



Missouri Adoption Law

QUESTIONS & ANSWERS REGARDING ADOPTION SEARCHES

What information are adoptive parents given at the time of the adoption? Adoptive parents are given **non-identifying** medical/health information and social history that was provided by the birth parent/s at the time of placement. In cases where birth parent/s were not involved, or birth father was unknown, there may be limited information. **Do adoptees also have access to this medical information? Yes.**

What is non-identifying information? This is any information that does not reveal the identity of the birth family. It could include nationality, ethnicity, religion, physical descriptions, educational background, occupations, hobbies/interests and medical information.

What is identifying information? This is any information that would lead directly to finding out a person's identity, including name, date of birth, place of birth, and contact information.

How old must an adoptee be to search for his/her biological family? 18 years old.

Can adoptee's lineal descendants search for adoptee's biological family? Yes, lineal descendants can search (according to the same process) if the adoptee is deceased. Lineal descendants include children, grandchildren, great-grandchildren, etc.

Are agency adoption records required to have a court order before releasing identifying information to adoptees? Yes.

Are adoption agencies required to have a court order before releasing non-identifying information to adoptees? No.

Does an adoptee need permission from their adoptive parents in order to search? No.

Can courts release identifying information if birth parent/s are deceased? Yes, the court of jurisdiction will release identifying information if both birth parents are deceased (or if one parent is unknown). Certified copies of the death certificates must be presented to the court as proof of the deceased individual.

Can the courts release identifying information regarding biological siblings? Yes. Biological siblings have a separate consent form that they must sign and have notarized, which is then filed with the court. It is not necessary for a biological parent to consent in this situation as long as the biological sibling/s have consented in writing.

What is the Adoption Information Registry? This registry is a service provided by the Missouri Department of Social Service's Children's Division, where an adoptee (age 18 or over), biological parent or biological sibling (age 18 or over) can indicate their desire to be contacted by each other. If there is a match, a third party contacts the birth parent or biological sibling and verifies that there is a signed consent form on file. If all parts of the law have been followed, the Missouri Department of Social Services will release the identifying information to the involved individuals. The Missouri Adoption Information Registry form (and directions) can be found at the following link: <https://dss.mo.gov/cd/adoption/adoption-information-registry.htm> If you need a registration form mailed to you, call the Foster Adopt Hotline at (800) 554-2222 or contact your local Children's Division office.

Myths & Facts

REGARDING ADOPTION SEARCHES

MYTH: Adoptees are denied access to health/medical information.

All non-identifying information, including health information, is available to adoptees with a written request to the agency or the court along with proof of identity. However, the information may be outdated and/or incomplete unless the birth parent/s have been updating the agency with medical history throughout the years after the adoptee was placed for adoption.

MYTH: Birth parent/s were never promised confidentiality.

Prior to 1986, Missouri law did not contain any specific language allowing for future contact between birth parents and adopted children. For adoptions prior to 1986 birth parents were assured by judges, attorneys and others that their information would remain confidential indefinitely.

MYTH: Agencies want closed records so they can make a profit from searches.

Missouri law states that "child placing agencies or juvenile court personnel may only charge actual costs ... for making such search." LFCS charges a fee to cover the staff time involved to research, locate, contact, and counsel/advise/educate all individuals involved in the adoption.

MYTH: All birth parents want to be contacted by their biological son or daughter.

Not all birth parents consent to having their identifying information released to their children. If birth parents are contacted and decline the opportunity for contact it does not mean that they do not love their children. It can be for a variety of reasons. Some birth parents have never shared information about the adoption with their current family and some birth parents find the adoption too painful to revisit. Thankfully, experiencing an unplanned pregnancy is no longer so secretive and many adoptions are now "open adoptions" where the adoptive family and birth family keep in contact throughout the adoptee's life. There are various complex reasons why a birth parent might decline contact with the adoptee, however Missouri Law allows for adoptees to have the agency contact the biological parents and/or siblings again after three years have passed from the initial search.

MYTH: Adoptees are denied access to their original birth certificate.

On July 1, 2016, Governor Nixon signed House Bill 1599 providing adult adoptees born in Missouri with the opportunity to obtain a non-certified copy of their original birth certificate. Birth mothers do have the right to contact the Missouri Department of Health and Senior Services and request that their identifying information be removed from the original birth certificate. In those rare instances, the adoptee's original birth certificate would not include the birth mother's name. To make a request, an adoptee will need to complete the Application for Non-Certified Copy of an Original Birth Certificate form and pay a non-refundable \$15 fee. The application form is available on the Missouri Department of Health & Senior Services website at <https://health.mo.gov/data/vitalrecords/pdf/580-3139-adoptee.pdf>

If you have any questions or would like more information please contact
The **Adoption Search Team** at Lutheran Family & Children's Services
314-787-5100 or 866-326-5327