

Marge Garfield, adoptee, Governor's Appointee and Co-Chair of the 21-member VT Adoption Reform Task Force, whose work culminated in the Adoption Act of 1996 and founder of the Central VT Adoption Search Support Group.

To the Judiciary Committee, March 22, 2022, re: Michele Childs' testimony and the committee's remarks:

1. H.629, Pg.5, Sec.6-107: Re: "Certified" copy of OBC – A person can only have one official identity. The entire purpose of an official Adoption proceeding is to totally and legally switch the adoptee's identity from the birthmother to the adopting family. This makes it legally impossible for an adoptee to have both of these 'certified' birth certificates. That would be a bureaucratic nightmare – and especially if the OBC had the statement 'not to be used for identification purposes'. After all, isn't certification the means by which the certificate IS used for identification purposes? In addition, I can't think of any scenario in which an adoptee would need to have an actual seal-certified OBC – it would lack any practical purpose in the adoptee's life, not to mention be confusing. It would be fully satisfactory to me, an adoptee, to obtain a photocopy of the seal-certified OBC, showing the image of the seal, but the copy itself would have no seal. I urge you to change the language of this section because having a seal-certified OBC in addition to a seal-certified adoptive birth certificate would in effect give me two different identities. It would contradict the very purpose of adoption, which statutorily establishes the adoptee as the legal descendant of the adopting family IN LIEU OF being the legal descendant of his birth family.

2. Re: non-disclosure preferences of birth parents after 2024. Unfortunately, at this morning's Judiciary meeting, Sen. Sears did not recall that birth parents were extremely well-represented, both pro and con, during the process leading to passage of the 1996 Adoption Act. Addressing the various House and Senate committees, there were the adoption agencies who saw fit to speak for birthparents who 'could not' speak for themselves, as well as the Governor's Commission on Women and NARAL. Equally strong were members of Concerned United Birthparents support group of St. Albans, and the birthparents of the Central VT Adoption Search Support Group, birth parents from all parts of the state and from other states. Both birthfathers AND birthmothers repeatedly testified before these committees to stress the importance of finding their estranged child, to assure themselves they made the right decision to relinquish, and to know the child had a good, healthy adoptive life. This was especially true for pre-1986 birthparents who never had the opportunity to express ANY preference on consent or contact with their relinquished children. On the contrary, these pre-1986 birthparents were forced to sign relinquishment papers that summarily prevented them from ever seeking contact with their child or knowing its post-adoption identity. [Examples of these documents are available for your perusal.] Acceptance of this forced condition of relinquishment did NOT extinguish these birthparents' need for closure about their child's welfare. To be honest, birth mothers were the most dogged prime movers of the entire Open Records movement in the 1980s and '90s! Yes, I'm sure Sen. Nitka can recite 'horror stories' of reunions gone afoul – they do happen. So, equally, do the happy reunions that Sen. Nitka knows nothing about, that we saw repeatedly take place over the years in the privacy of our support groups. These reunions were filled with love and healing, when ALL family members – birth AND adoptive – finally surrounded the adoptee, and each other, with their love. Each life-changing reunion of course involved strong emotions on everyone's part that had to be worked through – it would be naïve to

think otherwise. But this deep work made us all stronger and ultimately freer. [I found the Senator's willingness to share a very very private story concerning an adoptee and his birthparent, told in the public setting of a Youtube stream, to be extremely unsettling. I also found the story belittling to the hapless subjects who were totally at her mercy as the Keeper of their Secret Records. It really struck a nerve. The social worker's well-meaning but vain attempts to mediate 'the perfect reunion' did provide a refreshing element of amusement to the tale however.] Too, there are countless adoptive parents who would like to thank the birthmother for their child but can't, due to lack of any identifying information. But the question is: Why should birthparents expect the State of Vermont to protect them from their unwanted children? Why should the state agree to protect anyone if, say, half the birthparents want protection while the other half wants CONTACT? The faulty presumption of 'no contact' can be empirically debunked now that we have 25 years of reunion history since the 1996 Act. Additionally, it is NOT the job of the State to run interference between parties in adoption on the odd chance that they may not like each other. That is sheer folly! The State's seminal interest in adoption is to preserve lines of descent for purposes of inheritance in case of intestacy. The State's secondary interest, having evolved later in history, is to place 'unwanted' children into homes rather than into institutions. It is birthparents after all who, in a moment of their own carelessness, produce these unwanted children in the first place. Why are these mothers protected? This whole discussion is obsolete in any case, since genetic testing identifies and locates birth families with ease, and people are figuring out how to navigate this brave new world with no help from the State Registry or social workers or support groups – and the Internet is a trove of helpful information in any case. It's time to stop pretending the State can successfully orchestrate people's relationships in this day and age. Let birthparents finally face the music and grow up emotionally; let adoptees know their origins – good OR bad – and understand their impact; let adoptive parents work out their own issues. It's time we all stopped hiding.

3. Access to OBC as separate issue. Disclosure and contact preferences are emotional issues and, as such, do not belong in the discussion of an adoptee's ability to get a copy of his own Original Birth Certificate, which is administrative and concerns the adoptee ALONE. This original document proves to the adoptee that he is REAL, that his 'first' birth really did happen, that he is a documented member of the human race and not just a legal or bureaucratic construct. Having your OBC is like having the deed to your house, or title to your car. The document SAYS something important to the adoptee himself, something that has nothing to do with parents, parenting, or relationships with others.