

All adoption records  
should be open to  
adopted people over  
eighteen years old

[People](#)



The issues of having adoption documents open for access by the adopted people who are over eighteen years has caused a lot of heated debate in America. There has been a revolution in the adoption scene as some of the states have legalized the opening of previously sealed adoption documents.

There are raging debates due to the controversy which is brought by opening and sealing the adoption records. The right of the birth parent to privacy is weighed against the fundamental right of the adopted adult to know and the right to equality. This paper seeks to bring out the reasons as to why these previously sealed documents should be open for adopted adults.

There are more than six million adoptees in the United States of America. Currently, only six states in America offer the open inspection of adoption records. These are Tennessee, Hawaii, Delaware, Alabama, Kansas and Alaska (Mabry & Kelly, 357).

In most of the other states, the original birth certificate and the adoption documents are not accessible to anyone without a court order. Alabama allows the opening of these documents only after consent while Oregon and Tennessee also require consent from the court. In Tennessee, the adult adoptee is forbidden for establishing contact.

Some states recommend the use of specific search and consent protocols which require the agency to locate either member of the adoption triad enquire whether they would allow their identity to be revealed to the other member (Mabry & Kelly, 359).

The adoption triad refers to the adopted adult, the adopted parents and the birth parents. Opening adoption documents or records refers to making a

variety of previously confidential and sealed information available to a member of the adoption triad.

These adoption records can be either the original unammended birth certificate, the court records from the adoption and other confidential information including the adoption agencies' documents which may reveal the identity of any of the members of the triad (Mabry & Kelly, 369).

After an adoptive placement is finalized, the original documents and documents proceeding from these cases are closed.

Most adopted adults are in favor of the opening of the adoption documents primarily to ease their search for their birth parents or eliminate the need for a search. They argue that keeping these documents sealed from adopted adults, impairs with their emotional status and denies them of their right to know the identity of their parents like every other person.

Adoption documents were initially sealed in order to protect any members of the adoption triad from the prevailing attitudes of the time. There was a lot of social stigma arising from illegitimacy and infertility. People were also stigmatized based on their wealth or other features in their families.

The courts felt that the exposure of the triad especially the child to these attitudes would hinder their potential. Sealing adoption documents allowed the adopted child to grow up without these additional pressures from the society (Mabry & Kelly, 436).

The main reason as to why the adoption documents were sealed was to protect the adoption triad from social stigma associated with illegitimacy and infertility.

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The changing times have eliminated this stigma as millions of people nowadays choose not to get married, to become single parents or even get married and choose not to have any children. Any stigma associated with either of these has been eroded over time.

The opening of adoption records only for adopted adults over the age of eighteen years ensures that they are already emotionally and mentally developed and the chances of their birth parents affecting their development is minimized.

Adoption documents allow the adopted adult to find out of any genetic conditions which they may have inherited from their birth parents. The knowledge of any genetic predisposition to life threatening medical conditions allows the adopted adult to seek help early.

This also allows early detection of any medical conditions and could potentially save lives (Siegel, 17). In cases where the adopted adults also intend on having their own children, it is necessary for them to know of any possibilities of passing on genetic conditions to their children and make informed decisions based on these facts.

Adopted adults may also require organ transplants. The most successful organ transplants are from genetically identical individuals since there are less chances of rejection. For the adopted adult, this implies that they have to contact their birth parents and any other siblings they may have for potential donors.

The adult who is adopted at childhood has the fundamental right to know the identity of his parents (Mabry & Kelly, 508). These unanswered questions bring a lifetime of confusion and loss of identity.

The contract between both sets of parents is entered on behalf of the adopted child. Once the child reaches eighteen years, they are legally capable of making most legal decisions and they should be treated as adults who have the right to decide whether they require information regarding the birth parents.

In cases where they choose to have access, the information should be availed readily (Siegel, 17). The United States of America is founded on the tenet of equality for all its citizens. Opening adoption documents ensures that adopted people are given equal right to know their parents, similar to their non adopted counterparts (Blanton & Deschner, 534).

The adopted individuals should be given the same right as everyone else. This in turn brings peace of mind and the adopted adults can move on with their lives.

There are many people who feel that the opening of these previously closed documents should be prohibited and adult adoptees should not be given information regarding their birth parents. Those who oppose the opening of these documents insist that the birth parents may not want contact from the children (DuPrau, 28).

The supporters of opening adoption records insist that the opening of these documents does not necessarily imply intent of contact. In many cases the

adult adoptee is simply curious or is intent on identifying any genetic medical conditions of the birth parents (Blanton & Deschner, 530).

The issue of people preferring abortion to adoption due to the ramifications of the children later looking for them has also been debated. The supporters of open documents maintain that the two issues are unrelated and the rates of abortion have not increased in states that have allowed open adoption documents (Cocozzell, 36).

There is no need for the birth parent to feel insecure because most states specify no contact unless it is permitted. The birth parents have no binding parental responsibilities on the adopted adult and the only thing they seek is information on their identity and possibly their medical condition. In some instances birth parents who gave up their children for adoption are also interested in making contact and are relieved when the adopted adults contact them (Cocozzell, 36).

There are also arguments that insist that the identification of birth parents is a threat to the relationship of the adopted individual with their adoptive parents. While it may be true for an adopted child, for an adult adoptee, the identification of the birth parents is not a threat to their relationship with the adoptive parents (DuPrau, 18).

In conclusion, all adoption documents should be open to all adopted people over the age of eighteen years. This allows equality to all people and gives the adopted adults peace of mind regarding any questions they may have concerning their identity as well as any potential genetic conditions which, they may have inherited from their birth parents.

## REFERENCES

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