

and, if desired, contact each other. House Bill 232 would allow access to this program to siblings who have been adopted and who are at least 21 years old to search for and contact any of their siblings who have been adopted and are at least 21 years old. The bill requires that all consent to adoption agreements contain notice of the search rights for siblings.

I am vetoing this bill because it is not prospective only to adoptions occurring on or after the bill's effective date. Current wisdom concerning adoptions is that the adopted child should be told early on that the child has been adopted. The child has the right to know the truth and this practice of full disclosure will avoid what would be a traumatic discovery later in life. In fact, open adoptions where the birth mother has a continuing role in the child's life after adoption are an option for some individuals.

I fully agree with this practice but recognize that this has not always been the case. Although I have serious reservations about the possibility of breaching the confidentiality related to a past adoption that the current law allows with adoptive children and birth parents, at the very least all parties know that either: (1) they gave a child up for adoption; or (2) they are the adopted child. This bill goes an additional step. There undoubtedly are individuals who have no idea that they are adopted. This bill would allow the possibility of having someone from the State inform an individual that he was adopted and has a sibling who was also adopted and would like to contact him. This would indeed be traumatic.

House Bill 232 requires that all future consent to adoption agreements include a notice provision regarding the search rights of siblings. Although the inclusion of this notice provision does not ensure that adoptive parents in the future will tell a sibling that he or she was adopted, the notice, coupled with the current practice regarding disclosure to adopted individuals of the fact of the adoption, would have resulted in few, if any, painful disclosures for future adoptees. The bill's expanded right of search and contact, however, is not limited to future adoptions. There is a far greater possibility of a painful involuntary disclosure of an individual's adoptive status because prior consent to adoption agreements did not contain information regarding sibling search rights.

Under current law, adopted individuals are not without a remedy if they want to determine whether they have any siblings. They currently can register with the Mutual Consent Voluntary Adoption Registry. The voluntary registry allows natural parents, adoptees, and siblings to register and have identifying information released and disclosed to those who have chosen to register and desire to share identifying information. The fact of registering ensures that the individuals are aware of an adoption. The registry contains approximately 2,200 listings.

For the above stated reasons, I have vetoed House Bill 232.

Very truly yours,
Robert L. Ehrlich, Jr.
Governor