

**Questions and Answers How Michigan Manages Adoptee Birth Records
Last Updated July 29, 2016. Published by Rudy Owens, www.rudyowens.com**

Summary: Rudy Owens’ questions were posed to the Michigan Department of Health and Human Services after the department refused to allow him to interview State Registrar Glenn Copeland on July 22, 2016. Copeland was the principal coordinator of the state’s denial of Owens’ request for his original birth certificate—even when the state had in its possession a signed consent from his birth mother allowing the state to release Owens’ birth records as far back as 1989. The department also refused to allow its media team to speak to Owens. They agreed to respond to written questions. The department’s press officer, Jennifer Eisner, provided answers to only five of 27 questions, with a statement that essentially said the law controls all of their actions in their treatment of vital records—repeating the talking point Owens was told on the phone by Deputy State Registrar Tamara Weaver on March 22, 2016: “The law is the law.”

Specifically, the department did not answer if it discriminated against adult adoptees in the management of vital records. It refused to answer questions how it managed Owens’ records request or why he was specifically “tagged” after being identified as the “problem.” It could not even answer simple questions how the Central Adoption Registry is managed, or who manages it, or if it ever has been audited. Finally, the department did not answer if it was aware of national adoption laws in countries like England that allow all adult adoptees to get copies of all of their original birth records when they turn 18.

Questions that were required to be done in writing only.	Written reply only by the Jennifer Eisner, Public Information Officer, MDHHS, on July 27, 2016
1. How many original birth certificates are released to adult adoptees born in Michigan each year? If this is not tracked or known, why is that?	A log of the releases of sealed original records under the adoption law which was created in the fall of 2009 indicates there have been 549 original records of birth released through to present. This count would include any release of a sealed original birth record whether due to court order or central adoption registry release. This figure would also include requests from adult adoptees, confidential intermediaries, or relatives of the adoptee.
2. How many requests for original birth certificates by adult adoptees born in the state of Michigan are rejected by your staff each year? If you do not know the answer, why?	<i>How many original birth certificates are requested by adult adoptees born in Michigan each year?</i> The exact number is not known. There will be instances where the office is contacted by an adult adoptee by phone or mail and

	<p>they are advised of the process for gaining access to original birth records. These communications are not tracked. Only when an official request with a fee payment is received would the request be tracked.</p> <p>The total number of these official requests would not be known but is believed to be very close to the number released. This is because not releasing a record is very rare. Generally, when an application is received that does not have the appropriate release documents, the applicant is sent the requirements and told what might be missing or deficient in the request. The correspondence is then placed in a pending file, which includes hundreds of other pending issues. The exact number of adoption requests that end up not being successful is unknown.</p>
<p>UNSOLICITED COMMENT OWENS DID NOT ASK ABOUT</p>	<p><i>Do we track birth records requests?</i></p> <p>All requests for vital records are now tracked through a computer request application. The application records information on the record(s) requested, the applicant and the type record requested, namely whether a birth, a death, a marriage or a divorce record. This tracking mechanism does not specifically identify requests from adult adoptees requesting an original birth record, however.</p>
<p>GENERAL AND REQUEST QUESTIONS:</p>	
<p>3. In your own words, please describe the mission and purpose of your department/office? Do you believe in that mission in the execution of your professional job duties?</p>	
<p>4. How long have you managed Vital Records requests at your office?</p>	<p>Appointed as state registrar in 2003</p>
<p>5. Who in your office has the final authority for a vital records request like a birth</p>	

certificate?	
6. Did the MDHHS achieve its objectives denying me my request mailed to Director Nick Lyon on March 21, 2016, for a copy of my original birth certificate?	
7. If the answer is yes, what objective was achieved denying me my original birth record I asked for (three times: once by mail to Director Lyon, once by email to you/Glenn Copeland, and once by mail to you/Glenn Copeland—the latter two requests were ignored/had no reply)?	
8. Did you in sending me your denial letter dated March 29, 2016, act upon the direction of Gov. Rick Snyder or Director Nick Lyon, or did you make your decision independent of direction from those leaders and their staff?	
8. Does your office treat all persons regardless of race, religious, gender, sexual orientation, and age equally?	
9. Do you and your staff treat adoptees in the same way as non-adoptees? If you claim there is equal treatment, can you explain how they may be treated equally if there are interpretations of laws denying adult adoptees born in Michigan equal access to their original birth records?	
10. Please explain why or why not the state's adoption statutes are discriminatory or not discriminatory to someone based on birth status?	
11. Why did you call my request for my birth certificate a "problem" on March 21, 2016, in an email to Tamara Weaver that also copied Angela Minicuci and Director Lyon's assistant Nancy Grijalva? (You stated: "Please look into this matter and please involve the Adoption Central Registry staff in working on this problem. Please keep Angela [Minicuci] and Nancy [Grijalva] apprised of your findings and any solution you may discern.")	
12. On March 23, 2016, Deputy State Registrar Tamara Weaver wrote an email to	

<p>Connie Stevens at the Central Adoption Registry. In that note she instructed Stevens: "If you have a way to tag him, he is not very receptive to anything any of us have to say. His name is Rudolf Owens."</p> <p>Does your office or the registry use any tracking system of adult adoptees who ask for original birth records? If so, please describe that system and its purpose?</p>	
<p>13. Were Weaver and Stevens engaging in ethical and permitted behavior by using a tracking system of my request?</p>	
<p>14. Did you ever even review the original materials I sent to you and Director Lyon on three separate occasions?</p>	
<p>15. Was I treated with courtesy and respect by your staff at all times?</p>	
<p>ADOPTION RESEARCH/BEST PRACTICES:</p>	
<p>16. Are you familiar with England and Scotland's law that gives all adoptees access to all of their birth records?</p>	
<p>17. Are you familiar with research by authors such as Elizabeth Samuels and Wayne Carp that shows all adoptees in the USA could access their original birth records through the early 1950s?</p>	
<p>18. Do you know anything about the history of adoption in the USA? How did you learn about it?</p>	
<p>COURT ORDERS AND ADOPTEES:</p>	
<p>19. How many adoptees in Michigan does your office estimate are required by your interpretation of state statute to require a court order to get their original birth certificate (those born between 1945 and 1980). How do you know that number? What is your data source/evidence that provides that estimate.</p>	<p><i>How many adoptees in Michigan would be required to get a court order to get their original birth certificate?</i></p> <p>It would not be possible to determine this number.</p> <p>For adoptions before May 28, 1945 or after September 12, 1980, a court order would be required if a birth parent has filed a denial of consent to release the information.</p> <p>For adoptions finalized between the dates of May 28, 1945 and September 12, 1980, a</p>

	<p>court order is required unless the birth parent(s) have filed a consent to release the information. A court order would not be required if the deaths of both birth parents could be documented. *</p> <p><i>*Note, this written documentation that the department did NOT comply with the law. Owens provided a legal consent signed by his birth mother to release information that was shared with the department in April 1989—and the department refused then and again in 2016 when presented with a copy of the legal consent form once again. The department refused and demanded a court order in 2016. If this is true, the Department was not following the law in its treatment of my request.</i></p>
<p>20. Is having an adult Michigan adoptee, who has no criminal record, petition a state court in order to obtain a court order fair to him/her when a non-adoptees do not need a court order when asking for a birth record? If yes, why? If no, why?</p>	
<p>21. If you answered yes, do staff at your office understand the amount of time and resources a petition requires to have a hearing? How much money/time do your staff believe adoptees spend to get court orders through a legal process because they are denied their original birth records?</p>	
<p>CENTRAL ADOPTION REGISTRY OVERSIGHT:</p>	
<p>22. Who oversees the Central Adoption Registry (CAR)? Is it accountable to any manager? To you? Do any performance audits occur that provide an impartial review of its service to adult adoptees born in Michigan?</p>	
<p>23. If there is an audit of CAR, can a copy be made available?</p>	
<p>24. Does the CAR treat adoptees in a fair, impartial, and professional manner? How do you know it does or does not do that?</p>	
<p>PUBLIC HEALTH, VITAL RECORDS, AND</p>	

ADOPTION:	
25. Are state public health professionals such as yourself professionally obligated by their commitment to promoting health and public health to act in a manner that promotes the welfare and well-being of all persons at all times? Please answer in your own words as a respected public health professional (in a reply to another public health professional).	
26. Does your vital records team support or promote the public health of all state residents? Does this include all adoptees? Are vital records in your opinion important to this public health effort?	
27. How do you and your office support best health and public health practices in managing vital records?	<p>How does vital records support good public health practices?</p> <p>Vital records documents serve to provide people with documentation on the legally established facts concerning key life events including birth, death, marriage and divorce. Certified copies of these records are the accepted standard for the public to establish and confirm these facts. With regard to public health practice, birth and death data are used in statistical form to monitor the health of the population at the local, state and federal level, to track progress in efforts to improve public health and can assist in monitoring disease outbreaks.</p>