

## STATE STATUTES

CURRENT THROUGH DECEMBER 2019

# Access to Adoption Records

To find statute information for a particular State, go to <https://www.childwelfare.gov/topics/systemwide/laws-policies/state/>.

Although adoptive parents are provided nonidentifying background information about the child they plan to adopt, in nearly all States the privacy interests of adoptive parents, adoptive children, and birth families are protected by making all files related to the adoption process confidential and withheld from public access. To ensure that ongoing privacy needs are met, records of adoption court proceedings and the child's original certificate of birth are sealed after an adoption is finalized.

The need for information about the birth family does not always end when the adoption has been finalized. Persons who have been adopted may need to access information from the records to obtain updated medical history, while some adoptees seek identifying information about birth family members in order to contact their families of origin. For this publication, statutes were collected for all States, the District of Columbia, American

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States, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, and Puerto Rico, and the results indicate that most States have instituted procedures by which parties to an adoption may obtain both nonidentifying and identifying information from an adoption record while still protecting the interests of all parties.

## **NONIDENTIFYING INFORMATION**

Nonidentifying information includes the health, behavioral health, developmental, educational, and social histories of the child and the child's parents and other birth relatives. This type of information is provided to the adoptive parents at the time of the adoption.<sup>1</sup> Nonidentifying information may include the following:

- Date and place of the adoptee's birth
- Age of the birth parents and general physical description, such as eye and hair color
- Race, ethnicity, religion, and medical history of the birth parents
- Educational level of the birth parents and their occupations at the time of the adoption
- Reason for placing the child for adoption
- Existence of other children born to each birth parent

All States, American Samoa, Guam, and Puerto Rico have provisions in statutes that allow access to nonidentifying information by an adoptive parent or a guardian of a minor child who has been adopted. Nearly all States allow an adult adoptee to access nonidentifying information about birth relatives, generally upon written request. Usually, the adoptee must be at least age 18 before he or she may access this information.<sup>2</sup>

Approximately 26 States allow birth parents access to nonidentifying information, generally about the health and social history of the child.<sup>3</sup> In addition, 15 States give such access to adult birth siblings.<sup>4</sup> Policies on what information is collected and how that information is maintained and disclosed vary from State to State.

## **RESTRICTIONS ON RELEASE OF NONIDENTIFYING INFORMATION**

Some jurisdictions are more restrictive about the release of information from adoption records. New York, Oklahoma, and Rhode Island require the person seeking nonidentifying information to register with the State adoption registry. In Pennsylvania, nonidentifying information is available through a registry or the court or agency that handled the adoption. Guam requires a party to petition the court before any information can be released.

<sup>1</sup> For more information about the types of information provided to adoptive parents prior to the child's adoption, see the Child Welfare Information Gateway publication *Providing Adoptive Parents With Information About Adoptees and Their Birth Families* at <https://www.childwelfare.gov/topics/systemwide/laws-policies/statutes/collection/>.

<sup>2</sup> Idaho, Nevada, and New Jersey provide nonidentifying medical and social information about the birth family to adopting parents at the time of placement but do not otherwise address the issue of access to nonidentifying information in statute.

<sup>3</sup> The word "approximately" is used to stress the fact that the States frequently amend their laws. This information is current through December 2019. The States that allow birth parents access to nonidentifying information are Alabama, Arizona, Arkansas, Connecticut, Delaware, Louisiana, Maryland, Massachusetts, Michigan, Mississippi, Montana, New Hampshire, New Mexico, New York, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania (if the adopted person is at least age 21), Rhode Island, South Carolina, Tennessee, Utah, Vermont, Washington, and West Virginia.

<sup>4</sup> Arizona, Colorado, Michigan, Mississippi, Montana, New Mexico, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, Tennessee, Utah, and Vermont

Nonidentifying information that is generally available includes medical and health information about the child and the child's birth family at the time of the adoptive placement. Alabama, Illinois, Kansas, Maryland, Minnesota, Mississippi, and Wyoming statutes allow adoptive parents to request that the State adoption registry contact birth parents when additional health information is medically necessary. In Georgia, any medical information about the birth family that is received by the department or child-placing agency must be provided to the adoptive parents or adult adoptee.

## IDENTIFYING INFORMATION

Identifying information is information from the disclosure of adoption records or elsewhere that may lead to the positive identification of birth parents, the adult adoptee, or other birth relatives.<sup>5</sup> Identifying information may include current or past names of the person, addresses, employment, or other similar records or information. Statutes in nearly all States permit the release of identifying information when the person whose information is sought has consented to the release.<sup>6</sup> If consent is not on file with the

appropriate entity, the information may not be released without a court order documenting good cause to release the information. A person seeking a court order must be able to demonstrate by clear and convincing evidence that there is a compelling reason for disclosure that outweighs maintaining the confidentiality of a party to an adoption.<sup>7</sup>

Access to information is not always restricted to birth parents and adoptees. Approximately 37 States allow birth siblings of the adoptee to seek and release identifying information upon mutual consent.<sup>8</sup>

Some States have imposed limitations on the release of identifying information. Arkansas, Mississippi, South Carolina, and Texas require the adopted person to undergo counseling about the process and potential implications of search and contact with his or her birth family before any information is disclosed. In Connecticut, release of identifying information is prohibited if the department or child-placing agency that possesses the information determines that the requested information would be "seriously disruptive to or endanger the physical or emotional health of the person whose identity is being requested."<sup>9</sup>

<sup>5</sup> Adoptive parents of adult adoptees are generally not permitted access to identifying information about the adoptees' birth families. There are exceptions to this. For example, in California, Colorado, Illinois, Indiana, Louisiana, Maine, Montana, New Mexico, North Dakota, Ohio, Pennsylvania, and Washington, an adoptive parent may apply for or consent to the release of identifying information on behalf of an adoptee who is still a minor. These provisions also do not apply when, prior to finalization of the adoption, the birth and adoptive parents agreed to postadoption contact. For more information on this, see the Child Welfare Information Gateway publication, *Postadoption Contact Agreements Between Birth and Adoptive Families*, at <https://www.childwelfare.gov/topics/systemwide/laws-policies/statutes/cooperative/>.

<sup>6</sup> New Jersey, the District of Columbia, American Samoa, and Guam require a court order for release of identifying information. In Hawaii, an adult adoptee, adoptive parent, or birth parent may file with the court a written request to inspect the sealed adoption record. The Virgin Islands requires a court order for release of information to any person other than the adult adoptee. Statutes in Puerto Rico require a court order for release of any information from the adoption records to interested parties.

<sup>7</sup> A compelling reason might include, for example, a serious medical condition requiring a blood relative or genetic link, or access to medical records.

<sup>8</sup> Arizona, Arkansas, California, Colorado, Connecticut, Florida, Georgia, Idaho, Illinois, Iowa, Kentucky, Louisiana, Maine, Maryland, Michigan, Minnesota, Missouri, Montana, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, and Wyoming

<sup>9</sup> See Connecticut Gen. Stat. § 45a-751.

## MUTUAL CONSENT REGISTRIES

A mutual consent registry is one method many States use to arrange the consents that are required for release of identifying information. A mutual consent registry is a means for individuals directly involved in adoptions to indicate their willingness or unwillingness to have their identifying information disclosed. Approximately 30 States and Puerto Rico have established some form of a mutual consent registry.<sup>10</sup>

Procedures for mutual consent registries vary significantly from State to State. Most registries require consent of at least one birth parent and an adoptee over the age of 18 or 21, or of adoptive parents if the adoptee is a minor, in order to release identifying information. Most States that have registries require the parties seeking to exchange information to file affidavits consenting to the release of their personal information. However, eight States will release information from the registry upon request, unless the affected party has filed an affidavit requesting nondisclosure.<sup>11</sup>

## OTHER METHODS OF OBTAINING CONSENT

States that have not established registries may use alternative methods for disclosing identifying information. Search and consent procedures authorize a public or private agency to assist a party in locating birth family members to determine if they consent to the release of information. Some States have a search and consent procedure called a confidential intermediary system.<sup>12</sup> With this system, an individual called a confidential intermediary is certified by the court to have access to sealed adoption records for the purpose of conducting a search for birth family members to obtain their consent for contact. Other States use an affidavit system through which birth family members can either file their consent to release identifying information or to register their refusal to be contacted or to release identifying information.<sup>13</sup> The written permission may be referred to as a consent, waiver, or authorization form.

<sup>10</sup> Arizona, Arkansas, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Louisiana, Maine, Maryland, Michigan, Missouri, Nevada, New Hampshire, New York, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, and West Virginia

<sup>11</sup> The States that will release identifying information unless a nonconsent form has been filed are Hawaii, Indiana (for adoptions finalized after 12/31/1993), Maryland (for adoptions finalized after 1/1/2000), Michigan (for adoptions finalized before 5/28/1948 or after 9/12/1980), Minnesota (for adoptions finalized after 8/1/1982), Nebraska (for adoptions finalized after 9/1/1998), Ohio (for adoptions finalized after 1996), and Vermont (for adoptions finalized after 7/1/1986).

<sup>12</sup> States using confidential intermediaries include Alabama (when consent is not on file), Colorado, Florida (to contact family members who have not registered with the adoption registry), Illinois (to obtain updated medical information), Michigan (when consent is not on file), Montana, North Carolina, North Dakota, Oklahoma, Virginia, Washington, and Wyoming.

<sup>13</sup> Alabama, Alaska, California, Georgia, Kentucky, Massachusetts, Minnesota, Mississippi, Nebraska, New Hampshire, New Mexico, Pennsylvania, and Wisconsin

## ACCESS TO AN ORIGINAL BIRTH CERTIFICATE

When an adoption is finalized, a new birth certificate for the child is customarily issued to the adoptive parents. The original birth certificate is then sealed and kept confidential by the State registrar of vital records. In the past, nearly all States required adoptees to obtain a court order to gain access to their original birth certificates. In approximately 20 States, the District of Columbia, American Samoa, and Guam, a court order is still required.<sup>14</sup> In Massachusetts, however, evidence of a parent's willingness to provide information about her identity to the adoptee shall be considered sufficient for granting an order to release the information contained in the original birth certificate. In many States, the laws are changing to allow easier access to these records. Some of the means for providing information access include the following:

- Through a court order when all parties have consented<sup>15</sup>
- At the request of the adult adoptee<sup>16</sup>
- At the request of the adoptee, unless the birth parent has filed an affidavit denying release of confidential records<sup>17</sup>

<sup>14</sup> Arizona, Arkansas, California, Florida, Georgia, Hawaii, Iowa, Kansas, Kentucky, Louisiana, Massachusetts, Montana (for adoptions finalized on or after 10/1/1985 and before 10/1/1997), Nevada, New Hampshire, New Mexico, North Carolina, North Dakota, South Dakota, West Virginia, and Wyoming

<sup>15</sup> Idaho, Mississippi, and the Northern Mariana Islands

<sup>16</sup> Alabama, Alaska, Connecticut (for adoptions finalized on or after 10/1/1983), Illinois (for adopted persons born prior to 1/1/1946), Maine, Montana (for adoptions finalized before 10/1/1985), New Jersey, New York, Oregon, Pennsylvania (with the birth parents' names redacted at their request), and the Virgin Islands

<sup>17</sup> Colorado (effective 1/1/2016), Delaware, Illinois (for adopted persons born on or after 1/1/1946), Maryland (for adoptions finalized on or after 1/1/2000), Minnesota (for adoptions finalized on or after 8/1/1997), Montana (for adoptions finalized on or after 10/1/1997), Nebraska (for adoptions finalized on or after 7/20/2002), Ohio (for adoptions finalized after 1996), Oklahoma (for adoptions finalized on or after 11/1/1997 when there are no birth siblings under age 18 who have been adopted), and Washington

<sup>18</sup> Indiana (for adoptions finalized after 12/31/1993), Michigan, Rhode Island, Tennessee, Texas, Utah, Vermont, and Virginia

<sup>19</sup> Missouri, Nebraska (for adoptions finalized on or after 9/1/1998), South Carolina, Utah (for adoptions finalized on or after 1/1/2016), and Wisconsin

- When eligibility to receive identifying information has been established with a State adoption registry<sup>18</sup>
- When consents from the birth parents to release identifying information are on file<sup>19</sup>

## WHERE INFORMATION CAN BE LOCATED

To find contact information for a State agency or department that assists in accessing adoption records, go to Child Welfare Information Gateway's National Foster Care and Adoption Directory and search under State Reunion Registries/Confidential Intermediary Services: <https://www.childwelfare.gov/nfcad/>

See the Adoption Search and Reunion section of the Child Welfare Information Gateway website at <https://www.childwelfare.gov/topics/adoption/search/> for more information on searching for birth relatives, including a link to the International Soundex Reunion, a free mutual consent reunion registry for people seeking birth relatives: <http://www.isrr.net/>.

This publication is a product of the State Statutes Series prepared by Child Welfare Information Gateway. While every attempt has been made to be complete, additional information on these topics may be in other sections of a State's code as well as agency regulations, case law, and informal practices and procedures.

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## **ALABAMA**

*Current Through December 2019*

### **Who May Access Information**

**Citation: Ala. Code § 26-10A-31**

Nonidentifying information may be released, upon request, to the following:

- The adoptive parents
- The birth parents
- The adoptee who is age 19 or older

Only the adult adoptee may access identifying information.

### **Access to Nonidentifying Information**

**Citation: Ala. Code § 26-10A-31**

Nonidentifying information is limited to the following:

- The health and medical history of birth parents and the adoptee
- General family background
- Physical descriptions
- The length of time the child was in out-of-home care other than with the adoptive parents
- The circumstances resulting in the adoption

If the court finds that any person has a compelling need for nonidentifying information that can be obtained only through contact with the adoptee, the birth parents, or the adoptive parents, the court shall direct the agency or a mutually agreed upon intermediary to establish contact with the adoptee, the birth parents, or the adoptive parents in order to obtain the information needed without disclosing identifying information. The information then shall be filed with the court and released to the applicant at the discretion of the court. The identity and whereabouts of the person or persons contacted shall remain confidential.

### **Mutual Access to Identifying Information**

**Citation: Ala. Code § 26-10A-31**

If either birth parent has given consent in writing for disclosure of identifying information, the State Department of Human Resources or a licensed child-placing agency shall release such identifying information.

When an adoptee reaches age 19, he or she may petition the court for the disclosure of identifying information if the birth parent has not previously given consent. The court shall direct an intermediary to contact the birth parents to determine if they will consent to the release of identifying information. If the birth parents consent to the release of identifying information, the court shall order its release. If the birth parents are deceased, cannot be found, or do not consent, the court shall weigh the interests and rights of all parties and determine if the identifying information should be released without the consent of the birth parents.

### **Access to Original Birth Certificate**

**Citation: Ala. Code § 22-9A-12(c)-(d)**

Any person age 19 or older who was born in Alabama and who has had an original birth certificate removed from the files due to an adoption may, upon written request, receive a copy of that birth certificate and any evidence of the adoption held with the original record.

A birth parent at any time may request from the State Registrar of Vital Statistics a contact preference form that shall accompany a birth certificate. The contact preference form shall indicate one of the following:

- He or she would like to be contacted.
- He or she would prefer to be contacted only through an intermediary.
- He or she would prefer not to be contacted at this time but may submit an updated contact preference at a later time.

A medical history form shall be supplied to the birth parent upon request of a contact preference form. The medical history form and the contact preference form are confidential communications from the birth parent to the person named on the sealed birth certificate and shall be placed in a sealed envelope upon receipt from the birth parent. The sealed envelope shall be released to a person requesting his or her own original birth certificate.

#### **Where the Information Can Be Located**

- Alabama Department of Public Health, Birth Certificates
- Alabama Pre/Post Adoption Connections (APAC)

## **ALASKA**

*Current Through December 2019*

#### **Who May Access Information**

**Citation: Alaska Code § 18.50.500**

Identifying information may be accessed by the following:

- The adoptee who is age 18 or older
- The birth parent

The adoptive parent may access nonidentifying information.

#### **Access to Nonidentifying Information**

**Citation: Alaska Code § 18.50.510**

The State Registrar of Vital Statistics may release information regarding the birth parents at the request of an adoptive parent or an adopted person who is age 18 or older. Nonidentifying information includes the following:

- The age of the birth parents at the child's birth
- The birth parents' heritage, including ethnic background and Tribal membership
- The medical history of the birth parents and blood relatives of the birth parents
- The number of years of school completed by the birth parents when the child was born
- The physical description of the birth parents at the child's birth, including height, weight, and color of eyes, hair, and skin
- The existence of other children of the birth parents
- The religion of the birth parents
- Whether the birth parent was alive at the time of the adoption
- Other information provided by the birth parents for disclosure to the child, including photos and letters



### **Mutual Access to Identifying Information**

**Citation: Alaska Code § 18.50.500**

The State registrar shall disclose to a birth parent, at that parent's request, the most current name and address of an adopted child as they appear in the State registrar's adoption files, if the child is 18 or older and has requested in writing that the information be disclosed if ever requested by the birth parent.

### **Access to Original Birth Certificate**

**Citation: Alaska Code § 18.50.500**

After receiving a request for the identity of a birth parent by an adoptee who is age 18 or older, the State registrar shall provide the person with an uncertified copy of the person's original birth certificate and any changes in the birth parent's name or address attached to the certificate.

An adoptee age 18 or older or a birth parent may submit to the State registrar a notice of change of name or address. The State registrar shall attach the information to the original birth certificate of the adoptee.

### **Where the Information Can Be Located**

Bureau of Vital Statistics, Alaska Department of Health and Social Services

## **AMERICAN SAMOA**

*Current Through December 2019*

### **Who May Access Information**

**Citation: Ann. Code § 45.0414**

Any party to an adoption proceeding may see the written report filed by the Department of Health or child-placing agency.

### **Access to Nonidentifying Information**

**Citation: Ann. Code § 45.0414**

Accessible nonidentifying information includes the child's family background and reasons for the adoption.

### **Mutual Access to Identifying Information**

**Citation: Ann. Code § 45.0414**

The names of the birth parents and the adoptive parents, and any means of identifying either, are not available except upon order of the court.

### **Access to Original Birth Certificate**

**Citation: Ann. Code § 45.0424**

The original birth certificate is sealed and may not be released without a court order.

### **Where the Information Can Be Located**

American Samoa Office of Vital Statistics

## **ARIZONA**

*Current Through December 2019*

### **Who May Access Information**

**Citation: Rev. Stat. § 8-129**

The following persons may have access to family information:

- The adoptive parents or a guardian of the adoptee
- The adoptee who is age 18 or older
- If the adoptee has died, the adoptee's spouse, if he or she is the legal parent of the adoptee's child or the guardian of any child of the adoptee
- If the adoptee has died, any child of the adoptee who is age 18 or older
- The birth parents or other birth children of the birth parents

### **Access to Nonidentifying Information**

**Citation: Rev. Stat. §§ 8-121; 8-129**

Nonidentifying information may be released upon request to any of the persons listed above. Nonidentifying information may include the health and genetic history of the birth parents and members of the birth parents' families.

### **Mutual Access to Identifying Information**

**Citation: Rev. Stat. § 8-121**

Court personnel, the Department of Child Safety, an attorney assisting in a direct-placement adoption, or an agency may provide partial or complete identifying information between a birth parent and adoptive parent when the parties mutually agree to share specific identifying information and make a written request to the court, the department, or the agency.

A person may petition the court to obtain information relating to an adoption that is in the possession of the court, the department, or any agency or attorney involved in the adoption. The court shall not release identifying information unless the person requesting the information has established a compelling need for disclosure or consent has been obtained.

An adoptee age 18 or older or a birth parent may file at any time a notarized statement granting consent, withholding consent, or withdrawing a consent previously given for the release of confidential information with the court and the agency, department, or attorney who participated in the adoption. If an adoptee who is age 18 or older and the birth mother or birth father have filed consent to the release of confidential information, the court may disclose the information, except identifying information relating to a birth parent who did not grant written consent.

### **Access to Original Birth Certificate**

**Citation: Rev. Stat. § 36-337**

The original birth certificate can be made available only upon a court order or as prescribed by rule.

### **Where the Information Can Be Located**

Arizona Confidential Intermediary Program, Arizona Supreme Court

## **ARKANSAS**

*Current Through December 2019*

### **Who May Access Information**

**Citation: Ann. Code §§ 9-9-504; 9-9-505**

Nonidentifying information is available to the following:

- The adoptive parents of the child or the child's guardian
- The adoptee
- If the adoptee has died, the adoptee's children, widow or widower, or the guardian of any child of the adoptee
- The birth parent of the adoptee
- Any child welfare agency having custody of the adoptee

Access to identifying information is available to the adult adoptee, the birth parents, and any person related within the second degree through the adoption registry.

### **Access to Nonidentifying Information**

**Citation: Ann. Code § 9-9-505**

Nonidentifying information is available upon request to any person listed above. Nonidentifying information includes the health, genetic, and social history of the child.

### **Mutual Access to Identifying Information**

**Citation: Ann. Code § 9-9-504**

A person eligible to register may request the disclosure of identifying information by filing an affidavit with the adoption registry that includes the following:

- The person's current name and address
- Any previous name by which the applicant was known
- The original and adopted names, if known, of the adoptee
- The place and date of birth of the adoptee
- The name and address of the adoption agency or other entity, organization, or person placing the adoptee, if known

The applicant shall notify the registry of any change in name or location that occurs subsequent to his or her filing of the affidavit. The registry shall have no duty to search for an applicant who fails to register his or her most recent address.

The administrator of the mutual consent voluntary adoption registry shall process each affidavit in an attempt to match the adult adoptee and the birth parents or other relatives. The processing shall include research from agency records, when available, and when agency records are not available, research from court records to determine conclusively whether the applicants match.

The administrator shall determine that there is a match when the adult adoptee and a birth parent or other relative have filed affidavits with the adoption registry and have each received the required counseling.

### **Access to Original Birth Certificate**

**Citation:** Ann. Code § 20-18-406

The original birth certificate is available only upon a court order or as provided by rule.

### **Where the Information Can Be Located**

- Arkansas Mutual Consent Voluntary Adoption Registry
- The licensed agency involved in the adoption

## **CALIFORNIA**

*Current Through December 2019*

### **Who May Access Information**

**Citation:** Fam. Code § 9202; 9203

Nonidentifying information is available to the following:

- The adoptee who is age 18 or older
- The adoptive parent of an adoptee who is under age 18

Identifying information is available to the following:

- The adoptee who is age 21 or older
- The birth parent of an adult adoptee
- The adoptive parent of an adoptee who is under age 21

### **Access to Nonidentifying Information**

**Citation:** Fam. Code §§ 8706; 8817; 9202

Nonidentifying information about the birth parents and adoptee, such as medical history, scholastic information, psychological evaluations, and developmental history, is provided to the adopting parents.

The Department of Social Services or licensed adoption agency shall provide a copy of the medical report, in the manner the department prescribes by regulation, to any of the following persons upon the person's request:

- A person who has been adopted and is at least age 18 or presents a certified copy of the person's marriage certificate
- The adoptive parent of a person under age 18

A person who is denied access to a medical report may petition the court for review of the reasonableness of the department's or licensed adoption agency's decision.

The names and addresses of any persons contained in the report shall be removed unless the person requesting the report has previously received the information.

### **Mutual Access to Identifying Information**

**Citation:** Fam. Code §§ 9203; 9205; 9206

The adoptee who is age 21 or older may request the release of the identity of his or her birth parents and their most current address shown in the records of the department or licensed adoption agency if the birth parent or parents have indicated consent to the disclosure in writing.

The birth parent may request disclosure of the name and most current address of the adoptee if the adoptee is age 21 or older and has indicated in writing that he or she wishes his or her name and address to be disclosed.

The adoptive parent of an adoptee under age 21 may request disclosure of the identity of a birth parent and the birth parent's most current address shown in the records if the department or licensed adoption agency finds that a medical necessity or other extraordinary circumstances justify the disclosure.

If an adult adoptee and the birth parents have each filed a written consent with the department or licensed adoption agency, the department or agency may arrange for contact between those persons.

Information about a birth sibling may be released to another sibling provided both are age 18 or older and have provided a written waiver.

Photos, letters, and other personal property may be released upon request if the adoptee is age 18 or older and other conditions have been met.

### **Access to Original Birth Certificate**

**Citation: Health & Safety Code § 102705**

All records and information specified in this article, other than the newly issued birth certificate, shall be available only upon the order of the superior court of the county of residence of the adopted child or the superior court of the county granting the order of adoption.

No such order shall be granted by the superior court unless a verified petition setting forth facts showing the necessity of the order has been presented to the court and good and compelling cause is shown for the granting of the order. The clerk of the superior court shall send a copy of the petition to the State Department of Social Services, and the department shall send a copy of all records and information it has concerning the adopted person with the name and address of the natural parents removed to the court. The court must review these records before making an order and the order should so state. If the petition is by or on behalf of an adopted child who has attained majority, these facts shall be given great weight, but the granting of any petition is solely within the sound discretion of the court.

### **Where the Information Can Be Located**

- California Department of Social Services
- The licensed agency involved in the adoption

## **COLORADO**

*Current Through December 2019*

### **Who May Access Information**

**Citation: Rev. Stat. §§19-5-304(1)(b); 19-5-305(2)(b)(I)**

A qualified confidential intermediary is authorized to inspect confidential relinquishment and adoption records, postadoption records, and dependency and neglect records, including, but not limited to, court files, for the purpose of arranging contact within 45 days after a motion to the court is filed by the following persons:

- An adult adoptee
- An adoptive parent, custodial grandparent, or legal guardian of a minor adoptee
- A birth parent or an adult birth sibling or half-sibling of an adult adoptee
- An adult descendant, spouse of an adoptee, adult stepchild, or adopted adult sibling of an adoptee with the notarized written consent of the adult adoptee

- A birth grandparent of an adoptee with the notarized written consent of the birth parent (unless the birth parent is deceased)
- The legal representative of any of the individuals listed above
- A former foster child who may or may not have been adopted, who is age 18 or older, and who is searching for a birth sibling who also is age 18 or older, who may or may not have been adopted, and who may or may not have been in the foster care system

Upon request, the custodian of records shall provide direct access, without redaction, to all adoption records for inspection and copying by an adult adoptee, an adoptive parent of a minor adoptee, a custodial grandparent of a minor adoptee, or the legal representative of any such individual. In addition, the custodian of records shall provide direct access to adoption records for inspection and copying by a spouse, an adult descendant, an adult sibling or half-sibling, an adoptive parent or grandparent of an adult adoptee, or the legal representative of any such individual, if the individual requesting access has the notarized written consent of the adult adoptee or if the adoptee is deceased.

### **Access to Nonidentifying Information**

**Citation: Rev. Stat. §§ 19-5-402; 19-1-103(80)**

Any adult adoptee or any adoptive parent may request nonidentifying information about the adoptee or the birth parents of the adoptee from the Department of Human Services. The department shall provide the nonidentifying information that is available to the department directly to the inquiring adult adoptee; adoptive parent; or to a qualified, licensed child-placing agency.

The term 'nonidentifying information' means information that does not disclose the name, address, place of employment, or any other material information that would lead to the identification of the birth parents, including, but not limited to, the following:

- The physical description of the birth parents
- The educational background of the birth parents
- The occupation of the birth parents
- Genetic information about the birth family
- Medical information about the adult adoptee's birth
- Social information about the birth parents
- The placement history of the adoptee

### **Mutual Access to Identifying Information**

**Citation: Rev. Stat. §§ 19-5-304; 19-5-305; 19-1-103(6.5)(a.5)**

An eligible person may petition the court to appoint a confidential intermediary to search adoption records in an effort to find a birth relative. When a sought-after birth relative is located, the intermediary shall obtain consent from both parties that they wish to personally communicate with one another. Contact shall be made between the parties involved in the investigation only when consent for such contact has been received by the court.

All confidential intermediaries shall inform both the requesting birth relative and the sought-after birth relative of the existence of the voluntary adoption registry set forth in § 25-2-113.5.

The State registrar shall provide a birth parent with a contact preference form on which the birth parent may indicate a preference regarding contact by the adult adoptee or the adoptee's descendant. The form may include an updated medical history about the birth parent or other birth relatives. The State registrar shall maintain the contact preference form and the medical history statements, if any, and make them accessible to a person who is eligible to receive adoption records.

The 'adoption record' includes the following documents and information, without redaction:

- The adoptee's original birth certificate and amended birth certificate
- The final decree of adoption
- Any identifying information, including the following:
  - The name of the adoptee before placement for adoption
  - The name and address of each birth parent as they appear in the birth records
  - The name, address, and any contact information of the adult adoptee
  - The current name, address, and contact information of each birth parent, if known
  - Other information that might personally identify a birth parent
- Any nonidentifying information
- The final order of relinquishment
- The order of termination of parental rights

#### **Access to Original Birth Certificate**

**Citation: Rev. Stat. § 19-5-305**

The option on the contact preference form that allows a birth parent to authorize or not authorize the release of the original birth certificate to eligible parties expires on January 1, 2016. On and after January 1, 2016, contact preference forms shall only address a birth parent's preferences regarding contact and to submit or update medical history. On and after July 1, 2014, the State registrar shall post a notice on its website stating that the contact preference form will be revised to eliminate that option and that birth parents may exercise this option prior to January 1, 2016.

Prior to allowing access to an original birth certificate, the State registrar must search for a contact preference form executed prior to January 1, 2016, to ascertain if either birth parent had stated a preference authorizing or not authorizing the release of the original birth certificate. If both birth parents have filed a contact preference form executed prior to January 1, 2016, authorizing the release of the original birth certificate, then the State registrar must release the original birth certificate to the eligible party. If there is no contact preference form on file, or if a contact preference form executed prior to January 1, 2016, is on file stating that the original birth certificate not be released, then the State registrar may not release the original birth certificate prior to January 1, 2016, unless the birth parent rescinds the contact preference form; upon mutual consent of two or more reunited parties; the birth parent is deceased; or the eligible party obtains a court order pursuant to § 19-1-309. When one birth parent has authorized the release of the birth certificate and the other birth parent has filed a contact preference form, prior to January 1, 2016, not authorizing release, the State registrar shall issue the original birth certificate to the eligible party with the name of the nonconsenting parent redacted.

#### **Where the Information Can Be Located**

- Colorado Voluntary Adoption Registry
- The child-placing agency involved in the adoption

## CONNECTICUT

*Current Through December 2019*

### **Who May Access Information**

**Citation: Ann. Stat. § 45a-746**

Nonidentifying information is available to the following persons:

- The adult adoptee
- The adoptive parents or guardian of the child
- The legal representative of the adoptee
- If the adoptee is deceased, any adult descendants, including adopted descendants

Identifying information may be accessed by the following persons:

- The adult adoptee
- Any birth parent of the adult adoptee, including any person claiming to be the father who was not a party to the proceedings for the termination of parental rights
- Any adult birth sibling of the adult adoptee
- If the adoptee is deceased, any adult descendants, including legally adopted descendants

### **Access to Nonidentifying Information**

**Citation: Ann. Stat. § 45a-746**

Nonidentifying information about the birth parents shall be provided in writing to the adopting parents prior to finalization of the adoption.

The birth parents may access the information at any time for the purposes of verifying, correcting, or adding information.

Information about the birth parents includes, but is not limited to, the following:

- Age at the time of the child's birth
- Ethnic background and nationality
- General physical appearance at the time of the child's birth
- Education and occupations of the birth parents
- Talents, hobbies, and special interests
- Existence of any other children born to either parent
- Health history of the birth parents and blood relatives
- Reasons for placing the child for adoption
- Religion of the birth parents
- Any other relevant nonidentifying information

### **Mutual Access to Identifying Information**

**Citation: Ann. Stat. § 45a-751**

Any authorized applicant may, by applying in person or in writing to the child-placing agency or the Department of Children and Families, request the release of identifying information. The information should be released, unless the following apply:

- The consents of every person whose identity is sought, as required by § 45a-751b, are not given.
- The release of the requested information would seriously disrupt or endanger the physical or emotional health of the applicant or the person whose identity is being requested.



### **Access to Original Birth Certificate**

**Citation: Ann. Stat. § 7-53**

Upon request, the Department of Public Health shall issue an uncertified copy of an original certificate of birth to the following:

- An adoptee who is age 18 or older whose adoption was finalized on or after October 1, 1983
- An adoptee's adult child or grandchild

The certificate shall be marked with a notation by the issuer that the original certificate of birth has been superseded by a replacement certificate of birth as on file. Additionally, a notice shall be printed on such certificate or attached thereto stating that information related to the birth parents' preferences regarding contact by the adoptee or the adoptee's adult child or grandchild and a medical health history form completed by the birth parent may be on file with the Department of Children and Families.

### **Where the Information Can Be Located**

- Connecticut Adult Adoption Search
- The Department of Children and Families and each child-placing agency involved in the adoption

## **DELAWARE**

*Current Through December 2019*

### **Who May Access Information**

**Citation: Ann. Code Tit. 13, § 924**

Family information may be available to the following persons:

- The adoptee who is age 21 or older
- All other parties to an adoption

### **Access to Nonidentifying Information**

**Citation: Ann. Code Tit. 13, § 924**

The Department of Services for Children, Youth and Their Families or child-placing agency may release nonidentifying information in its records to the parties to the adoption.

### **Mutual Access to Identifying Information**

**Citation: Ann. Code Tit. 13, §§ 924; 929; 962**

Identifying information shall not be released except by order of the court or with the consent of all parties when it is deemed by the agency to be in the adoptee's best interests. In cases where the adoptee's health or the health of any blood relative is concerned and the adoption agency has refused to release the health information, the court may, through petition by the adoptee, permit the party to inspect only that part of the adoption agency or court record containing medical information, if it is needed for the health of the person or of any blood relative of the person.

As part of the adoption-planning process, the department or agency may provide information to the birth parents and to the adoptive parents, as follows:

- In preplacement planning, identifying information shall be limited to the viewing of photographs, provided that such viewing is with the consent of birth parents and adoptive parents and that no additional identifying information is contained in the photographs.

- After a placement has been completed, and prior to finalization of the adoption, identifying information may include, but is not limited to, the exchange of names, addresses, photographs, and face-to-face meetings, provided the following conditions are met:
  - The birth parents and adoptive parents request the exchange of information, in writing.
  - The birth parents, adoptive parents, and the department or agency agree to the exchange of information, as specified in writing.
  - The birth parents and adoptive parents acknowledge, in writing, their understanding that no legal right or assurance of continuing contact after finalization of the adoption exists.

An adoptee who is age 21 or older may request an agency to assist in locating a birth relative. When the relative is located, that person may make a no-contact declaration. If the declaration is not made, the agency may release the birth parent or sibling's current name, address, and telephone number to the adopted person.

#### **Access to Original Birth Certificate**

**Citation: Ann. Code Tit. 13, § 923**

An adoptee who is age 21 or older may request a copy of the original birth certificate, unless the birth parent has filed an affidavit denying release of identifying information.

#### **Where the Information Can Be Located**

- Delaware Office of Vital Statistics
- The agency involved in the adoption

## **DISTRICT OF COLUMBIA**

*Current Through December 2019*

#### **Who May Access Information**

This issue is not addressed in the statutes reviewed.

#### **Access to Nonidentifying Information**

This issue is not addressed in the statutes reviewed.

#### **Mutual Access to Identifying Information**

**Citation: Ann. Code § 16-311**

All records are sealed and may not be inspected, except upon order of the court, and then only if the welfare of the child is promoted.

#### **Access to Original Birth Certificate**

**Citation: Ann. Code § 16-314**

The original birth certificate is a sealed record that cannot be opened without order of the court.

#### **Where the Information Can Be Located**

- Voluntary Foster Care Registry
- The agency involved in the adoption

## FLORIDA

*Current Through December 2019*

### **Who May Access Information**

**Citation: Ann. Stat. §§ 63.162; 63.165**

Information may be available to the following persons:

- The adoptee who is age 18 or older
- The birth parents
- The adoptive parents
- Birth siblings
- Maternal and paternal birth grandparents

### **Access to Nonidentifying Information**

**Citation: Ann. Stat. § 63.162**

All nonidentifying information, including the family medical history and social history of the adoptee and the birth parents, when available, must be furnished to the adoptive parents before the adoption becomes final and to the adoptee, upon the adoptee's request, after he or she reaches majority. Upon the request of the adoptive parents, all nonidentifying information obtained before or after the adoption has become final must be furnished to the adoptive parents.

### **Mutual Access to Identifying Information**

**Citation: Ann. Stat. §§ 63.162; 63.165**

Identifying information about a birth parent, an adoptive parent, or an adoptee may not be disclosed unless the respective party has authorized, in writing, the release of such information. If the adoptee is younger than age 18, written consent must be obtained from an adoptive parent.

The court may, upon petition of an adult adoptee or birth parent, for good cause shown, appoint an intermediary or a licensed child-placing agency to contact a birth parent or adult adoptee, as applicable, who has not registered with the adoption registry pursuant to § 63.165, and advise them of both the availability of the intermediary or agency and that the birth parent or adult adoptee, as applicable, wishes to establish contact.

The Department of Children and Families shall maintain a registry with the last known names and addresses of an adoptee, the birth parents, and the adoptive parents and any other identifying information that the parties wish to include in the registry.

The registry shall be available for those persons choosing to enter information therein, but no one shall be required to do so. A person who enters information in the registry must indicate clearly the persons to whom he or she is consenting to release the information, which shall be limited to the adoptee, the birth parents, the adoptive parents, birth siblings, and maternal and paternal birth grandparents. Consent to the release of this information may be made in the case of a minor adoptee by his or her adoptive parents or by the court after a showing of good cause. At any time, any person may withdraw, limit, or otherwise restrict consent to release information by notifying the department in writing.

### **Access to Original Birth Certificate**

**Citation: Ann. Stat. § 63.162**

The original birth certificate is available only upon order of the court.

### **Where the Information Can Be Located**

Florida Adoption Reunion Registry

## **GEORGIA**

*Current Through December 2019*

### **Who May Access Information**

**Citation: Ann. Code § 19-8-23**

Information may be accessed by the following persons:

- The adult adoptee
- The birth parents
- Adult birth siblings
- The child of the adoptee, if the adoptee is deceased
- The adoptive parents

The adoptive parents may access only nonidentifying information.

### **Access to Nonidentifying Information**

**Citation: Ann. Code § 19-8-23**

When certain information would assist in the provision of medical care, a medical emergency, or medical diagnosis or treatment, a party to the adoption; child; legal guardian; health-care agent of an adoptee; or a provider of medical services to a party to the adoption, child, legal guardian, or health-care agent may request that the Department of Human Services or child-placing agency access its own records on finalized adoptions for the purpose of adding subsequently obtained medical information or releasing nonidentifying medical and health history information contained in its records pertaining to an adopted person, the biological parents, or relatives of the biological parents of the adopted person.

When the State Adoption Unit of the department or a child-placing agency receives documented medical information relevant to an adoptee, the department or child-placing agency shall use reasonable efforts to contact the adoptive parents of the adoptee if the adoptee is younger than age 18, or the adoptee if he or she is age 18 or older, and provide the documented medical information to the adoptive parents or the adoptee.

Upon the written request of an adoptee age 18 or older or an adoptive parent on behalf of an adoptee, nonidentifying information shall be released regarding the birth parents and the adoptee's birth, including the date and place of the adoptee's birth and the genetic, social, and health history of the birth parents.

### **Mutual Access to Identifying Information**

**Citation: Ann. Code § 19-8-23**

Upon written request of an adoptee age 18 or older, the department or child-placing agency shall release to the adoptee the name of the adoptee's birth parent, together with a detailed summary of all information the

department or agency has concerning the adoptee's birth, foster care, placement for adoption, and finalization of the adoption, if the following apply:

- The birth parent has submitted unrevoked written permission to release his or her name to the adoptee.
- The identity of the birth parent submitting permission has been verified by the department or agency.
- The department or agency has the records that have been requested.

If a birth parent has not filed an unrevoked written permission, the department or agency shall, within 6 months of receipt of the written request, make a diligent effort to notify each birth parent, by personal and confidential contact, that a request for information has been made. The birth parent may then file an affidavit consenting or objecting to disclosure.

The adoptee also may petition the court to seek the release of information. The court shall grant the petition if it finds that failure to release the identity of each parent would have an adverse impact upon the physical, mental, or emotional health of the adopted person.

Birth parents and adult birth siblings also may access information about an adoptee using the same procedure. If the adoptee is deceased and leaves a child, such child, upon reaching age 18, may seek the name and other identifying information concerning his or her grandparents in the same manner as the deceased adoptee and subject to the same procedures.

The State Adoption Unit within the department shall maintain a registry for the recording of requests by adoptees for the name of any birth parent, the written consent or the written objections of any birth parent to the release of that parent's identity to an adoptee, and for nonidentifying information regarding any birth parent.

#### **Access to Original Birth Certificate**

**Citation: Ann. Code § 31-10-14**

The original birth certificate is accessible only by order of the court or as provided by statute.

#### **Where the Information Can Be Located**

Georgia Adoption Reunion Registry

## **GUAM**

*Current Through December 2019*

#### **Who May Access Information**

**Citation: Ann. Code Tit. 19, § 4217**

Adoption records are accessible only to persons or agencies that have a legitimate interest in the adoption.

#### **Access to Nonidentifying Information**

**Citation: Ann. Code Tit. 19, § 4217**

Social records may be furnished to persons and agencies having a legitimate interest in the protection, welfare, and treatment of the child or in research studies, in such manner as the court determines. Social records include the social services records; social studies, reports, and related papers; and correspondence, including medical, psychological, and psychiatric studies and reports, either in the possession of the court or the Division of Social Services.

### **Mutual Access to Identifying Information**

**Citation: Ann. Code Tit. 19, § 4217**

Access to information from the adoption record is available through court order only.

### **Access to Original Birth Certificate**

**Citation: Ann. Code Tit. 10, § 3215**

The original birth certificate is accessible only upon order of the court.

### **Where the Information Can Be Located**

The court that approved the adoption

## **HAWAII**

*Current Through December 2019*

### **Who May Access Information**

**Citation: Rev. Stat. §§ 578-14.5; 578-15**

Health information may be provided to the following persons:

- The adult adoptee
- The adoptive parent
- The minor adoptee's guardian or custodian

Adoption records may be accessed by the following persons:

- The adult adoptee
- The adoptive parents
- The birth parents

### **Access to Nonidentifying Information**

**Citation: Rev. Stat. § 578-14.5**

The Department of Health shall prepare a standard medical information form to obtain medical information on the birth parents of the minor adoptee. This form shall include a request for any information about the adopted child's potential genetic or other inheritable diseases, including similar medical histories, if known, of the parents of the birth parents. All child-placing organizations shall make reasonable efforts to complete this form on both birth parents; to obtain from the birth parents written consent to the release of this information to or for the benefit of the adopted child; and, whenever possible, to obtain from the birth mother a signed release to receive a copy of all of her medical records relating to the birth of the adopted child that are in the possession of the hospital or other facility at which the child was born. The completed forms shall be included in the department's adoption records.

Upon written application from the adult adoptee—or the adoptive parent, guardian, or custodian on behalf of a minor adoptee—the department shall furnish the applicant with a copy of the completed forms. The department is authorized to disclose the information without prior court approval.

### **Mutual Access to Identifying Information**

**Citation: Rev. Stat. § 578-15(b)**

Upon the entry of the decree, or upon the later effective date of the decree, or upon the dismissal or discontinuance or other final disposition of the petition, the clerk of the court shall seal all records in the proceedings, provided that upon the written request of the petitioner or petitioners, the court may waive the requirement that the records be sealed. The seal shall not be broken and the records shall not be inspected by any person, including the parties to the proceedings, except as follows:

- Upon order of the family court upon a showing of good cause
- After the adoptee reaches age 18 and upon submission to the family court of a written request for inspection by the adoptee or the adoptive parents
- After the adoptee reaches age 18 and upon submission to the family court of a written request for inspection by the natural parents
- Upon request by the adoptee or the adoptive parents for information contained in the records concerning ethnic background and necessary medical information
- Upon request by a natural parent for a copy of the original birth certificate

As used in this subsection, the term 'natural parent' means a birth mother or father or a legal parent who is not also the birth parent.

### **Access to Original Birth Certificate**

**Citation: Rev. Stat. §§ 578-14; 578-15**

If a new birth certificate is issued, the original birth certificate shall be sealed and filed with the decree or the abstract thereof, and the sealed package shall be opened only as provided in § 578-15(b).

The birth parent may be provided a copy of the original birth certificate upon request.

### **Where the Information Can Be Located**

Family Court Central Registry

## **IDAHO**

*Current Through December 2019*

### **Who May Access Information**

**Citation: Ann. Code § 39-259A**

Identifying information may be made available to the following persons:

- The adult adoptee
- The birth parents
- Adult birth siblings

### **Access to Nonidentifying Information**

**Citation: Ann. Code § 16-1506**

A copy of all medical and genetic information compiled as part of the adoption investigation shall be made available to the adopting family by the Department of Health and Welfare or other investigating children's adoption agency prior to entry of the final order of adoption.

### **Mutual Access to Identifying Information**

**Citation: Ann. Code § 39-259A**

The State Registrar of Vital Statistics shall establish and maintain a confidential list of qualified adult adoptees, birth parents, or adult birth siblings who have consented to the release of their identifying information. Any consent shall indicate the person's desired method of notification in the event that a match occurs and also shall indicate whether the applicant desires the release of identifying information if a match occurs after his or her death. The applicant may revise his or her consent with respect to change of address or method of notification.

A birth parent shall not be matched with an adult adoptee without the consent of the other birth parent, unless the following conditions are met:

- There is only one birth parent listed on the birth certificate.
- The other birth parent is deceased.
- The other birth parent cannot be found by the department or by a licensed child-placing agency.

### **Access to Original Birth Certificate**

**Citation: Ann. Code § 39-258**

The original birth certificate is available upon a court order or, in accordance with § 39-259A, when all parties have consented through the State adoption registry.

### **Where the Information Can Be Located**

Idaho Voluntary Adoption Registry, Vital Records Section

## **ILLINOIS**

*Current Through December 2019*

### **Who May Access Information**

**Citation: Comp. Stat. Ch. 750, §§ 50/18.1; 50/18.4**

The following persons may apply to the Illinois Adoption Registry:

- Either birth parent
- If the birth parent is deceased, the adoptee's adult birth sibling, birth aunt, or birth uncle
- Any adult adoptee or any adoptive parent or legal guardian of an adoptee who is younger than age 21
- If the adoptee is deceased, any surviving spouse, adult child, or adult grandchild
- Any adoptive parent, legal guardian, or birth grandparent of a deceased adult adoptee

The services of a confidential intermediary may be utilized by the following persons:

- Any adoptee who is age 21 or older
- Any adoptive parent or legal guardian of an adoptee who is under age 21
- Any birth parent of an adoptee who is age 21 or older
- Any adult child or adult grandchild of a deceased adoptee
- Any adoptive parent or surviving spouse of a deceased adoptee
- Any adult birth sibling of the adult adoptee, unless the birth parent has checked Option E on the Birth Parent Preference Form or has filed a Denial of Information Exchange with the Adoption Registry and is not deceased



- Any adult adopted birth sibling of an adult adoptee
- Any adult birth sibling of the birth parent if the birth parent is deceased

Nonidentifying information may be provided to the adoptive parents, the adoptee, or legal guardian who is a registrant of the Adoption Registry.

### **Access to Nonidentifying Information**

**Citation: Comp. Stat. Ch. 750, § 50/18.4**

The adoptive parents shall receive in writing the following nonidentifying information, if known, no later than the date of placement of the child:

- The birth parents' age
- The birth parents' race, religion, and ethnic background
- The general physical appearance of the birth parents
- The birth parents' education, occupation, hobbies, interests, and talents
- The existence of any other children born to the birth parents
- Information about birth grandparents; their reason for emigrating into the United States, if applicable; and country of origin
- The relationship between the birth parents
- Detailed medical and mental health histories of the child, the birth parents, and their immediate relatives
- The actual date and place of birth of the adoptee
- The reasons the birth parents stated for placing the child for adoption; how and why the adoptive parents were selected and who selected the adoptive parents; and whether the birth parent requested or agreed to postadoption contact with the child at the time of placement and, if so, the frequency and type of contact

No information provided under this subsection shall disclose the name or last known address of the birth parents, grandparents, the siblings of the birth parents, the adoptee, or any other relative of the adoptee.

Any adoptee age 18 or older shall be given the information listed above upon request.

The Adoption Registry shall release any of the nonidentifying information above that appears on the certified copy of the original birth certificate or the Certificate of Adoption to an adopted person, adoptive parent, or legal guardian who is a registrant of the Adoption Registry.

### **Mutual Access to Identifying Information**

**Citation: Comp. Stat. Ch. 750, §§ 50/18.1; 50/18.3a**

The Department of Public Health shall establish and maintain a registry for the purpose of allowing mutually consenting members of birth and adoptive families to exchange identifying and medical information. Identifying information includes any one or more of the following:

- The name and last known address of the consenting person or persons
- A copy of the Adoption Registry application of the consenting person or persons
- A noncertified copy of the original birth certificate of an adult adoptee

Written authorization from all parties identified must be received prior to disclosure of any identifying information, with the exception of noncertified copies of original birth certificates released to adult adoptees or to surviving adult children and spouses of deceased adoptees.

At any time after a child is surrendered for adoption, any time during the adoption proceedings, or at any time thereafter, either birth parent, or both of them, may file with the registry a birth parent registration identification form. The department shall supply identifying information to the adoptee or his or her adoptive

parents, legal guardians, adult children, adult grandchildren, or surviving spouse and to a birth grandparent, aunt, or uncle, only if both the adoptee and one of his or her eligible relatives have filed with the registry an information exchange authorization.

Any person listed above may petition the court for the appointment of a confidential intermediary for the purpose of exchanging medical information, obtaining identifying information, or arranging contact with one or more mutually consenting birth relatives. The petitioner shall be required to accompany his or her petition with proof of registration with the Illinois Adoption Registry and Medical Information Exchange.

#### **Access to Original Birth Certificate**

**Citation: Comp. Stat. Ch. 750, § 50/18.1b**

Any adoptee who was born in Illinois prior to January 1, 1946, may file with the Adoption Registry a request for a noncertified copy of an original birth certificate. The registry shall provide the adoptee with an unaltered, noncertified copy of his or her original birth certificate upon receipt of the request. In cases in which an adoptee born prior to January 1, 1946, is deceased, and one of his or her surviving adult children, adult grandchildren, or spouse has registered with the registry, he or she may complete and file with the registry a request for a copy of the birth certificate. The registry shall provide such surviving adult child, adult grandchild, or spouse with an unaltered, noncertified copy of the adoptee's original birth certificate upon receipt of the request.

Beginning November 15, 2011, any adult adoptee who was born in Illinois on or after January 1, 1946, may file with the registry a request for a noncertified copy of an original birth certificate. In cases in which the adoptee is deceased, his or her surviving adult child, adult grandchild, or spouse who has registered with the registry may request a noncertified copy of the original birth certificate.

If the registry confirms that a requesting adult adoptee, the parent of a requesting adult child of a deceased adoptee, or the husband or wife of a requesting surviving spouse was not the object of a Denial of Information Exchange filed by a birth parent on or before January 1, 2011, and that no birth parent named on the original birth certificate has filed a Birth Parent Preference Form where Option E (prohibiting the release of identifying information) was selected prior to the receipt of a request for an original birth certificate, the registry shall provide the adult adoptee or his or her surviving adult child or spouse with an unaltered noncertified copy of the adopted person's original birth certificate.

#### **Where the Information Can Be Located**

- Illinois Adoption Registry, Illinois Department of Public Health
- Confidential Intermediary Service of Illinois, Midwest Adoption Center (MAC)

## **INDIANA**

*Current Through December 2019*

#### **Who May Access Information**

**Citation: Ann. Stat. §§ 31-19-17-2; 31-19-25-2**

A person, a licensed child-placing agency, or a local office placing a child for adoption shall prepare or cause to be prepared a report summarizing the available medical, psychological, and educational records of the person or agency concerning the birth parents, excluding any information that would identify the birth parents. This report shall be given to the following persons:

- The prospective adoptive parents, as follows:
  - At the time the home study or evaluation concerning the suitability of the proposed home for the child is commenced
  - As soon as practical after the prospective adoptive parents are matched with the birth mother
  - With the consent of the prospective adoptive parents, no more than 30 days after the child is placed with the prospective adoptive parents
- Upon request and without information that would identify the birth parents, unless an adoptee already knows the identity of the birth parents, an adoptee who is at least age 21 and provides proof of identification

The following persons may request the release of identifying information:

- An adult adoptee
- A birth parent
- An adoptive parent
- The spouse or relative of a deceased adoptee
- The spouse or relative of a deceased birth parent

#### **Access to Nonidentifying Information**

**Citation:** Ann. Stat. §§ 31-19-17-3; 31-19-17-5

The person, licensed child-placing agency, or county office shall release all available social, medical, psychological, and educational records concerning the child to the following:

- The prospective adoptive parent or adoptive parent
- Upon request, the adoptee who is at least age 21 and provides proof of identification

The report shall exclude information that would identify the birth parents unless the adoptive parent, prospective adoptive parent, or adoptee who requests the information knows the identity of the birth parents.

*For an adoption that was granted before July 1, 1993:* Upon the request of an adoptee who is at least age 21, the licensed child-placing agency or a county office shall provide to the adoptee available information from social, medical, psychological, and educational records and reports. Information that would identify the birth parents shall be excluded from the report, unless an adoptee already knows the identity of the birth parents.

#### **Mutual Access to Identifying Information**

**Citation:** Ann. Stat. §§ 31-19-21-1; 31-19-25-3; 31-19-25-4.6

An adoptee who is at least age 21 or an adoptive parent of an adoptee who is less than age 21 may consent to the release of identifying information concerning the adoptee in a signed writing. The consent must identify the persons to whom the information may be released.

A birth parent may restrict access to identifying information concerning the birth parent by filing a contact preference form with the State registrar that indicates the birth parent's lack of consent to the release of identifying information.

The State registrar shall prescribe a contact preference form for birth parents. The form must include the following:

- A component in which a birth parent shall indicate one of the following with regard to a person that requests identifying information:
  - That the birth parent welcomes the person to contact the birth parent directly and authorizes the release of identifying information

- That the birth parent prefers to be contacted through an intermediary and does not authorize the release of identifying information directly to the person
- That the birth parent prefers that the person not contact the birth parent directly or through an intermediary and does not authorize the release of identifying information
- That the birth parent does not want contact but does allow the State registrar to contact him or her to request updated medical information
- A component in which a birth parent who prefers to be contacted through an intermediary may designate a third party to act as the intermediary
- Provisions necessary for the State registrar to be able to identify the adoption file of the adoptee to whom the form applies
- A notice that the birth parent may change his or her indicated preference regarding contact by filing a new contact preference form

A contact preference form submitted by a birth parent to the State registrar does not lapse unless the birth parent is deceased, except when the contact preference form specifically states that the contact preference form remains in effect after the birth parent's death.

#### **Access to Original Birth Certificate**

**Citation: Ann. Stat. § 31-19-13-2**

The original birth certificate is withheld from inspection except for a child adopted by a stepparent or as provided in statutes pertaining to release of identifying information.

#### **Where the Information Can Be Located**

Indiana Adoption Matching Registry, Indiana State Department of Health, Vital Statistics

## **IOWA**

*Current Through December 2019*

#### **Who May Access Information**

**Citation: Ann. Stat. § 144.43A**

The following persons may register with the mutual consent voluntary adoption registry:

- The adult adoptee
- An adult sibling
- The birth parents

#### **Access to Nonidentifying Information**

**Citation: Ann. Stat. § 600.16**

Any information compiled relating to medical history, developmental history, and social history of the person to be adopted shall be made available at any time by the clerk of court, the Department of Public Health, or adoption service provider that made the placement to the following:

- The adopting parents
- The adoptee who is age 21 or older
- Any person approved by the department if the person uses this information solely for the purposes of conducting a legitimate medical research project or of treating a patient in a medical facility
- A descendant of an adoptee

The identity of the adoptee's birth parents shall not be disclosed.

### **Mutual Access to Identifying Information**

**Citation: Ann. Stat. § 144.43A**

The State registrar shall reveal the identity of the birth parent to the adult adopted person or the identity of the adult adopted person to the birth parent, shall notify the parties that the requests have been matched, and shall disclose the identifying information to those parties if all of the following conditions are met:

- A birth parent has filed a request and provided consent to the disclosure of his or her identity to the adult adopted person upon request of the adult adopted person.
- An adult adoptee has filed a request and provided consent to the disclosure of his or her identity to a birth parent upon request of the birth parent.
- The State registrar has been provided sufficient information to make the requested match.

If the adult adoptee has a sibling who is a minor and who also has been adopted, the request will be denied.

The State registrar shall reveal the identity of the adult adoptee to an adult sibling if the following conditions are met:

- An adult adoptee has filed a request and provided consent to the disclosure of his or her identity to an adult sibling.
- The adult sibling has filed a request and provided consent to the revelation of his or her identity to the adult adoptee.
- The State registrar has been provided with sufficient information to make the requested match.

A person who has filed a request or provided consent may withdraw the consent at any time prior to the release of any information by filing a written withdrawal-of-consent statement with the State registrar. The adult adoptee, adult sibling, and birth parent shall notify the State registrar of any change in the information contained in a filed request or consent.

### **Access to Original Birth Certificate**

**Citation: Ann. Stat. § 144.24**

The original birth certificate may not be inspected except under order of a court. The State registrar shall, upon the application of an adult adoptee, a birth parent, an adoptive parent, or the legal representative of the any of the former, inspect the original birth certificate and reveal to the applicant the date of the adoption and the name and address of the court that issued the adoption decree.

### **Where the Information Can Be Located**

Iowa Mutual Consent Voluntary Adoption Registry

## **KANSAS**

*Current Through December 2019*

### **Who May Access Information**

**Citation: Ann. Stat. § 59-2122**

Except as provided below, the files and records of the court in adoption proceedings shall not be open to inspection or copy by persons other than the following:

- The party filing for adoption or termination and that party's attorney
- An adoptee who has reached the age of majority
- Representatives of the Department for Children and Families

- The disciplinary administrator
- The Commission on Judicial Qualifications

Prior to the final decree of adoption, any party in interest may request access to the files and records of an adoption proceeding. After notice and a hearing, and upon a written finding of good cause, the court may order that some or all of the files and records of an adoption proceeding be open to inspection or copy by the moving party.

After the final decree of adoption, the court may permit access to some or all of the files and records of an adoption proceeding for good cause shown.

#### **Access to Nonidentifying Information**

**Citation: Ann. Stat. § 59-2122**

The department may contact the adoptive parents of the minor child or the adult adoptee at the request of the birth or genetic parents in the event of a health or medical need. The department may contact the adult adoptee at the request of the birth or genetic parents for any reason. The department may contact the birth or genetic parents at the request of the adoptive parents of the minor child, the adult adoptee, or the legal guardian of the adult adoptee in the event of a health or medical need. The department may contact the birth or genetic parents at the request of the adult adoptee for any reason.

#### **Mutual Access to Identifying Information**

**Citation: Ann. Stat. § 59-2122**

Identifying information shall not be shared with the birth or genetic parents without the permission of the adoptive parents of the minor child, or the adult adoptee, or the legal guardian of the adult adoptee.

#### **Access to Original Birth Certificate**

**Citation: Ann. Stat. § 65-2423**

The original birth certificate is a sealed document that may be opened by the State registrar only upon the demand of the adult adoptee or by an order of the court.

#### **Where the Information Can Be Located**

Kansas Department for Children and Family Services, Post Adoption Search and Records

## **KENTUCKY**

*Current Through December 2019*

#### **Who May Access Information**

**Citation: Rev. Stat. §§ 199.520; 199.572; 199.575**

Nonidentifying information may be provided to the following persons:

- The adoptee who is age 18 or older
- The adoptive parents

Identifying information is accessible to the following persons:

- The adoptee who is age 18 or older
- A birth sibling who is age 18 or older
- A birth parent

### **Access to Nonidentifying Information**

**Citation: Rev. Stat. § 199.520**

The health history and other nonidentifying background information of the birth parents and blood relatives of the adoptee shall be given to the adoptive parents and the court no later than the date of finalization of the adoption proceedings.

The information shall be made available upon the request, in person or in writing, of the adult adoptee. The information shall not be made available if it is of a nature that would tend to identify the birth parents of the adoptee, except as provided in §§ 199.570 and 199.572.

### **Mutual Access to Identifying Information**

**Citation: Rev. Stat. §§ 199.572; 199.575**

If the birth parents have given consent, the adult adoptee may inspect the records pertaining to his or her adoption proceedings upon written request. If the birth parents have not given consent, the Cabinet for Health and Family Services may notify the birth parents that the adult adoptee has made a request for information. The notification shall be by personal and confidential contact, without disclosing the identity of the adult adoptee.

If, after a diligent effort, the secretary of the cabinet certifies that both birth parents identified in the original birth certificate are deceased or is unable to locate the parents, then a judge may order that all adoption records shall be open for inspection to the adult adoptee. In any case, the court shall order that only identifying information about the birth parents be shared with the adult adoptee.

In situations where a preadoptive brother or sister relationship existed, and one or more of these siblings was then adopted, the following procedures shall be followed on an inquiry by one or more of the siblings to the cabinet seeking information about his brother or sister:

- In all cases, an adoptee age 18 or older or a preadoptive sibling age 18 or older may file information with the cabinet about him- or herself, his or her present location, and his or her known antecedents, stating his or her interest in being reunited with his or her preadoptive siblings and authorizing the cabinet to release such information to any preadoptive siblings who may make similar inquiry.
- In any case in which a person age 18 or older requests information about or expresses a desire in being reunited with a preadoptive sibling, the cabinet shall first determine whether the sibling has made similar inquiry. If the sibling has previously authorized release of information, the cabinet shall release the information to the sibling making inquiry.

### **Access to Original Birth Certificate**

**Citation: Rev. Stat. § 199.570**

The original birth certificate is available only upon court order.

### **Where the Information Can Be Located**

Kentucky Cabinet for Families and Children

## LOUISIANA

*Current Through December 2019*

### **Who May Access Information**

**Citation: Ch. Code Art. 1126; 1270**

The voluntary adoption registry may be used by the following persons:

- The adoptee who is at least age 18
- The birth mother and birth father
- The parents or siblings of a deceased birth parent
- An adoptive parent of a minor or deceased adoptee
- The birth siblings who are age 18 or older

Nonidentifying information shall be provided to the following persons:

- The adoptive parents
- The adoptee who is age 18 or older
- The birth parents

### **Access to Nonidentifying Information**

**Citation: Ch. Code Art. 1126; 1127; 1127.1**

The agency or person to whom a surrender is made shall have the duty to make a good-faith effort to obtain the Statement of Family History required by articles 1124 and 1125; to deliver it to prospective adoptive parents upon placement; and to make it available, upon request, to the adoptee at age 18 or older. If the Statement of Family History is subsequently transferred to another agency or person, the new custodian of the information assumes responsibility to the adoptee.

Any adoptee (or his or her legal representative if the adoptee is still a minor) or a birth parent, may, upon written request, obtain nonidentifying medical or genetic information without the necessity of filing a motion for disclosure. Upon such a request, the agency or person shall make a good-faith effort to review and abstract nonidentifying genetic or medical information from all available records and sources that are similar in content to the Statement of Family History.

After adoptive placement of the child, the agency or person to whom a surrender is made shall have a continuing duty to maintain these records and supplement them if additional nonidentifying medical or genetic information is received about the adopted child or a birth parent. Upon such a request, the agency or person shall disclose such information. In fulfilling this continuing duty, the agency or person is authorized to contact the adoptee, adoptive parents, and birth parents to provide updated nonidentifying medical and genetic information or to facilitate the exchange of information between the parties.

### **Mutual Access to Identifying Information**

**Citation: Ch. Code Art. 1270**

The Office of Community Services of the Department of Social Services shall maintain a voluntary registry for the matching of adoptees and birth parents or siblings, or both. The purpose of this registry shall be to facilitate voluntary contact between the adoptee and the birth parents, siblings, or both.

The use of the registry shall be limited to the adoptee who is at least age 18, the birth mother, the birth father, parents or siblings of a deceased birth parent, an adoptive parent of a minor or deceased adoptee, and any birth sibling who is at least age 18. No registration by an adoptee shall be permitted until all birth siblings who were adopted by the same adoptive parents have reached age 18.



The registry shall not release any information from adoption records in violation of the privacy or confidentiality rights of a birth parent who has not authorized the release of any information.

The registry shall confirm for an adoptee the fact of his or her adoption and identify the court in which the adoption was finalized and the agency, firm, or lawyer facilitating the adoption when that information is known by the department. To receive this information, the adoptee shall be age 18 or older, submit the request in writing, and provide proof of identity.

#### **Access to Original Birth Certificate**

**Citation: Rev. Stat. § 40:73**

The original birth certificate is available under the following conditions:

- Upon court order to the adoptee, or if deceased, the adoptee's descendants, or the adoptive parent
- To the agency that was a party to the adoption upon court order after a showing of compelling reasons

#### **Where the Information Can Be Located**

Louisiana Voluntary Adoption Registry

## **MAINE**

*Current Through December 2019*

#### **Who May Access Information**

**Citation: Rev. Stat. Tit. 22, § 2706-A; Tit. 18-C, § 9-310**

The following persons may participate in the adoption registry:

- An adoptive parent or legal guardian if the adoptee is under age 18, deceased, or incapacitated
- A birth parent
- A birth sibling or half-sibling who is age 18 or older
- The legal guardian or custodian of a person under age 18 who is the sibling or half-sibling of an adoptee
- If a birth parent is deceased, a birth mother, legal father, grandparent, sibling, half-sibling, aunt, uncle, or first cousin of the deceased birth parent

Medical or genetic information shall be made available to the following:

- The adoptee upon reaching age 18
- The adoptee's descendants
- The adoptive parents or the child's legal guardian on petition of the court

#### **Access to Nonidentifying Information**

**Citation: Rev. Stat. Tit. 22, § 8205; Tit. 18-C, § 9-310**

The licensed child-placing agency shall obtain medical and genetic information on the birth parents and the child that shall include the following:

- A current medical, psychological, and developmental history of the child, including an account of the child's prenatal care, medical condition at birth, results of newborn screening, and any drug or medication taken by the child's birth mother during pregnancy
- Any subsequent medical, psychological, or psychiatric examination
- Any physical, sexual, or emotional abuse suffered by the child
- A record of any immunizations and health care received since birth
- Relevant information concerning the medical, psychological, and social history of the birth parents

Prior to the child being placed for adoption, the licensed child-placing agency shall provide the information described above to the adoptive parents.

Any medical or genetic information in the court records relating to an adoption must be made available to the adopted child upon reaching age 18 and to the adopted child's descendants, adoptive parents, or legal guardian on petition of the court.

### **Mutual Access to Identifying Information**

**Citation: Rev. Stat. Tit. 22, § 2706-A; 2766**

The State registrar shall maintain a file of the names and addresses of adopted persons and their adoptive and birth parents who have registered with the registry. At the time of registration, each registrant shall indicate the persons with whom contact is desired. A registrant may withdraw from the adoption registry at any time by submitting a written request. The registrar shall notify each party of the name and address of the other party and of sources of counseling when a request for contact is made.

An adult adoptee may request the identity of his or her birth parents from the registrar by submitting proof that the birth parents are deceased, an affidavit from a blood relative who is not a sibling and who is at least 10 years older than the adoptee verifying that the adoptee lived with the birth parents for 5 years, and a court order authorizing the registrar to open the original birth certificate to verify the identity of the birth parents. Upon verification of the information, the registrar will prepare a form identifying the birth parents. This form must be attached to the new birth certificate and provided to the adoptee.

The State registrar shall provide, upon request, each birth parent with a contact preference form and a medical history form. A birth parent shall fill out a medical history form if he or she fills out a contact preference form.

A birth parent also may complete a contact preference form on which he or she may state a preference regarding contact by an adoptee. The form must indicate whether the birth parent chooses contact, contact through an intermediary, or no contact. Completed contact preference and medical history forms shall be attached to the original birth certificate of the adoptee. A completed contact preference form and medical history form have the same level of confidentiality as the original birth certificate.

### **Access to Original Birth Certificate**

**Citation: Rev. Stat. Tit. 22, §§ 2765; 2768**

The original certificate of birth is not subject to inspection except upon order of the court or pursuant to § 2768.

An adoptee; his or her attorney; or, if the adoptee is deceased, his or her descendants may obtain a copy of that person's original certificate of birth from the State Registrar of Vital Statistics. The adoptee must be at least age 18 and have been born in this State. The adoptee must file a written application and provide appropriate proof of identification to the State registrar.

Upon receipt of the written application and proof of identification and fulfillment of the requirements listed below, the State registrar shall issue a noncertified copy of the unaltered original certificate of birth to the applicant. The State registrar may require a waiting period and impose a fee for the noncertified copy. The fees and waiting period imposed under this subsection must be identical to the fees and waiting period generally imposed on persons seeking their own birth certificates.

If a contact preference or medical history form has been completed and submitted to the State registrar pursuant to § 2769, the State registrar also must provide that information.

## **Where the Information Can Be Located**

Maine State Adoption Reunion Registry, Office of Vital Records

## **MARYLAND**

*Current Through December 2019*

### **Who May Access Information**

**Citation: Fam. Law §§ 5-4C-05; 5-356; 5-357**

Only the following persons may register with the adoption registry for the exchange of identifying information:

- Birth parents and siblings
- An adoptee, age 21 or older, who does not have a birth sibling under age 21 with the same adoptive parents

Nonidentifying and medical information shall be available to the following:

- The adoptive parents
- The adoptee
- The birth parents

### **Access to Nonidentifying Information**

**Citation: Fam. Law §§ 5-356; 5-357; 5-358**

A local department shall make reasonable efforts to compile and make available to a prospective adoptive parent a comprehensive medical and mental health history of the prospective adoptive child. On request of an adoptive parent, a local department shall make reasonable efforts to compile a pertinent medical and mental health history of each of the adoptive child's birth parents, if available to the local department, and to make that history available to the adoptive parent. A medical or mental health history may not contain identifying information about a parent or former parent.

On request of an adoptee, adoptive parent, or birth parent, a local department shall provide information in its adoption record on the adoptee. The records that are accessed may not contain any identifying information.

If, after a hearing on a petition of an adoptee or birth parent, a court is satisfied that the adoptee, a blood relative of the adoptee, or a birth parent urgently needs medical information not in department and court records, the court may appoint an intermediary to try to contact the adoptee or a birth parent for the information.

### **Mutual Access to Identifying Information**

**Citation: Fam. Law §§ 5-4C-06; 5-4C-07**

To register with the Mutual Consent Voluntary Adoption Registry, an individual shall submit a notarized affidavit containing identifying information, including the individual's current name, any previous name by which the individual was known, address, and telephone number. A registrant may withdraw at any time by submitting an affidavit.

On receipt of an affidavit, the administration shall do the following:

- Attempt to match registrants or to provide matching information
- If a match is made, direct the child-placing agency or the local department to notify the registrants through a confidential contact

### **Access to Original Birth Certificate**

**Citation:** Fam. Law §§ 5-359; 5-3A-42; 5-3B-29

For adoptions finalized on or after January 1, 2000, the following applies:

- An adoptee who is at least age 21 may apply to the Secretary of Health for a copy of his or her original birth certificate.
- If an adoptee is at least age 21, a birth parent may apply to the secretary for a copy of the adoptee's original birth certificate.

A birth parent may file with the State Director of Social Services a disclosure veto to bar disclosure of information about that parent in an accessible record. The birth parent also may cancel a disclosure veto and refile a disclosure veto at any time.

An adult adoptee may file a disclosure veto to bar disclosure of information about him or her in an accessible record. The adoptee also may cancel a disclosure veto and refile a disclosure veto at any time.

Except as provided below, the secretary shall give to each applicant who meets the requirements of this section a copy of each record that the applicant requested and that the secretary has on file.

Whenever a birth parent applies for a record, the secretary shall redact from the copy all information as to the following:

- The other birth parent, if that parent has filed a disclosure veto
- The adoptee and each adoptive parent, if the adoptee has filed a disclosure veto

Whenever an adoptee applies for a record, the secretary shall redact from the copy all information as to the birth parent if that parent has filed a disclosure veto.

### **Where the Information Can Be Located**

Mutual Consent Voluntary Adoption Registry

## **MASSACHUSETTS**

*Current Through December 2019*

### **Who May Access Information**

**Citation:** Ann. Laws Ch. 210, § 5D

Nonidentifying information may be provided to the following:

- The adoptee who is age 18 or older
- The adoptive parents
- The birth parents

Identifying information may be released to the following:

- The adoptee who is age 21 or older
- The adoptive parents
- The birth parents

### **Access to Nonidentifying Information**

**Citation: Ann. Laws Ch. 210, § 5D**

A child-placing agency that holds records relating to an adoptee, the birth parents, or the adoptive parents shall do the following:

- Release to the adoptee who is age 18 or older, upon his or her written request, information about his or her birth parents that does not identify the birth parents or their present or former locations
- Release to a birth parent of an adoptee, upon the birth parent's written request, information about the adoptee that does not reveal his or her identity after adoption or his or her present or former locations
- Release to an adoptive parent, if the adoptee is under age 18, upon the adoptive parent's written request, information about the adoptee and his or her birth parents that does not identify the birth parents or their present or former locations

The information shall include such nonidentifying information that the agency holds concerning the medical, ethnic, socioeconomic, and educational circumstances of the person. The agency, in its discretion, shall further release such nonidentifying information concerning the circumstances under which the adoptee became available for adoption as it deems to be in the best interests of the person so requesting.

### **Mutual Access to Identifying Information**

**Citation: Ann. Laws Ch. 210, § 5D**

If a child-placing agency has received written permission from a birth parent to release the identity of the birth parent to the adoptee and the agency has received written permission from the adoptee or written permission from the adoptive parents, if the adoptee is under age 21, to release the identity after adoption of the adoptee to the birth parent, then the agency shall release the identity of the adoptee to the birth parent and the identity of the birth parent to the adoptee.

The child-placing agency shall do the following:

- Release to the birth parent, upon the birth parent's written request, any personal data that it holds relating to the birth parent
- Release to an adoptive parent, upon his or her written request, any personal data that it holds relating to the adoptive parent

In making any disclosure of information, the agency shall remove personal identifiers relating to a third person. All other adoption records held by the placement agency shall be confidential and shall not be released.

### **Access to Original Birth Certificate**

**Citation: Ann. Laws Ch. 46, § 13**

If the original birth record has been amended following adoption, the State registrar shall issue information contained in the original record only upon receipt of an order of the probate court instructing the State registrar to release the information contained in the original record. Evidence contained in the adoption record of a parent's willingness to provide information about her identity to the adoptee shall, except in extraordinary circumstances, be considered sufficient evidence to warrant the granting of an order for release of the information contained in the birth certificate registered prior to adoption.

### **Where the Information Can Be Located**

- Adoption Search Coordinator, Massachusetts Department of Social Services
- Registry of Vital Records and Statistics

## **MICHIGAN**

*Current Through December 2019*

### **Who May Access Information**

**Citation: Comp. Laws § 710.68**

Nonidentifying information may be provided to the following:

- The adult adoptee
- The adoptive parents
- Birth parents and adult birth siblings

Identifying information may be accessed by the birth parent, adult adoptee, and an adult former sibling.

### **Access to Nonidentifying Information**

**Citation: Comp. Laws § 710.68; 710.27**

Within 63 days of a written request, the following information must be provided:

- The date and place of the child's birth
- The health and genetic history of the child, including prenatal care, condition at birth, and any drug taken by the child's mother during pregnancy
- Any subsequent medical, psychological, psychiatric, or dental examination done when the child was under the jurisdiction of the court
- Any neglect or physical, sexual, or emotional abuse suffered by the child
- A record of any immunizations and health care the child received while in foster care
- The health and genetic history of the child's birth parents and other members of the child's family
- The findings of any medical, psychological, or psychiatric evaluation of each parent at the time of placement
- If a parent is deceased, the cause of and the age at death
- A description of the child and the child's family of origin, including:
  - The first name of the child at birth
  - The age and sex of birth siblings
  - The child's educational background and any special educational needs
  - The child's racial, ethnic, and religious background
  - A general description of the child's parents
- The child's past and existing relationship with any relative, foster parent, or other individual or facility
- The levels of educational, occupational, professional, athletic, or artistic achievement of the child's family
- Hobbies, special interests, and school activities of the child's family
- The circumstances of any order terminating the parental rights of a parent for abuse, neglect, abandonment, or other mistreatment of the child
- Length of time between the termination of parental rights and adoptive placement and whether the termination was voluntary or court ordered
- Any information necessary to determine the child's eligibility for State or Federal benefits, including financial, medical, or other assistance

### **Mutual Access to Identifying Information**

**Citation: Comp. Laws §§ 710.27a; 710.68**

A birth parent or adult former sibling who knows the birth name of the adoptee may file with the central adoption registry a statement consenting to or denying the release of the identifying information about that parent. The statement may be filed, updated, or revoked at any time.

Within 63 days after a request for identifying information about an adult adoptee is received, a child-placing agency, court, or the Department of Human Services shall provide in writing to the birth parent or adult birth sibling requesting the information the adult adoptee's most recent name and address, if the adult adoptee has given written consent to release the information. If written consent is not on file, a confidential intermediary may be used to locate the adult adoptee.

Upon a written request for identifying information from an adult adoptee, including a request for the name and address of an adult birth sibling, the agency, court, or department shall submit a clearance request form to the central adoption registry. After receipt of a clearance reply form from the central adoption registry, the agency or department shall notify the adoptee in writing of the identifying information to which the adoptee is entitled or, if the identifying information cannot be released, the reason why the information cannot be released.

For adoptions finalized between May 28, 1945, and September 12, 1980, identifying information shall be released to the adult adoptee on each birth parent who has consented to the release, or both birth parents if both have consented or if one or both parents are deceased. For adoptions finalized before May 28, 1945, or after September 12, 1980, identifying information may be released to an adult adoptee, unless the birth parent has filed a statement currently in effect with the central adoption registry denying consent to have identifying information released.

#### **Access to Original Birth Certificate**

**Citation: Comp. Laws § 333.2882**

A copy of the original birth certificate may be provided to the adult adoptee upon request when accompanied by a copy of a central adoption registry clearance reply form or by court order.

#### **Where the Information Can Be Located**

Michigan Confidential Intermediary Program, Michigan Department of Human Services

## **MINNESOTA**

*Current Through December 2019*

#### **Who May Access Information**

**Citation: Ann. Stat. §§ 259.83; 259.89**

Nonidentifying information may be provided to the following:

- The adoptee who is age 19 or older
- The adoptive parent

Identifying information may be provided to the following:

- The adoptee who is age 19 or older
- The birth parents
- Adult genetic siblings, if disclosure does not violate the confidentiality of the birth parents or if they give consent

### **Access to Nonidentifying Information**

**Citation: Ann. Stat. § 259.83**

For adoptions finalized on or after August 1, 1994, the adoptee, if age 19 or older, or the adoptive parent may receive the detailed medical and social history that was provided at the time of the adoption. In addition, the adult adoptee or the adoptive parent may request the agency to contact the birth parents to request current nonidentifying social and medical history of the adoptee's birth family.

When the agency receives information about a medical or genetic condition that has affected or may affect the physical or mental health of genetically related persons, the agency shall make a diligent effort to contact those persons in order to transmit the health information.

### **Mutual Access to Identifying Information**

**Citation: Ann. Stat. §§ 259.83; 259.89**

Agencies shall provide assistance and counseling services when the adoptive parents, birth parents, or adoptee who is age 19 or older requests current information. The agency shall contact the other adult persons or the adoptive parents of a minor child in a personal and confidential manner to determine whether there is a desire to share information or to have contact. The agency shall provide services to adult genetic siblings if there is no known violation of the confidentiality of a birth parent or if the birth parent gives written consent. The adoptee also must be advised of other siblings who were adopted or relinquished to the commissioner but not adopted.

In adoptive placements made on and after August 1, 1982, the agency shall obtain from the birth parents an affidavit attesting to the following:

- The birth parent has been informed of the right of the adoptee at age 19 to request the name, last known address, birth date, and birthplace of the birth parents named on the original birth record.
- Each birth parent may file an affidavit objecting to the release of information about that birth parent, and that parent only, to the adoptee.
- If the birth parent does not file an affidavit objecting to release of information before the adoptee reaches age 19, the information will be released upon request.
- Notwithstanding the filing of an affidavit, the adoptee may petition the court for release of identifying information about a birth parent.
- The birth parent shall then have the opportunity to present evidence to the court that nondisclosure of identifying information is of greater benefit to the birth parent than disclosure to the adoptee.
- Any objection filed by the birth parent shall become invalid when withdrawn by the birth parent or when the birth parent dies.

Upon receipt of a death record for the birth parent, the agency shall release the identifying information to the adoptee if requested.

### **Access to Original Birth Certificate**

**Citation: Ann. Stat. § 259.89**

An adoptee who is age 19 or older may request the Commissioner of Health to disclose the information on his or her original birth record. Within 5 days, the commissioner shall notify the Department of Human Services or child-placing agency of the request. Within 6 months after receiving the request, the department or agency shall make reasonable efforts to notify each birth parent.



If the department is unable to notify a parent identified on the original birth record within 6 months, and if neither parent has at any time filed an unrevoked consent to disclosure, the information may be disclosed as follows:

- If the person was adopted prior to August 1, 1977, he or she may petition the court for disclosure, and the court shall grant the petition if, after consideration of the interests of all known persons involved, the court determines that disclosure of the information would be of greater benefit than nondisclosure.
- If the person was adopted on or after August 1, 1977, the commissioner shall release the information to the adoptee.

If either birth parent has ever filed with the commissioner an unrevoked affidavit stating that the information on the original birth record should not be disclosed, the commissioner shall not disclose the information until the affidavit is revoked by the filing of a consent to disclosure by that parent.

If a parent named on the original birth record has died, and at any time prior to the death the parent has filed an unrevoked affidavit stating that the information not be disclosed, the adoptee may petition the court of original jurisdiction of the adoption proceeding for disclosure.

The State registrar shall provide a copy of an adoptee's original birth record to an authorized representative of a federally recognized American Indian Tribe for the sole purpose of determining the adoptee's eligibility for enrollment or membership in the Tribe.

### **Where the Information Can Be Located**

Adoption Archive, Child Safety and Permanency Division, Adoption Assistance Program

## **MISSISSIPPI**

*Current Through December 2019*

### **Who May Access Information**

**Citation: Ann. Code § 93-17-207**

Nonidentifying information may be provided to the following:

- The adoptee who is age 18 or older
- The adoptive parent
- The legal guardian or custodian of an adoptee
- The offspring or birth sibling of an adoptee, if the requester is age 18 or older

Identifying information is available to the adoptee who is age 21 or older.

### **Access to Nonidentifying Information**

**Citation: Ann. Code §§ 93-17-205; 93-17-207; 93-17-209**

The Bureau of Vital Statistics shall maintain a centralized adoption records file for all adoptions performed in this State after July 1, 2005, that shall include the following information:

- The medical and social history of the birth parents, including information regarding genetically inheritable diseases and any similar information about the adoptee's grandparents, aunts, uncles, brothers, and sisters, if known
- A report of any medical examination that either birth parent had within 1 year before the date of the petition for adoption, if available and known

- A report describing the adoptee's prenatal care and medical condition at birth, if available and known
- The medical and social history of the adoptee, including information regarding genetically inheritable diseases, and any other relevant medical, social, and genetic information, if available

Any birth parent may file with the bureau at any time any relevant supplemental nonidentifying information about the adoptee or the birth parents, and the bureau shall maintain this information in the centralized adoption records file.

Nonidentifying information shall be released for a reasonable fee to any qualified person listed above. If the information is not on file, the adoptee may request the bureau to locate the birth parent and obtain the information.

If an agency receives a report from a physician that a birth parent or another child of the birth parent may have a genetically transferable disease, the agency shall notify the adoptee of the existence of the disease if he or she is age 21 or older, or notify the adoptee's guardian, custodian, or adoptive parent if he or she is under age 21. If an agency receives a report from a physician that an adoptee may have a genetically transferable disease, the agency shall notify the adoptee's birth parent of the existence of the disease.

#### **Mutual Access to Identifying Information**

**Citation: Ann. Code §§ 93-17-205; 93-17-215; 93-17-217; 93-17-219; 93-17-221**

The bureau shall maintain as part of the centralized adoption records file the following:

- The name, date of birth, Social Security number (both original and revised, where applicable), and birth certificate (both original and revised) of the adoptee
- The names, current addresses, and Social Security numbers of the adoptee's birth parents, guardian, and legal custodian
- Any other available information about the birth parents' identity and location

The birth parent may file with the bureau at any time an affidavit authorizing the bureau to provide the adoptee with his or her original birth certificate and with any other available information about the birth parent's identity and location, or an affidavit expressly prohibiting the bureau from releasing any information about his or her identity and location, and prohibiting any licensed adoption agency from conducting a search for such birth parent. An affidavit filed under this section may be revoked at any time by written notification to the bureau.

An adoptee age 21 or older may request identifying information regarding either birth parent, unless that birth parent has executed an affidavit prohibiting the release of such information. The adoptee must submit to counseling in connection with any release.

If an affidavit is not on file, the adoptee may request the agency to undertake a search for the birth parent who has not filed an affidavit.

The adoptee may petition the chancery court to order the agency to disclose any identifying information that may not be disclosed under §§ 93-17-201 through 93-17-223. The court shall grant the petition for good cause shown.

#### **Access to Original Birth Certificate**

**Citation: Ann. Code §§ 93-17-21; 93-17-205**

The original birth certificate shall not be a public record and shall not be divulged except upon the order of the court or pursuant to §§ 93-17-201 through 93-17-223.

The birth parent may file with the bureau at any time an affidavit authorizing the bureau to provide the adoptee with his or her original birth certificate, or an affidavit expressly prohibiting the release of any information. The affidavit may be revoked at any time by written notification to the bureau.

### **Where the Information Can Be Located**

Mississippi Department of Health

## **MISSOURI**

*Current Through December 2019*

### **Who May Access Information**

**Citation: Ann. Stat. § 453.121**

Nonidentifying information is available to the following:

- The adoptive parents
- The child's legal guardians
- The adult adoptee
- The adult adoptee's lineal descendants if the adoptee is deceased

Identifying information is available to the adult adoptee or the adult adoptee's lineal descendants if the adoptee is deceased.

### **Access to Nonidentifying Information**

**Citation: Ann. Stat. § 453.121**

Nonidentifying information, if known, concerning undisclosed birth parents or siblings shall be provided upon written request. Nonidentifying information can include the physical description, nationality, religious background, and medical history of the birth parents or siblings.

All papers, records, and information known to or in the possession of an adoptive parent or adoptive child that pertain to an adoption, regardless of whether part of any permanent record or file, may be disclosed by the adoptive parent or adoptive child. The provisions of this subsection shall not be construed to create a right to have access to information not otherwise allowed under this section.

### **Mutual Access to Identifying Information**

**Citation: Ann. Stat. §§ 453.121; 193.128**

An adult adoptee, or his or her lineal descendants if he or she is deceased, may make a written request to the court for information identifying his or her birth parents. If the birth parents have consented to the release of identifying information, the court shall disclose that information.

Any adult adoptee whose adoption was finalized in this State, or whose birth parents had their parental rights terminated in this State, may request the court to secure and disclose identifying information concerning an adult sibling. Identifying information pertaining exclusively to the adult sibling, whether part of the permanent record of a file in the court or in an agency, shall be released only upon consent of that adult sibling.

The Department of Social Services shall maintain a registry for birth parents, adult siblings, and adult adoptees to indicate their desire to be contacted by each other. At the time of registration, a birth parent or adult sibling

may consent in writing to the release of identifying information to an adult adoptee. If such consent has not been executed and the division believes that a match has occurred, the Division of Family Services shall make confidential contact with the birth parents or adult siblings and with the adult adoptee. The birth parent, adult sibling, or adult adoptee may refuse to go forward with any further contact between the parties when contacted by the division.

A birth parent or adoptee may, at any time, request from the State registrar a contact preference form that shall accompany the original birth certificate of an adoptee. The contact preference form shall indicate whether the person wants contact, prefers contact through an intermediary, or wants no contact. A contact preference form may be updated by a birth parent or adoptee at any time upon the request of the birth parent or adoptee.

A birth parent may, at any time, request a medical history form from the State registrar. A medical history form may be updated by a birth parent at any time upon the request of the birth parent. A contact preference form or a medical history form received by the State registrar shall be placed in a sealed envelope and shall be considered a confidential communication from the birth parent to the adoptee. The sealed envelope shall only be released to the adoptee requesting his or her own original birth certificate.

If a birth parent indicates on the contact preference form that he or she would prefer not to be contacted, the adoptee shall have access to a copy of the medical history form with identifying information of such birth parent redacted.

#### **Access to Original Birth Certificate**

**Citation: Ann. Stat. § 193.128**

An adoptee or the adoptee's attorney or birth parents may obtain a copy of the adoptee's original certificate of birth from the State registrar in accordance with this section. For an adoptee to receive a copy of his or her original certificate of birth, the adoptee shall be at least age 18, have been born in this State, and file a written application with and provide appropriate proof of identification to the State registrar.

Upon receipt of a written application and proof of identification, the State registrar shall issue an uncertified copy of the unaltered original certificate of birth to the applicant. The copy of the certificate of birth shall have the following statement printed on it: 'For genealogical purposes only—not to be used for establishing identity.'

A contact preference form completed by a birth parent or adoptee at the time of the adoption shall accompany the original birth certificate of the adoptee. If both birth parents indicate on the contact preference form that they would prefer not to be contacted, a copy of the original birth certificate of the adoptee shall not be released. If only one birth parent indicates on the contact preference form that he or she would prefer not to be contacted, his or her identifying information shall be redacted from a copy of the original birth certificate of the adoptee and the copy of the original birth certificate then shall be released.

#### **Where the Information Can Be Located**

Missouri Adoption Information Registry

## **MONTANA**

*Current Through December 2019*

### **Who May Access Information**

**Citation: Ann. Code § 42-6-102**

The Department of Public Health and Human Services or an authorized person or agency may disclose the following:

- Nonidentifying information to an adoptee, an adoptive or birth parent, or an extended family member of an adoptee or birth parent
- Identifying information to a court-appointed confidential intermediary upon order of the court or as provided in §§ 50-15-121 and 50-15-122
- Identifying information limited to the specific information required to assist an adoptee to become enrolled in or a member of an Indian Tribe
- Identifying information to authorized personnel during a Federal Child and Family Services Review
- An original birth certificate as provided for in § 42-6-109

### **Access to Nonidentifying Information**

**Citation: Ann. Code § 42-6-102**

Upon request, all nonidentifying information will be provided to any person listed above.

### **Mutual Access to Identifying Information**

**Citation: Ann. Code §§ 42-6-102; 42-6-103; 42-6-104**

Information may be disclosed to any person who consents in writing to the release of confidential information to other interested persons also who have consented. Identifying information pertaining to an adoption involving an adoptee who is still a child may not be disclosed based upon a consensual exchange of information, unless the adoptee's adoptive parent consents in writing.

An adult adoptee, an adoptive or birth parent, or an adult extended family member may petition the court for disclosure of identifying information regarding the adoptee, a birth child, a birth parent, or an extended family member.

After a petition has been filed, the court shall appoint a confidential intermediary who shall conduct a confidential search for the person being sought. If the intermediary locates the person being sought, a confidential inquiry must be made as to whether the located person consents to having his or her present identity disclosed to the petitioner. If the person being sought does not consent, identifying information regarding that person may be disclosed only upon order of the court for good cause shown. If the person being sought is found to be deceased, the court may order disclosure of identifying information to the petitioner.

### **Access to Original Birth Certificate**

**Citation: Ann. Code § 42-6-109**

In addition to any copy of an adoptee's original birth certificate authorized for release by a court order issued pursuant to § 50-15-121 or 50-15-122, the department shall furnish a copy of the original birth certificate of an adopted person as follows:

- Upon the written request of a person who was adopted before October 1, 1985, or 30 years or more ago, whichever date is later

- Upon a court order for a person adopted on or after October 1, 1985, and before October 1, 1997
- For a person adopted on or after October 1, 1997, upon either of the following:
  - The written request of an adoptee who has reached age 18, unless the birth parent has requested in writing that the original birth certificate not be automatically released
  - A court order

A birth parent may request in writing to the Vital Statistics Bureau that the birth certificate for an adoptee not be released without a court order. The birth parent may change the request at any time by notifying the bureau in writing of the change.

The department may release a copy of the adoptee's original birth certificate if release of this document is required to assist an adoptee to become enrolled in or a member of an Indian Tribe.

### **Where the Information Can Be Located**

Montana Adoption Registry

## **NEBRASKA**

*Current Through December 2019*

### **Who May Access Information**

**Citation: Rev. Stat. §§ 43-128; 43-130; 43-146.02; 43-146.04**

Medical history shall be provided to the following:

- The adoptive parents
- The adoptee

Identifying information is available to the following:

- An adoptee who is age 25 or older for adoptions finalized prior to September 1, 1998
- An adoptee who is age 21 or older for adoptions finalized on or after September 1, 1998

### **Access to Nonidentifying Information**

**Citation: Rev. Stat. §§ 43-128; 43-146.02**

A child-placing agency, the Department of Health and Human Services, or a private agency handling the adoption, as the case may be, shall maintain and shall provide to the adopting parents upon placement of the child and to the adoptee, upon his or her request, the available medical history of the adoptee and of the birth parents. The medical history shall not include the names of the birth parents, the child's place of birth, or any other identifying information.

### **Mutual Access to Identifying Information**

**Citation: Rev. Stat. §§ 43-131; 43-146.05**

*For adoptions finalized prior to September 1, 1998:* Upon a request for information, the department shall check the records of the adoptee to determine whether a consent form has been signed and filed by any relative and whether an unrevoked nonconsent form is on file from a birth parent or an adoptive parent.

If the consent form has been signed and filed and not been revoked, and if no nonconsent form has been filed by an adoptive parent, the department shall release the information to the adoptee.

If no consent forms have been filed or if the consent form has been revoked, and if no nonconsent form has been filed, the following information shall be released to the adoptee:

- The name and address of the court that issued the adoption decree
- The name and address of any child-placing agency involved in the adoption
- The fact that an agency may assist the adoptee in searching for relatives

*For adoptions finalized on or after September 1, 1998:* Upon a request for information, the department shall check the records of the adoptee to determine whether an unrevoked nonconsent form is on file from a birth parent. If no nonconsent form has been filed, the following information shall be released to the adoptee:

- The name and address of the court that issued the adoption decree
- The name and address of any child-placing agency involved in the adoption
- The fact that an agency or the department may assist the adoptee in searching for relatives
- A copy of the adoptee's original birth certificate
- A copy of the adoptee's medical history and any medical records on file

If an unrevoked nonconsent form has been filed, no information may be released to the adoptee except a copy of his or her medical history, if requested. The medical history shall not include the names of the birth parents, relatives of the adoptee, or any other identifying information.

#### **Access to Original Birth Certificate**

**Citation: Rev. Stat. §§ 43-130; 43-136; 43-143; 43-146.04**

For adoptions finalized prior to September 1, 1998, an adoptee who is age 25 or older may file a written request for the original birth certificate. For adoptions finalized on or after September 1, 1998, an adoptee who is age 21 or older may request the original birth certificate. If a consent form has been signed and filed by both birth parents, or by the birth mother of a child born out of wedlock, and no nonconsent form has been filed, a copy of the adoptee's original birth certificate shall be provided to the adoptee.

For adoptions finalized prior to July 20, 2002, an adoptive parent or parents may at any time file a notice of nonconsent stating that at no time prior to his or her death, or the death of both parents if each signed the form, may any information on the adoptee's original birth certificate be released to the adoptee.

#### **Where the Information Can Be Located**

Nebraska Division of Children and Family Services, Adoption Searches

## **NEVADA**

*Current Through December 2019*

#### **Who May Access Information**

**Citation: Rev. Stat. §§ 127.007; 127.152**

Information from the State register is available to the following:

- The adoptee who is age 18 or older
- The birth parents
- Persons related within the third degree to the adoptee

Medical and sociological information shall be provided to the adoptive parents.

### **Access to Nonidentifying Information**

**Citation: Rev. Stat. § 127.152**

The agency that provides child welfare services or a licensed child-placing agency shall provide the adopting parents with a report that includes the following:

- A copy of any of the child's medical records that are in the possession of the agency
- Any information about the medical and sociological history of the child and the birth parents and any behavioral, emotional, or psychological problems that the child may have
- Information regarding any subsidies, assistance, and other services that may be available to the child if it is determined that he or she has any special needs

The report must exclude any information that would lead to the identification of the birth parent.

### **Mutual Access to Identifying Information**

**Citation: Rev. Stat. § 127.007**

The division shall maintain the State register for adoptions to provide information to identify adults who were adopted and persons related to them within the third degree of consanguinity. The State register for adoptions consists of the following:

- Names and other information relating to persons who have released a child for adoption and who have submitted the information voluntarily to the division
- Names and other necessary information of persons who are 18 years of age or older who were adopted and who have submitted the information voluntarily to the division
- Names and other necessary information of persons who are related within the third degree of consanguinity to adoptees and who have submitted the information voluntarily to the division

Any person whose name appears in the register may withdraw it by requesting in writing that it be withdrawn. The division shall immediately withdraw a name upon receiving the request and may not thereafter release any information to identify that person, including the information that such a name was ever in the register.

The division may release information about a person related within the third degree of consanguinity to an adoptee, or about an adoptee to a person related within the third degree of consanguinity, if the names and information about both persons are contained in the register and if written consent for the release of such information is given by the birth parent.

### **Access to Original Birth Certificate**

**Citation: Rev. Stat. § 440.310**

The original birth certificate is available only upon order of the court.

### **Where the Information Can Be Located**

International Soundex Reunion Registry



## NEW HAMPSHIRE

*Current Through December 2019*

### **Who May Access Information**

**Citation: Rev. Stat. §§ 170:B-23; 170:B-24**

Nonidentifying information is available to the following:

- The adoptee who is age 18 or older
- The birth parents
- The adoptive parents

Identifying information is available to the following:

- The adoptee
- The birth parents
- Blood relatives

### **Access to Nonidentifying Information**

**Citation: Rev. Stat. §§ 170:B-23; 170:B-24**

The department or the licensed child-placing agency may share with the adoptive parents all information it has available about the minor child being placed for adoption. The department or the licensed child-placing agency shall delete any information that would tend to identify a birth parent.

Requests for nonidentifying social or medical information may be made by an adoptee who is age 18 or older, a parent of an adoptee under the age of 18, or a birth parent.

When any person listed above submits a request for nonidentifying social or medical information, the department or agency shall disclose such information relating to the adoptee, the birth parents, or the blood relatives. The department or the agency shall delete any information from the health history or background that would tend to be identifying. Court approval is not required for information disclosed under this paragraph.

### **Mutual Access to Identifying Information**

**Citation: Rev. Stat. § 170:B-24**

If the parties mutually agree to the release of identifying information, it shall be released as provided in this paragraph. Only the following people may authorize the disclosure of identifying information about an adopted person, a birth parent, or a blood relative:

- An adoptee who is age 18 or older
- The adoptive parents of an adoptee under age 18
- A birth parent, who can authorize the disclosure of identifying information at the time of surrender or later

Any release may be revoked or amended at any time. The person signing the release or its revocation shall file a copy with the department or licensed child-placing agency. The department or licensed child-placing agency shall then file a copy of the release with the court that heard the adoption petition. Court approval is not required for release of identifying information when a release has been signed and the person affirms his or her desire to be contacted.

Court approval shall be required if the parties do not agree, if they cannot be contacted, or if the department or agency questions the safety of releasing information.

### **Access to Original Birth Certificate**

**Citation:** Rev. Stat. § 170:B-23

The original birth certificate is subject to inspection only upon written order of the court for good cause shown.

### **Where the Information Can Be Located**

New Hampshire Pre-Adoption Birth Records

## **NEW JERSEY**

*Current Through December 2019*

### **Who May Access Information**

**Citation:** Ann. Stat. §§ 9:3-41.1; 26:8-40.34

The adoptive parent may have access to nonidentifying information.

The birth parent may authorize the release of identifying information to the adoptee.

### **Access to Nonidentifying Information**

**Citation:** Ann. Stat. §§ 9:3-41.1; 9:3-39.2; 9:3-39.3

Prior to placement, the adoptive parent will be provided with all available information relevant to the child's development, including the following:

- The child's developmental and medical history
- The child's personality and temperament
- The birth parents' complete medical histories, including conditions or diseases that are believed to be hereditary
- Any drugs or medications taken during pregnancy
- Any other health conditions of the birth parents that may influence the child's present or future health

Information that would identify or permit the identification of the birth parents of the child shall be excluded.

In the event that the adoptee was under the care and custody of the Division of Child Protection and Permanency in the Department of Children and Families at the time of the person's adoption, the director of the division shall provide, upon request by an authorized requester, a statement providing summaries of the medical and social characteristics of birth family members, family health histories, the facts and circumstances related to adoptive placement, and summaries of case record material.

An authorized requester may request that the adoption facilitator who placed the child for adoption or conducted an investigation provide any available nonidentifying family medical history information concerning the adoptee contained in that person's confidential case records maintained by the adoption facilitator. Upon receipt of a request, the adoption facilitator shall provide the requester with a detailed summary of any available nonidentifying family medical history information concerning the adoptee that is contained in that person's confidential case records.

### **Mutual Access to Identifying Information**

**Citation:** Ann. Stat. § 26:8-40.34

A birth parent of an adoptee may submit a contact preference form to the State registrar indicating the birth parent's preference regarding contact with the adoptee. The birth parent may change his or her preference

at any time by submitting a revised document to the registrar. The registrar shall require a birth parent who submits a contact preference form to simultaneously submit a completed form providing updated family history information, including medical, cultural, and social history information.

On the contact preference form, the birth parent may select one of the following options:

- Direct contact
- Contact through an intermediary
- No contact

The registrar shall request a birth parent who indicates a preference for no contact by the adoptee to update the family history information every 10 years until the birth parent reaches age 40, and every 5 years thereafter.

The registrar shall maintain a file of documents of contact preference and family history information submitted by birth parents. Upon request for an original certificate of birth, the registrar shall determine whether there are contact preference forms and family history information documents regarding the adoptee on file and, if those documents exist, shall place and retain them in the adoptee's original certificate of birth file. Those documents shall be released when a request is made for an uncertified, long-form copy of an adoptee's original certificate of birth.

In the case of a person adopted prior to August 1, 2015, a birth parent may submit a request on or before December 31, 2016, that provides that the name and other identifying information of the birth parent be redacted in response to a request for information. The birth parent may rescind the redaction request at any time.

#### **Access to Original Birth Certificate**

**Citation: Ann. Stat. §§ 26:8-40.1(c); 26:8-40.33**

The State registrar shall place under seal the original certificate of birth and all papers pertaining to the new certificate of birth. Such seal shall not be broken except by order of a court of competent jurisdiction or upon a request for an uncertified, long-form copy of the adoptee's original certificate of birth by a person age 18 or older who can establish him- or herself as one of the following:

- The adoptee
- A direct descendant, sibling, or spouse of the adoptee
- An adoptive parent, legal guardian, or other legal representative of the adoptee
- An agency of the State or Federal government for official purposes

The State registrar shall authenticate the identity of the requester and the requester's relationship with the adoptee.

Upon receipt of a request pursuant to § 26:8-40.1(c), the State registrar shall provide the authorized requester with an uncertified, long-form copy of the adoptee's original certificate of birth.

#### **Where the Information Can Be Located**

New Jersey Department of Children and Families, Adoption Registry

## NEW MEXICO

*Current Through December 2019*

### **Who May Access Information**

**Citation: Ann. Stat. § 32A-5-40**

Information may be accessed by the following:

- The adoptee who is age 18 or older
- The birth parent if the adoptee is age 18 or older
- The adoptive parent of an adoptee under age 18
- An adoptee's birth sibling
- A guardian
- An attorney for any party

### **Access to Nonidentifying Information**

**Citation: Ann. Stat. § 32A-5-40**

Unless the birth parent and the adoptee have consented to the release of their identities, inspection of records is limited to nonidentifying information. This includes the following:

- The health and medical histories of the birth parents and the adoptee
- General family background
- Physical descriptions
- The length of time the adoptee was in the care and custody of persons other than the adoptive parents

### **Mutual Access to Identifying Information**

**Citation: Ann. Stat. §§ 32A-5-40; 32A-5-41**

At any time after the entry of the decree of adoption, a birth parent may file any of the following:

- Consent or refusal to be contacted
- Release of the birth parent's identity to the adult adoptee or to the adoptive parent of a minor adoptee
- Information regarding the birth parent's location or changes in background information

At any time, an adult adoptee may file information regarding his or her location and consent or refusal regarding opening of his or her adoption file to his or her birth parents.

If mutual authorizations for release of identifying information by the parties are not available, an adult adoptee; the birth parents; or the adoptive parents, if the adopted person is a minor, may file a motion with the court to obtain the release of identifying information for good cause shown. When hearing the motion, the court shall give primary consideration to the best interests of the adoptee but also shall give due consideration to the interests of the members of the adoptee's birth and adoptive families. The court may assign a confidential intermediary to ascertain needed information.

An adoptee shall have the right to access information to enroll in his or her Tribe of origin. If the department establishes that an adoptee is of Indian descent, the department shall do the following:

- Provide the requester with the Tribal affiliation of the adoptee's birth parents
- Submit to the Tribe information necessary to establish Tribal enrollment for the adoptee and to protect any rights flowing from the adoptee's Tribal relationship
- Provide notice to the requester of the department's submission of information to the adoptee's Tribe

### **Access to Original Birth Certificate**

**Citation:** Ann. Stat. § 24-14-17

The original birth certificate is available only upon order of the court.

### **Where the Information Can Be Located**

New Mexico Department of Health

## **NEW YORK**

*Current Through December 2019*

### **Who May Access Information**

**Citation:** Pub. Health Law §§ 4138-c; 4138-d

The following persons may receive information:

- The adoptee who is age 18 or older
- The birth parents
- A birth sibling who is age 18 or older

### **Access to Nonidentifying Information**

**Citation:** Pub. Health Law §§ 4138-c; 4138-d

The Department of Health shall operate an adoption information registry for the exchange of nonidentifying information between the persons listed above. Nonidentifying information shall include only the following information, if known, about the adoptee, birth parents, and birth siblings:

- The age of the parents in years at the time of the child's birth
- The heritage of the parents, including nationality, ethnic background, race, and religion
- Education completed by the parents at the time of the child's birth
- General physical appearance of the parents at the time of the child's birth, including height, weight, color of hair, eyes, skin, and other information of similar nature
- The occupation of the parents
- The health history of the parents
- The talents, hobbies, and special interests of the parents
- The facts and circumstances relating to the adoption
- The existence of any known birth siblings
- The number, sex, and age, at the time of the adoptee's adoption, of any known birth siblings

Upon acceptance of a registration, the department shall search registry records to determine whether the adoptee's adoption occurred within the State. If the adoption did occur within the State, the department shall request nonidentifying information from court records. If the department determines that the adoption did not occur within the State, it shall notify the registrant that no record exists of the adoption occurring within the State.

A mutual consent voluntary adoption registry may be established and maintained by each authorized agency involved in an adoption. Any authorized agency that establishes and maintains a mutual consent voluntary adoption registry shall notify the department of the name and address of the agency, together with such other information the department may require.

The agency shall accept and maintain the verified registration of the birth parents of an adoptee, an adoptee, or the birth sibling of an adoptee if such adoptee was born in this State, any other State within the United States, or the District of Columbia, and his or her adoption occurred within this State, no sooner than 18 years after the adoptee's birth or in the case of a birth sibling registrant, no sooner than the longer of 18 years after the birth of the adoptee or the birth sibling.

Upon acceptance of a registration, the agency shall search the records of the agency to determine whether the agency was involved in such adoption. If the agency determines that the agency was involved in the adoption, it shall transmit the registration to the adoption information registry operated by the department, and the agency shall release the nonidentifying information to the adoptee.

#### **Mutual Access to Identifying Information**

**Citation: Pub. Health Law §§ 4138-c; 4138-d**

The department shall operate an adoption information registry for the exchange of information among the persons listed above. Any person whose registration was accepted may withdraw the registration prior to the release of any identifying information.

Upon acceptance of a registration, the department shall search the registry files to determine whether the person sought is registered. If there is a match, the department shall notify the court to request the person's final consent to the release of identifying information.

Upon receipt of a final consent by the adoptee, birth parent, and/or birth sibling, the department shall, unless the adoptee or birth sibling has elected otherwise, release identifying information to all the registrants. Such identifying information shall be limited to the names and addresses of the registrants and shall not include any other information contained in the adoption or birth records.

A mutual consent voluntary adoption registry may be established and maintained by each authorized agency involved in an adoption. Persons eligible to receive identifying information may work through the agency involved in the adoption. Upon receipt of a final consent by the adoptee, by either of the birth parents, and/or by a birth sibling of the adoptee, the agency shall release identifying information about the consenting registrants to the consenting registrants. Such identifying information shall be limited to the names and addresses of the consenting registrants and shall not include any other information contained in the adoption or birth records. However, nothing in this section shall be construed to prevent the release of adoption records as otherwise permitted by law.

An adoption medical information subregistry shall be part of the registry. Access to all identifying records and information in the subregistry shall be subject to the same restrictions as the adoption information registry. The department shall establish procedures by which a birth parent may provide medical information to the subregistry, and by which an adoptee age 18 or older, or the adoptive parents of an adoptee who is under age 18, may access the medical information.

#### **Access to Original Birth Certificate**

**Citation: Pub. Health Law § 4138-e**

*Effective January 15, 2020:* The legislature hereby states its intention to acknowledge, support, and encourage the life-long health and well-being needs of persons who have been and will be adopted in this State. The legislature further recognizes that the denial of access to accurate and complete medical and self-identifying data of any adoptee, knowingly withheld by others, may result in such person succumbing to preventable disease, premature death, or otherwise unhealthy life, is a violation of that person's human rights. As such,

the provisions of this section seek to establish considerations under the law for adoptee's equal to such considerations permitted by law to all nonadopted persons. This section does so while providing for the privacy of an adopted person and his or her birth family.

Notwithstanding any other provision of law, the commissioner or a local registrar, upon application, proof of identity, and payment of a nominal fee, shall issue certified copies of original birth certificates, including any change attached to that certificate by a birth parent or parents, and any information provided to the commissioner or a local registrar pursuant to § 114(1) of the domestic relations law, to (i) an adoptee, if age 18 or more; or (ii) if the adoptee is deceased, the adoptee's direct-line descendants; or (iii) the lawful representatives of an adoptee or a deceased adoptee's direct-line descendants, as the case may be.

When it is impossible for the commissioner or a local registrar to provide a copy of an adult adoptee's original birth certificate, the true and correct information about the adoptee and the adoptee's birth parents, including their identifying information, that would have appeared on the original birth certificate shall be provided to (i) an adoptee, if age 18 or more; or (ii) if the adoptee is deceased, the adoptee's direct-line descendants; or (iii) the lawful representatives of an adoptee or a deceased adoptee's direct-line descendants, as the case may be, by any authorized agency.

#### **Where the Information Can Be Located**

New York State Department of Health, Adoption Registry

## **NORTH CAROLINA**

*Current Through December 2019*

#### **Who May Access Information**

**Citation: Gen. Stat. §§ 48-9-103; 48-9-104; 48-9-109**

Nonidentifying information is available to the following:

- The adoptive parent
- The adult adoptee
- A minor adoptee who is a parent or an expectant parent

A licensed child-placing agency or a county Department of Social Services may agree to act as a confidential intermediary for the purpose of sharing identifying information for any of the following:

- A birth parent
- An adult adoptee
- An adult birth sibling of an adult adoptee
- An adult birth half-sibling of an adult adoptee
- An adult family member of a deceased birth parent
- An adult family member of a deceased adoptee

#### **Access to Nonidentifying Information**

**Citation: Gen. Stat. §§ 48-9-103; 48-3-205**

Any person listed above may request a copy of any document prepared pursuant to § 48-3-205 and any additional nonidentifying health-related information about the adoptee's original family. The information that is provided at the time of the adoptive placement includes the following:

- The date of the child's birth and any other reasonably available nonidentifying information
- The age of the birth parents at the time of the child's birth
- The heritage of the birth parents, including nationality, ethnic background, and race
- Education completed by the birth parents at the time of the child's birth
- The general physical appearance of the birth parents
- All reasonably available nonidentifying information about the health and genetic history of the child, the birth parents, and other members of the birth parents' families

Nonidentifying information about the adoptee's present circumstances may be disclosed to a birth parent, an adult sibling, or the guardian of a minor sibling.

### **Mutual Access to Identifying Information**

**Citation: Gen. Stat. §§ 48-9-104; 48-9-109**

Except as provided below, no one shall release from any sealed records the name, address, or other identifying information about an adoptee; adoptive parent; birth parent; or individual, who, but for the adoption, would be the adoptee's sibling or grandparent, except upon order of the court.

A child-placing agency may agree to act as a confidential intermediary for a person listed above without appointment by the court in order to obtain and share nonidentifying birth family health information, facilitate contact, or share identifying information with the written consent of all parties. An agency also may agree to act as a confidential intermediary for the adoptive parents of a minor adoptee without appointment to obtain and share nonidentifying birth family health information.

If such agency determines that the person who is the subject of the search, or a lineal ascendant of that person, is deceased, the agency may obtain a copy of the death certificate and deliver it to the person who requested the services.

Nothing in this article is meant to prevent the following:

- An employee of a court, agency, or any other person from doing the following:
  - Inspecting confidential records, other than records maintained by the State registrar, for the purpose of discharging any obligation
  - Disclosing the name of the court or agency involved in the adoption to an individual described above who can verify his or her identity
  - Disclosing or using information contained in sealed records for statistical or research purposes
  - Giving a file-stamped copy of a document to a person, or to the legal representative of a person, who has filed the document in an adoption proceeding
- In agency placements, a parent placing a child for adoption and the adopting parents from authorizing an agency to release information to each other that may reveal the identity of an adoptee, an adoptive parent, or an adoptee's placing parent
- The Division of Social Services from sharing information regarding the identity of birth parents with an agency acting as a confidential intermediary

### **Access to Original Birth Certificate**

**Citation: Gen. Stat. § 48-9-106**

Upon receipt of a certified copy of a court order issued pursuant to § 48-9-105 authorizing the release of an adoptee's original birth certificate, the State registrar shall give the individual who obtained the order a copy of the original birth certificate with a certification that the copy is a true copy of a record that is no longer a valid certificate of birth.



## Where the Information Can Be Located

North Carolina Department of Health and Human Services, Division of Social Services

## NORTH DAKOTA

*Current Through December 2019*

### Who May Access Information

**Citation: Cent. Code § 14-15-16**

Nonidentifying information must be provided to the following:

- The adoptive parents
- The adult adoptee
- The birth parent

Identifying information may be provided to the following:

- The birth parents
- The adoptive parents
- The adoptee
- Adult birth siblings
- The adult child of an adoptee

### Access to Nonidentifying Information

**Citation: Cent. Code § 14-15-16; 14-15-01(13)**

Nonidentifying information, if known, concerning undisclosed birth parents must be furnished upon written request to the individuals listed above. The term 'nonidentifying adoptive information' includes the following:

- The age of the birth parent at the time of the child's birth
- The heritage and religion of the birth parent
- The education completed by the birth parent at the time of the child's birth
- The general physical appearance of birth parent at the time of the child's birth, including the height, weight, color of hair, eyes, skin, and other information of a similar nature
- The talents, hobbies, and special interests of the birth parents
- The existence of any other children born to either birth parent
- The reasons for the child being placed for adoption
- The vocation of the birth parent in general terms
- The health history of the birth parents and blood relatives

### Mutual Access to Identifying Information

**Citation: Cent. Code § 14-15-16**

Before the child reaches adulthood, exchanges of identifying information may take place between the birth parents, adoptive parents, and adoptee. Disclosure of a party's identifying information may not occur unless the party consents to disclosure. If one parent objects, the identifying information disclosed by the agency may only relate to the consenting parent or parents.

An adoptee who is age 18 or older may request the department to initiate the disclosure of information identifying his or her birth parents or adult birth sibling. A birth parent or adult birth sibling may request the department to initiate the disclosure of information identifying that individual. An adult child of an adoptee may request the department to initiate the disclosure of information identifying the adoptee's birth parents.

Within 90 days after receiving a request, the child-placing agency shall make complete and reasonable efforts to notify the individual or individuals that a disclosure of identifying information has been requested. An adoptee, birth parent, or birth sibling may authorize disclosure, refuse to authorize disclosure, or take no action. If no action is taken in response to a request, the child-placing agency must treat that as a refusal to authorize disclosure, except that it does not preclude disclosure after the person's death.

Upon application to the department by an adult adoptee or the parent or guardian of a minor adoptee, the department may investigate to determine the adoptee's eligibility for enrollment as a member of an Indian Tribe.

#### **Access to Original Birth Certificate**

**Citation: Cent. Code § 23-02.1-18**

The original birth record is available only upon order of a court or as provided by rules and regulations.

#### **Where the Information Can Be Located**

North Dakota Adoption Search/Disclosure

### **NORTHERN MARIANA ISLANDS**

*Current Through December 2019*

#### **Who May Access Information**

**Citation: Comm. Code Tit. 8, § 1414**

The adoptive parent or the adopted child may consent to release of information.

#### **Access to Nonidentifying Information**

The issue is not addressed in the statutes reviewed.

#### **Mutual Access to Identifying Information**

**Citation: Comm. Code Tit. 8, § 1414**

All papers and records pertaining to the adoption are subject to inspection only upon consent of the court and all interested persons. The identity of an adoptive parent or child may not be disclosed except by consent in writing of the adoptive parent, the adopted child who is age 14 or older, or upon order of the court for good cause in exceptional cases.

#### **Access to Original Birth Certificate**

**Citation: Comm. Code Tit. 8, §§ 1414; 1417**

The original birth certificate is sealed as part of the adoption record and may be opened only as provided by Tit.8, § 1414.

## Where the Information Can Be Located

The agency involved in the adoption

## OHIO

*Current Through December 2019*

### Who May Access Information

**Citation: Rev. Code §§ 3107.66; 3107.47; 3107.49**

Nonidentifying information is available to the following:

- An adoptee who is age 18 or older
- An adoptive parent of an adoptee who is under age 18
- An adoptive family member of a deceased adoptee
- A birth parent of an adoptee who is age 18 or older
- A birth sibling who is age 18 or older
- A birth family member if the birth parent is deceased

Identifying information is accessible to the following:

- An adoptee who is age 21 or older
- An adoptive parent of an adoptee who is older than age 18 but younger than age 21
- The birth parent or adult birth sibling

### Access to Nonidentifying Information

**Citation: Rev. Code §§ 3107.66; 3107.60**

An adoptee, an adoptive parent, or an adoptive family member may submit a written request to the agency or attorney who arranged the adoption or the probate court that finalized the adoption for nonidentifying information about the adoptee's birth parent or birth sibling contained in the agency's, attorney's, or court's adoption records.

A birth parent, birth sibling, or birth family member may submit a written request for nonidentifying information about the adoptee or adoptive parent.

The term 'nonidentifying information' means one of the following:

- In relation to a birth parent, any information that is not identifying information, including all the following:
  - A birth parent's age at the time the child was adopted
  - The medical and genetic history of the birth parents
  - The age, sex, and medical and genetic history of an adoptee's birth siblings and extended family members
  - A person's heritage and ethnic background, educational level, general physical appearance, religion, occupation, and cause of death
  - Any information that may be included in a social and medical history, as specified in § 3107.09(B)-(C)
- In relation to an adoptive parent, any information that is not identifying information, including all the following:
  - An adoptive parent's age at the time of adoption
  - An adoptive sibling's age at the time of adoption
  - The heritage, ethnic background, religion, educational level, and occupation of the adoptive parent
  - General information known about the well-being of the adoptee before and after the adoption

## **Mutual Access to Identifying Information**

**Citation: Rev. Code §§ 3107.47; 3107.49**

For adoptions completed before January 1, 1964, adoptees have access, upon request, to the adoption file maintained by the Department of Health.

For adoptions completed between 1964 and 1996, the following applies:

- Any birth parent or sibling who wishes to authorize the release of identifying information shall file a release form with the department. A release may be filed with the department at any time. The department shall establish and maintain a file of releases.
- At age 21, an adoptee may file a petition with the probate court that finalized his or her adoption and inquire if a release form has been filed. In the event of a match, identifying information may be released to the adoptee.
- The court that decreed the adoption may order that the contents of the adoption file be made open for inspection or available for copying.

For adoptions completed after 1996, the following applies:

- A birth parent may file with the department a denial of release form that shall be placed in the adoption file. The birth parent may rescind an authorization of release form and rescind a denial of release form as many times as the birth parent wishes.
- An adoptee age 21 or older, or an adoptive parent of an adoptee at least age 18 but under age 21, may submit a request to the Department of Health for a copy of the contents of the adoptee's adoption file. If there is not an effective denial of release form for either birth parent in the adoptee's adoption file, the department shall provide the adoptee or adoptive parent a copy of the contents of the adoptee's adoption file.

## **Access to Original Birth Certificate**

**Citation: Rev. Code §§ 3705.12; 3705.126**

Upon the issuance of the new birth record, the original birth record shall cease to be a public record. The department shall place the original birth record and the items sent by the probate court pursuant to § 3107.19 in an adoption file and seal the file. The contents of the adoption file are not public records and shall be available only in accordance with § 3705.126. The contents of the adoption file include any contact preference form, birth parent's name redaction request form, or social and medical history accepted and maintained by the department.

The department shall neither open an adoption file nor make its contents available, except as follows:

- The department shall inspect the file to determine the court involved.
- The department shall make the file's contents available to an adoptee or lineal descendant of an adoptee in accordance with § 3107.38.
- The department shall open the file to transfer releases to the file in accordance with § 3107.381.
- The department shall open the file to file a contact preference form from a birth parent and remove any previously filed contact preference form from the birth parent.
- The department shall open the file to file a birth parent's name redaction request form or to remove and destroy the form.
- The department shall open the file to file a denial of release form or an authorization of release form.
- The department shall make the file's contents available to an adoptee or adoptive parent in accordance with § 3107.47.
- The department shall open the file to file a request from an adoptee under § 3107.48 or to remove and destroy the request.
- The department shall inspect the file to assist a birth parent or birth sibling in finding the adoptee's name by adoption, in accordance with § 3107.49.
- The court that decreed the adoption may order that the contents be made open for inspection or available for copying.

## **Where the Information Can Be Located**

Ohio Adoption Registry

## **OKLAHOMA**

*Current Through December 2019*

### **Who May Access Information**

**Citation: Ann. Stat. Tit. 10, § 7508-1.3**

The services of a confidential intermediary are available to the following:

- The adult adoptee
- The legal parent or guardian of the child of a deceased adoptee
- The adult descendant of a deceased adoptee
- The birth parent
- The adult birth sibling or grandparent of an adult adoptee
- The sibling of a deceased birth parent

### **Access to Nonidentifying Information**

**Citation: Ann. Stat. Tit. 10, § 7508-1.3**

If the person who is the subject of the search is not willing to share identifying information, meet, or communicate with the person who initiated the search, the confidential intermediary shall attempt to obtain any nonidentifying medical or social history information that has been requested by the person who has initiated the search.

If nonidentifying medical or social history information was obtained, the administrator shall provide a copy of the nonidentifying information to the person who initiated the search.

### **Mutual Access to Identifying Information**

**Citation: Ann. Stat. Tit. 10, §§ 7508-1.2; 7508-1.3**

The department shall establish a search program using the services of a confidential intermediary that may be used by eligible persons listed above to locate an adult birth relative with whom contact has been lost through adoption.

If a birth relative of an adoptee, other than a birth parent, applies to initiate a search or is the subject of a search, the administrator of the confidential intermediary search program shall ascertain from the State Registrar of Vital Statistics whether an affidavit of nondisclosure by a birth parent is on file. If such an affidavit is on file and has not been revoked, the search may not be initiated.

The intermediary will conduct a reasonable search for an individual being sought and make a discreet and confidential inquiry as to whether the individual consents to the release of identifying information or medical information or to meeting or communicating with the individual initiating the search. If the individual initiating the search and the individual being sought consent in writing to meet or to communicate with each other, the intermediary will act to facilitate any meeting or communication between them.

If the confidential intermediary is able to locate the subject of the search, he or she shall make a discreet and confidential inquiry as to whether the person who is the subject of the search will consent to share identifying

information, communicate, or meet with the person who initiated the search. The inquiry shall be by personal and confidential contact, without disclosing the identifying information about the person who initiated the search.

If the person who is the subject of the search is willing to share identifying information, communicate, or meet with the person who initiated the search, the confidential intermediary shall obtain this consent in writing.

#### **Access to Original Birth Certificate**

**Citation: Ann. Stat. Tit. 10, § 7505-6.6**

For adoptions finalized after November 1, 1997, an uncertified copy of the original birth certificate is available to an adoptee, age 18 or older, upon written request under the following conditions:

- He or she presents proof of identity.
- There are no birth siblings under age 18 who are currently in an adoptive family and whose whereabouts are known.
- The birth parents have not filed affidavits of nondisclosure.

Original birth certificates are also available upon order of the court for good cause shown, pursuant to § 7505-1.1.

#### **Where the Information Can Be Located**

Oklahoma Mutual Consent Voluntary Registry

## **OREGON**

*Current Through December 2019*

#### **Who May Access Information**

**Citation: Ann. Stat. §§ 109.455; 109.500**

The voluntary adoption registry may be used to obtain identifying information by the following persons:

- A birth parent
- An adult adoptee
- An adult genetic sibling of an adoptee
- A parent or guardian of a minor adoptee
- A minor genetic sibling of an adoptee
- The adoptive parent of a deceased adoptee
- The parents or adult siblings of a deceased birth parent

A putative father may not use the registry to obtain identifying information but may register to authorize release of identifying information under § 109.460.

Nonidentifying information may be released to the following:

- The adoptive parents of the child or the child's guardian
- The birth parent of the adoptee
- An adult adoptee
- The following persons if the adoptee is deceased:
  - The adoptee's spouse if the spouse is the birth parent of the adoptee's child or the guardian of any child of the adoptee
  - Any progeny of the adoptee who is age 18 or older

### **Access to Nonidentifying Information**

**Citation: Ann. Stat. § 109.500**

A genetic, social, and health history that excludes information identifying any birth parent or putative father, member of a birth parent's or putative father's family, the adoptee, or the adoptive parents of the adoptee may be provided, if available, from an agency upon request to the persons listed above.

### **Mutual Access to Identifying Information**

**Citation: Ann. Stat. §§ 109.455; 109.460**

The persons listed above may use the voluntary adoption registry for obtaining identifying information about birth parents, putative fathers, adoptees, and genetic siblings of adoptees.

An adult adoptee, a birth parent, a putative father, an adult genetic sibling of an adoptee, a parent or guardian of a minor adoptee or of a minor genetic sibling of an adoptee, an adoptive parent of a deceased adoptee, and a parent or adult sibling of a deceased birth parent may register with a registry by submitting a signed affidavit to the appropriate registry. The affidavit shall contain the information listed in § 109.465 and a statement of the registrant's willingness to be identified to the other relevant persons who register. The affidavit gives authority to the registry to release to the other relevant persons who register identifying information related to the registrant or, if the registrant is registering on behalf of a minor adoptee or a minor genetic sibling, identifying information related to the minor adoptee or sibling. Each registration shall be accompanied by the registrant's, or if the registrant is registering on behalf of a minor adoptee or a minor genetic sibling, the minor's, certified copy of the record of live birth.

At the discretion of the agency operating the registry, the adult progeny, or the parent or guardian of minor progeny, of a deceased adoptee, a deceased genetic sibling of an adoptee, or a deceased birth parent of an adoptee may register to have specific identifying and contact information disclosed by submitting a signed affidavit and a statement of the registrant's willingness to be identified to other relevant persons who register.

An adoptee or the parent or guardian of a minor adoptee may register to have specific identifying information disclosed to Indian Tribes or to governmental agencies in order to establish the adoptee's eligibility for Tribal membership or for benefits or to a person settling an estate. The information shall be limited to a true copy of documents that prove the adoptee's lineage. Information disclosed in accordance with this subsection shall not be disclosed to the adoptee or the parent or guardian of the minor adoptee by the registry or employee or agency operating a registry nor by the Indian Tribe, governmental agency, or person receiving the information.

Registration by the parent or guardian of a minor adoptee or of a minor genetic sibling of an adoptee expires when the minor reaches age 18. The adoptee or sibling must reregister with a registry as an adult in accordance with this section for identifying information to be released to relevant persons who are registered. If the adoptee or sibling reregisters, the registration fee will be waived.

### **Access to Original Birth Certificate**

**Citation: Ann. Stat. § 432.228**

Upon receipt of a written application to the State registrar, any adoptee age 21 and older born in the State of Oregon shall be issued a certified copy of his or her unaltered, original, and unamended certificate of birth that is in the custody of the State registrar, with procedures, filing fees, and waiting periods identical to those imposed upon nonadopted citizens.

A birth parent may, at any time, request from the State registrar or from a voluntary adoption registry a contact preference form that shall accompany a birth certificate issued under the section above.

The contact preference form shall provide the following information, to be completed at the option of the birth parent:

- I would like to be contacted.
- I would prefer to be contacted only through an intermediary.
- I prefer not to be contacted at this time. If I decide later that I would like to be contacted, I will register with the voluntary adoption registry. I have completed an updated medical history and have filed it with the voluntary adoption registry.

The certificate from the voluntary adoption registry verifying receipt of an updated medical history shall be in a form prescribed by the Oregon Health Authority and shall be supplied upon request of the birth parent by the voluntary adoption registry.

When the State registrar receives a completed contact preference form from a birth parent, the State registrar shall match the contact preference form with the adoptee's sealed file. The contact preference form shall be placed in the adoptee's sealed file when a match is made. A completed contact preference form shall be confidential.

### **Where the Information Can Be Located**

Oregon Adoption Search and Registry Program

## **PENNSYLVANIA**

*Current Through December 2019*

### **Who May Access Information**

**Citation: Cons. Stat. Tit. 23, §§ 2924; 2931**

The following persons may request information from the registry, the court that finalized the adoption, or the agency that coordinated the adoption:

- An adoptee who is at least age 18
- An adoptive parent of an adoptee who is younger than 18, incapacitated, or deceased
- A legal guardian of an adoptee who is younger than 18 or incapacitated
- A descendant of a deceased adoptee
- The birth parent of an adoptee who is at least age 21
- A parent of a birth parent of an adoptee who is at least age 21 if the birth parent consents or is incapacitated or deceased
- A birth sibling of an adoptee, if both the birth sibling and adoptee are at least age 21, and the following apply:
  - The birth sibling remained in the custody of the birth parent and the birth parent consents or is deceased or incapacitated.
  - Both the birth sibling and adoptee were adopted out of the same birth family.
  - The birth sibling was not adopted out of the birth family and did not remain in the custody of the birth parent.

A person listed above may request nonidentifying or identifying information about or contact with the following persons:

- An adoptee who is age 21 or older
- A birth parent of an adoptee



- A parent of a birth parent of an adoptee who is age 21 or older, if the birth parent consents or is incapacitated or deceased
- A birth sibling of an adoptee, if both the birth sibling and the adoptee are age 21 or older, and the following apply:
  - The birth sibling remained in the custody of the birth parent and the birth parent consents or is deceased or incapacitated.
  - Both the birth sibling and adoptee were adopted out of the same birth family.
  - The birth sibling was not adopted out of the birth family and did not remain in the custody of the birth parent.

### **Access to Nonidentifying Information**

**Citation: Cons. Stat. Tit. 23, §§ 2925; 2932; 2934**

Nonidentifying information available to the registry shall be provided to the requester within 30 days of the request. Before the release of information, the department shall remove any identifying information, unless release has been authorized in writing by the subject of the information.

When the court or agency receives a written request for nonidentifying information, it shall, within 30 days, notify the requester of its receipt of the request. The court or agency shall, within 120 days, review its records and furnish to the requester any information concerning the adoption that will not compromise the confidentiality of the relationship between the adoptee and the adoptee's birth parent.

Medical and social history information may be filed with the court that terminated parental rights or finalized the adoption, the agency that coordinated the adoption, or the information registry.

The following persons may at any time file, update, and request medical and social history information:

- An adoptee who is age 18 or older
- An adoptive parent of an adoptee who is younger than age 18 or incapacitated
- A descendant of a deceased adoptee
- A birth parent
- A legal guardian of an incapacitated birth parent
- A survivor of a deceased birth parent

When the court or agency receives a written request for medical and social history information, it shall notify the requester within 120 days whether it possesses any medical and social history information related to the adoption. For nonidentifying information, the court or agency shall, within 120 days of locating the information, review and furnish to the requester any medical and social history information that will not compromise confidentiality.

If the requester is an adoptee seeking information about a birth parent who is deceased, any information on file regarding the deceased birth parent may be disclosed.

### **Mutual Access to Identifying Information**

**Citation: Cons. Stat. Tit. 23, §§ 2912; 2925; 2933; 2934**

The Department of Public Welfare shall establish a statewide confidential registry for the retention of medical and social history information for all adoptions finalized or registered in the State.

For identifying information from the registry, if an authorization form is on file, the department shall notify the requester within 30 days whether information may be released. If there is no authorization on file, the department shall designate an authorized representative to use reasonable efforts to locate the subject of the request and obtain written authorization before any information is released.

An authorization form allowing the release of identifying information may be withdrawn at any time by the person who signed the form.

The court or agency, within 120 days of receiving a written request for identifying information or contact, shall determine whether it has any records relating to the adoptee and conduct a good faith search for identifying information. A representative shall review the court and agency record for identifying information regarding the birth or adoptive family and shall determine whether an authorization form has been filed.

If the requester is an adoptee seeking the identity of a birth parent, the identity of and any information about a deceased birth parent may be disclosed. If the requester is an adoptee seeking the identity of both birth parents and only one birth parent agrees to the disclosure, only the information relating to that birth parent shall be disclosed.

When the court or agency receives a written request for medical and social history information, it shall notify the requester within 120 days whether it possesses any information. For identifying information, if an authorization form is on file, the information will be released.

#### **Access to Original Birth Certificate**

**Citation: Cons. Stat. Tit. 23, § 2937**

Notwithstanding any other provision of law, an adoptee who is at least age 18 and who has graduated from high school, completed a general educational development program, or has legally withdrawn from secondary schooling or, if the adoptee is deceased, the adoptee's descendants, may apply to the Department of Health for the adoptee's noncertified copy of the original birth record. Subject to the provisions below, the department shall issue a noncertified copy of the original birth record within 45 days of receipt of an application.

The department shall develop and, upon request, make available to each birth parent named on the original birth certificate a contact preference form on which the birth parent may state a preference regarding contact by an adoptee who is the birth child of the birth parent. Upon such request, the department also shall provide the birth parent with an updated medical history form, which shall be completed and returned, together with the completed contact preference form, by the birth parent to the department. The contact preference form shall provide the birth parent with the following options, from which the birth parent shall select one:

- I would like to be contacted.
- I would prefer to be contacted only through an intermediary.
- Do not contact me.

A birth parent may request that the birth parent's name be redacted from a noncertified copy of the original birth record issued to an adoptee by completing a birth parent's name redaction request form. The department shall file an accepted name redaction request form in the adoption file of the adoptee to whom the form pertains. If the birth parent dies after submitting a name redaction request form, a noncertified copy of the original birth record may be provided to the adoptee without redaction of the deceased birth parent's name.

An application for a noncertified copy of the original birth record shall be in a form acceptable to the department and shall include the following information:

- The adoptee's current name and name assumed at the time of adoption
- The adoptee's address and telephone number
- The adoptee's age and date of birth
- The adoptee's gender at birth
- Proof of identification
- Any other information required by the department, but only to the extent necessary to verify the identity of the applicant, locate the relevant records, or provide the adoptee's noncertified copy of original birth record to the adoptee

Nothing in this section shall be construed to permit disclosure of an adoptee's birth record to the birth parents of an adoptee.

### **Where the Information Can Be Located**

Biological Parent Consent Registry

## **PUERTO RICO**

*Current Through December 2019*

### **Who May Access Information**

This issue is not addressed in the statutes reviewed.

### **Access to Nonidentifying Information**

**Citation: Ann. Laws Tit. 41A, § 1082b**

Any birth mother who agrees to execute an adoption agreement shall be required to provide the Department of the Family with information regarding her personal and family medical history as well as any medical, psychological, or psychiatric evaluations available at the time of the adoption. Such information shall be confidential in nature and shall be used for the purpose of evaluating the mother's willingness during this process and as a possible source of information on the health of the adoptee.

### **Mutual Access to Identifying Information**

**Citation: Ann. Laws Tit. 41A, § 1083**

Any person adopted after the date of approval of this act shall be entitled to access confidential data on the State Voluntary Adoption Registry concerning his or her adoption once he or she attains legal age. However, the adoptee shall only be granted access to such information as strictly necessary to guarantee the right to contact his or her birth parents.

### **Access to Original Birth Certificate**

**Citation: Ann. Laws Tit. 24, § 1136**

The original birth certificate of the adoptee, the judgment of the court, and other documents shall be kept in the Vital Statistics Registry in a sealed envelope and shall be confidential documents.

### **Where the Information Can Be Located**

State Voluntary Adoption Registry

## RHODE ISLAND

*Current Through December 2019*

### **Who May Access Information**

**Citation:** Gen. Laws §§ 15-7.2-2; 15-7.2-7

The following persons may use the passive voluntary adoption reunion registry:

- Birth parents and adult birth siblings
- The adult adoptee
- Surviving relatives of a deceased adoptee
- The parent or adult sibling of a deceased birth parent
- The adoptive parent of a deceased adoptee

### **Access to Nonidentifying Information**

**Citation:** Gen. Laws §§ 15-7.2-1; 15-7.2-2

The passive voluntary adoption reunion registry shall provide for the transmission of nonidentifying health, social, and genetic history of the adult adoptees, birth parents, and other specified persons. Genetic and social history includes the following information that is available:

- Medical history
- Health status
- Cause of and age at death
- Height, weight, and eye and hair color
- Ethnic origins
- Religion, if any

Health history includes, when obtainable, the child's health status and medical history at the time of placement for adoption, including neonatal, psychological, developmental, physiological, and medical care history.

### **Mutual Access to Identifying Information**

**Citation:** Gen. Laws §§ 15-7.2-2; 15-7.2-7; 15-7.2-9; 15-7.2-12; 5-7.2-14

The persons listed above may use the registry to register their willingness to the release of identifying information to each other by submitting a signed affidavit. The affidavit gives the registry authority to release identifying information related to the registrant to the other relevant persons who register. Each registration shall be accompanied by the birth certificate of the registrant.

A registry shall release only information necessary for identifying a birth parent, adult adoptee, or adult birth sibling and shall not release information of any kind pertaining to the adoptive parents, siblings who are children of the adoptive parents, and the income of anyone.

Any eligible registrant or any adoptive parent may file with the registry an objection to the release of identifying information. When an objection to the release of identifying information has been filed, the court shall hear the objection of the filing party prior to the release of identifying information to determine whether it is in the best interests of the parties to release identifying information.

### **Access to Original Birth Certificate**

**Citation: Gen. Laws § 15-7.2-12**

In the event of a verified match and release of identifying information, the registry, upon the written request of the adult adoptee, shall certify to the State Registrar of Vital Records that the adult adoptee is a party to a verified match and is entitled to receive uncertified copies of his or her original birth certificate. The certification shall also state that no person other than the adult adoptee is entitled to receive copies of the original birth certificate. However, no uncertified copy of the original birth certificate may be released to the adult adoptee unless each party named on the original birth certificate has registered. Registration by a birth parent not named on the original birth certificate shall not be required for release of the uncertified copy of the original birth certificate.

### **Where the Information Can Be Located**

State of Rhode Island and Providence Plantations Family Court, Voluntary Adoption Reunion Registry

## **SOUTH CAROLINA**

*Current Through December 2019*

### **Who May Access Information**

**Citation: Ann. Code § 63-9-780**

Nonidentifying information may be provided to the following persons:

- The adoptive parents
- The adoptee
- The birth parents, birth grandparents, and birth siblings

Identifying information may be accessed by the following persons:

- The adoptee who is age 21 or older
- The birth parents, grandparents, and siblings

### **Access to Nonidentifying Information**

**Citation: Ann. Code § 63-9-780**

The adoption agency may furnish nonidentifying information to adoptive parents; birth parents, grandparents, or siblings; or adoptees when, in the sole discretion of the chief executive officer of the agency, the information would serve the best interests of the persons concerned. Nonidentifying information includes, but is not limited to, the following:

- The health and medical histories of the birth parents, grandparents, and siblings
- The health and medical history of the adoptee
- The adoptee's general family background without name references or geographical designations
- The length of time the adoptee has been in the care and custody of the adoptive parent

### **Mutual Access to Identifying Information**

**Citation: Ann. Code § 63-9-780**

The public adoption agency responsible for the placement shall furnish to an adoptee the identity of the adoptee's birth parents, birth grandparents, and birth siblings and to the birth parents, birth grandparents, and birth siblings the identity of the adoptee under the following conditions:

- For an adoptee applying for identifying information about a birth parent or grandparent, the following apply:
  - The adoptee must be age 21 or older and must apply in writing to the agency for the information.
  - The agency must have a current file containing affidavits from the adoptee and the birth parent or grandparent, as applicable, agreeing to the disclosure of their identity to each other.
- For an adoptee applying for identifying information about a birth sibling, the following apply:
  - The adoptee and the birth sibling must be age 21 or older, and the adoptee must apply in writing to the agency for the information.
  - The agency must have a current file containing affidavits from the adoptee and the birth sibling agreeing to the disclosure of their identity to each other.
- For a birth parent or grandparent applying for identifying information about an adoptee, the following apply:
  - The adoptee must be age 21 or older, and the birth parent or grandparent must apply in writing to the adoption agency for the information.
  - The agency must have a current file containing affidavits from the adoptee and the birth parent or grandparent, as applicable, agreeing to the disclosure of their identity to each other.
- For a birth sibling applying for identifying information about an adoptee, the following apply:
  - The birth sibling and adoptee must be age 21 or older, and the birth sibling must apply in writing to the agency for the information.
  - The agency must have a current file containing affidavits from the adoptee and the birth sibling, agreeing to the disclosure of their identity to each other.

The adoption agency shall establish and maintain a confidential register containing the names and addresses of the adoptees and the birth parents, birth grandparents, and birth siblings who have filed affidavits. It is the responsibility of a person whose name and address are in the register to provide the agency with his or her current name and address.

The adoptee and the birth parent, birth grandparent, or birth sibling, as applicable, shall undergo counseling by the adoption agency concerning the effects of the disclosure. The adoption agency may charge a fee for the services, but services must not be denied because of inability to pay.

### **Access to Original Birth Certificate**

**Citation: Ann. Code § 44-63-140**

The original birth certificate and the evidence of adoption are not subject to inspection, except upon order of a court of competent jurisdiction. However, a person age 18 or older who was born in the State of South Carolina and who has had his or her original certificate of birth sealed due to an adoption may, upon written request to the State registrar, receive a copy of his or her original birth certificate and any evidence of the adoption held with the original record if the birth parent has completed a form consenting to the release of the original birth certificate. The form also must allow for the birth parent to indicate contact preference and to consent to release of medical history.

The copy of the original birth certificate must be in a form that clearly indicates it is not a certified copy and that it may not be used for legal purposes. All procedures, fees, and waiting periods applicable to nonadopted citizens born in the State of South Carolina seeking copies of certificates of birth apply.

### **Where the Information Can Be Located**

South Carolina Adoption Reunion Registry

## **SOUTH DAKOTA**

*Current Through December 2019*

### **Who May Access Information**

**Citation: Ann. Code §§ 25-6-15.2; 25-6-15.3**

Nonidentifying information may be released to the following:

- The adoptive parent
- The adoptee who is age 18 or older

Identifying information may be released to the following:

- The adoptee
- The birth parents

### **Access to Nonidentifying Information**

**Citation: Ann. Code § 25-6-15.2**

Nonidentifying information, if known, shall be made available to the adoptive parent or to the adoptee who is age 18 or older upon written request and proper proof of identification. Information may be withheld only if would tend to identify a birth relative. Nonidentifying information includes the following:

- The age of the birth parents at the time of the child's birth
- The heritage of the birth parents, including nationality, ethnic background, and race
- The number of years of school completed by the birth parents at the time of the child's birth
- The general physical appearance of the birth parents at the time of the child's birth in terms of height, weight, color of hair, eyes, skin, and other information of a similar nature
- The talents, hobbies, and special interests of the birth parents
- The existence of any other children born to either birth parent before the child's birth
- Whether the termination of parental rights was voluntary or involuntary
- The religion of the birth parents
- The occupations of the birth parents in general terms
- The health history of the birth parents and blood relatives
- The relationship between the birth parents

### **Mutual Access to Identifying Information**

**Citation: Ann. Code § 25-6-15.3**

The Department of Social Services shall maintain a voluntary registry of adoptees and birth parents who have presented a consent regarding the release of identifying information about themselves. Any consent shall indicate to whom the information may be released and whether the adoptee desires release of this identifying information after his or her death. A person who uses this voluntary register may revoke his or her consent at any time.

### **Access to Original Birth Certificate**

**Citation: Ann. Code § 34-25-16.4**

The original birth certificate is available upon order of the court.

## Where the Information Can Be Located

South Dakota Voluntary Adoption Registry

## TENNESSEE

*Current Through December 2019*

### Who May Access Information

**Citation: Ann. Code §§ 36-1-127; 36-1-128; 36-1-133**

Nonidentifying information may be released to the following:

- The adoptee who is age 18 or older
- The adoptive parents or guardian if the adoptee is under age 18
- The birth parent or legal relatives
- The lineal descendants of an adoptee
- The legal representative of any of the above persons

Identifying information is accessible to the following persons:

- An adoptee who is age 21 or older
- A birth parent or birth sibling
- The spouse, lineal ancestor, or lineal descendant of an adoptee
- The legal representative of any person listed above

### Access to Nonidentifying Information

**Citation: Ann. Code § 36-1-133**

To provide full disclosure about a child to be adopted from the guardianship of the Department of Children's Services, the department shall provide to the adoptive family the following categories of information, to the extent that they are available:

- Historical and current health, mental health, and behavioral health information
- Historical and current educational information
- Nationality, ethnic background, race, and religious preference
- Other information required for the adoptive family to evaluate its ability to provide appropriate care for the child, including daily routine, social and emotional well-being, and personality
- Relevant information about the child's experience in foster care and reasons for coming into care
- Pertinent prenatal and birth information, including birth date, time of birth, weight, and other physical characteristics at birth
- A general physical description, including height, weight, hair color, eye color, and any other information related to the child's physical appearance

The department also shall provide the following categories of nonidentifying information about the child's birth or legal family, to the extent that they are available:

- Historical and current health, mental health, and behavioral health information
- Historical and current educational and occupational information
- Nationality, ethnic background, race, and religious preference
- A general physical description, including height, weight, hair color, eye color, and any other information related to the physical appearance of the child's birth or legal family



Nothing in this section shall be construed to authorize or require the release of information that may lead to the discovery of the identity or location of the birth or legal relatives of the child to be adopted.

#### **Mutual Access to Identifying Information**

**Citation: Ann. Code §§ 36-1-128; 36-1-129**

The department shall maintain a contact veto registry for permitting registration of the willingness or unwillingness of the persons listed above for contact with persons eligible to have access to records. The registry shall contain the following information:

- The name of each person who has filed a contact veto or who has given consent for contact
- The address and telephone number of the person
- The date and place of birth of the person, if known
- Any persons whom the person who files a contact veto wishes to exclude from the application of the contact veto
- The name, address, and telephone number of the person requesting contact
- The method of contact, if any, to which the person consents, including contact through one or more third parties
- Any other information that eligible parties wish to release to the other eligible parties

A person eligible to file a contact veto or give consent for contact may notify the department in writing that such person does or does not object to contact being made with such person by any person or group of persons who are eligible to establish contact.

As part of the surrender for adoption, a birth parent or guardian shall indicate whether he or she wishes to file a contact veto or give consent for further contact. By filing a contact veto, a person is entitled to notification of any inquiry requesting contact with the filing person.

#### **Access to Original Birth Certificate**

**Citation: Ann. Code § 36-1-130**

The original birth certificate is available to parties who have established their eligibility to have access to adoption records.

#### **Where the Information Can Be Located**

Tennessee Contact Veto Registry

## **TEXAS**

*Current Through December 2019*

#### **Who May Access Information**

**Citation: Fam. Code §§ 162.0062; 162.406**

Nonidentifying information may be provided to the following:

- The adoptive parents
- The adult adoptee

Identifying information may be accessed by the following:

- The adoptee who is age 18 or older

- A birth parent
- An alleged father who acknowledges paternity
- A birth sibling who is age 18 or older

### **Access to Nonidentifying Information**

**Citation: Fam. Code § 162.0162**

The prospective adoptive parents of a child are entitled to examine the records and other information relating to the history of the child. The Department of Family and Protective Services, licensed child-placing agency, or other person placing the child for adoption shall edit the records and information to protect the identity of the birth parents and any other person whose identity is confidential. If a child is placed with a prospective adoptive parent prior to adoption, the prospective adoptive parent is entitled to examine any record or other information relating to the child's health history. The records must include any records relating to an investigation of abuse in which the child was an alleged or confirmed victim of sexual abuse while residing in a foster home or other residential child care facility.

If the prospective adoptive parents of a child have reviewed the health, social, educational, and genetic history report for the child and indicated that they want to proceed with the adoption, the department may, but is not required to, allow the prospective adoptive parents to examine the records and other information relating to the history of the child, unless the prospective adoptive parents request the child's case record. The department shall provide the child's case record to the prospective adoptive parents on their request.

The adoptive parents and the adopted child, after the child is an adult, are entitled to receive copies of the records that have been edited to protect the identity of the birth parents and any other person whose identity is confidential and other information relating to the history of the child maintained by the department, licensed child-placing agency, person, or entity placing the child for adoption. It is the duty of the person or entity placing the child for adoption to edit the records and information to protect the identity of the birth parents and any other person whose identity is confidential.

At the time an adoption order is rendered, the court shall provide to the parents of an adopted child information provided by the Vital Statistics Unit that describes the functions of the voluntary adoption registry under subchapter E. The licensed child-placing agency shall provide to each of the child's birth parents known to the agency the information when the parent signs an affidavit of relinquishment of parental rights or affidavit of waiver of interest in a child. The information shall include the right of the child or birth parent to refuse to participate in the registry. If the adopted child is age 14 or older, the court shall provide the information to the child.

### **Mutual Access to Identifying Information**

**Citation: Fam. Code §§ 162.407; 162.413; 162.414; 162.416**

The persons listed above may register with a mutual consent voluntary adoption registry. A registration remains in effect until the 99th anniversary of the date the registration is accepted, unless a shorter period is specified by the applicant or the registration is withdrawn. A registrant may withdraw his or her registration in writing at any time.

The applicant must participate in counseling for not less than 1 hour with a social worker or mental health professional with expertise in postadoption counseling before the release of confidential information.

The administrator shall process each registration in an attempt to match the adoptee, the birth parents, and the birth siblings. The administrator shall determine that there is a match if the adult adoptee and the birth mother, father, or sibling has registered.

When a match has been made, the administrator shall mail to each registrant a written notice that does the following:

- Informs the registrant that a match has been made
- Reminds the registrant that he or she may withdraw the registration before disclosures are made, if desired
- Notifies the registrant that before any identifying disclosures are made, he or she must sign a written consent and participate in counseling

Identifying information about a registrant shall be released without the registrant's having consented to disclosure after the match if the registrant is dead, his or her registration was valid at the time of death, and he or she had in writing specifically authorized the postdeath disclosure. Identifying information about a deceased birth parent may not be released until each surviving child is an adult or until each child's surviving parent or guardian consents in writing to the disclosure.

#### **Access to Original Birth Certificate**

**Citation: Health & Safety Code § 192.008**

An adult adoptee who is applying for access to the person's original birth certificate and who knows the identity of each parent named on the original birth certificate is entitled to a noncertified copy of the original birth certificate without obtaining a court order.

#### **Where the Information Can Be Located**

Texas Vital Statistics Central Adoption Registry

## **UTAH**

*Current Through December 2019*

#### **Who May Access Information**

**Citation: Ann. Code §§ 78B-6-143; 78B-6-144**

Nonidentifying information is available to the following persons:

- The adoptive parents
- The adoptee's legal guardian if the adoptive parents are deceased
- The adoptee
- If the adoptee is deceased, the adoptee's spouse, if the spouse is the parent or guardian of the adoptee's child
- The adoptee's child or descendant
- The adoptee's birth parent or adult birth sibling

Identifying information is accessible to the following:

- The adult adoptee
- Birth parents
- A birth sibling who is age 18 or older

#### **Access to Nonidentifying Information**

**Citation: Ann. Code § 78B-6-143**

Upon finalization of an adoption in this State, the person who proceeded on behalf of the petitioner for adoption or a child-placing agency, if an agency is involved in the adoption, shall file a report with the Office

of Vital Records and Statistics, in the form established by the office. The report shall include a detailed health history and a genetic and social history of the adoptee but may not contain identifying information or any information that identifies the adoptee's birth parents or members of their families.

A child-placing agency may provide a copy of the report and information in the child-placing agency's files, except identifying information, to an adult adoptee, a birth parent, or an adoptive parent.

### **Mutual Access to Identifying Information**

**Citation: Ann. Code §§ 78B-6-143; 78B-6-144**

Identifying information may be released to the extent that the individual who is the subject of the information provides written authorization of the information's release.

The adult adoptee and birth parents, upon presentation of positive identification, may request identifying information from the adoption registry maintained by the office. The office may release identifying information only when it receives requests from both the adoptee and the birth parent. After matching the request of an adult adoptee with that of at least one birth parent, the office shall notify both the adoptee and the birth parent that the requests have been matched and disclose the identifying information to those parties. However, if the adult adoptee has a sibling of the same birth parent who is under age 18, and who was raised in the same family setting as the adult adoptee, the office may not disclose the requested identifying information to that adult adoptee or the birth parent.

Adult adoptees and adult siblings, upon presentation of positive identification, may request identifying information from the registry, following the same procedure outlined above.

Information registered with the office is available only to a registered adult adoptee and his or her registered birth parent or registered adult sibling. The office may not disclose information regarding a birth parent who has not registered a request with the office.

### **Access to Original Birth Certificate**

**Citation: Ann. Code §§ 78B-6-103(3); 78B-6-141**

An 'adoption document' is an adoption-related document filed with the office, a petition for adoption, a decree of adoption, an original birth certificate, or evidence submitted in support of a supplementary birth certificate.

An adoption document is sealed and may only be open to inspection and copying as follows:

- By a party to the adoption proceeding while the proceeding is pending or within 6 months after the adoption decree is entered
- When a court enters an order permitting access to the documents by a person who has appealed the denial of that person's motion to intervene
- Upon order of the court expressly permitting inspection or copying, after good cause has been shown
- As provided under § 78B-6-144
- When the adoption document becomes public on the 100th anniversary of the date the final decree of adoption was entered
- When the birth certificate becomes public on the 100th anniversary of the date of birth
- To a mature adoptee or a parent who adopted the mature adoptee without a court order, unless the final decree of adoption is entered by the juvenile court under § 78B-6-115(3)(b)
- To an adult adoptee, to the extent permitted below

For an adoption finalized on or after January 1, 2016, a birth parent may elect, on a written consent form provided by the office, to permit identifying information about the birth parent to be made available for inspection by an adult adoptee. A birth parent may, at any time, change the election or elect to make other information about the birth parent, including an updated medical history, available for inspection by an adult adoptee.

A birth parent may not access any identifying information or an adoption document under this subsection.

### **Where the Information Can Be Located**

Utah Adoption Reunion Registry

## **VERMONT**

*Current Through December 2019*

### **Who May Access Information**

**Citation: Ann. Stat. Tit. 15A, §§ 6-104; 6-105**

Nonidentifying information is available to the following:

- The adoptive parent or legal guardian of an adoptee
- The adoptee who is age 18 or older or has been emancipated
- A deceased adoptee's direct descendant who is age 18 or older, or a parent or guardian of a descendant who is under age 18
- The adoptee's birth parent, grandparent, or sibling

Identifying information may be disclosed to the following:

- An adoptee who is age 18 or older or has been emancipated
- A deceased adoptee's direct descendant who is age 18 or older or the parent or guardian of a direct descendant who is younger than age 18
- The birth parent
- A birth sibling who is age 18 or older

### **Access to Nonidentifying Information**

**Citation: Ann. Stat. Tit. 15A, §§ 6-104; 2-105**

Any person listed above may request a detailed summary of any relevant report about the adoptee, the birth parents, and the adoptee's genetic history, including the information required by § 2-105 of this title. This report shall exclude identifying information concerning an individual who has not signed a waiver of confidentiality. The report shall include all the following nonidentifying information that is reasonably available:

- A social and health history of the child
- Any physical, sexual, or emotional abuse known to have been experienced by the child
- Enrollment and performance in school, results of educational testing, and any special educational needs
- An account of the child's past and existing relationships with any relative, foster parent, or other persons
- A social and health history of the minor's parents and extended family, including the following:
  - Health and genetic history, including any known hereditary condition or disease
  - Racial, ethnic, and religious background and general physical description
  - Educational, vocational, athletic, artistic, or scientific achievement or interests
  - The existence of any other child of the parents

### **Mutual Access to Identifying Information**

**Citation: Ann. Stat. Tit. 15A, §§ 6-105; 6-106**

For adoptions finalized prior to July 1, 1986, the registry shall disclose identifying information if the birth parent has filed any kind of document that clearly indicates that he or she consents to such disclosure.

For adoptions finalized on or after July 1, 1986, the registry shall disclose identifying information without requiring the consent of the birth parent, unless the birth parent has filed a request for nondisclosure in accordance with the provisions of § 6-106 of this title and has not withdrawn the request.

Identifying information about the adoptee shall be disclosed to the birth parent if the adoptive parent of the adoptee who is younger than age 18 consents to the disclosure. Identifying information about a deceased adoptee shall be disclosed to the birth parent or sibling upon request if the deceased adoptee's direct descendant is age 18 or older and consents to the disclosure, or the parent or guardian of a direct descendant who is younger than age 18 consents to the disclosure. Identifying information about a birth sibling shall be disclosed to the adoptee upon request if both the sibling and the adoptee are age 18 or older and the sibling consents to disclosure.

A birth parent may prevent disclosure of identifying information by filing a request for nondisclosure with the registry. A request for nondisclosure may be withdrawn by a birth parent at any time.

### **Access to Original Birth Certificate**

**Citation: Ann. Stat. Tit. 15A, § 6-107**

The original birth certificate may be released upon request to an adoptee who is age 18 or older and who has access to identifying information.

The original birth certificate is unsealed and becomes public record 99 years after the date of the adoptee's birth.

### **Where the Information Can Be Located**

Vermont Adoption Registry

## **VIRGIN ISLANDS**

*Current Through December 2019*

### **Who May Access Information**

**Citation: Ann. Code Tit. 16, § 145**

The adult adoptee may access information related to his or her adoption.

### **Access to Nonidentifying Information**

This issue is not addressed in the statutes reviewed.

### **Mutual Access to Identifying Information**

**Citation: Ann. Code Tit. 16, § 145**

All records and files are sealed and are not available to anyone other than the adoptee upon attaining majority or upon order of the court.

### **Access to Original Birth Certificate**

**Citation:** Ann. Code Tit. 16, § 145

The original birth record is not available to anyone other than the adoptee after attaining majority or upon order of the court.

### **Where the Information Can Be Located**

This issue is not addressed in the statutes reviewed.

## **VIRGINIA**

*Current Through December 2019*

### **Who May Access Information**

**Citation:** Ann. Code §§ 63.2-1246; 63.2-1247

Nonidentifying information may be disclosed to the following:

- The adoptee who is age 18 or older
- The licensed or authorized child-placing agencies providing services to the child
- The adoptive parents

Identifying information may be released to the following:

- The adoptee who is age 21 or older
- The birth parents
- An adult birth sibling

### **Access to Nonidentifying Information**

**Citation:** Ann. Code § 63.2-1246

Nonidentifying information shall not be open to inspection or be copied by anyone other than those listed above, except upon the order of a circuit court upon good cause shown.

### **Mutual Access to Identifying Information**

**Citation:** Ann. Code § 63.2-1247

For adoptions finalized on or after July 1, 1994, the following requests for disclosure of identifying information are permitted in the following circumstances:

- The adoptee who is age 21 or older may apply for information about the birth family.
- The birth parents and adult birth siblings may apply for information about the adoptee.
- When the adoptee is under age 18, the adoptive parents or other legal custodian of the child may apply for information about the birth family.

The Commissioner of Social Services shall designate the person or agency that prepared the home study to attempt to locate and advise the person whose information is sought of the application. The designated person or agency shall report the results of the attempt to locate and advise the adoptee to the commissioner, including the effects that disclosure of the identifying information may have on the adoptee, the adoptive parents, and the birth family. The adoptee and the birth family may submit to the commissioner, and the commissioner shall consider, written comments stating the effect that the disclosure of identifying information may have upon any party. Upon a showing of good cause, the commissioner shall disclose the identifying

information. When consent of the person being sought is not obtainable due to death or mental incapacity, the circuit court may release identifying information to the person making the request. In making this decision, the circuit court shall consider the needs and concerns of all persons involved.

In parental placement adoptions, where the consent to the adoption was executed on or after July 1, 1994, the entire adoption record shall be open to the adoptive parents, the adoptee who is age 18 or older, and the birth parent who executed a written consent.

#### **Access to Original Birth Certificate**

**Citation: Ann. Code § 32.1-261**

Upon receipt of notice of a decision or order granting an adult adoptee access to identifying information regarding his or her birth parents from the Commissioner of Social Services or a circuit court, and proof of identification and payment, the State registrar shall mail an adult adoptee a copy of the original certificate of birth.

#### **Where the Information Can Be Located**

Virginia Department of Social Services, Adoption Disclosure

## **WASHINGTON**

*Current Through December 2019*

#### **Who May Access Information**

**Citation: Rev. Code §§ 26.33.340; 26.33.343**

Nonidentifying information is available to the following persons:

- An adoptive parent
- An adoptee
- A birth parent

Identifying information may be accessed by the following persons:

- An adoptee who is age 21 or older, or under 21 with the permission of the adoptive parent
- A birth parent or member of the birth parent's family after the adoptee has reached age 21

These family members shall be limited to the birth grandparents, a brother or sister of a birth parent, or the child of a birth parent. The court, for good cause shown, may allow a relative more distant in degree to petition for disclosure.

#### **Access to Nonidentifying Information**

**Citation: Rev. Code §§ 26.33.340; 26.33.380**

Reasonably available nonidentifying information may be disclosed upon a written request to the persons listed above. If the adoption facilitator refuses to disclose such information, the individual may petition the superior court.

The prospective adoptive parent shall be given a family background and child and family social history report about the child. The report shall include a chronological history of the circumstances surrounding the adoptive placement and any available psychiatric reports, psychological reports, court reports pertaining to dependency



or custody, or school reports. Such reports or information shall not reveal the identity of the birth parents of the child but shall contain reasonably available nonidentifying information.

### **Mutual Access to Identifying Information**

**Citation: Rev. Code §§ 26.33.343; 26.33.347**

Any person listed above may petition the court to appoint a confidential intermediary. The intermediary shall search for and discreetly contact the birth parent or adoptee; or, if they are not alive or cannot be located within 1 year, the intermediary may attempt to locate members of the birth parents' or adoptee's family.

If the person is located, the intermediary will ask whether the person consents to a disclosure of identifying information. If the person refuses to consent, the intermediary shall report the refusal to the court and shall refrain from further inquiry without judicial approval. If the person being sought consents to disclosure of his or her identity, the court may then order that the identifying information be released. If the person being sought is deceased, the court may order disclosure of the identity of the deceased to the petitioner.

An adoptee age 18 or older may file with the Department of Health a certified statement declaring any one or more of the following:

- The adoptee refuses to consent to the release of any identifying information to a birth parent, birth sibling, or other birth relative and does not wish to be contacted by a confidential intermediary except in the case of a medical need.
- The adoptee consents to the release of identifying information to a confidential intermediary, a birth parent, birth sibling, or other birth relative.
- The adoptee desires to be contacted by his or her birth parents, birth siblings, other birth relatives, or a confidential intermediary.

An adoptee who files a certified statement may subsequently file another statement requesting to rescind or amend the prior statement.

### **Access to Original Birth Certificate**

**Citation: Rev. Code § 26.33.345**

A noncertified copy of the original birth certificate is available to the birth parent upon request.

For adoptions finalized after October 1, 1993, the Department of Health shall provide a noncertified copy of the original birth certificate, upon request, to an adoptee who is age 18 or older, unless the birth parent has filed an affidavit of nondisclosure before July 28, 2013, or a contact preference form that indicates he or she does not want the original birth certificate released, provided that the affidavit of nondisclosure, the contact preference form, or both have not expired.

For adoptions finalized on or before October 1, 1993, the department may not provide a noncertified copy of the original birth certificate to the adoptee until after June 30, 2014. After June 30, 2014, the department shall provide a noncertified copy of the original birth certificate upon request to an adoptee who is age 18 or older, unless the birth parent has filed a contact preference form that indicates he or she does not want the original birth certificate released, provided that the contact preference form has not expired.

An affidavit of nondisclosure expires upon the death of the birth parent.

### **Where the Information Can Be Located**

Washington State Adoption Archives

## WEST VIRGINIA

*Current Through December 2019*

### **Who May Access Information**

**Citation: Ann. Code §§ 48-23-601; 48-23-402**

Nonidentifying information may be provided to the following:

- The adoptive parents or, in the event of death of the adoptive parents, the child's guardian
- The adoptee who is age 18 or older
- The birth parent

If the adoptee is deceased, nonidentifying information may be provided to the following:

- The adoptee's spouse if he or she is the legal parent of the adoptee's child or the guardian of any child of the adoptee
- Any progeny of the adoptee who is age 18 or older

Identifying information may be obtained through the mutual consent voluntary adoption registry by the following:

- The birth parent when the child is age 18 or older
- The adult adoptee except when there is a sibling in his or her adoptive family who is under age 18

### **Access to Nonidentifying Information**

**Citation: Ann. Code § 48-23-601**

Prior to placement for adoption, the agency shall compile and provide to the prospective adoptive parents a detailed written health history and genetic and social history of the child. These histories must exclude information that would identify birth parents or members of a birth parent's family.

Records containing such nonidentifying information shall be retained by the clerk of the court for 99 years and shall be available upon request, together with any additional nonidentifying information that may have been added on health or genetic and social history, to any person listed above.

### **Mutual Access to Identifying Information**

**Citation: Ann. Code §§ 48-23-501 through 48-23-504; 48-22-702**

The adult adoptee and each birth parent may register by submitting an affidavit to the registry. The failure of any person to file with the registry for any reason, including death or disability, precludes the disclosure of identifying information to those persons who do register.

Upon registering, the registrant must participate in no less than 1 hour of counseling with a social worker.

In any case where the identity of the birth father was unknown to the birth mother, or one or both birth parents are deceased, this information shall be shared with the adult adoptee. In these cases, the adoptee will not be able to obtain identifying information through the registry.

The affidavit must include, if known, the following:

- The current name and address and any previous name by which the person was known
- The child's original and adopted names
- The place and date of the child's birth
- The name and address of the agency that placed the child

The administrator of the registry shall process each affidavit in an attempt to match the adoptee and the birth parents. There is a match when the adult adoptee and the birth parent have each registered and received the required counseling. When a match has taken place, the department shall directly notify all parties through a direct and confidential contact.

If an adoptee or a parent of a minor adoptee cannot obtain identifying information by use of the registry, identifying information may be sought by petitioning the court. If the court is unable to obtain consent from either of the birth parents, the court may release identifying information to the adoptee if at a hearing the court finds there is evidence of compelling medical or other good cause for release of such identifying information.

#### **Access to Original Birth Certificate**

**Citation: Ann. Code § 16-5-18**

The State registrar shall establish a new certificate of birth for a person born in West Virginia when he or she receives a certificate of adoption or a certified copy of the order of adoption, together with the information necessary to identify the original certificate of birth and to establish a new certificate of birth.

A new certificate of birth shall show the actual city, county, and date of birth, if known, and shall be substituted for the original certificate of birth on file. The original certificate of birth and the evidence of adoption may be inspected only upon order of a court of competent jurisdiction, except as provided by legislative rule or as otherwise provided by State law.

#### **Where the Information Can Be Located**

West Virginia Mutual Consent Voluntary Adoption Registry

## **WISCONSIN**

*Current Through December 2019*

#### **Who May Access Information**

**Citation: Ann. Stat. §§ 48.432; 48.433**

Nonidentifying information may be provided to the following:

- The adoptee who is age 18 years or older
- The adoptive parent
- The guardian or legal custodian of an adoptee
- The offspring of an adoptee if the requester is age 18 or older
- An agency or social worker assigned to provide services to the adoptee or place the child for adoption

Identifying information may be accessed by the adoptee who is age 18 or older.

#### **Access to Nonidentifying Information**

**Citation: Ann. Stat. §§ 48.432; 48.433**

Whenever any person listed above wishes to obtain medical and genetic information about a birth parent who consented to his or her child's adoption before February 1, 1982, and the information is not on file with the Department of Children and Families or licensed child welfare agency, the person may request that the department or agency conduct a search for the birth parents to obtain the information.

If a birth parent is located but refuses to provide the information requested, the department or agency shall notify the requester without disclosing the birth parents identity or location, and the requester may petition the circuit court to order the birth parent to disclose the information. If the department or another agency that maintains records relating to the adoption receives a report from a physician stating that a birth parent or another offspring of the birth parent has acquired or may have a genetically transferable disease, the department or agency shall notify the adoptee of the existence of the disease, if he or she is age 18 or older, or notify the adoptee's guardian or adoptive parent if he or she is younger than age 18.

If the department or agency may not disclose the identifying information requested per § 48.433, it shall provide the requester with any nonidentifying social history information about either of the birth parents that it has on file.

### **Mutual Access to Identifying Information**

**Citation: Ann. Stat. § 48.433**

The birth parent may file an affidavit authorizing the release of any available information about the birth parent's identity and location. An affidavit may be revoked at any time by notifying the department or agency in writing.

Any person age 18 or older whose birth parent's rights have been terminated in this State or who has been adopted in this State with the consent of his or her birth parent or parents before February 1, 1982, may request the department or agency to provide the person with any available information regarding the identity and location of his or her birth parents. The requested information may be disclosed if the department or agency has on file unrevoked affidavits from both birth parents, or if one of the birth parents was unknown and the known birth parent has filed an unrevoked affidavit.

If the department or agency does not have on file an affidavit from each known birth parent, it shall, within 3 months after the date of the original request, search for each birth parent who has not filed an affidavit. If the birth parent is contacted and files an affidavit, the department shall disclose the requested information. If the birth parent does not file the affidavit, the department may not disclose the information. If, after a search, a known birth parent cannot be located, the department may disclose the requested information if the other birth parent has filed an unrevoked affidavit.

If a birth parent is known to be dead, the department or agency, in addition to any available information regarding the identity and location of the birth parents, shall provide the requester with any nonidentifying social history information about the deceased parent on file with the department or agency.

Any person age 18 or older whose birth parent's rights have been terminated in this State or who has been adopted in this State with the consent of his or her birth parent or parents before February 1, 1982, may file with the department or agency an affidavit authorizing the department or agency to provide the person's birth parent with any available information about the identity and location of the person. An affidavit filed under this subsection may be revoked at any time by notifying the department or agency in writing.

Any birth parent whose rights have been terminated in this State at any time, or who has consented to the adoption of his or her child in this State before February 1, 1982, may request the department or agency to provide him or her with any available information about the identity and location of any person age 18 or older who was or may have been his or her child. Before acting on the request, the department or agency shall require the requester to provide adequate identification.

If the department or agency has on file an unrevoked affidavit filed by a person age 18 or older who was or may have been a child of the requester, the department or agency shall disclose the information requested related to the person who filed the affidavit. In disclosing information, the department or agency may not disclose any information that would reveal the identity or location of a birth parent other than the birth parent requesting the information.

The requester may petition the court to order the release of any information that may not be disclosed under this section.

### **Access to Original Birth Certificate**

**Citation: Ann. Stat. § 48.433**

Any birth parent whose rights have been terminated in this State at any time, or who has consented to the adoption of his or her child in this State before February 1, 1982, may file with the department or agency an affidavit authorizing the department or agency to provide the child with his or her original birth certificate and with any other available information about the birth parent's identity and location. An affidavit may be revoked at any time by notifying the department or agency in writing.

Any person age 18 or older whose birth parent's rights have been terminated in this State or who has been adopted in this State with the consent of his or her birth parent or parents before February 1, 1982, may request the department or agency to provide the person with the person's original birth certificate.

If a birth parent is known to be deceased, the department or agency shall so inform the requester. The department or agency shall provide the requester with the identity of the deceased parent. If both birth parents are known to be deceased, the department or agency shall provide the requester with his or her original birth certificate. If only one birth parent is known to be deceased, the department or agency shall provide the requester with his or her original birth certificate and any available information it has on file regarding the identity and location of the other birth parent if the other birth parent has filed an unrevoked affidavit allowing disclosure.

### **Where the Information Can Be Located**

Adoption Records Search Program

## **WYOMING**

*Current Through December 2019*

### **Who May Access Information**

**Citation: Ann. Stat. §§ 1-22-116; 1-22-203**

Nonidentifying medical information may be provided to the following persons:

- The adoptive parent
- The adult adoptee

Identifying information may be accessed by the following:

- The adult adoptee
- The adoptive parent
- The birth parent, sibling, or grandparent

All parties must be age 18 or older.

### **Access to Nonidentifying Information**

**Citation: Ann. Stat. § 1-22-116**

To the extent available, the medical history of the adoptive child and his or her birth parents, with information identifying the birth parents eliminated, shall be provided to the child's adoptive parent any time after the adoption decree or to the child after he or she attains the age of majority. The history shall include, but not be limited to, all available information regarding conditions or diseases believed to be hereditary, any drugs or medication taken during pregnancy by the birth mother, and any other information that may be a factor influencing the child's present or future health.

### **Mutual Access to Identifying Information**

**Citation: Ann. Stat. § 1-22-203**

Any person listed above may petition the court to appoint one or more confidential intermediaries for the purpose of determining the whereabouts of an unknown birth relative, except that no one shall seek a relative who is a minor. Any information obtained by the intermediary shall be kept strictly confidential and shall be utilized only for the purpose of arranging a contact between the individual who initiated the search and the sought-after birth relative.

The following actions shall be taken when a sought-after relative is located:

- Contact shall be made between the parties only when written consent for such contact has been obtained from both parties and filed with the court.
- If consent for personal communication is not obtained from both parties, all relinquishment and adoption records and any information obtained by any confidential intermediary during the course of his or her investigation shall be returned to the court and shall remain confidential.

### **Access to Original Birth Certificate**

**Citation: Ann. Stat. § 35-1-417**

The original birth certificate is not subject to inspection except by court order.

### **Where the Information Can Be Located**

Wyoming Waiting Children



U.S. Department of Health and Human Services  
Administration for Children and Families  
Administration on Children, Youth and Families  
Children's Bureau



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