



Catholic Social Services
of Southern Illinois
8601 West Main Street (Suite 201)
Belleville, Illinois 62223-1719

Website: www.cssil.org

(618) 394-5900
 (800) 997-9702
 FAX: (618) 394-5909
 Foster Care FAX: (618) 394-5908
 TTY #: (888) 771-5593

OUR OTHER LOCATIONS:

Metro-East Regional Office
 8601 West Main St.
 Belleville, IL 62223
 (618) 394-5900
 (800) 997-9702
 Fax: (618) 394-5909

Carbondale Regional Office
 214 South University Ave.
 Carbondale, IL 62901
 (618) 351-0743
 (800) 997-9381
 Fax: (618) 351-0945

Eastern Regional Office
 P.O. Box 23
 120 West 5th St.
 Mt. Carmel, IL 62863-0023
 (618) 263-3863
 (800) 877-3864
 FAX: (618) 263-4559

Mt. Vernon Regional Office
 219 Withers Drive
 Mt. Vernon, IL 62864-6213
 (618) 244-0344
 (877) 277-3773
 FAX: (618) 244-1455

St. John Bosco Children's Center
 (Residential Treatment Facility)
 900 Royal Heights Rd. (Ste 1150)
 Belleville, IL 62226
 (618) 688-1150
 FAX: (618) 277-7084

Fox River Apartments
 (Senior Assisted Living Facility)
 1016 Parker Street
 Olney, IL 62450
 (618) 392-6168
 FAX: (618) 392-6170

OUR PROGRAMS

Adoption Services
 Counseling (Individual, Family &
 School Sessions)
 Foster Care Services
 Job Training Services
 Pregnancy Care

IL DCFS License #:
 003976

August 29, 2011

Dear Priests, Deacons, Parish Life Coordinators, Religious and Department Directors:

I would like to update you on the status of our conflict with the State of Illinois to the best of my ability. I am aware that there are rumors flying, inaccurate media reports and confusing actions being taken by DCFS.

In January of 2011, the Illinois General Assembly passed the *Religious Freedom Protection & Civil Unions Act* that was signed into law and took effect June 1, 2011. The selection of the title of this legislation was intentional and curious since the 60 page document contained only two sentences that actually addressed "Religious Freedom Protection." The sponsors of the bill named it this way to "calm" the concerns of the opponents that the proposed law would infringe on religious beliefs and practices.

One of the two sentences on religious freedom protection reads, "Nothing in this Act shall **interfere with or regulate** the *religious practice* of any religious body." During debate in the Illinois Senate, the sponsor of the bill, Senator David Koehler was asked point blank by Senator Bill Haine if *religious practice* in this sentence included faith based agencies that operate social services, adoption programs, shelters, hospitals, senior services, etc. Senator Koehler answered definitively and clearly to the affirmative by stating, "Yes – certainly the intent of Representative Harris (House sponsor) and I is not to at all impede the rights that religious organizations have to carry out what their duties and religious activities are." So clearly, nothing in the new law was supposed to **regulate or interfere** with Catholic Social Services (CSS) programs including foster care and adoption.

However, since the new law was signed, DCFS, the Attorney General and special interest groups and lobbyists have made a continuous and concerted effort to ignore the religious freedom protections in the new law. Chicago political pressure stymied our efforts in the Spring to adopt a clarifying amendment in the General Assembly; the Attorney General sent a letter in March initiating an investigation and accusing us of discrimination (even before the law took effect); and DCFS refused to help us in any way through the rulemaking process, telling us we would likely be sued if we signed new contracts.

Our position is that this new law explicitly offers religious protection that allows CSS to continue to provide foster care and adoption services without violating our religious principles. **We are in court to confirm that it does.** We want to continue to place children in the homes of married couples and single, non-cohabitating individuals.

We have never asked people about their sexual orientation. The Catholic Church has a clear religious teaching that it does not recognize civil unions as marriage. We acknowledge that there are some who do not agree with the Church's position that marriage is sanctified by God and is between one man and one woman, but we are **Catholic** Social Services and we must uphold Church teachings and principles to the best of our ability.



We simply want to refer any civil union couple that might come to us to the state, so that they may be served by DCFS or any of the other available foster care agencies that do not share our religious principles. We are confident that the *Religious Freedom Protection and Civil Unions* law allows us this accommodation. We are not calling for a ban on gay adoption, we are not preventing civil union couples from becoming foster parents and we would never separate children from safe placement with their relatives.

Catholic Charities along with CSS filed a suit asking the court for a declaratory judgment on the religious protections in the new law. We knew this was the only way left to protect ourselves against the actions that would be taken against us and in hindsight, we were right. We are represented by the Thomas More Society out of Chicago. They are a public interest firm and are representing us very capably and free of charge. The initial hearing was held on July 12th, in Sangamon County. Judge John Schmidt ruled in Catholic Charities favor and issued a preliminary injunction to continue the contractual relationship between DCFS and Catholic Charities until the case could be heard in court. That hearing occurred on August 17, 2011.

Unfortunately, we did not get immediate satisfaction from the most recent court hearing since Judge Schmidt ruled against us, choosing to focus on one point of law without considering any of the related arguments presented by the Thomas More Society. We sincerely hope that our position will be more thoroughly considered in the next court hearing. The issue boils down to the state maintaining we are violating the *Religious Freedom Protection and Civil Union* law and us maintaining we are not. We are also arguing that other laws exist that protect our religious right of conscience in this case.

I am fully aware of what hangs in the balance and I wish there was something I could do to ease the anxiety of our staff and foster parents who have been put through the wringer. Please know we are working feverishly every day and most nights to protect our children, staff and foster parents from any harm. We strongly maintain that dismantling Catholic Charities across the state and disrupting the lives of thousands of vulnerable children cannot possibly be anyone's idea of an outcome in this situation that is in the best interest of children. There are many documented examples and studies that indicate that serious problems occur with children when cases are transferred or when the child welfare system is overburdened as would be the case if the State of Illinois eliminates the contracts that care for 20% of the foster children. CSS has in its care approximately 630 foster children. CSS is the 4th largest provider of foster care in the state and has one of the highest performance scores in the state over the past several years. We only want to be able to care for these highly vulnerable children.

At this time, I am urging you to please contact (call, email, or visit) your local legislators right away and tell them what is happening is unnecessary and harmful to children. Please also send letters to the editor of your local paper. **We have never needed your advocacy for us more than right now!** The members of the General Assembly have the power to fix this dilemma and they need to act when they return for the fall session. I have included talking points for review with the legislatures and letters to the editors. We have proposed a reasonable solution and they know what it is and they need to adopt it. Ask them why the state insists on dismantling CSS and disrupting the lives of vulnerable children and why they are not doing anything about it. They will listen to you! If you have any questions please feel free to call me.



Gary Huelsmann, MSW
Executive Director, Catholic Social Services
8601 West Main, Suite 201
Belleville, IL 62223
618-688-1126