TWENTY SECOND JUDICIAL CIRCUIT OF MISSOURI
FAMILY COURT – JUVENILE DIVISION

INFORMATION FROM PAST ADOPTION RECORDS

State law regulates confidential information concerning any adoption finalized in Missouri. Additionally, each juvenile court and adoption agency has its individual procedures regarding the release of information and its own interpretation of the state law.

HOW TO REQUEST INFORMATION

There are four places where the adult adoptee may request information regarding a past adoption record. The lineal descendant (the child or grandchild of a deceased adoptee) may request information from the agency or juvenile court which finalized the adoption:

1. The Missouri Adoption Registry (form attached)
2. The agency which handled the adoption (listing of agencies attached)
3. The juvenile court which finalized the adoption (The proper court for the request is usually the juvenile court in the county where the adoptive parents resided at the time of the adoption. Their place of residence is often listed on the adoptee's amended birth certificate.)
4. Adult adoptees and their lineal descendants may now request their original birth certificate through the Missouri Bureau of Vital Records (form attached)

MISSOURI ADOPTION REGISTRY

The Missouri Children's Division maintains an adoption registry at no cost to the adoptee, the birth parent, or any adult sibling. By completing the Missouri Adoption Registry form, the adoptee can register their desire to have contact with their birth parents and siblings. The form is also used by birth parents and adult biological siblings wishing to register their desire for contact by the adoptee. A representative of the Missouri Children's Division will contact the adult adoptee, the birth parents and/or the adult sibling if a match occurs on the state registry. Missouri law establishes different requirements for the release of identifying information through the Missouri Adoption Registry than the requirements established for the juvenile court. The Registry may avoid the need for a search through the juvenile court, and may also be helpful in the event that the court-authorized search is unsuccessful, but your birth parents or sibling(s) register at a later date. You can fill out the form and either email it to CD.MOAdoptionInfoRegistry@dss.mo.gov, or mail it to Missouri Children's Division Adoption Information Registry, PO Box 88, Jefferson City MO, 65103-0088.

More information can be found at Adoption Information Registry

MISSOURI BUREAU OF VITAL RECORDS

Missouri law now allows adult adoptees, their attorney, or their lineal descendants to request an uncertified copy of the adoptee's original, pre-adoptive birth certificate. Certain conditions must be met before an uncertified copy of the original birth certificate can be released. The forms must be notarized and mailed in with a $15 check or money order, made payable to Missouri Department of Health and Senior Services. Mail the forms to Bureau of Vital Records, P.O. Box 570, Jefferson City, MO 65102-0570. More information can be found at Order a Copy of a Vital Record | Vital Records | Health & Senior Services (mo.gov)

REQUESTS FOR INFORMATION FROM JUVENILE COURT

All requests should be in writing and accompanied by proof of identification to assure the court or agency that the information is being requested by an adoptee, a biological parent, an adoptive parent, or the adoptee's lineal descendant if the adopted adult is deceased. Acceptable forms of identification include a photocopy of the applicant's government photo identification card, such as a valid driver's license, a photocopy of the requester's present birth certificate or a notarized written request.

All requests for information should specify whether the individual is seeking verification of an adoption, non-identifying and/or identifying information. Including as much of the following information regarding the adoption as is known will allow the court and/or agency to expedite the request:

1. Adoptive name
2. Adoptee's date of birth
3. Adoptee's birth name
4. Names of the adoptive parents
5. The name of the adoption agency involved in the adoption
6. Names of the birth parents
7. Date on which the adoption was finalized
8. Cause number or file number on the adoption decree
9. A photocopy of the adoption decree

Any request from a lineal descendant of an adopted adult who is deceased shall also require documentation of the relationship of the requester to the adoptee (birth certificate or copy of a Court document stating relationship) **and** proof of the adoptee's death (copy of adoptee's state-issued death certificate).

VERIFICATION OF ADOPTION

The circuit court clerk handles verification of an adoption and may send a Certificate of Adoption to an adult adoptee or an adoptive parent upon their request. This document does not contain any identifying information regarding the birth parents. A certified Decree of Adoption may only be released to the adoptive parents or adoption attorney, as it contains

identifying information. An adult adoptee may only obtain a copy of the Decree of Adoption if the Court authorizes the release of identifying information. Verification of an adoption may also be sent directly to Missouri Child Support Enforcement upon the request of a birth parent to verify that a birth parent's rights have been terminated, when that agency possesses an open case on the birth parent. The circuit court clerk may charge a fee for the production of this document.

NON-IDENTIFYING INFORMATION

The law divides all adoption information into two categories. The first type of information is referred to as **non-identifying**. Non-identifying information includes the physical description, nationality, religious background and medical history of the biological parents and biological siblings. It does not include any information that could lead the adoptee or the adopted adult's lineal descendants to the biological family members.

Any adult adoptee (eighteen years of age or over) or the adopted adult's lineal descendant is entitled to receive all non-identifying information that is contained in the file of the juvenile court and the adoption agency which facilitated the adoption. The juvenile court and agency can only provide the non-identifying information that is actually contained in their files. Regrettably, some files do not contain much (or any) non-identifying information. All information is sent to the adoptee or lineal descendant in writing and in narrative form so that the court and the requester possess a record of what information has been released. Information from a court adoption file is not released verbally and photocopies of filed documents are not released without a specific request outlining the unusual reason requiring the release of the document and a subsequent court order.

Missouri law does not require the consent of or notification to the adoptive or birth parents in order to release non-identifying information to an adult adoptee, or to the adopted adult's lineal descendants. Thus, such requests for non-identifying information will be handled in the strictest confidence.

Please be advised that some child-placing agencies assess a charge for releasing their non-identifying information. The juvenile courts do not charge for this service. The agency file may contain different information than the court file, and some information may conflict. The juvenile court does not ensure the validity of the information contained in its file, as that information was gathered by personnel who are no longer employed by the court or the agency for an adoption case which has been closed for many years.

No one other than an adult adoptee, an adoptive parent or the adopted adult's lineal descendant may receive non-identifying information from an adoption.

IDENTIFYING INFORMATION

The second type of adoption information is known as **identifying**. This information includes the names, dates of birth, places of birth and last known addresses of the birth parents and biological family members. Again, the requirements for the release of identifying information established by law regarding the Missouri Adoption Registry differ from those established for the juvenile court.

RELEASE OF IDENTIFYING INFORMATION BY JUVENILE COURT WHEN CONSENTS ARE ALREADY FILED WITH THE COURT

If the biological parents' written consents to the release of identifying information to the adult adoptee are already contained in the court file, the court may release all identifying information to the adopted adult or lineal descendant without further notification to the adoptive parents or the birth parents.

RELEASE OF IDENTIFYING INFORMATION BY JUVENILE COURT WHEN CONSENTS ARE NOT CONTAINED IN THE COURT FILES – COURT AUTHORIZED SEARCH

If the birth parents have not already consented in writing to the release of identifying information to the adopted adult, the juvenile court in which the adoption was finalized can only release identifying information with a Court order. By law, the Court can issue such an order only if certain conditions are met. The Court must either obtain a signed and notarized affidavit from the biological parents consenting to the disclosure of information, or the Court must receive certified proof that the biological parents are deceased.

The court cannot authorize the release of identifying information in cases where one or both of the biological parents refuses to consent to the disclosure of identifying information. If one biological parent consents, or is deceased, and the searcher is unable to locate the other parent, the Court may authorize the release of information for the consenting or deceased parent.

All requests for identifying information **must** be initiated by the adult adoptee or a lineal descendant and sent in writing to the juvenile court where the adoption was finalized. The juvenile court will then authorize the agency that facilitated the adoption to begin the process of attempting to ascertain the positions of the birth parents to the release of information.

The law permits the adoption agency to charge for the actual cost of a search. Each agency charges a different fee. The adoptee or lineal descendant should discuss this matter directly with the agency before authorizing a search. Please keep in mind that any financial agreement is strictly between the agency and the adoptee or lineal descendant. The juvenile court is not a party to this agreement.

After court authorization, the adoption agency's initial step is to contact the adoptee or lineal descendant who has requested the search. The agency will explain their procedures and notify the adoptee or the lineal descendant of their fees. The next step is for the agency to contact the birth parents in order to ascertain their position on the disclosure of information to the adoptee or the adopted adult's lineal descendant. In most cases, this process entails a search for the birth parents.

No two cases are alike. Some searches may be successful after a week while other searches may be unsuccessful after three months or longer. Nevertheless, the law requires the agency to submit a report to the juvenile court within three months after the adoptee's request. If a search requires additional time, the juvenile court may grant an extension.

Under Missouri law, only the juvenile court judge can authorize the release of identifying information from the adoption file to an adult adoptee or the adopted adult's lineal

descendant. The juvenile court judge will issue an order that grants or denies the release of information **only** after reviewing the agency's report and its recommendation and **only** in accordance with Missouri law. The judge cannot violate the law set forth by the state.

The court authorized search generally will reveal one of the following situations:

1. Neither birth parent can be notified after a diligent search. *In this case, Missouri law prohibits the release of any identifying information.*

2. One birth parent consents and the other birth parent refuses to consent OR both birth parents refuse to consent. *In this situation, Missouri law prohibits the release of any identifying information regarding both birth parents.*

3. One biological parent consents or is deceased but the other biological parent cannot be located after a diligent search. *In this case, Missouri law allows release of identifying information concerning the consenting or deceased birth parent but not the missing birth parent.*

4. One birth parent consents or is deceased and the other birth parent is unknown. *In this case, Missouri law allows the release of any and all identifying information.*

5. Both biological parents consent or are deceased. *Missouri law allows the release of all identifying information.*

Please remember that, if **either** birth parent refuses to consent in writing, no identifying information shall be released. If the juvenile court authorizes the release of identifying information, the agency will inform the adult adoptee or lineal descendant of the identifying information and coordinate the initial contact with the birth parent(s).

INDEPENDENT ADOPTION SEARCHES

If the adoption was not handled by an agency (i.e., a private or independent adoption or a stepparent adoption), the juvenile court will provide the adoptee or the lineal descendant with a list of agencies and private searchers willing and approved to provide adoption search services for this court. It is the responsibility of the adoptee or lineal descendant to choose from this list and inform the juvenile court of his/her selection. If the juvenile court does not hear from the adoptee or lineal descendant within thirty days, it will be assumed that the individual decided not to pursue a search at that time and the case will be closed.

If the adoptee or lineal descendant notifies the court (in writing) of the private adoption searcher with whom he/she is contracting for the search, the juvenile court judge will issue an order to allow the private searcher to review the court's adoption file for any and all information which may be beneficial in completing a search. The required report is then submitted by the private searcher within the three month time frame set by Missouri law, similar to an agency search. The private searcher must adhere to the same procedures as described above and is prohibited from releasing identifying information to the adoptee or

the lineal descendant without a court order.

IDENTIFYING INFORMATION ON SIBLINGS FROM JUVENILE COURT

The adopted adult may request identifying information regarding adult biological sibling(s). Upon such request, the juvenile court will authorize the agency that facilitated the adoption to begin the process of attempting to ascertain the position of the adult sibling(s) to the adoptee regarding the release of their identity. Identifying information regarding the sibling(s) to an adult adoptee will only be released after submission of a signed and notarized consent from that sibling.

As previously noted, the Missouri Adoption Registry can release identifying information regarding a sibling who has registered his/her consent to do so with the Registry.

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