

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 will receive written notice of such
 22 circumstances within 10 business days of their occurrence. I
 23 understand that the notice will be directed to me using the
 24 contact information I have provided in this consent. I
 25 understand that I will have 10 business days from the date that
 26 the written notice is sent to me to respond, within which time

1 I may request the Court to declare this consent voidable and
2 return the child to me. I further understand that the Court
3 will make the final decision of whether or not the child will
4 be returned to me. If I do not make such request within 10
5 business days of the date of the notice, then I expressly waive
6 any other notice or service of process in any legal proceeding
7 for the adoption of the child.

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

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

19 12. That I do expressly waive any other notice or service
20 of process in any of the legal proceedings for the adoption of
21 the child as long as the adoption proceeding by the specified
22 person or persons is pending.

23 13. That I have read and understand the above and I am
24 signing it as my free and voluntary act.

25 14. That I acknowledge that this consent is valid even if
26 the specified person or persons separate or divorce or one of

1 the specified persons dies prior to the entry of the final
2 judgment for adoption.

3 Dated (insert date).
4

5 Signature of parent.
6

7 Address of parent.
8

9 Phone number(s) of parent.
10

11 Personal email(s) of parent.
12

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

17 STATE OF.....)

18 _____) SS.

19 COUNTY OF.....)

20 I, (Name of Judge or other person),
21 (official title, name, and address),
22 certify that, personally known to me to be the
23 same person whose name is subscribed to the foregoing Final and
24 Irrevocable Consent for Adoption by a Specified Person or
25 Persons; non-DCFS case, appeared before me this day in person

1 and acknowledged that (she)(he) signed and delivered the
2 consent as (her)(his) free and voluntary act, for the specified
3 purpose. I am further satisfied that, before signing this
4 Consent, has read, or has had read to him or her, the
5 Birth Parent Rights and Responsibilities-Private Form.

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

16 Birth Parent Rights and Responsibilities-Private Form

17 As a birth parent in the State of Illinois, you have the
18 right:

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

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

25 3. To receive counseling before and after signing a Final
26 and Irrevocable Consent to Adoption ("Consent"), a Final and

1 Irrevocable Consent to Adoption by a Specified Person or
2 Persons: Non-DCFS Case ("Specified Consent"), or a Consent to
3 Adoption of Unborn Child ("Unborn Consent"). The prospective
4 adoptive parents may agree to pay for the cost of counseling in
5 a manner consistent with Illinois law, but they are not
6 required to do so.

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

9 5. To ask your child's prospective adoptive parents any
10 questions that pertain to your decision to place your child
11 with them.

12 6. To see your child before signing a Consent or Specified
13 Consent.

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

20 8. To receive copies of all documents that you sign and
21 have those documents provided to you in your preferred
22 language.

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

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

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

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

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

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

15 As a Birth Parent in the State of Illinois, you have the
16 responsibility:

17 1. To carefully consider your reasons for choosing
18 adoption.

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

26 3. (Birth mothers only) To accurately complete an Affidavit

1 of Identification, which identifies the father of the child
2 when known, with the understanding that a birth mother has a
3 right to decline to identify the birth father.

4 4. To not accept financial support or reimbursement of
5 pregnancy related expenses simultaneously from more than one
6 source.

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

9 CONSENT TO ADOPTION OF UNBORN CHILD

10 I,, state:

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

13 That I reside at County of, and State of

14 That I am of the age of years.

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

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

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

1 ..male child, state:

2 That the child was born on at

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

4 That I am of the age of years.

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

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

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

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

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

1 I understand that this consent to standby adoption is valid
 2 only if the petition for standby adoption is filed and that if
 3 (specified person or persons), for any reason, cannot
 4 or will not file a petition for standby adoption or if his,
 5 her, or their petition for standby adoption is denied, then
 6 this consent is void. I have the right to notice of any other
 7 proceeding that could affect my parental rights.

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

10 Dated (insert date).

11

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

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

18 If (specified persons) obtain a judgment of
 19 dissolution of marriage before the judgment for adoption is
 20 entered, then (specified person) shall adopt my child. I
 21 understand that I cannot change my mind and revoke this consent
 22 or obtain or recover custody of my child if (specified
 23 persons) obtain a judgment of dissolution of marriage and
 24 (specified person) adopts my child. I understand that I cannot
 25 change my mind and revoke this consent if (specified

1 persons) obtain a judgment of dissolution of marriage before
 2 the adoption is final. I understand that this consent to
 3 adoption has no effect on who will get custody of my child if
 4 (specified persons) obtain a judgment of dissolution of
 5 marriage after the adoption is final. I understand that if
 6 either (specified persons) dies before the petition to
 7 adopt my child is granted, then the surviving person may adopt
 8 my child. I understand that I cannot change my mind and revoke
 9 this consent or obtain or recover custody of my child if the
 10 surviving person adopts my child.

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

16 (3) The form of the certificate of acknowledgement for a
 17 Final and Irrevocable Consent for Standby Adoption shall be
 18 substantially as follows:

19 STATE OF)
 20) SS.
 21 COUNTY OF)

22 I, (name of Judge or other person) (official
 23 title, name, and address), certify that, personally
 24 known to me to be the same person whose name is subscribed to

1 the foregoing Final and Irrevocable Consent to Standby
 2 Adoption, appeared before me this day in person and
 3 acknowledged that (she) (he) signed and delivered the consent
 4 as (her) (his) free and voluntary act, for the specified
 5 purpose.

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

15 Dated (insert date).

16 Signature.....

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

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

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

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

1 C. The form of surrender to any agency given by a parent of
2 a born child who is to be subsequently placed for adoption
3 shall be substantially as follows and shall contain such other
4 facts and statements as the particular agency shall require.

5 FINAL AND IRREVOCABLE SURRENDER

6 FOR PURPOSES OF ADOPTION

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

9 That such child was born on, at

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

11 That I am of the age of years.

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

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

1 such child.

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

5 That I understand I cannot under any circumstances, after
6 signing this surrender, change my mind and revoke or cancel
7 this surrender or obtain or recover custody or any other rights
8 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 C-5. The form of a Final and Irrevocable Designated
14 Surrender for Purposes of Adoption to any agency given by a
15 parent of a born child who is to be subsequently placed for
16 adoption shall be substantially as follows and shall contain
17 such other facts and statements as the particular agency shall
18 require:

19 FINAL AND IRREVOCABLE DESIGNATED SURRENDER

20 FOR PURPOSES OF ADOPTION

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

23 1. That such child was born on, at

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

25

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

1 4. That I do hereby surrender and entrust the entire
2 custody and control of such child to the (the "Agency"), a
3 (public) (licensed) child welfare agency with its principal
4 office in the City of, County of and State of,
5 for the purpose of enabling it to care for and supervise the
6 care of such child, to place such child for adoption with
7 (specified person or persons)
8 and to consent to the legal adoption of such child and to take
9 any and all measures which, in the judgment of the Agency, may
10 be for the best interests of such child, including authorizing
11 medical, surgical and dental care and treatment including
12 inoculation and anesthesia for such child.

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

16 6. That if the petition for adoption is not filed by the
17 specified person or persons designated herein or, if the
18 petition for adoption is filed but the adoption petition is
19 dismissed with prejudice or the adoption proceeding is
20 otherwise concluded without an order declaring the child to be
21 the adopted child of each specified person, then I understand
22 that the Agency will provide notice to me within 10 business
23 days and that such notice will be directed to me using the
24 contact information I have provided to the Agency. I understand
25 that I will have 10 business days from the date that the Agency
26 sends me its notice to respond, within which time I may choose

1 to designate other adoptive parent(s). However, I acknowledge
 2 that the Agency has full power and authority to place the child
 3 for adoption with any person or persons it may in its sole
 4 discretion select to become the adopting parent or parents and
 5 to consent to the legal adoption of the child by such person or
 6 persons.

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

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

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

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

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

25 Dated (insert date).

26

1 D. The form of surrender to an agency given by a parent of
2 an unborn child who is to be subsequently placed for adoption
3 shall be substantially as follows and shall contain such other
4 facts and statements as the particular agency shall require.

5 SURRENDER OF UNBORN CHILD FOR
6 PURPOSES OF ADOPTION

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

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

1 such child, including authorizing medical, surgical and dental
2 care and treatment, including inoculation and anaesthesia for
3 such child.

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

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

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

15 Dated (insert date).
16

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

20 CONSENT

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

23 That I do hereby consent and agree to the adoption of such
24 adult by and

25 Dated (insert date).
26

1 I. A surrender, or any other document equivalent to a
2 surrender, by which a child is surrendered to an agency shall
3 be acknowledged by the person signing such surrender, or other
4 document, before a judge of a court of competent jurisdiction,
5 or, except as otherwise provided in this Act, before a
6 representative of an agency, or before a person designated by a
7 court of competent jurisdiction.

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

11 STATE OF)

12) SS.

13 COUNTY OF ...)

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

22 I have fully explained that by signing such (consent)
23 (surrender) (she) (he) is irrevocably relinquishing all
24 parental rights to such child or adult and (she) (he) has
25 stated that such is (her) (his) intention and desire. (Add if
26 Consent only) 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 Dated (insert date).

4 Signature

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

10 STATE OF)

11) SS.

12 COUNTY OF ...)

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

20 Dated (insert date).

21 Signature Notary Public
22 (official seal)

23 There shall be attached a certificate of magistracy, or
24 other comparable proof of office of the notary public
25 satisfactory to the court, to a consent signed and acknowledged

1 in another state.

2 L. A surrender or consent executed and acknowledged outside
3 of this State, either in accordance with the law of this State
4 or in accordance with the law of the place where executed, is
5 valid.

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

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

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

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

25 (b) in whose physical custody at least one sibling of
26 the child who is the subject of this consent has resided

1 for at least 6 months, and the child who is the subject of
2 this consent is currently residing in this foster home; or

3 (c) in whose physical custody a child under one year of
4 age has resided for at least 3 months.

5 A consent under this subsection O shall be acknowledged by a
6 parent pursuant to subsection H and subsection K of this
7 Section.

8 (2) The consent to adoption by a specified person or
9 persons shall have the caption of the proceeding in which it is
10 to be filed and shall be substantially as follows:

11 FINAL AND IRREVOCABLE CONSENT TO ADOPTION BY

12 A SPECIFIED PERSON OR PERSONS: DCFS CASE

13 I,, the
14 (mother or father) of amale child,
15 state:

16 ~~1.~~ My child (name of
17 child) was born on (insert date) at
18 Hospital in County, State of
19

20 ~~2.~~ I reside at, County of
21 and State of

22 ~~3.~~ I,, am years old.

23 ~~4.~~ I enter my appearance in this action to adopt my
24 child by the person or persons specified herein by me and
25 waive service of summons on me in this action only.

26 ~~5.~~ I consent to the adoption of my child by

1 (specified person or
2 persons) only.

3 ~~6.~~ I wish to sign this consent and I understand that by
4 signing this consent I irrevocably and permanently give up
5 all parental rights I have to my child if my child is
6 adopted by (specified person
7 or persons).

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

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

1 (specified person or persons) to adopt my
2 child.

3 ~~9.~~ I have read and understand the above and I am
4 signing it as my free and voluntary act.

5 Dated (insert date).

6

7 Signature of parent

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

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

24 ~~11.~~ I understand that if either
25 (specified persons) dies before the petition to adopt my
26 child is granted, then the surviving person can adopt my

1 child. I understand that I cannot change my mind and revoke
 2 this consent or obtain or recover custody over my child if
 3 the surviving person adopts my child.

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

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

12 STATE OF.....)

13) SS.

14 COUNTY OF.....)

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

23 I have fully explained that this consent to adoption is
 24 valid only if the petition to adopt is filed within one year

1 from the date that it is signed, and that if the specified
 2 person or persons, for any reason, cannot or will not adopt the
 3 child or if the adoption petition is denied, then this consent
 4 will be voidable after one year upon the timely filing of a
 5 motion by the parent to revoke the consent. I explained that if
 6 this motion is filed before the filing of the petition for
 7 adoption, the court shall revoke this specific consent. I have
 8 fully explained that if the specified person or persons adopt
 9 the child, by signing this consent this parent is irrevocably
 10 and permanently relinquishing all parental rights to the child,
 11 and this parent has stated that such is (her) (his) intention
 12 and desire.

13 Dated (insert date).
 14
 15 Signature

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

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

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

2 (c) the Department of Children and Family Services
3 Guardianship Administrator determines that the specified
4 person or persons will not or cannot complete the adoption,
5 or in the best interests of the child should not adopt the
6 child.

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

22 (6) The Department of Children and Family Services is
23 authorized to promulgate rules necessary to implement this
24 subsection O.

25 (7) The Department shall collect and maintain data
26 concerning the efficacy of specific consents. This data shall

1 include the number of specific consents executed and their
2 outcomes, including but not limited to the number of children
3 adopted pursuant to the consents, the number of children for
4 whom adoptions are not completed, and the reason or reasons why
5 the adoptions are not completed.

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

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

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

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

26 Section 99. Effective date. This Act takes effect January

1 1, 2011.