



Adoptee Rights Law Center

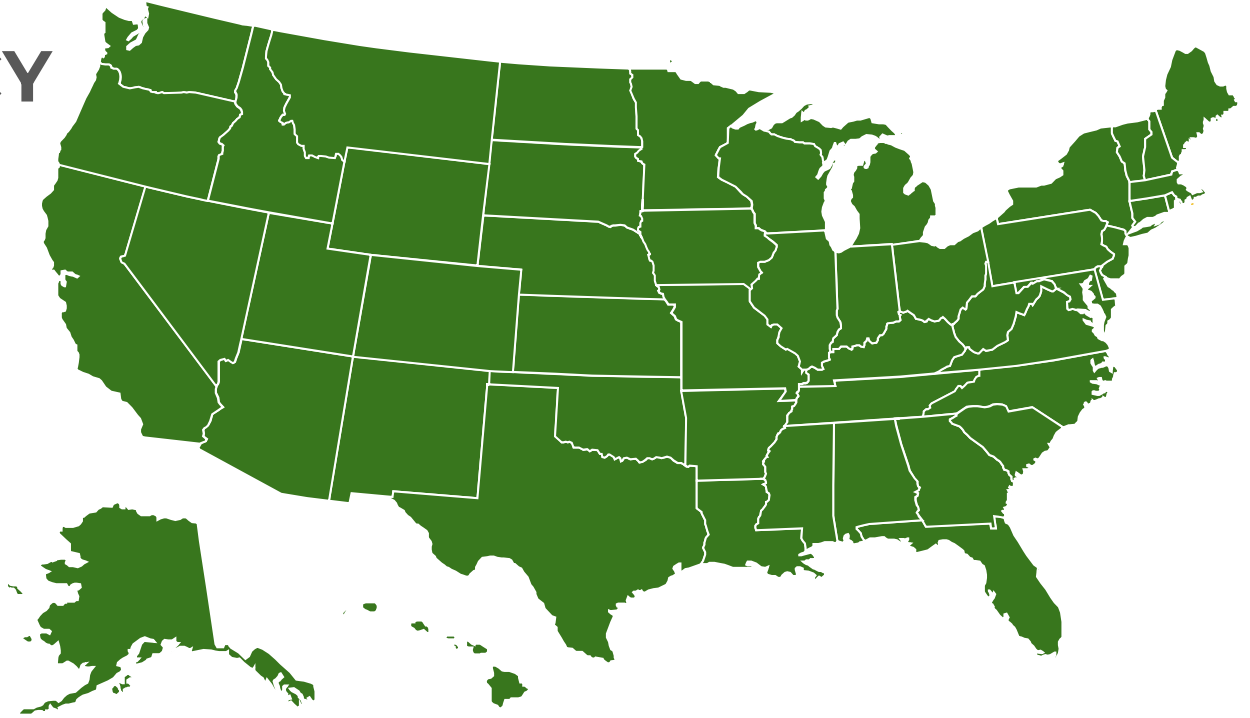
REPRESENTATION AND ADVOCACY FOR ADULT ADOPTED PEOPLE
ON ISSUES OF IDENTITY AND US CITIZENSHIP

Testimony before the House Committee on the Judiciary

Vermont House of Representatives • February 15, 2022

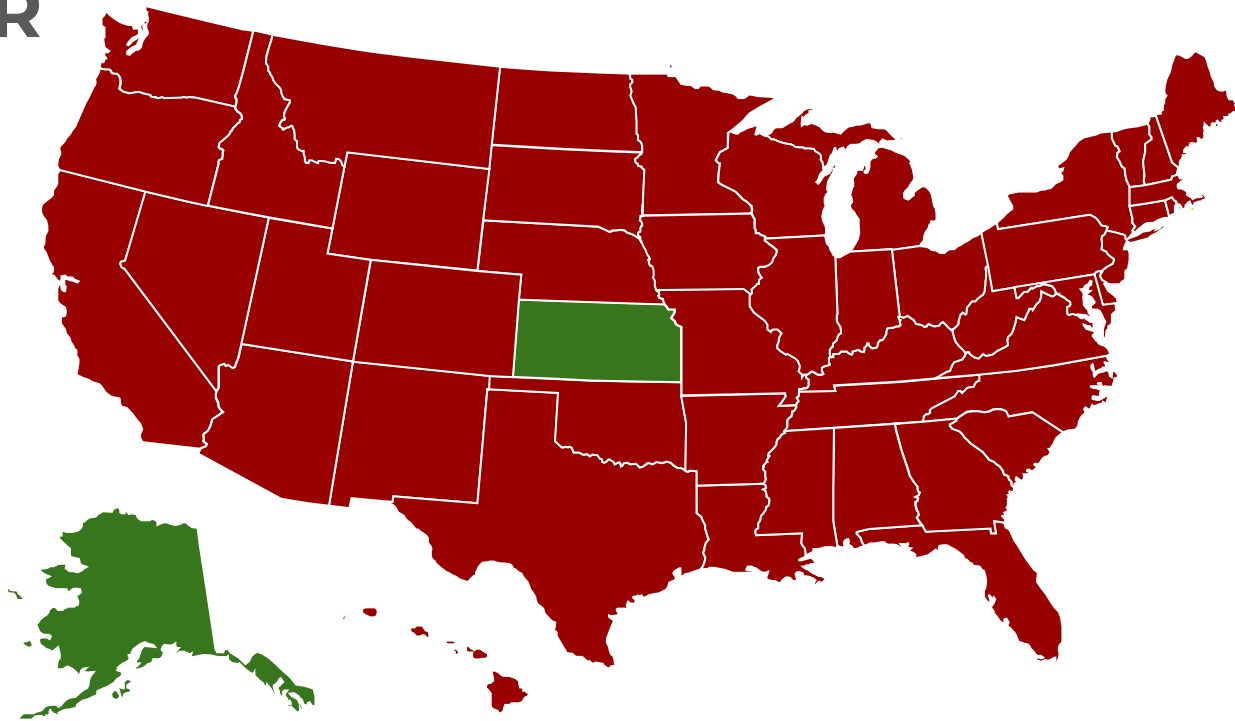
THE MYTH OF SECRECY

The truth is that historically all adult adopted people born in the United States had an unrestricted right to request and obtain their own original birth certificates.



THE POWER IT HOLDS

By the early 1980s nearly every state in the United States, except Alaska and Kansas, had sealed their original birth records after adoptions and made them unavailable to the adoptee, even when the adopted person was an adult.



UNITED STATES OF OBC



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Info on individual states available at

adopteerightslaw.com/usa

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UNRESTRICTED

Unrestricted means an adult adoptee may apply for and obtain their own original birth certificate without any restrictions or conditions, other than following regular procedures for obtaining a state vital record. Ten states currently have restored or have always secured the right of adult adoptees to request and obtain their own original birth records.

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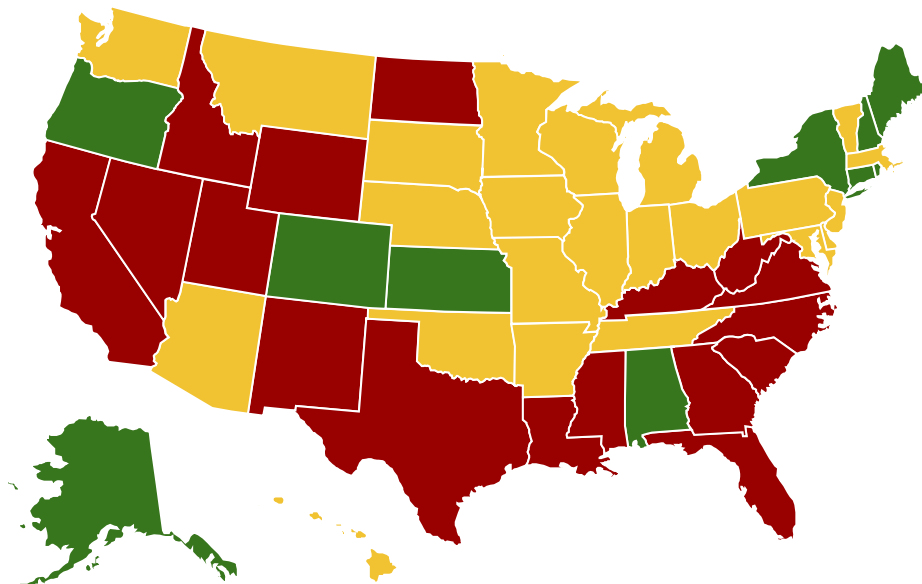
COMPROMISED

Compromised means that that states have limited the rights of adult adoptees to obtain their own original birth certificates in various ways, including birth parent disclosure vetoes, redaction of identifying information, or restrictions based on the date of birth or adoption.

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RESTRICTED

Restricted typically means that adult adoptees have no specific rights to request and obtain their own original birth certificates, except by court order.



Map current as of February 2022

RESTRICTED STATES

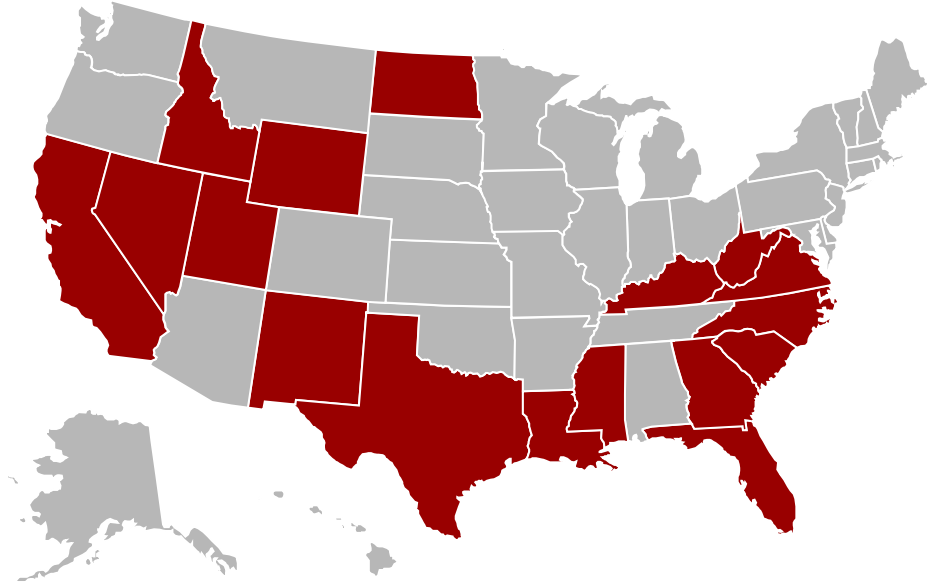
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Restricted typically means that adult adoptees have no specific rights to request and obtain their own original birth certificates, except by court order. This includes the District of Columbia.



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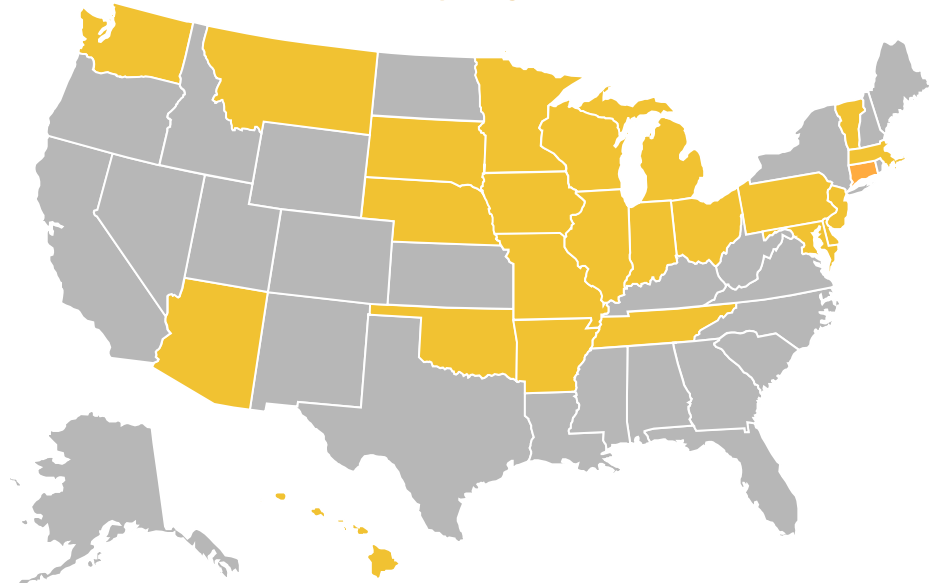


COMPROMISED STATES



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Age-Based • Donut Holes
Excessive Fees • Parental
Consent • Zombie Veto • GED
Requirement • Court Records
Only • Registry Requirement

REDACTIONS

EQUAL RIGHTS STATES

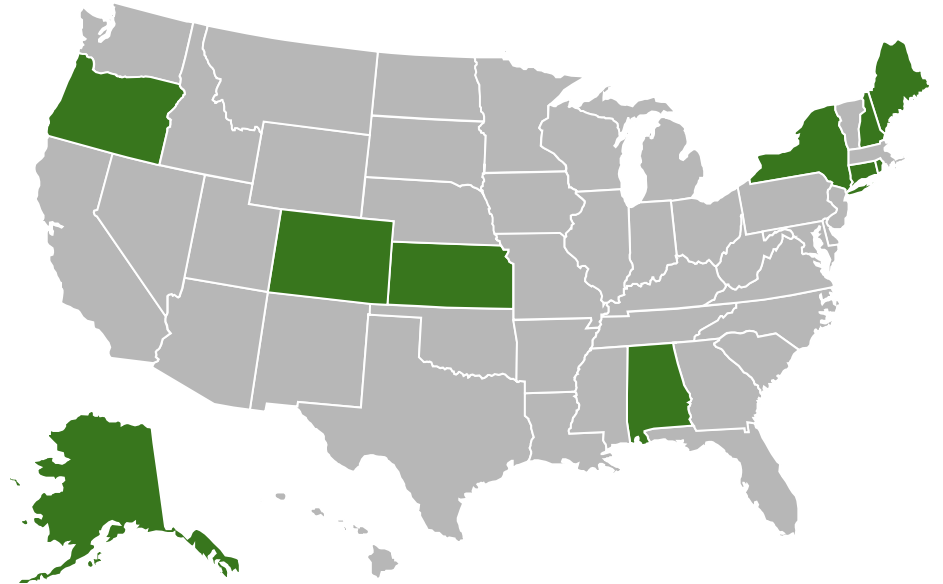


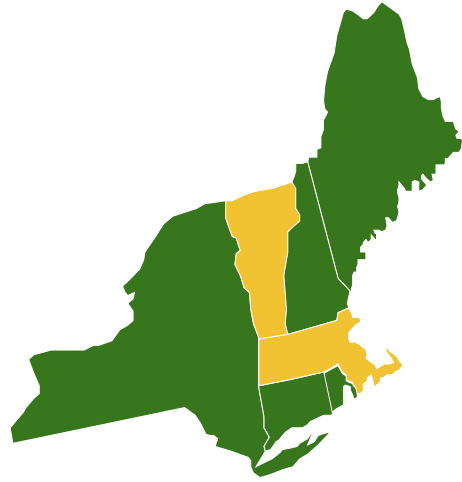
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- ALASKA** - ALWAYS
- KANSAS** - ALWAYS
- OREGON** - 1998
- ALABAMA** - 1999
- NEW HAMPSHIRE** - 2005
- MAINE** - 2008
- RHODE ISLAND** - 2012
- COLORADO** - 2015
- NEW YORK** - 2020
- CONNECTICUT** - 2021





Vermont H.629 • Written Testimony

THIS ISSUE IN THE REGION

WHAT'S DONE IN STATES AROUND VERMONT

Massachusetts and Vermont are outliers in this region on the issue of releasing an adopted person's own birth record at age 18. Massachusetts, however, is close to repealing its current restriction. Vermont is also unique in relying on an adoption registry to control release of "identifying information" rather than managing the discreet release of a vital record held by the state Department of Health.



New York

Unrestricted Right

Adult adoptees at age 18, as well as their descendants, may request and obtain a certified copy of the long form original birth record upon request. More than 20,000 requests have been made since enactment of a new law in January 2020. No issues have been reported.



New York also provides identifying information for adopted people who were born outside of New York but adopted within the state. This includes Vermont-born adoptees.

Maine

Unrestricted Right

All adult adoptees at age 18, as well as their descendants, may obtain a copy of their original birth records upon request. Birthparents may file a contact preference form to indicate any preference for contact.*

Pending Bill

Connecticut

Unrestricted Right

All adult adoptees at age 18, as well as their children and grandchildren, may obtain a copy of their original birth records upon request. The state recently eliminated a date-based restriction to make the right applicable to all adoptees.

Massachusetts

Compromised Right

Adopted people born before June 17, 1974, and after December 31, 2007, have an unrestricted right to obtain their own original birth records at age 18. Adult adoptees do not have this right if they were born between 1974 and 2008. A pending bill would eliminate that restriction.

Pending Bill

Rhode Island

Unrestricted Right

All adult adoptees at age 18 may obtain a copy of their own original birth records upon request. A pending bill expands this to the descendants of adopted people.

Pending Bill

New Hampshire

Unrestricted Right

All adult adoptees at age 18, as well as their descendants, may obtain a copy of their original birth record upon request. Birthparents may file a contact preference form to indicate any preference for contact.*

Pending Bill

Vermont

Compromised Right

Adult adopted people have no right to request and obtain their own original birth records except through the use of a consent-based adoption registry, and only if a birthparent does not also veto release of "identifying information."

*A NOTE ABOUT CONTACT PREFERENCE FORMS



In Maine and New Hampshire, birthparents may file a contact preference form that is attached to the original birth record and indicates if the birthparent prefers contact or does not prefer contact. A filed contact preference form has no bearing on the release of the original birth record.



Gregory D. Luce
Adoptee Rights Law Center PLLC
4629 1ST AVE S
MINNEAPOLIS MN 55419

greg@adopteerightslaw.com

(612) 221-3947

adopteerightslaw.com/press

 @adopteelaw

 @adopteerightslaw