

Substituted by the House, on motion of Mr. Lawton of Brockton, for a Bill relative to protecting the integrity of an adopting family and safeguarding the family in the right to privacy and confidentiality (House, No. 6955). December 10.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-One.

AN ACT REGULATING THE RELEASE OF INFORMATION RELATING TO THE BIOLOGICAL BACKGROUND OF AN ADOPTED CHILD.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 210 of the General Laws is hereby amended by inserting
2 after section 5C the following section: —

3 *Section 5D.* The department of social services and any agency
4 licensed by the commonwealth to place children for adoption, shall
5 not release, nor cause or permit to be released, any information
6 relating to the biological history or background of an adopted
7 child except as otherwise provided in this section.

8 The department and any such agency may release to either of his
9 adoptive parents, upon his or her request, or to an adopted child,
10 upon his request after he has become eighteen years of age, medi-
11 cal, non-identifying information relative to the adopted child, his
12 biological parents, his biological grandparents or siblings of the
13 adopted child and any additional information relating to the bio-
14 logical background or history of the adopted child shall be released
15 only by order of the appropriate probate court upon good cause
16 shown. In determining what constitutes good cause the probate
17 court shall take into consideration the unity and integrity of the
18 adoptive family, the right of privacy of both the adoptive parents
19 and the biological parents and the protection of the parent-child
20 relationship after adoption. At least five days prior to the filing
21 with the probate court, of a petition for such additional informa-

22 tion, the petitioner shall give notice to the department of social
 23 services and to the appropriate adoption agency if the identity of
 24 said agency is known to the petitioner of his intention to file said
 25 petition. when the request for such additional information is made
 26 by an adoptive parent or by an adopted child or by a sibling of an
 27 adopted child, then such person may appear pro se.