

Adopted Person's Access to Adoption Records: Legislative History

- 1917 The court's files and records in adoption proceedings "shall not be open to inspection or copy by other persons than the parties in interest and their attorneys and representatives of the state board of control, except upon an order of the court expressly permitting the same." Minnesota Laws 1917, chapter 222, section 1.
- 1939 Established procedure requiring the state registrar to prepare a new birth certificate upon receipt of a judgment, order, or decree relating to the adoption of a person. Requires the state registrar to "place the original certificate of birth and all papers pertaining to the new certificate of birth under seal. Such seals shall not be broken except by order of a court of competent jurisdiction or on written order of the state registrar." Minnesota Laws 1939, chapter 89, section 1.
- 1945 The court's files and records in adoption proceedings "after the final determination thereof shall not be open to inspection or copy *by any person* except upon an order of the court expressly permitting the same." Minnesota Laws 1945, chapter 358, section 1.
- 1949 Established procedure for issuing a birth certificate for an adopted person born in a foreign country. Minnesota Laws 1949, chapter 466, section 1.
- 1951 Adoption statutes recodified. Provision regarding confidentiality of the court's files and records in adoption proceedings recodified in Minnesota Statutes, section 259.31. Minnesota Laws 1951, chapter 508, section 11.
- 1955 Modified procedure for issuing a birth certificate for an adopted person born in a foreign country. Requires the state registrar to prepare a birth certificate "in the new name of the adopted person and shall seal and file the certified copy of the findings of the district court and the certified copy of the order and decree of adoption." Minnesota Laws 1955, chapter 874, section 1.
- 1977 Established procedure for an adopted person age 21 or over to request the state registrar to disclose the information on the adopted person's original birth certificate.
- The procedure required the Commissioner of Public Welfare to notify each parent identified on the original birth record within six months of the request and gave the birth parent an opportunity to file an affidavit consenting or objecting to the release of the information. Also established procedures for the release of the information when the Commissioner of Public Welfare is unable to notify a parent within the six-month time period and if the parent is dead. Minnesota Laws 1977, chapter 181, section 3.

- 1982 Made “identifying information” contained in the adoption records of the Commissioner of Human Services, the commissioner’s agents, and licensed child placing agencies “confidential” and deemed that it “shall be disclosed only pursuant to section 259.31.”
- For agency adoptive placements made on or after August 1, 1982, permits an adopted person age 21 or over to request from the adoption agency the genetic parents’ names, last known address, birthdate, and birthplace. Established a procedure for genetic parents named on the original birth certificate to file an affidavit objecting to the agency’s release of the information. Provided that, if a genetic parent does not file an affidavit objecting to the release of the information before the adopted person reaches age 21, the agency must release the requested information. Also provided that, notwithstanding the affidavit, the adopted person could petition the court pursuant to section 259.31 for the release of identifying information about a genetic parent.
Minnesota Laws 1982, chapter 584.
- 1985 Provision added to the Minnesota Government Data Practices Act regarding the data privacy classification of adoption records. Minnesota Laws 1985, chapter 298, section 8.
- 1987 For adoptive placements made on or after August 1, 1987, established procedures for adoptive parents to notify an adoption agency if the child dies or is terminally ill, and for the agency to notify the genetic parents of the child’s death or illness. Also established procedures for the adoption agency to notify the adoptive parents of an adopted person under age 19 or an adopted person age 19 or over of the genetic parent’s death or terminal illness. Minnesota Laws 1987, chapter 173, section 1.
- 1989 Age at which an adopted person may request the Commissioner of Health to disclose information on the adopted person’s original birth certificate changed from age 21 to age 19 or over. Minnesota Laws 1989, chapter 88, section 1.
- 1992 Adoption statutes renumbered. Provision regarding confidentiality of the court’s files and records in adoption proceedings renumbered as Minnesota Statutes, section 259.61.
- 1997 Provided that all adoption records “become public records on the 100th anniversary of the granting of the adoption decree.” Minnesota Laws 1997, chapter 177, section 22.
- 2001 Provisions regarding access to original birth record after adoption enacted and codified in Minnesota Statutes, section 144.2252. Minnesota Laws 2001, 1st special session, chapter 9, article 15, section 27.