

INSTRUCTIONS FOR ACCESS TO ADOPTION RECORDS

These standard instructions are for informational purposes only and do not constitute legal advice about your case. If you choose to represent yourself, you are bound by the same rules and procedures as an attorney.

Adoption records are **CONFIDENTIAL** from the general public. An “**adoption record**” includes the following:

- ◆ The adoptee’s original birth certificate and amended birth certificate;
- ◆ The final decree of adoption;
- ◆ Information that does not disclose the name, address, place of employment, or any other material information that would lead to the identification of the birth parents (non-identifying information);
- ◆ The final order of relinquishment; and
- ◆ The order of termination of parental rights.

Upon request, information in an adoption record shall be made available **ONLY** to the following individuals:

1. An adult adoptee;
2. An adoptive parent of a minor adoptee;
3. A custodial grandparent of a minor adoptee; or
4. The legal representative of any individual mentioned in numbers 1 – 3.

AND

5. A spouse or partner in a civil union of an adult adoptee with notarized written consent from the adult adoptee or proof that the adult adoptee is deceased;
6. An adult descendant of an adoptee (child, grandchild, great-grandchild, etc.) with notarized written consent from the adult adoptee or proof that the adult adoptee is deceased;
7. An adult sibling or half-sibling of an adult adoptee with notarized written consent from the adult adoptee or proof that the adult adoptee is deceased;
8. An adoptive parent or grandparent of an adult adoptee with notarized written consent from the adult adoptee or proof that the adult adoptee is deceased; or
9. The legal representative of any individual mentioned in numbers 5-8 with notarized written consent from the adult adoptee or proof that the adult adoptee is deceased.

NOTE: If one family has adopted two or more siblings, access to adoption records concerning an adoptee **SHALL NOT** be permitted until all of the siblings adopted by the family have reached 18 years of age.

- ◆ If you are not one of the individuals listed above, the court **MAY** still allow you to have access to the adoption records **ONLY** if you can demonstrate to the court that there is good cause (a good reason) to allow you to have access to the records. The court will make this decision based on the information you provide (see §19-1-309, C.R.S.).
- ◆ You should file your request to access adoption records (see Form [JDF 532](#)) in the county where the adoption occurred in the existing adoption case.
- ◆ Adoptees of Native American Ancestry may seek access to records under the provision of the Indian Child Welfare Act (See sections 1917 and 1951): http://www.nicwa.org/Indian_Child_Welfare_Act/

ACCESS BY A BIRTH PARENT TO THE ORIGINAL BIRTH CERTIFICATE OR TO A DEATH CERTIFICATE

- ◆ If you are the birth parent and you relinquished (gave up) your child for adoption, you may apply to the State Registrar at the Colorado Department of Public Health and Environment (CDPHE) – Vital Records Division for a non-certified copy of the child’s original birth certificate **IF**:
 - Your name is on the original birth certificate **OR** you signed the original birth certificate; **AND**
 - The child was born in Colorado **OR** the adoption was finalized in Colorado

NOTE: You may not receive a copy of the child's original birth certificate if your parental rights were terminated as a result of a dependency and neglect case.

- ◆ If you are one of the individuals listed in 1-9 above or a birth parent, you may ask the State Registrar to search for a death certificate to determine whether an adoptee or birth parent is deceased. If the State Registrar finds a death certificate, they shall provide you with a copy. There may be a fee for this service.
- ◆ To access the forms to apply to the State Registrar for a copy of the birth certificate or to request a death certificate, [click here](#) or enter the following web address into your computer browser: <http://www.colorado.gov/cs/Satellite/CDPHE-CHEIS/CBON/1251594690999>. Contact information for the State Registrar is:

Colorado Department of Public Health and Environment
Vital Records Section
4300 Cherry Creek Drive South
Denver, CO 80246
Phone: 303-692-2200 E-mail: vital.records@state.co.us

ADDITIONAL INFORMATION

- ◆ For additional information, please review §19-5-305, C.R.S.
- ◆ If you have a disability and need a reasonable accommodation to access the courts, please contact your local ADA Coordinator. Contact information can be obtained from the following website: http://www.courts.state.co.us/Administration/HR/ADA/Coordinator_List.cfm

COMMON TERMS

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| <input checked="" type="checkbox"/> Requestor: | The person filing a Request to Access the Adoption Record. |
| <input checked="" type="checkbox"/> Adoptee: | A person, who as a minor, was adopted pursuant to a final decree of adoption. |
| <input checked="" type="checkbox"/> Adoptive Parent(s): | An adult who has become a parent of a minor through the legal process of adoption. |
| <input checked="" type="checkbox"/> Confidential Intermediary: | A trained person who is authorized to inspect confidential relinquishment and adoption records at the request of an adult adoptee, adoptive parent, biological parent or biological sibling. |
| <input checked="" type="checkbox"/> May: | In legal terms, "may" is defined as "optional" or "can." |
| <input checked="" type="checkbox"/> Shall: | In legal terms, "shall" is defined as "required." |

If you do not understand this information, please contact an attorney.

FEES

There is no filing fee. Other fees that a party to the case may encounter are as follows:

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| <input type="checkbox"/> Research Fees | Pursuant to Chief Justice Directive 06-01 |
| <input type="checkbox"/> Copy of Documents | Pursuant to Chief Justice Directive 06-01 |
| <input type="checkbox"/> Certification Fee | \$20.00 per document |
| <input type="checkbox"/> Record Retrieval Fee | Pursuant to Chief Justice Directive 06-01 |
| <input type="checkbox"/> Fee to return documents by certified mail,
Restricted delivery | Varies depending on number of documents sent |

FORMS

To access a form online go to www.courts.state.co.us and click on the "Self-Help/Forms tab." The request form is available in PDF or WORD by selecting **All Court Forms and Instructions - Adoption – Access to Adoption**

Records. You may complete a form online or print it and type or print legibly in black ink. Read these instructions carefully to determine what forms you may need.

- [JDF 532](#) Request for Access to Adoption Records
- [JDF 533](#) Order for Good Cause re: Access to Adoption Records

STEPS TO FILING YOUR CASE:

Step 1: Complete Forms.

- Request for Access to Adoption Records (JDF 532):**
 - Complete all applicable sections on this form.
 - If you are making your request by mail, you must sign JDF 532 in front of a Notary Public. If you are making your request in person, you do not need to sign in front of a Notary Public.
- Order for Good Cause re: Access to Adoption Records (JDF 533):**

Note: This form is **only** required if you filled out paragraph #4 of JDF 532 (Request for Access to Adoption Records).

 - Only submit the Order form if you are requesting access to an adoption file for good cause pursuant to section 19-1-309, C.R.S.
 - The Court upon their review of the Request will complete the Order as appropriate.

Step 2: File the Request Form in the County Where the Adoption was Finalized.

- File the Request form.
- File the Order form **ONLY** if you filled out paragraph #4 of JDF 532 (Request for Access to Adoption Records).
- Check with the Court regarding the cost to locate, retrieve, copy, and mail your adoption records.

Step 3: Provide the court with proof of identification and documents establishing how you are related to the adoptee.

The court must take steps to ensure that it is providing direct access to the adoption records **ONLY** to persons who are authorized by law to see them. When you request access to an adoption record, the court will ask you for identification. The court will also ask you for documents that establish how you are related to the adoptee. Ask the court for more details or [click here](#) for a list of acceptable forms of identification and documents to establish how you are related to the adoptee. If you are making your request by mail, please send copies of these documents to the court for review (do not send originals). The court will destroy the copies after the information has been reviewed. If you send an original document, you will be responsible for the cost incurred in returning the originals by certified mail restricted delivery to ensure that these documents are delivered only to you.

Step 4: Response to Your Request

- Direct Access to Adoption Records:** After you file your Request form (JDF 532) and provide identification and establish relationship as described in Step 3 above, the clerk will verify that you are a person who is permitted direct access to the adoption records. Once the clerk verifies that you can access the records, he/she will locate the adoption records. Once the adoption records are located and available, you will have the option to come to the court to inspect and/or copy the records or to have the records mailed to you by certified mail restricted delivery to ensure that the records are delivered only to you. Please let the court know your preference. Requests submitted by mail will be answered by certified mail restricted delivery unless you indicate otherwise. In addition to other applicable costs and fees, you will be responsible for the cost of having the documents delivered by certified mail restricted delivery. Contact the court for instructions on how to submit payment. If you prefer to inspect the records in person, check with the court to determine when you can expect to receive notification that the records are ready for inspection.
- Good Cause Determinations:** If you are not an eligible party for direct access to the adoption records under the statute and you have asked the court to allow you to see the records based on "good cause" (by filing JDF 532 and JDF 533), the judge will need to decide whether to allow you access to the adoption records based on the information you provide. The court may set a hearing before a decision is made. You will need to be prepared to attend this hearing.