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Catholic agencies dropped as foster care providers

Nancy Frazier O'Brien Catholic News Service | Jul. 13, 2011

WASHINGTON -- The Illinois Department of Children and Family Services has informed four Catholic dioceses that it will not renew their contracts to provide foster care and adoption services because there has been "no meeting of the minds" about providing services to same-sex couples.

Erwin McEwen, the department's director, told the Catholic agencies for the dioceses of Peoria, Springfield, Joliet and Belleville in separate July 8 letters that their contracts would not be renewed "because your agency has made it clear that it does not intend to comply with the Illinois Religious Freedom Protection and Civil Union Act."

The law, which took effect July 1, permits civil unions for same-sex couples and stipulates that they would have the same rights and benefits as married couples in the state, such as parental and adoption rights. July 1 also marked the beginning of fiscal year 2012, when the new contracts would have begun.

State officials have said the law would not allow the agencies to refer same-sex couples to other agencies, as they have done for decades.

Sangamon County Circuit Judge John Schmidt was expected to rule July 12 in Springfield, the Illinois capital, on a request from the four dioceses for a temporary injunction blocking the termination of their contracts with the department.

The decision will affect 1,997 children in foster care -- including some in the process of being adopted -- under the supervision of the four Catholic Charities agencies, said Kendall Marlowe, spokesman for the Illinois Department of Children and Family Services. But the change will only be in the agency supervising their care, not the home in which they are placed, he added.

He said approximately 15,000 children are presently in foster care in Illinois.

"We cannot enter into a contract with anyone who has publicly, affirmatively stated that they will not follow the law in performing services under the contract," Marlowe told Catholic News Service July 12. "These agencies have made their choice, and we must now plan to transition these cases with the least disruption possible for the kids."

Marlowe said the process of transitioning the children to supervision by other agencies will take "a couple of months," and in the meantime the four dioceses will continue to have responsibility for the children in their care.

But the Department of Children and Family Services has prior experience in such a transition process, Marlowe said. The Rockford Diocese announced in May that it would end its participation in state-funded foster care and adoption services when the civil unions law took effect, and 300 children were then transitioned to another private agency, he said.

In addition, about 1,000 children were transferred to the care of other agencies in 2007 when Catholic Charities of the Chicago Archdiocese stopped offering state-funded foster care services because it was unable to obtain liability insurance for the program.

Marlowe said two other faith-based agencies had been following the practice of referring same-sex couples to other agencies for foster care and adoption services.

Lutheran Child and Family Services has stated that it will abide by the civil unions law and will continue its contract with the state, he said. Evangelical Child and Family Agency has said it will not comply with the civil unions law and its contract is "under review," Marlowe said.

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