



## State-by-State Information about How to Find Family Members Who Have Been Separated by Adoption

**Mutual Consent Registry:** This is how all parties involved in adoption provide information on whether they are willing or unwilling to have identifying information disclosed. These registries vary from state to state but generally the consent is needed from one birth parent and either the adoptive child or adoptive parents depending on the age of the child to release this information. In most states, the parties need to file an affidavit in order to release the information.

**Non identifying Information:** This is information about birth parents and children that does not give away the identity of the individuals. This information could include this different information: when and where the adoptive child was born, how old the birth parents are and a brief physical description, race, ethnicity, medical information and religion of the birth parents, how much schooling the birth parents have, why the child was put up for adoption and any other children each birth parent may have. All states have provisions in place about who can obtain this information and when. Usually it is given to adoptive parents at the time of adoption. Adoptive children can request to receive this information generally once they turn 18 years of age.

**Identifying Information:** Information that reveals a person's identity, such as last name, address, phone number and detailed family history. In the field of adoption search and reunion, information allowing a birth parent, adoptive parent or an adoptee to be identified and located.

# DELAWARE

## **Nonidentifying information may be released, upon request, to:**

- The adopted person who is age 21 or older
- All other parties to an adoption

## **Access to nonidentifying information is limited to:**

- The department or agency may release nonidentifying information in its records to the parties to the adoption.

## **Mutual access to identifying information**

- Identifying information shall not be released except by order of the court or with the consent of all parties when it is deemed by the agency to be in the adopted person's best interests.
  - In cases where the adopted person's health or the health of any blood relative is concerned and the adoption agency has refused to release the health information, the court may through petition by the adopted person, permit the party to inspect only that part of the adoption agency or court record containing medical information. If it is needed for the health of the person or of any blood relative of the person.
- As part of the adoption planning process, the department or agency may provide information to the birth parents and to the adoptive parents as follows:
  - In preplacement planning, identifying information shall be limited to the viewing of photographs, provided that such viewing is with the consent of birth parents and adoptive parents and that no additional identifying information is contained in the photographs.
  - After a placement has been completed, and prior to finalization of the adoption, identifying information may include, but is not limited to, the exchange of names, addresses, photographs, and face-to-face meetings, provided that:
    - The birth parents and adoptive parents request the exchange of information in writing
    - The birth parents, adoptive parents, and the department or agency agree to the exchange of information as specified in writing.
    - The birth parents and adoptive parents acknowledge in writing their understanding that no legal right or assurance of continuing contact after finalization of the adoption exists.
- An adopted person who is age 21 or older may request an agency to assist in locating a birth relative.

- When the relative is located, he or she may make a no-contact declaration. If the declaration is not made, the agency may release the birth parent or sibling's current name, address, and telephone number to the adopted person.

**Access to original birth certificate:**

- An adopted person who is age 21 or older may request a copy of the original birth certificate unless the birth parent has filed an affidavit denying release of identifying information.

**Adoption Registry, Delaware Office of Vital Statistics**

Web Link: <http://www.dhss.delaware.gov/dhss/dph/index.html>

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