

HB 427 -- Adoption Records

Sponsor: Barnes

This bill changes the laws regarding adoption records. For adoptions completed after August 28, 2011, the bill:

(1) Requires the juvenile court to provide each birth parent with a confidentiality preference form prior to the entry of any adoption decree;

(2) Requires, if a birth parent objects, the juvenile court to provide the form to the State Registrar, to be filed with the original birth certificate of the adopted person;

(3) Allows any adopted person who is at least 18 years of age, born in Missouri, and who provides proof of identification or the adopted person's descendants if the adopted person is deceased to obtain a copy of the adopted person's original birth certificate unless the birth mother or birth father has objected. If a birth mother or birth father has objected, the person can request the Department of Social Services, the child-placing agency which processed the adoption, or the juvenile court personnel to make reasonable efforts to notify the birth mother and birth father of the request for its disclosure. The requestee may be charged for the actual costs of attempting the notification;

(4) Requires, if the birth mother and birth father consent to the release of the original birth certificate, the Department of Social Services, the child-placing agency which processed the adoption, or the juvenile court personnel to obtain a copy of a notarized form signed by the birth mother and birth father, if known, giving consent to release the original birth certificate;

(5) Specifies that a copy of the original birth certificate cannot be released if the birth mother and birth father cannot be located or if they do not consent to its release. Another request for the release can only be made until at least three years after the original or any future request; and

(6) Specifies that a copy of the original birth certificate can be released upon the birth mother's and birth father's death.

For adoptions completed on or prior to August 28, 2011, the bill:

(1) Allows any adopted person who is at least 18 years of age, born in Missouri, and who provides proof of identification or the adopted person's descendants if the adopted person is deceased to obtain a copy of the adopted person's original birth certificate unless the birth mother or birth father has objected. If a birth

mother or birth father has objected, the person can request the Department of Social Services, the child-placing agency which processed the adoption, or the juvenile court personnel to make reasonable efforts to notify the birth mother and birth father of the request for its disclosure. The requestee may be charged for the actual costs of attempting the notification;

(2) Requires, if the birth mother and birth father consent to the release of the original birth certificate, the Department of Social Services, the child-placing agency which processed the adoption, or the juvenile court personnel to obtain a copy of a notarized form signed by the birth mother and birth father, if known, giving consent to release the original birth certificate;

(3) Specifies that a copy of the original birth certificate cannot be released if the birth mother and birth father cannot be located or if they do not consent to its release. Another request for the release can only be made until at least three years after the original or any future requests; and

(4) Specifies that a copy of the original birth certificate can be released upon the birth mother's and birth father's death.