



RE: SF1279 (Maye Quade) - SUPPORT

Dear Chair Wiklund and Members of the Senate Health and Human Services Committee:

We are the leaders of Minnesota Coalition for Adoption Reform and the Adoptee Rights Law Center, the two primary Minnesota-based organizations advocating for SF1279. It is a bill that would simplify a current complex and discriminatory bureaucracy that controls the release of an adopted person's own birth record and, in doing so, would bring Minnesota's vital records law on this issue into the twenty-first century.

We have met with most if not all of you and have also provided materials to you in support of the bill. We now ask that you report the bill out favorably. SF1279 has broad coalition support, not only from state and national organizations dedicated to the rights of adult adopted people, but also from a broad spectrum of respected organizations that represent the collective interests of adoptive parents, birthparents, and adoption professionals. We have attached specific letters of support from the following organizations:

American Academy of Adoption & Assisted Reproduction Attorneys (AAAA)
Adoptees United Inc.
American Adoption Congress
Capitol Coalition for Adoptee Rights
Catholic Mothers for Truth & Transparency
Concerned United Birthparents
Louisiana Coalition for Adoption Reform
Mothers for Open Records Everywhere
National Center on Adoption and Permanency
New England Adoptee Rights Coalition
New York Adoptee Rights Coalition
North American Council on Adoptable Children (NACAC)
Texas Adoptee Rights Coalition

We ask for favorable action on SF1279.

Joe Duea and Penelope Needham

MINNESOTA COALITION FOR ADOPTION REFORM

Gregory D. Luce

ADOPTEE RIGHTS LAW CENTER



March 13, 2023

Dear Rep. Steve Elkins and Sen. Erin Maye Quade,

I'm writing to express the support of the Minnesota Coalition for Adoption Reform (MCAR) for HF 1778/ SF 1279 - adult adoptee access to their original birth records. MCAR supports legislation that will restore unrestricted access to original birth certificates for all adult adoptees born in Minnesota.

The Minnesota Coalition for Adoption Reform (MCAR) is a non-partisan, non-profit coalition of adopted persons, adoptive parents, birthparents, and adoption professionals promoting systemic reforms to adoption law and practice. MCAR is committed to restoring the right of all adult adopted persons to unrestricted access of their own original birth certificates - a right removed from Minnesota-born adopted persons in 1939.

Minnesota Coalition for Adoption Reform participated in a months-long conversation initiated by Children's Home Society and facilitated by the Citizens League of Minnesota involving representatives from adoption agencies, state agencies, birth parents, and other stakeholders. HF 1778/ SF 1279 is a direct result of those discussions.

We ask you to support the passage of HF 1778 / SF 1279.

Sincerely,

Penelope Needham
Board Member
Minnesota Coalition for Adoption Reform



Minnesota State Senator Erin K. Maye Quade (56, DFL)
95 University Avenue W.
Minnesota Senate Bldg., Room 3227
St. Paul, MN 55155

Rep. Steve Elkins (DFL) District: 50B
517 State Office Building
St. Paul, MN 55155

February 23, 2023

Senator Maye Quade and Representative Elkins,

This statement is furnished to express support by the [American Adoption Congress](#) for Minnesota [SF1279](#) / [HF1778](#) ([as introduced](#)). We thank you, Senator Maye Quade and Rep. Elkins, for chief authoring this bill. When enacted, this vital human and civil rights proposal will:

- **Restore unrestricted access** to original birth certificates (OBC) for all adult adopted persons; or, as needed, to “Birth parent identifying information” (age 18 and above)
- **Dismantle** Minnesota’s 46-year-old discriminatory and byzantine intermediary system
- **Establish access** for a “Person related to the adopted person” and legal representatives
- **Allow for** nonbinding contact preferences

Adults of Minnesota have the legal right to obtain their original birth certificate, unless they are adopted. The American Adoption Congress feels that now Minnesota is poised to join the thirteen other states with unrestricted access policy. **This belief is consistent with our [formal legislative policy](#) for clean adoption reform.**

Further, we expect that the proper reform in Minnesota will help lead other states to enact proper reform. The time is now. The right to know one’s identity is a human right that should not be incrementally bestowed or denied to any American.

Birth parents were not promised lifelong anonymity from the daughters and sons they surrendered for adoption. There is no law that legally guarantees anonymity to birth parents or birth families. These, and the various other arguments offered by opponents to reform have been thoroughly refuted with constructive results in other states.

The American Adoption Congress began in 1978. The group officially formed the American Adoption Congress in 1980 with the goal of championing adoptee rights, with emphasis on gaining universal access to original birth certificates for adoptees. The AAC incorporated in 1981 and has been a 501(c)(3), registered in the state of Missouri, since 1982.

The American Adoption Congress is an allied advocate to the [Minnesota Coalition for Adoption Reform](#)

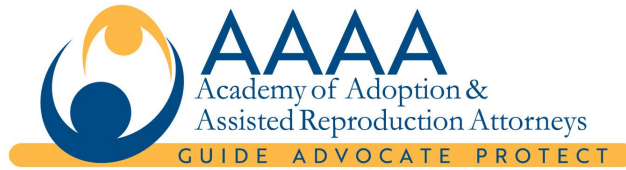
We hope this statement may assist and we thank you for your efforts to restore adoptee equality in the Gopher State.

Respectfully,

Tim

Tim Monti-Wohlpart
American Adoption Congress
National Legislative Chair

.cc [Minnesota Coalition for Adoption Reform](#)



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859 Riverside Drive, #9
Greenwood, IN 46142
(317) 407-8422
adoptionART.org

February 22, 2023

Representative Steve Elkins
via email: rep.steve.elkins@house.mn.gov
Senator Erin Maye Quade
via email: sen.erin.mayequade@senate.mn

Re: H.F. 1778/S.F. 1279

Dear Representative Elkins and Senator Maye Quade:

On behalf of the Academy of Adoption and Assisted Reproduction Attorneys ("AAAA"), we are writing to express support for H.B. 1778/S.F. 1279.

The Academy of Adoption and Assisted Reproduction Attorneys is a national organization dedicated to the competent and ethical practice of adoption and assisted reproduction law, and advocates for the improvement of adoption laws and practices. It plays a leading role in the development of laws, policies, and practices designed to benefit the lives of all members of the adoption triad and in the advancement of a better understanding of the meaning and importance of adoption for society in general.

In January 2018, AAAA approved a resolution that provides in part:

The Academy of Adoption and Assisted Reproduction Attorneys supports the inherent rights of adult adopted persons to their personal biological family information and to have access to their:

1. original birth certificates;
2. agency records which relate to them and their biological family; and
3. court records of their adoption.

Consistent with AAAA's resolution, which also commits to taking action to promote the revision of laws and policies governing the rights of adopted persons to information regarding their personal history, AAAA supports H.B. 1778/S.F. 1279 and urges its passage in both the House and Senate.

If we can be of assistance in advocating for this bill before any committees, we are happy to assist in arranging for local AAAA Fellows to testify on behalf of our Academy.

Respectfully,

Jenny L. Womack, Esq.
President

Debra E. Guston, Esq.
Adoption Director



March 2, 2023

The Honorable Tina Liebling
House Committee on Health Finance and Policy

The Honorable Ron Latz
Senate Committee on Judiciary and Public Safety

RE: SUPPORT FOR HF1778 (ELKINS) AND SF1279 (MAYE QUADE)

Dear Chair Liebling, Chair Latz and Respective Committee Members:

We are leaders of adoptee rights organizations and coalitions across the country. Collectively we represent hundreds of thousands of adult adopted people who seek one basic truth: the truth of their own births, documented by their own original birth certificates.

We join with national and Minnesota-based organizations, adoptees, and allied supporters to request a DO PASS vote on HF1778/SF1279 when it is heard in committee. It is a common sense bill that greatly simplifies current law and restores a right that all Minnesota-born people once had. On behalf of our organizations and constituents, we ask for your support of HF1778/SF1279.

Best regards,

ADOPTees UNITED INC.

C.S. Wright, Board President

TEXAS ADOPTEE RIGHTS COALITION

Shawna Hodgson, Spokesperson

NEW YORK ADOPTEE RIGHTS COALITION

Annette O'Connell, Spokesperson

CAPITOL COALITION FOR ADOPTEE RIGHTS

Susie Stricker, Spokesperson

NEW ENGLAND ADOPTEE RIGHTS

Elle Lane, Spokesperson

LOUISIANA COALITION FOR ADOPTION REFORM

Kenny Tucker, Vice President

cc: Rep. Steve Elkins
Sen. Erin Maye Quade



February 18, 2023

Re: Support for SF1279/H1778

Honorable Senator Ron Latz, Chairman, Senate Judiciary and Public Safety Committee

Honorable Representative Tina Liebling, Chair, House Health Policy and Finance Committee

Dear Senator Latz, Representative Liebling, and Members of the House and Senate Committees:

The National Center on Adoption and Permanency (NCAP) is a nonpartisan, not-for-profit educational organization dedicated to improving laws, policies and practices – based on the best available research and experience – so that they enable all children and their families to succeed. This correspondence, in strong support of SF1279/H1778, is intended to explain the state of professional knowledge on a key issue in our field: the availability (or lack thereof) of original birth certificates to adopted persons once they reach the age of majority.

I will keep this letter brief, as I'm sure you already have received a great amount of information from all sides. NCAP can provide any additional research, resources, interviews or other information that you might want, and would be delighted to address any questions you may encounter.

In short, research consistently shows that sealed birth certificates are an anachronism born of society's desire to protect the reputations of adoptees and their adoptive families at a time when unwed mothers were severely stigmatized and the children born to them were denigrated as "bastards." Indeed, birth certificates were often stamped with the word "illegitimate." Over time, the cultural rationale has shifted to maintaining the anonymity of birth mothers.

- Nearly all available evidence indicates that birth mothers – while sometimes wanting privacy from others – rarely want anonymity from the children they bore; that they favor adoptee access to their birth certificates; and, contrary to popular perception, that they were *not* legally assured of anonymity.
- A growing number of states have enacted "clean" bills such as the one you are considering, which aim to grant adult adoptees the same rights as their non-adopted peers by restoring access to their original birth certificates – and *none* of the negative consequences that critics had predicted have come to pass *anywhere*.
- The unambiguous conclusion from a growing body of research is that greater knowledge about their histories (biological and personal) yields better outcomes for adoptees and their families. That is why, in both professional practice and new statutes throughout the U.S., the singular trend is toward increased disclosure.
- A few adoption practitioners, and organizations representing them, still advocate for closure – sometimes by confusing "anonymity" and "privacy" or by misunderstanding complex aspects of adoption, such as its connection to abortion – but these practitioners represent a small and shrinking minority in the field.

I hope these comments are useful as you plan for passage of SF1279/H1778– which, based on both the evidence and long experience, NCAP strongly supports. Please feel free to contact me at apertman@ncap.us.org or 617-332-8944 if you have questions or need more information. Thank you for your attention and your important work.

Sincerely,

A handwritten signature in blue ink, appearing to read "Adam Pertman".

Adam Pertman, President, National Center on Adoption and Permanency



March 5, 2023

Dear Rep. Steve Elkins and Sen. Erin Maye Quade:

I'm writing to express the support of the North American Council on Adoptable Children (NACAC) for MN HF1778, the Act, to revise certain provisions related to the sealing of adoption records in Minnesota. A bill for an act relating to adoption, modifying provisions governing adult adoptee access to their original birth records and other adoption-related information. NACAC supports legislation that will restore unrestricted access to original birth certificates for all adult adoptees and establish access for the descendants and other relatives in cases where the adopted person has died.

Founded in 1974 by adoptive parents, NACAC is committed to meeting the needs of waiting children and adoptive families, and other members of the adoption constellation. NACAC supports adoptive parents, prospective adopters, young people who were in foster care or adopted, and child welfare professionals to ensure permanency for children. We serve individuals and organizations all around the US and Canada, including in Texas.

NACAC has long supported the right of adoptees to have access to their original birth certificates. As our position statement below reflects, NACAC continues to believe that adoptees are well served by accessing information about their birth families and are entitled to that information as a basic human and civil right.

Philosophy

NACAC believes that every adopted person has the right, at the age of majority or legal emancipation, to receive personal information about his or her birth, foster, and adoption history, including medical information and educational and social history. NACAC supports the efforts of adoptees to have access to information about and connections with their birth and foster families. NACAC supports adoptees' efforts to find birth family connections through DNA registries.

Policy and Practice Recommendations

NACAC believes it is the responsibility of states, provinces, and all child-placing agencies to create, support, and adequately fund adoption disclosure registries that actively seek birth relatives or adoptees upon registration of any of these parties. If such active registries are not available, NACAC supports voluntary mutual consent registries for adults as one way for

adoptees to access information.

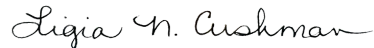
Recognizing that many adult adoptees need complete information about their birth families, NACAC supports their right to this information and supports access to original birth certificates for any adult adoptee at the age of majority.

Upon a showing of good cause, courts should have the authority to require disclosure of adoption information and birth records to adoptees, birth family members, and adoptive family members. States, provinces, and agencies must preserve birth and adoption records safely and accessibly for future retrieval.

In the last few decades, adoption has changed dramatically. Almost all adoptions have some form of openness as we have learned about how important their history and background is to children who have lost their first families. Adoptive families and adoptees recognize the importance of adoptees' knowing about their past and know that this information can be critical to helping individuals thrive.

We encourage you to support the passage of MN HF1778 so adoptees can have this fundamental human right— access to important information about themselves.

Sincerely,

A handwritten signature in cursive script that reads "Ligia N. Cushman".

Ligia N. Cushman, MA
Executive Director



Concerned United Birthparents, Inc.
P.O. Box 703486, Dallas, TX 75370-3486

In support of MN- HB 1778/ SB 1279 RESTORING ACCESS TO ORIGINAL BIRTH CERTIFICATES FOR MINNESOTA-BORN ADULT ADOPTED PEOPLE

February 16, 2023

To Distinguished Members of the Minnesota Legislature,

On behalf of Concerned United Birthparents (CUB), we thank you for the opportunity to submit this statement in **strong support** of HB 1778/SB 1279, which would restore access to original birth certificates for Minnesota born adult adopted people as it is currently written, without any amendments.

CUB supports adult adoptees' right to access their records, without restrictions or qualifications. Knowing one's identity is a civil right which is being consistently abused by the practice of sealed records adoptions. All human beings have the right to know their original identity which includes their genetic roots, their medical history and biological history. While the vast majority of birthparents want to be reunited with their adult children, in the end, this is not relevant. **An adoptee's right to his or her birth certificate is absolute.**

CUB was founded in 1976. We are an organization developed to support parents who have lost children to adoption. We are known for our tireless work in adoption reform for more than forty years. For too many of these years, lawmakers have spoken for us without asking our opinion, and made assumptions about us without examining the evidence. They assume we don't want a voice; we don't want a choice; and we are happy in the shadows. We are not. This misguided attempt to "protect our privacy" actually perpetuates the shame that was originally inflicted on us by a society that rejected us as women and mothers. We are silent no longer. The myth of confidentiality promised to a birthparent, is often used to oppose open records. That premise is ludicrous. Since "we" are the population being spoken for, we would like to set the record straight once and for all. Birthparents were never promised confidentiality, nor did we ask for it. Please refer to the research done by Elizabeth J. Samuels, professor of law at the University of Maryland who [submitted recent testimony](#) for Connecticut. (*Surrender and Subordination: Birth Mothers and Adoption Law Reform*, 20 Mich. J. Gender & L. 33 (2013)). There has never been a single document presented that supports this myth of confidentiality. The experience of other states that have opened their records indicates that more than 99 percent of birthparents are open to contact by their surrendered sons and daughters.

For those still concerned about "protecting our privacy," consumer DNA testing makes public exposure of birth parents much more likely than providing an adoptee with his original birth certificate. An adoptee with his original birth certificate (and his birth parent's name) can make a sensitive, personal and private contact, which we prefer. An adoptee who takes a DNA test has revealed the birth parent's identity to every biological relative who also took a DNA test. These relatives learn about a birth parent's status before the birth parent knows he or she is being sought. On a purely practical level, original birth certificate access is the better and more private option.

Sincerely,

Deborah Myers, President
Concerned United Birthparents, Inc.
president@cubirthparents.org

Senator Maye Quade and Representative Elkins,

I, along with 1,365 other mothers of adoption loss (list enclosed), support SF1279/HF1778 that would provide Access to an Adopted Person's Original Birth Certificate in its current form. My name is Karen Wilson-Buterbaugh. In 1966, at age 17, I was removed from school and dropped off at a maternity home to serve time as an "inmate" for my sin of "unwed" pregnancy.

Besides my first hand experience of unwillingly having my child taken from me for adoption, I offer an additional expertise to you. I am both a researcher and a published author. I founded the Baby Scoop Era Research Initiative (BSERI) in 2007. We are dedicated to research, education and inquiry into the period of American adoption history known as the Baby Scoop Era and we are established on principles of historical accuracy, truth and justice.

For your reference, the Baby Scoop Era was a period in United States history starting the end of World War II through 1972, characterized by an increased rate of premarital pregnancies (due solely to population increase) over the preceding period, along with a higher rate of newborn adoptions. From approximately 1945 through 1972, it is estimated that possibly as many as 1.5 million mothers in the United States were pressured to surrender their newborn babies to adoption. Maternity reformatories, institutionally induced guilt, psychoanalytic explanations for single motherhood, and coercive adoption practices became a brief footnote in American social history, except to the marginalized mothers who survived these abusive and unethical practices. These women carried into their adult lives unaddressed burdens of worry, pain and a corrosive secret. The injurious effects of social work practice of these years are very much alive in the lives of millions of American women, including myself.

There are very few organizations that oppose open records today but those that do often claim they are protecting the privacy of natural mothers. As part of my research, we have amassed a list of women who publicly endorse a declaration that they were (a) never 'promised confidentiality' and (b) they completely support allowing adult adopted persons to access their original birth certificates. I hope you pass SF1279/HF1778 in their current form. All adult adoptees should be treated equally and have unrestricted rights to their own original birth certificates.

Thank you for your consideration.

Sincerely,
Karen Wilson-Buterbaugh
Founder, Baby Scoop Era Research Initiative
Mothers for Open Records Everywhere (M.O.R.E)
mothersforopenrecords@gmail.com



PLEASE SUPPORT SF1279: PROVISION MODIFICATIONS GOVERNING ADULT ADOPTEE ACCESS TO THEIR OWN ORIGINAL BIRTH RECORDS AND OTHER ADOPTION-RELATED INFORMATION

February 6, 2023

Dear Distinguished Members of the Minnesota State Senate,

We are a nation-wide group of birth/first mothers who have lost children to adoption. We write today to ask that you prioritize and support a very important bill that would end the discrimination against adult adopted persons from Minnesota who cannot legally receive a copy of their own original birth certificate: *SF1279 - Provision modifications governing adult adoptee access to their own original birth records and other adoption-related information*. We urge swift action on this bill for the following reasons:

Equality: This is the most important reason to take up and pass SF1279 as soon as possible. We believe all human beings have a right to know who they are and where they come from. And all adult adopted persons should be treated equally under the law. If Minnesota seeks to have a fair and equal policy in place, SF1279 needs to be prioritized and passed. It is simply wrong to discriminate against a class of adult citizens based on their circumstances at birth.

Privacy: Current law is actually harming us, mothers of adoption loss. For those of us who lost children to closed adoption, current law is forcing our relinquished sons/daughters to use consumer-DNA to find us. Consumer-DNA tests are not private. In fact, they are very public. What we prefer is for our adult sons/daughters to contact us privately so that we can decide with them, as two adults fully capable of managing our own relationships with each other, what is actually best for us. We do not need this relationship governed in any way. SF1279 *is* the most private and dignified option.

Healing: We recognize SF1279 is a very unique issue for a legislature to take up. While we feel this issue is squarely a rights issue and that all adult adopted persons should be treated equally under the law— and we wish the conversation would stop there— we recognize it does not. We are intimately associated with the issue surrounding this bill and therefore uniquely qualified to speak up about it because it is our names that appear on the original birth certificates of those who were adopted. Sometimes, it is our identities that have been cited as a reason to keep current law in place. We have spoken very publicly about the healing aspect of a bill that restores rights to adult adopted persons and the thing we want the Minnesota Senate to know is that when our lost sons/daughters are able to find us, we both experience healing. Because we have been so public with our views, we invite you to view/read some of our previously published works on this aspect of healing:

- [Catholic Birthmothers to Legislators: Help Us Heal](#)
- [Opinion: Keeping birth parents' identities secret doesn't just hurt the adopted; it hurts those who gave up their children](#)
- [How we feel about "Confidentiality" \(38 secs\)](#)

For these reasons, we urge you to support and prioritize SF1279 this session. Senators, justice delayed is justice denied and Minnesota-born adult adopted persons do not deserve to be denied equality any more. Thank you for hearing us on this important issue.

Sincerely,

Eileen (Woebse) McQuade

Co-Founder, Catholic Mothers For Truth & Transparency

Lost Daughter in 1966 - New York, NY

Guild of the Infant Savior

Catholic Charities, Archdiocese of NY

Karen (Galarneau) Quesnel

Co-Founder, Catholic Mothers For Truth & Transparency

Lost Son in 1981 - Wethersfield, CT

St. Agnes Home for Unwed Mothers

Catholic Charities of Hartford

END THE SECRECY OF OUR OWN BIRTH RECORDS

Committed to restoring the right of all adult adopted people to obtain their own original birth certificates, without discriminatory conditions or restrictions.



Minnesota
Coalition for
Adoption
Reform



Adoptee Rights Law Center

1917

Minnesota becomes the first state in the country to seal court records in adoptions. The records, however, remain available to the adult adoptee and to adoptive parents.

1939

To limit the stigma associated with adoption and illegitimate births, Minnesota begins to issue amended birth certificates, sealing the original and making it unavailable, even to the adoptee.

2023

While the stigma associated with adoption has long faded, Minnesota's law restricting adoptee rights remains inequitable, discriminatory, and incomprehensibly complicated.



84 YEARS OF INEQUALITY

Adoptees, birth parents, adoptive parents, and adoption professionals overwhelmingly support an adult adopted person's right to obtain his or her own birth record upon request. This legislation:

- Simplifies an overly complex and outdated law
- Streamlines government and agency processes
- Is budget neutral
- Restores and recognizes a right all people should have

mnadoptreform@yahoo.com
info@adopteerightslaw.com

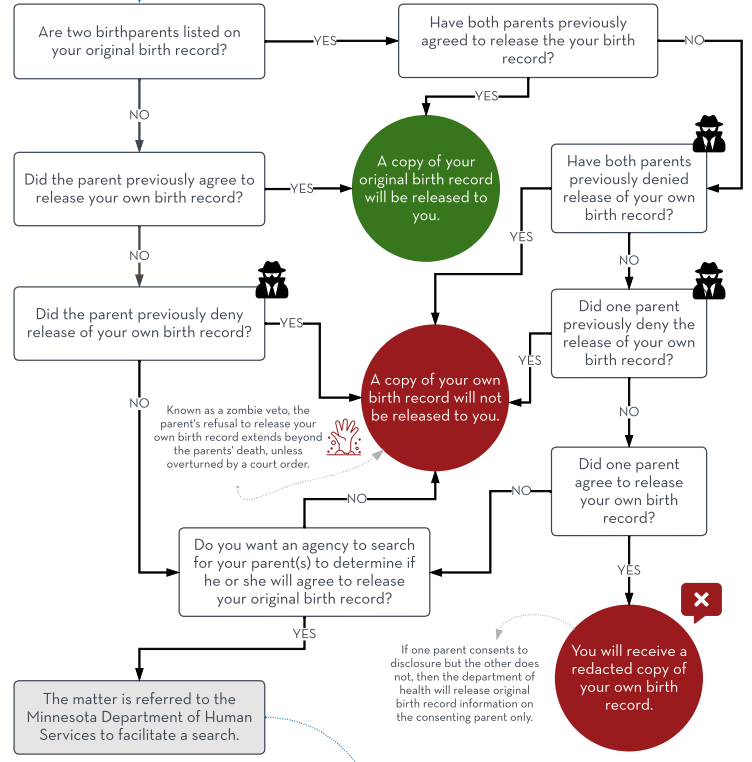
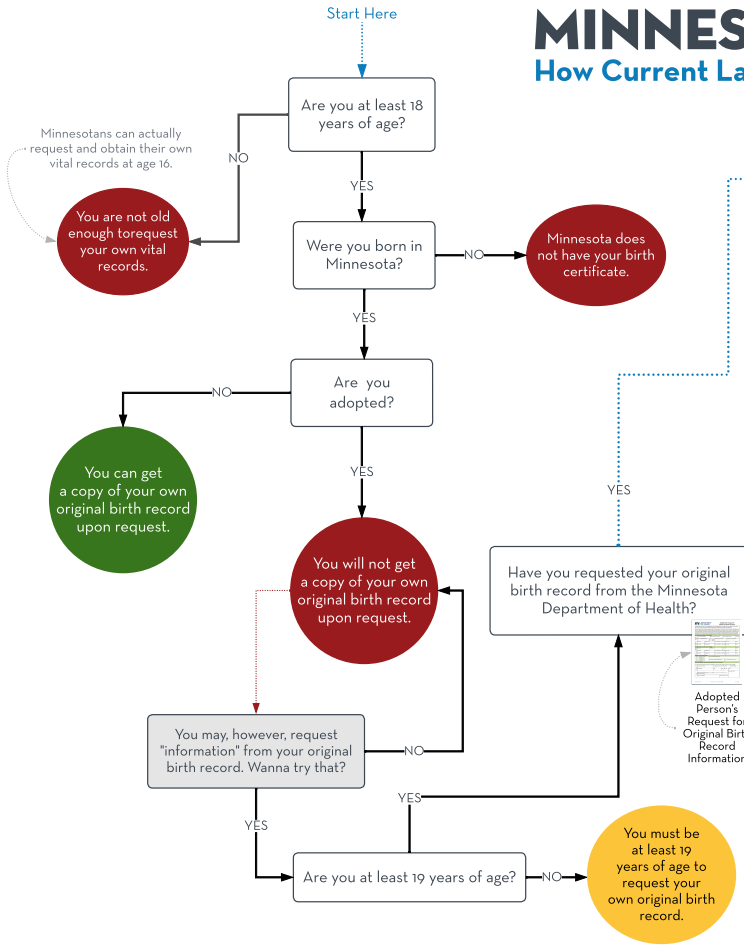
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adopteerightslaw.com

MINNESOTA

How Current Law Works



The Department of Health searches vital records to determine if a birthparent has filed an affidavit that either consents to or denies the release of the original birth record.



Minnesota was one of the first states in the country to create a "confidential intermediary system" that put adoption agencies in charge of facilitating paid searches to determine if an adopted person may receive his or her own original birth record. The law is now considered one of the most complex and discriminatory birth record laws in the United States.



Since the law went into effect in 1977, more than 1,300 birthparents have filed "affidavits of non-disclosure," permission forms that are used to veto the release of an adopted person's own original birth record. It is the largest reported number of disclosure vetoes filed in any state in the U.S.



Within six months after receiving notice of the request of the adopted person, the commissioner of human services' agent or a licensed child-placing agency shall make complete and reasonable efforts to notify each parent identified on the original birth record of the adopted person.

"Reasonable fees" may be charged for searching. Current fees are generally between \$500 and \$1,200.

