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Graying Adoptees Still Searching for Their Identities

Only 8 States Allow Adult Adoptees to Find Original Birth Certificates, But Changes Being Pushed

By **SUSAN DONALDSON JAMES**

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Carol Cook of Blairstown, N.J., grew up thinking she was a WASP with Native American blood, a splash of ethnicity that pleased her because she had majored in anthropology in college.

But at 33, the executive secretary and mother of two inadvertently discovered a secret her entire family had held from her: Cook was adopted, born in a Catholic hospital and was likely Italian.

"I suspect the [secret] evolved and it became more impossible to tell me," she said. "I had good parents. But suddenly I was not the person I thought. I was a totally different nationality. I was floored."

Now she is 68 and a grandmother, but Cook's struggle to find her identity is never-ending. In New Jersey -- and in all but eight states -- it's against the law to for her to get her original birth certificate.

Today, most adoptions are open, but for a generation of graying Americans like Cook, the doors to their identities are irrevocably closed shut.

Now, in growing numbers, adult adoptees are trying to overturn legislation that sealed up records, but in most states they are fighting an uphill battle.

New Jersey is the latest battleground over laws that were originally intended to protect the birth child and her mother from moral shame, but many say are now antiquated and cruel.

Since 1980, efforts to unseal birth records in New Jersey have failed, but an [open adoption records bill](#) that recently passed a Senate committee will go before the state Assembly this fall.

Birth parents would have 12 months to request that their names not be made public or to state how they would want to be contacted by a birth child.

Lawmakers in at least 11 states are now considering the issue and in the last decade seven states have expanded access, according to the [Evan B. Donaldson Institute](#), an organization dedicated to education and research.

Today, birth records are open in Tennessee, Alabama, Delaware, New Hampshire, Maine, Oregon and Illinois, as well as Kansas, where they were never sealed.

Just this month, the institute issued a report recommending every state enact legislation [restore rights to adult adoptees](#).

"How a human being comes into a family should not dictate what rights they have," said Executive Director Adam Pertman. "There has to be a level playing field."

Adoptees also need access to medical records, according to Pertman, noting that the surgeon general says that knowing family history, "is the most important thing for health."

The 46-page policy brief also contends that the vast majority of birth mothers do not want to be anonymous to the children they relinquished.

"The single biggest factor that helps women heal and deal with loss and the grief they feel when placing a child up for adoption is knowing the child is OK," said Pertman.

In New Hampshire, where [birth records were unsealed in 2005](#), about 24,000 adoptees made requests for original birth certificates and only 12 birth mothers stipulated that they wanted no contact with their birth children, according to research.

"Knowing who you are and where you come from, it turns out, is not just a matter of fulfilling curiosity, it's something that helps human beings develop more fully psychologically to understand and feel better about themselves," he said.

As for Cook, she said she doesn't feel "connected."

"I have friends who are really into genealogy and when they start talking about it, I shut down," she said. "I don't want to be rude, but it's upsetting."

In 1975, an older half-sister who knew Cook was adopted told an aunt, who shocked her with the news.

"I asked my mother if it was true and she said, 'yes,'" according to Cook. "I was standing in the kitchen and literally slid down the wall. Everything just went out from under me."

Her mother told her she was born at Columbus Hospital in the Italian section of Newark, N.J., nothing else. The hospital has since closed and Catholic Charities told her they have no records.

For a time, Cook attended some advocacy groups and even called the records office to see if she could get her birth certificate.

"I got this nasty person who said, 'Why do you even want to know it, like I was some kind of horrible person. I really just couldn't face it.'"

When Cook goes to the doctor's office and forms ask for her health history, she writes "not applicable."

Cook's granddaughter was diagnosed with celiac disease and she has wondered if the genetic disorder came from her side of the family. "Whether it has any bearing, I don't know," she said.

Religious Groups Oppose Access to Original Birth Certificates

The New Jersey bill faces opposition from New Jersey Right to Life, the Catholic Church, the New Jersey Bar Association, the National Council for Adoption and even the ACLU, who defend the privacy rights of birth parents.

"Birth parents who place children for adoption should have the right to keep their identities private, both prospectively and retroactively," is the stance of the New Jersey Coalition to Defend Privacy in Adoption.

"It almost makes us sound like terrorists who are going to creep into people's lives and destroy them," said Cook.

[Pam Hasegawa](#), an adoptee and grandmother who has led the 30-year fight in New Jersey with the [New Jersey Coalition for Adoption Reform & Education](#), said their argument is "full of holes."

Today, with open adoptions the norm, "most birth mothers choose to meet with the family and to know each other's names, and if they can, get the birth certificate or a copy of it before it's finalized to give to the adoptive parents," she said.

Historically, birth records were closed to protect children from the stigma of being born "out of wedlock" and having "illegitimate" stamped on their birth certificates.

It also was designed to protect the adoptive family from intervention or, as older adoption contracts state, "molestation" by a birth mother.

Hasegawa always knew she was adopted, but later learned more detail about her birth mother's identity through letters written to an adoptive aunt. Her birth parents had married in Paris, but after her father was killed, her mother had to return to the United States and, without help, reluctantly gave up her daughter.

Hasegawa said birth mothers were never promised anonymity. They were forced to sign papers that relinquished their babies, giving up all rights to knowing their fate -- if they were later sick, died or even if they were ever adopted.

Birth records were open until 1938, when they were closed to the public to prevent harm or extortion to any of the parties involved in adoption. In 1940, these records were sealed across the board in all states but Kansas.

In the [late 1940s and early 1950s](#), most states had sealed adoption court records completely but, typically allowed adult adoptees to obtain their original birth certificates, according to adoption researcher [Elizabeth Samuels](#), a law professor at the University of Baltimore.

"In the 1950s when adoption was more popular, they wanted to hide the shame of the illegitimate family and the adoptive family didn't want interference in creating the perfect family," she said. "The adoptive birth certificate should reflect the new person."

In 1960, the laws in 40 percent of the states still permitted adult adoptees to inspect them, but between then and 1990, all but a handful of the rest of the states closed the birth records to adult adoptees.

When mores changed, a generation of adoptees began searching for their birth parents, and adoptive parents felt threatened that their children wouldn't love them, according to Samuels.

The focus of protection shifted away from the birth mother and her child to the rights of adoptive families. Efforts to keep records closed were led by adoption agencies, attorneys general and legislators, but not by the birth mothers themselves.

Today's adoptive parents are more apt to fight for the "rights of the child and their origin," said Samuels. And birth mothers are speaking out.

In 1979, Mary Lou Cullen gave up a son in a closed adoption when she was just 19, never telling a soul, not even her husband or later three children. She was contacted by her birth son Nathan, who is now 30, by letter eight years ago.

"He said, 'If you don't want any communication, that's fine, but if you do, this is how you can get a hold of me.' I never even second guessed or had a moment of hesitation, knowing I was going to contact him," said the Marshfield, Massachusetts, mother of three more children. "But I had a whole lot of people to tell."

Birth Mother Supports Reform

The reunion and revealing her secret was "stressful," said Cullen, who is now president of Concerned United Birthparents. But after working it out, birth mother and birth son have become close.

Even though both Nathan's adoptive parents and birth parents supported the reunion, he can still not access his birth certificate in Ohio, where he was born.

"Once Nathan met me and my family, he said he felt like it completed him," said Cullen, now 50. "For me, it was very difficult for a number of years, but it's my truth and I don't need to deny it anymore or hide it or cover it up. I can live my honest truth."

"On top of that, I got to meet my first born, who I never thought I would see again," she said. "I had no idea what had happened to him. And I was able to deal with the grief that I had never dealt with before."

But [Jean Strauss](#), a Texas filmmaker who for 30 years has chronicled the lives of adult adoptees in books and documentaries, admits, "It's not all about reunions."

"Owning your own information is a very powerful thing," said the now mother of two. "You are a human being and this belongs to you."

Born Cecelia Ann Porter in California in 1955, where records are still sealed, Strauss hired a private investigator to find her birth mother after her beloved adoptive mother died in 1988.

"I was terrified I might hurt her," said Strauss, who described her adoptive mother as "my best friend."

When they reunited, Strauss was 33 and her birth mother Lee Beno was 54. Six years later, they located Beno's 80-year-old birth mother, Mary Miklosey, who had grown up in an orphanage where she had been sent when her own mother died.

"The two of them hadn't seen each other in 60 years," said Strauss, who told the story in her documentary film, ["For the Life of Me."](#)

The three generations became fast friends and called themselves, "The Triumvirate."

"It's given me a tremendous sense of freedom," Miklosey said in the film of the same name. "I can say, this is my daughter and my granddaughter and look at the world and say I have a family."

Strauss also learned she had seven brothers and sisters and for the first time found others who "biologically related to me." Tragically, a younger brother died of lymphoma, a new relationship she lamented was cut short because of the secrecy of adoption.

"I can't tell you how it changed me to find out the information," she said. "I felt so empowered by it and it's what drives me to help other people to have the truth."

The "stigma of illegitimacy" that sealed up records has disappeared, notes Strauss, but the world is "much different now."

Across the border from Kansas in Missouri, an adult adoptee must have the the adoptive parents' permission.

"Can you imagine being 40 or 50 years old and having to get permission?" she asked. "You have to prove your adoptive parents are dead. If you jump through those hoops and contact the birth parents, they have to give permission. If you are 50, the odds are pretty high that your birth mother is dead."

In the most restrictive states adult adoptees must pay court and lawyer fees to show cause why their birth certificates should be released.

"It's a capricious process where some judges say, 'sure' and others say, 'no way, even if your life is threatened,'" according to Pertman of the Donaldson Institute.

"People in all 50 states every day are finding their birth parents through the Internet, Facebook and private detectives," said Pertman. "So what's the argument and if you don't believe they are evil people, why not just give them to them."

As for Carol Cook, she still longs to know who she is -- so much so, that she has recently ordered a DNA kit to at least find clues to her genetic roots. Though even if the law passes and she can get her birth certificate, Cook said her parents are likely dead.

"Everyone knew I was adopted except me," said Cook. "I think that has affected me in some ways. I find it difficult to trust people, It's not overt. I just can't get real close to people&I couldn't let the rest of my life fall apart but it would be nice to know if I can find something out."

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