



## **SB0331 - Access to Birth and Adoption Records and Search, Contact, and Reunion Services**

Presented to the Honorable Will Smith and Members of Judicial Proceedings Committee

January 26, 2021 1:00 p.m.

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### **POSITION: SUPPORT**

NARAL Pro-Choice Maryland **urges the Senate Judicial Proceedings Committee a favorable report on SB0331 - Access to Birth and Adoption Records and Search, Contact, and Reunion Services**, sponsored by Senator Susan Lee.

Our organization is an advocate for reproductive health, rights, and justice. Adoption provides birth parents with an alternative to parenting and in turn provides adoptive parents with an alternative to pregnancy and childbirth. To ensure that adoptees have full access to personal information about their health and family health history, we must expand adoptees' rights to include access to their original birth certificate. NARAL Pro-Choice Maryland believes that expanding adoptees' rights is a reproductive justice issue.

Though adoption can be a healthy option for all parties involved, attitudes surrounding adoption are often ones of secrecy and shame. These harmful attitudes are misguided. Open adoption—a form of adoption which allows birth parent(s) to have contact with adoptive parent(s) and the child—has numerous benefits for everyone involved. While open adoptions still legally give permanent rights and responsibilities to adoptive parents, adoptive parents in these situations can work with birth parents to determine what type and amount of contact with the adoptee is best for the child and family.<sup>1</sup> Further, like non-adopted children, adoptees should have the opportunity to learn about their birth families and ancestry, both of which are important to an individual's identity formation.<sup>2</sup> However, closed adoptions mandate that adoptees in Maryland cannot access their original birth certificate, and instead receive an amended birth certificate with their adoptive parents' names listed as the birth parents.<sup>3</sup> This provides adoptees with inaccurate information regarding their ancestry and prohibits adoptees from accessing important information about their birth family's health history. Restricting adoptees' access to such information inhibits their ability to learn about potential health concerns and to discuss such concerns with medical care providers.

SB0331 will ensure adoptees in Maryland receive the same access to basic information about themselves as Marylanders who were raised by their birth parents. The legislation calls for the creation of a contact preference form for both the biological parent as well as the adoptee, setting the parameters of that contact. If allowed knowledge of and contact with birth parents, or certain kin if the parents are deceased, adoptees as young as 18 years of age can learn about their origins during a critical time of personal identity formation. Like any other individual, adoptees have a right to know about their own personal and medical histories. Adoptee justice is reproductive justice. For these reasons, NARAL Pro-Choice Maryland **urges a favorable committee report on SB0331**. Thank you for your time and consideration.

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<sup>1</sup> Child Welfare Information Gateway, and Office of Population Affairs. "Open Adoption: Could Open Adoption be the Best Choice for You and Your Baby?" PDF. Washington, D.C., n.d. <https://www.childwelfare.gov/pubPDFs/openadoption.pdf>

<sup>2</sup> NJCARE. "History - Open Records Bill for Adoptees." NJCARE: New Jersey Coalition for Adoption Reform & Education, July 5, 2016. <http://www.njcare.org/bill-history/>.

<sup>3</sup> "Linda Clausen: Maryland Must Change Its Adoption Laws to Allow Access to Birth Certificates." Capital Gazette, January 5, 2020. <https://www.capitalgazette.com/opinion/columns/ac-ce-column-clausen-20200105-qngkzngobfd6de4it6xeti24yy-story.html>.