

Representative Maxine Grad
Chair
House Committee on Judiciary
115 State St.
Montpelier, VT 05633

Testimony for House Committee on Judiciary related to H.629, an act relating to access to adoption records

Chair Grad, Vice Chair Burditt, and Distinguished Committee Members:

My name is Mary Anna King. I am a Quechee, Vermont resident, and I am adopted. Due to my unique experience as an adopted person, I am also a birth family member. I am one of seven biological siblings who were separated by adoption.

I lived with my first parents for many years before I was sent to live with distant relatives in Oklahoma, where I was later adopted. My biological siblings were younger and were placed for adoption as infants. My earliest childhood memories are of seeing my newborn sisters through hospital nursery windows, knowing that they would not be coming home with my first parents and me.

I never forgot about my sisters. I never stopped hoping that they would find me one day.

My siblings and I reunited with one another between 2002 and 2010. We found one another through bits of information that our adoptive and birth parents had retained. If we had relied on access to birth records, our journey to find one another would have taken many more years. We were all born in New Jersey, which restricted adoptees' access to original birth certificates until 2017.

My story demonstrates two things.

First, many more people are impacted by adoptions than the adopted person and their former parents.

And second, state restrictions do not prevent adopted people from contacting their biological relatives.

What statutes like Vermont's current Adoption Law and H.629 as currently written do, however, is place a burden on adopted Vermonters that non-adopted Vermonters do not face. While the current discussion is focused on removing a date restriction in the current statute, I believe that this committee and the Vermont Legislature have an opportunity to do more to make adopted Vermonters equal to non-adopted Vermonters.

A non-adopted Vermonter can obtain a copy of their birth certificate at any time by requesting a copy and paying a nominal fee. An adopted person who was born in Vermont must register with a special adoption registry and hope that their former parents have not filed a nondisclosure

request. If the adopted person was born before 1986, they must spend time and money to pursue a court order.

Adopted people who were born in New York, New Hampshire, Connecticut, Maine, Rhode Island, Colorado, Kansas, Alabama, Oregon, and Alaska do not face this burden. They are permitted unrestricted access to their original birth certificates, unblocked by nondisclosure requests.

I urge this committee to consider removing the former parent nondisclosure request from H.629 before presenting it for a vote.

Vermont has a reputation for creating forward-thinking legislation that affirms the equality of all people. The Green Mountain State was among the first states to ban slavery in its constitution. Vermont was the first state to introduce Civil Unions in 2000 and same-sex marriage in 2009. Just this week, Vermont became the first state to move toward preserving reproductive rights in its constitution. Is Vermont willing to continue to treat adopted Vermonters differently than non-adopted Vermonters? Is it willing to continue to place burdens on adopted Vermonters that four surrounding New England states have roundly rejected?

When discussing bills like H.629, it can be easy to focus on hypothetical scenarios like “what happens if an adopted person shows up on a former parents’ doorstep?” and “what if a birth parent does not wish to be contacted?”

I would ask legislators to remember that remedies for these rare occurrences already exist. Knowing a person’s name and contact information is not a guarantee of a relationship. I know adopted people who have contacted their former parents and been rejected. Though these adopted people were disappointed, I have never known an adopted person to persist in pursuing a relationship with their biological families when one is not wanted.

Personally, I no longer wish to have contact with my first father. More than ten years ago, I asked him to refrain from contacting me. Since that day, he has not contacted me. Though if he did, I would have the same tools available to me that I have if contending with unwanted contact from any other person.

- I could repeat my request not to be contacted.
- I could change my phone number or block his social media accounts.
- If his behavior caused me emotional or psychological distress, I could request a no-contact order.

Does this committee believe that former parents require more protection from their relinquished offspring than any other private citizen requires? Are adopted people uniquely threatening?

Besides the equality issue, there could be financial benefits to allowing adopted Vermonters unrestricted access to their original birth certificates. If adopted people are granted access without restrictions, the state could follow a similar procedure to the current procedure for providing birth certificates to non-adopted people. The administrative load on the Adoption Registry and private adoption agencies would decrease, as adoptees with access to their birth

documents would only be contacting these organizations for last known contact information, rather than relying on them for full access to their vital information.

I hope this committee thinks about these larger questions when considering how to move forward with H.629. I thank Representative Webb for bringing attention to this issue, and I thank this committee for considering my comments and the comments of other adopted people.