

THE ABCs OF ADOPTION REFORM

Amended Birth Certificate

A new birth certificate, issued after an adoption is finalized, that contains the name of the adoptive parents as the parents. In some places other information may be altered, such as place of birth; or information may be omitted, such as the name of the hospital or the time of the birth.

“Clean” Bill

Legislation that gives all adult adoptees access to the original birth certificate without restrictions or limitations. In clean bill legislation, the process by which an adoptee gets an original birth certificate (OBC) is the same as it is for a non-adopted person.

Confidential Intermediary

Individuals or agencies designated by the state to act as "go betweens" between adult adoptees and birth parents and who are given access to confidential information about the birth parents for that purpose.

Contact Preference

A nonbinding mechanism by which a birth parent may write privately to an adoptee expressing the birth parent's preference as to contact. The preference is given to the adoptee with the OBC. The preference does not legally restrict the adoptee, and so a "clean" bill can include a contact preference provision. A form with options is commonly used. The usual options are these:

- would welcome direct contact;
- would welcome contact through a confidential intermediary; and
- would prefer no contact at this time.

In some states, if the "no contact" option is selected, the birth parent must supply updated medical information.

Contact Veto

A provision in some jurisdictions that allows a birth parent or other birth relative to prohibit contact from an adoptee after the OBC is released. The birth relative need not supply any reason. An adoptee who violates the prohibition may be punished civilly or criminally. The effect is similar to a restraining order.

Disclosure Veto

In some states, the law allows one or both birth parents to file a document preventing the release of the OBC to the adult adoptee.

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Mutual Consent Registry

Registries are mechanisms for matching two or more people who have been separated by adoption. They are also called "passive" registries because, no matter what entity operates them, they depend on the action of two separate registrants to trigger a "match." A match typically does not result in the release of the OBC.

Original Birth Certificate (OBC)

The birth certificate issued at the time of birth that identifies the place, date, and time of birth and, at a minimum, the name of the birth mother. Upon the finalization of an adoption, the original birth certificate (OBC) may be officially sealed, meaning that it is not accessible to adoptees or their parents without a court order.

Open Records

The phrase "open records" is often a misnomer for adult adoptees' access to their own birth records. "Open records" suggests public access to adoption records, which no one advocates.