

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

AIMEE MADDONNA,

Plaintiff,

v.

U.S. DEPARTMENT OF HEALTH AND
HUMAN SERVICES, *et al.*

Defendants.

Civil Docket No. 6:19-cv-448-TMC

PLAINTIFF’S BRIEF IN RESPONSE TO THE COURT’S AUGUST 6, 2019 ORDER

On August 6, 2019, the Court directed the parties to specify how, if at all, Miracle Hill Ministries’ revised policy affects this case (ECF No. 50). For the following reasons, the revised policy has no effect on the case.

Under its new policy,¹ Miracle Hill says that it no longer categorically excludes Catholics from becoming foster parents or volunteers on the sole basis that they self-identify as Catholic. But critically, Miracle Hill continues to provide governmental services—through a contract with South Carolina funded with federal and state dollars—while simultaneously requiring that, before receiving those services, applicants must affirm agreement with Miracle Hill’s evangelical-Protestant “Doctrinal Statement.” The Doctrinal Statement is, however, inconsistent with Mrs. Maddonna’s faith. She therefore cannot sign it and hence remains barred from volunteering or fostering through Miracle Hill because of her religion. Accordingly, the new factual development

¹ Defendants have thus far provided no affidavit from anyone with actual knowledge of Miracle Hill’s policy change or any other admissible evidence of that change or what it entails. For purposes of this briefing, we assume that the current policy is as described in various representations on Miracle Hill’s website and in a press release that Miracle Hill issued on July 5, 2019. *See Ex. 1* (Press Release, Miracle Hill Ministries Strengthens Christian Identity by Opening Foster Program to Catholic Foster Parents (July 5, 2019)).

does not diminish Mrs. Maddonna's claims. Instead, it underscores the unconstitutional coercion of religious belief that is happening through this taxpayer-funded program.

1. Miracle Hill's Policy Change

Until recently, Miracle Hill categorically excluded all but evangelical-Protestant Christians from the foster-care services that it administers on behalf of the State of South Carolina. When Mrs. Maddonna sought to become a volunteer mentor to a foster child through Miracle Hill, she was turned away precisely because she is Catholic, despite otherwise being what Miracle Hill deemed a "great fit" for the program. Compl. ¶ 39. Mrs. Maddonna brings claims against two South Carolina officials and a number of federal defendants. The state defendants are the governor, who by executive order exempted Miracle Hill from state antidiscrimination requirements and who petitioned the federal government for a similar exemption from federal antidiscrimination requirements for all South Carolina foster-care placement agencies, and the director of South Carolina's Department of Social Services, who has direct responsibility for licensing, contracting with, and funding foster-care placement agencies in South Carolina. The federal defendants are the U.S. Department of Health and Human Services, Secretary Azar, HHS's Administration for Children and Families, and the Deputy Assistant Secretary in charge of that subagency. They provide federal funds for South Carolina's foster-care program and have exempted Miracle Hill and other South Carolina agencies from federal antidiscrimination requirements so that the organizations may continue to receive that funding while discriminating on the basis of religion in the provision of government-funded services. Collectively, then, Defendants fund, license, and sanction religious discrimination in the operation of a state program and in the provision of governmental services.

Last month, Miracle Hill announced that it would no longer categorically exclude Catholics who seek to become volunteer mentors or foster parents to the children that the State assigns to it.

But there is a catch: All prospective foster parents and volunteers must be “followers of Jesus Christ” who are “active in and accountable to a Christian church” and agree “in belief and practice” with Miracle Hill’s Doctrinal Statement. Ex. 2 (selection from *Requirements for Miracle Hill’s Foster Families*, MIRACLE HILL MINISTRIES, <https://bit.ly/2yOQNIS>). Potential foster parents and volunteers must affirm and agree to this “belief and practice” by attesting on Miracle Hill’s foster-care-inquiry form that they “have read and agree with Miracle Hill’s doctrinal statement.” Ex. 3 (*Foster Care Inquiry Form*, MIRACLE HILL MINISTRIES, <https://bit.ly/2YVIb7C>).

The Doctrinal Statement reads:

We Believe . . .

- The Bible to be the only inspired, infallible, inerrant and authoritative Word of God. *2 Tim. 3:16; 2 Pet 1:20-21*
- That there is one God, creator of heaven and earth, eternally existent in three distinctive persons: the Father, Son, and Holy Spirit. *1 Tim. 2:5; Gen 1:1; Mt. 3:16-17; Mt. 28:19; 2 Cor. 13:14; John 10:30*
- In the deity and humanity of Jesus Christ; that He was born of a virgin; that we are redeemed by His atoning death through His shed blood; that He bodily resurrected and ascended into Heaven and that He will come again in power and great glory to judge the living and the dead. *Eph. 1:7-10; Acts 1:9-11; Mt. 1:23-25; 1 Cor. 15:1-8; 2 Tim. 4:1*
- In the value and dignity of all people created in God’s image, but alienated from God and each other because of our sin and guilt and justly subject to God’s wrath. *Gen. 1:26-27; Psalm 139:13; Mt. 22:37-39; Rom. 12:20-21; Gal. 6:10; Eph. 2:1-3; Rom. 5:12*
- That regeneration by the Holy Spirit by grace through faith is essential for the salvation of lost and sinful people. *Tit. 3:4-7; Eph. 2:8-9; 2 Cor. 6:2*
- In the forgiveness of sins, the resurrection of the body, and life everlasting solely through repentance and faith in Jesus Christ. *Col. 1:13-14; 1 Thess. 4:16-17; John 3:16*
- That the Holy Spirit unites all believers in the Lord Jesus Christ and that together they form one body—the church. *1 Cor. 12:12-13; 1 Cor. 12:27*

- God ordained the family as the foundational institution of human society. It is composed of persons related to one another by marriage, blood or adoption, and that God’s design for marriage is the legal joining of one man and one woman in a life-long covenant relationship. *Gen. 1:26-28; Eph. 5:21-6:4; Mt. 19:4-6*
- God creates each person as either male or female, and these two distinct, complementary sexes, together reflect the image and nature of God. *Gen. 1:27; Gen. 2:18*

Ex. 4 (selection from What We Believe: Our Doctrinal Statement, MIRACLE HILL MINISTRIES, <https://bit.ly/31qKTDW>).

Mrs. Maddonna has reviewed Miracle Hill’s Doctrinal Statement. Ex. 5 (Maddonna Decl.) ¶ 6.² The Doctrinal Statement is inconsistent with her religious beliefs and her understanding of her faith. *Id.* ¶¶ 7–8. Were she to attest to agreement in belief and practice with the Doctrinal Statement—which Miracle Hill requires as a precondition to participating in the program and partaking of its government-funded foster-care services—Mrs. Maddonna would be forced either to misrepresent her religious beliefs and falsely affirm commitment to religious beliefs that are not her own, or else abandon her own beliefs to adopt the religious beliefs and practices that Miracle Hill favors. *Id.* ¶¶ 9–10. For Mrs. Maddonna, affirming the Doctrinal Statement would be tantamount to leaving the Catholic Church. *Id.* ¶ 9. Because she cannot affirm the Doctrinal Statement, Mrs. Maddonna is no more able to volunteer or foster through Miracle Hill today than

² The Court may consider outside evidence, including declarations, when evaluating subject-matter jurisdiction. *See Kerns v. United States*, 585 F.3d 187, 192 (4th Cir. 2009) (quoting *Adams v. Bain*, 697 F.2d 1213, 1219 (4th Cir. 1982)) (when resolving a question of subject-matter jurisdiction under Fed. R. Civ. P. 12(b)(1), the district court may “‘go beyond the allegations of the complaint and . . . determine if there are facts to support the jurisdictional allegations,’ without converting the motion to a summary judgment proceeding”).

she was under the earlier iteration of Miracle Hill’s policy, regardless of Miracle Hill’s assertion that it no longer categorically excludes Catholics as a matter of course.³

2. *The New Policy Does Not Diminish Mrs. Maddonna’s Claims.*

In her Complaint, Mrs. Maddonna asserts Establishment Clause, Equal Protection, and Due Process claims against all Defendants, and additional claims under the Administrative Procedure Act against the federal defendants, based on Defendants’ funding, licensing, and facilitating religious discrimination in the provision of foster-care services by an agency operating under a state contract. Specifically, both the state and federal defendants have explicitly authorized Miracle Hill’s religious discrimination by exempting Miracle Hill—and all other faith-based South Carolina child-placement agencies—from generally applicable antidiscrimination requirements.

³ Mrs. Maddonna acknowledges an article reporting that the Catholic Diocese of Charleston apparently gave the new policy a nod of approval. See Nathaniel Cary, *Miracle Hill Changes Foster Care Policy, Will Recruit Catholic, Orthodox Christian Parents*, GREENVILLE NEWS, July 11, 2019, <https://bit.ly/33gM4HI>. Catholics do not all speak with one voice, even on matters of theology; and hence, not all Catholics share the Charleston Diocese’s view. Indeed, while the Diocese of Charleston defended even Miracle Hill’s previous policy flatly barring Catholics (Yonat Shimron, *In Fight Over Protestant-Only Foster Agency, Lawsuit Asks: Who Is a Christian?*, RELIGION NEWS SERV., Feb. 25, 2019, <https://bit.ly/2NweZjr>), at least one local Catholic priest disapproved of it (Yonat Shimron, *S.C. Foster Care Agency Tests Public’s Will to Exclude on the Basis of Faith*, RELIGION NEWS SERV., Jan. 30, 2019, <https://bit.ly/2TiX561>). In all events, the pertinent legal question here is not whether or how Mrs. Maddonna’s faith and understanding of Catholic doctrine map onto that of the local diocese. Nor is it whether Miracle Hill’s Doctrinal Statement is consistent with Catholic theology. In fact, the Establishment Clause prohibits government from “delegat[ing] discretionary governmental functions”—including, for example, decisions on who is eligible for certain governmental services—“to religious organizations or their members.” *Barghout v. Bureau of Kosher Meat & Food Control*, 66 F.3d 1337, 1342 (4th Cir. 1995) (city could not delegate enforcement of kosher-food standards to panel of rabbis and lay people selected by Orthodox Jewish associations); see also *Larkin v. Grendel’s Den, Inc.*, 459 U.S. 116 (1982) (zoning law giving religious organizations veto power over the granting of liquor licenses to nearby establishments was impermissible delegation of governmental authority). The only question here is whether Mrs. Maddonna continues to be excluded from governmental services because of her religious beliefs. And the answer to that is an unequivocal “yes.”

Mrs. Maddonna's claims thus remain essentially unchanged: Miracle Hill continues to impose a religious test on prospective volunteers and foster parents who seek the governmental services that it provides—a test that disfavors and excludes those who do not adhere to the tenets of evangelical Christianity as delineated in the Doctrinal Statement; Mrs. Maddonna does not pass that test; and Defendants continue to fund, license, and sanction the religious discrimination against her. The injury of which Mrs. Maddonna originally complained is therefore ongoing, and Mrs. Maddonna still requests that this Court redress that injury by prohibiting Defendants from funding and licensing entities that use public funds to provide these governmental services on a discriminatory basis.

It is of no moment that Mrs. Maddonna's exclusion comes now in the form of a requirement that she sign and attest to belief in and practice of an evangelical-Christian doctrinal statement, rather than a categorical ban on all non-evangelical Christians. A law that distinguishes between the characteristics of religions, and thus "makes explicit and deliberate distinctions between different religious organizations," grants denominational preferences in violation of the Establishment Clause. *Larson v. Valente*, 456 U.S. 228, 246 n.23 (1982) (applying strict scrutiny to, and holding unconstitutional, a Minnesota law that imposed more burdensome requirements on religious organizations that obtained more than half their funding from door-to-door solicitations, because the differential treatment constituted an impermissible denominational preference against those faiths that relied primarily on solicitation to raise funds). As in *Larson*, that is true whether the favoritism comes in the form of specifically naming the favored or disfavored denomination, or instead by favoring or disfavoring characteristics or actions that attach to particular faiths or denominations. *See id*; *see also Church of the Lukumi Babalu Aye, Inc. v. City of Hialeah*, 508 U.S. 520, 531–33 (1993) (incorporating Establishment Clause prohibition against denominational

preferences into free-exercise jurisprudence to conclude that city's ban on religious practices of disfavored faith violated Free Exercise Clause).

Hence, it does not matter whether Miracle Hill now distinguishes between evangelical Christianity and Catholicism formally, as a categorical designation, or functionally. It still imposes a denominational preference against those whose faith does not align with its Doctrinal Statement. So the state and federal governments' funding and licensing of that discrimination remains unconstitutional. "[T]he Free Exercise Clause, the Establishment Clause, . . . and the Equal Protection Clause as applied to religion[] all speak with one voice on this point: Absent the most unusual circumstances, one's religion ought not affect one's legal rights or duties or benefits." *Bd. of Educ. of Kiryas Joel Village Sch. Dist. v. Grumet*, 512 U.S. 687, 715 (1994) (O'Connor, J., concurring).

Relatedly, the Establishment Clause forbids government to coerce anyone "to support or participate in religion or its exercise." *Lee v. Weisman*, 505 U.S. 577, 587 (1992). Here, Miracle Hill requires affirmance "in belief and practice" of its evangelical-Christian Doctrinal Statement as a precondition to becoming a volunteer mentor or foster parent. For Mrs. Maddonna and those situated like her, this government-funded, government-sanctioned scheme poses a quintessentially coercive choice: Hew to the dictates of your religious beliefs and forgo the taxpayer-funded governmental service, or compromise your beliefs to participate on the same terms as everyone else. Individuals are thus compelled to forfeit their religious beliefs to obtain a governmental service. This the Establishment Clause forbids. *See, e.g., Lee*, 505 U.S. at 592 (noting that even "subtle coercive pressure" constitutes an Establishment Clause violation).

3. *Mrs. Maddonna's Claims Are Not Mooted by Miracle Hill's Policy Change.*

Because the factual circumstances surrounding Mrs. Maddonna's claims have not meaningfully changed, there can be no serious contention that Miracle Hill's new policy renders

her claims moot. A case becomes moot only “when the issues presented are no longer ‘live’ or the parties lack a legally cognizable interest in the outcome.” *Williams v. Ozmint*, 716 F.3d 801, 809 (4th Cir. 2013) (quoting *Powell v. McCormack*, 395 U.S. 486, 496 (1969)). “But as long as the parties have a concrete interest, however small, in the outcome of the litigation, the case is not moot.” *Pender v. Bank of Am. Corp.*, 788 F.3d 354, 368 (4th Cir. 2015) (quoting *Ellis v. Bhd. of Ry., Airline & S.S. Clerks, Freight Handlers, Exp. & Station Emps.*, 466 U.S. 435, 442 (1984)). Here, the changed policy is just as problematic, and for just the same reasons, as the one in effect when this suit commenced. Mrs. Maddonna retains a concrete interest in the case because she continues to experience discrimination on the basis of religion when seeking governmental services. And her injury would be remedied by the relief that she seeks from this Court.

Moreover, even if Miracle Hill’s new policy had actually changed the factual circumstances of this case, Mrs. Maddonna’s claims still would not be rendered moot. A party should not be able to evade judicial review by temporarily altering questionable behavior. *See Gwaltney of Smithfield, Ltd. v. Chesapeake Bay Found., Inc.*, 484 U.S. 49, 66–67 (1987) (“Mootness doctrine . . . protects plaintiffs from defendants who seek to evade sanction by predictable ‘protestations of repentance and reform.’”) (quoting *United States v. Or. State Med. Soc.*, 343 U.S. 326, 333 (1952)); *Porter v. Clarke*, 852 F.3d 358, 364 (4th Cir. 2017) (voluntary-cessation doctrine exists “to prevent a manipulative litigant immunizing itself from suit indefinitely, altering its behavior long enough to secure a dismissal and then reinstating it immediately after”) (internal quotations omitted). Defendants bear a “heavy burden” of showing that challenged conduct will not recur. *Wall v. Wade*, 741 F.3d 492, 497 (4th Cir. 2014) (quoting *Friends of the Earth, Inc. v. Laidlaw Envtl. Servs. (TOC), Inc.*, 528 U.S. 167, 189 (2000)).

Voluntary cessation is of special interest when circumstances involve private entities, who normally are free to change course and revert to earlier misconduct with relative ease. *See Knox v. Serv. Emps. Int'l Union, Local 1000*, 567 U.S. 298, 307 (2012) (although union had reimbursed class members for challenged fee, there was nothing to stop it from collecting similar fees in the future, and hence “[s]uch postcertiorari maneuvers designed to insulate a decision from review by this Court must be viewed with a critical eye”); *United States v. W.T. Grant Co.*, 345 U.S. 629, 632 n.5 (1953) (simply stating that one will not revive a challenged practice is insufficient to moot a case, and courts should beware of such efforts, “especially when abandonment seems timed to anticipate suit”); *cf. Already, LLC v. Nike, Inc.*, 568 U.S. 85, 93 (2013) (“unconditional and irrevocable” agreement prohibiting defendant from returning to the contested practices sufficed to moot plaintiff’s claims).

Miracle Hill’s creation of a narrowly customized exception to its religiously discriminatory policy is particularly suspect here, as it seems motivated by the critical publicity that this lawsuit has focused on that policy. *See* Ex. 1 (Press Release).

That said, this case *could* become moot if Defendants withdrew the challenged exemptions from federal and state law that permit Miracle Hill’s problematic conduct in its administration of South Carolina’s foster-care program and took sufficient steps to ensure that future impermissible exemptions would not be granted once the case were dismissed. That is because Defendants, as governmental officials and entities, could change the law—actually, restore the law—and thereby bar Miracle Hill’s ability to “return to [its] old ways” (*W.T. Grant Co.*, 345 U.S. at 632), whether in the form of excluding Catholics like Mrs. Maddonna formally, as before, or functionally, as under the changed policy. To be sure, Defendants would still bear a “heavy burden” (*Wall*, 741

F.3d at 497) of showing that their unconstitutional behavior will not recur.⁴ In other words, Defendants would have to ensure that whatever policy changes they may enact (or revert to) were sufficiently permanent and not dissolvable with the stroke of a pen. *See, e.g., Porter*, 852 F.3d at 365 (a governmental entity does not moot a case, notwithstanding a change in policy, if it retains the authority to “reassess . . . at any time”) (internal quotations omitted). Simply put, were Defendants to withdraw the exemptions and administer the programs that they fund, as the Constitution requires, including by ensuring that governmental services be provided to all applicants without first meeting a religious test, Mrs. Maddonna’s claims could be mooted or resolved.

* * *

In short, Miracle Hill’s policy change neither moots nor even alters Mrs. Maddonna’s claims. Instead, the policy not only continues as an impermissible denominational preference in a governmental program but also brings into even sharper relief the impermissible religious coercion in the requirement that all prospective volunteers and foster parents must affirm Miracle Hill’s Doctrinal Statement. The Court should therefore deny the motions to dismiss and allow the case to proceed in the normal course.

Greenville, South Carolina
August 20, 2019

/s/ Aaron J. Kozloski
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⁴ The Fourth Circuit holds governmental defendants to the same exacting standard as it does private defendants in evaluating whether challenged conduct is likely to recur. *Wall*, 741 F.3d at 497–98.

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Exhibit 1

Press Release, Miracle Hill Ministries Strengthens Christian Identity by Opening Foster Program to Catholic Foster Parents (July 5, 2019)



FOR IMMEDIATE RELEASE

Contact: Sandy Furnell, Director of Communications & Public Relations
864.631.0158 or 864.420.7292 (cell)
sfurnell@miraclehill.org

Miracle Hill Ministries Strengthens Christian Identity by Opening Foster Program to Catholic Foster Parents

GREENVILLE, SC (July 5, 2019) – In order to strengthen its mission of providing comprehensive care in the name of Jesus Christ and for the sake of unity among followers of Jesus Christ, the Board and CEO of Miracle Hill Ministries have clarified the non-profit's identity as an evangelical, Christian, Gospel-infused mercy ministry, and have opened the door for Catholics who affirm Miracle Hill's doctrinal statement in belief and practice to serve as foster parents and employees.

"We are grieved that the recent religious freedom struggle surrounding our foster care program has been mischaracterized in the media as a dispute between followers of Christ instead of the right to exist as a Christian organization providing invaluable services to our community," said Reid Lehman, President/CEO. "Our calling as an organization is not primarily to evaluate and emphasize differences between various branches of Christianity or between denominations within Protestantism. Rather, Miracle Hill's spiritual identity is first and foremost that of brothers and sisters in Christ working together to minister to the needy in Christ's name."

In January 2019, the U.S. Department of Health and Human Services clarified that in South Carolina faith-based child welfare organizations may partner with those who share their religious beliefs while caring for children placed by the South Carolina Department of Social Services, a ruling that protected Miracle Hill Foster Care's right to exist. The Catholic Diocese of Charleston applauded the decision saying, "This organization should not be forced to discontinue these life-affirming services because they desire to serve children consistent with their Protestant faith."

While this religious freedom victory protected all faith-based organizations in South Carolina, a subsequent lawsuit filed by Aimee Madonna gave the impression that Miracle Hill was in a dispute with other followers of Jesus Christ. "Although we advocate to protect the rights of Protestant and other religious organizations to work with those who share their faith, we recognize our previous stance has wounded other followers of Jesus Christ," said Lehman. "For Miracle Hill, embracing Christians who share our beliefs simplifies our affiliation process while protecting core values and doctrinal consistency. It's the right thing to do."

The organization's spiritual identity has been clarified as the following:

Miracle Hill Ministries defines itself as an **evangelical, Gospel-infused mercy ministry**. Christians who share a commitment to the Gospel and embrace our [doctrinal statement](#) in belief and practice are valued ministry partners in employment and fostering. God's call on us is to be broad in our outreach and broad in our donor/volunteer base while standing firm on our core beliefs. Miracle Hill wants to be known for what it stands for – our allegiance to Jesus Christ, His Good News, and serving those in need in Christ's name. Miracle Hill Ministries is Protestant in doctrine, teaching, and leadership, but by broadening its policy surrounding employment and fostering, the organization expands its ability to serve the needy and vulnerable in Christ's name and to heal wounds within the Christian community.

--more--

For more than 80 years, Miracle Hill has worked collaboratively with both religious and secular community partners to meet the needs of those experiencing homelessness in Upstate South Carolina. Miracle Hill serves everyone who comes seeking help, regardless of their faith or no faith at all. Embracing Christianity is not a requirement for receiving services.

About Miracle Hill Ministries

Miracle Hill Ministries is the Upstate’s largest, most comprehensive provider of services to homeless children and adults. Serving the Upstate since 1937, Miracle Hill’s programs include rescue shelters for the homeless, residential addiction recovery, transitional housing, shelters for children, and foster care. Miracle Hill’s eight thrift stores provide employment opportunities for the community as well as former Miracle Hill guests. Miracle Hill has been awarded the Certificate of Excellence as a Certified Mission by [City Gate Network](#), a distinction given to fewer than 30 missions nationwide. Additionally, Miracle Hill’s foster care program and group homes for children have been accredited by [CARF International](#). For more information about Miracle Hill, please visit www.MiracleHill.org or call 864.268.4357. Find us on [Facebook](#), [Twitter](#), and [Instagram](#).

###

Exhibit 2

MIRACLE HILL MINISTRIES, *Requirements for Miracle Hill's Foster Families*

REQUIREMENTS

For Miracle Hill's Foster Families

As a faith-based organization, Miracle Hill's foster care services are administered in a Christ-centered environment. Our licensing specialists and care coordinators aren't just skilled professionals—they also play a role in our foster parents' spiritual journeys. Our team regularly prays with foster families and helps connect them with church and community resources.

Jesus Christ is the center of all we do. Because He plays such an immense role in our organization's mission and the way we care for others, we believe we can offer the best foster care guidance to those who share our same beliefs.

In addition to the requirements enforced by the State of South Carolina, Miracle Hill Ministries also applies a few additional requirements for foster parents who partner with our organization.

To be part of Miracle Hill's foster programs, parents must:

- Be followers of Jesus Christ and provide a statement of faith
- Be active in and accountable to a Christian church
- Agree in belief and practice with [our doctrinal statement](#)

Despite our requirements for foster parents, **Miracle Hill will absolutely never turn away a foster child.**

We have always, and will continue to, serve and protect foster children from any religious background and of any race, national origin, sex, disability, or political belief. No exceptions.

Exhibit 3

MIRACLE HILL MINISTRIES, *Foster Care Inquiry Form*

Agreement with Doctrinal Statement *

As an evangelical Christian foster care agency, we believe foster parents are in a position of spiritual influence over the children in their homes. Therefore, we require that foster parents who partner with us be followers of Jesus Christ, be active in and accountable to a Christian church, and agree in belief and practice with our doctrinal statement (found below and on our website at <https://miraclehill.org/who-we-are/doctrinal-statement/>). Before proceeding, please read our doctrinal statement. If after reading our doctrinal statement you find that Miracle Hill Foster Care is not a good fit for you, please let us connect you with another agency that can meet your needs. -----Doctrinal Statement----- We believe: ---the Bible to be the only inspired, infallible, inerrant and authoritative Word of God. (2 Tim. 3:16; 2 Pet. 1:20-21) ---that there is one God, creator of heaven and earth, eternally existent in three distinctive persons: the Father, Son and Holy Spirit. (1 Tim. 2:5; Gen. 1:1; Mt. 3:16-17; Mt. 28:19; 2 Cor. 13:14; John 10:30) ---in the deity and humanity of Jesus Christ; that He was born of a virgin; that we are redeemed by His atoning death through His shed blood; that He bodily resurrected and ascended into heaven and that He will come again in power and great glory to judge the living and the dead. (Eph. 1:7-10; Acts 1:9-11; Mt. 1:23-25; 1 Cor 15:1-8; 2 Tim 4:1) ---in the value and dignity of all people created in God's image, but alienated from God and each other because of our sin and guilt and justly subject to God's wrath. (Gen. 1:26-27; Psalm 139:13; Mt. 22:37-39; Rom. 12:20-21; Gal. 6:10; Eph. 2:1-3; Rom. 5:12) ---that regeneration by the Holy Spirit by grace through faith is essential for the salvation of lost and sinful people. (Tit. 3:4-7; Eph. 2:8-9; 2 Cor. 6:2) ---in the forgiveness of sins, the resurrection of the body, and life everlasting solely through repentance and faith in Jesus Christ. (Col. 1:13-14; 1 Thess. 4:16-17; John 3:16) ---that the Holy Spirit unites all believers in the Lord Jesus Christ and that together they form one body – the church. (1 Cor. 12:12-13; 1 Cor. 12:27) ---God ordained the family as the foundational institution of human society. It is composed of persons related to one another by marriage, blood or adoption, and that God's design for marriage is the legal joining of one man and one woman in a life-long covenant relationship. (Gen. 1:26-28; Eph. 5:21-6:4; Mt. 19:4-6) ---God creates each person as either male or female, and these two distinct, complementary sexes, together reflect the image and nature of God. (Gen. 1:27; Gen. 2:18)

Yes, I have read and agree with Miracle Hill's doctrinal statement.

Name *

First

Last

Email *

Address *

Street Address

Address Line 2

City

8/16/2019

Foster Care Inquiry Form - Miracle Hill Ministries

State / Province / Region

ZIP / Postal Code

Phone *

Date of Birth *

Yes, I would like to receive e-mail from Miracle Hill Ministries.

Marital Status *

Married 

Spouse Name

Spouse's Date of Birth

Spouse's Email

Spouse's Phone

How did you hear about Miracle Foster Care? ***Why I want to be a foster parent (Check all that apply) ***

- My children are older, or gone, and I want to have children around again.
 - I would like for my child(ren) to have someone to play with.
 - I would like to help a child do something good with his/her life.
 - I need the money and I would rather work in my home.
 - I think I am a good parent.
 - I have no children and would like to try being a parent.
 - I would really like to adopt a child, but the wait is so long.
 - I know there are children who need homes, and I think I should help.
 - I think I have good skills for working with children and would like to use them.
 - My spouse really wants to get into foster parenting.
-

Tell us any other reasons you would like to be a foster parent.

Miracle Hill Ministries is a non-denominational, Christian organization based upon a protestant statement of faith. All children entrusted to our care are to be cared for in an atmosphere that is conducive to spiritual growth, development, and moral direction.

Church you currently attend *

Please give a brief, personal testimony of your faith/salvation in Jesus Christ. If you are married, please include your spouse's testimony as well. *

Miracle Hill Mission Statement

Miracle Hill exists that homeless men, women and children receive food and shelter with compassion, hear the Good News of Jesus Christ and become productive members of society.

Terms and Conditions

I have read and agree to the requirements set forth by both the state of SC and Miracle Hill Ministries and located on the Foster Care page of MHM's website. To the best of my knowledge, all the information provided on this form is correct. I understand that Miracle Hill will use this information for preliminary screening, and at this time I am not committing to becoming a foster parent, but rather indicating an interest, and I will be contacted for further discussion.

Accept Terms? *

I accept the Terms & Conditions.

Submit

Exhibit 4

MIRACLE HILL MINISTRIES, *What We Believe: Our Doctrinal Statement*

WHAT WE BELIEVE

Our Doctrinal Statement

We Believe...

- The Bible to be the only inspired, infallible, inerrant and authoritative Word of God. *2 Tim. 3:16; 2 Pet 1:20-21*
- That there is one God, creator of heaven and earth, eternally existent in three distinctive persons: the Father, Son, and Holy Spirit. *1 Tim. 2:5; Gen 1:1; Mt. 3:16-17; Mt. 28:19; 2 Cor. 13:14; John 10:30*
- In the deity and humanity of Jesus Christ; that He was born of a virgin; that we are redeemed by His atoning death through His shed blood; that He bodily resurrected and ascended into heaven and that He will come again in power and great glory to judge the living and the dead. *Eph. 1:7-10; Acts 1:9-11; Mt. 1:23-25; 1 Cor. 15:1-8; 2 Tim. 4:1*
- In the value and dignity of all people created in God's image, but alienated from God and each other because of our sin and guilt and justly subject to God's wrath. *Gen. 1:26-27; Psalm 139:13; Mt. 22:37-39; Rom. 12:20-21; Gal. 6:10; Eph. 2:1-3; Rom. 5:12*
- That regeneration by the Holy Spirit by grace through faith is essential for the salvation of lost and sinful people. *Tit. 3:4-7; Eph. 2:8-9; 2 Cor. 6:2*
- In the forgiveness of sins, the resurrection of the body, and life everlasting solely through repentance and faith in Jesus Christ. *Col. 1:13-14; 1 Thess. 4:16-17; John 3:16*
- That the Holy Spirit unites all believers in the Lord Jesus Christ and that together they form one body – the church. *1 Cor. 12:12-13; 1 Cor. 12:27*
- God ordained the family as the foundational institution of human society. It is composed of persons related to one another by marriage, blood or adoption, and that God's design for marriage is the legal joining of one man and one woman in a life-long covenant relationship. *Gen. 1:26-28; Eph. 5:21-6:4; Mt. 19:4-6*
- God creates each person as either male or female, and these two distinct, complementary sexes, together reflect the image and nature of God. *Gen. 1:27; Gen. 2:18*

Exhibit 5

Declaration of Plaintiff Aimee Maddonna

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION**

AIMEE MADDONNA,

Plaintiff,

v.

U.S. DEPARTMENT OF HEALTH AND
HUMAN SERVICES, *et al.*

Defendants.

Civil Docket No. 6:19-cv-448-TMC

DECLARATION OF PLAINTIFF AIMEE MADDONNA

I, Aimee Maddonna, declare as follows:

1. I am the plaintiff in this case.
2. I understand that Miracle Hill Ministries, which operates a taxpayer-funded program to care for children in State custody and place those children with foster parents and volunteer mentors, has made changes to the policy under which it operates that program. This declaration summarizes my understanding of some of the revisions to the policy, which now apparently makes a limited exception for some applicants who are not evangelical Protestants to be considered.
3. I understand that to become a volunteer mentor or a foster parent through Miracle Hill Ministries, I would be required to agree in belief and practice with Miracle Hill's Doctrinal Statement.
4. I understand that to apply and be considered to become a volunteer mentor or foster parent through Miracle Hill, I would be required to read and agree with Miracle Hill's Doctrinal Statement, and to affirm my agreement with and adherence to that Doctrinal Statement by checking a box on the "Agreement with Doctrinal Statement" inquiry form that Miracle Hill requires of applicants.

5. I am Roman Catholic, and I belong to a Roman Catholic parish in Greenville, South Carolina.

6. I have read Miracle Hill's Doctrinal Statement.

7. Parts of the Doctrinal Statement are inconsistent with what I have been taught as a Catholic and what I understand to be Catholic doctrine and my Catholic faith.

8. Parts of the Doctrinal Statement are inconsistent with my religious beliefs.

9. If I were to agree with the Doctrinal Statement, I would understand myself no longer to be in communion with the Catholic Church. In other words, agreeing with and attesting and adhering to the Doctrinal Statement would for me be tantamount to leaving the Church.

10. If I were to agree with and attest and adhere to the Doctrinal Statement, as Miracle Hill requires as a prerequisite to being a foster parent or volunteer mentor, I would be abandoning and violating my religious beliefs.

11. Because I cannot agree with, believe, or put into practice the Doctrinal Statement, as Miracle Hill requires of prospective volunteer mentors and foster parents, without betraying my faith and abandoning my religious beliefs, I cannot affirm the Doctrinal Statement.

12. And because I cannot affirm the Doctrinal Statement, I understand that I am excluded from being a volunteer mentor or foster parent through Miracle Hill.

I declare under penalty of perjury that the foregoing is true and correct and that this Declaration was executed on August 14, 2019, in the State of South Carolina.


Aimee Maddonna