Article - Family Law

[Previous][Next]

§5–359.

(a) (1) In this section the following words have the meanings stated.

(2) "Director" means the State Director of Social Services.

(3) "Secretary" means the Secretary of Health and Mental Hygiene.

(b) This section applies only to an adoption in which a juvenile court enters an order for adoption on or after January 1, 2000.

(c) This section does not bar:

(1) an adoptee or biological parent from applying for search, contact, and reunion services under Subtitle 4B of this title; or

(2) the Director or a confidential intermediary from obtaining a copy of a record under § 5-4B-04(c) or § 5-4B-06(b) or (c) of this title.

(d) (1) An adoptee who is at least 21 years old may apply to the Secretary for a copy of:

(i) the adoptee's original certificate of birth;

(ii) all records that relate to the adoptee's new certificate of birth, if any; and

(iii) the report of the adoptee's order of adoption filed by the clerk of court under § 4-211 of the Health - General Article.

(2) If an adoptee is at least 21 years old, a biological parent of the adoptee may apply to the Secretary for a copy of:

(i) the adoptee's original certificate of birth;

(ii) the new certificate of birth, if any, that was substituted, under § 4-211 of the Health - General Article, for the adoptee's original certificate of birth;

(iii) all records that relate to the adoptee's new certificate of birth; and

(iv) the report of the adoptee's order of adoption filed by the clerk of court under § 4-211 of the Health - General Article.

(3) Each applicant under this subsection shall:

(i) provide all proof of identity and other relevant information that the Secretary requires; and

(ii) pay the fee required under Title 4, Subtitle 2 of the Health - General Article for a copy of a record.

(e) (1) A biological parent may:

(i) file with the Director a disclosure veto, to bar disclosure of information about that parent in a record accessible under this section;

(ii) cancel a disclosure veto at any time; and

(iii) refile a disclosure veto at any time.

(2) An adoptee at least 21 years old may:

(i) file with the Director a disclosure veto, to bar disclosure of information about the adoptee in a record accessible under this section;

(ii) cancel a disclosure veto at any time; and

(iii) refile a disclosure veto at any time.

(3) Immediately after the Director receives a disclosure veto or cancellation under this subsection, the Director shall forward a copy to the Secretary.

(f) (1) The Secretary shall adopt regulations to carry out this section.

(2) Subject to paragraphs (3) and (4) of this subsection, the Secretary shall give to each applicant who meets the requirements of this section a copy of each record that the applicant requested and that the Secretary has on file.

(3) Whenever a biological parent applies for a record, the Secretary shall redact from the copy all information as to:

(i) the other biological parent, if that parent has filed a disclosure veto in accordance with this section; and

(ii) the adoptee and each adoptive parent, if the adoptee has filed a disclosure veto in accordance with this section.

(4) Whenever an adoptee applies for a record, the Secretary shall redact from the copy all information as to a biological parent, if that parent has filed a disclosure veto in accordance with this section.

(5) The Secretary shall give each applicant under this section notice of the adoption search, contact, and reunion services available under Subtitle 4B of this title.

[Previous][Next]