

Advisement of Rights
Following Termination of Parental Rights Proceedings
Sections 48.432 & 48.433 of the Wisconsin Statutes

This form has been provided to you, a birth parent to assist in advising you of rights you have regarding the release of medical or genetic information of the child or individual and release of identifying and locating information regarding yourself as a birth parent as a result of these proceedings.

You have the following rights:

1. You may file with the Department of Social Services any relevant medical or genetic information about the child or the birth parents and the Department shall maintain the information in the centralized birth record file. [Sec. 48.432(2)(b), Stats.]
2. Before the Department of Social Services may release this information, you have a right to, and the Department must delete references to the name and address of the birth parent and the identity of any provider of health care services who may have provided services to the individual or the birth parent. [Sec. 48.432(3)(b), Stats.]
3. If a request is made by the individual whose birth parents' rights have been terminated in this state, for medical or genetic information about the individual or the birth parents and you as a birth parent have not provided this information the Department may conduct a search and upon locating you inform you, the birth parent of the request for medical or genetic information and inform you, the birth parent, of the need for medical or genetic information. [Sec. 48.432(4)(a) & (e), Stats.]
4. You have a right to have identity and location information deleted from any medical or genetic information that may be released. [Sec. 48.432(4)(f), Stats.]
5. If the Department of Social Services locates you and you refuse to provide medical or genetic information that is requested, they cannot disclose your identity or location when informing the requester of the denial. However, the Court may order release of medical or genetic information based upon good cause shown. [Sec. 48.432(4)(g), Stats.]
6. If a physician files a report with the Department of an agency stating that an individual has acquired or may have a genetically transferable disease. [Sec. 48.432(7)(b), Stats.]
7. You have the right to file an affidavit with the Department authorizing the Department to provide the child with his or her original birth certificate and with any other available information about the birth parent's identity and location. This affidavit may be revoked by you at any time by notifying the Department in writing. [Sec. 48.433(2), Stats.]
8. If you have chosen not to file an affidavit with the Department and a request is made for the original birth certificate, information regarding identity and location of his or her birth parents, the Department will conduct a search and if possible, make a verbal contact with you and inform you of the nature of the information requested, the date of the request, and your right as a birth parent to file with the Department an affidavit allowing release of that information if you so choose. If you wish to file the affidavit with the Department they will disclose the information. If you do not wish to file the affidavit, the Department may not disclose the requested information. [Sec. 48.433(7) (a-e), Stats.]
9. If a search is conducted to locate you and you cannot be located and you have an unrevoked affidavit on file the information may be disclosed by the Department. [Sec. 48.433 (7) (f), Stats.]
10. If you refuse to file an affidavit after a first search, a second request and contact cannot be made on behalf of the same requester until at least 12 months (1 year) after the date of the previous contact. Another contact may not be made after a second contact until five years have passed since the date of the last contact with you. A Court may grant a petition for release of information regarding identity and location for good cause shown if a birth parent refuses to disclose. [Sec. 48.433(7) (f&g), Stats.]