



## **SUPPORT FOR ACCESS TO ORIGINAL BIRTH CERTIFICATES**

### **Adoption Community of New England (ACONE)**

ACONE is a membership organization, serving everyone touched by adoption, which is a program of RFK Children's Action Corps.

#### "Adopted Persons' Right to Access Original Birth Certificates

It is Adoption Community of New England's position that adopted persons should have access to their original birth certificates.

We believe that:

- Adopted persons have the same right to their identity as all other persons;
- To deny adopted persons copies of their original birth certificates is to deny their civil and human rights;
- Adopted persons should be able to achieve the personal validation that comes from accessing their original birth certificates;

This statement is exclusively about access to original birth certificates; it is not about general access to adoption records."<sup>1</sup>

### **American Academy of Pediatrics (AAP)**

AAP is a professional association of pediatricians with more than 60,000 members, which has the largest pediatric publishing program in the world. The AAP has endorsed the position statement by the National Adoption Center.

### **American Adoption Congress (AAC)**

<http://www.americanadoptioncongress.org>

#### **AAC Mission Statement**

"The American Adoption Congress is comprised of individuals, families

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<sup>1</sup> Adoption Community of New England Position Statement: Access to Original Birth Certificates. October, 2005.

and organizations committed to adoption reform. We represent those whose lives are touched by adoption or other loss of family continuity.

We promote honesty, openness, and respect for family connections in adoption, foster care and assisted reproduction. We provide education for our members and professional communities about the lifelong process of adoption. We advocate legislation that will grant every individual access to information about his or her family and heritage.

**The AAC is committed to:**

- Increasing public awareness about the realities of adopted life for birth and adoptive families
- Changing public policies related to adoption practices in order to acknowledge adoption as an extension of family
- Enacting legislation in all states that guarantees access to identifying information for all adopted persons and their birth and adoptive families through records access and preservation of open adoption agreements
- Facilitating birth family reunification for all adopted adults, without prior restraint, through search and support group networking and/or social service assistance.”<sup>2</sup>

**Child Welfare League of America (CWLA)**

[www.cwla.org](http://www.cwla.org)

CWLA leads and engages its network of public and private agencies and partners to advance policies, best practices and collaborative strategies that result in better outcomes for children, youth and families that are vulnerable.

**CWLA National Blueprint for Excellence in Child Welfare (2013):**

**Section 1.3 Children should have connections with their family and communities.**

Children have the right to live with their families of origin unless living with their families is harmful to them. When a child cannot live with both parents, the child has a right to be connected with both parents unless connection with one of the parents would be harmful to the child. The child also has a right to know parents, siblings, and extended family, and to maintain connections with their extended family. A child whose parents reside in different countries should have the right to maintain relationships and contact with both parents and other family members. Governments should respect the right of the child and his or her parents to leave the

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<sup>2</sup> American Adoption Congress, Mission Statement, [http://www.americanadoptioncongress.org/mission\\_goals.php](http://www.americanadoptioncongress.org/mission_goals.php)

country and reenter the country, unless restrictions are necessary to protect the child or public's health and safety.

It should be understood that the child's right to be connected with family is not precluded by decisions that a child be raised by a single parent, a same-sex couple, grandparents, adoptive parent(s), or any other family configuration. Regardless of any decisions about the child's living arrangement and family constellation, the child has a right to be connected with his/her original parents. When connection is not possible, or is not in the child's best interests, the child has a right to know about his/her original parents.

When a child is adopted, the child has rights to connections with and awareness of both the original family and the adoptive family.

When siblings cannot live with their family they should be placed together unless there is a clear rationale for why it is not in their best interests. Separated siblings have a right to visit each other and to maintain contact. Children have a right to maintain connections with their communities—schools, friends, neighbors, special people, and places they are connected to—even when they are required to move from where they are living.

#### **I.4. Children should have access to information about their family history and background information.**

Access to and understanding of family history is vital for children's development and sense of self. Such access is also important for understanding family medical history.

#### **I.5. Children should be able to preserve their racial, ethnic, cultural, and religious identity.**

Children have a right to understand their heritage; to preserve their connections to culture and religion; to learn and preserve their traditions; and to have adults and peers support their development of strong and healthy racial, ethnic, cultural, and religious identity.<sup>3</sup>

#### **CWLA Standards of Excellence for Adoption Services:**

"The interests of adopted adults in having information about their origins have come to be recognized as having critical psychological importance as well as importance in understanding their health and genetic status. Because such information is essential to adopted adults' identity and health needs, the agency should promote policies that provide adopted

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<sup>3</sup> CWLA National Blueprint for Excellence in Child Welfare, 2013 <http://www.cwla.org/our-work/cwla-standards-of-excellence/national-blueprint-for-excellence-in-child-welfare/>

adults with direct access to identifying information.”<sup>4</sup>

**Concerned United Birthparents (CUB).**

[http://www.cubirthparents.org/open\\_records.php](http://www.cubirthparents.org/open_records.php)

CUB is the only national organization focused on birth parents – their experience, healing, and wisdom.

“CUB supports adult adoptees’ right to access their records, without restrictions or qualifications. Knowing one’s identity is a civil right, which is being consistently abused by the practice of sealed records adoptions. All human beings have the right to know their original identity which includes their genetic roots, their medical history and biological history.”

**The Donaldson Adoption Institute (DAI)**

<http://adoptioninstitute.org>

DAI is a non-profit education, policy, and research organization. Focusing on the entire adoption community (first/birth parents, adopted people, adoptive parents and extended families of all), DAI works to improve the adoption experience and strengthen families by promoting healthy identity in adopted people, safeguarding the rights of parents (expectant, first/birth and adoptive) and educating practitioners, professionals and policy makers.

“Every state should restore unrestricted access to original birth certificates for all adult adoptees, retroactively and prospectively. The experience of many other countries, of U.S. states where birth certificates have never been sealed from adopted persons, and from those states that have restored access, all indicate that there are few if any problems when access is granted. There is no significant legal, experiential or factual rationale for denying adopted adults the right to access their OBCs – a right that is enjoyed by all non-adopted Americans. Allowing access with the provision for contact preference forms is a practical solution that affords birthparents a greater opportunity to express their wishes – and therefore greater “protection” – than they currently have with sealed records.”<sup>5</sup>

**National Adoption Center**

The National Adoption Center expands adoption opportunities for children living in foster care throughout the United States and is a resource to families and

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<sup>4</sup> CWLA Standards for Excellence in Adoption Services, Child Welfare League of America, 2000

<sup>5</sup> For The Records: Restoring A Legal Right For Adult Adoptees, Donaldson Institute, 2007

[http://adoptioninstitute.org/old/publications/2007\\_11\\_For\\_Records.pdf](http://adoptioninstitute.org/old/publications/2007_11_For_Records.pdf)

agencies that seek the permanency of caring homes for children.

“The National Adoption Center believes that it is an inalienable right of all citizens, including adopted adults, to have unencumbered access to their original birth certificates. In keeping with this position, we believe that copies of both the original and the amended birth certificate should be given to the adoptive family at the time of finalization unless specifically denied by the birthparents. In any case, the National Adoption Center advocates that the adoptee, at age 18, be granted access to his/her original birth certificate.

The National Adoption Center also supports an adult adoptee’s unencumbered access to all medical and historical records. These records should be given to adopting families prior to finalization.”<sup>6</sup>

### **National Association of Social Workers (NASW)**

NASW is the largest membership organization of professional social workers in the world, with 140,000 members. NASW works to enhance the professional growth and development of its members, to create and maintain professional standards, and to advance sound social policies

“The need and right of adoptees to know their birth origin should be recognized and respected. This right extends to requests from adult adoptees for identifying information.”<sup>7</sup>

### **North American Council on Adoptable Children (NACAC)**

<http://www.nacac.org>

NACAC promotes and supports permanent families for children and youth in the U.S. and Canada who have been in care—especially those in foster care and those with special needs.

“NACAC believes that every adopted person has the right at the age of majority, to receive personal information about his or her birth, foster, and adoption history, including medical information, and educational and social history. NACAC supports efforts of adoptees to have access to information about and connections with their birth and foster families.....Recognizing that many adult adoptees have a need for more complete information about their birth families, NACAC supports their right to this information and supports access to original birth certificates to any adult adoptee at age of majority.”<sup>8</sup>

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<sup>6</sup> <http://adopt.org/our-policies#Open>

<sup>7</sup> NASW: Social Work Speaks: NASW Policy Statements, 2000-2003 131 (5th ed. 2000)

<sup>8</sup> NACAC, Position Statements: Access To Records.  
<http://www.nacac.org/policy/positions.html#Records>

## **Parents for Ethical Adoption Reform (PEAR)**

<http://www.pear-reform.org/index.html>

PEAR is a 501(c)(3) nonprofit organization, whose worldwide membership includes prospective and adoptive parents, adoptees, adoption professionals, and others interested in meaningful, ethical adoption reform.

### **Open Records Statement**

**PEAR** supports unrestricted access to birth records for all adults adopted as minors. We do not believe removing the right to obtain their personal, official documents should discriminate against any citizen. We oppose the imposition of contact vetoes, court orders, or third-party agency interference with an adoptee's right to access his or her original birth certificate.

Adoption should be about the formation of a family for the benefit and best interests of children, not the destruction of identity. As an organization we will support clean legislation submitted in any state that seeks to achieve the goal of opening records.”<sup>9</sup>

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<sup>9</sup> <http://www.pear-reform.org/open-records-statement.html>