

Access to Court Adoption Files

The fee for adoption records depends on who you are and what in the adoption file you want.

A. Who are you?	B. Do you need a court order?	C. What documents are you asking for?	D. What it will cost? ¹
1. Adoptive parent(s) or their attorney.	No. You do not have to have a court order.	You have un-redacted (complete) access to the whole file.	\$0.25/page Payable at the time you pick up your copies.
2. The Adopted Person (once at least 18 years old)	You may have access to everything in the file without a court order except for the home study ² . You need a court order to see the home study.	If you are looking for the names of your biological parents, that information will be in the <i>decree or judgment of adoption</i> . If you are looking for information about your medical history, you can also request that information. <i>Medical history</i> documents.	\$25 research fee \$2/page for every page from which information is redacted, \$0.25/page for all other pages (not redacted). Payable at the time you pick up your copies.
3. Consenting Biological Parents³ (once the adopted person reaches age 18)	Yes. You have to ask a judge. Fill out the forms and the judge will decide.	The judge will decide whether there is information that should not be disclosed to you. That information will be redacted (removed) from the copy provided you. In addition, the law prohibits the disclosure of certain information to you. ⁴ See box C2 above for info on commonly requested documents.	\$111 filing fee \$25 research fee \$2/page for every page from which information is redacted, \$0.25/page for all other pages (not redacted). Payable at the time you pick up your copies.
4. Someone who signed a document in the file	No, as to the document you signed. Yes, as to any other document. Fill out the forms and the judge will decide.	The judge will decide if you may have access to documents (or sections of documents) other than those you signed. See box C2 above for info on commonly requested documents.	\$255 filing fee \$25 research fee \$2/page for every page from which information is redacted, \$0.25/page for all other pages (not redacted). Payable at the time you pick up your copies.
5. Anyone else	Yes. You have to ask a judge. Fill out the forms and the judge will decide.	The judge will decide if you may have access to any documents, or sections of documents. See box C2 above for info on commonly requested documents.	\$255 filing fee \$25 research fee \$2/page for every page from which information is redacted, \$0.25/page for all other pages (not redacted). Payable at the time you pick up your copies.

¹ If you are asking for the document to be certified, a \$5 fee certification fee applies.

² The home study is a report done about the adoptive parents as they prepared to adopt. If you want access to the home study, a court order allowing that access is needed.

³ Parents who had their rights terminated prior to the adoption, or who relinquished (gave up) their parental rights, are covered in row #5.

⁴ Information that will be redacted (removed) includes UCCJEA information (where and with whom the adopted child lived for 5 years before the adoption), home study, medical history of biological parties, adoption report, addresses, phone numbers, and social security numbers. 1/1/16

Notice to Birth Parents

Regarding Adoption Records

On Adoption Cases Filed Prior to January 1, 2014

Effective January 1, 2014, Oregon law provides increased access to court records for certain parties to adoption cases. As the birth parent, you may request access to any document you signed that is in the court file without a having to file a motion with the court (unless your parental rights were terminated or surrendered to the Department of Human Services). Court staff will redact (remove) any other signatures and signature lines on the document before providing it to you.

For other documents in the court file, unless a judge directs otherwise, **Oregon law does not allow court staff to release** the following information to birth parents:

- Home study (or evidence the home study has been approved or waived)
- Adoption report
- Medical history of minor child and biological parents
- Name, address, and phone number of adoptive parent
- *Names (former and current) and the date and place of birth of the adopted child*
- Names, addresses and phone numbers of any person whose consent to the adoption was required
- Name and relationship of any person or entity for whom the written consent requirement was waived, or whose written consent may be substituted
- Uniform Child Custody Jurisdiction and Enforcement Act information:
 - Child's address or whereabouts at the time the petition was filed;
 - The places where the child has lived during the last five years prior to the adoption.
 - The names and addresses of the persons with whom the child have lived during that period;
 - Statement regarding participation in other custody or parenting time proceedings and identification of those proceedings;
 - Statement regarding any other proceeding that may affect the adoption proceeding and identity of court, case number and nature of proceeding;
 - Statement regarding whether any person not a party to the proceeding had physical custody of the child or claims rights of legal or physical custody, parenting time or visitation with the child along with names and addresses of those persons.
- Name, address and phone number of any adoption agency that consented
- Name, bar number and contact information of petitioner's attorney and attorney for person whose consent was required
- Identification of the type of adoption
- *Name, address, and other identifying information of any individual or entity other than the parent (this applies only to parents who surrendered their parental rights to DHS or had them terminated by court order)*

You are entitled to obtain a copy of documents in the court file on request (with the information above removed) unless a judge finds good cause to deny you access or your parental rights were terminated or surrendered. To make your request, file a motion with the court and pay a filing fee of \$252* (unless you previously paid a first appearance fee). If the judge grants your request, there will be additional fees for segregating documents, redacting (removing) confidential information, and copying the remaining information. A flat fee of \$25 is imposed for this service, plus \$2.00 for each page reviewed and/or redacted. The fees may be more than \$100, depending on how large the court file is. Additional information about the fees is available from the court clerk.

*This \$252 fee does not apply to cases in which parental rights to the child were terminated or surrendered to DHS. The other fees do apply.

Request for Court Adoption Records

Name (Person Making Request) Telephone Number Email Address

Mailing Address

Child's Birth Name (prior to adoption) Adoptive Parents Name (if known)

Child's Adopted Name Child's Date of Birth

County and Case Number Year of Adoption

If name on your ID is different, explain why: _____

I am requesting the following list of specific Records _____

Please check the boxes that apply to you. I am:

No court order required.	Court order required (segregation and redaction may apply)
<input type="checkbox"/> Adoptive parent	<input type="checkbox"/> The biological parent
<input type="checkbox"/> Petitioner's (Adoptive parent's) attorney of record	<input type="checkbox"/> My parental rights were terminated by court order, or I surrendered and released my child to DHS pursuant to ORS 418.270
<input type="checkbox"/> A representative from Dept. of Human Services	<input type="checkbox"/> Other: _____
<input type="checkbox"/> The adopted person (must be 18 years of age or older) (home study exempt from disclosure unless court orders otherwise)	
<input type="checkbox"/> I /my agency signed a document in the court record, and I am requesting access only to that record. (redaction required) (if biological parent, court order required if child was surrendered to DHS or parental rights were terminated)	

If you are mailing in your records request, you must sign this form in front of a notary public.

Signature: _____ Date: _____

State of _____

County of _____

Signed (or attested) before me on _____ by _____.

NOTARY PUBLIC/COURT CLERK
My Commission Expires: _____

IN THE CIRCUIT COURT OF THE STATE OF OREGON
COUNTY OF MULTNOMAH
Family Law Department

In the matter of the Adoption of: _____

)
) Case No. _____
) (If you do not know the case number, leave blank)
)
) MOTION for ORDER ALLOWING
) INSPECTION AND COPYING OF SEALED
) ADOPTION RECORDS; and AFFIDAVIT

Motion

I, _____ (name), request permission to inspect and copy the following documents in the above referenced court file:

- ☐ Petition for Adoption
☐ Judgment of Adoption
☐ Other court document, record, or specific information: _____

☐ If my request is granted, I also request permission to disclose to another person or entity the following information and/or document provided to me (name the document or information you want to disclose, and to whom): _____

Points and Authorities

ORS 109.319 allows the court to enter an order allowing the release of certain sealed adoption records.

DATED: _____

Signature of Requesting Party

Print name

Submitted by:

Name

Address

Print Name

Address or Contact Address

City, State, Zip

Telephone or Contact Telephone

IN THE CIRCUIT COURT OF THE STATE OF OREGON
COUNTY OF MULTNOMAH
Family Law Department

In the matter of the Adoption of:

)

) Case No. _____

) (If you do not know the case number, leave blank)

)

) AFFIDAVIT SUPPORTING MOTION FOR

) INSPECTION AND COPYING OF SEALED

) ADOPTION RECORDS

Affidavit

STATE OF _____)

) ss.

County of _____)

I, _____, being first duly sworn, depose and state the following:

1. I have the following relationship to the child in this case:

☐ **A. Adoptee** – I am the former Child in this case. I am now at least 18 years of age. *You must fill out #2 below. Also fill out #3 below if you are requesting access to your entire file instead of only to a particular document. Fill out #5 below if it applies to you.*

☐ **B. Biological parent** – I am the biological [] mother [] father of the child in this case (*check all below that apply*)

☐ (1) The child is now 18 years of age or older and the court has entered a judgment of adoption.

☐ (2) My parental rights to this child were previously terminated by the court, or I voluntarily surrendered my rights to DHS or another licensed agency under the provisions of ORS 418.270 or through a certificate of waiver under the Indian Child Welfare Act. *You must fill out #2 & #4 below. Fill out #5 below if it applies to you.*

☐ (3) My situation is not the same as described in (2) above. This is my situation:

☐ **C. Other relationship:** _____
Fill out #2 below. Fill out #5 below if it applies to you.

2. I want access to the court records because: _____

_____.

3. Fill out this section *only* if you are the Adoptee AND are requesting access to your entire file instead of to just a particular document.

☐ I am the Adoptee and I have a good reason for asking for access to the entire file. My good reason is:

4. Fill out this section *only* if Section 1.B(2) above applies to you.

☐ My parental rights were surrendered or terminated but I have a good reason for requesting access to whatever court records can be disclosed to me. My good reason is:

5. Fill out this section *only* if you want permission to disclose adoption information to someone else.

☐ I want to share the court record or information I receive with another person or entity. That person or entity is:_____.

My good reason for sharing this record or information is:_____.

SUBSCRIBED AND SWORN to before me this _____ day of _____, 20____.

Signature

NOTARY PUBLIC/Court Clerk

My Commission Expires: _____

Submitted by:

Print Name

Address or Contact Address

City, State, Zip

Telephone or Contact Telephone