

AN OVERVIEW OF ADOPTION LAW IN WEST VIRGINIA

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I. WHO MAY ADOPT?

General Requirements:

“Any person not married or any person, with his or her spouse’s consent, or any husband and wife jointly, may petition a circuit court of the county wherein such person or persons reside for a decree for adoption of any minor child or person who may be adopted by the petitioner or petitioners. “ WV CODE § 48-22-201

i.e. Single individuals

Husband and Wife as joint petitioners

A married person with the consent of his/her spouse

Additional Requirements of the Petitioner(s):

More than 15 Years Older Than the Child: The petitioner should be more than 15 years older than the child to be adopted. If there is less than a 15-year age difference, the court must make a specific finding that, notwithstanding the age difference, it is in best interests of the child for the adoption to take place. (N/A/ to stepparent adoptions). WV CODE § 48-22-502(e).

Live Six Months or More With the Child: The child has to live continuously with the petitioner(s) for at least 6 months prior to filing petition for adoption. WV CODE §§ 48-22-501, 48-22-701.

Adoptive Parent(s) Must Be Fit: The Court has to find the petitioner(s) as fit to adopt the child. WV CODE § 48-22-701.

A home study may be required at the discretion of the Court. WV CODE § 48-22-701. (Most judges will require a home study in Kanawha County, unless it is an intra-family adoption or step-parent adoption; also, the interstate compact laws require a home study if the child comes from another state.) Where conducted, home study must include:

- Description of family members, medical & employment histories
- Description of home & surroundings
- Description of the adjustment of child and family

- Personal references

- Other information deemed necessary by the Court including criminal background investigation

II. WHO MAY PLACE FOR ADOPTION?

Placement: A child will usually be “placed” for adoption in one of two ways:

- By the birth parent or legal guardian directly: a “private adoption”

- Obtained through a “consent”

- Lawyer, hospital, or other facilitator may be involved, but has no legal custody

- By an agency which has legal custody of the child:¹

- Through a “relinquishment” of the birth parent; and/or

- Through Order of the Court where parental rights were involuntarily terminated and legal custody was transferred. (W V Department of Health and Human Resources)

The Minor Birth Mother: If the birth parent is a minor when she places the child for adoption and she is a resident of WV, the consent/relinquishment must be reviewed and approved by the Court, and the Court may appoint a guardian ad litem to represent the interests of the minor parent. The failure of the Court to appoint a guardian ad litem is not grounds for setting aside an adoption. West Virginia law specifically permits the Court to find that a valid consent/relinquishment has been given notwithstanding that a minor gave the consent/relinquishment. WV CODE §§ 48-22-301(c), 48-22-304.

¹An “agency” is defined as a public or private entity, including the WV Department of Health and Human Resources, that is authorized by law to place children for adoption. WV CODE § 48-22-104. Although this particular statute does not make reference to any requirement that an agency be “licensed,” there are provisions elsewhere in the West Virginia Code which govern the incorporation of any organization which has as its purpose the receipt of children or their placement in family homes. WV CODE § 49-3-2.

III. FINANCIAL ASSISTANCE & SERVICES PROVIDED TO THE BIRTH MOTHER OR MONIES PAID IN CONNECTION WITH ADOPTION

Prohibition of Sale or Purchase of a Child: Any person who knowingly offers, gives or agrees to give to another person, or any person who knowingly receives, accepts or offers to accept, any money, property, service or other thing of value in consideration for the recipient's locating, providing or procuring a minor child for any purpose which entails a transfer of the legal or physical custody of the child, including, but not limited to, adoption or placement, is guilty of a *felony* and subject to *imprisonment* and/or a fine not to exceed \$2,000. WV CODE §48-22-803. A child whose parent, guardian or custodian has sold or attempted to sell said child may be deemed an abused child as defined under the law pertaining to abused and neglected children.

What is Permitted: The following fees are considered "legal" under the Adoption Code:

- Fees paid for reasonable and customary services provided by the WV Department of Health and Human Resources or any licensed or duly authorized adoption or child-placing agency
- Reasonable and customary legal, medical, hospital or other expenses incurred in connection with the pregnancy, birth and adoption proceedings
- Fees and expenses included in any agreement in which a woman agrees to become a surrogate mother
- Any fees or charges authorized by law or approved by a court in a proceeding relating to the placement plan or placement of a minor child for adoption

Affidavit of Fees and Expenses: An affidavit of any fees and expenses paid or promised by the adoptive parents shall be submitted at the final adoption hearing for the review of the Court. WV CODE §48-22-701.

Pre-placement and Post-placement Counseling: West Virginia law requires, upon request, that the WV Department of Health and Human Services provide pre-placement and post-placement counseling services by persons experienced in adoption counseling, at no cost, to any person whose consent or relinquishment is required under the Adoption Code. WV CODE § 49-3-1.

Conflict of Interest: Although no statutory law defines the ethical standards for an agency, the agency, like an attorney, must be aware of potential ethical issues that will arise if it represents

both the birth mother and the adoptive parents.

IV. THE LEGAL PROCESS

LEGALLY SPEAKING, THE ADOPTION EQUATION IS:

A. THE PERMANENT SEVERANCE OF EXISTING PARENTAL RIGHTS
EITHER BEFORE OR DURING THE ADOPTION PROCESS

+

B. PERMANENT TRANSFER/RECREATION OF PARENTAL RIGHTS TO
PERSONS WHO ARE QUALIFIED TO ADOPT

+

C. ADOPTION IS IN THE BEST INTERESTS OF THE CHILD

= ADOPTION

THE COURT HAS TO FIND THESE THREE THINGS, A, B, and C, TO GRANT AN ADOPTION.

A. THE PERMANENT SEVERANCE OF EXISTING PARENTAL RIGHTS EITHER BEFORE OR DURING THE ADOPTION PROCESS

No Person Retains Parental Rights: Before an adoption is granted, the petitioner must show that no person continues to have parental rights in the child. WV law requires the petitioner to show that the following individuals have agreed to surrender their rights and consent to the adoption or that their rights have otherwise been terminated involuntarily:

- The parents or surviving parent of a marital child;
 - birth mother
 - birth father
 - any legal father (Husband of birth mother at the time child was conceived or born)
- Any outsider father (of a marital child) who was adjudicated as the biological father or who filed a paternity action which is pending at the time the adoption petition was filed;
- The birth mother of a non-marital child; and
- Any “determined father.”

Stepparent Adoptions: In the instance of a stepparent adoption, the rights of the birth parent/adoptive parent do not have to be terminated. Such parent must assent to the adoption by joining in the petition.

Disability: If the mother, legal father, or determined father is under disability, the Court may order the adoption if it finds (1) that the person is incurably insane, or (2) that the disability arises solely because of age and an otherwise valid consent or relinquishment was given.

Both Parents Deceased and Parents Deprived of Custody by Law: If all persons entitled to parental rights are deceased or deprived of custody by law, and then consent must be obtained by the legal guardian or person having legal custody of the child. (If there is no legal guardian, then the Court will appoint a guardian). If an agency is the legal guardian, the agency must give its consent.

One Parent is Deceased: If one of the persons entitled to parental rights is deceased, the Court will only require the severance of the rights of the surviving person entitled to parental rights.

Consent of Child: If the child to be adopted is 12 years or older, the child must consent in the presence of a judge, unless extraordinary cause exists.

How are Rights Severed By Agreement or Voluntarily? Parental rights may be surrendered voluntarily in one of two ways, through a “consent” or through a “relinquishment.”

Consent: A “Consent” is executed by a minor child’s parent or guardian to surrender voluntarily to an individual, for purposes of the child’s adoption, the rights of the parent or guardian with respect to the child, including the legal and physical custody of the child. WV CODE § 48-22-108. A consent is usually obtained when the birth mother wants to place child for adoption and the petitioners or their agent have direct contact with her. Sometimes, a birth father may wish to execute consent, rather than face an abandonment ruling from a Court.

Relinquishment: A “Relinquishment” is executed by a minor child’s parent or guardian to surrender voluntarily to an agency, for purposes of the child’s adoption, the rights of the parent or guardian with respect to the child, including the legal and physical custody of the child. WV CODE § 28-22-115. A “relinquishment” is usually obtained when the birth mother has direct contact with an agency or where she faces involuntary termination of parental rights. In this instance, the agency is the legal guardian, and it will have to give its consent for a subsequent adoption to take place.

When are these obtained? To be legally valid, the consent/relinquishment has to be executed sometime *after* expiration of 72 hours after the birth of the child. WV CODE § 48-22-302.

Requirements for the consent/relinquishment:

■ Must be executed in the presence of at least a notary public, but may be executed in the presence of a judge, a person whom the court appoints, or certain military officers and consulates. WV CODE § 48-22-302.

■ Must have *very specific language* required by WV CODE § 48-22-303, including, among other things, whether the child is an Indian child as defined in the Indian Child Welfare Act, 25 U.S.C. § 1903.

■ The executing party must have received a copy of the consent/relinquishment, must have been provided the information and afforded the opportunity to participate in the voluntary adoption registry, must have been advised of the availability of counseling, must have been advised of the consequences of misidentifying the birth parent, and if a birth mother, must have been advised of the obligation to provide an affidavit if the father is unknown.

When is the consent/relinquishment final? Can it be revoked? A consent or relinquishment is final upon its execution.

■ However, it may be revoked if it was “conditional” and the condition that was anticipated actually occurs. WV CODE § 48-22-303. The consent or relinquishment may expressly provide for the conditional revocation in the following instances:

-if another person whose consent/relinquishment is required does not execute the same within a specified time period; or

- if a court determines not to terminate another person’s parental relationship to the child; or

-in a direct placement for adoption, a petition for adoption by the prospective person is denied or withdrawn.

■ It may also be revoked, in accordance with WV CODE § 48-22-305, if:

-the executing party and the prospective adoptive parent named therein or the lawyer for the prospective adoptive parent, or the agency (in the case of a relinquishment) agree to its revocation prior to the entry of an adoption order; or

-the executing party proves by clear and convincing evidence, in an action filed either within 6 months of the date of the execution of the document or prior to the date an adoption order is final (i.e. once it cannot be appealed any longer), whichever date is later, that the consent/relinquishment was obtained by fraud or duress;² or

-the executing party proves by a preponderance of the evidence, prior to the entry of the adoption order, that a condition allowing revocation as set forth expressly within the consent/relinquishment has occurred; or

-the executing party proves by clear and convincing evidence, prior to the entry of the adoption order that the consent/relinquishment does not comply with the requirements of the Adoption Code.

²“Duress” means a condition that exists when a natural parent is induced by the unlawful or unconscionable act of another to consent to the adoption of his or her child. Mere duress of circumstance does not constitute duress. Wooten v. Wallace, 177 W.Va. 159, 351 S.E.2d 72 (1986).

How are Rights Severed Involuntarily? Parental rights are severed involuntarily in one of the following ways:

■ Abuse and Neglect Proceedings

(By Court Order entered before the adoption petition is filed)

-child is in custody of WV Department of Health and Human Resources and is most likely in foster care

■ Abandonment

(By Court Order entered before or during the adoption process)

-WVDHHR may seek prior to the adoption petition being filed; or
(WV CODE § 49-3-1)

-The petitioner's lawyer may seek upon filing the adoption petition.
(WV CODE §§ 48-22-102; 48-22-301)

Abandonment: “Abandonment’ means any conduct by the birth mother, legal father, determined father, outsider father, unknown father or putative father that demonstrates a settled purpose to forego all duties and relinquish all parental claims to the child.” WV CODE § 48-22-102.

Instances where Abandonment is Statutorily Presumed (WV CODE §48-22-306):

■ Where the child is over the age of 6 months and the birth parent, throughout an uninterrupted period of 6 months immediately preceding the filing of the adoption petition:

1. Fails to financially support the child within the means of the birth parent;
and
2. Fails to visit or otherwise communicate with the child when he/she knows where the child resides, is physically and financially able to do so and is not prevented from doing so by the person having custody of the child.

■ Where the child is less than 6 months and the birth father, throughout the uninterrupted period from the time he was told of the conception until the time the adoption petition is filed:

1. Denounces the child's paternity any time after conception;
2. Fails to contribute within his means toward the expense of the prenatal and postnatal care of the other and the postnatal care of the child;
3. Fails to financially support the child within father's means; and
4. Fails to visit the child when he knows where the child resides.

What if the father is unknown? Abandonment of a child shall be presumed when the unknown father fails, prior to the entry of the final adoption order, to make reasonable efforts to discover that a pregnancy and birth have occurred as a result of his sexual intercourse with the birth mother.

Compelling circumstances: Notwithstanding the foregoing, a birth parent shall have the opportunity to demonstrate the existence of compelling circumstances, which prevented the birth parent from supporting, visiting, or otherwise communicating with the child. (Incarceration for rape wherein child was conceived is not compelling).

The Unknown Birth Father:

Affidavit: Where the birth mother states that she does not know the identity of the father of her child, West Virginia law requires her to sign an affidavit. The affidavit must satisfy very specific requirements, set forth in WV CODE § 48-22-502(b). If the birth mother is deceased or her identity or whereabouts are unknown, no affidavit is required.

Advice to Birth Mother: The birth mother must be advised:

- that the failure to identify or the misidentification of the birth father can result in delays and disruptions in the processing of the adoption;
- that her statement concerning the identity of the father will be used only for the limited purposes of adoption and that once the adoption is complete, such identity will be sealed; and
- of the remedies available to her for protection against domestic violence under WV law (WV CODE § 48-27-101).

Additional Evidence May Be Considered by Court: Where an unknown father's affidavit is executed, the court will inspect the affidavit, consider any additional evidence that it determines should be produced, and determine whether the father may be identified. The consideration of additional evidence must be accomplished as soon as practicable after the filing of the petition, but no later than 60 days before the final hearing on the adoption petition.

- If the Court identifies a father, then notice of the adoption petition must be given to the father in accordance with WV CODE § 48-22-602.
- If after consideration of the evidence, the Court determines that proper service cannot be made because the identity of the father is unknown, the court shall order publication of the notice only if, on the basis of all information available, the court determines that publication is likely to lead to the receipt of notice by the father.

Presumed Abandonment: Abandonment is presumed where unknown father fails to "make reasonable efforts to discover that a pregnancy and birth have occurred as a result of his sexual intercourse with the birth mother" prior to entry of final adoption order. WV CODE §48-22-306.

B. THE PERMANENT TRANSFER/RECREATION OF PARENTAL RIGHTS IN PERSONS WHO ARE QUALIFIED TO ADOPT

When Can the Petition for Adoption Be Filed? West Virginia law provides that an adoption petition may be filed at any time after the child is born, the adoptive placement has been determined, and all consents and relinquishments that can be obtained have been executed.

What is the Petition Required to State? The petition must be verified, and there are very specific requirements that must be satisfied as to its content. See WV CODE § 48-22-502.

Unknown birth father: In the case of an unknown birth father, an affidavit signed by the mother must be attached.

All that is known about the parentage: The petition will attach any of the following which are applicable: consents, relinquishments, court orders (evidencing involuntary terminations), unknown birth father affidavit executed by the birth mother, a written recital of all known circumstances surrounding the birth, medical and family history of the child, and an itemization of any facts or circumstances unknown concerning the child's parentage.³ The petition and its attachments must fully disclose all that is known about the parentage of the child.

When is the Final Adoption Hearing? The hearing may be held no sooner than 45 days after the petition is filed and only after the child has lived with the adoptive parents for a period of 6 months, proper notice of the petition has been given and all necessary consents or relinquishments have been executed and submitted or the rights of all non-consenting birth parents have otherwise been terminated. WV CODE § 48-22-501.

³WV CODE § 48-22-401 provides that whenever a person delivers a child for adoption, the person first receiving the child and the prospective adoptive parent(s) shall be entitled to receive from such person a written recital of all known circumstances surrounding the birth, medical and family medical history of the child, and an itemization of any facts or circumstances unknown concerning the child's parentage or that may require further development in the form of an affidavit from the birth mother consistent with WV CODE § 48-22-502 (providing the content of the unknown father affidavit).

Notice Requirements

When Is Notice Required and to Whom Must Notice be Provided? The Adoption Code requires that a consent/relinquishment include language that expressly waives the right to receive notice for any adoption proceeding. If for some reason the consent/relinquishment did not waive the notice, or if the consent/relinquishment could not be obtained, notice of the adoption proceeding must be given to certain individuals within 20 days after a petition for adoption is filed:

- Any person whose consent was necessary (unless their rights were terminated)
- Any person whom the petitioner knows is claiming to be the father and whose paternity has been established;
- Any person other than the petitioner who has legal or physical custody of the child or who has visitation rights with the child under an existing court order;
- The spouse of the petitioner if the spouse has not joined in the petition;
- A grandparent of the child if the grandparent's child is a deceased parent of the child and, before death, the deceased parent had not executed a consent or relinquishment or the deceased parent's parental relationship to the child had not been otherwise terminated.
- The Court may also require notice to be served upon any person who the Court finds is one of the above, a person who has revoked consent or relinquishment, or a person who, on the basis of a previous relationship with the child, a parent, an alleged parent or the petitioner, can provide relevant information that the court, in its discretion, wants to hear.

WV CODE § 48-22-601.

How is Notice Provided?: The Adoption Code provides exactly how notice is to be served in Section 48-22-602.

C. THE BEST INTERESTS OF THE CHILD

What Happens During the Adoption Hearing? At the adoption hearing, certain evidence must be presented and the Court must make certain findings that are memorialized in the adoption order. In general, the Court must find that:

- no person retains parental rights in the child, except the petitioner(s);

- all applicable provisions of the Adoption Code have been complied with;
- the petitioner(s) is fit to adopt the child; and
- it is in the best interests of the child for the adoption to take place.

Typically, the Court will examine the home study and hear testimony regarding whether the petitioners is of good moral character and of respectable standing in the community and whether they are financially able to maintain the health and education of the child. The Court will also hear evidence as to whether the health of the child requires specific needs that the petitioners are able to provide. The Court will determine whether the child possesses any real or personal property, and if so, whether that may have had anything to do with the adoption decision.

For the specific language required in the adoption order, see WV CODE § 48-22-701.

Affidavit of Fees & Expenses: The petitioners are required to submit an “Affidavit of Fees & Expenses” to evidence all payments that have been made in connection with the adoption.

Name Change: If there is a name change to occur, the Court will hear testimony as to what the child’s name is to be and will order the name change. Immediately upon the entry of the adoption order, the Court will direct the clerk to make and deliver to the State Registrar of Vital Statistics a certificate evidencing the new identifying information. This certificate will allow Vital Statistics to update their records and prepare a new birth certificate with the adoptive parents listed as the child’s parents and the new name given to the child. WV CODE § 48-22-702.

V. WHEN IS THE ADOPTION ORDER FINAL?

Effect of the Adoption Order: Upon the entry of the adoption order, any person previously entitled to parental rights (including their kindred) (except the spouse of the petitioner in a stepparent adoption), is divested of all legal rights, including the right of inheritance from or through the adopted child and all obligations in respect to the child, and the adopted child shall be free from all legal obligations, including obedience and maintenance, in respect to any such person. The adopted child shall now be the legitimate issue of the adoptive parent(s) and shall be entitled to all the rights and privileges and subject to all the obligations of a natural child of the adopting parent(s). WV CODE § 48-22-703.

When is the Adoption Order Final? An order may not be vacated on any grounds if the challenge is filed more than 6 months after the date the order is final.

Where Notice Was Proper: An order may not be vacated on any ground if the challenging party waived notice, or was properly served with notice and failed to respond, or if he failed to file an answer or file a claim of paternity within the time allowed.

Where Notice Was Not Proper: Where a challenge is brought within that 6 month time period and the individual alleges that they did not receive proper notice of the proceeding, the court shall deny the challenge unless the individual proves by clear and convincing evidence that the order is not in the best interests of the child.

Failure to Comply with Visitation: Further, an order may not be set aside or vacated by an person who alleges there is a failure to comply with a visitation agreement. The Court may enforce the visitation agreement, however.

WV CODE §48-22-704.

Legal Risk Adoption: Some examples of instances wherein adoption may be at risk include:

- The rights of the birth parents have not been terminated or severed, prior to placement of the child in the home of the prospective adoptive parents. The Court may not eventually terminate the parental rights, and therefore, the adoption may not take place. Our Supreme Court of Appeals has held, however, that where the child has spent a substantial period of time in the home of foster parents, extraordinary circumstances exist which demand that the best interests of the child be given primary importance. West Virginia Dept. of Human Services v. La Rea Ann C.L., 175 W.Va. 330, 332 S.E.2d 632 (1985) (parent's right to revoke relinquishment was not absolute).
- The petitioner files the adoption petition before the birth parent or other person with parental rights had opportunity to file an appeal from the court order which terminated their parental rights. If the termination of parental rights resulted from abuse and neglect proceedings, the individual has 60 days to appeal with the right to obtain an extension for another 60 days. WV Rules of Procedure for Child Abuse and Neglect, R. 51.
- The consent/relinquishment does not meet the requirements of the Adoption Code.

VI. CONFIDENTIALITY

Records Are Kept Confidential: All records in adoption cases and all papers and records relating to such proceedings are kept in the office of the circuit clerk and kept sealed. These records and the names of the parties to the adoption proceedings are confidential, and no one may inspect them unless they have obtained a court order permitting the release of the information. WV CODE § 48-22-702.

Disclosure of Non-Identifying Information: Certain information which is collected pursuant to the voluntary adoption registry, known as "non-identifying information" (health history, social and genetic history), is available to the adoptive parents as guardians of the adopted child, or to an adult adoptee. It is necessary to submit a duly acknowledged request to the clerk of the court to obtain such information. WV CODE § 48-22-702. A birth parent may from time to time submit additional social, medical or genetic history for the adoptee, which information shall be placed in the court file. The court shall immediately transmit all non-identifying medical, social, or genetic information to the adoptive parents or the adult adoptee.

Disclosure of Identifying Information: If an adoptee, or parent of a minor adoptee, is unsuccessful in obtaining identifying information through the voluntary adoption registry, then such person may petition the court to unseal the adoption records. To do so, adult adoptee (or his/her adoptive parent, if a minor) must state the reasons why the identifying information is being sought. The court will then contact the birth parents and disclose to them such reasons and seek to obtain their consent to release the information. If the consent of the birth parents is unable to be

obtained, the court may release the information after notice to the birth parents and a hearing, at which hearing the court must specifically find that there exists evidence of compelling medical or other good cause for release of the information.

The Voluntary Adoption Registry and its Purpose: With full recognition of the right to privacy and confidentiality of birth parents, adoptive parents, and adoptees, the WV legislature recognized that some adult adoptees have a strong desire to obtain identifying information about their birth parents and that some birth parents have a strong desire to obtain identifying information about their biological children. Thus, the legislature set up a “mutual consent voluntary adoption registry”:

- Where birth parents and adults may register their willingness to the release of identifying information about the other;
- To provide for the disclosure of such identifying information to birth parents or adoptees, or both, through a social worker employed by a licensed adoption agency, provided that each birth parent and the adult adoptee voluntarily registers on his or her own; and
- To provide for the transmission of non-identifying health and social and genetic history to the adult adoptees, birth parents and other specified persons; and
- To provide for disclosure of identifying information for cause shown.

WV CODE § 48-23-102. The information is not accessible by freedom of information act or class action lawsuits.

By Whom is the Registry Operated?: The division of human services establishes and maintains the registry, except that it may contract out the function. The secretary of the department of health and human resources may adopt all rules necessary to implement the registry.

Identifying Information: The registry is available to birth parents and adult adoptees. However, a birth parent is not eligible to use the registry until his/her child who was adopted is 18 years of age or older. An adult adoptee is not eligible so long as he/she has a sibling in his or her adoptive family who is under the age of 18 years old. Pursuant to WV CODE § 28-23-403, a birth father may register if:

- He was named as the father in the original birth certificate;
- He legitimated or formally acknowledged the child as provided by law; or

■He signed a voluntary abandonment and release for the child’s adoption as provided by law.

Prerequisites to Disclosure of Identifying Information: The adult adoptee and each birth parent may voluntarily (without having been contacted by any employee or agent of the registry, place his/her name in the registry before any disclosure can be made. Registration is done by submitting a notarized affidavit, stating name, address, and telephone number and his/her willingness to be identified solely to the other relevant persons who register. The failure of any of the three above persons to file a notarized affidavit with the registry for any reason, including death or disability, precludes the disclosure of identifying information to those relevant persons who do register. WV CODE § 48-23-501.

Unknown Birth Father/Deceased Parent: If the birth father was unknown to the birth mother, or if one or both of the parents are deceased, this information shall be shared with the adult adoptee; however, no identifying information will be provided.

Counseling of Registrants: Upon registering, the registrant must go through at least one hour of counseling with a social worker employed by the entity operating the registry or other approved counselor.

What Information May Be Registered? And How Long is it Maintained? WV CODE § 48-23-504 provides that the registrant may register current name and address, any previous name, the original and adopted names of the child, if known, the place and date of birth of the child, or the name and address of the adoption agency or placing agency, if known. The registry will not keep any information relating to the adoptive parents, any siblings of the adult adoptee who are children of the adoptive parents, the income of anyone, or the reasons for adoptive placement. The registered information will be retained for ten years from the date of registration, and the information may be renewed for another ten years.

Matches: When a match has taken place, the department shall directly notify all parties through a direct and confidential contact.