

THE DONALDSON ADOPTION INSTITUTE

Dear Members of the House of Representatives,

The Donaldson Adoption Institute (DAI) is an independent think tank and pre-eminent research, policy and education organization in its field. Its mission is to better the lives of everyone touched by adoption by providing leadership that improves laws, policies and practices through sound research, analysis, education and advocacy. Since its founding in 1996, DAI takes a holistic approach by considering the needs of adopted persons, birth/first parents, adoptive parents, their extended families and professionals.

As you know, HB162, a bill that would restore adult adoptees' rights to access their original birth certificates (OBCs), is currently under your consideration. We are grateful for your attention to this significant matter. DAI has conducted the most extensive research and analysis to date on this issue; I have attached the Executive Summary of our most recent report on the subject, and both full publications are available at <http://adoptioninstitute.org/impact/issue-areas/>. We hope this letter and our research proves helpful as you seek legislative reform for adopted persons in Pennsylvania.

Our research findings support unrestricted access to original birth certificates for adopted persons upon reaching adulthood. Providing adult adoptees with access to their original birth certificates does not threaten the integrity of adoptive families or the institution of adoption; indeed, the evidence suggests that the opposite is the case. In fact, secrecy in adoption is known to undermine the integrity of adoption and it can perpetuate shame for all members of the adoption constellation.

Although opponents to access often argue that birth parents were guaranteed privacy at relinquishment, cases in states that have restored access have held that there is no enforceable contractual or statutory guarantee to birth parent anonymity from adoptees nor is there a constitutional right to privacy protecting birth parent anonymity from adopted persons. Further, our research demonstrates that the overwhelming majority of birth parents do not wish to remain anonymous nor do they oppose adopted adults access to their own birth certificate. Additionally, outcomes in states that have restored the right of adopted adults to access their original birth certificates have been positive and without the negative consequences opponents predict.

Best practices in adoption today support the concept of openness, meaning that birth and adoptive families do not remain anonymous to each other as was the outmoded, historical practice in adoption. DAI has found that the number of "closed" infant adoptions in the U.S. has shrunk to a tiny minority, with confidential adoptions constituting only 5 percent of placements in recent years and 95% of agencies offering open adoptions. The practice of adoption has opened based on findings that demonstrate the damage a closed and secretive system has perpetuated for all members of the adoption constellation. Our laws now need to reflect both best practices in adoption as well as the realities of adoption today.

It is important to remember that the basic legal standard in adoption is to ensure the best interest of the child. In doing so, it is paramount to consider the entire life span of the child to be adopted. Practically, adopted persons who lack access to their original information are left without potentially life-saving family medical history as they mature into adulthood. These individuals are without basic information

surrounding their cultural and ethnic history. Most importantly, this class of people is denied a right that all other individuals in the United States currently enjoy; the right to know the truth of their origins. Birth certificates are considered a 'vital' record; it is imperative that we restore to adopted adults their right to access their own vital information.

The Donaldson Adoption Institute is happy to discuss this issue with you further or answer any questions you may have. Please feel free to contact me at adinwoodie@adoptioninstitute.org or (212) 925-4089.

Thank you for your attention to this critical matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'April Dinwoodie', with a long horizontal flourish extending to the right.

April Dinwoodie
Chief Executive