

SENATE WOMEN'S ISSUES, CHILDREN AND FAMILY  
SERVICES COMMITTEE

STATEMENT TO

**SENATE, No. 287**

**STATE OF NEW JERSEY**

DATED: MARCH 14, 1996

The Senate Women's Issues, Children and Family Services Committee favorably reports Senate Bill No. 287.

This bill amends R.S.26:8-40.1 to eliminate language that allows the court, before which an adoption proceeding has taken place, to order that the residence of the adopting parents replace the place of birth on the birth certificate of an adopted child. In the case of a foundling, the bill would require a court of competent jurisdiction to designate the date and place of birth recorded on the original birth certificate.

The provisions of the bill also amend R.S.26:8-40.1 to allow an adopted person, 18 years of age or older, to obtain an uncertified copy of his original birth certificate, if he submits a written notarized request to the State Registrar. Under present law, the original birth certificate of an adopted person is placed under seal which cannot be broken except by order of a court of competent jurisdiction.

Another provision of the bill would give birth parents a time-limited (12-months from the effective date of the bill) opportunity to request confidentiality and that their names not be disclosed on the uncertified birth certificate copy provided to the adopted person. If confidentiality is requested, the State Registrar will ask the birth parents to complete a family medical history form and submit it with any cultural and social history information the birth parents may want to provide to the State Registrar. This information shall be disclosed to the adopted person upon request pursuant to R.S.26:8-40.1.

The bill also establishes a voluntary information exchange mechanism to permit adopted adults and members of their birth families to record and share their current names, addresses and medical, cultural and social history information.

The bill directs the Department of Health, in consultation with the Department of Human Services, to establish rules and regulations ensuring the accuracy and confidentiality of the information provided to adoptees and their birth family members. It also requires the departments to report to the Legislature, and to make that report available to the public, on the development and administration of the initiatives established pursuant to the bill. The report would include

information concerning:

- a. The number of requests for confidentiality submitted by birth parents;
- b. The number of uncertified copies of original birth certificates provided to adopted persons;
- c. The number of adopted persons and birth family members who submitted current names and addresses and family history information; and
- d. The number of adopted persons and birth family members with whom such information was shared.

The bill also requires the Department of Human Services, as resources permit, to implement activities such as promoting public service messages in the media and contacting private adoption agencies in the State and human services agencies and private adoption agencies in other states, to increase public awareness of and encourage participation in the initiatives established in this bill.

Finally, under the provisions of the bill, any person, firm, partnership, corporation, association or agency which places a child for adoption would not be liable for any damages incurred as a result of the exchange of information pursuant to the provisions of the bill.

This bill is identical to Assembly Bill No. 742, sponsored by Assemblyman Leroy Jones, which was released by the Assembly Community Services Committee on March 4, 1996.

This bill was prefiled for introduction in the 1996-97 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.