

1 **Adoption Records Access Amendments**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Raymond P. Ward

Senate Sponsor:

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

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

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

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

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

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

- 25 (i) a party to the proceeding;
- 26 (ii) the adoptee;
- 27 (iii) a representative of an agency having custody of the adoptee;
- 28 (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 [(f)] (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 [(e)] (d) The pre-existing parent shall[~~file~~]

83 [(i)] ~~file a petition described in Subseetion (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.