

## Senate votes to open adoption records

Bill would overturn '40 law and let adults obtain their birth certificates

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The state Senate yesterday voted to overturn a 67-year-old state law that has prevented adopted adults from obtaining their birth certificates identifying their biological family.

Following a brief debate over whether the privacy of biological mothers should trump the right of adoptees, the Senate, in a 26-12 vote, passed a bill to open birth records. State law has sealed these records since 1940. The measure still faces a test in the Assembly.

"This is a human rights issue," said co-sponsor Sen. Diane Allen (R-Burlington), who was convinced she needed to change the law "after hearing so many people discuss how much they needed to find out their roots and their medical information, and in the end how they were being discriminated against."

Sen. Robert Martin (R-Morris) was among 12 lawmakers -- all Republicans -- who voted no. Years ago, he said, "Young unmarried women relied on the word of priests or a counselor of some type that gave them absolute assurance they would have anonymity. ... I don't know how we can in good conscience change that now."

Sen. Joseph Vitale (D-Middlesex), also a sponsor, insisted the demand for privacy years ago stemmed from the concern that birth parents would try to find their children, not the other way around.

"There are thousands of adoptees in New Jersey who do not know who they are," Vitale said before the vote. "I think we take for granted knowing who we are."

Advocates for opening birth records -- some who have lobbied in Trenton for this since 1980 -- glee fully embraced each other after the vote, but acknowledged their work was far from over. The Senate approved a similar bill two years ago, only to see it languish without it ever getting posted for a vote in the Assembly.

"This is so exciting," said Judy Foster of Randolph, who was 18 when she surrendered her daughter in 1960. "I think we really have the momentum now."

The bill (S1087) allows an adult adoptee, the adoptee's adult child or the adoptive parent to request an original birth certificate from the state registrar. The bill includes a \$90,000 fund to launch a national advertising campaign.

Birth parents who surrendered a child prior to the law's enactment could maintain their confidentiality if they request it within 12 months of the law taking effect. Within 60 days of this request, birth parents also must complete a form outlining family medical and cultural history, or the request for anonymity will not be honored.

The bill, however, doesn't assure privacy to future parents who give children up for adoption. The law would allow birth parents to notify the state of their wish not to be contacted, but adoptees would still be entitled to their original birth certificates containing the parents' names and addresses.

Groups like New Jersey Right to Life and New Jersey State Bar Association say the bill is unfair to birth parents who made a tremendous sacrifice.

"There needs to be more consideration and protection of birth parents," said Denville attorney Thomas Snyder, secretary to the Family Law Executive Committee of the New Jersey State Bar Association. He and others who oppose the bill plan to submit amendments to the Assembly that would allow a court-appointed intermediary to share information between the parties if a birth parent wants to remain anonymous.

Supporters of the bill continued to argue against government interference -- as well as assuming adopted adults will barge in on their biological families' lives.

Maryann Pisani, an adoptee living in Hasbrouck Heights, said she found her mother on her own eight years ago, but because her birth is "still a secret in that family," she has backed off. "That's how it is and I respect her for it," Pisani said. "It really has to be a mutual consent."

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