Michigan Adoption Law: Talk Legal to Me

IF ACLU WINS

Faith-based agencies will be forced to violate their conscience or shut down



The ACLU filed a lawsuit claiming that Michigan's 2015 Adoption Law violates the Establishment Clause of the 1st Amendment. **That argument has been repeatedly rejected by the Supreme Court.**

- 1. The Michigan law does not favor one religion over another
- 2. The Michigan law does not give a religious agency an advantage
- 3. The Michigan law ensures the government levels the playing field for adoption agencies
- 4. The Michigan law allows faith-based adoption agencies to serve exactly as they have for decades

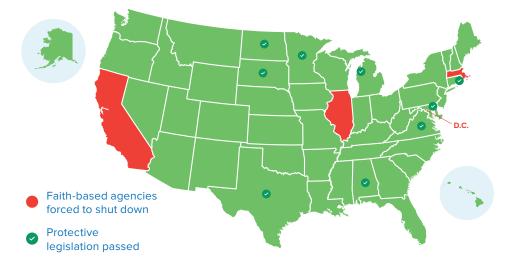
RELEVANT SCOTUS CASES

- SCOTUS divided on whether religious exemptions are required by the Constitution
- SCOTUS has been unanimous that religious exemptions are allowed by the Constitution
- The Court's 2017 *Trinity Lutheran* decision solidifies the constitutional principle that government grant programs can't be denied to faith-based organizations merely because they are religious in nature



66 Driving providers from the market impoverishes the whole enterprise.

- PROF. ROBIN FRETWELL WILSON FAMILY LAW SCHOLAR, UNIVERSITY OF ILLINOIS SCHOOL OF LAW



FAITH UNDER FIRE

After serving the Boston area for over 100 years, Catholic Charities was forced to shut down because of policy change in Massachusetts. Agencies in San Francisco, CA, Illinois and DC were also forced to close.

Because of this, some states like Michigan are simply codifying what has been practiced for decades.

BUT WHAT ABOUT LGBT ADOPTIONS?

- LGBT couples have the legal right to adopt in all 50 states. Nothing in this or any other law changes that.
- LGBT couples seeking adoption can choose from a diverse range of agencies in all 50 states. Nothing in this or any other law changes that.
- No one is denied equal protection by the exemptions in the Michigan law, as all Michiganders will find an agency suited to their needs.

WHAT'S REALLY GOING ON?

- The ACLU wants the full-force of the U.S. government to coerce agencies they disagree with to shut down.
- The ACLU wants to intimidate other states from passing laws, leaving faith-based adoption agencies unprotected.
- Bottom line is that either religious groups will have these protections or they will cease to exist.

Shutting faith-based agencies down limits birth mother choices and does not increase access for anyone

EVERYONE LOSES

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