



Collection of Family Information About Adopted Persons, Birth Parents, and Adoptive Parents

Requirements for collecting information about persons involved in an adoption vary from State to State. Each State has laws that specify the kinds of information that may be collected and shared among the parties.

Who May Collect Information

State laws specify the persons or entities authorized to collect information. In most States, information about the child to be adopted and the child's birth family is compiled by the child-placing agency or

Electronic copies of this publication may be downloaded at www.childwelfare.gov/systemwide/laws_policies/statutes/collection.cfm

To find statute information for a particular State, go to www.childwelfare.gov/systemwide/laws_policies/search/index.cfm

To find information on all the States and territories, order a copy of the full-length PDF by calling 800.394.3366 or 703.385.7565, or download it at www.childwelfare.gov/systemwide/laws_policies/statutes/collectionall.pdf



the department of social services. In some States, the court may designate another qualified person, such as a social worker or specially trained investigator, to complete the history of the birth family. In approximately nine States, the child's parent or other person placing the child for adoption is required to submit family information to the court.¹

Information about the adopting parents is collected as part of the adoption home study or investigation, and in most States, this study is completed by a child-placing agency or the department of social services. Other individuals, such as social workers or private investigators, may also be certified to conduct these investigations.

Information About the Adopted Person

Generally, information compiled about the child to be adopted includes medical and genetic history, family and social background, mental health history, placement history, and any history of abuse or neglect. Some States are more specific in their requirements and require detailed information on the child, including dental, immunization, and developmental history, as well as any school records. Approximately seven States require information on whether the child is eligible for any State or Federal adoption assistance.²

Information About Birth Parents

States generally require information about the birth parents' medical and genetic history, family and social background, mental health history, religious background, ethnic and racial background, and educational level attained. Some States also provide for information to be collected on physical appearance, talents, hobbies, field of occupation, and drugs taken by the mother during pregnancy. In most instances, only nonidentifying information is shared with the adopting parents. However, in Colorado, New York, and American Samoa, the names, addresses, and other identifying information about the birth parents, if obtainable, will be provided to the adoptive parents.

¹ The word *approximately* is used to stress the fact that States frequently amend their laws. This information is current as of July 2006. The States that currently have this requirement include Arizona, Indiana, Iowa, Montana, North Carolina, Texas, Vermont, Washington, and West Virginia.

² Michigan, Missouri, Nevada, Oklahoma, Rhode Island, Texas, and Vermont.

Information About Adoptive Parents

Typically, prior to or immediately after an adoption petition is filed with the court, an investigation of the prospective adoptive parents is conducted to determine the suitability of the home for the child to be adopted. All States also require a criminal background check of the adoptive parents, and many States also require a check of the State's child abuse registry.³ The report produced from such investigations is known as the home study, family profile, or preplacement report.

In general, to determine suitability of an adoptive placement, the home study will look at the petitioner's physical health, emotional maturity, financial situation, and family and social background. In some States, the home study or preplacement report will also include the following information:

- Employment history⁴
- Racial and ethnic background⁵
- Religious background⁶
- History of drug or alcohol abuse⁷
- History of domestic violence⁸

For more information about the home study process, see the Child Welfare Information Gateway factsheet, *The Adoption Home Study Process*:

www.childwelfare.gov/pubs/f_homestu.cfm

³ The Adam Walsh Child Protection and Safety Act of 2006 (P.L. 109-248), that was enacted in July 2006, will require all States to conduct national criminal records checks, as well as child abuse registry checks, on all prospective adoptive parents. For a more detailed discussion of this requirement, see *Criminal Background Checks for Prospective Adoptive and Foster Parents*, available from Child Welfare Information Gateway at www.childwelfare.gov/systemwide/laws_policies/statutes/background.cfm.

⁴ In Michigan, Montana, New Mexico, New York, North Carolina, Oklahoma, Rhode Island, South Dakota, West Virginia, and Puerto Rico.

⁵ In Michigan, Montana, North Carolina, Pennsylvania, South Dakota, Vermont, and the District of Columbia.

⁶ In Arizona, Illinois, Montana, New York, North Carolina, Pennsylvania, Vermont, and the District of Columbia.

⁷ In Colorado, Michigan, Montana, North Carolina, Rhode Island, and Vermont.

⁸ In Colorado, Michigan, Minnesota, Montana, North Carolina, and Vermont.

Accessing This Information

Child Welfare Information Gateway produces a separate factsheet on accessing family information from adoption records. To read *Access to Adoption Records*, go to:
www.childwelfare.gov/systemwide/laws_policies/statutes/infoaccessap.cfm

This publication is a product of the State Statutes Series prepared by Child Welfare Information Gateway. While every attempt has been made to be complete, additional information on these topics may be in other sections of a State's code as well as in agency regulations, case law, and informal practices and procedures.