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Catholic services in adoptions ends in Illinois

Tom Roberts | Nov. 22, 2011

As the U.S. bishops, meeting in Baltimore in mid-November (See story [1]), warned about growing threats to religious liberty, a scenario was playing out in Illinois that some would argue makes a strong case for their alarm.

The Belleville diocese announced Nov. 10 that Catholic Social Services of Southern Illinois was separating from the diocese in order to continue to provide foster care and other social services in the poorest corner of that state. The separation was necessary, said a statement posted on the diocesan website, because the agency was no longer able to carry out its mission under the recently enacted Illinois Religious Freedom Protection and Civil Union Act, which requires state-funded adoption agencies to place adoptive children with same-sex couples.

The move signaled the end of decades of Catholic involvement in adoption services in Illinois. Previously, three other dioceses had ended similar programs because of the new law. In the past, the church referred unmarried couples, including same-sex couples, to other agencies.

The separation of Catholic Social Services from the Belleville diocese will be completed early in 2012, when the new agency will be known as Christian Social Services of Southern Illinois.

Belleville was one of the last dioceses in the state to make a dramatic move because of the requirements of the law, which was passed in January and recognized same-sex civil unions and the right of homosexual couples to adopt children.

According to a statement by the agency also posted on the diocesan website, Gary Huelsmann, Catholic Social Services? executive director, said, ?This solution is what is best for the children? because care will not be interrupted and the new agency will be able to retain experienced professional staff.

In a Nov. 14 phone interview, Huelsmann told *NCR* that Catholic Social Services is a $13.1 million annual operation that received only a fraction of a percent of its funding from the diocese. About 85 percent of the program?s funding comes from the state of Illinois, and a major portion -- 72 percent -- comes from the state through the foster care program. He said the separation -- meaning no support or sponsorship by the diocese -- was necessary to keep the program intact. ?It wasn?t just a money decision,? he explained. ?There are very few service providers in the southern part of the state,? which is, per capita, the poorest section of the state. Unlike wealthier sections of the state where a greater variety of programs exist, he said, residents in the southern section have few choices.

His agency also serves an area, he said, where the need has been increasing. The agency has doubled in revenue in the past six years, from $6.8 million in fiscal 2005 to $13.1 million today.

According to Huelsmann, the decision was a mutual, if difficult one, between the agency and the diocese. ?We had to make the decision to separate ourselves from Catholic support for the sake of the children,? he said. ?I would rather be known as the executive director that transitioned to a new entity than the executive of an agency

that went out of existence.?

On Nov. 14, a few days after the Belleville announcement, officials of three Illinois dioceses -- Belleville, Springfield and Joliet -- announced they would cease legal attempts to find a compromise with the law?s requirements. While the church had expressed its wish to continue its state contracts using a historic practice of referring unmarried couples wishing to adopt, including gay and lesbian couples, to other agencies, the state ruled the practice discriminatory and moved to cut its ties with Catholic agencies.

A circuit court agreed with the state ruling that the church has no ?recognized legal right? to a contract with the state and that Illinois could legally cancel the contracts because of the church?s refusal to place children with homosexual couples.

Attorney Peter Breen, executive director and legal counsel for the Thomas More Society, which represented the dioceses involved, including the Peoria diocese at the time, sought and was granted a temporary stay of the ruling. Breen at the time said he agreed that ?one does not have a right to a contract with the state,? but he also argued that ?the state cannot refuse a contract for illegal reasons.? He maintains that the state, in this case, terminated the contracts and effectively excluded Catholic agencies from consideration for future contracts based on those agencies? exercise of religion.

Breen said Nov. 14 that the dioceses had ended the legal fight. The state was already canceling contracts and the court would not grant a further stay. Church officials were being forced to decide about closing offices and shifting personnel.

The dioceses have taken different steps, but the bottom line in each case is the same: The Catholic church in Illinois is no longer involved in providing adoption services.

Some have simply refused to take any more contracts with the state. In Rockford, for instance, all of the former Catholic Charities caseworkers were hired on by the Youth Service Bureau of Illinois Valley, which also assumed leases on many of the buildings being used to handle the approximately 350 foster family and adoption cases.

In Peoria, cases involving some 1,000 foster care children and families are to be transferred in February to a newly formed nonprofit called the Center for Youth and Family Solutions, which will have no connection to the church.

In Belleville, the new agency will continue to serve approximately 2,000 clients per year.

Fr. Larry Snyder, president of Catholic Charities USA, views the Illinois situation as a challenge to religious freedom unique in the church?s history in the United States.

?Never before,? he said in a written statement, ?have we faced such challenges to our religious freedom in this country, but this is not new in the history of our faith.? He said he does not believe the actions taken in Illinois are the solution, ?nor do we believe should be seen as the way forward for our network. The care and commitment of our agencies is deeply rooted in our faith and something we do not believe simply is severable in order to remain in a position to partner with government.?

While some view Catholic agencies as simply contractors providing services for the state, Breen said, the work also includes a sense of mission, and that is being lost. ?The church as a corporate body, as a body of believers, should be able to act as a group to do certain ministries. We are a body of Christ. We are together in this,? he said, and the church should be able to do this work without having to ?abandon the principles by which you?ve organized yourself as a religious body.?

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