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SENATE BILL 6576

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State of Washington

54th Legislature

1996 Regular Session

By Senators Schow, Prentice, Hale, McCaslin, Finkbeiner, Sellar, Moyer and Long

Read first time 01/18/96. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to certified statements concerning disclosure of  
2 adoption records to be filed with the courts by adult adoptees; adding  
3 a new section to chapter 26.33 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that it is in the best  
6 interest of the people of the state of Washington to support the  
7 adoption process in a variety of ways, including protecting the privacy  
8 interests of adult adoptees when the confidential intermediary process  
9 is used.

10 NEW SECTION. **Sec. 2.** A new section is added to chapter 26.33 RCW  
11 to read as follows:

12 (1) An adopted person over the age of eighteen may file with the  
13 court a certified statement declaring any one or more of the following:

14 (a) The adoption records contained in this court file are  
15 confidential for any purpose other than a medical emergency as  
16 determined by a court of competent jurisdiction;

17 (b) The adoptee refuses to consent to the release of any  
18 identifying information to a biological parent, biological sibling, or

1 other biological relative and does not wish to be contacted by a  
2 confidential intermediary except in the case of a medical emergency as  
3 determined by a court of competent jurisdiction;

4 (c) The adoptee consents to the release of any identifying  
5 information to a confidential intermediary appointed under RCW  
6 26.33.343, a biological parent, biological sibling, or other biological  
7 relative;

8 (d) The adoptee desires to be contacted by his or her biological  
9 parents, biological siblings, other biological relatives, or a  
10 confidential intermediary appointed under RCW 26.33.343;

11 (e) The current name, address, and telephone number of the adoptee  
12 who desires to be contacted.

13 (2) It is unlawful to release any records or identifying  
14 information from a court file in which a certified statement has been  
15 filed under subsection (1)(a) or (b) of this section, except in the  
16 case of a medical emergency as determined by a court of competent  
17 jurisdiction.

18 (3) The certified statement shall be filed with the court in which  
19 the adoption was finalized, or if the adoption was finalized outside  
20 the state of Washington, with the superior court of the county in which  
21 the adopted person resides. The certified statement shall be placed at  
22 the front of the court file. When the statement includes a request for  
23 confidentiality or a refusal to consent to the disclosure of  
24 identifying information, a prominent notice stating substantially the  
25 following shall also be placed at the front of the court file: "AT THE  
26 REQUEST OF THE ADOPTEE, ALL RECORDS AND INFORMATION RELATING TO THIS  
27 ADOPTION ARE SEALED EXCEPT IN CASES OF MEDICAL EMERGENCY. IT IS  
28 UNLAWFUL TO RELEASE ANY RECORDS OR INFORMATION FROM THIS FILE WITHOUT  
29 A COURT ORDER FINDING THE RELEASE TO BE NECESSARY FOR A MEDICAL  
30 EMERGENCY."

31 (4) An adopted person who files a certified statement under  
32 subsection (1) of this section may subsequently file another certified  
33 statement requesting the court to rescind or amend the prior certified  
34 statement.

35 (5) The court and any confidential intermediary shall comply with  
36 a request properly certified and filed under this section by an  
37 adoptee.

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