EXTERNALITIES AND RELIGIOUS EXEMPTIONS IN FOSTER CARE AND ADOPTION
The Need

- Over 400,000 children in foster care, and over 100,000 children just waiting to find a permanent home.

- Negative outcomes when we don’t have enough homes:
  - More movement of children from one placement to the next increases trauma.
  - Every year 20,000 children “age out” of the foster system, never finding a permanent family. This number is on the rise.
  - More children are left in unstable or abusive homes.
  - More children end up in institutions that do not provide permanency and risk increased abuse.
Diverse Agencies Help the Government Fill this Need

- Agencies specialize in serving LGBTQ populations.
- An agency that focuses on finding “homes for black children.”
- Agencies that specialize in reaching out to the Latino community.
- Agencies that specialize in behavioral health or special medical issues.
- Agencies specializing in placements of pregnant youth.
- Agencies that exclusively place Native American children with tribal members.
- Agencies that operate a faith-based ministry.
FOSTER FAMILY RECRUITMENT

1. Families contact foster agencies and both evaluate each other to determine if they match.

   - Foster Agency A
     - MATCH? Agency Family Parents
     - If the couple don’t think they match, they’ll contact another agency.

   - Foster Agency B
     - MATCH? Agency Family Parents
     - If the agency doesn’t think they match, they will refer the couple to another agency that will match.

   - Foster Agency C
     - MATCH? Agency Family Parents
     - The agency and family develop a long-term relationship. The agency:
       - Certifies
       - Trains
       - Supervises

2. Family and agency match and begin working together.

   - Potential Foster Family

FOSTER CHILD PLACEMENT

1. The government removes a child from a home.

2. The government searches for a foster agency and family that can best care for each child based on numerous factors.

   - Central Referral Unit

   - Foster Child

   - Government Custody

   - MATCH? MATCH? MATCH?

3. The family accepts the placement of the child in their home.
Conflicts for Faith-Based Agencies

- Closures of faith-based agencies
  - Boston in 2006.
  - San Francisco in 2006.
  - District of Columbia in 2010.

- Twelve States passed laws to create religious exemptions for faith-based agencies.

- Two lawsuits, two case studies about externalities in foster care and adoption:
  - Religious exemption legislation passed by Michigan has been challenged by ACLU.
  - Philadelphia decided to cut ties with Catholic Charities earlier this year, leading to a lawsuit.
Chad and Melissa Buck
Cecilia Paul
Doe Child 1 in Philadelphia
How should we think about harm?

- Acknowledge potential harm on both sides of the ledger; bilateral reciprocal externalities.
- Take an “all hands on deck” approach:
  - Ensure a range of foster care and adoption agencies working to recruit and support different segments of the population, while simultaneously working to reduce any real obstacles to fostering or adopting faced by any couples, including LGBTQ couples, or to LGBTQ children finding homes.
  - In some cases, this may include providing funding and support for the creation of even more foster or adoption agencies available to LGBTQ couples or to meet the needs of LGBTQ children.
  - Preserve the ability of faith-based agencies to keep serving and contributing their unique strengths, which include recruiting faith-based families that would not otherwise foster, finding homes for large sibling groups, and prioritizing continuity of relationships.
Michigan Example

- Faith-based agencies obtain religious exemption protection early in the process.
- Michigan works with agencies focused on serving LGBTQ populations and foster families.
- The St. Vincent Catholic agency in Michigan does not prevent gay couples from adopting children in the care of St. Vincent when the couple is certified by another agency.
- Michigan has prioritized providing broad options of agencies and avoiding choke points.
Distances from ACLU Clients to Lansing Adoption Agencies

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<tr>
<th>Agency</th>
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<td>St. Vincent Catholic Charities</td>
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