



HOUSE BILL No. 4428

March 3, 1993, Introduced by Reps. Randall, McNutt, Bender, London and DeMars and referred to the Committee on Judiciary.

A bill to amend sections 27, 68, and 68a of chapter X of Act No. 288 of the Public Acts of 1939, entitled as amended

"An act to revise and consolidate the statutes relating to certain aspects of the organization and jurisdiction of the probate court of this state, the powers and duties of such court and the judges and other officers thereof, certain aspects of the statutes of descent and distribution of property, and the statutes governing the change of name of adults and children, the adoption of adults and children, and the jurisdiction of the juvenile division of the probate court; to prescribe the powers and duties of the juvenile division of the probate court, and the judges and other officers thereof; to prescribe the manner and time within which actions and proceedings may be brought in the juvenile division of the probate court; to prescribe pleading, evidence, practice, and procedure in actions and proceedings in the juvenile division of the probate court; to provide for appeals from the juvenile division of the probate court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties for the violation of this act,"

as amended by Act No. 175 of the Public Acts of 1990, being sections 710.27, 710.68, and 710.68a of the Michigan Compiled Laws; and to add sections 27a and 27b to chapter X.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 27, 68, and 68a of chapter X of Act
2 No. 288 of the Public Acts of 1939, as amended by Act No. 175 of
3 the Public Acts of 1990, being sections 710.27, 710.68, and
4 710.68a of the Michigan Compiled Laws, are amended and sections
5 27a and 27b are added to chapter X to read as follows:

6 CHAPTER X

7 Sec. 27. (1) ~~Nonidentifying information shall be main-~~
8 ~~tained by a child placing agency, the department, or a court that~~
9 ~~places an adoptee under this chapter. The following nonidenti-~~
10 ~~fying information shall be maintained, if obtainable: BEFORE~~
11 ~~PLACEMENT OF A CHILD FOR ADOPTION, A PARENT OR GUARDIAN, A CHILD~~
12 ~~PLACING AGENCY, THE DEPARTMENT, OR THE COURT THAT PLACES THE~~
13 ~~CHILD SHALL COMPILE AND PROVIDE TO THE PROSPECTIVE ADOPTIVE~~
14 ~~PARENT A WRITTEN DOCUMENT CONTAINING ALL OF THE FOLLOWING NONI-~~
15 ~~DENTIFYING INFORMATION THAT IS REASONABLY OBTAINABLE FROM THE~~
16 ~~PARENTS, RELATIVES, OR GUARDIAN OF THE CHILD; ANY PERSON WHO HAS~~
17 ~~HAD PHYSICAL CUSTODY OF THE CHILD FOR 30 DAYS OR MORE; OR ANY~~
18 ~~PERSON WHO HAS PROVIDED HEALTH, PSYCHOLOGICAL, EDUCATIONAL, OR~~
19 ~~OTHER SERVICES TO THE CHILD:~~

20 (a) Date, time, and place of birth of the ~~adoptee~~ CHILD
21 including the hospital, city, county, and state.

22 ~~(b) Medical history of the adoptee and biological parents.~~

23 ~~(c) Ethnicity of the biological parents.~~

24 ~~(d) Status of termination voluntary or court ordered.~~

25 ~~(e) Religious background of biological parents.~~

1 ~~(f) Age and sex of siblings of the adoptee known at the time~~
2 ~~of the adoption.~~

3 ~~(g) Educational level of biological parents.~~

4 (B) AN ACCOUNT OF THE HEALTH AND GENETIC HISTORY OF THE
5 CHILD, INCLUDING AN ACCOUNT OF THE CHILD'S PRENATAL CARE; MEDICAL
6 CONDITION AT BIRTH; ANY DRUG OR MEDICATION TAKEN BY THE CHILD'S
7 MOTHER DURING PREGNANCY; ANY SUBSEQUENT MEDICAL, PSYCHOLOGICAL,
8 PSYCHIATRIC, OR DENTAL EXAMINATION AND DIAGNOSIS; ANY PSYCHOLOGI-
9 CAL EVALUATIONS DONE WHEN THE CHILD WAS UNDER THE JURISDICTION OF
10 THE COURT; ANY PHYSICAL, SEXUAL, OR EMOTIONAL ABUSE SUFFERED BY
11 THE CHILD; ANY REPORTS CONCERNING THE CHILD PREPARED BY PROTEC-
12 TIVE SERVICE WORKERS, FOSTER CARE WORKERS, OR ADOPTION WORKERS
13 BEFORE THE PLACEMENT; AND A RECORD OF ANY IMMUNIZATIONS AND
14 HEALTH CARE THE CHILD RECEIVED WHILE IN FOSTER OR OTHER CARE.
15 THIS SUBDIVISION DOES NOT REQUIRE THE DISCLOSURE OF MATERIAL MADE
16 CONFIDENTIAL BY STATE OR FEDERAL LAW.

17 (C) AN ACCOUNT OF THE HEALTH AND GENETIC HISTORY OF THE
18 CHILD'S BIOLOGICAL PARENTS AND OTHER MEMBERS OF THE CHILD'S
19 FAMILY, INCLUDING ANY KNOWN HEREDITARY CONDITION OR DISEASE; THE
20 HEALTH OF EACH PARENT AT THE CHILD'S BIRTH; A SUMMARY OF THE
21 FINDINGS OF ANY MEDICAL, PSYCHOLOGICAL, OR PSYCHIATRIC EVALUATION
22 OF EACH PARENT AT THE TIME OF PLACEMENT; AND IF A PARENT IS
23 DECEASED, THE CAUSE OF AND THE AGE AT DEATH.

24 (D) A DESCRIPTION OF THE CHILD AND THE CHILD'S FAMILY OF
25 ORIGIN, INCLUDING ALL OF THE FOLLOWING:

26 (i) GIVEN FIRST NAME OF THE CHILD AT BIRTH.

1 (ii) THE AGE AND SEX OF SIBLINGS OF THE CHILD.

2 (iii) THE CHILD'S ENROLLMENT AND PERFORMANCE IN SCHOOL,
3 RESULTS OF EDUCATIONAL TESTING, AND ANY SPECIAL EDUCATIONAL
4 NEEDS.

5 (iv) THE CHILD'S RACIAL, ETHNIC, AND RELIGIOUS BACKGROUND,
6 AND A GENERAL DESCRIPTION OF THE CHILD'S PARENTS, INCLUDING THE
7 AGE OF THE CHILD'S PARENTS AT THE TIME OF TERMINATION OF PARENTAL
8 RIGHTS, AND THE LENGTH OF TIME THE PARENTS HAD BEEN MARRIED AT
9 THE TIME OF PLACEMENT.

10 (v) AN ACCOUNT OF THE CHILD'S PAST AND EXISTING RELATIONSHIP
11 WITH ANY RELATIVE, FOSTER PARENT, OR OTHER INDIVIDUAL WITH WHOM
12 THE CHILD HAS LIVED OR VISITED ON A REGULAR BASIS, AND THE NAMES
13 AND ADDRESSES OF ALL FOSTER PARENTS, RELATIVES, INSTITUTIONS, AND
14 FACILITIES WITH WHOM OR IN WHICH THE CHILD WAS PLACED BEFORE
15 ADOPTIVE PLACEMENT.

16 (vi) THE LEVELS OF EDUCATIONAL, OCCUPATIONAL, PROFESSIONAL,
17 ATHLETIC, OR ARTISTIC ACHIEVEMENT OF THE CHILD'S FAMILY.

18 (vii) HOBBIES, SPECIAL INTERESTS, AND SCHOOL ACTIVITIES OF
19 THE CHILD'S FAMILY.

20 (viii) ANY CRIMINAL CONVICTION OF A PARENT OF THE CHILD FOR
21 A FELONY AND THE CIRCUMSTANCES OF ANY JUDICIAL ORDER TERMINATING
22 THE PARENTAL RIGHTS OF A PARENT FOR ABUSE, NEGLECT, ABANDONMENT,
23 OR OTHER MISTREATMENT OF THE CHILD.

24 (ix) LENGTH OF TIME BETWEEN THE TERMINATION OF PARENTAL
25 RIGHTS AND ADOPTIVE PLACEMENT AND WHETHER THE TERMINATION WAS
26 VOLUNTARY OR COURT-ORDERED.

1 (x) ANY INFORMATION NECESSARY TO DETERMINE THE CHILD'S
2 ELIGIBILITY FOR STATE OR FEDERAL BENEFITS, INCLUDING FINANCIAL,
3 MEDICAL, OR OTHER ASSISTANCE.

4 (2) INFORMATION REQUIRED BY SUBSECTION (1) THAT IS UNOBTAIN-
5 ABLE BEFORE TEMPORARY PLACEMENT SHALL BE SUBMITTED BY THE TIME OF
6 FORMAL PLACEMENT IF REASONABLY OBTAINABLE. The information
7 required by subsection (1) shall be supplemented by other noni-
8 dentifying background information that the PARENT OR GUARDIAN,
9 child placing agency, department, or court considers
10 appropriate.

11 (3) ~~The~~ A PARENT OR GUARDIAN, THE department, a child
12 placing agency, or a court that places an adoptee under this
13 chapter shall ~~maintain~~ COMPILE all of the following identifying
14 information if REASONABLY obtainable:

15 (a) Name of the child before placement in adoption.

16 (b) ~~Names~~ NAME of EACH biological ~~parents~~ PARENT at the
17 time of termination of parental rights.

18 (c) The most recent ~~names~~ NAME and ~~addresses~~ ADDRESS of
19 ~~the~~ EACH biological ~~parents~~ PARENT.

20 (d) Names of the biological siblings at the time of
21 termination.

22 ~~(4) The court shall inform each biological parent at the~~
23 ~~time of termination of parental rights pursuant to this chapter~~
24 ~~or chapter 12A, that the biological parent may file a denial of~~
25 ~~release of the identifying information specified in subsection~~
26 ~~(3) with the department at any time and that the denial may be~~
27 ~~revoked at any time. The department shall develop a form for~~

~~1 biological parents to deny or revoke a denial of release of
2 identifying information and shall make the form available to the
3 court. The court shall inform both biological parents, if known,
4 of the provisions described in sections 68 and 68a.~~

~~5 (5) The department shall keep on file each statement con-
6 cerning a child believed to be adopted that is submitted by a
7 biological parent or adult biological sibling consenting to or
8 denying release of identifying information, and shall transmit
9 that statement to the proper child placing agency, department, or
10 court upon request of the child placing agency, department, or
11 court. The statement may be rescinded at any time by the biolog-
12 ical parent or adult biological sibling. A statement made by a
13 biological parent or adult biological sibling consenting to the
14 release of identifying information shall include the current name
15 and address of the biological parent or adult biological
16 sibling. Once a request for information from the file has been
17 received by the department, a subsequent statement submitted by a
18 biological parent or adult biological sibling consenting to the
19 release of identifying information or revoking a previous denial
20 to release of identifying information, shall be transmitted to
21 the requesting child placing agency, department, or court upon
22 receipt.~~

~~23 (4) THE INFORMATION REQUIRED BY SUBSECTIONS (1) TO (3) SHALL
24 BE MAINTAINED BY THE CHILD PLACING AGENCY, DEPARTMENT, OR COURT
25 THAT PLACES THE CHILD OR, IN THE CASE OF A DIRECT PLACEMENT BY A
26 PARENT OR GUARDIAN, BY THE COURT THAT APPROVES THE PLACEMENT. IN
27 A DIRECT PLACEMENT, THE PARENT OR GUARDIAN SHALL TRANSMIT THE~~

1 INFORMATION REQUIRED UNDER SUBSECTIONS (1) TO (3) TO THE COURT
2 BEFORE THE TERMINATION OF PARENTAL RIGHTS. AN EMPLOYEE OR AGENT
3 OF A CHILD PLACING AGENCY, THE COURT, OR THE DEPARTMENT WHO
4 INTENTIONALLY DESTROYS INFORMATION REQUIRED TO BE MAINTAINED
5 UNDER THIS SECTION IS GUILTY OF A MISDEMEANOR.

6 (5) ~~(6)~~ If a child placing agency ceases to operate, the
7 agency's adoption records shall be forwarded to the department.
8 A branch or associate agency of a child placing agency ~~which~~
9 THAT ceases to operate shall forward its records to the central
10 agency of the branch or associate agency.

11 (6) ~~(7)~~ This section ~~also applies~~ DOES NOT APPLY to a
12 stepparent adoption ~~and~~ OR to the adoption of a child related
13 to the petitioner within the fifth degree by marriage, blood, or
14 adoption.

15 (7) ~~(8)~~ ~~The information required by subsections (1) through~~
16 ~~(3) shall be maintained by the child placing agency, department,~~
17 ~~or court. An employee or agent of a child placing agency, the~~
18 ~~court, or the department, who intentionally destroys information~~
19 ~~required to be maintained under this section, is guilty of a~~
20 ~~misdemeanor.~~ THIS SECTION DOES NOT PREVENT A PARENT OR GUARDIAN
21 AND PROSPECTIVE ADOPTIVE PARENT FROM EXCHANGING IDENTIFYING
22 INFORMATION OR MEETING PURSUANT TO SECTIONS 23A AND 23B.

23 SEC. 27A. (1) A FORMER PARENT MAY FILE WITH THE CENTRAL
24 ADOPTION REGISTRY A STATEMENT CONSENTING TO OR DENYING THE
25 RELEASE OF THE IDENTIFYING INFORMATION ABOUT THAT PARENT SPECI-
26 FIED IN SECTION 27(3)(B) AND (C). THE CONSENT OR DENIAL MAY BE
27 FILED, UPDATED, OR REVOKED AT ANY TIME.

1 (2) AN ADULT FORMER SIBLING MAY FILE A STATEMENT WITH THE
2 CENTRAL ADOPTION REGISTRY PROVIDING NOTICE THAT A FORMER PARENT
3 IS DECEASED. A COPY OF THE FORMER PARENT'S DEATH CERTIFICATE OR
4 OTHER EVIDENCE OF THE FORMER PARENT'S DEATH SHALL BE ATTACHED TO
5 THE STATEMENT.

6 (3) AN ADULT FORMER SIBLING WHO KNOWS THE BIRTH NAME OF AN
7 ADOPTEE MAY FILE WITH THE CENTRAL ADOPTION REGISTRY A STATEMENT
8 CONSENTING TO THE RELEASE OF THE ADULT FORMER SIBLING'S NAME AND
9 ADDRESS TO THE ADULT ADOPTEE. THE STATEMENT MAY BE FILED, UPDAT-
10 ED, OR REVOKED AT ANY TIME.

11 (4) AT THE TIME OF TERMINATION OF PARENTAL RIGHTS PURSUANT
12 TO THIS CHAPTER OR CHAPTER XIIA, THE COURT SHALL INFORM EACH
13 PARENT OF THE PROVISIONS DESCRIBED IN THIS SECTION AND SECTIONS
14 27B, 68, AND 68A. THE COURT SHALL INFORM EACH PARENT THAT THE
15 PARENT'S CONSENT TO THE RELEASE OF IDENTIFYING INFORMATION ABOUT
16 THAT PARENT SPECIFIED IN SECTION 27(3)(B) AND (C) SHALL BE PRE-
17 SUMED UNLESS THE PARENT FILES A STATEMENT WITH THE CENTRAL ADOP-
18 TION REGISTRY DENYING THE RELEASE OF THE INFORMATION ABOUT THAT
19 PARENT. THE COURT SHALL EXPLAIN THE PARENT'S RIGHT TO FILE,
20 UPDATE, OR REVOKE THE DENIAL AT ANY TIME, AND SHALL PROVIDE EACH
21 PARENT WITH THE FORMS PRESCRIBED UNDER SECTION 27B.

22 SEC. 27B. (1) THE DEPARTMENT SHALL ESTABLISH AND MAINTAIN A
23 CENTRAL ADOPTION REGISTRY TO CONTROL THE RELEASE OF IDENTIFYING
24 INFORMATION DESCRIBED IN SECTION 27(3).

25 (2) THE CENTRAL ADOPTION REGISTRY SHALL KEEP ON FILE THE
26 STATEMENTS OF FORMER PARENTS CONSENTING TO OR DENYING THE RELEASE

1 OF IDENTIFYING INFORMATION AND THE STATEMENTS OF ADULT FORMER
2 SIBLINGS DESCRIBED IN SECTION 27A(2) AND (3).

3 (3) THE DEPARTMENT SHALL DEVELOP FORMS FOR FORMER PARENTS TO
4 USE TO CONSENT TO, DENY, OR REVOKE A CONSENT TO OR DENIAL OF, THE
5 RELEASE OF IDENTIFYING INFORMATION AND FORMS FOR ADULT FORMER
6 SIBLINGS TO USE TO PROVIDE NOTICE OF THE DEATH OF A FORMER PARENT
7 AND TO CONSENT TO THE RELEASE OF THE ADULT FORMER SIBLING'S NAME
8 AND ADDRESS TO AN ADULT ADOPTEE. THE DEPARTMENT SHALL MAKE THE
9 FORMS AVAILABLE TO CHILD PLACING AGENCIES AND THE COURT. THE
10 FORMS SHALL INCLUDE THE CURRENT NAME AND ADDRESS OF THE FORMER
11 PARENT OR ADULT FORMER SIBLING. THE DENIAL FORM SHALL CONTAIN A
12 SPACE FOR THE FORMER PARENT TO INDICATE, IF HE OR SHE WISHES, THE
13 REASON WHY HE OR SHE DOES NOT WISH TO BE IDENTIFIED OR
14 CONTACTED. THE DEPARTMENT SHALL ALSO DEVELOP AND DISTRIBUTE
15 CLEARANCE REQUEST AND REPLY FORMS TO BE USED BY CHILD PLACING
16 AGENCIES, THE DEPARTMENT, AND THE COURT TO REQUEST AND RECEIVE
17 INFORMATION FROM THE CENTRAL ADOPTION REGISTRY PURSUANT TO SEC-
18 TION 68(5) AND (8).

19 (4) UPON RECEIPT OF A CLEARANCE REQUEST FORM FROM A CHILD
20 PLACING AGENCY OR THE DEPARTMENT OR COURT PURSUANT TO
21 SECTION 68(5), THE CENTRAL ADOPTION REGISTRY SHALL TRANSMIT TO
22 THE REQUESTER A CLEARANCE REPLY FORM INDICATING WHETHER A PARTIC-
23 ULAR FORMER PARENT HAS FILED WITH THE REGISTRY A STATEMENT EITHER
24 DENYING OR CONSENTING TO THE RELEASE OF IDENTIFYING INFORMATION
25 OR WHETHER A FORMER PARENT IS DECEASED. THE CENTRAL ADOPTION
26 REGISTRY SHALL INCLUDE A COPY OF THE STATEMENT CONSENTING TO OR
27 DENYING THE RELEASE OF IDENTIFYING INFORMATION. ONCE A REQUEST

1 FOR INFORMATION HAS BEEN RECEIVED BY THE CENTRAL ADOPTION
2 REGISTRY, A SUBSEQUENT STATEMENT SUBMITTED BY A FORMER PARENT
3 CONSENTING TO THE RELEASE OF IDENTIFYING INFORMATION OR REVOKING
4 A PREVIOUS DENIAL OF RELEASE OF IDENTIFYING INFORMATION SHALL BE
5 TRANSMITTED TO THE PERSON WHO REQUESTED THE INFORMATION.

6 (5) UPON RECEIPT OF A CLEARANCE REQUEST FORM FROM A CHILD
7 PLACING AGENCY OR THE DEPARTMENT OR COURT PURSUANT TO
8 SECTION 68(8), THE CENTRAL ADOPTION REGISTRY SHALL TRANSMIT TO
9 THE REQUESTER A STATEMENT FROM AN ADULT FORMER SIBLING CONSENTING
10 TO THE RELEASE OF THE ADULT FORMER SIBLING'S NAME AND ADDRESS TO
11 AN ADULT ADOPTEE. ONCE A REQUEST FOR INFORMATION HAS BEEN
12 RECEIVED BY THE CENTRAL ADOPTION REGISTRY, A SUBSEQUENT STATEMENT
13 SUBMITTED BY AN ADULT FORMER SIBLING CONSENTING TO THE RELEASE OF
14 THE ADULT FORMER SIBLING'S NAME AND ADDRESS SHALL BE TRANSMITTED
15 TO THE PERSON WHO REQUESTED THE INFORMATION.

16 Sec. 68. (1) ~~All of the nonidentifying information~~
17 ~~required by section 27(1) and (2) of this chapter shall be made~~
18 ~~available in writing to the adoptive parents at the time of~~
19 ~~placement and thereafter within 63 days after receipt of a~~
20 ~~request for information, and shall be made available in writing~~
21 ~~to an adult adoptee within 63 days after receipt of a request for~~
22 ~~information. (2) Within 63 days after a request for~~
23 NONIDENTIFYING information is received, a child placing agency
24 ~~—~~ OR court ~~—~~ or the department shall provide in writing to
25 the ~~biological~~ ADOPTIVE PARENT, ADULT ADOPTEE, OR FORMER parent
26 ~~or adult biological sibling~~ requesting the information all of

1 the nonidentifying information described in section 27(1) and (2)
2 of this chapter.

3 (2) ~~(3)~~ Within 63 days after a request for identifying
4 information ABOUT AN ADULT ADOPTEE is received, a child placing
5 agency ~~OR~~ OR court ~~OR~~ or the department shall provide in writ-
6 ing to the ~~biological~~ FORMER parent or adult ~~biological~~
7 FORMER sibling requesting the information the adult adoptee's
8 most recent name and address ~~and the identifying information~~
9 ~~described in section 27(3) of this chapter~~ if the adult adoptee
10 has given written consent to release of the information pursuant
11 to this chapter.

12 (3) ~~(4)~~ If the department or a child placing agency
13 receives a request for adoption record information in ~~their~~ ITS
14 possession from an adult adoptee, ~~biological~~ FORMER parent, or
15 adult ~~biological~~ FORMER sibling, the department or child plac-
16 ing agency shall provide the ~~person~~ INDIVIDUAL requesting the
17 information with the identity of the court that confirmed the
18 adoption within 28 days after receipt of the request. If a court
19 receives such a request, the court shall provide the ~~person~~
20 INDIVIDUAL requesting the information with the identity of the
21 child placing agency that handled the adoption.

22 (4) ~~(5)~~ If the court that terminated parental rights
23 receives from the ~~biological~~ FORMER parents or adult
24 ~~biological~~ FORMER siblings of the adult adoptee a request for
25 the identity of the agency, court, or department to which the
26 child was committed, the court shall provide in writing the name

1 of that agency, court, or department, if known, within 28 days
2 after receipt of the request.

3 (5) UPON RECEIPT OF A WRITTEN REQUEST FOR IDENTIFYING INFOR-
4 MATION FROM AN ADULT ADOPTEE, A CHILD PLACING AGENCY OR COURT OR
5 THE DEPARTMENT, IF IT MAINTAINS THE ADOPTION FILE FOR THAT ADOPT-
6 EE, SHALL SUBMIT A CLEARANCE REQUEST FORM TO THE CENTRAL ADOPTION
7 REGISTRY. UPON RECEIPT OF A CLEARANCE REPLY FORM FROM THE CEN-
8 TRAL ADOPTION REGISTRY, THE CHILD PLACING AGENCY, THE COURT, OR
9 THE DEPARTMENT SHALL NOTIFY THE ADOPTEE IN WRITING, WITHIN 28
10 DAYS AFTER THE RECEIPT OF THE RESPONSE, OF THE IDENTIFYING INFOR-
11 MATION TO WHICH THE ADOPTEE IS ENTITLED PURSUANT TO
12 SUBSECTION (6) OR (7), OR, IF THE IDENTIFYING INFORMATION CANNOT
13 BE RELEASED PURSUANT TO THOSE SUBSECTIONS, THE REASON WHY THE
14 INFORMATION CANNOT BE RELEASED. THE CHILD PLACING AGENCY, THE
15 COURT, OR THE DEPARTMENT SHALL RETAIN A COPY OF THE NOTICE SENT
16 TO THE ADULT ADOPTEE.

17 (6) For adoptions in which the ~~biological~~ FORMER parents'
18 rights were terminated before September 12, 1980, a child placing
19 agency, a court, or the department ~~having the records of an~~
20 ~~adoptee and having received a written request from that adoptee~~
21 ~~as an adult for information identifying the adoptee's biological~~
22 ~~parents,~~ shall release TO AN ADULT ADOPTEE the identifying
23 information described in section 27(3) of this chapter and other
24 identifying information on file with the ~~department~~ CENTRAL
25 ADOPTION REGISTRY as specified in section ~~27(5)~~ 27B of this
26 chapter, in the following manner:

1 (a) All OF THE IDENTIFYING information ~~on both biological~~
 2 ~~parents~~ DESCRIBED IN SECTION 27(3) OF THIS CHAPTER shall be
 3 released to the adult adoptee, if both ~~biological~~ FORMER par-
 4 ents have on file with the ~~department~~ CENTRAL ADOPTION REGISTRY
 5 a statement consenting to release of THE identifying
 6 information.

7 (b) ~~Information pertaining to~~ THE IDENTIFYING INFORMATION
 8 DESCRIBED IN SECTION 27(3)(B) AND (C) OF THIS CHAPTER ABOUT 1 of
 9 the ~~biological~~ FORMER parents AND THE IDENTIFYING INFORMATION
 10 DESCRIBED IN SECTION 27(3)(A) AND (D) OF THIS CHAPTER shall be
 11 released to the adult adoptee if that ~~biological~~ FORMER parent
 12 has on file with the ~~department~~ CENTRAL ADOPTION REGISTRY a
 13 statement consenting to release of identifying information.

14 (c) ~~Information pertaining to~~ THE IDENTIFYING INFORMATION
 15 DESCRIBED IN SECTION 27(3)(B) AND (C) OF THIS CHAPTER ABOUT 1 of
 16 the ~~biological~~ FORMER parents AND THE IDENTIFYING INFORMATION
 17 DESCRIBED IN SECTION 27(3)(A) AND (D) OF THIS CHAPTER shall be
 18 released to the adult adoptee if that parent is deceased. ~~, of~~
 19 ~~if a child of that parent who is now an adult and who is a sib-~~
 20 ~~ling of the adoptee has on file with the department a consent to~~
 21 ~~the release of identifying information of that deceased parent.~~

22 (d) All OF THE IDENTIFYING information DESCRIBED IN
 23 SECTION 27(3) OF THIS CHAPTER on both ~~biological~~ FORMER parents
 24 shall be released to the adult adoptee, if both ~~biological~~
 25 FORMER parents are deceased.

26 (7) For all adoptions in which the ~~biological~~ FORMER
 27 parents' rights were terminated after September 12, 1980, ~~an~~

~~1 adoptee not less than 18 years of age shall have the right to~~
~~2 obtain~~ A CHILD PLACING AGENCY OR COURT OR THE DEPARTMENT SHALL
3 RELEASE TO AN ADULT ADOPTEE the identifying information described
4 in section 27(3) of this chapter and any additional information
5 on file with the ~~department~~ CENTRAL ADOPTION REGISTRY as speci-
6 fied in section ~~27(5)~~ 27B of this chapter, except that if a
7 ~~biological~~ FORMER parent has filed a statement currently in
8 effect with the ~~department~~ CENTRAL ADOPTION REGISTRY denying
9 consent to have identifying information released, THE identifying
10 information SPECIFIED IN SECTION 27(3)(B) AND (C) OF THIS CHAPTER
11 shall not be released about that parent. ~~The information shall~~
12 ~~be provided within 63 days after the date of the request.~~ FOR
13 PURPOSES OF THIS SUBSECTION, A DENIAL IS NOT EFFECTIVE AFTER THE
14 DEATH OF THE FORMER PARENT.

15 (8) ~~Upon receipt of a written request for identifying~~
16 ~~information from an adult adoptee, a child placing agency, court,~~
17 ~~or the department, if it maintains that adoption file, shall~~
18 ~~request information from the department file as specified in sec-~~
19 ~~tion 27(5) of this chapter, pursuant to the requirements of this~~
20 ~~section. Upon receipt of a response from the department file, a~~
21 ~~child placing agency, court, or the department shall notify the~~
22 ~~adoptee in writing, within 28 days after the receipt of the~~
23 ~~response, of the identifying information to which the adoptee is~~
24 ~~entitled, or, if the identifying information cannot be released~~
25 ~~pursuant to this section, the reason why the information cannot~~
26 ~~be released. The child placing agency, court, or the department~~
27 ~~shall retain a copy of the notice sent to the adult adoptee.~~

1 ~~Once the identifying information is released to the adult~~
2 ~~adoptee, and upon the request of the adult adoptee, biological~~
3 ~~parent, adult biological sibling, or adoptive parent, the child~~
4 ~~placing agency, court, or the department shall provide for coun-~~
5 ~~seling or shall provide a list of adoption support groups to that~~
6 ~~person.~~ UPON RECEIPT OF A WRITTEN REQUEST FROM AN ADULT ADOPTEE
7 FOR THE NAME AND ADDRESS OF AN ADULT FORMER SIBLING, A CHILD
8 PLACING AGENCY OR COURT OR THE DEPARTMENT, IF IT MAINTAINS THE
9 ADOPTION FILE FOR THAT ADOPTEE, SHALL SUBMIT A CLEARANCE REQUEST
10 FORM TO THE CENTRAL ADOPTION REGISTRY. UPON RECEIPT OF A CLEAR-
11 ANCE REPLY FORM FROM THE CENTRAL ADOPTION REGISTRY, THE CHILD
12 PLACING AGENCY, THE COURT, OR THE DEPARTMENT SHALL NOTIFY THE
13 ADOPTEE IN WRITING, WITHIN 28 DAYS AFTER THE RECEIPT OF THE
14 RESPONSE, OF THE NAME AND ADDRESS OF AN ADULT FORMER SIBLING
15 WHOSE STATEMENT WAS FORWARDED BY THE CENTRAL ADOPTION REGISTRY.

16 (9) If a child placing agency ~~—~~ OR court ~~—~~ or the
17 department receives written information concerning a
18 physician-verified medical or genetic condition of ~~a person~~ AN
19 INDIVIDUAL biologically related to an adoptee and a request that
20 the information be transmitted to the adoptee because of the
21 serious threat it poses to the adoptee's life, the child placing
22 agency, court, or department shall send a written copy of the
23 information by first-class mail within 7 days after the request
24 is received to the adoptee at his or her last known address. If
25 the adoptee is less than 18 years of age, the information shall
26 be sent by first-class mail within 7 days after the request is
27 received to the adoptive parents at their last known address.

1 (10) If the letter described in subsection (9) is returned
2 undelivered, the agency, court, or department shall make a rea-
3 sonable effort to find the most recent address of the adoptee or
4 minor adoptee's parents and shall again send the information by
5 first-class mail within 21 days after receiving the returned
6 letter.

7 (11) If a child placing agency ~~—~~ OR court ~~—~~ or the
8 department receives written information concerning a
9 physician-verified medical or genetic condition of a person bio-
10 logically related to an adoptee, and the condition is not
11 life-threatening to the adoptee, the child placing agency, court,
12 or department shall place the information in its adoption files.
13 If the child placing agency, court, or department receives a
14 written request for the information from the adult adoptee or
15 minor adoptee's adoptive parents, it shall release a written copy
16 of the information to the adult adoptee or to the minor adoptee's
17 adoptive parents within 63 days after the request for the infor-
18 mation was made.

19 (12) If a child placing agency ~~—~~ OR court ~~—~~ or the
20 department receives written information concerning a
21 physician-verified medical or genetic condition that threatens
22 the life of an adoptee and for which a biologically related
23 person could give life-saving aid, and receives a request from or
24 on behalf of the adoptee that the information be transmitted, the
25 child placing agency, court, or department shall send a written
26 copy of the information by first-class mail within 7 days after

1 the request is received to the biological parents or adult
2 biological siblings of the adoptee at their last known address.

3 (13) If the information described in subsection (12) is
4 returned undelivered, the agency, court, or department shall make
5 a reasonable effort to find the most recent address of the bio-
6 logical parents or adult biological siblings and shall again send
7 the information by first-class mail within 21 days after receiv-
8 ing the returned letter.

9 (14) If a child placing agency ~~—~~ OR court ~~—~~ or the
10 department provides an adoptee with the name of ~~either~~ 1 of the
11 adoptee's ~~biological~~ FORMER parents, that child placing agency,
12 court, or department shall notify the department of public health
13 of that fact. Upon receipt of notification by the child placing
14 agency, court, or department, the department of public health
15 shall insure that the original birth certificate on file for the
16 adoptee has been sealed and that a new birth certificate has been
17 prepared in conformance with section 67 of this chapter.

18 (15) An employee or agent of a child placing agency, the
19 court, or the department, who intentionally releases identifying
20 information in violation of this section, is guilty of a
21 misdemeanor.

22 (16) This section also applies to a stepparent adoption and
23 to the adoption of a child related to the petitioner within the
24 fifth degree by marriage, blood, or adoption.

25 (17) As used in this section, "adult adoptee" means a person
26 who was adopted as a child who is now 18 years of age or older or

1 a person who was 18 years of age or older at the time of
2 adoption.

3 (18) A child placing agency, a court, and the department may
4 require a fee ~~of~~ FOR SUPPLYING INFORMATION UNDER THIS SECTION.
5 THE FEE SHALL BE \$60.00 or the actual cost of supplying the
6 information, whichever is less. ~~, for supplying information~~
7 ~~under this section.~~ The child placing agency, the court, and the
8 department may waive a part or all of the fee in case of indi-
9 gency or hardship.

10 (19) ALL INFORMATION TO WHICH AN ADULT ADOPTEE IS ENTITLED
11 PURSUANT TO THIS SECTION SHALL BE RELEASED TO THE ADULT ADOPTEE'S
12 DIRECT DESCENDANTS IF THE ADULT ADOPTEE IS DECEASED.

13 Sec. 68a. (1) The department, IN COOPERATION WITH ADOPTION
14 SUPPORT GROUPS, shall develop and publish an information pamphlet
15 explaining the release of information from adoption records pur-
16 suant to this act.

17 (2) If the department, a child placing agency, or the court
18 is contacted by an adoptee, adult ~~biological~~ FORMER sibling,
19 ~~biological~~ FORMER parent, or adoptive parent, within 14 days
20 after the date of the contact, it shall provide the adoptee,
21 adult ~~biological~~ FORMER sibling, ~~biological~~ FORMER parent, or
22 adoptive parent with all of the following:

23 (a) A copy of the information pamphlet described in subsec-
24 tion (1).

25 (b) A list of adoption support groups.

26 (c) Information about the provisions described in this
27 section and ~~section~~ SECTIONS 27A, 27B, AND 68.

1 (3) If a child placing agency ~~—~~ OR court ~~—~~ or the
2 department receives a written request from an adoptee, adult
3 ~~biological~~ FORMER sibling, ~~biological~~ FORMER parent, adoptive
4 parent, or any other person biologically related to an adoptee
5 that the requester's current address be placed in its adoption
6 files, the child placing agency ~~—~~ OR court ~~—~~ or the depart-
7 ment shall place the information in its adoption files.