

Adoptees seek change in law

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Anita Walker Field of Skokie was weeks away from a much-needed vacation when she learned that the federal government had denied her passport application because of her birth certificate.

"It was very frustrating," Field said.

Field found out the reason for the rejection was that she had been adopted.

"I didn't have a proper birth certificate that showed where I was born," she said. "It was a Catch-22, because the documents that I needed were sealed by the state of Illinois."

Adoptees are given amended birth certificates with the names of their adoptive - rather than biological - parents. These amended slips should fulfill all the requirements of a regular birth certificate, but sometimes - as in Field's case - they don't.

Field's story points to a fact that few know: Adult adoptees from Illinois are not allowed access to their birth records or to information about their biological parents.

According to the Illinois Adoption Act, "All adoption records maintained by each circuit clerk shall be impounded ... and shall be opened for examination only upon specific order of the court."

The act also requires that both the birth mother and the adoptee must consent before information records will be released.

Field and other adult adoptees feel the laws that once protected them as children now are stifling them as adults.

"The issue here is dealing with a civil and human right of every citizen to know his or her identity," Field said.

Politicians have been debating adoptee rights for years. State lawmakers such as state Rep. Sara Feigenholtz, D-Chicago, an adult adoptee now seeking the seat in the U.S. Congress that was vacated when former U.S. Rep. Rahm Emanuel resigned to become President Barack Obama's chief of staff, have worked to amend adoptee laws.

In 2008, Feigenholtz and other representatives worked to amend the Adoption Act with House Bill 4623, which would allow a liaison - a confidential intermediary - to give an adoptee 21 or older "non-identifying information," such as some medical records.

But not all adoptees felt that HB 4623 was fair.

"(The) legislative proposals would create multiple classes of adoptees, and some would be denied

access to information about their own identities," said Triona Guidry, Midwest coordinator of the Green Ribbon Campaign for Open Records.

Guidry and others opposed to HB 4623 formed the coalition, Adoption Reform Illinois, which worked to rethink the bill.

One of the biggest problems that ARI supporters had with HB 4623 was with the concept of a confidential intermediary, or CI. The Confidential Intermediary System of Illinois, run by the Midwest Adoption Center, has been providing CI services to adult adoptees since 1993.

"Our focus is to provide post-adoption services, including support and counseling and post-adoption search services," said Gretchen Schulert, co-director of the MAC.

The program works to find the adoptees' birth relatives. It equips and appoints trained officials to work as go-betweens for adoptees and their biological parents. The CIs have access to court records, birth certificates and agency record information to set up communication for the families.

The success rate of finding a relative through the CI program is high, according to the MAC's Web site. It has located more than 90 percent of sought relatives, 63 percent of which resulted in successful communication, according to a 2006 chart.

ARI representatives say that they oppose the CI method, mainly because adopted individuals can obtain birth records only after establishing contact with their birth parents.

"You may or may not find your birth mother with a CI, but you won't get your certificate," Field said.

ARI would like to establish open records, which would allow adoptees full access to their records without an intermediary. But the right to privacy remains a factor for involved parties.

"The whole philosophy behind the CI system is to balance the need of people to find a relative and the other person's right to privacy," Schulert said.

Schulert also said the representatives at MAC believe that "it would be better for everyone if the adoption records were not secret and sealed for adult adoptees."

But even that would create problems for those who wish to leave the past behind them.

"It's a tough situation," Schulert said. "Opening everything up would not be so perfect for those that don't want their privacy violated."

As of last May 31, HB 4623 was re-referred to the Rules Committee in the Illinois House of Representatives, and officials did not want to comment as to whether the bill would be re-addressed by the new General Assembly this year. In the meantime, ARI members hope to lobby for open access instead of an intermediary program.

Field eventually was able to get her passport application approved, thanks to the hard work of friends and a local congressman. She remains active in ARI and hopes the legislation will change

someday.

"I just think that when you're an adult, you need to know about your background," Field said.
"You should have the right to access your birth records just like anyone else."