

Adoption Records Access Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Raymond P. Ward

Senate Sponsor: Heidi Balderree

LONG TITLE

General Description:

This bill addresses access to adoption records.

Highlighted Provisions:

This bill:

- clarifies that a provision allowing access to adoption records applies to all adoptions; and
- allows a pre-existing parent to petition to seal an adoption record after a child adoptee is 18 years old.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

81-13-103, as last amended by Coordination Clause, Laws of Utah 2025, Chapter 133

Be it enacted by the Legislature of the state of Utah:

Section 1. Section 81-13-103 is amended to read:

81-13-103 . Court hearings -- Adoption documents -- Motion to intervene.

(1)(a) Notwithstanding Section 80-4-106, the court may close to the public any court hearing regarding an adoption upon the request of a party to the petition for adoption.

(b) In a closed hearing, the court may only admit the following individuals:

- (i) a party to the proceeding;
- (ii) the adoptee;
- (iii) a representative of an agency having custody of the adoptee;
- (iv) in a hearing to relinquish parental rights, the individual whose rights are to be

- 29 relinquished and invitees of that individual to provide emotional support;
- 30 (v) in a hearing on the termination of parental rights, the individual whose rights may
- 31 be terminated;
- 32 (vi) in a hearing on a petition to intervene, the proposed intervenor;
- 33 (vii) in a hearing to finalize an adoption, invitees of the petitioner; and
- 34 (viii) other individuals for good cause, upon order of the court.
- 35 (2) Except as provided in Subsections (3) through (7), an adoption document and any other
- 36 documents filed in connection with a petition for adoption are sealed.
- 37 (3) A person may only inspect and copy the documents described in Subsection (2):
- 38 (a) if the adoption proceeding is pending and the person is a party to the adoption
- 39 proceeding;
- 40 (b) within 180 days after the day on which the final decree of adoption is entered if the
- 41 person is a party to the adoption proceeding;
- 42 (c) if the court enters an order expressly permitting the inspection or copying the
- 43 documents after the person filed a motion to intervene and the motion to intervene
- 44 was granted on appeal;
- 45 (d) if the court enters an order expressly permitting the inspection or copying of the
- 46 documents after good cause is shown;
- 47 (e) if the office is permitted to release the documents to the person as described in
- 48 Section 81-13-504;
- 49 (f) when the documents become public 100 years after the day on which the final decree
- 50 of adoption was entered;
- 51 (g) when the birth certificate becomes public 100 years after the day on which the
- 52 adoptee was born; or
- 53 (h) if the person is permitted access to the documents under Subsection (6) or (7).
- 54 (4) A person who files a motion to intervene in an adoption proceeding:
- 55 (a) is not a party to the adoption proceeding, unless the motion to intervene is granted;
- 56 and
- 57 (b) subject to Subsection (5), may not be granted access to the documents described in
- 58 Subsection (2), unless the motion to intervene is granted.
- 59 (5) If the court enters an order under Subsection (3)(c) or a potential birth father is made a
- 60 party to the adoption proceeding upon a motion to intervene, the court shall:
- 61 (a) prohibit the person described in Subsection (3)(c) or the potential birth father from
- 62 inspecting a document described in Subsection (2) that contains identifying

- 63 information of an adoptive or prospective adoptive parent; and
- 64 (b) permit the person described in Subsection (3)(c) or the potential birth father to
- 65 review a copy of the document described in Subsection (5)(a) after the identifying
- 66 information of the adoptive or prospective adoptive parent is redacted from the
- 67 document.
- 68 (6)(a) Unless there is a court order sealing the documents, a child adoptee may inspect
- 69 and copy the following documents associated with the child adoptee's adoption,
- 70 without a court order, regardless of the date of the adoption, if the child adoptee is 18
- 71 years old or older:
- 72 (i) the report of adoption;
- 73 (ii) the original birth certificate;
- 74 (iii) the findings of fact for the adoption; and
- 75 (iv) the final decree of adoption.
- 76 (b) The physical addresses of a pre-existing parent shall be redacted before the child
- 77 adoptee may inspect and copy the documents described in Subsection (6)(a).
- 78 ~~[(b)]~~ (c) A pre-existing parent of a child adoptee may bring a petition in the court that
- 79 entered the final decree of adoption to keep the documents described in Subsection
- 80 (6)(a) sealed for 10 years~~[after the day on which the child adoptee reaches 18 years~~
- 81 ~~old]~~.
- 82 ~~[(c)]~~ (d) The pre-existing parent shall~~[:]~~
- 83 ~~[(i) file a petition described in Subsection (6)(b) before the child adoptee reaches 18~~
- 84 ~~years old; and]~~
- 85 ~~[(ii)]~~ include in the petition sufficient information for the court to reliably determine
- 86 the adoption documents at issue in the petition.
- 87 ~~[(d)]~~ (e) The court may only grant the petition described in Subsection ~~[(6)(b)]~~ (6)(c) if
- 88 the pre-existing parent establishes by sworn affidavit that the child adoptee's access
- 89 to the documents described in Subsection (6)(a) would place the pre-existing parent
- 90 in reasonable fear of harm from an individual.
- 91 ~~[(e)]~~ (f) If the court grants a pre-existing parent's petition, the documents described in
- 92 Subsection (6)(a) shall remain sealed for 10 years from the entry of the order, unless
- 93 the court permits access to the documents under Subsection (3)(d).
- 94 ~~[(f)]~~ (g) The pre-existing parent may bring a new petition every 10 years for an order
- 95 extending the sealing of the documents described in Subsection (6)(a) for an
- 96 additional 10 years.

97 ~~[(g)]~~ (h) The pre-existing parent shall file a petition described in Subsection ~~[(6)(f)]~~ (6)(g)
98 before the expiration of the previous order.

99 ~~[(h)]~~ (i) A petition to extend the sealing of the documents described in Subsection (6)(a)
100 shall satisfy all of the requirements described in Subsections ~~[(6)(b)]~~ (6)(c) through [
101 ~~(d)]~~ (e) for the original petition.

102 (7) An adult adoptee, or the adoptive parent of the adult adoptee, may inspect an adoption
103 document associated with the adult adoptee's adoption without a court order, unless the
104 final decree of adoption is entered by the juvenile court.

105 (8) A pre-existing parent may not access the documents described in Subsection (2).

106 Section 2. **Effective Date.**

107 This bill takes effect on May 6, 2026.