



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.

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Nonidentifying information may be released, upon request, to:

- The adult adopted person
- The adoptive or birth parent
- An extended family member of an adopted person or birth parent.
- A court-appointed confidential intermediary.

Access to nonidentifying information is limited to:

- Upon request, all nonidentifying information will be provided to a person listed above

Mutual access to identifying information:

- The department may disclose identifying information;
 - To a court-appointed confidential intermediary
 - As needed to assist an adopted person to become enrolled in a Indian Tribe.
 - To authorized personnel during a Federal Child and Family Services Review.
- Information may be disclosed to any person who consents in writing to the release of confidential information to other interested persons who have also consented. Identifying information pertaining to an adoption involving an adopted person who is still a child may not be disclosed. Based upon a consensual exchange of information, unless the adopted person's adoptive parent consents in writing.
- An adult adopted person, an adoptive or birth parent, or an adult extended family member may petition the court of disclosure of identifying information regarding the adopted person; a birth child, a birth parent, or an extended family member
- After a petition has been filed, the court shall appoint a confidential intermediary who shall conduct a confidential search for the person being sought.
 - If the intermediary locates the person being sought, a confidential inquiry must be made as to whether the located person consents to having his or her present identity disclosed to the petitioner.
 - If the person being sought does not consent, identifying information regarding that person may be disclosed only upon order of the court for good cause shown.
 - If the person being sought is found to be deceased, the court may order disclosure of identifying information to the petitioner.

Access to original birth certificate:

- For a person adopted on or before July 1, 1967, the department shall furnish a copy of the original birth certificate upon the written request of an adopted person.
- For a person adopted between July 1, 1967 and September 30, 1997, the department shall furnish a copy of the original birth certificate upon a court order.
- For a person adopted on or after October 1, 1997, the department shall furnish a copy of the original birth certificate upon the written request of an adopted person who is age 18 or older. Unless the birth parent has requested in writing that the original birth certificate not be automatically released or by a court order.
- For a person adopted on or after October 1, 1997, upon the request of an adoptive parent or an adopted person who is age 18 or older, the department shall issue certificate of adoption that states:
 - The date and place of adoption
 - The date of birth of the adopted person
 - The name of each adoptive parent
 - The name of the adopted person as provided in the decree
- A birth parent may request in writing to the Vital Statistics Bureau that the birth certificate for an adopted person not be released without a court order.
- The department may release a copy of the adopted person's original birth certificate if release of this document is required to assist an adopted person to become enrolled in or a member of an Indian Tribe.

Office of Vital Statistics, Montana Department of Public Health and Human Services

Contact Info Last Updated: 17-March-2011

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