New York State Bar Association
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Memorandum in Support

ADOPTION COMMITTEE OF THE FAMILY LAW SECTION

FLS #2 June 14, 2011

S. 5145 By: Senator Skelos
A. 8307 By: M. of A. Lavine
Senate Committee: Health
Assembly Committee: Health
Effective Date: Immediately

AN ACT to amend the public health law, in relation to the adoption registry.

LAW AND SECTIONS REFERRED TO: Section 4138-c of the Public Health Law.

THE ADOPTION COMMITTEE OF THE FAMILY LAW SECTION SUPPORTS THIS LEGISLATION

Although the Adoption Registry has been in existence for many years, it has been criticized for the failure in its mechanical workings and to a large extent has been ineffective.

The Registry is geared towards allowing birth parents and adoptees to register so that non identifying information such as medical, religious and other data may be furnished to an adoptee. It further provides that upon attaining the age of majority, age 18, if both the adoptee and birth parent(s) agree identifying information may be provided by the Registry.

A major obstacle is the fact that the Registry and its function only applies to adoptees BORN in New York State. It is estimated that an excess of 50% of adoptees, adopted in the New York State and processed in the New York Courts are born outside of New York State. This Bill will give the same benefits whether the child is born in New York or adopted in New York.

Based on the foregoing, the Adoption Committee of the Family Law Section of the New York State Bar Association **SUPPORTS** this legislation.

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Chair of the Section: Bruce J. Wagner, Esq.

Opinions expressed are those of the Section/Committee preparing this memorandum and do not represent those of the New York State Bar Association unless and until they have been adopted by its House of Delegates or Executive Committee.