

Frequently Asked Questions (FAQs) about the Issue of Adult Adoptees Being Given the Legal Right to Access Their Original Birth Certificates

Prepared by members of the Rocky Hill Congregational Church, UCC (RHCCUCC), Rocky Hill, CT, for the educational process within their church, March, 2015.

What are we proposing?

We are proposing that our church, RHCC-UCC, vote to endorse access to original birth certificates for all adoptees in Connecticut and bring a resolution to the annual meeting of the Connecticut Conference of the United Church of Christ regarding access to original birth certificates for all adoptees in Connecticut.

What are we asking the Connecticut Conference of the United Church of Christ to do?

Our resolution asks that the delegates to the 2015 meeting of the Connecticut Conference of the United Church of Christ, the Board of Directors of the Connecticut Conference, and the staff of the Connecticut Conference to explore, collaborate, and cooperate in every way possible with the many and various interfaith efforts in Connecticut to persuade Connecticut legislators to enact legislation to ensure all adult adoptees are legally entitled to have the same information about their origins which is available to all non adopted persons of Connecticut, including access to their true, original birth certificate.

We are asking the delegates of the 2015 annual meeting of the Connecticut Conference of the United Church of Christ to resolve and urge that the legislative and Executive branches of Connecticut, other states and the United States government through their agencies and commissions grant adult adoptees access to information about their origins including access to their true, original birth certificate.

Why do we need to amend Connecticut Law?

It is a human right to have an identity and a true and accurate record of one's birth.

Current Connecticut law denies this basic human right to adopted persons whose adoptions were finalized in Connecticut before October 1, 1983.

The situation is as follows:

1. Adoptees whose adoptions were finalized after October 1, 1983 are allowed to obtain a copy of their true, original birth certificate.
2. Adoptees whose adoptions were finalized BEFORE October 1, 1983 are not allowed to obtain a copy of their true, original birth certificate. This is true even though before 1975, all adult adoptees (and parents of minor adoptees) were allowed to obtain a copy of their true, original birth certificate."

Don't adopted people have birth certificates?

A true, original birth certificate is created for everyone at the time of birth. This birth certificate remains the legal birth certificate of a child even after termination of a biological parent's rights and responsibilities. If the child is subsequently adopted, however, an amended, false birth certificate is created when the adoption is finalized which names the adoptive parents as the birth parents at which point it becomes the adoptees legal birth certificate.

When an amended, false birth certificate is created the names of the birth parents are deleted and replaced by the names of adoptive parents. The adopted person's original name is deleted, and replaced with the name chosen by the adoptive family.

The original birth certificate is sealed from the adoptee for the rest of their lives under most circumstances. As a result, the adoptee's ethnic, genetic, and cultural identity is lost to them. They also lose any access to their biological family's updated medical information.

Why were the original birth certificates sealed in the first place?

It is a common myth that secrecy in adoption was intended to protect the privacy of the biological parents.

In fact, the dual birth certificate system (whereby the true, original birth certificate was sealed and replaced with a false, amended birth certificate) was designed to protect children from public knowledge and stigma of their illegitimacy, and to protect the adoptive family from the intrusion of the birth parents, should they seek out their child, rather than to protect the privacy of the birth parents.

Were birth parents promised confidentiality?

Many birth mothers were shamed, banished and forced to relinquish their babies. During the "Baby Scoop Era" (1945-1970s) many unmarried women were subject to coercive tactics to convince them to surrender their children.

Furthermore, birth parents have always been required to sign legal documents whereby they surrender their rights and responsibilities to the child. **Not one document has ever been produced in Connecticut or any other state in which a birth parent is promised confidentiality.** Although very few relinquishment documents have been obtained (they were routinely withheld from birth mothers, and relinquishment files containing these documents are also typically sealed), the few that have been obtained are silent on the issue of confidentiality. A minority of relinquishment documents instead admonish the birth mother not to interfere in the child's life.

In reality, birth parents' identities can never be perpetually hidden. In Connecticut, prior to 1975, the law clearly provided that adult adoptees, and adoptive parents of minors, could legally obtain a copy of the adoptees original birth certificate. Many adoptees have also used the Internet to search and discover the identity of their parents. DNA testing is increasingly being successfully used by adoptees to locate biological relatives. Adoptees with financial means are able to hire private investigators to locate biological relatives.

Connecticut probate courts have the ability to order access to the original birth certificate in their discretion if the birth parents cannot be located, and they determine it does not harm the public interest, the adoptee, or the birth or genetic parents. In doing so the court is NOT required to notify the birth parents that the original birth certificate has been disclosed to the adult adoptee. Furthermore, for the past quarter century Connecticut law has allowed disclosure of the birth parent's identity to an adult adoptee after the birth parent's death.

Would this open adoption records?

No. This proposed Resolution simply allows all adult adopted persons to access their original birth certificates as non-adopted persons do.

What about if a birth parent does not want to be contacted by their biological child?

In Connecticut, the law granting original birth certificate access to adoptees whose adoptions were finalized after October 1, 1983 provides a system for birth parents to file a Contact Preference Form, patterned after one currently used in Rhode Island, which gives the birth parent the following options:

- 1) I would prefer not to be contacted at this time.
- 2) I would prefer to be contacted only through an intermediary.
- 3) I would like to be contacted.

Will allowing adult adoptees access to their original birth certificates cause an increase in abortions, because a woman would rather have an abortion than have her adult offspring learn her identity 18 years later?

Based on data from the U.S. Centers for Disease Control and Prevention, states that allow adoptees access to their original birth certificates have rates of abortion that are lower than the national average. Alaska and Kansas, which have never sealed original birth certificates, have had lower abortion rates than the national average for decades.

Are there any organizations which support adult adoptee access to original birth certificates?

Many state and national organizations support this. These include, but are not limited to, the American Adoption Congress, the American Academy of Pediatrics, the National Association of Social Workers, the Child Welfare League of American, the National Adoption Center, the North American Council on Adoptable Children, and many adoption agencies. Most adoptions today have at least some degree of openness.

Concerned United Birthparents (CUB), the only national organization focused on birth parents, their experience, healing, and wisdom states “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 the sealed record adoptions. All human beings have the right to know their original identity which includes their genetic roots, their medical history, and biological history.”

Are there other states which allow adult adoptee access to original birth certificates?

Alabama, Alaska, Kansas, Maine, New Hampshire, Oregon and Rhode Island allow adult adoptees unrestricted access to their true, original birth certificates. Several other states allow partial or restricted access (like Connecticut does now). Efforts are underway in many states to restore access to all adult adopted a persons.

Are there any recommended books or movies which depict the above?

The prevailing cultural myth inaccurately portrays women as being grateful for being able to give their children away, and seeking to forever hide the secret shame of their out of wedlock pregnancy . “The Girls Who Went Away”, a book by Ann Fessler and her related film, “A Girl Like Her”, contain extensive personal interviews depicting the era of forced relinquishments in the U.S from the post-World War II era to the 1970s.

In the 2013 movie “Philomena”, Dame Judi Dench was nominated for an Oscar for her portrayal of one woman’s experience of forced relinquishment in Ireland.

Although adoption is a common theme in film and literature, much is based on the inaccurate “as if” mythology. The myth is that the experience of an adopted person and their adoptive family is the same “as if” the adoptee were born into that family. Documentary films by Jean Strauss, included “ADOPTED: for the life of me”, and A” Simple Piece of Paper,” which follows eighteen adopted citizens as they receive their original birth certificates in Illinois, illuminate the adoptee perspective.

Who can I talk to for more information or to discuss this?

For additional information, you can go the Access Connecticut Adoptee Rights website or Facebook page. You can also call Brian Donahue at 860-305-4238. He can provide further information to you regarding this issue.

Prepared with the advice and guidance of Access Connecticut, a grassroots organization of adoptees, birth parents, adoptive parents and adoption professionals dedicated to re-establishing the right of adult adoptees to access their original birth certificates, which was taken away in 1975.