Meghan R. Callaghan

Case 3 Product- Revised

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**Talking with Adoptee children about Closed Adoption Records**

Currently within the United States only six (Oregon, Maine, New Hampshire, Alaska, Kansas, and Alabama) states allowed adult adoptees open access to their original birth certificate records and files. This is a daily privilege granted to non-adopted adults (Bastard Nation). The history of original birth certificates within the context of adoption has a long history of secrecy and controversy; however with new efforts from progressive ‘pro-open’ groups, more states are beginning to revise the laws that prohibit adoptees in claiming their original birth certificates. This guide is categorized into three topics and is geared for parents with teen adoptees. The responses are written in a way that a parent could response to their child if they have questions related to the topic, with some individual tweaking done by the parents. Within each topic are reflective question that can guide a conversation between adoptive parents and adoptees. It is probably a given that most teenagers regardless if they are adopted or not, are not thinking about their birth certificates. But for adoptee teens not having access to these original documents, will prevent them in searching for their biological parents; if they wish do make contact. Therefore, this guide’s main objective is to raise the awareness levels of parents around the issue of original birth certificates, so that if their child ever does come to them asking about why they do not have access to their original birth certificates, they will be more informed and able to talk with their child.

**Adoption records**

*When is a birth certificate important?*

*What information does a birth certificate contain?*

*Should all people have access to their original birth certificates?*

Adoption involves the relinquishing of rights by the biological parents (most importantly birth mother) in providing care for the child. When the child is adopted by adoptive parents, the original birth certificate that identifies the names of birth parents, sometimes only biological mother’s name, is sealed. The adoptee is given a new birth certificate that has their new adoptive parents’ names. The names of the original birth parents can provide the new family with information pertaining to biological background, which can lead to discovering important medical histories. This is because the first adoption laws included a secrecy clause sealing your original birth records and restricting the release of your biological background information (March). During World War II, adoptive families would have received no identifying information of your birth parents and likewise the biological parents do not know anything about you or your family (Cahn and Singer). Access to this original birth certificate can be granted if a judge grants permission, but it’s unlikely that will happen in most states. In the 1940’s, the records were kept confidential because people involved wanted to make sure that the public could not access the files. Those involved wanted to keep the reasons for adoption (both birth parents and adoptive couples) to themselves. Additionally, during this time social workers kept detailed medical histories of the birth parents that could be accessed by the adoptees when they reach adulthood. It was the goal to have the information available only to those involved in the adoption. Yet, this changed in the 1960’s when birth parents and adoptive couples wanted to keep it a secret that they were involved in an adoption. This is really the beginning of how adoption became to be seen as negative. Birth mothers, who were not married during their pregnancy, did not want the world to know about their ‘shameful’ actions (having sex before marriage) and it was not seen as ‘natural’ for married couples not to be able to produce a child. Remember all of this happening during a time in history when there was a certain image of what a family was supposed to be and look like. Having interracial relations or not following the social rules for being a wife and husband; surely placed people as outcasts in society. So, adoption became shameful and secretive. Sadly, most laws regarding adoption have not changed since the 1960’s and most states abide by a closed record policy. Nancy A. Ashe says on the website Adopting.org that "sealing" these records was seen as an effective and necessary (at the time- 1960’s) means of "keeping the silence," and most states enacted laws to do this” (Ashe). Today, it is becoming more common for private adoptions to insist in operating with open communication between everyone involved in adoption, the sealed original birth certificates seem not to be as important. Yet, as Karen March writes in her article “Perception of Adoption as Social Stigma: Motivation for Search and Reunion” that “the relative success of these alternative practices brings into question the validity of an adoptive process that denies adoptees access to their biological heritage” (653).

**Arguments against and for opening adoption records**

*What is a family?*

*How can adoptees benefit in knowing their biological backgrounds?*

*Do you think adoptive families are different than biological families? (March)*

*Do you think your experience of being raised as an adoptive child is different than the experience of being raised as a biological child? (March)*

Most arguments for keeping the records closed go back to wanting adoption be kept a secret. If the records were to become open, adoptees could become confused about who they are. Some adopted children feel like they do not fit in with their families and the environment they live in, making them become an outside*r*. Karen March says, “Before reunion with birth parents, some adoptees claim a sense of incompletion from their inability to fully integrate their biological background into their identity structure” (654). We want to feel connected to people, especially our family members. There are arguments that believe that a person can only feel connected to who they are (self-knowledge and identity formation) when they know their biological parents. Then there are arguments saying you do not need to know your biological parents in order to know one self (Haslanger).

Another reason for keeping the records closed goes back to women’s rights and what they were promised at the beginning of the adoption. If a person’s true motivation for adoption was to keep the child a secret from their family or their larger environment they did so believing that the child would never come to back and find them, or that they would never want to know about the child. Unfortunately, this reason for keeping the records sealed is bogus. Adam Pertman, the executive director of the Evan B. Donaldson Adoption Institute said this reason is “unfortunately, based on cultural myths and faulty stereotypes. In fact, nearly every shred of research and experience over the last few decades shows that none of these women were given legal assurance of anonymity; at least 90 percent of them want some level of contact with or knowledge about the lives they created, regardless of what they might or might not have been told verbally; and adopted people are not stalkers or ingrates, but simply human beings who want the most basic information about themselves” (Pertman).

Another reason closely aligned with the belief that women’s rights would be impacted, is the belief that more and more women will choose to have an abortion over choosing an adoption. Bastard Nation, a progressive advocacy group for adoptee rights says on their website that “in Alabama, which opened records to adult adoptees in August 2000, the total number of abortions declined by 1.3% (from 13,533 to 13,382) during the first full year of open records compared to the previous year when records were closed for the majority of the year. Abortions among girls and women under eighteen have been declining since 1998. The sharpest year-to-year decline actually occurred in 2001 (down 10.9%, from 1,029 to 917), the first full year the records were open in Alabama” (Bastard Nation). Other states, such as Alaska and Kansas, which also have open access to adoption records have, send the same kind of trend among abortion rates.

One last reason, why people want to keep the records closed is that it is harmful to the adoptive families. When an adopted child or adult begins the process of searching for their birthparents, it impacts the adoptive family. Karen March conducted a study in 1995, where she interviewed 60 adult adoptees who reunited with their birth mothers; motivations for searching varied. The study found that “searchers represent all age cohorts, socioeconomic status positions, educational levels, and degrees of satisfaction with the adoption outcome. Additionally, adoptees that possess a considerable amount of background material about their birth parents may be just as likely to search as adoptees that possess little or no knowledge (654). Therefore, opening the sealed records does not prevent adoptees from searching for their birth parents.

There are many good reasons to open these adoption records. Most pro- open groups say that it’s basic right that a person has access to information which you are connected/identified with. As a closed system, adoptees who want to access the information as adults lack this basic freedom that other people have, thus putting adoption once again into an outside category, making them another ‘class’ of people. Bastard Nation says, “We are angry that we continue to be treated as second-class citizens, as dirty little secrets, long after most of the world has recognized the rights of adult adoptees to knowledge of their origins and equal access to government-held documents which pertain to them. We are angry at those self-interested sections of the adoption industry which continue to lobby for sealed records, hiding their own past misdeeds under a cloak of “birth parent privacy,” and implying that adoptees are potential stalkers who would harm their birth parents if they had access to their own records” (Bastard Nation).

  At the American Adoption Congress conference in 2003 a group of teens drafted up their own bill of rights.

Adopted teens have the right to:

* Express our feelings about the adoption experience.
* Express and face fears about searching.
* Birth parent information before age 18 or 21.
* Want to find, communicate, be connected to birth parents.
* Know the story of our birth and adoption.
* Meet with other adoptees our age regularly.
* Access knowledgeable, professional help (counseling and programs, AAC teen training).
* Have a voice in adoption laws.
* Receive support from our adoptive families for all of the above.

(American Adoption Congress)

The rights go beyond the issue of open adoption records, but voice the same urgency for states to create new laws that allow adoptees access to their original birth certificates. There for several other organizations calling evoking the same spirit of ‘we are Americans too’ (Pertman).

Another reason to open adoption records is the fact that having the access and information does not have to or will result in adoptees wanting to make contact with birthparents. It is more about having the proper identification that leads to a person being able to find more information regarding their medical histories and biological heritage. Today, a person can basically do all this online. Nancy S. Ashe says on adopting.org that “birthparent privacy is not an open records issue, since ‘open records’ simply means access to information, not a mandate for contact” (Ashe). This means that adoptive parents and families have no reason to apprehend this information as well. With the access to the information, the need for secrecy can be thrown out the door.

In March’s interviews all adult adoptees reported social discrimination from others due to their adoptive status. They conveyed the discrimination came about when they were telling people about their adoptive status for the first time, or when they were unable to answer questions pertaining to why they were adopted. March quotes one interviewee saying, “When someone is told that you are adopted, they usually start to ask you questions about your birth mother. Those questions generally have an underlying implication that she was a loose person…Because you don’t have the information to deny it. It makes you wonder where you came from” (656). Gaining access to biological information that is sealed within adoption records can provide adoptees with knowledge and more importantly the security and confidence in knowing their heritage.

**Searching for Birth Parents**

*Why do some adoptees search for their birthparents?*

*What are the risks in searching for birth parents?*

*What are the benefits?*

*What makes you happy?*

*What do you need in your life to feel safe and comfortable?*

*Are you ready to discover maybe not so great/bad news or good news about your birth parents?*

*How do you think your life would change if you were to meet your birthparents?*

*What are you expecting in meeting them, or her/him?*

No one can really know all the reasons why adoptees go searching for their biological birthparents. Regardless of the motivations behind searching for a birthparent, the curiosity occurs across the board in all adoptees. This curiosity for searching looks different at the different stages of development. Julie Kohler, professor at the University of Maryland and her colleagues ran a study on 135 adoptee adolescents that looked to see if youth in adoptive families where they feel there is a lack of trust, communication, and feel alienated (not really a full member of the family-due to being adopted) also experience higher levels of “preoccupation with adoption.” So in other words, do youth who have mixed feeling about their adoptive families want to search for their birth parents, more so than other adopted youth? What did the study find among these 135 youth? Well, it found that yes, if a youth is experiencing ‘problems’ in their adoptive families, then there will be a higher level of wanting to search for their birthparents. Kohler says, “The results of the study suggest that adopted adolescents’ levels of preoccupation are related to their adoptions and their relationship in their adoptive families” (Kohler 100). Therefore, one shoe does not fit all for why adoptees search for the birthparents.

If your adoptee went through a closed adoption arrangement finding their biological parents you might bring the discovery of their medical histories and family heritage that can later become worthwhile knowledge. Additionally, through searching and contacting birthparents, your adoptee might feel an ‘internal sense of human connectedness,’ meaning they now know more about who they are (Kohler). March’s interviews found that the interviewees longed for a whole picture, in the hopes of overcoming the perceived social stigma of being adopted. March says “Their search and reunion activities were not symptoms of adoption breakdown. They represented an attempt to neutralize their stigma trait, by placing self within the biosocial context valued by their community” (658). Additionally, March found that the results of reunion activities provided adoptees with the satisfaction of obtaining background knowledge and the new ability to “fill in the gaps” regarding the secrecy of their adoption.

Searching for birth parents can be a tedious and long process. Here are few suggestions for how one can go about searching for birthparents. All of the options listed below have a range of costs involved as well.

* Mutual Consent Registries are state organized and sadly deemed “passive,” meaning if you lack patience then maybe this option isn’t the best for you. Here is how it works: Both adoptee and birth mother, sometimes even birth father, need to/would have to consent to providing information. So if adoptee goes ahead and provides information, but the biological mom does not, then the process is at a standstill. It could take a long time before a birth mother decides to provide information that would then lead to a match. Additionally, since these registries are state-run, if adoption occurred in one state, but now live adoptee lives in another, adoptee would need to go back to the initial state of origin. The success rate in terms of matches is very low here. For this to work, adoptee have to be stay on top of the registry with phone calls, checking in to see if any process has been made. 22 states in the United States offer this service (adoption.com).
* Confidential Intermediary Systems: These are like the Mutual Consent Registries in the fact they are state organized as well, but are more top on their stuff. They are more active in nature. Here is how it works: Adoptee provides the registries with the right information, the state must go and search for their biological counterparts. If there is a match, the state would ask if there was complimenting consent to provide information and potentially meet. The state would then facilitate a time when the two parties could come together. 18 states in the United States offer this service (Cahn and Singer).
* Adoption Reunion Registries: A free service provided by [www.adoption.com](http://www.adoption.com), anyone over the age of 18 can enter in personal information, as well as birthplace and birthdate and be entered in the reunion registry. Currently there are 400,000 profiles on the registry, consisting of 53.5% of adoptees, 23.3% are birthmothers and the rest are siblings, other family relatives, as well as search angels trying to reconnect with family members. Adoption.com also provides all those involved in adoptions with multiple resources on how to reconnect with biological family members.

**Conclusion**

The history of adoption in the United States can be viewed as a messy ball of yarn, tangled together in secrecy. Sadly, today the knots of the yarn can be seen within the perceived stigmas felt among adoptee children and adults. Breaking the seals of the original birth certificates is one action that can help undo the ball of yarn. Karen March sentiments within her study’s conclusion summarizes the difference knowledge of background information (both contextual and biological background) can make within adoptees. She says, “By removing the constraints of secrecy, they (adoptees) have gained more power over their presentation of self and over negative assumptions that others might make about their biological history and the reasons for their adoption (658). Adoptive parents are uniquely placed to support and guide their adoptee children in processing their self-knowledge and identity formation. Discussing the issues related to closed adoption records can help adoptees understand their place within the adoption movement.

Additional Support Resources

For more information regarding the issue of closed adoption records, try these websites to learn more.

Open Records Groups:

Bastard Nation- [www.bastards.org](http://www.bastards.org)

American Adoption Congress- <http://www.americanadoptioncongress.org/index.php>

Evan B. Donaldson Adoption Institute- <http://www.adoptioninstitute.org/index.php>

Support Resources (clearinghouses for those involved in Adoptions):

Adopting.org- <http://www.adopting.org/adoptions/adult-adoptees-adopted-persons.html>

Adoption.com- <http://adoptees.adoption.com/>

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\*same article is also found on [www.adoption.com](http://www.adoption.com)

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