

# **Maine Adoptees (*and their Direct Descendants*) Gain Access to the Adoptee's Birth Records**

*Howard Maynard Faulkner*

On January 1, 2009 Maine Law, LD 1084 takes effect granting adult adoptees and *their descendants* unrestricted access to their original unaltered birth records. No longer will judges need to approve requests for this information. Proof of descendancy is required to obtain birth records of adoptees. The records will include the names of both birth parents, medical history, residency and other data collected at the time of adoption.

*Photocopies* NOT transcriptions will be provided ensuring a complete and accurate record. Parties requesting records must complete a State of Maine application form available at: <http://www.maine.gov/dhhs/bohodr/ovrpage.htm> . On this page download the application at: *Adult Adoptee Access to Original Birth Certificate Rules and Form*. You may submit the notarized application by mail or in person at the Maine Office of Vital Records, 244 Water Street, Augusta, ME. All applicants will be asked to show proof of descendancy. There is a ten dollar fee for each record requested.

Currently, only five other states allow full access to unadulterated photocopies of original birth certificates. These are Alabama, Alaska, Kansas, New Hampshire and Oregon. Approximately 16 other states allow *limited* access to *some* records of adoptees. New Jersey and New York are close to passing legislation that would grant adoptees and their descendents this right. The organization *Bastards.org* identifies current information for each of our states adoption record disclosure procedures.

GO TO: <http://www.bastards.org/activism/access.htm>

A few countries in recent years have extended access to some adoptee birth records. Most notably are England, Scotland, Wales, Ireland, Italy, New Zealand and Greece. In Canada this authority is generally left to the individual Provinces, as the U.S. has left it to the individual States. For additional assistance in Canada GO TO: Mouvement Retrouvailles: [www.mouvement-retrouvailles.qc.ca/](http://www.mouvement-retrouvailles.qc.ca/) OR try this website: [Canadian Adoptees Registry Inc](http://www.CanadianAdopteesRegistryInc.com)

The Maine Law was sponsored in the House by former Rep. David Farrington of Gorham and former Senator Paula Benoit of Phippsburg. Sen. Benoit and Rep. Farrington's wife are adoptees. This Law was signed by Governor John Baldacci in June, 2008.

Most states have had restrictions on adoptee records since adoption was recognized and recorded. Many groups and individuals have tried to have these laws relaxed, especially for medical history information which has become so valuable in recent years to both adoptees and other descendants. The only serious objection to granting this freedom of information has come from a few religious groups, most notably the Roman Catholic Church which believes this information should be kept secret to protect the privacy of all parties in an adoption. Some courts have ruled this is not a valid reason and indeed illegal. However many legislatures have been reluctant to change these old laws especially where a strong lobby against such a change is present.