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NJ•ARCH Features:

- Chat Rooms
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- Resource Directory
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NJ ADOPTEES ACCESS BILL UPDATE

By Pam Hasegawa

Since 1980, the NJ Legislature has wrestled with the subject of whether adopted adults have a right to obtain a copy of their own original birth certificates on request (Adoptees Access Bill). The NJ bill is the only state legislation that we are aware of that would also allow such access to parents of an adopted minor. Nationwide efforts to see laws keep pace with agency practice were largely unsuccessful until the mid-1990's when Tennessee comprehensively changed its adoption code, allowing adoptees access to their own records. The law was challenged in Federal District Court (Nashville) and the U.S. Court of Appeals, but

plaintiffs were denied their wishes to have the law overturned by both courts. Challenges to the state Supreme Courts in both TN and OR were similarly unsuccessful.

To become law, a bill must pass through both houses and be signed by the governor. The Assembly passed access bills in 1990 and 1994. They were heard in Senate committees but never voted on by the full body. In 2004 and 2006, access bills were passed in the Senate – and then held up in the Assembly. In January of this year, S611, the Adoptees' Birthright Bill, was released to the Senate floor by a unanimous vote of the Health and Human Services

Committee. On Monday, March 3, it passed the Senate by a vote of 31-7. New information shared at the January hearing were statistics from the Guttmacher Institute indicating that while the nationwide abortion rate dropped 9% from 2000-2005, in Alabama it dropped 16% and in Oregon, 25%. Each of those states has made records accessible since 2000.

The star of that hearing was Darryl McDaniels, pioneer rapper, who learned of his adoptive status at 35. He testified compellingly to the psychological need to know the truth when access to family history is statutorily

Continued on page 2

THE HAGUE CONVENTION

Over the past decade, the number of intercountry adoptions to the United States has more than doubled. From October 2005 to September 2006, U.S. citizens adopted over 20,600 orphans around the world, the majority of which come from "Convention" countries. U.S. Citizenship and Immigra-



tion Services (USCIS) has recently provided an update concerning the implementation of

Convention on Protection of Children and Cooperation in Respect of Intercountry Adoptions ("Hague Adoption Convention"), signed at The Hague in May 1993. The U.S. as well as numerous other countries around the world have been working towards the ratification of "The Hague".

Continued on pg 2

DID YOU KNOW?

To date 75 countries, including the U.S. is part of the “Hague Adoption Convention”

For view the current list of organizations that is or will be Hague Accredited log onto :
http://www.travel.state.gov/family/adoption/convention/convention_4169.html#



To download a fact sheet on The Hague, log onto http://travel.state.gov/pdf/JCICS_fact_sheet.pdf

For additional updates, log onto <http://www.uscis.gov>

NJ ADOPTEES ACCESS BILL UPDATE (Continued)

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forbidden. He said “When I went for my birth certificate, they gave me an amended certificate. The person said, ‘Your OBC (original birth certificate) does not exist to YOU.’ That really hurt me. It wasn’t about me being mad at my birth mother. Our situation is our situation, but our information is our information. I want to fix it so that all the little kids who are coming along don’t have to go through what we have to go through today.”

Responding to NJ Catholic Conference and NJ State Bar Association claims that it is unfair to allow adoptees to have their own birth certificates without their birth mothers’ permission, Adam

Pertman, Executive Director of the Evan B. Donaldson Adoption Institute, said, “The single biggest factor to healing these women (birth mothers) is learning what happened to the children they released for adoption. We are protecting women who don’t want to be protected. You don’t put out a restraining order on a whole class of people on the chance that a few may not act appropriately.”

Those resisting change want a “mutual consent voluntary registry” that would allow birth parents and adoptees to have contact only if both “sides” join. Such a registry would be unworkable here as state law has long allowed the court to change the place of birth on the amended certificate to the adopting parents’ town of

residence. The date and place of birth must match for a registry to work. And since dead people don’t register, the adopted person whose birth parents died prematurely would be especially vulnerable to the registry’s limitations.

The Birthright Bill now goes to the Assembly Human Services Committee, where it will be posted for a public hearing. Once released from committee, it needs to be posted for an Assembly vote and be signed by the Governor.

If you are interested in supporting this bill, please contact pamhasegawa@gmail.com (www.nj-care.org) or call 973-292-2440.

THE HAGUE CONVENTION (Continued)

Continued from page 1

It’s key principles include:
 1- Ensuring that intercountry adoptions take place in the best interests of children and
 2- Preventing the abduction, exploitation, sale or trafficking of children.

The new process protects the rights of children, birth parents, and adoptive parents while promoting transparency, accountability, and ethical practices among adoption service providers. In November 2007, the Pres-

ident signed the instrument of ratification for The Hague Adoption Convention and in December, the Department of State published a written notice that the Convention will enter into force for the United States on April 1, 2008.

This means that for all cases filed on or after April 1, 2008, any U.S. citizen seeking to adopt and bring to the United States a child resident from any country that has ratified the Hague Adoption Convention must follow the Hague process as specified with Immigration

Services. Under U.S. law, prospective adoptive parents who filed Form I-600A or Form I-600 prior to the effective date may continue to process their adoptions under the current orphan regulations, provided that the laws of the country of the child’s origin allows it.

The bottom line is that countries as well as adoption agencies must follow strict Hague guidelines in order for a child to be brought home from overseas. Check with your agency to be sure they are meeting the requirements.

ASK OUR EXPERTS

E-MAIL US YOUR QUESTIONS AT WARMLINE@NJARCH.ORG

Question:

I was adopted 40 years ago in New Jersey and have no information about my background. I recently found out that a number of agencies in New Jersey are providing search services and would like to find my birth family. I was recently diagnosed with breast cancer and feel it would be important for me to get my medical history. How can I go about getting information about my background and initiating a search for my birth family?

Answer:

The best place to begin is to contact the agency that handled your adoption. If you are unaware of the agency, I suggest you ask your parents.

Many adopted persons are reluctant to discuss their interest in their backgrounds with their parents because they assume that asking about their adoption and/or the name of the agency is a form of betrayal, even when the parents have openly expressed support of doing a search.

If this is a concern to you, I would suggest that you focus on the importance of getting medical history information and reassure your parents that looking into your background is not a negative reflection on them but your need to fill in the void that your adoption has created. During the discussion

it is helpful to remind them, that they are your “real” parents since they are the ones that raised you. Find out if they have any paperwork related to your adoption as the papers would probably have the name of the agency and sometimes lists your birth name.

If your parents have passed away, you might ask your relatives if they have any information about your adoption. If your parents do not remember the name of the agency or they have passed away, you can contact the Division of Youth and Family Services in Trenton (609-292-8816) and request a list of the names of adoption agencies in New Jersey. If you are Catholic, you might start by calling the Catholic agencies; otherwise you may call Children’s Aid and Family Services (973-762-5887). This agency is the largest private child service agency in NJ and was placing hundreds of children in the sixties.

When you have located the agency that handled your adoption, you might need to send a photo identification to confirm your identity. Ask the agency about the services they provide to adopted persons as not all agencies provide search services. All licensed agencies, however, are required to provide non-identifying background information. A fee may be charged. Most people who

who receive their non-identifying information on their backgrounds need to take some time to integrate the information before taking the next step to initiate a search. It can be quite overwhelming and emotional to learn about one’s birth family and the circumstances leading to one’s adoption. It is important not to rush the process but to take the time that you need to get ready for the search, which can be quite an emotional roller coaster.

Most agencies providing search services require adopted persons to write a letter of introduction to their birth parents. When a birth parent is located, the agency will forward the letter after the birth parents have agreed to receive it. If this is a requirement of the agency that handled your adoption, you might want to think about the things you want to include in that letter. It is a good idea to discuss your motivation for the search and to share some information about yourself. If you did not go through an adoption agency, you may have to hire a private investigator; the internet is a good place to start. As always joining a support group is always a good idea to support your efforts. Check out the NJ ARCH website for a list of support groups in New Jersey.

DO YOU KNOW?



*GUEST EXPERT
GLORIA SMITH, LCSW
COORDINATOR,
BACKGROUND SEARCH AND
REUNION
CHILDREN’S AID AND
FAMILY SERVICES, INC.*

*TO CONTACT GLORIA, CALL
973-762-5887*

*Have a question
that needs
expert advice?
E-mail or
call the warmline;
we would be happy
to assist you!
Frequently asked
questions and responses
from the staff will be
published in future
newsletters.*

DID YOU KNOW?

NJ ARCH OFFERS THE FOLLOWING WORKSHOPS:

HOW TO ADOPT IN NEW JERSEY

ADOPTION: A LIFE LONG LOSS

TELLING YOUR CHILD DIFFICULT HISTORY

TRANS-RACIAL ADOPTION AND FOSTER CARE

BASICS OF SPECIAL EDUCATION IN NEW JERSEY

ADOPTION AND FOSTER CARE IN THE SCHOOLS

FOSTER AND ADOPTIVE CARE SITUATIONS: WORKSHOP TO HELP FOSTER PARENTS DEAL WITH DIFFICULT BEHAVIORS

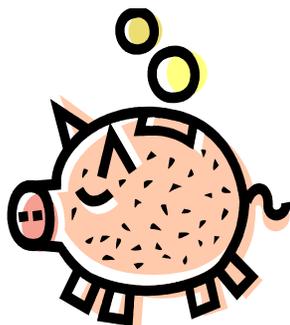
GROUP FACILITATION FOR SUPPORT GROUP LEADERS

LEAVING HOME IS HARD TO DO: WORKSHOP ON THE "EMPTY NEST SYNDROME"

IF YOU WOULD LIKE TO SCHEDULE A WORKSHOP PLEASE GIVE US A CALL OR E-MAIL DWFRIED@NJARCH.ORG

Adoption Tax Credit Up to \$11,650 in 2008

Raising kids is expensive. If you are trying to adopt, it can cost you even more. But there may be tax help available as parents can claim a tax credit that covers some of the adoption expenses.¹



The exact year you can claim your expenses depends on several factors, including when the expenses were paid, when the adoption was finalized, and even whether your

son or daughter is a U.S. citizen or resident.

The first step is to learn what the tax credit covers, and how it works with other incentives, such as employer-paid adoption benefits. Here are some highlights:

- The tax credit applies to domestic and international adoptions, but the procedure is not the same. Credit for expenses for international adoptions can be claimed only after finalization; for domestic adoptions, the credit can be applied even if the adoption does not go through.
- The full credit can be taken for domestic special needs adoption even when the qualifying expenses do not reach that limit.

- The adoption credit is calculated on IRS Form 8839 Qualified Adoption Expenses. You may claim an adoption credit of up to \$11,650 (for tax year 2008) per eligible child. The adoption tax credit amount for 2007 is \$11,390 and for 2006, \$10,960.
- The credit is reduced based on your modified adjusted gross income which can be figured out by the above IRS form.

For more information about the Adoption Tax Credit, log onto <http://www.irs.gov/taxtopics/tc607.html> and/or www.adoptioninformation.com/Adoption_tax_credit

¹www.bankrate.com

DYFS WAITING CHILD: BRIANNA



DYFS Waiting Child: Brianna Born July 1996.

Spunky, affectionate 11 year old Brianna is active and enjoys exploring her surroundings. She likes to sing, listen to music, play on the computer, and watch cartoons. Brianna is autistic, and responds best to consistency, structure, and routine. Since beginning a special education program, coupled with residential care, she has begun to use sentences to express her desires, and is becoming increasingly interactive with

selected staff and peers. With many varied interests, Brianna is eager to please and is "a lot of fun". She is generally well-behaved but, when frustrated, may tantrum or run away. Brianna is in need of a strong, loving family who is capable of providing close supervision and channeling the energy of this endearing child.

For more information on Brianna call 1-800-99-ADOPT.

NATALIE'S LIBRARY CORNER

Hello, Readers!

Welcome to Natalie's Library Corner.

I have spent the past several weeks reading books by and for birth mothers who have placed their babies for adoption.

For anyone considering the adoption option, **"The Third Choice: A Woman's Guide to Placing a Child for Adoption"** by Leslie Foge and Gail Mosconi is a comprehensive guidebook that provides answers and support to birth mothers. It begins with an overview of the adoption process as it is in the United States today and goes on to talk to women who are first learning that they are pregnant. The book helps birth mothers to progress through their pregnancies, the birth, the relinquishment process, and the grief and recovery periods that follow.

"Why Didn't She Keep Me? Answers to the Question Every Adopted Child Asks" by Barbara Burlingham-Brown is a collection of twenty first-person accounts from birth mothers who made adoption plans for their babies. These mothers offer the intellectual practical and emotional reasons for their choices.

Recurring themes in these stories are; that the child is never

given up lightly, never without pain and remembrance; and that adoption is an unparalleled act of love and sacrifice by the birth mother. All of the women who shared their intimate feelings showed courage and strength while working towards their decisions. We, as readers, also received the message of healing and hope for the future that was imparted by each one of the birth mothers.

"A Birth Mother's Day Planner"

The eloquent words below are from the author of this book, Mary Jean Wolch-Marsh. I could not have done this book justice if I had written the review in my own words:

"This planner grew out of my own journey after losing my infant daughter in a closed adoption in 1978. It grew out of the experience of finding myself alone on a journey through a wilderness of grief. I was a mother, yet was not seen as a mother by those around me or those who were parenting my daughter. For many years I grieved in secret and felt myself to be invisible."

"Yet even then, through tears, I remembered the great joy I had felt at my daughter's birth. It was an experience of triumph, transcendence, and ecstasy that became my personal

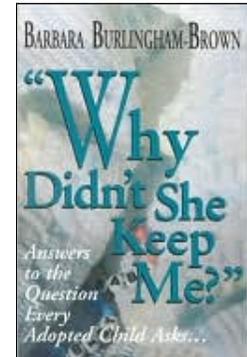
yardstick of joy. And so it was, I always observed her birthday as a day of celebration for both of us—birth and birth giving—even in the years when grief filled the day. Then there came a time when my life seemed to shatter under the weight of the grief. As I began the long difficult path of healing this loss, I began to reclaim my motherhood and to seek my place in the community of mothers. Having observed my daughter's birthday as a day of celebration intermingled with loss and tears, I saw it would be possible to have a special Mother's Day for this group of mothers. It was the lesson my joy had taught me."

"Along the way, my personal adoption experience transformed my spiritual path into a creation-based, mother-honoring spirituality. This, in turn, gave me the form and the tools to create a ceremony which could articulate and weave together the contrasting threads of this experience."

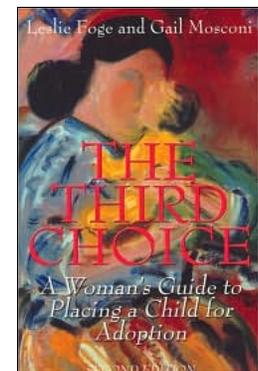
"May Birth Mother's Day bring acknowledgement and recognition to every birth mother who ever loved a child lost to adoption. May it honor and celebrate every mother who became childless after birthing a child, and was forgotten on Mother's Day."

DID YOU KNOW?

The NJ ARCH Lending Library has a variety of books to borrow



BIRTH MOTHER'S DAY IS
THE SECOND
SATURDAY IN MAY



Want to Chat About
Adoption Issues?

Visit our Live Chat

Rooms :

General : Sat. 11 am-12 pm

Tues. 7 pm -8 pm

Spanish: 1st Sat. of the
month 10 am -11am

Search and Reunion

2nd and 4th Sat. of the

month 12pm-1pm

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KINKONNECT WEBSITE LAUNCHED SUMMER CAMPS AND CONFERENCES

KINSHIP CARE WEBSITE LAUNCHED:

Are you a relative caring for a child either as a DYFS Kinship Legal Guardian (KLG) or as a kinship guardian through the court system? Check out our new KinKconnect website that offers information and referral services for families involved with kinship care.

We welcome you to visit the the website at www.kinkconnect.org. You may also call the KinKconnect Warm Line at 877-KLG-LINE (877-554-5463) and speak to a Warm Line worker who can offer information and referral services that could help meet your needs.



SUMMER CAMPS

Interested in a camp experience for your child which is geared specifically to adopted children or just want a list of camps in NJ? Check out the "Resources" page on the NJ ARCH Website and select "Camps". You can also log onto <http://camps.adoption.com/>; to view a list of culture camps around the country.

UPCOMING ADOPTION CONFERENCES:

May 8-10: NYS Citizens' Coalition for Children, Inc. Albany, NY; www.nyscc.org

Sept. 15-17: Child Welfare League of America; Portland Oregon; www.cwla.org.

July 31– August 2: North American Council on Adoptable Children, Ontario ; www.nacac.org.

October 24-25: St. John's Adoption Conference, NYC; www.adoptioninitiative.org

November 1: Concerned Persons for Adoption, Piscataway; www.cpfanjanj.org.

For more, select "Conferences" on the NJ ARCH website.