

Cherokee Nation Code Annotated

Title 10: Children

Chapter 2: Adoption

§ 57. Records to be kept confidential—Release of medical history and other information

Cite as: 10 CNCA § 57

A. Except as otherwise provided by this section, all records of proceedings in adoption cases and all papers and books relating to such proceedings, shall be kept in a separate confidential file in the Court Clerk's vault by the Court Clerk, and shall not be open to inspection or copy except upon order of a court of record for good cause shown.

B. Upon application and for good cause being shown, any court of record may, by written order reciting its findings, permit the necessary information to be released, or may restrict the purposes for which it shall be used.

C. No person in charge of adoption records in the District Court shall disclose the names of the natural or adoptive parents of a child unless ordered to do so by a court of record.

D. 1. The Cherokee Nation, any certified adoption agency or any licensed child-placing agency having custody of a child who is legally available for adoption is authorized to release the medical history, available to the Nation or agency, of the child, of the natural parents of the child and of the grandparents of the child to prospective parents of the adoptive child.

2. The release of any medical history of the natural parents of the child or the natural grandparents of the child shall be released in such a way that no person can be identified.

3. The medical history may include the information received pursuant to 10 CNCA § 60.5A or any other medical information or records regarding the child obtained by the Cherokee Nation or agency during the custody of the child.

E. Any person in charge of adoption records who discloses any information pertaining to an adoption proceeding, contrary to the provisions of this section, shall be guilty of a crime.

F. A child reaching the age of sixteen (16) may upon petition to the Court obtain his adoption records.

G. A child establishing his tribal citizenship or obtaining his Certificate of Degree of Indian Blood may obtain his adoption records.