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This is a Jan. 27, 2020 file photo of The Supreme Court in Washington. The Supreme Court said Monday it will hear a dispute over a Philadelphia Catholic agency that won't place foster children with same-sex couples. The justices will review an appeals court ruling that upheld the city's decision to stop placing children with the Archdiocese of Philadelphia's agency because it would not permit same-sex couples to serve as foster parents. (AP/Mark Tenally)

by The Associated Press

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The Supreme Court said Feb. 24 it will hear a dispute over a Philadelphia Catholic agency that won't place foster children with same-sex couples.

The justices will review an appeals court ruling that upheld the city's decision to stop placing children with the Archdiocese of Philadelphia's agency because it would not permit same-sex couples to serve as foster parents.

The 3rd U.S. Circuit Court of Appeals in Philadelphia ruled the city did not target the agency because of its religious beliefs, but acted only to enforce its own nondiscrimination policy in the face of what seemed to be a clear violation.

The case will not be argued until the fall.

Among the issues the justices will take up is whether to overrule a 30-year-old Supreme Court decision that does not allow for religious exemptions from laws that apply generally and neutrally to everyone. The federal Religious Freedom Restoration Act, approved by Congress to counteract the court ruling, does not apply to state and local government action.

Philadelphia's contract with the agency, Catholic Social Services, has expired. But the agency is seeking a court order requiring the city to renew the contract.

Catholic Social Services won't certify same-sex married couples because of religious principles, and it also doesn't allow unmarried couples who live together to foster children under its program.

The agency had worked with the city for years, but its policy only came to the city's attention in March 2018, when a reporter with The Philadelphia Inquirer asked about it, the appeals court said.

The Inquirer reported that Catholic Social Services placed about 260 kids in 2017. Philadelphia has contracts with more than two dozen agencies that help find foster homes for about 5,000 children, a city spokesman said.

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