

**August 20, 2020**

**ATTORNEY GENERAL RAOUL DEFENDS NONDISCRIMINATION LAWS AND THE RIGHTS OF SAME-SEX COUPLES TO BE FOSTER PARENTS**

**Chicago** — Attorney General Kwame Raoul today joined a coalition of 22 attorneys general in filing a brief with the U.S. Supreme Court in support of the city of Philadelphia’s nondiscrimination law and the right of same-sex couples to be foster parents.

In [the brief](#), filed in *Fulton v. Pennsylvania*, Raoul and the coalition argue that Philadelphia is entitled to require its own publicly-contracted foster care agencies to follow the city’s nondiscrimination law and consider all qualified families seeking to care for children in need, without regard to prospective foster parents’ race, religion, or sexual orientation.

“Vulnerable children in the foster care system deserve as many opportunities as possible to find a loving home,” Raoul said. “I am committed to ensuring that all Americans are protected against discrimination, which includes ensuring all qualified families have the opportunity to welcome a foster child, regardless of what they look like, how they worship, or who they love.”

Raoul and the coalition filed the amicus brief in support of the city and its nondiscrimination policy in a lawsuit brought by a city contractor seeking to be exempt from the policy because of its religious objection to considering same-sex couples as prospective foster care parents. In 2019, the 3rd Circuit unanimously rejected the foster care provider’s arguments that the First Amendment requires granting such exemptions.

The brief argues that the government is entitled to pursue policies that best serve its residents’ needs in providing government-funded services, including policies that prohibit discrimination to provide vulnerable children with as many opportunities as possible to find loving homes. The brief argues that such requirements do not violate private contractors’ rights to free exercise of religion or free speech, because the nondiscrimination requirements apply only to the work such organizations choose to undertake as government contractors, and private organizations remain free to exercise their beliefs and rights to free speech outside the scope of that work.

Raoul and the coalition assert that states share an interest in ensuring that all their residents have equal access to government services, including foster care services provided by government contractors. The brief further states “to ensure the welfare of every child in state custody, we welcome all qualified prospective foster parents who volunteer to open their homes, including LGBTQ individuals and same-sex couples.” According to the brief, nondiscrimination policies like Philadelphia’s are critical to the states in carrying out their obligations to vulnerable children, as they ensure the deepest possible pool of welcoming foster families while preventing the grave harms caused by discrimination against prospective foster families.

Joining Raoul in today’s brief are the attorneys general of California, Connecticut, the District of Columbia, Delaware, Hawaii, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, North Carolina, Oregon, Rhode Island, Vermont, Virginia, Washington, and Wisconsin.