

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 Sections
5 5, 8, 9, 10, and 11 as follows:

6 (750 ILCS 50/5) (from Ch. 40, par. 1507)

7 Sec. 5. Petition, contents, verification, filing.

8 A. A proceeding to adopt a child, other than a related
9 child, shall be commenced by the filing of a petition within 30
10 days after such child has become available for adoption,
11 provided that such petition may be filed at a later date by
12 leave of court upon a showing that the failure to file such
13 petition within such 30 day period was not due to the
14 petitioners' culpable negligence or their wilful disregard of
15 the provisions of this Section. In the case of a child born
16 outside the United States or a territory thereof, if the
17 prospective adoptive parents of such child have been appointed
18 guardians of such child by a court of competent jurisdiction in
19 a country other than the United States or a territory thereof,
20 such parents shall file a petition as provided in this Section
21 within 30 days after entry of the child into the United States.
22 A petition to adopt an adult or a related child may be filed at
23 any time. A petition for adoption may include more than one

1 person sought to be adopted.

2 B. A petition to adopt a child other than a related child
3 shall state:

4 (a) The full names of the petitioners and, if minors,
5 their respective ages;

6 (b) The place of residence of the petitioners and the
7 length of residence of each in the State of Illinois
8 immediately preceding the filing of the petition;

9 (c) When the petitioners acquired, or intend to
10 acquire, custody of the child, and the name and address of
11 the persons or agency from whom the child was or will be
12 received;

13 (d) The name, the place and date of birth if known, and
14 the sex of the child sought to be adopted;

15 (e) The relationship, if any, of the child to each
16 petitioner;

17 (f) The names, if known, and the place of residence, if
18 known, of the parents; and whether such parents are minors,
19 or otherwise under any legal disability. The names and
20 addresses of the parents shall be omitted and they shall
21 not be made parties defendant to the petition if (1) the
22 rights of the parents have been terminated by a court of
23 competent jurisdiction, or (2) ~~if~~ the child has been
24 surrendered to an agency, or (3) ~~if~~ the parent or parents
25 have been served with the notice provided in Section 12a of
26 this Act and said parent or parents have filed a disclaimer

1 of paternity as therein provided or have failed to file
2 such declaration of paternity or a request for notice as
3 provided in said Section, or (4) the parent is a putative
4 father or legal father of the child who has waived his
5 parental rights by signing a waiver as provided in
6 subsection S of Section 10;

7 (g) If it is alleged that the child has no living
8 parent, then the name of the guardian, if any, of such
9 child and the court which appointed such guardian;

10 (h) If it is alleged that the child has no living
11 parent and that no guardian of such child is known to
12 petitioners, then the name of a near relative, if known,
13 shall be set forth, or an allegation that no near relative
14 is known and on due inquiry cannot be ascertained by
15 petitioners;

16 (i) The name to be given the child or adult;

17 (j) That the person or agency, having authority to
18 consent under Section 8 of this Act, has consented, or has
19 indicated willingness to consent, to the adoption of the
20 child by the petitioners, or that the person having
21 authority to consent is an unfit person and the ground
22 therefor, or that no consent is required under paragraph
23 (f) of Section 8 of this Act;

24 (k) Whatever orders, judgments or decrees have
25 heretofore been entered by any court affecting (1) adoption
26 or custody of the child, or (2) the adoptive, custodial or

1 parental rights of either petitioner, including the prior
2 denial of any petition for adoption pertaining to such
3 child, or to the petitioners, or either of them.

4 C. A petition to adopt a related child shall include the
5 information specified in sub-paragraphs (a), (b), (d), (e),
6 (f), (i) and (k) of paragraph B and a petition to adopt an
7 adult shall contain the information required by sub-paragraphs
8 (a), (b) and (i) of paragraph B in addition to the name, place,
9 date of birth and sex of such adult.

10 D. The petition shall be verified by the petitioners.

11 E. Upon the filing of the petition the petitioners shall
12 furnish the Clerk of the Court in which the petition is pending
13 such information not contained in such petition as shall be
14 necessary to enable the Clerk of such Court to complete a
15 certificate of adoption as hereinafter provided.

16 F. A petition for standby adoption shall conform to the
17 requirements of this Act with respect to petition contents,
18 verification, and filing. The petition for standby adoption
19 shall also state the facts concerning the consent of the
20 child's parent to the standby adoption. A petition for standby
21 adoption shall include the information in paragraph B if the
22 petitioner seeks to adopt a child other than a related child. A
23 petition for standby adoption shall include the information in
24 paragraph C if the petitioner seeks to adopt a related child or
25 adult.

26 (Source: P.A. 91-357, eff. 7-29-99; 91-572, eff. 1-1-00.)

1 (750 ILCS 50/8) (from Ch. 40, par. 1510)

2 Sec. 8. Consents to adoption and surrenders for purposes of
3 adoption.

4 (a) Except as hereinafter provided in this Section consents
5 or surrenders shall be required in all cases, unless the person
6 whose consent or surrender would otherwise be required shall be
7 found by the court:

8 (1) to be an unfit person as defined in Section 1 of
9 this Act, by clear and convincing evidence; or

10 (2) not to be the biological or adoptive father of the
11 child; or

12 (3) to have waived his parental rights to the child
13 under Section 12a or 12.1 or subsection S of Section 10 of
14 this Act; or

15 (4) to be the parent of an adult sought to be adopted;
16 or

17 (5) to be the father of the child as a result of
18 criminal sexual abuse or assault as defined under Article
19 12 of the Criminal Code of 1961; or

20 (6) to be the father of a child who:

21 (i) is a family member of the mother of the child,
22 and the mother is under the age of 18 at the time of
23 the child's conception; for purposes of this
24 subsection, a "family member" is a parent,
25 step-parent, grandparent, step-grandparent, sibling,

1 or cousin of the first degree, whether by whole blood,
2 half-blood, or adoption, as well as a person age 18 or
3 over at the time of the child's conception who has
4 resided in the household with the mother continuously
5 for at least one year; or

6 (ii) is at least 5 years older than the child's
7 mother, and the mother was under the age of 17 at the
8 time of the child's conception, unless the mother and
9 father voluntarily acknowledge the father's paternity
10 of the child by marrying or by establishing the
11 father's paternity by consent of the parties pursuant
12 to the Illinois Parentage Act of 1984 or pursuant to a
13 substantially similar statute in another state.

14 A criminal conviction of any offense pursuant to
15 Article 12 of the Criminal Code of 1961 is not required.

16 (b) Where consents are required in the case of an adoption
17 of a minor child, the consents of the following persons shall
18 be sufficient:

19 (1) (A) The mother of the minor child; and

20 (B) The father of the minor child, if the father:

21 (i) was married to the mother on the date of
22 birth of the child or within 300 days before the
23 birth of the child, except for a husband or former
24 husband who has been found by a court of competent
25 jurisdiction not to be the biological father of the
26 child; or

1 (ii) is the father of the child under a
2 judgment for adoption, an order of parentage, or an
3 acknowledgment of parentage or paternity pursuant
4 to subsection (a) of Section 5 of the Illinois
5 Parentage Act of 1984; or

6 (iii) in the case of a child placed with the
7 adopting parents less than 6 months after birth,
8 openly lived with the child, the child's
9 biological mother, or both, and held himself out to
10 be the child's biological father during the first
11 30 days following the birth of the child; or

12 (iv) in the case of a child placed with the
13 adopting parents less than 6 months after birth,
14 made a good faith effort to pay a reasonable amount
15 of the expenses related to the birth of the child
16 and to provide a reasonable amount for the
17 financial support of the child before the
18 expiration of 30 days following the birth of the
19 child, provided that the court may consider in its
20 determination all relevant circumstances,
21 including the financial condition of both
22 biological parents; or

23 (v) in the case of a child placed with the
24 adopting parents more than 6 months after birth,
25 has maintained substantial and continuous or
26 repeated contact with the child as manifested by:

1 (I) the payment by the father toward the support of
2 the child of a fair and reasonable sum, according
3 to the father's means, and either (II) the father's
4 visiting the child at least monthly when
5 physically and financially able to do so and not
6 prevented from doing so by the person or authorized
7 agency having lawful custody of the child, or (III)
8 the father's regular communication with the child
9 or with the person or agency having the care or
10 custody of the child, when physically and
11 financially unable to visit the child or prevented
12 from doing so by the person or authorized agency
13 having lawful custody of the child. The subjective
14 intent of the father, whether expressed or
15 otherwise unsupported by evidence of acts
16 specified in this sub-paragraph as manifesting
17 such intent, shall not preclude a determination
18 that the father failed to maintain substantial and
19 continuous or repeated contact with the child; or

20 (vi) in the case of a child placed with the
21 adopting parents more than six months after birth,
22 openly lived with the child for a period of six
23 months within the one year period immediately
24 preceding the placement of the child for adoption
25 and openly held himself out to be the father of the
26 child; or

1 (vii) has timely registered with Putative
2 Father Registry, as provided in Section 12.1 of
3 this Act, and prior to the expiration of 30 days
4 from the date of such registration, commenced
5 legal proceedings to establish paternity under the
6 Illinois Parentage Act of 1984 or under the law of
7 the jurisdiction of the child's birth; or

8 (2) The legal guardian of the person of the child, if
9 there is no surviving parent; or

10 (3) An agency, if the child has been surrendered for
11 adoption to such agency; or

12 (4) Any person or agency having legal custody of a
13 child by court order if the parental rights of the parents
14 have been judicially terminated, and the court having
15 jurisdiction of the guardianship of the child has
16 authorized the consent to the adoption; or

17 (5) The execution and verification of the petition by
18 any petitioner who is also a parent of the child sought to
19 be adopted shall be sufficient evidence of such parent's
20 consent to the adoption.

21 (c) Where surrenders to an agency are required in the case
22 of a placement for adoption of a minor child by an agency, the
23 surrenders of the following persons shall be sufficient:

24 (1) (A) The mother of the minor child; and

25 (B) The father of the minor child, if the father:

26 (i) was married to the mother on the date of

1 birth of the child or within 300 days before the
2 birth of the child, except for a husband or former
3 husband who has been found by a court of competent
4 jurisdiction not to be the biological father of the
5 child; or

6 (ii) is the father of the child under a
7 judgment for adoption, an order of parentage, or an
8 acknowledgment of parentage or paternity pursuant
9 to subsection (a) of Section 5 of the Illinois
10 Parentage Act of 1984; or

11 (iii) in the case of a child placed with the
12 adopting parents less than 6 months after birth,
13 openly lived with the child, the child's
14 biological mother, or both, and held himself out to
15 be the child's biological father during the first
16 30 days following the birth of a child; or

17 (iv) in the case of a child placed with the
18 adopting parents less than 6 months after birth,
19 made a good faith effort to pay a reasonable amount
20 of the expenses related to the birth of the child
21 and to provide a reasonable amount for the
22 financial support of the child before the
23 expiration of 30 days following the birth of the
24 child, provided that the court may consider in its
25 determination all relevant circumstances,
26 including the financial condition of both

1 biological parents; or

2 (v) in the case of a child placed with the
3 adopting parents more than six months after birth,
4 has maintained substantial and continuous or
5 repeated contact with the child as manifested by:
6 (I) the payment by the father toward the support of
7 the child of a fair and reasonable sum, according
8 to the father's means, and either (II) the father's
9 visiting the child at least monthly when
10 physically and financially able to do so and not
11 prevented from doing so by the person or authorized
12 agency having lawful custody of the child or (III)
13 the father's regular communication with the child
14 or with the person or agency having the care or
15 custody of the child, when physically and
16 financially unable to visit the child or prevented
17 from doing so by the person or authorized agency
18 having lawful custody of the child. The subjective
19 intent of the father, whether expressed or
20 otherwise, unsupported by evidence of acts
21 specified in this sub-paragraph as manifesting
22 such intent, shall not preclude a determination
23 that the father failed to maintain substantial and
24 continuous or repeated contact with the child; or

25 (vi) in the case of a child placed with the
26 adopting parents more than six months after birth,

1 openly lived with the child for a period of six
2 months within the one year period immediately
3 preceding the placement of the child for adoption
4 and openly held himself out to be the father of the
5 child; or

6 (vii) has timely registered with the Putative
7 Father Registry, as provided in Section 12.1 of
8 this Act, and prior to the expiration of 30 days
9 from the date of such registration, commenced
10 legal proceedings to establish paternity under the
11 Illinois Parentage Act of 1984, or under the law of
12 the jurisdiction of the child's birth.

13 (d) In making a determination under subparagraphs (b) (1)
14 and (c) (1), no showing shall be required of diligent efforts by
15 a person or agency to encourage the father to perform the acts
16 specified therein.

17 (e) In the case of the adoption of an adult, only the
18 consent of such adult shall be required.

19 (Source: P.A. 93-510, eff. 1-1-04; 94-530, eff. 1-1-06.)

20 (750 ILCS 50/9) (from Ch. 40, par. 1511)

21 Sec. 9. Time for signing a waiver, ~~taking a consent~~, or
22 surrender.

23 A. A consent or a surrender signed ~~taken~~ not less than 72
24 hours after the birth of the child is irrevocable except as
25 provided in Section 11 of this Act.

1 B. No consent or surrender shall be signed ~~taken~~ within the
2 72 hour period immediately following the birth of the child.

3 C. A consent or a surrender may be signed by ~~taken from~~ the
4 father prior to the birth of the child. Such consent or
5 surrender shall be revoked if, within 72 hours after the birth
6 of the child, the father who gave such consent or surrender,
7 notifies in writing the person, agency or court representative
8 who acknowledged ~~took~~ the surrender or consent or any
9 individual representing or connected with such person, agency
10 or court representative of the revocation of the consent or
11 surrender.

12 D. Any consent or surrender signed ~~taken~~ in accordance with
13 paragraph C above which is not revoked within 72 hours after
14 the birth of the child is irrevocable except as provided in
15 Section 11 of this Act.

16 E. Consent may be given to a standby adoption by a parent
17 whose consent is required pursuant to Section 8 of this Act to
18 become effective when the consenting parent of the child dies
19 or that parent requests that the final judgment of adoption be
20 entered.

21 F. A waiver as provided in subsection S of Section 10 of
22 this Act may be signed by a putative father or legal father of
23 the child at any time prior to or after the birth of the child.
24 A waiver is irrevocable except as provided in Section 11 of
25 this Act.

26 (Source: P.A. 93-732, eff. 1-1-05.)

1 (750 ILCS 50/10) (from Ch. 40, par. 1512)

2 Sec. 10. Forms of consent and surrender; execution and
3 acknowledgment thereof.

4 A. The form of consent required for the adoption of a born
5 child shall be substantially as follows:

6 FINAL AND IRREVOCABLE CONSENT TO 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 hereby enter my appearance in this proceeding and
13 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 Final and
20 Irrevocable Consent.

21 That I do hereby consent and agree to the adoption of such
22 child.

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

1 That I understand such child will be placed for adoption
 2 and that I cannot under any circumstances, after signing this
 3 document, change my mind and revoke or cancel this consent or
 4 obtain or recover custody or any other rights over such child.
 5 That I have read and understand the above and I am signing it
 6 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.

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

18 (2) The form of the Final and Irrevocable Consent to
 19 Adoption by a Specified Person or Persons in a non-DCFS case
 20 shall have the caption of the proceeding in which it is to be
 21 filed and shall be substantially as follows:

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

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

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

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

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

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

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

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

18 7. That I wish to and understand that upon signing this
19 consent I do irrevocably and permanently give up all custody
20 and other parental rights I have to such child if such child is
21 adopted by (specified person or persons). I hereby
22 transfer all of my rights to the custody, care and control of
23 such child to (specified person
24 or persons).

25 8. That I understand such child will be adopted by
26 (specified person or persons) and that

1 I cannot under any circumstances, after signing this document,
2 change my mind and revoke or cancel this consent or obtain or
3 recover custody or any other rights over such child if
4 (specified person or persons)
5 adopt(s) such child; PROVIDED that each specified person has
6 filed or shall file, within 60 days from the date hereof, a
7 petition for the adoption of such child.

8 9. That if the specified person or persons designated
9 herein do not file a petition for adoption within the
10 time-frame specified above, or, if said petition for adoption
11 is filed within the time-frame specified above but the adoption
12 petition is dismissed with prejudice or the adoption proceeding
13 is otherwise concluded without an order declaring the child to
14 be the adopted child of the specified person or persons, then I
15 understand that I will receive written notice of such
16 circumstances within 10 business days of their occurrence. I
17 understand that the notice will be directed to me using the
18 contact information I have provided in this consent. I
19 understand that I will have 10 business days from the date that
20 the written notice is sent to me to respond, within which time
21 I may request the Court to declare this consent voidable and
22 return the child to me. I further understand that the Court
23 will make the final decision of whether or not the child will
24 be returned to me. If I do not make such request within 10
25 business days of the date of the notice, then I expressly waive
26 any other notice or service of process in any legal proceeding

1 for the adoption of the child.

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

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

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

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

19 14. That I acknowledge that this consent is valid even if
20 the specified person or persons separate or divorce or one of
21 the specified persons dies prior to the entry of the final
22 judgment for adoption.

23 Dated (insert date).

24

25 Signature of parent.

26

1 Address of parent.
2

3 Phone number(s) of parent.
4

5 Personal email(s) of parent.
6

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

11 STATE OF)
12) SS.
13 COUNTY OF

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

25 A-2. Birth Parent Rights and Responsibilities-Private

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

10 Birth Parent Rights and Responsibilities-Private Form

11 As a birth parent in the State of Illinois, you have the
12 right:

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

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

19 3. To receive counseling before and after signing a Final
20 and Irrevocable Consent to Adoption ("Consent"), a Final and
21 Irrevocable Consent to Adoption by a Specified Person or
22 Persons: Non-DCFS Case ("Specified Consent"), or a Consent to
23 Adoption of Unborn Child ("Unborn Consent"). The prospective
24 adoptive parents may agree to pay for the cost of counseling in
25 a manner consistent with Illinois law, but they are not
26 required to do so.

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

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

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

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

14 8. To receive copies of all documents that you sign and
15 have those documents provided to you in your preferred
16 language.

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

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

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

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

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

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

9 As a Birth Parent in the State of Illinois, you have the
10 responsibility:

11 1. To carefully consider your reasons for choosing
12 adoption.

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

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

24 4. To not accept financial support or reimbursement of
25 pregnancy related expenses simultaneously from more than one
26 source.

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

3 CONSENT TO ADOPTION OF UNBORN CHILD

4 I,, 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 hereby enter my appearance in such adoption
10 proceeding and waive service of summons on me.

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

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

21 That I wish to and do understand that by signing this
22 consent I do irrevocably and permanently give up all custody
23 and other parental rights I have to such child, except that I
24 have the right to revoke this consent by giving written notice
25 of my revocation not later than 72 hours after the birth of the
26 child.

1 That I do hereby consent and agree to the standby adoption
2 of the child, and that I have not previously executed a consent
3 or surrender with respect to the 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 the child, effective upon (my death)
7 (the child's other parent's death) or upon (my) (the other
8 parent's) request for the entry of a final judgment for
9 adoption if (specified person or persons) adopt my child.

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

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

21 I understand that this consent to standby adoption is valid
22 only if the petition for standby adoption is filed and that if
23 (specified person or persons), for any reason, cannot
24 or will not file a petition for standby adoption or if his,
25 her, or their petition for standby adoption is denied, then
26 this consent is void. I have the right to notice of any other

1 proceeding that could affect my parental rights.

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

4 Dated (insert date).

5

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

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

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

1 adopt my child is granted, then the surviving person may adopt
 2 my child. I understand that I cannot change my mind and revoke
 3 this consent or obtain or recover custody of my child if the
 4 surviving person adopts my child.

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

10 (3) The form of the certificate of acknowledgement for a
 11 Final and Irrevocable Consent for Standby Adoption shall be
 12 substantially as follows:

13 STATE OF)
 14) SS.
 15 COUNTY OF)

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

24 I have fully explained that this consent to adoption is

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

9 Dated (insert date).

10 Signature

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

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

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

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

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

25 FINAL AND IRREVOCABLE SURRENDER

26 FOR PURPOSES OF ADOPTION

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

3 That such child was born on, at

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

5 That I am of the age of years.

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

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

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

25 That I understand I cannot under any circumstances, after
26 signing this surrender, change my mind and revoke or cancel

1 this surrender or obtain or recover custody or any other rights
2 over such child.

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

5 Dated (insert date).

6

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

13 FINAL AND IRREVOCABLE DESIGNATED SURRENDER

14 FOR PURPOSES OF ADOPTION

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

17 1. That such child was born on, at

18 2. That I reside at, County of, and State of
19

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

21 4. That I do hereby surrender and entrust the entire
22 custody and control of such child to the (the "Agency"), a
23 (public) (licensed) child welfare agency with its principal
24 office in the City of, County of and State of,
25 for the purpose of enabling it to care for and supervise the
26 care of such child, to place such child for adoption with

1 (specified person or persons)
2 and to consent to the legal adoption of such child and to take
3 any and all measures which, in the judgment of the Agency, may
4 be for the best interests of such child, including authorizing
5 medical, surgical and dental care and treatment including
6 inoculation and anesthesia for such child.

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

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

1 I, (father), state:

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

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

5 That I am of the age of years.

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

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

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

1 That I am of the age of years. That I consent and agree to
2 my adoption by and

3 Dated (insert date).

4

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

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

21 I. A surrender, or any other document equivalent to a
22 surrender, by which a child is surrendered to an agency shall
23 be acknowledged by the person signing such surrender, or other
24 document, before a judge of a court of competent jurisdiction,
25 or, except as otherwise provided in this Act, before a
26 representative of an agency, or before a person designated by a

1 court of competent jurisdiction.

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

5 STATE OF)

6) SS.

7 COUNTY OF ...)

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

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

23 Dated (insert date).

24 Signature

25 K. When the execution of a consent or a surrender is
26 acknowledged before someone other than a judge, such other

1 person shall have his or her signature on the certificate
2 acknowledged before a notary public, in form substantially as
3 follows:

4 STATE OF)
5) SS.
6 COUNTY OF ...)

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

14 Dated (insert date).

15 Signature Notary Public
16 (official seal)

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

21 L. A surrender or consent executed and acknowledged outside
22 of this State, either in accordance with the law of this State
23 or in accordance with the law of the place where executed, is
24 valid.

25 M. Where a consent or a surrender is signed in a foreign

1 country, the execution of such consent shall be acknowledged or
2 affirmed in a manner conformable to the law and procedure of
3 such country.

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

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

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

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

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

25 A consent under this subsection O shall be acknowledged by a
26 parent pursuant to subsection H and subsection K of this

1 Section.

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

5 FINAL AND IRREVOCABLE CONSENT TO ADOPTION BY

6 A SPECIFIED PERSON OR PERSONS: DCFS CASE

7 I,, the
8 (mother or father) of amale child,
9 state:

10 My child (name of child)
11 was born on (insert date) at Hospital
12 in County, State of

13 I reside at, County of
14 and State of

15 I,, am years old.

16 I enter my appearance in this action to adopt my child
17 by the person or persons specified herein by me and waive
18 service of summons on me in this action only.

19 I consent to the adoption of my child by
20 (specified person or
21 persons) only.

22 I wish to sign this consent and I understand that by
23 signing this consent I irrevocably and permanently give up
24 all parental rights I have to my child if my child is
25 adopted by (specified person
26 or persons).

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

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

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

24 Dated (insert date).

25

26 Signature of parent

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

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

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

23 A consent to adoption by specified persons on this form
 24 shall have no effect on a court's determination of custody or
 25 visitation under the Illinois Marriage and Dissolution of
 26 Marriage Act if the marriage of the specified persons is

1 dissolved after the adoption is final.

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

5 STATE OF)

6) SS.

7 COUNTY OF)

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

16 I have fully explained that this consent to adoption is
17 valid only if the petition to adopt is filed within one year
18 from the date that it is signed, and that if the specified
19 person or persons, for any reason, cannot or will not adopt the
20 child or if the adoption petition is denied, then this consent
21 will be voidable after one year upon the timely filing of a
22 motion by the parent to revoke the consent. I explained that if
23 this motion is filed before the filing of the petition for
24 adoption, the court shall revoke this specific consent. I have

1 fully explained that if the specified person or persons adopt
 2 the child, by signing this consent this parent is irrevocably
 3 and permanently relinquishing all parental rights to the child,
 4 and this parent has stated that such is (her)(his) intention
 5 and desire.

6 Dated (insert date).

7

8 Signature

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

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

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

21 (c) the Department of Children and Family Services
 22 Guardianship Administrator determines that the specified
 23 person or persons will not or cannot complete the adoption,
 24 or in the best interests of the child should not adopt the
 25 child.

26 Within 30 days of the consent becoming void, the Department

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

15 (6) The Department of Children and Family Services is
16 authorized to promulgate rules necessary to implement this
17 subsection O.

18 (7) The Department shall collect and maintain data
19 concerning the efficacy of specific consents. This data shall
20 include the number of specific consents executed and their
21 outcomes, including but not limited to the number of children
22 adopted pursuant to the consents, the number of children for
23 whom adoptions are not completed, and the reason or reasons why
24 the adoptions are not completed.

25 P. If the person signing a consent is incarcerated or
26 detained in a correctional facility, prison, jail, detention

1 center, or other comparable institution, either in this State
2 or any other jurisdiction, the execution of such consent may be
3 acknowledged before social service personnel of such
4 institution, or before a person designated by a court of
5 competent jurisdiction.

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

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

18 S. The form of waiver by a putative or legal father of a
19 born or unborn child shall be substantially as follows:

20 FINAL AND IRREVOCABLE

21 WAIVER OF PARENTAL RIGHTS OF PUTATIVE OR LEGAL FATHER

22 I,, state under oath or affirm as
23 follows:

24 1. That the biological mother has

1 named me as a possible biological or legal father of her
 2 minor child who was born, or is expected to be born on
 3,, in the City/Town of....., State
 4 of

5 2. That I understand that the biological mother
 6 intends to or has placed the child for
 7 adoption.

8 3. That I reside at, in the City/Town
 9 of....., State of

10 4. That I am years of age and my date
 11 of birth is,

12 5. That I (select one):
 13 am married to the biological mother.
 14 am not married to the biological mother and
 15 have not been married to the biological mother within
 16 300 days before the child's birth or expected date of
 17 child's birth.

18 am not currently married to the biological
 19 mother, but was married to the biological mother,
 20 within 300 days before the child's birth or expected
 21 date of child's birth.

22 6. That I (select one):
 23 neither admit nor deny that I am the
 24 biological father of the child.

25 deny that I am the biological father of the
 26 child.

1 7. That I hereby agree to the termination of my
 2 parental rights, if any, without further notice to me of
 3 any proceeding for the adoption of the minor child, even if
 4 I have taken any action to establish parental rights or
 5 take any such action in the future including registering
 6 with any putative father registry.

7 8. That I understand that by signing this Waiver I do
 8 irrevocably and permanently give up all custody and other
 9 parental rights I may have to such child.

10 9. That I understand that this Waiver is FINAL AND
 11 IRREVOCABLE and that I am permanently barred from
 12 contesting any proceeding for the adoption of the child
 13 after I sign this Waiver.

14 10. That I waive any further service of summons or
 15 other pleadings in any proceeding to terminate parental
 16 rights, if any to this child, or any proceeding for
 17 adoption of this child.

18 11. That I understand that if a final judgment or order
 19 of adoption for this child is not entered, then any
 20 parental rights or responsibilities that I may have remain
 21 intact.

22 12. That I have read and understand the above and that
 23 I am signing it as my free and voluntary act.

24 Dated:,
 25

1 child by a parent, including a minor, to an agency for the
2 purpose of adoption shall be irrevocable unless it shall have
3 been obtained by fraud or duress on the part of the person
4 before whom such consent, surrender, or other document
5 equivalent to a surrender is acknowledged pursuant to the
6 provisions of Section 10 of this Act or on the part of the
7 adopting parents or their agents and a court of competent
8 jurisdiction shall so find. No action to void or revoke a
9 consent to or surrender for adoption, including an action based
10 on fraud or duress, may be commenced after 12 months from the
11 date the consent or surrender was executed. The consent or
12 surrender of a parent who is a minor shall not be voidable
13 because of such minority.

14 (a-1) A waiver signed by a putative or legal father,
15 including a minor, executed and acknowledged in accordance with
16 Section 10 of this Act, shall be irrevocable unless it shall
17 have been obtained by fraud or duress on the part of the
18 adopting parents or their agents and a court of competent
19 jurisdiction shall so find. No action to void a waiver may be
20 commenced after 12 months from the date the waiver was
21 executed. The waiver of a putative or legal father who is a
22 minor shall not be voidable because of such minority.

23 (b) The petitioners in an adoption proceeding are entitled
24 to rely upon a sworn statement of the biological mother of the
25 child to be adopted identifying the father of her child. The
26 affidavit shall be conclusive evidence as to the biological

1 mother regarding the facts stated therein, and shall create a
 2 rebuttable presumption of truth as to the biological father
 3 only. Except as provided in Section 11 of this Act, the
 4 biological mother of the child shall be permanently barred from
 5 attacking the proceeding thereafter. The biological mother
 6 shall execute such affidavit in writing and under oath. The
 7 affidavit shall be executed by the biological mother before or
 8 at the time of execution of the consent or surrender, and shall
 9 be retained by the court and be a part of the Court's files.
 10 The form of affidavit shall be substantially as follows:

AFFIDAVIT OF IDENTIFICATION

11
 12 I,, the mother of a (male or female)
 13 child, state under oath or affirm as follows:

14 (1) That the child was born, or is expected to be born, on
 15 (insert date), at, in the State of
 16

17 (2) That I reside at, in the City or
 18 Village of, State of

19 (3) That I am of the age of years.

20 (4) That I acknowledge that I have been asked to identify
 21 the father of my child.

22 (5) (CHECK ONE)
 23 I know and am identifying the biological father.
 24 I do not know the identity of the biological father.
 25 I am unwilling to identify the biological father.

26 (6A) If I know and am identifying the father:

1 That the name of the biological father is
2 ; his last known home address is
3 ; his last known work address is
4 ; and he is years of age; or he is
5 deceased, having died on (insert date) at , in
6 the State of

7 (6B) If I do not know the identity of the biological
8 father:

9 I do not know who the biological father is; the following
10 is an explanation of why I am unable to identify him:

11
12
13

14 (6C) If I am unwilling to identify the biological father:

15 I do not wish to name the biological father of the child
16 for the following reasons:

17
18
19

20 (7) The physical description of the biological father is:

21
22

23 (8) I reaffirm that the information contained in paragraphs
24 5, 6, and 7, inclusive, is true and correct.

25 (9) I have been informed and understand that if I am
26 unwilling, refuse to identify, or misidentify the biological

1 father of the child, absent fraud or duress, I am permanently
2 barred from attacking the proceedings for the adoption of the
3 child at any time after I sign a final and irrevocable consent
4 to adoption or surrender for purposes of adoption.

5 (10) I have read this Affidavit and have had the
6 opportunity to review and question it; it was explained to me
7 by; and I am signing it as my free
8 and voluntary act and understand the contents and the results
9 of signing it.

10 Dated (insert date).

11
12 Signature

13 Under penalties as provided by law under Section 1-109 of
14 the Code of Civil Procedure, the undersigned certifies that the
15 statements set forth in this Affidavit are true and correct.

16
17 Signature

18 (Source: P.A. 91-357, eff. 7-29-99; 91-572, eff. 1-1-00.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.