

---

# Wisconsin Legislative Council

## ACT MEMO

---



**Prepared by:** Amber Otis, Senior Staff Attorney

March 14, 2022

**2021 Wisconsin Act 150**  
[2021 Senate Bill 524]

**Access to Birth Information by  
Offspring of Adult Adoptee**

### BACKGROUND

State law requires that, when a child is adopted, the state registrar create a new birth record and impound the original birth record and all correspondence, affidavits, court orders, and other related materials. Access to the original birth record and related documents is prohibited, though certain exceptions apply. One such exception authorizes access through the state's adoption records search program, administered by the Department of Children and Families (DCF).

Under DCF's program, **any adult whose birth parent's rights have been terminated or who has been adopted** in Wisconsin with parental consent before February 1, 1982, may request from DCF (or an agency contracting with DCF to administer the program) the following information: (1) the requester's birth certificate; and (2) any available information regarding the identity and location of the requester's birth parents. Such a request triggers a procedure specified under state law, which generally allows for disclosure only if both known birth parents have filed unrevoked affidavits authorizing such disclosure, or if both parents are known to be deceased.

### 2021 WISCONSIN ACT 150

2021 Wisconsin Act 150 creates a new process for **an adult child of a person whose birth parents' rights were terminated or who was adopted**<sup>1</sup> to request from DCF, or a contracting agency, the adult child's parent's original birth certificate and any available information regarding the identity of that parent's birth parents. Upon such a request, DCF or the contracting agency must disclose the requested information if the requester's parent and both birth parents of the requester's parent are deceased, and after the requester has provided adequate identification and documentation of his or her relationship to the requester's deceased parent.

**Effective date:** March 6, 2022

AO:jal

---

<sup>1</sup> The act uses the term "offspring" to define the person who may use the new procedure. Under the act, "offspring" means "an adult who is the child of a person whose birth parents' parental rights have been terminated in this state or who has been adopted in this state with the consent of his or her birth parent or parents before February 1, 1982."