



FAFS Position Statement on Religion in Foster Care and Adoption

Assemblyman Gary Schaer (D-Dist.36) has introduced A2448, a bill that would require adoption agencies, the courts or DYFS to maintain a child's religious upbringing when placing the child in an adoptive or resource family home.

Foster and Adoptive Family Services, the leading statewide advocacy voice for foster and adoptive families for more than three decades, opposes this bill.

The bill's requirement that the religion of the child's birth parents be a primary consideration in placing a child in a potential foster or adoptive home would severely restrict the pool of potential families for any particular child. Children in the child welfare system have many needs. It is important that the Division be allowed to consider all the unique needs of a particular child when matching them to a family. It is equally important that they consider the unique strengths and qualifications of a potential resource family to meet a particular child's needs. Requiring the resource home religion to match that of a birth parent would severely restrict the pool of potential families for any particular child. This could result in placement of a child in a home that could not adequately meet their needs merely because the family's religion was a 'match.'

The issue of religion and foster care is already addressed in the New Jersey Manual of Requirements for Resource Family Parents (Section 10:122C-6.5 Religion). The Manual states "The resource family parent shall ensure that the child in placement is afforded the opportunity to attend religious activities and services in the community in accordance with the faith of the child's (birth) parent."

Foster care is considered temporary care provided for protective or other social service reasons. Children may be removed from birth parents when there are substantiated allegations of abuse or neglect. With support and services, it is hoped that the birth family will be strengthened and that the child will ultimately be reunited with his or her birth parent(s). Throughout this time, the birth parents retain certain rights pertaining to the child. One of those rights is to select the religion of their child. Resource parents are required to provide or arrange for transportation for the child to attend religious services conducted in the birth parent's religious faith if the child wishes to attend.

Unfortunately, there are cases where it is eventually determined that a birth parent may be unwilling or unable to address the issues which led to abuse and/or neglect and the state moves to terminate parental rights in order to free the child for adoption. At this point, all parental rights are terminated including the right to select the religion of a child. The Division assumes guardianship of the child in order to place the child with an adoptive family.

When an adoption is finalized, all parenting rights and responsibilities are transferred to the new adoptive parents. One of those rights is to choose the faith tradition in which to raise their child.



As described in the PRIDE curriculum used by the State of New Jersey in resource family licensing, "...adoption can provide a child with a safe, nurturing relationship intended to last a lifetime, affording children with the social and legal status that comes from belonging to a family of one's own."

It is important that children entering a family through adoption feel that they are fully accepted and integrated into the family unit. For many families, faith and religion are integral to who they are as a family and the attendance of religious services is a family activity.

As introduced in prior legislative sessions, this bill would have required an adoptive family to make provisions to be made for a child to attend services conducted in his or her birth parent's religious faith. It is not hard to imagine how separated this might make a child feel from their adoptive family, when they are dropped off at one religious service while their adoptive family attends elsewhere. In addition, many families of a wide variety of faiths would find this unacceptable. FAFS appreciates Assemblyman Schaer's reconsideration of this requirement and its removal from the current version of this bill.

Although FAFS focuses on the special needs of children and families involved in the child welfare system, we firmly believe that many of the same issues hold true in private adoptions. Agencies need the flexibility to consider **all** the needs of a child, to prioritize those needs for each child individually, and to match those needs to the strengths of a potential forever family.

For these reasons, we strongly oppose A2448.