

Testimony for Vermont Senate Judiciary Committee
Mary Anna King, Quechee, Vermont
Re: H.629

Dear Chair Sears and members of the Senate Judiciary Committee,

My name is Mary Anna King, I am an adoptee and a resident of Quechee Vermont. I introduce myself as an adoptee, but my perspective is a bit more complicated than that. I am one of seven biological siblings who were adopted by 5 different families and raised apart. I am also a member of the Vermont Adoptee Rights Working Group, and have been following your work on H.629.

I was not adopted until the age of 10. I lived with my birthmother— who I refer to as my “first mother” as that term is most accurate for me-- when she was pregnant with four of my younger sisters. The most vivid memories from my childhood are of accompanying my first mother as she met with prospective adoptive parents who might one day adopt my yet-to-be-born sisters.

We were poor, you understand. My first mother already had me and my brother. She had a GED and a part-time job and full-time parenting duties; her husband—my first father— was not much help on those last two counts. My first mother wanted her children to have the “better life” that many adoption facilitators mentioned in the 1980’s. So she opted to place my sisters for adoption.

From the days that my sisters were born, I knew that they would live apart from me, that they would live with different families. But I never stopped thinking of them as my sisters. For as long as I can remember, I was waiting for my sisters to find me. I did not think that I could find them because— when each of the adoptions was finalized—my first mother was made to understand that we were not allowed to contact my sisters until they were 18 years old.

My sisters’ adoptions were what are known as gray market adoptions. They were arranged by an independent, private attorney, not an adoption agency. My first mother did not sit in an agency looking through “dear birthmother” albums. She responded to an attorney’s ad in the Pennysaver. We met prospective adoptive parents at local diners over baskets of fried clams. My brother hid under diner counters and I pressed my cheek to my first mother’s stomach, waiting to feel my sisters’ kicks.

When we left my sisters in the hospital nursery, we were convinced that they would be fine. My first mother had assurances from all of the adoptive parents that they would raise my sisters in a church and send them to college. They would get the “better life” she wanted for them.

I was adopted at the age of 10, by distant relatives in Oklahoma. On that day, I distinctly remember seeing my vital records change in front of my eyes. The parents--that is, birthparents--- listed on my birth certificate changed. The name on my social security card did, too. I would no longer be allowed to access a copy of the original birth certificate that listed my

first parents on it, even though I already knew their names. Every time I needed a birth certificate for identification purposes, I would be given a short form amended birth certificate that did not list details like the hour I was born or the truth of my biological origins. I would be 35 years old before the state I was born in— New Jersey— recognized my right to possess my original birth certificate.

I didn't have to wait that long for my first long-lost sister to find me. My sister contacted my first mother when she was 16; two years ahead of what we thought was the agreed-upon deadline. I was excited but unprepared. We had thought the 18 year limit in the adoption agreement applied to everyone involved in the adoption. But apparently not.

A few years later, my first mother was at work. She worked retail then, in a popular multi-national chain store that happened to be close to where another of my sisters lived with her adoptive family. My first mother had seen this sister and her adoptive mother in the store many times. She had helped them find their way more than once. So she didn't think anything was strange when, one day, the adoptive mother approached with her daughter. Instead of asking how to find the shoe department, the adoptive mother turned to her daughter and said "This is her; this is your birthmother."

My first mother had spent years with the mistaken understanding that everyone in the adoption agreement was bound by the same secrecy restrictions. But the truth is that nothing the adoption attorney said could legally bind the actions of other people; because he never represented her, he only represented the adopting parents. Even when my first mother thought all parties had agreed, it turns out that none of the post-adoption agreements had any legal weight. Only one agreement was clear and enforceable: the permanent severing of her parental rights.

And as for the other things my first mother had requested before choosing my sister's adoptive parents? The religion, the schooling? 1 out of 4 of my sisters was raised in a church. And 1 of the 4 finished college with her adoptive parents' support. My first mother was the only person who behaved as if she was bound by any of these agreements. Because in truth, she was the only person who was legally bound by any of them.

I should clarify here, my first mother was ecstatic when her daughters found her. She had been waiting for their return since the days she placed them. And my sisters and their adoptive families did not need original birth certificates to find her. My sisters couldn't have found my first mother from their original birth certificates anyway; by the time they could have obtained them, my first mother had remarried and changed her name. And she didn't live in the same town as she did when we were all born.

I'm telling you this story because reality is the antidote to myth. My story illustrates a few basic realities.

- First, adoptees frequently move from the states in which we were born and the states in which we were adopted. The decision Vermont makes on this bill will impact adopted people all over the country.
- Second, even older child adoptees are blocked from accessing our original birth certificates.
- And third, there were never promises of lifelong *anonymity* made to birth mothers.

Even if an adoption facilitator or an agency told a birth mother that they would never reveal her name, that agreement could only ever apply to that facilitator or agency. No one can make an agreement that binds the behavior of another person. And no one but the State can make promises that bind the behavior of the State. The State of Vermont, like all others, has never promised lifelong anonymity to anyone.

Confidentiality is not the same as anonymity. And this misperception should not block adopted Vermonters from enjoying the same right to request and obtain a copy of their own original birth certificate that non-adopted Vermonters have.