



State Statutes Series 2004

Access to Family Information by Adopted Persons: Summary of State Laws

Nonidentifying Information

In nearly all States, adoption records are sealed and withheld from public inspection after the adoption is finalized. To maintain the confidentiality of these records, most States have instituted procedures by which parties to an adoption may obtain nonidentifying and identifying information from an adoption record, while still protecting the interests of all parties.

Nonidentifying information is generally limited to descriptive details about an adopted person and the adopted person's birth relatives. Nonidentifying information may include the following:

- Date and place of the adopted person'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 occupation at the time of the adoption
- Reason for placing child for adoption
- Existence of other children born to each birth parent

Nearly all States allow the adopted person to have access to nonidentifying information about birth relatives, generally upon written request. The adopted person must be an adult, usually at least 18 years of age, before he or she may access this information. Approximately¹ 37 States² and American Samoa have provisions in statute that allow access to nonidentifying information to an adoptive parent or a guardian of an adopted person who is still a minor. Some States³ allow birth parents access to nonidentifying information, and some States⁴ give such access to adult birth siblings. Additionally, States are allowed to charge a reasonable fee for providing the information. Policies on what information is collected and how that information is maintained and disclosed vary from State to State.

¹ The word *approximately* is used to stress the fact that the States frequently amend their laws, so this information is current only through June 2004.

² Idaho, Iowa, Kentucky, Maryland, Nebraska, Nevada, New Jersey, New York, Oklahoma, Oregon, Rhode Island, South Carolina, and Wisconsin do not provide in statute for access to nonidentifying information for adoptive parents.

³ All but 14 States (Alaska, Connecticut, Hawaii, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New Mexico, North Carolina, Pennsylvania, Texas, Virginia, and West Virginia), allow access to nonidentifying information to birth parents.

⁴ Approximately 21 States allow access to nonidentifying information to adult birth siblings: Arizona, Idaho, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Michigan, Mississippi, New Mexico, New York, Ohio (if the birth parent is deceased), Oklahoma, Oregon, Rhode Island, South Carolina, Utah, Vermont, and Wyoming.



Identifying Information

Restrictions on Release of Nonidentifying Information

A few jurisdictions are more restrictive about the release of information from adoption records. New Jersey and Guam require a party to obtain a court order before any information can be released. In Indiana and Pennsylvania, the person whose information is being sought must provide consent before information about him or her can be released. In Colorado, any party to the adoption can request that information not be disclosed.

The statutes in Illinois and Kansas allow the adoptive parents to receive medical and family information about the birth family. In addition, the adoptive parents may request the department to contact the birth parents any time, postadoption, for additional health information when there is a medical need.

Identifying information is considered to be data that may lead to the positive identification of an adopted person, birth parents, or other birth relatives. Identifying information includes the current name of the person, but usually also includes an address or other contact information so that adopted persons and birth relatives can use the information to arrange personal contact with one another. The statutes in nearly all States⁵ permit the release of identifying information when the person whose information is sought has consented to the release.

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 system whereby individuals directly involved in adoptions can indicate their willingness or unwillingness to have their identifying information disclosed.⁶ Approximately 33 States⁷ have established some form of a mutual consent registry. Procedures for mutual consent registries vary significantly from State to State. Most registries require consent of at least one birth parent and an adopted person over the age of 18 or 21, or of adoptive parents of an adopted person who is still a minor, in order to release identifying information. Currently, 26 of the States⁸ that have registries require the parties seeking to exchange information to file affidavits consenting to release of their personal information. However, seven States⁹ will release information from the registry upon request, unless the affected party has filed an affidavit requesting nondisclosure.¹⁰

Approximately 22 States¹¹ allow biological siblings of the adopted individual to seek and release identifying information upon mutual consent. No consent is required for adopted persons in Louisiana and Texas to receive identifying information about birth parents who are deceased. Many States ask a birth parent to specify at the time of consent or relinquishment whether they are willing to have their identity disclosed to the adopted

⁵ The statutes in American Samoa and Puerto Rico do not currently address the issue of release of identifying information.

⁶ Christine Adamec & William L. Pierce, *The Encyclopedia of Adoption* 184 (Facts on File, Inc. 2000).

⁷ Arkansas, Colorado, Connecticut, Delaware, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Louisiana, Maine, Maryland, Michigan, Minnesota, Missouri, Nevada, New Mexico, New York, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, West Virginia, and Wisconsin.

⁸ Arkansas, Colorado, Connecticut, Georgia, Idaho, Illinois, Iowa, Louisiana, Maine, Maryland, Missouri, Nevada, New Mexico, New York, North Dakota, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, West Virginia, and Wisconsin.

⁹ Delaware, Hawaii, Indiana, Michigan, Minnesota, Ohio, and Vermont.

¹⁰ In Indiana, this applies only to adoptions finalized after 12/31/93. In Michigan, this applies only to adoptions finalized on or after 9/12/80. In Vermont, this applies only to adoptions finalized on or after 7/1/86. For adoptions finalized prior to those dates, consent must be on file.

¹¹ Arizona, California, Idaho, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Michigan, Mississippi, Montana, Nevada, New Mexico, New York, Oklahoma, Oregon, Rhode Island, Tennessee, Utah, Vermont, and Wyoming.

person when he or she is age 18 or 21.¹² If consent is not on file, the information may not be released without a court order documenting good cause to release the information.¹³ 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.

Some States have imposed some limitations on the release of identifying information. Mississippi and South Carolina require the adopted person to undergo counseling about the possible consequences of contact with his or her family before any information is disclosed. In Connecticut, release of identifying information is prohibited if it is determined that the requested information would be seriously disruptive to any of the parties involved.

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 States¹⁴ have a type of search and consent procedure called a confidential intermediary system. In 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 States¹⁵ use an affidavit system through which birth family members can file either their consent to the release of identifying information or a nonconsent to register his or her refusal to be contacted or to release identifying information. The written permission may be referred to as a consent, waiver, or authorization form.

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. In the past, nearly all States required a court order for adopted persons to gain access to their original birth certificates. In approximately 28 States,¹⁶ the District of Columbia, American Samoa, Guam, and Puerto Rico, a court order is still required to gain access to the original birth certificate, but in many States, the laws are changing to allow easier access to these records. Some of the methods now available include:

- Available through court order when all parties have consented¹⁷
- Available upon request to the adult adopted person¹⁸
- Available upon request to the adopt adopted person unless the birth parent has filed an affidavit denying release of confidential records¹⁹

¹² Joan H. Hollinger et al., *Adoption Law and Practice* § 13-A.01 (2001).

¹³ In New Jersey, the District of Columbia, Guam, and the Virgin Islands, identifying information can be released only by order of the court.

¹⁴ New Mexico, Oklahoma, Washington, and Wyoming.

¹⁵ Alabama, Alaska, Arizona, California, Florida, Kansas, Kentucky, Massachusetts, Mississippi, Montana, Nebraska, New Hampshire, North Carolina, Northern Mariana Islands, and Virginia.

¹⁶ Arizona, Arkansas, California, Colorado, Connecticut, Florida, Georgia, Hawaii, Iowa, Kentucky, Louisiana, Maine, Massachusetts, Montana, Nevada, New Jersey, New Mexico, New York, North Carolina, Ohio, Oregon, South Carolina, South Dakota, Texas, Utah, Virginia, West Virginia, and Wyoming.

¹⁷ Minnesota, North Dakota, and the Northern Mariana Islands.

¹⁸ Alabama (at age 19), Alaska (at age 18), Kansas, Maryland (at age 21), New Hampshire (effective 1/1/05), and the Virgin Islands.

- Available to persons who have established their eligibility to receive identifying information through a State adoption registry²⁰
- Available when consents to release of identifying information from the birth parents are on file²¹

For contact information for the State agency or department that assists adopted persons in accessing adoption records, go to the National Adoption Information Clearinghouse's National Adoption Directory (<http://naic.acf.hhs.gov/general/nad/index.cfm>) and search under State Reunion Registry or State Confidential Intermediary Service.

This publication is a product of the State Statutes Series prepared by the National Adoption Information Clearinghouse (NAIC). While every attempt has been made to be as complete as possible, 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.

Electronic copies of this publication may be downloaded from the Clearinghouse website at <http://naic.acf.hhs.gov/general/legal/statutes/infoaccessap.cfm>.

- To find statute information for a particular State, go to <http://naic.acf.hhs.gov/general/legal/statutes/search> and select the specific State and topic.
- To find information on all the States and Territories, view the complete PDF at <http://naic.acf.hhs.gov/general/legal/statutes/infoaccessapall.pdf> or call the Clearinghouse at (888) 251-0075 or (703) 352-3488 to order a copy.

¹⁹ Delaware, Montana (for adoptions finalized on or after 10/1/97), Nebraska (for adopted adults age 25 or older), Oklahoma (for adoptions finalized on or after 11/1/97 and there are no birth siblings under age 18 who have been adopted), and Washington (for adoptions finalized on or after 10/1/93).

²⁰ Idaho, Illinois (for adoptions finalized after 1/1/2000), Indiana (for adoptions finalized after 12/31/93), Michigan, Rhode Island, Tennessee, and Vermont.

²¹ Mississippi, Pennsylvania, and Wisconsin.

Alabama

Who May Access Information

Statute: § 26-10A-31

- Adoptive parents
- Birth parents
- Adopted person, age 19 or older

Note: Only the adopted person may access identifying information.

Access to Non-identifying Information

Statute: § 26-10A-31

Nonidentifying information limited to:

- Health and medical history of natural parents and adopted person
- General family background
- Physical descriptions
- Length of time child was in the custody of someone other than adoptive parents
- Circumstances resulting in adoption

Other details are available at the discretion of the court.

Mutual Access to Identifying Information

Statute: § 26-10A-31

Identifying information may be released if either birth parent gives consent in writing, or the adopted person may petition the court. The court will release the information after weighing the interest and rights of all the parties involved.

Access to Original Birth Certificate

Statute: § 22-9A-12(c)-(d)

- Available upon request to the adopted person age 19 or older. The noncertified copy may include other documents maintained with the record.
- The birth parent may file a contact preference form to accompany the original birth certificate.

Where the Information Can Be Located

- The State Department of Human Resources
- The licensed investigating agency appointed by the court per § 26-10A-19(b), (c)

Alaska

Who May Access Information

Statute: § 18.50.500

- Adopted person, age 18 or older
- Adoptive parent

Access to Non-identifying Information**Statute: § 18.50.510**

Information can be released at the request of adoptive parent or adopted person age 18 or older. Nonidentifying information includes:

- Age of birth parents at the adopted person's birth
- Heritage, including ethnic background and Tribal membership
- Medical history of birth parents and blood relatives
- Number of years of school completed by the birth parents when the adopted person was born
- Physical description of the birth parents, including height, weight, and color of eyes, hair, and skin
- Existence of other children of birth parents
- Religion of the birth parent
- Whether the birth parent was alive at the time of adoption
- Other information provided by birth parents for disclosure to the child, including photos and letters

Mutual Access to Identifying Information**Statute: §§ 18.50.500; 18.50.510**

- Upon request, the adopted person may have access to any change in the birth parent's name or address.
- Birth parents may access the most current name and address of an adopted person age 18 or older if consent is given.
- The information may include any documents provided by the birth parents for disclosure to the child, including photos, letters, etc.

Access to Original Birth Certificate**Statute: § 18.50.500**

Provided upon request to an adopted person age 18 or older

Where the Information Can Be Located

State Registrar of Vital Statistics, Department of Health and Social Services

American Samoa**Who May Access Information****Statute: § 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 Non-identifying Information**Statute: § 45.0414**

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

Mutual Access to Identifying Information

Not addressed in statutes reviewed

Access to Original Birth Certificate**Statute: § 45.0424**

Only made available upon a court order for good cause shown

Where the Information Can Be Located

Registrar of Vital Records

Arizona

Who May Access Information

Statute: § 8-129

- Adoptive parents or guardian
- Adopted person, age 18 or older
- Spouse or child of adopted person (if age 18 or older), if the adopted person is deceased
- Birth parents or other biological children of birth parents

Access to Non-identifying Information

Statute: §§ 8-121; 8-129

Upon request, the court may release nonidentifying information such as health and genetic history.

Mutual Access to Identifying Information

Statute: § 8-121

- The court shall not release identifying information unless a compelling need for disclosure is established or consent was previously obtained from the birth parents per § 8-106.
- An adopted person, age 18 or older, may file at any time with the court and agency giving, withholding, or withdrawing consent to release confidential information to the birth parents.

Access to Original Birth Certificate

Statute: §§ 36-322; 36-337(G)

Only made available upon a court order or as prescribed by rule

Where the Information Can Be Located

Arizona Confidential Intermediary Program, Arizona Supreme Court

Arkansas

Who May Access Information

Statute: § 9-9-504

- Adopted person
- Spouse or child of adopted person, if deceased
- Adoptive parents or guardian
- Birth parents
- Child welfare agency

Access contingent upon registration with Adoption Registry

Access to Non-identifying Information

Statute: § 9-9-505

Nonidentifying information such as health, genetic, and social history is accessible. The person requesting the information shall pay the reasonable cost of providing the information.

Mutual Access to Identifying Information**Statute: § 9-9-504**

- Identifying information may only be disclosed if each birth parent registers with the adoption registry by filing an affidavit.
- An adult adopted person may also voluntarily register with the adoption registry.
- Registry does not contain information regarding adoptive parents or siblings of an adopted person who are children of adoptive parents.

Access to Original Birth Certificate**Statute: § 20-18-406**

Available only upon a court order

Where the Information Can Be Located

- Arkansas Department of Human Services, Division of Child and Family Services, Mutual Consent Voluntary Adoption Registry
 - The licensed agency involved in the adoption
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California**Who May Access Information****Statute: Fam. Code § 9203**

- Adopted person, age 21 or older
- Birth parent of an adopted person age 21 or older
- Adoptive parent of a child under age 21

Access to Non-identifying Information**Statute: Fam. Code §§ 8706; 8817**

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

Mutual Access to Identifying Information**Statute: Fam. Code §§ 9201; 9203; 9205; 9206**

- Identifying information such as name and current address of birth parents or an adopted person may be released upon request if consent in writing has been previously given.
- Information will only be released to adoptive parents if court finds that a medical necessity or other extraordinary circumstance justifies disclosure.
- Information about a birth sibling may be released to another sibling provided both are age 21 or older and have provided a written waiver.
- Photos or letters, and other personal property should be released if requested, if the adopted person is age 18 or older and other conditions have been met.
- A reasonable fee may be charged for processing the request.

Access to Original Birth Certificate**Statute: Health & Safety Code § 102705**

Available by order of a court

Where the Information Can Be Located

- California Department of Social Services, Adoption Branch
 - Licensed adoption agency
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Colorado**Who May Access Information****Statute: §§ 19-5-304; 19-5-305**

- Adult adopted person
- Birth parents
- Adoptive parent or legal guardian of a minor adopted person
- Adult descendant of adopted person
- Biological grandparent with consent of birth parent
- The legal representative of any of the above listed persons

Access to Non-identifying Information**Statute: § 19-5-305**

- Prior to 9/1/99: access is available through a confidential intermediary who must obtain consent from the parties before release of information.
- After 9/1/99: adoption records are open to persons with access for inspection and copying, unless a party has requested that they remain confidential.
- Nonidentifying information is defined by § 19-1-103.

Mutual Access to Identifying Information**Statute: §§ 19-5-305; 25-2-113.5**

- Upon inquiry, identifying information may be released, if a consent form (see § 19-1-103) authorizing such release is present from the party about whom information is sought.
- For adoptions on or after 9/1/99, a birth parent shall have access to adoption records and contact with the adopted person or the adoptive family.
- Parties may also log consent with the Voluntary Adoption Registry, for which a reasonable fee may be charged.

Access to Original Birth Certificate**Statute: § 25-2-113**

Available upon order of a court

Where the Information Can Be Located

- Colorado Voluntary Adoption Registry, Colorado Department of Public Health
- Colorado Confidential Intermediary Services
- Child placement agency involved in the adoption
- Colorado Adoption Family Resource Registry

Connecticut

Who May Access Information

Statute: § 45a-746

- Adult adopted person
- Adoptive parents or guardian
- Spouse or descendants of the adopted person, if the adopted person is deceased
- Legal representative of the adopted person

Note: Only the adopted person may access identifying information.

Access to Non-identifying Information

Statute: § 45a-746

- Nonidentifying information about the birth parents shall be provided in writing to the adopting parents prior to finalization of the adoption.
- Any nonidentifying information furnished to the child-placing agency shall be made available, upon written request, to the adult adopted person, and other persons listed above.
- 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:
 - Age
 - Heritage
 - General physical appearance
 - Education
 - Talents, hobbies, and special interests
 - Existence of any other child or children born to either parent
 - Health history
 - Reasons for placing the child for adoption
 - Religion
 - Any other relevant nonidentifying information

Mutual Access to Identifying Information

Statute: § 45a-751

Any authorized applicant may, by applying in person or in writing, request the release of identifying information. The information should be released unless:

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

Access to Original Birth Certificate

Statute: § 7-53

Available upon written order signed by a judge of the probate court

Where the Information Can Be Located

- The department and each child-placing agency involved in the adoption shall maintain registries.
- Connecticut Department of Children and Families, Office of Foster and Adoption Services

Delaware

Who May Access Information

Statute: Tit. 13, § 924

- Adopted person, age 21 or older
- All other parties to an adoption

Note: Only the adopted person may access identifying information.

Access to Non-identifying Information

Statute: Tit. 13, § 924

Open access to nonidentifying information is available to the parties to the adoption.

Mutual Access to Identifying Information

Statute: Tit. 13, §§ 962; 929

Upon request, an adopted person, age 21 years or older, shall be notified of a birth parent or sibling's current name, address, and telephone unless a no-contact declaration is made either verbally or in writing and filed with the agency by the person being sought.

Access to Original Birth Certificate

Statute: Tit. 13, § 923

The adopted person age 21 or older may request a copy unless the birth parent has filed an affidavit denying release.

Where the Information Can Be Located

- Delaware Adoption Registry
 - The agency involved in the adoption
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District of Columbia

Who May Access Information

Not addressed by statutes reviewed

Access to Non-identifying Information

Not addressed by statutes reviewed

Mutual Access to Identifying Information

Statute: § 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

Statute: § 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

Contact the Child and Family Services Agency or the agency involved in the adoption

Florida

Who May Access Information

Statute: § 63.162

- Adopted person, age 18 or older
- Birth parents
- Adoptive parents

Access to Non-identifying Information

Statute: § 63.162

All nonidentifying information, including the family medical and social history, when available, must be furnished upon request.

Mutual Access to Identifying Information

Statute: § 63.162

Identifying information about parties to an adoption may not be disclosed unless the respective party has authorized in writing the release of such information.

Access to Original Birth Certificate

Statute: § 63.162

Available only upon order of the court

Where the Information Can Be Located

Florida Adoption Reunion Registry (F.A.R.R.)

Georgia

Who May Access Information

Statute: § 19-8-23

- Adopted person
- Birth parents
- The child of the adopted person, if deceased
- Adoptive parents

The adoptive parents may access only non-identifying information.

Access to Non-identifying Information

Statute: § 19-8-23

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

The department may charge a reasonable fee for providing the information.

Mutual Access to Identifying Information**Statute: § 19-8-23**

Upon written request of an adopted person age 21 or older, the name of the birth parents shall be released if:

- The birth parent submitted an unrevoked written permission for the release
- The identity of the birth parent has been verified
- The department or agency has the records

The adopted person also may petition the Superior Court of Fulton County to seek the release of such 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 may also access information about an adopted person through the registry using the same process.

Access to Original Birth Certificate**Statute: § 31-10-14**

Available by order of the court or as provided by statute

Where the Information Can Be Located

Georgia Adoption Reunion Registry

Guam**Who May Access Information****Statute: Tit. 19, § 4217**

A person having a legitimate interest in the adoption

Access to Non-identifying Information**Statute: Tit. 19, § 4217**

Access to information available through court order only

Mutual Access to Identifying Information**Statute: Tit. 19, § 4217**

Access to information available through court order only

Access to Original Birth Certificate**Statute: Tit. 10, § 3215**

Available upon court order only

Where the Information Can Be Located

The court that approved the adoption

Hawaii

Who May Access Information

Statute: § 578-15

- Adopted person
- Adoptive parents

Access to Non-identifying Information

Statute: § 578-15

Information concerning the ethnic background and necessary medical information may be released regardless of the presence of a confidentiality affidavit.

Mutual Access to Identifying Information

Statute: § 578-15

An adopted person, 18 years of age or older, may submit a written request to the family court for inspection of adoption records. Such records will be released unless the birth parents have filed a confidentiality affidavit. Such affidavits may be renewed every 10 years.

Access to Original Birth Certificate

Statute: § 338-20

Available only upon court order

Where the Information Can Be Located

Family Court Central Registry

Idaho

Who May Access Information

Statute: § 39-259A

- Adult adopted person
- Birth parents
- Adult birth siblings

Access to Non-identifying Information

Not addressed in statutes reviewed

Mutual Access to Identifying Information

Statute: § 39-259A

- The registrar shall establish and maintain a list of adult adopted persons, birth parents, and adult birth siblings who consent to the release of identifying information.
- Consents may be revised.
- The registration fee is \$10.

Access to Original Birth Certificate

Statute: § 39-258

Available upon a court order or in accordance with § 39-259A, which allows disclosure when all parties have consented through the State adoption registry

Where the Information Can Be Located

Idaho Department of Health and Welfare, Voluntary Adoption Registry

Illinois**Who May Access Information**

Statute: Ch. 750 § 50/18.05

- Birth parents and siblings
- Adoptive parents or legal guardians of an adopted person under age 21
- Adopted person age 21 or older

Access to Non-identifying Information

Statute: Ch. 750 § 50/18.05

Upon request, the registry will release medical and general nonidentifying information and any photographs voluntarily provided by a registrant.

Mutual Access to Identifying Information

Statute: Ch. 750 §§ 50/18.1; 50/18.3(a)

Identifying information, such as the name and last known address, may be obtained from the Registry upon a court order, an information exchange authorization form filed by a registrant, or per § 18.3(h).

Access to Original Birth Certificate

Statute: Ch. 750 § 50/18.05; Ch. 410 § 535/17

- For adoptions finalized after January 1, 2000, provided through the adoption registry
- Otherwise, available upon a court order or as provided by regulation

Where the Information Can Be Located

Illinois Adoption Registry, Illinois Department of Public Health

Indiana**Who May Access Information**

Statute: § 31-19-18-2

- Adopted person, age 21 or older
- Birth parent or sibling
- Adoptive parent
- The spouse or relative of a deceased adopted person
- The spouse or relative of a deceased birth parent

Access to Non-identifying Information

Statute: §§ 31-19-18-2; 31-19-21-1

Nonidentifying information may be released as long as the party about whom the information relates gives a signed written consent.

Mutual Access to Identifying Information**Statute: §§ 31-19-25-2; 31-19-25-3**

Applies only to adoptions filed after 12/31/93:

- An adopted person, age 21 or older, may request identifying information by submitting a written request to the State registrar.
- Birth parents may restrict access to such information by filing a written nonrelease form with the registrar, which may be renewed or withdrawn at anytime.

Access to Original Birth Certificate**Statute: § 31-19-3-2**

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 LocatedIndiana Adoption History Registry

Iowa**Who May Access Information****Statute: § 144.43A**

- Adult adopted person
- Adult sibling
- Birth parents

Access to Non-identifying Information

Not addressed in statutes reviewed

Mutual Access to Identifying Information**Statute: § 144.43A**

The registrar may reveal identifying information to a party, if the person sought gives consent to the revelation of identity and the registrar has sufficient information to make the requested match.

Access to Original Birth Certificate**Statute: § 144.24**

Available only upon court order

Where the Information Can Be LocatedIowa Mutual Consent Voluntary Adoption Registry, Department of Public Health, Bureau of Vital Records

Kansas

Who May Access Information

Statute: § 59-2122

- Adult adopted person
- Adoptive parents
- Birth parents
- Attorney or legal representative of any of the above persons

Access to Non-identifying Information

Statute: § 59-2122

The birth parents may be contacted at the request of the adoptive parents or the adopted person in the event of a health or medical need.

Mutual Access to Identifying Information

Statute: § 59-2122

- Identifying information shall not be shared with the birth parents without the permission of the adoptive parents or the adopted person.
- The department may contact the birth parents at the request of the adopted person for any reason.

Access to Original Birth Certificate

Statute: § 65-2423

May be opened:

- Upon demand of adopted adult
- By court order

Where the Information Can Be Located

Department of Social and Rehabilitative Services

Kentucky

Who May Access Information

Statute: § 199.575

- Adopted person, age 18 or older
- Birth sibling, age 18 or older
- A birth parent

Access to Non-identifying Information

Statute: § 199.520

- The health history and other nonidentifying background information of the birth parents and blood relatives of the adopted person shall be given to the adoptive parents and the court not 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 adopted person.
 - The information shall not be made available if it is of a nature that would tend to identify the biological parents of the adopted person, except as provided in §§ 199.570 and 199.572.
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Mutual Access to Identifying Information**Statute: § 199.572**

When a written consent is on file, the records shall be available, upon request in writing.

Access to Original Birth Certificate**Statute: § 199.570**

Available only upon court order

Where the Information Can Be Located

Program Specialist, Department for Social Services

Louisiana**Who May Access Information****Statute: Ch. Code Art. 1270**

- Adopted person, age 18 or older
- Birth parents
- Birth siblings, age 18 or older
- Adoptive parents

The access of adoptive parents is limited to non-identifying information.

Access to Non-identifying Information**Statute: Ch. Code Art. 1126; 1127.1**

- The agency or person to whom surrender is made shall have the duty to make a good faith effort to obtain a statement of family history, containing non-identifying medical and genetic information.
- The statement is to be delivered to the adopting parents at the time of placement.
- The information shall be disclosed upon request to the adopted person at the age of 18, if the information was not previously disclosed.

Mutual Access to Identifying Information**Statute: Ch. Code Art. 1270**

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

Access to Original Birth Certificate**Statute: Rev. Stat. § 40:73**

Available:

- Upon court order to the adopted person, or if deceased, the adopted person'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

Who May Access Information

Statute: Tit. 22, § 2706-A

- Adopted person, age 18 or older
- An adoptive parent or legal guardian
- A birth parent
- A birth sibling or half-sibling, if age 18 or older

Access to Non-identifying Information

Not addressed in statutes reviewed

Mutual Access to Identifying Information

Statute: Tit. 22, § 2706-A

Registrar will release identifying information if both parties have registered, thereby giving consent.

Access to Original Birth Certificate

Statute: Tit. 22, § 2765

Available only upon court order

Where the Information Can Be Located

Maine State Adoption Reunion Registry

Maryland

Who May Access Information

Statute: Fam. Law § 5-4C-05

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

Access to Non-identifying Information

Statute: Fam. Law § 5-329

- Upon request, any medical or nonidentifying information contained in an adoption record at a child placing agency shall be provided without the showing of any need.
- An intermediary may be appointed by the court to acquire the information from the birth parent if the agency does not have it within its records.

Mutual Access to Identifying Information

Statute: Fam. Law § 5-4C-06

- To register with the Registry, an individual shall submit a notarized affidavit containing identifying information, as outlined in the statute, such as the individual's current name, any previous name by which the individual was known, address, and telephone number.
- Information will be released when a match is made.
- A registrant may withdraw at any time by submitting an affidavit.

Access to Original Birth Certificate**Statute: Fam. Law § 5-3A-02**

An adopted adult, age 21 or older, and a birth parent of an adopted adult may apply to the Secretary of Health and Mental Hygiene for a copy.

Where the Information Can Be Located

Maryland Mutual Consent Voluntary Adoption Registry, Social Services Administration

Massachusetts**Who May Access Information****Statute: Ch. 210, § 5D**

- Adopted person, age 18 or older
- Adoptive parents of an adopted person under age 18
- Birth parents

Access to Non-identifying Information**Statute: Ch. 210, § 5D**

- Upon the written request of a party, the agency must release nonidentifying information.
- Nonidentifying information includes the medical, ethnic, socioeconomic, and educational background of the person, as well as the circumstances of the adoption.

Mutual Access to Identifying Information**Statute: Ch. 210, § 5D**

If written permission to release identity is present, the agency must comply with a request.

Access to Original Birth Certificate**Statute: Ch. 210, § 5C**

Available only upon court order

Where the Information Can Be Located

Adoption Search Coordinator, Massachusetts Department of Social Services

Michigan**Who May Access Information****Statute: § 710.68**

- Adult adopted person
- Adoptive parents
- Birth parents and adult birth siblings

Adoptive parents may not access identifying information.

Access to Non-identifying Information**Statute: § 710.68**

All available nonidentifying information, as described in § 710.27(1)-(2), must be provided to the requester within 63 days of a written request.

Mutual Access to Identifying Information**Statute: § 710.68**

- For adoptions finalized before September 12, 1980, all identifying information, as described in § 710.27(3), shall be released to an adult adopted person, if both birth parents have on file with the central adoption registry a statement consenting to the release.
- For adoptions finalized on or after September 12, 1980, identifying information shall be released to the adult adopted person unless the birth parent has a statement on file with the central adoption registry denying consent to the release of identifying information.

Access to Original Birth Certificate**Statute: § 333.2882**

Can be provided to the adult adopted person 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**Statute: § 710.27**

- Central Adoption Registry
 - Michigan Family Independence Agency
-

Minnesota**Who May Access Information****Statute: §§ 259.83; 259.89**

- Adopted persons age 19 years or older
- Adoptive parent—access to nonidentifying information only

Access to Non-identifying Information**Statute: § 259.83**

For adoptions finalized on or after August 1, 1994, the adopted person, if age 19 years or older, or the adoptive parent may receive detailed medical and social history.

Mutual Access to Identifying Information**Statute: §§ 259.83; 259.89**

- Each birth parent may file an affidavit objecting to release of identifying information.
- If no affidavit objecting to release of identifying information is on file, the information shall be released to the adopted person upon request.
- If an affidavit objecting to release is on file, the adopted person may petition the court for release of information.

Access to Original Birth Certificate**Statute: § 257.73**

Available:

- Upon consent of the court and all interested parties
- Upon order of the court for good cause shown

Where the Information Can Be LocatedAdoption Archive, Minnesota Department of Human Services

Mississippi**Who May Access Information****Statute: § 93-17-207**

- Adopted person, age 18 or older
- Adoptive parent
- Legal guardian or custodian of an adopted person
- The offspring or blood sibling of an adopted person, if the requester is age 18 or older

Access to Non-identifying Information**Statute: §§ 93-17-205; 207; 209**

- Nonidentifying information should be released for a reasonable fee, to any qualified person.
- The court may be petitioned for release of such information, e.g., medical, social, and genetic, if the bureau does not have the information and the birth parent refuses consent to any release.
- If information is not on file, the adopted person may request a licensed adoption agency to locate the birth parent and obtain information.

Mutual Access to Identifying Information**Statute: §§ 93-17-215; 217; 219**

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

Access to Original Birth Certificate**Statute: §§ 93-17-21; 93-17-205**

- Upon order of the court, pursuant to §§ 93-17-201 through 93-17-233, in which identifying information may be obtained with the consent of the birth parents
- May also be provided through the Bureau upon an affidavit from birth parent authorizing it; affidavit may be revoked at anytime

Where the Information Can Be Located

- The Bureau of Vital Records, Mississippi State Board of Health
- Licensed adoption agency

Missouri

Who May Access Information

Statute: § 453.121

- Adoptive parents
- Legal guardians
- Adult adopted person

Access to Non-identifying Information

Statute: § 453.121

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

Mutual Access to Identifying Information

Statute: § 453.121

- A registry is maintained by which birth parents and adoptive adults may indicate their desire to be contacted by each other.
- If the birth parent fails or refuses to file an affidavit authorizing the release of identifying information, it shall not be released. If rejected, a request may be made again in 3 years. Similar information about an adult birth sibling may be released for medical cause shown.

Access to Original Birth Certificate

Statute: § 193.125

Available only upon order of the court

Where the Information Can Be Located

Missouri Division of Family Services, Adoption Information Registry

Montana

Who May Access Information

Statute: § 42-6-102

- Adopted person
- Adoptive or birth parent
- An extended family member of an adopted person or birth parent
- Court-appointed confidential intermediary

Access to Non-identifying Information

Statute: § 42-6-102

Upon request, all nonidentifying information will be provided to a requester.

Mutual Access to Identifying Information**Statute: §§ 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 persons who have also consented.
- Identifying information pertaining to a minor adopted person may not be disclosed unless the adoptive parents consent.
- Specific information may also be released to assist an adopted person become a member of an Indian Tribe.

Access to Original Birth Certificate**Statute: § 42-6-109**

- For adoptions finalized prior to October 1, 1997, the department shall release a copy of the original birth certificate upon a court order.
- For adoptions finalized on or after October 1, 1997, an adopted person may be provided a copy of the original birth certificate upon written request unless the birth parent requests in writing that it not be released without a court order.
- The department may release a copy of the original birth certificate if it is required to assist the adopted person to become a member of an Indian tribe.

Where the Information Can Be LocatedOffice of Vital Statistics, Department of Public Health and Human Services

Nebraska**Who May Access Information****Statute: § 43-146.04**

- Adopted person, age 21 or older
- An Indian adopted person, age 18 or older

Access to Non-identifying Information**Statute: § 43-146.05**

Nonidentifying information such as medical history may be provided per § 43-107.

Mutual Access to Identifying Information**Statute: §§ 43-146.04 through 146.07; 43-1510**

- An adult adopted person may receive identifying information if a notice of nonconsent is not filed by the person being sought.
- An Indian adopted person shall be informed of the Tribal affiliation, if any, of the individual's birth parents and other information as may be necessary to protect any rights flowing from the adopted person's Tribal relationship.

Access to Original Birth Certificate**Statute: §§ 43-110 through 43-146**

Adopted person age 25 years or older may file a written request. Both birth parents and adoptive parents may file nonconsent forms to bar release.

Where the Information Can Be Located

Nebraska Department of Health and Human Services

Nevada**Who May Access Information**

Statute: § 127.007

- Adopted persons over age 18
- Birth parents
- Persons related within the 3rd degree to the adopted person

Access to Non-identifying Information

Not addressed in statutes reviewed

Mutual Access to Identifying Information

Statute: § 127.007

- Identifying information may be released about a person related within the 3rd degree to an adopted person, or about an adopted person to a person related within the 3rd degree, if the names and information about both persons are contained in the registry and written consent is given by the birth parent.
- An adopted person may restrict the release of any information concerning himself.

Access to Original Birth Certificate

Statute: § 440.310

Available only upon order of the court

Where the Information Can Be Located

Nevada Adoption Registry Services

New Hampshire**Who May Access Information**

Statute: § 170:B-19

- Adult adopted person
- Birth parent
- Adoptive parent

Access to Non-identifying Information

Statute: § 170:B-19

Upon request, information relating to the health history of the birth parent and relatives or nonidentifying background information shall be released to the adult adopted person or an adoptive parent.

Mutual Access to Identifying Information**Statute: § 170:B-19**

Identifying information may be released to the adopted person:

- When an agency receives a request from the adult adopted person
- A release of information has been signed by each birth parent, and has not been revoked or amended
- The birth parents have been contacted to reaffirm desire to be contacted

Access to Original Birth Certificate**Statute: § 170:B-19(V)**Upon written application by an adult adopted person who was born in the State, the registrar shall issue a noncertified copy of the unaltered original birth certificate using the same procedures imposed on non-adopted citizens (*effective 1/1/05*).**Where the Information Can Be Located**NH DHHS Office of Community and Public Health, Bureau of Vital Records

New Jersey**Who May Access Information**

Not addressed in statutes reviewed

Access to Non-identifying Information**Statute: § 9:3-52**

Information available upon good cause shown to the court

Mutual Access to Identifying Information**Statute: § 9:3-52**

Information available upon good cause shown to the court

Access to Original Birth Certificate**Statute: § 26:8-40.1**

Available only upon order of the court

Where the Information Can Be Located

For public agency adoptions only:

New Jersey Division of Youth and Family Services, Adoption Registry Coordinator

New Mexico**Who May Access Information****Statute: § 32A-5-40**

- Adopted person, age 18 or older
- Adoptive parent of an adopted person under age 18
- An adopted person's birth sibling
- A guardian

Access to Non-identifying Information**Statute: § 32A-5-40**

Access to nonidentifying information limited to:

- Health and medical histories of the adopted person's birth parents and the adopted person
- General family background
- Physical descriptions
- The length of time the adopted person was in the care and custody of persons other than the adoptive parents

Mutual Access to Identifying Information**Statute: §§ 32A-5-40; 32A-5-41**

- The identity of the birth parents and of the adopted person shall be kept confidential unless both have consented to the release of identity.
- If consent is absent, a party may file a motion with the court to obtain release for good cause shown. The court shall give primary consideration to the best interests of the adopted person.
- A confidential intermediary may be used to ascertain information.

Access to Original Birth Certificate**Statute: § 24-14-17**

Available only upon order of the court

Where the Information Can Be Located

- New Mexico Adoption Registry
- CYFD-PSD, Central Adoption Unit

New York**Who May Access Information****Statute: Pub. Health § 4138-d**

- Adopted person, age 18 or older
- A birth sibling, age 18 or older
- Adoptive parents of adopted person under age 18

Access to Non-identifying Information**Statute: Pub. Health § 4138-c**

- The adoption information registry shall release nonidentifying information.
- Nonidentifying information can include ethnic and religious background, education, occupation, and health history of the birth parents.

Mutual Access to Identifying Information**Statute: Pub. Health § 4138-c**

Release of identifying information by the Registry is limited to names and addresses of registrants.

Access to Original Birth Certificate**Statute: Pub. Health § 4138**

Available only upon order of the court

Where the Information Can Be LocatedAdoption Information Registry, New York State Department of Health

North Carolina**Who May Access Information****Statute: § 48-9-103**

- Adoptive parent
- Adult adopted person
- A minor adopted person who is a parent or an expectant parent

Access to Non-identifying Information**Statute: § 48-9-103**

- A party may request a copy of any document prepared pursuant to § 48-3-205 and any additional nonidentifying health-related information about the adopted person's original family.
- Nonidentifying information about the adopted person'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**Statute: § 48-9-109**

The consent to the release of identifying information shall be in writing and signed.

Access to Original Birth Certificate**Statute: § 48-9-106**

Available upon order of the court as authorized by § 48-9-105

Where the Information Can Be LocatedState Registrar

North Dakota**Who May Access Information****Statute: § 14-15-16**

- The adoptive parents
- Adopted adult
- Birth parent

Access to Non-identifying Information**Statute: § 14-15-16**

Nonidentifying information, if known, concerning undisclosed birth parents must be furnished upon written request to authorized individuals, at a reasonable fee.

Mutual Access to Identifying Information**Statute: § 14-15-16**

Identifying information about a birth parent or sibling may be released to an adopted person, age 18 or older, provided consent to such disclosure is present. A birth parent may request such information of an adopted person age 21 or older.

Access to Original Birth Certificate**Statute: §§ 14-17-22; 23-02.1-18**

Upon consent of the court and all interested persons, or in exceptional cases only, for good cause shown

Where the Information Can Be Located

Passive Registry:

North Dakota Department of Human Services, Adoption Search/Disclosure

Northern Mariana Islands**Who May Access Information****Statute: Tit. 8, § 1414**

Adoptive parent or child

Access to Non-identifying Information

Not addressed in statutes reviewed

Mutual Access to Identifying Information**Statute: Tit. 8, § 1414**

The identity of an adoptive parent or child may not be disclosed except by consent in writing of adoptive parent, adopted child age 14 years or older, or by showing good cause.

Access to Original Birth Certificate**Statute: Tit. 8, § 1414**

Only upon consent of the court and all interested persons, or upon an order of the court upon a showing of good cause in exceptional cases

Where the Information Can Be Located

The agency involved in the adoption

Ohio**Who May Access Information****Statute: §§ 3107.66; 3107.47**

- An adopted adult
- An adoptive parent of a minor adopted person
- Nonidentifying information by an adoptive family member of a deceased adopted person
- Nonidentifying information by a birth parent, or adult birth sibling if the birth parent is deceased

Access to Non-identifying Information**Statute: § 3107.66**

Nonidentifying information will be provided upon written request.

Mutual Access to Identifying Information**Statute: § 3107.47**

If there is no effective denial of release form for the birth parents or siblings, and the fee required by § 3705.241 is paid, identifying information must be provided to the adopted person, age 21 or older, or an adoptive parent if the adopted person is at least age 18 but under age 21.

Access to Original Birth Certificate**Statute: § 3705.12**

Released upon order of the probate court

Where the Information Can Be Located

Ohio Adoption Registry, Ohio Department of Health--Vital Statistics

Oklahoma**Who May Access Information****Statute: Tit. 10, § 7508-1.3**

- Adult adopted person
- Adult descendant of a deceased adopted person
- Birth parent
- Adult birth sibling or grandparent of an adult adopted person

Access to Non-identifying Information**Statute: Tit. 10, § 7508-1.3**

Nonidentifying medical and social information will be provided upon request, if available or after it has been located by an intermediary.

Mutual Access to Identifying Information**Statute: Tit. 10, §§ 7508-1.2; 7508-1.3**

- An eligible registrant may access information stating a registrant's current contact information and willingness to be identified to some or all eligible relatives.
- A confidential intermediary may arrange consent for exchange of identifying information.

Access to Original Birth Certificate**Statute: Tit. 10, § 7505-6.6**

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

- He or she presents proof of identity.
- There are no biological 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

Adoption Reunion Registry, Oklahoma Department of Human Services

Oregon

Who May Access Information

Statute: § 109.430

- Adult adopted person
- Birth parents
- Putative fathers
- Any other specified person such as a birth sibling

Access to Non-identifying Information

Statute: § 109.430

Upon request, the Adoption Registry shall provide nonidentifying health and social and genetic history of adult adopted persons, birth parents, putative fathers, and other specified persons.

Mutual Access to Identifying Information

Statute: § 109.430

- The Adoption Registry will disclose identifying information if the relevant parties have registered their consent to disclosure.
- Such information will also be disclosed to Indian Tribes or governmental agencies to establish an adopted person's eligibility for Tribal membership or for benefits or to the trustee of an estate that refers to the adopted person.

Access to Original Birth Certificate

Statute: § 432.230

Available upon order of the court or as provided by rule of the State registrar

Where the Information Can Be Located

Voluntary Adoption Registry, Oregon State Office for Services to Children and Families

Pennsylvania

Who May Access Information

Statute: 23 PCSA § 2905

- Adopted person, age 18 or older
- Adoptive parents, if adopted person is under age 18
- Legal guardian

Access to Non-identifying Information

Statute: 23 PCSA § 2905

Nonidentifying information, such as medical history, pertaining to the birth parents may be disclosed if consent has been given, provided release of such information will not endanger the anonymity of the birth parents.

Mutual Access to Identifying Information

Statute: 23 PCSA § 2905

In the event consent is not present, upon petition, the court may, through its designated agent, attempt to contact the birth parents, if known, to obtain their consent to release their identity and present place of residence to an adopted person.

Access to Original Birth Certificate**Statute: 23 PCSA § 2905**

Available to the adopted person if age 18 or older or to the adoptive parent if the birth parent(s) have filed consent with the Department of Health

Where the Information Can Be Located

Adoption Medical History Registry, Office of Children, Youth, and Families

Puerto Rico**Who May Access Information**

Not addressed in statutes reviewed

Access to Non-identifying Information

Not addressed in statutes reviewed

Mutual Access to Identifying Information

Not addressed in statutes reviewed

Access to Original Birth Certificate**Statute: Tit. 24, § 1136**

Available only upon order of the court

Where the Information Can Be Located

The court that handled the adoption

Rhode Island**Who May Access Information****Statute: § 15-7.2-2**

- Birth parents and siblings
- Adult adopted person
- Surviving relatives of deceased birth parents and deceased adopted person

Access to Non-identifying Information**Statute: § 15-7.2-2**

Upon request, the registry may disclose nonidentifying health and social and genetic history of registered parties through the court.

Mutual Access to Identifying Information**Statute: §§ 15-7.2-2; 15-7.2-7**

The listed parties may register their willingness with the court to the release of identifying information to each other, if requested.

Access to Original Birth Certificate**Statute: § 15-7.2-12**

A non-certified copy can be obtained through the mutual consent registry to the adult adopted person when the birth parent(s) is/are registered and have given consent.

Where the Information Can Be Located

- State of Rhode Island and Providence Plantations Family Court, Juvenile Division
 - The agency involved the adoption
-

South Carolina**Who May Access Information****Statute: § 20-7-1780**

- Adopted person, age 21 or older
- Birth parents and siblings

Access to Non-identifying Information**Statute: § 20-7-1780**

Nonidentifying information, including the health and medical histories of the birth parents and adopted person and the adopted person's general family background, may be disclosed to a requesting party for cause shown.

Mutual Access to Identifying Information**Statute: § 20-7-1780**

A party may request, in writing, and receive identifying information about another party if an affidavit granting consent is present. Counseling concerning the effects of the disclosure is mandatory.

Access to Original Birth Certificate**Statute: § 44-63-140**

- When an adoption is finalized, an amended birth certificate is issued in the name of the adopted person, free of any reference to the fact that the child was adopted.
- The amended certificate is filed in lieu of the original. The original is placed in a special sealed file by the State registrar.
- The statute does not specify a procedure for access to the original certificate. Presumably, access can be obtained through a court order.

Where the Information Can Be Located

Adoption Reunion Registry, South Carolina Department of Social Services

South Dakota**Who May Access Information****Statute: § 25-6-15.2**

- Adoptive parent
- Adopted person, age 18 or older
- Birth parents

Access to Non-identifying Information**Statute: § 25-6-15.2**

Nonidentifying information may be released to a requesting party, including:

- The birth parent's age at the time of the adopted person's birth
- Birth parent's heritage
- Education level achieved
- General physical appearance
- Religion
- Health history

Mutual Access to Identifying Information**Statute: § 25-6-15.3**

Consent to the release of identifying information shall indicate to whom the information may be released and whether the party desires release of the information after their death. A person who uses the registry may revoke consent at any time.

Access to Original Birth Certificate**Statute: § 34-25-16.4**

Available upon order of the court

Where the Information Can Be Located

South Dakota Voluntary Registry

Tennessee**Who May Access Information****Statute: § 36-1-133**

- Adopted person, age 18 or older
- Adoptive parents or guardian if adopted person is under age 18
- Birth parent or legal relatives
- The lineal descendants of an adopted person
- The legal representative of any of the above persons

Access to Non-identifying Information**Statute: § 36-1-133**

Upon written request, the department shall provide to a requester nonidentifying information about an adopted person and such person's birth or legal relatives as may be contained in the sealed adoption record or postadoption record. See full-text of the statute for details.

Mutual Access to Identifying Information**Statute: §§ 36-1-128; 36-1-129**

The persons authorized by § 36-1-133, provided they are age 21 or older, may have their names entered in the registry stating either their willingness or unwillingness to be contacted and have identifying information disclosed.

Access to Original Birth Certificate**Statute: § 36-1-130**

Available to parties who have established their eligibility to have access to adoption records

Where the Information Can Be Located

Advanced Notice Registry, Department of Children's Services, Post Adoption Services

Texas

Who May Access Information

Statute: Fam. Code § 162.018

- Adoptive parents
- Adult adopted person

Access to Non-identifying Information

Statute: Fam. Code § 162.018

Eligible parties are entitled to receive copies of records that have been edited to protect the identity of the birth parents and other information relating to the history of the adopted person.

Mutual Access to Identifying Information

Statute: Fam. Code § 162.416

- Access to identifying information is possible through the mutual adoption registry. A registrant is required to sign a written consent to disclosure form before a release may be completed.
- Such information shall be released without consent if the registrant is deceased, their registration was valid at the time of death, and they had authorized postdeath disclosure.

Access to Original Birth Certificate

Statute: Health & Safety Code § 192.008

Only the court that granted the adoption may grant access.

Where the Information Can Be Located

Central Adoption Registry, Texas Department of Health, Bureau of Vital Statistics

Utah

Who May Access Information

Statute: § 78-30-17

- Adoptive parents or legal guardian
- Adopted person
- Adopted person's spouse, or guardian of the adopted person's child, if the adopted person is deceased
- The adopted person's child or descendant
- The birth parent or adult birth sibling

Access to Non-identifying Information

Statute: § 78-30-17

A detailed health history and a genetic and social history of the adopted person shall be available upon request to the persons authorized by § 78-30-17. The person making the request shall pay the actual cost of providing the information.

Mutual Access to Identifying Information

Statute: § 78-30-18

The bureau may only release identifying information to an adult adopted person or birth parents and adult birth sibling when it receives requests from both the adopted person and the birth relative.

Access to Original Birth Certificate**Statute: § 78-30-15**

Sealed except upon order of the court granting inspection

Where the Information Can Be LocatedMutual Consent Voluntary Adoption Registry, Utah Bureau of Vital Statistics

Vermont**Who May Access Information****Statute: Tit. 15A, § 6-104**

- Adoptive parent or legal guardian of an adopted person
- Adopted person, age 18 or older
- Emancipated adopted person
- Deceased adopted person's direct descendant, age 18 or older, or his or her parent or guardian if under age 18
- The adopted person's birth parent, grandparent, or sibling

Access to Non-identifying Information**Statute: Tit. 15A, § 6-104**

The appropriate entity shall furnish a detailed summary of any relevant report or information contained in confidential reports in their possession about the adopted person, the birth parents and the adopted person's genetic history, including the information required by § 2-105 of this title. An individual who is denied access may seek relief from the court.

Mutual Access to Identifying Information**Statute: Tit. 15A, §§ 6-105; 6-106**

- For adoptions finalized before July 1, 1986, the registry shall disclose identifying information if the birth parent has filed in probate court or agency any document that consents to such disclosure.
- For adoptions finalized on or after July 1, 1986, the registry shall disclose identifying information unless a request for nondisclosure has been filed.
- An adult descendant of a deceased birth parent may consent to disclosure of information.
- If an adult adopted person consents, identifying information may be disclosed to a birth parent or adult birth sibling.
- A birth parent may prevent disclosure of identifying information about himself or herself by filing a request for nondisclosure with the registry as provided in § 6-105 of this title. A request for nondisclosure may be withdrawn at any time.

Access to Original Birth Certificate**Statute: Tit. 15A, § 6-107**

- May be released upon request to an adopted person age 18 or older who has access to identifying information.
- The original birth certificate is unsealed and becomes public record 99 years after the date of the adopted person's birth.

Where the Information Can Be Located

Vermont Adoption Registry

Virgin Islands

Who May Access Information

Not addressed in statutes reviewed

Access to Non-identifying Information

Not addressed in statutes reviewed

Mutual Access to Identifying Information

Statute: Tit. 16, § 145

All records and files are sealed and are not available to anyone other than the adopted person upon attaining majority or upon order of the court.

Access to Original Birth Certificate

Statute: Tit. 16, § 145

Not available to any one other than the adopted person after attaining majority or upon order of the court.

Where the Information Can Be Located

Not addressed in statutes reviewed

Virginia

Who May Access Information

Statute: § 63.2-1246

- Adopted person, age 18 or older
- Licensed or authorized child-placing agencies providing services to the child
- Adoptive parents

Access to Non-identifying Information

Statute: § 63.2-1246

Nonidentifying information shall not be open to inspection, or be copied, by anyone other than those authorized by statute, except upon the order of a circuit court upon good cause shown.

Mutual Access to Identifying Information

Statute: § 63.2-1247

- For adoptions finalized after July 1, 1994, the adopted person, age 21 or older, the birth parents, and adult birth siblings, can request identifying information.
- Upon the consideration of the effect of the disclosure on any party and a showing of good cause, identifying information from the adoption file will be disclosed to an adopted person, age 21 or older, the birth parents, and adult siblings.

Access to Original Birth Certificate

Statute: § 32.1-261

Available only upon order of the court

Where the Information Can Be Located

Department of Social Services, Vital Adoption Records

Washington

Who May Access Information

Statute: § 26.33.340

- An adoptive parent
- An adopted person
- A birth parent

Access to Non-identifying Information

Statute: §§ 26.33.340; 26.33.380

Reasonably available nonidentifying information may be disclosed upon a written request. If the adoption facilitator refuses to disclose such information, the individual may petition the superior court.

Mutual Access to Identifying Information

Statute: §§ 26.33.343; 26.33.347

A qualified party may petition the court to appoint a confidential intermediary to acquire consent to the release of identifying information. An adopted person must be age 21 or older or, if under age 21, have the permission of the adoptive parents, in order to access such information.

Access to Original Birth Certificate

Statute: § 26.33.345

- A noncertified copy is available to the birth parent upon request.
- For adoptions finalized after October 1, 1993, a noncertified copy is available to the adopted person, age 18 or older, unless the birth parent has filed an affidavit of nondisclosure.

Where the Information Can Be Located

State Adoption Department, Department of Social and Health Services

West Virginia

Who May Access Information

Statute: § 48-22-702

- Adoptive parents
- An adult adopted person

Access to Non-identifying Information

Statute: § 48-22-702

The court, upon request, shall immediately transmit all nonidentifying medical, social, or genetic information to a requesting party.

Mutual Access to Identifying Information

Statute: §§ 48-23-501; 48-23-504

The adult adopted person and each birth parent may voluntarily register to disclose identifying information, by submitting a notarized affidavit to the appropriate registry stating his or her name, address, and telephone number and his or her willingness to be identified solely to the other relevant person who registers. A reasonable fee will be charged for the service.

Access to Original Birth Certificate

Statute: § 16-5-18

Original birth certificate is sealed from inspection, except upon order of the court.

Where the Information Can Be Located

West Virginia Mutual Consent Voluntary Adoption Registry, Department of Health and Human Resources

Wisconsin**Who May Access Information**

Statute: § 48.433

- Adopted person, age 21 or older
- A birth parent

Access to Non-identifying Information

Statute: § 48.433

Nonidentifying information, as defined under § 48.02, will be released upon request.

Mutual Access to Identifying Information

Statute: §§ 48.333; 48.434

Identifying information may be released to a requester if an unrevoked affidavit giving consent to such a release is present. If no consent is on file, the department or agency shall conduct a diligent search for the person, to be completed within 6 months.

Access to Original Birth Certificate

Statute: § 48.433

Available upon request to adopted person age 21 or older if the birth parents have filed affidavits authorizing disclosure

Where the Information Can Be Located

Adoption Records Search Program

Wyoming**Who May Access Information**

Statute: § 1-22-203

- Adult adopted person
- Adoptive parent
- Birth parent, sibling, or grandparent

All parties must be age 18 or older.

Access to Non-identifying Information

Not addressed in statutes reviewed

Mutual Access to Identifying Information

Statute: § 1-22-203

Any qualified person may:

- File a motion in the court where the adoption took place or where the parental rights were terminated
- Request the appointment of one or more confidential intermediaries for the purpose of determining the whereabouts of an unknown birth relative or relatives in order to gain their consent to release identifying information

Costs related to the proceeding and investigation shall be the responsibility of the party filing the motion.

Access to Original Birth Certificate

Statute: § 35-1-417

Not subject to inspection except by court order

Where the Information Can Be Located

Wyoming Confidential Adoption Intermediary Services