



Senate Judiciary Committee: H.629
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Hello Senators, and thank you for hearing me today. My name is Kate Van Wagner, I am a social worker and the Options Coordinator at Lund. I am compelled to speak today from my experience of a decade working with Vermont birth/first parents who have made private adoption plans for their children.

Lund's background.

As a respected provider of adoption services in Vermont for over 130 years, Lund honors the significance and the complexity of every adoption for adoptees, birth families, and adoptive families. We have supported over 10,000 adoptions.

Currently, Lund completes over 250 adoptions annually in partnership with the State of Vermont. Our highly qualified adoption staff are among Lund's most experienced providers of services to individuals and families. Our team approaches the work with a unique appreciation for the complexity of adoption and its impact on all people involved.

Our support for access to birth records.

Lund strongly supports adoptee access to original birth certificates. We know how crucial this document and information can be for adopted persons.

Our concerns with H.629.

We believe that H.629 can be made more effective with a few key changes.

- **First, regarding the honoring of past requests:** There are some birth parents who have previously signed requests for confidentiality of their name and address from the adoptee on Probate Court Form 700-000127--Disclosure of Identifying Information. They have done so with the understanding that only "a judge may decide to release this information for very important reasons (including, but not limited to medical reasons)." This bill would nullify this confidentiality by allowing release of the birth parent's name via the original birth certificate.
 - We request that these non-disclosure requests on file are upheld. By disallowing the release of any identifying information via the Vermont Adoption Registry or via the original birth certificate through the Department of Health, the state protects these birth parents' choice.
 - To assist with the intent of this bill, Lund will attempt to contact the few birth parents who worked with our agency and requested non-disclosure, to determine if they wish to reconsider their non-disclosure request.
 - It is important that the committee know that birth parents currently have the ability to change their request at any point.

The number of birth parents in private adoptions who choose to request this confidentiality is very small--our Director of Adoption estimates less than a dozen individuals in the last 25 years. (Private adoptions are non-State adoptions, which represent a small number of Lund's total annual adoptions.)

While birth parents who request non-disclosure are not the majority of birth parents, **they do matter**. They have often been through intensely traumatic circumstances surrounding their pregnancies. On top of that that trauma, as well as the trauma of relinquishing one's parental rights, they have made yet another heart-wrenching decision to request confidentiality. I know from sitting with people thinking through this decision that withholding their identifying information if their child requests it at adulthood is not a request that is made lightly.

Lund feels strongly that this bill needs to honor and respect these birth parents' "no's" by not allowing the state to disclose their full names.

- **Looking forward:** We recommend a second change to this bill. It must add an ongoing exception to the release of identifying information of a birth parent. As written, the bill would allow full disclosure of all birth parents' names through the Vermont Adoption Registry and/or the Vermont Department of Health (birth certificate) in every adoption, without any avenue for confidentiality for a birth parent.
 - Lund believes an option must remain under state law for birth parents to request non-disclosure of their identifying information by the state.

Alternatives: Lund has been working closely with the Vermont Network Against Domestic and Sexual Violence on these issues. They will be bringing a proposal to this committee later today, which Lund fully supports.

Again, at Lund we support access to original birth certificates for adoptees.

We understand that there is great momentum with this bill for completely unrestricted access to original birth certificates.

But, it is my obligation to complicate this.

I've worked directly with birth parents who have chosen to sign non-disclosure requests for the release of their identifying information.

Hear me when I say that these are rare, serious choices made to protect one's personal safety, mental health, or wellbeing. It is critical that you recognize the difficulty and complexity of these Vermonters' situations as you consider the impacts of this bill.

We ask that you consider our suggested adjustments to the bill.

Thank you.