

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Adoption Act is amended by changing Section
5 10 as follows:

6 (750 ILCS 50/10) (from Ch. 40, par. 1512)

7 Sec. 10. Forms of consent and surrender; execution and
8 acknowledgment thereof. A. The form of consent required for
9 the adoption of a born child shall be substantially as follows:

10 FINAL AND IRREVOCABLE CONSENT TO ADOPTION

11 I,, (relationship, e.g., mother, father, relative,
12 guardian) of, a ..male child, state:

13 That such child was born on at

14 That I reside at, County of and State of

15 That I am of the age of years.

16 That I hereby enter my appearance in this proceeding and
17 waive service of summons on me.

18 That I hereby acknowledge that I have been provided with a
19 copy of the Birth Parent Rights and Responsibilities-Private
20 Form before signing this Consent and that I have had time to
21 read, or have had read to me, this Form. I understand that if I
22 do not receive any of the rights as described in this Form, it
23 shall not constitute a basis to revoke this Final and

1 Irrevocable Consent.

2 That I do hereby consent and agree to the adoption of such
3 child.

4 That I wish to and understand that by signing this consent
5 I do irrevocably and permanently give up all custody and other
6 parental rights I have to such child.

7 That I understand such child will be placed for adoption
8 and that I cannot under any circumstances, after signing this
9 document, change my mind and revoke or cancel this consent or
10 obtain or recover custody or any other rights over such child.
11 That I have read and understand the above and I am signing it
12 as my free and voluntary act.

13 Dated (insert date).

14

15 If under Section 8 the consent of more than one person is
16 required, then each such person shall execute a separate
17 consent.

18 A-1. (1) The form of the Final and Irrevocable Consent to
19 Adoption by a Specified Person or Persons: Non-DCFS Case set
20 forth in this subsection A-1 is to be used by legal parents
21 only. This form is not to be used in cases in which there is a
22 pending petition under Section 2-13 of the Juvenile Court Act
23 of 1987.

24 (2) The form of the Final and Irrevocable Consent to
25 Adoption by a Specified Person or Persons in a non-DCFS case

1 shall have the caption of the proceeding in which it is to be
2 filed and shall be substantially as follows:

3 FINAL AND IRREVOCABLE CONSENT TO ADOPTION BY
4 A SPECIFIED PERSON OR PERSONS; NON-DCFS CASE

5 I,, (relationship, e.g., mother, father) of, a
6 ..male child, state:

7 1. That such child was born on, at, City of ...
8 and State of

9 2. That I reside at, County of and State of

10 3. That I am of the age of years.

11 4. That I hereby enter my appearance in this proceeding and
12 waive service of summons on me.

13 5. That I hereby acknowledge that I have been provided a
14 copy of the Birth Parent Rights and Responsibilities-Private
15 Form before signing this Consent and that I have had time to
16 read, or have had read to me, this Form and that I understand
17 the Rights and Responsibilities described in this Form. I
18 understand that if I do not receive any of my rights as
19 described in said Form, it shall not constitute a basis to
20 revoke this Final and Irrevocable Consent to Adoption by a
21 Specified Person.

22 6. That I do hereby consent and agree to the adoption of
23 such child by (specified persons) only.

24 7. That I wish to and understand that upon signing this
25 consent I do irrevocably and permanently give up all custody
26 and other parental rights I have to such child if such child is

1 adopted by (specified person or persons). I hereby
 2 transfer all of my rights to the custody, care and control of
 3 such child to (specified person
 4 or persons).

5 8. That I understand such child will be adopted by
 6 (specified person or persons) and that
 7 I cannot under any circumstances, after signing this document,
 8 change my mind and revoke or cancel this consent or obtain or
 9 recover custody or any other rights over such child if
 10 (specified person or persons)
 11 adopt(s) such child; PROVIDED that each specified person has
 12 filed or shall file, within 60 days from the date hereof, a
 13 petition for the adoption of such child.

14 9. That if the specified person or persons designated
 15 herein do not file a petition for adoption within the
 16 time-frame specified above, or, if said petition for adoption
 17 is filed within the time-frame specified above but the adoption
 18 petition is dismissed with prejudice or the adoption proceeding
 19 is otherwise concluded without an order declaring the child to
 20 be the adopted child of the specified person or persons, then I
 21 understand that I may request the Court to declare this consent
 22 voidable and return the child to me. I further understand that
 23 the Court will make the final decision of whether or not the
 24 child will be returned to me.

25 10. That I understand that I must request the return of the
 26 child to me within 10 business days from the date that written

1 notice is sent to me. If I do not make such request within 10
2 business days of the date of the notice, then I expressly waive
3 any other notice or service of process in any legal proceeding
4 for the adoption of the child.

5 11. That I expressly acknowledge that nothing in this
6 Consent impairs the validity and absolute finality of this
7 Consent under any circumstance other than those described in
8 paragraph 9 of this Consent.

9 12. That I understand that I have a remaining duty and
10 obligation to keep (insert name and address of
11 the attorney for the specified person or persons) informed of
12 my current address or other preferred contact information until
13 this adoption has been finalized. My failure to do so may
14 result in the termination of my parental rights and the child
15 being placed for adoption in another home.

16 13. That I do expressly waive any other notice or service
17 of process in any of the legal proceedings for the adoption of
18 the child as long as the adoption proceeding by the specified
19 person or persons is pending.

20 14. That I have read and understand the above and I am
21 signing it as my free and voluntary act.

22 15. That I acknowledge that this consent is valid even if
23 the specified person or persons separate or divorce or one of
24 the specified persons dies prior to the entry of the final
25 judgment for adoption.

26 Dated (insert date).

1

2 Signature of parent.

3

4 Address of parent.

5

6 Phone number(s) of parent.

7

8 Personal email(s) of parent.

9

10 (3) The form of the certificate of acknowledgement for a
11 Final and Irrevocable Consent for Adoption by a Specified
12 Person or Persons: Non-DCFS Case shall be substantially as
13 follows:

14 STATE OF.....)

15) SS.

16 COUNTY OF.....)

17 I, (Name of Judge or other person),
18 (official title, name, and address),
19 certify that, personally known to me to be the
20 same person whose name is subscribed to the foregoing Final and
21 Irrevocable Consent for Adoption by a Specified Person or
22 Persons; non-DCFS case, appeared before me this day in person
23 and acknowledged that (she)(he) signed and delivered the
24 consent as (her)(his) free and voluntary act, for the specified
25 purpose. I am further satisfied that, before signing this

1 Consent, has read, or has had read to him or her, the
2 Birth Parent Rights and Responsibilities-Private Form.

3 A-2. Birth Parent Rights and Responsibilities-Private
4 Form. The Birth Parent Rights and Responsibilities-Private
5 Form must be read by, or have been read to, any person
6 executing a Final and Irrevocable Consent to Adoption under
7 subsection A, a Final and Irrevocable Consent to Adoption by a
8 Specified Person or Persons: Non-DCFS Case under subsection
9 A-1, or a Consent to Adoption of Unborn Child under subsection
10 B prior to the execution of said Consent. The form of the Birth
11 Parent Rights and Responsibilities-Private Form shall be
12 substantially as follows:

13 Birth Parent Rights and Responsibilities-Private Form

14 As a birth parent in the State of Illinois, you have the
15 right:

16 1. To have your own attorney represent you. The prospective
17 adoptive parents may agree to pay for the cost of your attorney
18 in a manner consistent with Illinois law, but they are not
19 required to do so.

20 2. To be treated with dignity and respect at all times and
21 to make decisions free from coercion and pressure.

22 3. To receive counseling before and after signing a Final
23 and Irrevocable Consent to Adoption ("Consent"), a Final and
24 Irrevocable Consent to Adoption by a Specified Person or
25 Persons: Non-DCFS Case ("Specified Consent"), or a Consent to
26 Adoption of Unborn Child ("Unborn Consent"). The prospective

1 adoptive parents may agree to pay for the cost of counseling in
2 a manner consistent with Illinois law, but they are not
3 required to do so.

4 4. To ask to be involved in choosing your child's
5 prospective adoptive parents and to ask to meet them.

6 5. To ask your child's prospective adoptive parents any
7 questions that pertain to your decision to place your child
8 with them.

9 6. To see your child before signing a Consent or Specified
10 Consent.

11 7. To request contact with your child and/or the child's
12 prospective adoptive parents, with the understanding that any
13 promises regarding contact with your child or receipt of
14 information about the child after signing a Consent, Specified
15 Consent, or Unborn Consent cannot be enforced under Illinois
16 law.

17 8. To receive copies of all documents that you sign and
18 have those documents provided to you in your preferred
19 language.

20 9. To request that your identifying information remain
21 confidential, unless required otherwise by Illinois law or
22 court order, and to register with the Illinois Adoption
23 Registry and Medical Information Exchange.

24 10. To work with an adoption agency or attorney of your
25 choice, or change said agency or attorney, provided you
26 promptly inform all of the parties currently involved.

1 11. To receive, upon request, a written list of any
2 promised support, financial or otherwise, from your attorney or
3 the attorney for your child's prospective adoptive parents.

4 12. To delay signing a Consent, Specified Consent, or
5 Unborn Consent if you are not ready to do so.

6 13. To decline to sign a Consent, Specified Consent, or
7 Unborn Consent even if you have received financial support from
8 the prospective adoptive parents.

9 If you do not receive any of the rights described in this
10 Form, it shall not be a basis to revoke a Consent, Specified
11 Consent, or Unborn Consent.

12 As a Birth Parent in the State of Illinois, you have the
13 responsibility:

14 1. To carefully consider your reasons for choosing
15 adoption.

16 2. To provide all known medical background and family
17 information about yourself and your immediate family to your
18 child's prospective adoptive parents or their attorney. For the
19 health of your child, you are strongly encouraged, but not
20 required, to provide all known medical, background, and family
21 history information about yourself and your family to your
22 child's prospective adoptive parents or their attorney.

23 3. (Birth mothers only) To accurately complete an Affidavit
24 of Identification, which identifies the father of the child
25 when known, with the understanding that a birth mother has a
26 right to decline to identify the birth father.

1 4. To not accept financial support or reimbursement of
2 pregnancy related expenses simultaneously from more than one
3 source.

4 B. The form of consent required for the adoption of an
5 unborn child shall be substantially as follows:

6 CONSENT TO ADOPTION OF UNBORN CHILD

7 I,, state:

8 That I am the father of a child expected to be born on or
9 about to (name of mother).

10 That I reside at County of, and State of

11 That I am of the age of years.

12 That I hereby enter my appearance in such adoption
13 proceeding and waive service of summons on me.

14 That I hereby acknowledge that I have been provided with a
15 copy of the Birth Parent Rights and Responsibilities-Private
16 Form before signing this Consent, and that I have had time to
17 read, or have had read to me, this Form. I understand that if I
18 do not receive any of the rights as described in this Form, it
19 shall not constitute a basis to revoke this Consent to Adoption
20 of Unborn Child.

21 That I do hereby consent and agree to the adoption of such
22 child, and that I have not previously executed a consent or
23 surrender with respect to such child.

24 That I wish to and do understand that by signing this
25 consent I do irrevocably and permanently give up all custody
26 and other parental rights I have to such child, except that I

1 have the right to revoke this consent by giving written notice
2 of my revocation not later than 72 hours after the birth of the
3 child.

4 That I understand such child will be placed for adoption
5 and that, except as hereinabove provided, I cannot under any
6 circumstances, after signing this document, change my mind and
7 revoke or cancel this consent or obtain or recover custody or
8 any other rights over such child.

9 That I have read and understand the above and I am signing
10 it as my free and voluntary act.

11 Dated (insert date).
12

13 B-5. (1) The parent of a child may execute a consent to
14 standby adoption by a specified person or persons. A consent
15 under this subsection B-5 shall be acknowledged by a parent
16 pursuant to subsection H and subsection K of this Section. The
17 form of consent required for the standby adoption of a born
18 child effective at a future date when the consenting parent of
19 the child dies or requests that a final judgment of adoption be
20 entered shall be substantially as follows:

21 FINAL AND IRREVOCABLE CONSENT
22 TO STANDBY ADOPTION

23 I, ..., (relationship, e.g. mother or father) of, a
24 ..male child, state:

25 That the child was born on at

26 That I reside at, County of, and State of

1 That I am of the age of years.

2 That I hereby enter my appearance in this proceeding and
3 waive service of summons on me in this action only.

4 That I do hereby consent and agree to the standby adoption
5 of the child, and that I have not previously executed a consent
6 or surrender with respect to the child.

7 That I wish to and understand that by signing this consent
8 I do irrevocably and permanently give up all custody and other
9 parental rights I have to the child, effective upon (my death)
10 (the child's other parent's death) or upon (my) (the other
11 parent's) request for the entry of a final judgment for
12 adoption if (specified person or persons) adopt my child.

13 That I understand that until (I die) (the child's other
14 parent dies), I retain all legal rights and obligations
15 concerning the child, but at that time, I irrevocably give all
16 custody and other parental rights to (specified person or
17 persons).

18 I understand my child will be adopted by (specified
19 person or persons) only and that I cannot, under any
20 circumstances, after signing this document, change my mind and
21 revoke or cancel this consent or obtain or recover custody or
22 any other rights over my child if (specified person or
23 persons) adopt my child.

24 I understand that this consent to standby adoption is valid
25 only if the petition for standby adoption is filed and that if
26 (specified person or persons), for any reason, cannot

1 or will not file a petition for standby adoption or if his,
2 her, or their petition for standby adoption is denied, then
3 this consent is void. I have the right to notice of any other
4 proceeding that could affect my parental rights.

5 That I have read and understand the above and I am signing
6 it as my free and voluntary act.

7 Dated (insert date).

8

9 If under Section 8 the consent of more than one person is
10 required, then each such person shall execute a separate
11 consent. A separate consent shall be executed for each child.

12 (2) If the parent consents to a standby adoption by 2
13 specified persons, then the form shall contain 2 additional
14 paragraphs in substantially the following form:

15 If (specified persons) obtain a judgment of
16 dissolution of marriage before the judgment for adoption is
17 entered, then (specified person) shall adopt my child. I
18 understand that I cannot change my mind and revoke this consent
19 or obtain or recover custody of my child if (specified
20 persons) obtain a judgment of dissolution of marriage and
21 (specified person) adopts my child. I understand that I cannot
22 change my mind and revoke this consent if (specified
23 persons) obtain a judgment of dissolution of marriage before
24 the adoption is final. I understand that this consent to
25 adoption has no effect on who will get custody of my child if

1 (specified persons) obtain a judgment of dissolution of
 2 marriage after the adoption is final. I understand that if
 3 either (specified persons) dies before the petition to
 4 adopt my child is granted, then the surviving person may adopt
 5 my child. I understand that I cannot change my mind and revoke
 6 this consent or obtain or recover custody of my child if the
 7 surviving person adopts my child.

8 A consent to standby adoption by specified persons on this
 9 form shall have no effect on a court's determination of custody
 10 or visitation under the Illinois Marriage and Dissolution of
 11 Marriage Act if the marriage of the specified persons is
 12 dissolved before the adoption is final.

13 (3) The form of the certificate of acknowledgement for a
 14 Final and Irrevocable Consent for Standby Adoption shall be
 15 substantially as follows:

16 STATE OF)
 17) SS.
 18 COUNTY OF)

19 I, (name of Judge or other person) (official
 20 title, name, and address), certify that, personally
 21 known to me to be the same person whose name is subscribed to
 22 the foregoing Final and Irrevocable Consent to Standby
 23 Adoption, appeared before me this day in person and
 24 acknowledged that (she) (he) signed and delivered the consent

1 as (her) (his) free and voluntary act, for the specified
2 purpose.

3 I have fully explained that this consent to adoption is
4 valid only if the petition to adopt is filed, and that if the
5 specified person or persons, for any reason, cannot or will not
6 adopt the child or if the adoption petition is denied, then
7 this consent will be void. I have fully explained that if the
8 specified person or persons adopt the child, by signing this
9 consent (she) (he) is irrevocably and permanently
10 relinquishing all parental rights to the child, and (she) (he)
11 has stated that such is (her) (his) intention and desire.

12 Dated (insert date).

13 Signature.....

14 (4) If a consent to standby adoption is executed in this
15 form, the consent shall be valid only if the specified person
16 or persons adopt the child. The consent shall be void if:

17 (a) the specified person or persons do not file a petition
18 for standby adoption of the child; or

19 (b) a court denies the standby adoption petition.

20 The parent shall not need to take further action to revoke
21 the consent if the standby adoption by the specified person or
22 persons does not occur, notwithstanding the provisions of
23 Section 11 of this Act.

24 C. The form of surrender to any agency given by a parent of
25 a born child who is to be subsequently placed for adoption
26 shall be substantially as follows and shall contain such other

1 facts and statements as the particular agency shall require.

2 FINAL AND IRREVOCABLE SURRENDER

3 FOR PURPOSES OF ADOPTION

4 I, (relationship, e.g., mother, father, relative,
5 guardian) of, a ..male child, state:

6 That such child was born on, at

7 That I reside at, County of, and State of

8 That I am of the age of years.

9 That I do hereby surrender and entrust the entire custody
10 and control of such child to the (the "Agency"), a
11 (public) (licensed) child welfare agency with its principal
12 office in the City of, County of and State of,
13 for the purpose of enabling it to care for and supervise the
14 care of such child, to place such child for adoption and to
15 consent to the legal adoption of such child.

16 That I hereby grant to the Agency full power and authority
17 to place such child with any person or persons it may in its
18 sole discretion select to become the adopting parent or parents
19 and to consent to the legal adoption of such child by such
20 person or persons; and to take any and all measures which, in
21 the judgment of the Agency, may be for the best interests of
22 such child, including authorizing medical, surgical and dental
23 care and treatment including inoculation and anaesthesia for
24 such child.

25 That I wish to and understand that by signing this
26 surrender I do irrevocably and permanently give up all custody

1 and other parental rights I have to such child.

2 That I understand I cannot under any circumstances, after
3 signing this surrender, change my mind and revoke or cancel
4 this surrender or obtain or recover custody or any other rights
5 over such child.

6 That I have read and understand the above and I am signing
7 it as my free and voluntary act.

8 Dated (insert date).

9

10 C-5. The form of a Final and Irrevocable Designated
11 Surrender for Purposes of Adoption to any agency given by a
12 parent of a born child who is to be subsequently placed for
13 adoption shall be substantially as follows and shall contain
14 such other facts and statements as the particular agency shall
15 require:

16 FINAL AND IRREVOCABLE DESIGNATED SURRENDER

17 FOR PURPOSES OF ADOPTION

18 I, (relationship, e.g., mother, father, relative,
19 guardian) of, a ..male child, state:

20 1. That such child was born on, at

21 2. That I reside at, County of, and State of
22

23 3. That I am of the age of years.

24 4. That I do hereby surrender and entrust the entire
25 custody and control of such child to the (the "Agency"), a
26 (public) (licensed) child welfare agency with its principal

1 office in the City of, County of and State of,
2 for the purpose of enabling it to care for and supervise the
3 care of such child, to place such child for adoption with
4 (specified person or persons)
5 and to consent to the legal adoption of such child and to take
6 any and all measures which, in the judgment of the Agency, may
7 be for the best interests of such child, including authorizing
8 medical, surgical and dental care and treatment including
9 inoculation and anesthesia for such child.

10 5. That I wish to and understand that by signing this
11 surrender I do irrevocably and permanently give up all custody
12 and other parental rights I have to such child.

13 6. That if the petition for adoption is not filed by the
14 specified person or persons designated herein or, if the
15 petition for adoption is filed but the adoption petition is
16 dismissed with prejudice or the adoption proceeding is
17 otherwise concluded without an order declaring the child to be
18 the adopted child of each specified person, then I understand
19 that the Agency will provide notice to me within 10 business
20 days and that such notice will be directed to me using the
21 contact information I have provided to the Agency. I understand
22 that I will have 10 business days from the date that the Agency
23 sends me its notice to respond, within which time I may choose
24 to designate other adoptive parent(s). However, I acknowledge
25 that the Agency has full power and authority to place the child
26 for adoption with any person or persons it may in its sole

1 discretion select to become the adopting parent or parents and
2 to consent to the legal adoption of the child by such person or
3 persons.

4 7. That I acknowledge that this surrender is valid even if
5 the specified persons separate or divorce or one of the
6 specified persons dies prior to the entry of the final judgment
7 for adoption.

8 8. That I expressly acknowledge that the above paragraphs 6
9 and 7 do not impair the validity and absolute finality of this
10 surrender under any circumstance.

11 9. That I understand that I have a remaining obligation to
12 keep the Agency informed of my current contact information
13 until the adoption of the child has been finalized if I wish to
14 be notified in the event the adoption by the specified
15 person(s) cannot proceed.

16 10. That I understand I cannot under any circumstances,
17 after signing this surrender, change my mind and revoke or
18 cancel this surrender or obtain or recover custody or any other
19 rights over such child.

20 11. That I have read and understand the above and I am
21 signing it as my free and voluntary act.

22 Dated (insert date).

23

24 D. The form of surrender to an agency given by a parent of
25 an unborn child who is to be subsequently placed for adoption
26 shall be substantially as follows and shall contain such other

1 facts and statements as the particular agency shall require.

2 SURRENDER OF UNBORN CHILD FOR

3 PURPOSES OF ADOPTION

4 I, (father), state:

5 That I am the father of a child expected to be born on or
6 about to (name of mother).

7 That I reside at, County of, and State of

8 That I am of the age of years.

9 That I do hereby surrender and entrust the entire custody
10 and control of such child to the (the "Agency"), a
11 (public) (licensed) child welfare agency with its principal
12 office in the City of, County of and State of,
13 for the purpose of enabling it to care for and supervise the
14 care of such child, to place such child for adoption and to
15 consent to the legal adoption of such child, and that I have
16 not previously executed a consent or surrender with respect to
17 such child.

18 That I hereby grant to the Agency full power and authority
19 to place such child with any person or persons it may in its
20 sole discretion select to become the adopting parent or parents
21 and to consent to the legal adoption of such child by such
22 person or persons; and to take any and all measures which, in
23 the judgment of the Agency, may be for the best interests of
24 such child, including authorizing medical, surgical and dental
25 care and treatment, including inoculation and anaesthesia for
26 such child.

1 That I wish to and understand that by signing this
2 surrender I do irrevocably and permanently give up all custody
3 and other parental rights I have to such child.

4 That I understand I cannot under any circumstances, after
5 signing this surrender, change my mind and revoke or cancel
6 this surrender or obtain or recover custody or any other rights
7 over such child, except that I have the right to revoke this
8 surrender by giving written notice of my revocation not later
9 than 72 hours after the birth of such child.

10 That I have read and understand the above and I am signing
11 it as my free and voluntary act.

12 Dated (insert date).
13

14 E. The form of consent required from the parents for the
15 adoption of an adult, when such adult elects to obtain such
16 consent, shall be substantially as follows:

17 CONSENT

18 I,, (father) (mother) of, an adult, state:
19 That I reside at, County of and State of

20 That I do hereby consent and agree to the adoption of such
21 adult by and

22 Dated (insert date).
23

24 F. The form of consent required for the adoption of a child
25 of the age of 14 years or upwards, or of an adult, to be given
26 by such person, shall be substantially as follows:

1 CONSENT

2 I,, state:

3 That I reside at, County of and State of

4 That I am of the age of years. That I consent and agree to
5 my adoption by and

6 Dated (insert date).

7

8 G. The form of consent given by an agency to the adoption
9 by specified persons of a child previously surrendered to it
10 shall set forth that the agency has the authority to execute
11 such consent. The form of consent given by a guardian of the
12 person of a child sought to be adopted, appointed by a court of
13 competent jurisdiction, shall set forth the facts of such
14 appointment and the authority of the guardian to execute such
15 consent.

16 H. A consent (other than that given by an agency, or
17 guardian of the person of the child sought to be adopted who
18 was appointed by a court of competent jurisdiction) shall be
19 acknowledged by a parent before a judge of a court of competent
20 jurisdiction or, except as otherwise provided in this Act,
21 before a representative of an agency, or before a person, other
22 than the attorney for the prospective adoptive parent or
23 parents, designated by a court of competent jurisdiction.

24 I. A surrender, or any other document equivalent to a
25 surrender, by which a child is surrendered to an agency shall
26 be acknowledged by the person signing such surrender, or other

1 document, before a judge of a court of competent jurisdiction,
2 or, except as otherwise provided in this Act, before a
3 representative of an agency, or before a person designated by a
4 court of competent jurisdiction.

5 J. The form of the certificate of acknowledgment for a
6 consent, a surrender, or any other document equivalent to a
7 surrender, shall be substantially as follows:

8 STATE OF)

9) SS.

10 COUNTY OF ...)

11 I, (Name of judge or other person), (official
12 title, name and location of court or status or position of
13 other person), certify that, personally known to me to be
14 the same person whose name is subscribed to the foregoing
15 (consent) (surrender), appeared before me this day in person
16 and acknowledged that (she) (he) signed and delivered such
17 (consent) (surrender) as (her) (his) free and voluntary act,
18 for the specified purpose.

19 I have fully explained that by signing such (consent)
20 (surrender) (she) (he) is irrevocably relinquishing all
21 parental rights to such child or adult and (she) (he) has
22 stated that such is (her) (his) intention and desire. (Add if
23 Consent only) I am further satisfied that, before signing this
24 Consent, has read, or has had read to him or her, the
25 Birth Parent Rights and Responsibilities-Private Form.

26 Dated (insert date).

1 Signature

2 K. When the execution of a consent or a surrender is
3 acknowledged before someone other than a judge, such other
4 person shall have his or her signature on the certificate
5 acknowledged before a notary public, in form substantially as
6 follows:

7 STATE OF)

8) SS.

9 COUNTY OF ...)

10 I, a Notary Public, in and for the County of, in the
11 State of, certify that, personally known to me to
12 be the same person whose name is subscribed to the foregoing
13 certificate of acknowledgment, appeared before me in person and
14 acknowledged that (she) (he) signed such certificate as (her)
15 (his) free and voluntary act and that the statements made in
16 the certificate are true.

17 Dated (insert date).

18 Signature Notary Public
19 (official seal)

20 There shall be attached a certificate of magistracy, or
21 other comparable proof of office of the notary public
22 satisfactory to the court, to a consent signed and acknowledged
23 in another state.

24 L. A surrender or consent executed and acknowledged outside
25 of this State, either in accordance with the law of this State

1 or in accordance with the law of the place where executed, is
2 valid.

3 M. Where a consent or a surrender is signed in a foreign
4 country, the execution of such consent shall be acknowledged or
5 affirmed in a manner conformable to the law and procedure of
6 such country.

7 N. If the person signing a consent or surrender is in the
8 military service of the United States, the execution of such
9 consent or surrender may be acknowledged before a commissioned
10 officer and the signature of such officer on such certificate
11 shall be verified or acknowledged before a notary public or by
12 such other procedure as is then in effect for such division or
13 branch of the armed forces.

14 O. (1) The parent or parents of a child in whose interests
15 a petition under Section 2-13 of the Juvenile Court Act of 1987
16 is pending may, with the approval of the designated
17 representative of the Department of Children and Family
18 Services, execute a consent to adoption by a specified person
19 or persons:

20 (a) in whose physical custody the child has resided for
21 at least 6 months; or

22 (b) in whose physical custody at least one sibling of
23 the child who is the subject of this consent has resided
24 for at least 6 months, and the child who is the subject of
25 this consent is currently residing in this foster home; or

26 (c) in whose physical custody a child under one year of

1 signing this consent I irrevocably and permanently give up
 2 all parental rights I have to my child if my child is
 3 adopted by (specified person
 4 or persons).

5 ~~7.~~ I understand my child will be adopted by
 6 (specified person or
 7 persons) only and that I cannot under any circumstances,
 8 after signing this document, change my mind and revoke or
 9 cancel this consent or obtain or recover custody or any
 10 other rights over my child if
 11 (specified person or persons) adopt my child.

12 ~~8.~~ I understand that this consent to adoption is valid
 13 only if the petition to adopt is filed within one year from
 14 the date that I sign it and that if
 15 (specified person or persons), for any reason, cannot or
 16 will not file a petition to adopt my child within that one
 17 year period or if their adoption petition is denied, then
 18 this consent will be voidable after one year upon the
 19 timely filing of my motion. If I file this motion before
 20 the filing of the petition for adoption, I understand that
 21 the court shall revoke this specific consent. I have the
 22 right to notice of any other proceeding that could affect
 23 my parental rights, except for the proceeding for
 24 (specified person or persons) to adopt my
 25 child.

26 ~~9.~~ I have read and understand the above and I am

1 signing it as my free and voluntary act.

2 Dated (insert date).

3

4 Signature of parent

5 (3) If the parent consents to an adoption by 2 specified
6 persons, then the form shall contain 2 additional paragraphs in
7 substantially the following form:

8 ~~10.~~ If (specified persons) get a
9 divorce before the petition to adopt my child is granted,
10 then (specified person) shall adopt my child. I
11 understand that I cannot change my mind and revoke this
12 consent or obtain or recover custody over my child if
13 (specified persons) divorce and
14 (specified person) adopts my child. I
15 understand that I cannot change my mind and revoke this
16 consent or obtain or recover custody over my child if
17 (specified persons) divorce after the
18 adoption is final. I understand that this consent to
19 adoption has no effect on who will get custody of my child
20 if they divorce after the adoption is final.

21 ~~11.~~ I understand that if either
22 (specified persons) dies before the petition to adopt my
23 child is granted, then the surviving person can adopt my
24 child. I understand that I cannot change my mind and revoke
25 this consent or obtain or recover custody over my child if
26 the surviving person adopts my child.

1 A consent to adoption by specified persons on this form
2 shall have no effect on a court's determination of custody or
3 visitation under the Illinois Marriage and Dissolution of
4 Marriage Act if the marriage of the specified persons is
5 dissolved after the adoption is final.

6 (4) The form of the certificate of acknowledgement for a
7 Final and Irrevocable Consent for Adoption by a Specified
8 Person or Persons: DCFS Case shall be substantially as follows:

9 STATE OF.....)

10) SS.

11 COUNTY OF.....)

12 I, (Name of Judge or other person),
13 (official title, name, and address),
14 certify that, personally known to me to be the
15 same person whose name is subscribed to the foregoing Final and
16 Irrevocable Consent for Adoption by a Specified Person or
17 Persons, appeared before me this day in person and acknowledged
18 that (she)(he) signed and delivered the consent as (her)(his)
19 free and voluntary act, for the specified purpose.

20 I have fully explained that this consent to adoption is
21 valid only if the petition to adopt is filed within one year
22 from the date that it is signed, and that if the specified
23 person or persons, for any reason, cannot or will not adopt the
24 child or if the adoption petition is denied, then this consent

1 will be voidable after one year upon the timely filing of a
 2 motion by the parent to revoke the consent. I explained that if
 3 this motion is filed before the filing of the petition for
 4 adoption, the court shall revoke this specific consent. I have
 5 fully explained that if the specified person or persons adopt
 6 the child, by signing this consent this parent is irrevocably
 7 and permanently relinquishing all parental rights to the child,
 8 and this parent has stated that such is (her) (his) intention
 9 and desire.

10 Dated (insert date).

11

12 Signature

13 (5) If a consent to adoption by a specified person or
 14 persons is executed in this form, the following provisions
 15 shall apply. The consent shall be valid only if that specified
 16 person or persons adopt the child. The consent shall be
 17 voidable after one year if:

18 (a) the specified person or persons do not file a
 19 petition to adopt the child within one year after the
 20 consent is signed and the parent files a timely motion to
 21 revoke this consent. If this motion is filed before the
 22 filing of the petition for adoption the court shall revoke
 23 this consent; or

24 (b) a court denies the adoption petition; or

25 (c) the Department of Children and Family Services
 26 Guardianship Administrator determines that the specified

1 person or persons will not or cannot complete the adoption,
2 or in the best interests of the child should not adopt the
3 child.

4 Within 30 days of the consent becoming void, the Department
5 of Children and Family Services Guardianship Administrator
6 shall make good faith attempts to notify the parent in writing
7 and shall give written notice to the court and all additional
8 parties in writing that the adoption has not occurred or will
9 not occur and that the consent is void. If the adoption by a
10 specified person or persons does not occur, no proceeding for
11 termination of parental rights shall be brought unless the
12 biological parent who executed the consent to adoption by a
13 specified person or persons has been notified of the proceeding
14 pursuant to Section 7 of this Act or subsection (4) of Section
15 2-13 of the Juvenile Court Act of 1987. The parent shall not
16 need to take further action to revoke the consent if the
17 specified adoption does not occur, notwithstanding the
18 provisions of Section 11 of this Act.

19 (6) The Department of Children and Family Services is
20 authorized to promulgate rules necessary to implement this
21 subsection O.

22 (7) The Department shall collect and maintain data
23 concerning the efficacy of specific consents. This data shall
24 include the number of specific consents executed and their
25 outcomes, including but not limited to the number of children
26 adopted pursuant to the consents, the number of children for

1 whom adoptions are not completed, and the reason or reasons why
2 the adoptions are not completed.

3 P. If the person signing a consent is incarcerated or
4 detained in a correctional facility, prison, jail, detention
5 center, or other comparable institution, either in this State
6 or any other jurisdiction, the execution of such consent may be
7 acknowledged before social service personnel of such
8 institution, or before a person designated by a court of
9 competent jurisdiction.

10 Q. A consent may be acknowledged telephonically, via
11 audiovisual connection, or other electronic means, provided
12 that a court of competent jurisdiction has entered an order
13 approving the execution of the consent in such manner and has
14 designated an individual to be physically present with the
15 parent executing such consent in order to verify the identity
16 of the parent.

17 R. An agency whose representative is acknowledging a
18 consent pursuant to this Section shall be a public child
19 welfare agency, or a child welfare agency, or a child placing
20 agency that is authorized or licensed in the State or
21 jurisdiction in which the consent is signed.

22 (Source: P.A. 96-601, eff. 8-21-09.)

23 Section 99. Effective date. This Act takes effect January
24 1, 2011.