

Governor Chris Christie Conditionally Approves New, Open Approach To Adoption Records In New Jersey

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Governor's Proposed Changes Remove Barriers To Obtaining Records While Balancing Privacy Concerns And Protections For Birth Parents

Trenton, NJ – Recognizing the profound and delicate considerations that are the foundation of adoption decisions in New Jersey and the need to fix a system that is prohibitively complicated for adoptive families, Governor Christie today offered his conditional approval of legislation to bring a new, open approach to adoption and birth records.

The Governor approves the legislation with specific, narrow changes that strengthen the legislation to better accommodate privacy concerns for birth parents, while recognizing the needs of adopted children and adoptive parents to have less restrictive access to birth and medical information.

“The questions considered in this bill have been thoughtfully and passionately examined for decades, producing numerous proposals for reform. Advocates on all sides, however, share the view that life is a precious gift, and that the birth of a child is always an occasion for celebration among family, friends, and community,” said Governor Chris Christie. “With this in mind, I agree that New Jersey should take a new open approach to adoption records that eliminates the requirement of obtaining a court order to access birth records.”

“While I support this bill’s goals, I recommend additional safeguards necessary to balance the needs of adoptees seeking critical records of their identity, with the expectations of birth parents in years past who may wish to remain private. The recommendations here will achieve those goals, while respecting and protecting the interests of adoptees, birth parents and adoptive parents,” added the Governor.

The Governor’s approval of the legislation comes with narrow revisions that maintain the spirit of the legislation by removing the lengthy, burdensome requirement of obtaining a court order in order for adopted children and adoptive parents to access birth records. The Governor’s suggested changes also preserve privacy options for birth parents by allowing them to select a preference for contact: direct contact, contact through a confidential intermediary, or access to medical records only with continued privacy.

Adoptees will be able to obtain an original birth certificate without involvement from the courts beginning in 2017. For adoptions finalized after August 1, 2015, long-form birth certificates will be available without redaction, and birth parents are permitted to submit an information statement electing their preferred method of personal contact. For adoptions finalized before August 1, 2015, birth parents may choose to file a preference for contact with the State Registrar, selecting from options including direct interaction, contact through an intermediary, or sharing of only medical information with continued privacy. Providing this transition period will permit for appropriate educational campaigns on new open adoptions, and avoid altering the settled expectations of parents and children without notice.

Sponsors of S-873 include Senators Joseph F. Vitale (D-Middlesex), Diane B. Allen (R-Burlington), and Loretta Weinberg (D-Bergen), and Assemblymembers Vincent Prieto (D-Bergen, Hudson), David Wolfe (R-Ocean), Angelica Jimenez (D-Bergen, Hudson), and Valerie Vainieri Huttie (D-Bergen).

A PDF copy of the Governor’s revisions to conditionally approve the legislation is attached.

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