

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE PETITION OF

[REDACTED]

TO BREAK SEAL OF ADOPTION

Case No. 1:26-ad-00001-ZMF

Adoption No. 108-54

SEALED CASE

MEMORANDUM OPINION

Before the Court is the petition of [REDACTED] (“Petitioner”) to break the seal on her adoption records. *See* Pet. Break Seal Adop. (“Pet.”) 1, ECF No. 1. For the reasons stated herein, the undersigned will GRANT the petition.¹

I. BACKGROUND

Adoption records were not sealed records in the United States prior to the 1930s. *See* Elizabeth J. Samuels, *The Idea of Adoption: An Inquiry into the History of Adult Adoptee Access to Birth Records*, 53 Rutgers L. Rev. 367, 369 (2001) (providing broad timeline). In the post-war era, the agency charged with setting adoption policy standards—the U.S. Children’s Bureau—advocated for sealing adoption records from the public to protect both birth mothers and children from the shame of “illegitimacy.” *See id.* at 386–87. But the agency never intended “to prevent children born out of wedlock, or adopted children, from viewing their own birth records.” *Id.* at 387 (quoting E. Wayne Carp, *Family Matters: Secrecy and Disclosure in the History of Adoption* 49 (1998)). By the 1960s, the perception of “adoption as a perfect and complete substitution for creating a family by childbirth” and the continued emphasis on hiding illegitimacy led to the

¹ Magistrate Judges appointed to the U.S. District Court for the District of Columbia have the duty and power to “[c]onsider petitions by adopted persons to open adoption records of the Court.” LCvR 72.1(a)(7); *see also In Re Petition of [Redacted]*, No. 25-ad-001, 2026 WL 1876706, at *1 n.1 (D.D.C. May 29, 2026) (Magistrate Judges are “duly empowered to resolve [adoption petitions] directly by order rather than by report and recommendation”).

complete sealing of adoption records nationwide. *Id.* at 409. Under D.C. law, “records and papers in adoption proceedings shall be sealed” and “may not be inspected by any person, including the parties to the proceeding, except upon order of the court . . . when the court is satisfied that the welfare of the child will thereby be promoted or protected.” D.C. Code Ann. § 16-311 (West 2018). These policies, far from protective, were rooted in values that disproportionately burdened women, marginalized nontraditional families, and blocked adopted children from accessing parts of their identity. In effect, lawmakers had adopted a stance that not only sealed records but also reinforced harmful gender stereotypes.

“Research increasingly confirms that the benefits of openness are myriad and meaningful—for adopted children, birthparents, and adoptive parents, alike.” *In Re Petition of [Redacted]*, 2026 WL 1876706, at *1 (citing Deborah H. Siegel & Susan Livingston Smith, *Openness in Adoption: From Secrecy and Stigma to Knowledge and Connections*, 7 (March 2012), <https://perma.cc/U23R-VUKP>). “And this evolution in thinking reflects what all adoptive families know: there is no stigma tied to adoption. Families come in many different shapes and sizes. But they are all born of love. And they are surely all legitimate.” *Id.* Despite this evolution in thinking, the D.C. Code remains antiquated,² barring adoptees from accessing their own information without a court order.

² As of July 2026, seventeen states have no restrictions on adult adoptees accessing their own original birth certificate. *See* Ala. Code § 22-9A-12 (2000); Alaska Stat. Ann. § 18-50-211 (West 1995); Colo. Rev. Stat. Ann. § 19-5-305 (West 2021); Conn. Gen. Stat. Ann. § 7-53 (West 2021); Ga. Code Ann. § 31-10-14 (West 2025); Kan. Stat. Ann. § 65-2423 (West 2008); La. Stat. Ann. § 40:73 (2022); Me. Rev. State. Ann. tit. 22, § 2768 (West 2010); Mass. Gen. Laws Ann. ch. 46, § 13 (West 2025); Minn. Stat. Ann. § 259.83 (West 2026); N.H. Rev. Stat. Ann. § 5-C:9 (2025); N.Y. Pub. Health Law § 4138-e (McKinney 2020); Or. Rev. Stat. Ann. § 432.228 (West 2013); R.I. Gen. Laws Ann. § 15-7.2-2 (West 1993); S.D. Codified Laws § 25-6-15 (2023); Vt. Stat. Ann. tit. 15A, § 3-802 (West 2023); Va. Code Ann. § 63.2-1246 (West 2026).

In the instant case, Petitioner, age 72, is the adoptee. *See* Pet. at 2. On January 29, 2026, Petitioner filed a motion seeking access to her records. *See id.*

II. LEGAL STANDARD

A court may in its discretion permit disclosure of adoption records only once it “is satisfied that the welfare of the child will thereby be promoted or protected.”³ § 16-311. A court must balance the welfare of the adoptee with the interests of other affected individuals, such as the biological and adoptive parents. *See In re C.A.B.*, 384 A.2d 679, 679–80 (D.C. 1978). However, “the most important consideration is whether disclosure would be in the interests of the adoptee.” *In re G.D.L.*, 223 A.3d 100, 106 (D.C. 2020). Nonetheless, a court must “take reasonable steps to provide [such affected individuals] with notice and an opportunity to be heard with respect to the motion for disclosure.” *Id.* Thus, “the biological [and adoptive parents’] interests are relevant but may not be treated as necessarily dispositive.” *Id.*

III. ANALYSIS

Petitioner is an adult seeking the disclosure of her own adoption records. *See* Pet. at 1–2. There is “no reason to doubt that disclosing an adoption record would be in the interests of an adult who seeks disclosure of . . . her own adoption record.” *In re G.D.L.*, 223 A.3d at 106. Access to the adoption record would allow Petitioner to better understand her family as she hopes to discover potentially helpful medical information associated with her birth parents, and thus would “promote[] or protect[]” Petitioner’s welfare. § 16-311.

Arguably, confidentiality “serves to protect the natural parents from public disclosure of a traumatic emotional event and the possible intrusion into their private life by the reappearance of

³ “[T]he term ‘child’ in § 16-311 extends not only to minors but also to adoptees who are adults at the time of the request for disclosure.” *In re G.D.L.*, 223 A.3d 100, 105 (D.C. 2020).

a child given up years before.” *In re Roger B.*, 407 N.E.2d 884, 886 (Ill. App. Ct. 1980). Regardless of the merits of such antiquated thinking, deceased birth parents have no such concern.

Petitioner’s adoptive parents are likely deceased as they would be 104 and 101 years old. *See* Petition for Adoption 2, ECF No. 3: As of today, Petitioner’s birth mother would be 93 years old. *See id.* The Court has no information about the birth father’s age, but it is safe to assume he is likely of the same age as the birth mother. *Cf.* Paul Hemez, *Age Differences Among Coresidential Partners*, U.S. Census Bureau, (April 14, 2023), <https://www.census.gov/library/working-papers/2023/demo/SEHSD-WP2023-10.html>. Based on life-expectancy data—upon which courts have relied—individuals of such an age are likely deceased. *See* Order 1–2, *In re Pet. of Joseph Cosby*, No. 19-ad-18 (D.D.C. Aug. 17, 2020), ECF No. 19 (adopting recommendation to unseal adoption records where both biological parents were likely deceased based on failed search efforts and estimated age); *see also* Elizabeth Arias, Jiaquan Xu & Kenneth Kochanek, *United States Life Tables, 2021*, 72 Nat’l Vital Stats. Reps. 12, 3 (2023), <https://www.cdc.gov/nchs/data/nvsr/nvsr72/nvsr72-12.pdf> (providing life expectancy). Therefore, “the court may indulge the presumption that [Petitioner’s birth parents are] deceased.” *In re [Redacted]*, No. 23-ad-05, 2024 WL 5241506, at *2 (D.D.C. Oct. 7, 2024) (quoting *In re Application of B.F.*, 25 Misc.3d 1216(A), *2 (N.Y. Surr. Ct. 2009) (presuming adoptive and biological parents were deceased given that the adoptee was approximately 82 years old)); *see also In Re Petition of [Redacted]*, 2026 WL 1876706, at *3 (presuming biological parents were deceased given that the adoptee was approximately 71 years old). Accordingly, any interest of the birth parents and adoptive parents in keeping the adoption records confidential has dissipated. *See, e.g., In re [Redacted]*, No. 23-ad-05, 2024 WL 5241506, at *2; Order Adopting Mag. Judge’s R. & R. 2, *In re Pet. of Ronald M. Ketcham*, No. 19-ad-17 (D.D.C. Dec. 17, 2020), ECF No. 18

(adopting recommendation to unseal adoption records where one biological parent was deceased and the other was likely deceased); Order Adopting Mag. Judge's R. & R. 1, *In re Pet. of Meg Billheimer*, No. 19-ad-24 (D.D.C. Oct. 15, 2020), ECF No. 11 (adopting recommendation to unseal adoption records where one biological parent was deceased and the other could not be located after a diligent search).

In sum, Petitioner is an adult who is seeking to obtain her own adoption records so that she can better understand her medical history. *See generally* Pet. Petitioner has therefore met the standard of § 16-311 that this unsealing would promote or protect her welfare. *See In re G.D.L.*, 223 A.3d at 106. Given the Court's conclusions about Petitioner's birth parents and adoptive parents being deceased, any interest they might have in keeping the adoption records sealed should yield to the interests of the Petitioner in disclosure. *See id.*

IV. CONCLUSION

For the reasons stated above, the undersigned GRANTS the Petition. The Clerk of the Court is ORDERED to contact Petitioner and provide her with a copy of all sealed records contained in the case file for Adoption No. 108-54. The Court further ORDERS that Petitioner's adoption file be re-sealed except for the purpose of this disclosure.

Date: July 13, 2026

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ZIA M. FARUQUI
UNITED STATES MAGISTRATE JUDGE