

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 415

H.P. 316 House of Representatives, February 19, 1987  
Reference to the Committee on Judiciary suggested and  
ordered printed.

EDWIN H. PERT, Clerk  
Presented by Representative McPHERSON of Eliot.  
Cosponsored by Representative ROLDE of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT Declaring All Court Papers, Books and  
2 Records Pertaining to Adoptions  
3 Confidential and Providing for Their Release.  
4

5 Be it enacted by the People of the State of Maine as  
6 follows:

7 19 MRSA §534, as amended by PL 1981, c. 390, §3,  
8 is further amended to read:

9 §534. Records confidential

10 All probate court records relating to any adop-  
11 tion decreed on or after August 8, 1953 are declared  
12 to be confidential. Excluded from the restriction of  
13 confidentiality are an adoptee who has reached his  
14 majority, his descendants, the adoptive parents or  
15 guardian of a minor child, siblings of an adoptee who

1 has reached the age of majority, birthparents of the  
2 adoptee who has reached majority and next of kin of a  
3 deceased birthparent or adoptee. The probate courts  
4 Probate Courts shall keep the records of such those  
5 adoptions segregated from all other court records.  
6 Such The adoption records may be examined only upon  
7 authorization by the judge of the probate court. In  
8 any case where it is considered proper that such the  
9 examination be authorized, and in all cases concern-  
10 ing those excluded from this restriction of confiden-  
11 tiality, the judge may in lieu of such that authori-  
12 zation of examination, or in addition thereto, grant  
13 authority to the register of probate to disclose any  
14 all information contained in such those records by  
15 letter, certificate or copy of the record.

16 Any medical or genetic information in the court  
17 records relating to an adoption shall be made availa-  
18 ble to the adopted child upon reaching the age of 18,  
19 his descendants, adoptive parents or legal guardian  
20 or birthparents of an adoptee upon petition to the  
21 court.

22 STATEMENT OF FACT

23 The purpose of this bill is to further define the  
24 Maine Revised Statutes, Title 19, section 534, allow-  
25 ing limited access to adoption records through the  
26 Probate Court. The access would be restricted to  
27 adoptees, adoptive parents, birthparents and signifi-  
28 cant others directly involved in the adoption. This  
29 bill seeks to clarify the legislative intent of the  
30 Act passed in 1953 under this same title.

31 1982021087