

Children's Rights

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<https://www.childrensrights.org/stakes-are-high-for-children-in-scotus-fulton-case/>

Public Facing Advocacy Writing

The U.S. Supreme Court will soon hear arguments in *Fulton v. City of Philadelphia*, a case that could drastically impact millions of children in the child welfare system. The case centers on Catholic Social Services (CSS), a child welfare agency that is suing the City of Philadelphia to receive taxpayer dollars for its child welfare services, despite the agency's refusal to comply with the City's nondiscrimination requirement.

On its face, the case is about whether a child welfare agency can continue to receive public funds to care for children while refusing to meet the City's requirements set by the City for all contractors if such requirements conflict with the agency's religious beliefs. The potential implications of the case, however, are far-reaching. SCOTUS is being asked to decide the extent to which cities, counties, states, and even the federal government can ensure the safety and wellbeing of children and families in the child welfare system through enforcement of nondiscrimination laws and other protective regulations. If the Court rules in favor of CSS, it is children who will ultimately pay the price.

We are proud to have joined forces with Movement Advancement Project, Family Equality, National Center on Adoption and Permanency, the North American Council on Adoptable Children, and Voice for Adoption in drafting [a new report released today](#) that evaluates the implications surrounding this case.

A ruling in favor of Catholic Social Services could grant religious agencies a broad license to discriminate against same-sex couples, people of minority faiths, unmarried couples, and others simply because they do not meet an agency's religious test. When entire groups of otherwise qualified families are removed from the child welfare system, it means fewer adoptive families and fewer placements for children.

America already has a shortage of available families to care for children entering the foster care system. Narrowing the number of qualified and loving parents causes thousands of children to languish in foster care and foster group homes where their needs often go unmet, they're more likely to experience trauma and abuse, and less likely to achieve permanency. This is even more true for LGBTQ+ youth, youth of color, those living with disabilities or mental health challenges, and sibling groups all of whom are labeled as hard to place kids. When reunification is not an option, placing kids in loving homes and not in facilities is paramount to their wellbeing. We must ensure that the pool of foster parents and resource caregivers are as diverse and broad as the foster children they serve.

We know and research confirms that affirming care for foster youth saves lives. If [#SCOTUS](#) decides to give foster care providers a [#LicenseToDiscriminate](#), it will without a doubt harm the very children foster care providers are supposed to protect.

Children deserve safety and protection they deserve loving families. This ruling can strip away that right, decreasing their chances of growing up in safe, nurturing environments where they can thrive.

The impact of this case has major implications far beyond the child welfare system and would apply across social services such as food banks, homeless shelters, hospitals, disaster relief agencies, and other taxpayer-funded services. Ultimately this could leave millions of people without access to needed publicly-funded services, normalizing discrimination against those seeking needed social services or assistance. This undermines the very premise that taxpayer-funded social services are designed to serve *all* of the public.

2020 has exposed the inequities people face in this country, with [LGBTQ+ rights under rapid-fire](#) as never before. In a time when we are fighting to eradicate discriminatory, biased, and racist policies and systems, we cannot look away. [We urge SCOTUS to put children first and uphold Philadelphia's non-discrimination policy](#). The only litmus test for caregivers should be love and safety.

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