



## 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 adopted person who is age 18 years or older
- The adoptive parent
- The guardian or legal custodian of an adopted person
- The offspring of an adopted person if the requester is age 18 or older.
- An agency or social worker assigned to provide services to the adopted person, or place the child for adoption.
- Identifying information may be accessed by the adopted person who is age 21 or older

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

- Whenever any person listed above wishes to obtain medical and genetic information about a birth parent who consented to his or her child's adoption before February 1, 1982, and the information is not on file with the department or agency, the person may request that the department or agency conduct a search for the birth parents to obtain the information. The request shall be accompanied by a statement from a physician certifying either that the individual has or may have acquired a genetically transferable disease or that the individual's medical condition requires access to the information.
- If a birth parent is located but refuses to provide the information requested, the department or agency shall notify the requester without disclosing the birth parents identity or location, and the requester may petition the circuit court to order the birth parent to disclose the information.
- If the department or another agency that maintains records relating to the adoption receives a report from a physician stating that a birth parent or another offspring of the birth parent has acquired or may have genetically transferable disease, the department or agency shall notify the adopted person of the existence of the disease. If he or she is age 18 or older, or notify the adopted person's guardian or adoptive parent if he or she is younger than age 18.
- If the department or agency may not disclose the identifying information requester per § 48.433, it shall provide the requester with any nonidentifying social history information about either of the birth parents that it has on file.

## **Mutual access to identifying information:**

- The birth parent may file an affidavit authorizing the release of any available information about the birth parent's identity and location. An affidavit may be revoked at any time by notifying the department or agency in writing.
- An adopted person who is age 21 or older may request any available information regarding the identity and location of his or her birth parents. The requested information may be disclosed if the department or agency has on file unrevoked affidavits from both birth parents, or if one of the birth parents was unknown and the known birth parent has filed and unrevoked affidavit.
- If the department or agency does not have on file an affidavit from each known birth parent, it shall, within 3 months after the date of the original request, search for each birth parent who has not filed an affidavit. If the birth parent is contacted and files an affidavit, the department shall disclose the requested information. If the birth parent does not file the affidavit, the department may not disclose the information. If, after a search, a known birth parent cannot be located, the department may disclose the requested information if the other birth parent has filed an unrevoked affidavit.
- If a birth parent is known to be dead and has not filed an unrevoked affidavit, the department shall so inform the requester. The department may not release the identity of the parent but shall release any available information regarding the identity and location of the other birth parent if the other birth parent has filed an unrevoked affidavit and 1 year has elapsed since the death of the deceased birth parent.
- The requester may petition the court to order the release of any information that may not be disclosed under this section.

### **Access to original birth certificate:**

- The original birth certificate is available upon request to the adopted person who is age 21 or older if the birth parents have filed affidavits authorizing disclosure.

### **Adoption Records Search Program, Wisconsin Department of Children and Families**

Contact Info Last Updated: 14-April-2011

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