

# NorthJersey.com

## The Record: Birth moms have rights

Thursday, May 12, 2011

THE RECORD

THIS WEEK the state Assembly passed legislation seeking to bring closure to one of the longest-debated issues in Trenton: whether adults who were adopted as infants have a right to access their full birth records, up to and including the names of the birth parents.

Adoptees' advocates have hailed the bipartisan passage as a civil rights victory; the same bill was approved last year by the Senate. It now awaits action by Governor Christie, who so far has given no indication of whether he will sign it into law.

We urge the governor to veto this flawed bill. No matter how well-intentioned, we believe it puts too great a burden on birth mothers, forcing them to go to extraordinary measures to maintain a confidentiality they believed they would have for life.

We understand that adults who were adopted as children have a great and sometimes pressing medical need to know the identities of their biological parents. We understand these are issues highly emotional and highly personal. We understand they touch on areas that may delve into everything from personality traits and genealogy to critical health care concerns.

Yet as much as we would like to support the portion of the bill that sets forth a more open policy on adoptions going forward and attempts to streamline adopted children's access to medical records, we cannot support a law that would subject birth parents who, decades ago, made the personal, often painful choice to give up a child in hopes that child might have a chance at a better life.

Under the proposed law's arduous guidelines, birth parents who gave up a child for adoption in the past would lose their anonymity unless within one year of the law's taking effect they send a notarized letter requesting that the state registrar redact their names and addresses from a copy of the original birth certificate. The state registrar would then reply to the request with a receipt and family history form. Birth parents who fail to fill out and return that form within 60 days would nullify their request for non-disclosure.

New Jersey would not be the first state to enact such legislation. Eight other states, including Oregon and New Hampshire, have similar laws on the books. We are not convinced, as some opponents seem to be, that the institution of adoption would be significantly altered by this new law.

We are more concerned with how it will impact the lives of parents who gave up a child for adoption decades ago, parents who may not even live in the state anymore, or who do not have the wherewithal to take the necessary steps to protect their anonymity.

We recognize this is an issue heartfelt by all concerned parties, but we believe a more reasoned approach, such as the bill introduced by Assemblywoman Joan Quigley, D-Hudson, is a better way to go. Quigley's bill, modeled on a system used in about a dozen other states, would provide for a "confidential intermediary" to facilitate reunion if mutually agreeable. In essence, it would help adoptees get needed information while also preserving anonymity for birth parents who do not want contact.

Let's face it, we live in a more open society than we did 40 or 50 years ago, when out-of-wedlock births were deemed unacceptable on so many levels and birth parents were subjected to great scorn. The current legislation regarding adoptees' birth records tilts heavily against the privacy rights of those parents. We cannot support that.