Roberts authored the majority opinion and was joined by 5 other justices. In that opinion, Roberts wrote, "Maximizing the number of foster families and minimizing liability are important goals, but the City fails to show that granting CSS an exception will put those goals at risk. If anything, including CSS in the program seems likely to increase, not reduce, the number of available foster parents."

"The high court still has some important issues to resolve when it comes to religious freedom and the free exercise of one's faith, but at least in today's decision the justices recognized that faith-based foster-care and adoption agencies have a right to operate according to the dictates of their faith," commented Appling.

Wisconsin Family Action, Wisconsin Family Council's sister organization, was part of an [*amicus brief filed in support of CSS*](#).

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Wisconsin Family Council is a statewide organization engaged in strengthening, preserving and promoting marriage, family, life and religious liberty in Wisconsin.