

1 AN ACT concerning regulation.

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

4 Section 5. The Child Care Act of 1969 is amended by
5 changing Sections 2.08, 2.17, 2.23, 2.25, 7.4, and 7.6 and by
6 adding Sections 3.2 and 3.3 as follows:

7 (225 ILCS 10/2.08) (from Ch. 23, par. 2212.08)

8 Sec. 2.08. "Child welfare agency" means a public or private
9 child care facility, receiving any child or children for the
10 purpose of placing or arranging for the placement or free care
11 of the child or children in foster family homes, unlicensed
12 pre-adoptive and adoptive homes, adoption-only homes, or other
13 facilities for child care, apart from the custody of the
14 child's or children's parents. The term "child welfare agency"
15 includes all agencies established and maintained by a
16 municipality or other political subdivision of the State of
17 Illinois to protect, guard, train or care for children outside
18 their own homes and all agencies, persons, groups of persons,
19 associations, organizations, corporations, institutions,
20 centers, or groups providing adoption services, but does not
21 include any circuit court or duly appointed juvenile probation
22 officer or youth counselor of the court who receives and places
23 children under an order of the court.

1 (Source: P.A. 94-586, eff. 8-15-05.)

2 (225 ILCS 10/2.17) (from Ch. 23, par. 2212.17)

3 Sec. 2.17. "Foster family home" means a facility for child
4 care in residences of families who receive no more than 8
5 children unrelated to them, unless all the children are of
6 common parentage, or residences of relatives who receive no
7 more than 8 related children placed by the Department, unless
8 the children are of common parentage, for the purpose of
9 providing family care and training for the children on a
10 full-time basis, except the Director of Children and Family
11 Services, pursuant to Department regulations, may waive the
12 limit of 8 children unrelated to an adoptive family for good
13 cause and only to facilitate an adoptive placement. The
14 family's or relative's own children, under 18 years of age,
15 shall be included in determining the maximum number of children
16 served. For purposes of this Section, a "relative" includes any
17 person, 21 years of age or over, other than the parent, who (i)
18 is currently related to the child in any of the following ways
19 by blood or adoption: grandparent, sibling, great-grandparent,
20 uncle, aunt, nephew, niece, first cousin, great-uncle, or
21 great-aunt; or (ii) is the spouse of such a relative; or (iii)
22 is a child's step-father, step-mother, or adult step-brother or
23 step-sister; or (iv) is a fictive kin; "relative" also includes
24 a person related in any of the foregoing ways to a sibling of a
25 child, even though the person is not related to the child, when

1 the child and its sibling are placed together with that person.
2 For purposes of placement of children pursuant to Section 7 of
3 the Children and Family Services Act and for purposes of
4 licensing requirements set forth in Section 4 of this Act, for
5 children under the custody or guardianship of the Department
6 pursuant to the Juvenile Court Act of 1987, after a parent
7 signs a consent, surrender, or waiver or after a parent's
8 rights are otherwise terminated, and while the child remains in
9 the custody or guardianship of the Department, the child is
10 considered to be related to those to whom the child was related
11 under this Section prior to the signing of the consent,
12 surrender, or waiver or the order of termination of parental
13 rights. The term "foster family home" includes homes receiving
14 children from any State-operated institution for child care; or
15 from any agency established by a municipality or other
16 political subdivision of the State of Illinois authorized to
17 provide care for children outside their own homes. The term
18 "foster family home" does not include an "adoption-only home"
19 as defined in Section 2.23 of this Act. The types of foster
20 family homes are defined as follows:

21 (a) "Boarding home" means a foster family home which
22 receives payment for regular full-time care of a child or
23 children.

24 (b) "Free home" means a foster family home other than
25 an adoptive home which does not receive payments for the
26 care of a child or children.

1 (c) "Adoptive home" means a foster family home which
2 receives a child or children for the purpose of adopting
3 the child or children, but does not include an
4 adoption-only home.

5 (d) "Work-wage home" means a foster family home which
6 receives a child or children who pay part or all of their
7 board by rendering some services to the family not
8 prohibited by the Child Labor Law or by standards or
9 regulations of the Department prescribed under this Act.
10 The child or children may receive a wage in connection with
11 the services rendered the foster family.

12 (e) "Agency-supervised home" means a foster family
13 home under the direct and regular supervision of a licensed
14 child welfare agency, of the Department of Children and
15 Family Services, of a circuit court, or of any other State
16 agency which has authority to place children in child care
17 facilities, and which receives no more than 8 children,
18 unless of common parentage, who are placed and are
19 regularly supervised by one of the specified agencies.

20 (f) "Independent home" means a foster family home,
21 other than an adoptive home, which receives no more than 4
22 children, unless of common parentage, directly from
23 parents, or other legally responsible persons, by
24 independent arrangement and which is not subject to direct
25 and regular supervision of a specified agency except as
26 such supervision pertains to licensing by the Department.

1 (Source: P.A. 98-804, eff. 1-1-15; 98-846, eff. 1-1-15; 99-78,
2 eff. 7-20-15.)

3 (225 ILCS 10/2.23)

4 Sec. 2.23. "Adoption-only home" means a home that receives
5 a child placed by an Illinois licensed child welfare agency
6 providing adoption services for the sole purpose of adoption.
7 The child shall not be under the custody or guardianship of the
8 Department pursuant to the Juvenile Court Act of 1987. Such
9 adoption-only home shall not be required to be licensed as a
10 child care facility under this Act, but shall be required to
11 meet the requirements set forth in Section 3.2 of this Act
12 ~~family home that receives only children whose parents' parental~~
13 ~~rights have been terminated or surrendered for the purpose of~~
14 ~~adoption only.~~

15 (Source: P.A. 92-318, eff. 1-1-02.)

16 (225 ILCS 10/2.25)

17 Sec. 2.25. "Unlicensed pre-adoptive and adoptive home"
18 means any home that is not licensed by the Department as a
19 foster family home and that receives a child or children for
20 the purpose of adopting the child or children, but does not
21 include an adoption-only home.

22 (Source: P.A. 94-586, eff. 8-15-05.)

23 (225 ILCS 10/3.2 new)

1 Sec. 3.2. Requirements for adoption-only homes. In
2 addition to the other requirements contained in this Act, in
3 order to approve an adoption-only home, a licensed child
4 welfare agency shall:

5 (1) conduct a home study, which shall consist of a
6 thorough assessment of any prospective adoptive parent's
7 physical, mental, financial, and emotional ability to
8 successfully parent a child through adoption;

9 (2) obtain a criminal background check of all adult
10 residents in the home pursuant to Section 3.3 of this Act;

11 (3) obtain child abuse background checks of all
12 residents in the home who are 13 years of age or over;

13 (4) assess the health of all prospective adoptive
14 parents and family members living in the home, as well as
15 any residents of the home;

16 (5) assess the finances of the prospective adoptive
17 parent or parents;

18 (6) obtain character references for the prospective
19 adoptive parent or parents;

20 (7) assess the safety of the adoptive home;

21 (8) provide adoption education and training to the
22 prospective adoptive parent or parents; and

23 (9) conduct a pre-placement home visit and
24 post-placement supervision.

25 The licensed child welfare agency may impose any other
26 reasonable requirements that the agency deems appropriate in

1 approving an adoption-only home. The Department shall adopt
2 procedures necessary for the implementation of this Section no
3 later than 30 days after the effective date of this amendatory
4 Act of the 99th General Assembly.

5 (225 ILCS 10/3.3 new)

6 Sec. 3.3. Requirements for criminal background checks for
7 adoption-only homes. In approving an adoption-only home
8 pursuant to Section 3.2 of this Act, if an adult resident has
9 an arrest or conviction record, the licensed child welfare
10 agency:

11 (1) shall thoroughly investigate and evaluate the
12 criminal history of the resident and, in so doing, include
13 an assessment of the applicant's character and, in the case
14 of the prospective adoptive parent, the impact that the
15 criminal history has on his or her ability to parent the
16 child; the investigation should consider the type of crime,
17 the number of crimes, the nature of the offense, the age at
18 time of crime, the length of time that has elapsed since
19 the last conviction, the relationship of the crime to the
20 ability to care for children, and any evidence of
21 rehabilitation;

22 (2) shall not approve the home if the record reveals a
23 felony conviction for crimes against a child, including,
24 but not limited to, child abuse or neglect, child
25 pornography, rape, sexual assault, or homicide;

1 (3) shall not approve the home if the record reveals a
2 felony conviction within the last 5 years, including, but
3 not limited to, for physical assault, battery,
4 drug-related offenses, or spousal abuse; and

5 (4) shall not approve the home if the record reveals a
6 felony conviction for homicide, rape, or sexual assault.

7 (225 ILCS 10/7.4)

8 Sec. 7.4. Disclosures.

9 (a) Every licensed child welfare agency providing adoption
10 ~~services and licensed by the Department~~ shall provide to all
11 prospective clients and to the public written disclosures with
12 respect to its adoption services, policies, and practices,
13 including general eligibility criteria, fees, and the mutual
14 rights and responsibilities of clients, including biological
15 parents and adoptive parents. The written disclosure shall be
16 posted on any website maintained by the child welfare agency
17 that relates to adoption services. The Department shall adopt
18 rules relating to the contents of the written disclosures.
19 Eligible agencies may be deemed compliant with this subsection
20 (a).

21 (b) Every licensed child welfare agency providing adoption
22 services shall provide to all applicants, prior to application,
23 a written schedule of estimated fees, expenses, and refund
24 policies. Every child welfare agency providing adoption
25 services shall have a written policy that shall be part of its

1 standard adoption contract and state that it will not charge
2 additional fees and expenses beyond those disclosed in the
3 adoption contract unless additional fees are reasonably
4 required by the circumstances and are disclosed to the adoptive
5 parents or parent before they are incurred. The Department
6 shall adopt rules relating to the contents of the written
7 schedule and policy. Eligible agencies may be deemed compliant
8 with this subsection (b).

9 (c) Every licensed child welfare agency providing adoption
10 services must make full and fair disclosure to its clients,
11 including biological parents and adoptive parents, of all
12 circumstances material to the placement of a child for
13 adoption. The Department shall adopt rules necessary for the
14 implementation and regulation of the requirements of this
15 subsection (c).

16 (c-5) Whenever a licensed child welfare agency places a
17 child in a licensed foster family home or an adoption-only
18 home, the agency shall provide the following to the caretaker
19 or prospective adoptive parent:

20 (1) Available detailed information concerning the
21 child's educational and health history, copies of
22 immunization records (including insurance and medical card
23 information), a history of the child's previous
24 placements, if any, and reasons for placement changes,
25 excluding any information that identifies or reveals the
26 location of any previous caretaker.

1 (2) A copy of the child's portion of the client service
2 plan, including any visitation arrangement, and all
3 amendments or revisions to it as related to the child.

4 (3) Information containing details of the child's
5 individualized educational plan when the child is
6 receiving special education services.

7 (4) Any known social or behavioral information
8 (including, but not limited to, criminal background, fire
9 setting, perpetration of sexual abuse, destructive
10 behavior, and substance abuse) necessary to care for and
11 safeguard the child.

12 The agency may prepare a written summary of the information
13 required by this subsection, which may be provided to the
14 foster or prospective adoptive parent in advance of a
15 placement. The foster or prospective adoptive parent may review
16 the supporting documents in the child's file in the presence of
17 casework staff. In the case of an emergency placement, casework
18 staff shall at least provide information verbally, if
19 necessary, and must subsequently provide the information in
20 writing as required by this subsection. In the case of
21 emergency placements when time does not allow prior review,
22 preparation, and collection of written information, the agency
23 shall provide such information as it becomes available.

24 The Department shall adopt rules necessary for the
25 implementation and regulation of the requirements of this
26 subsection (c-5).

1 (d) Every licensed child welfare agency providing adoption
2 services shall meet minimum standards set forth by the
3 Department concerning the taking or acknowledging of a consent
4 prior to taking or acknowledging a consent from a prospective
5 biological parent. The Department shall adopt rules concerning
6 the minimum standards required by agencies under this Section.

7 (Source: P.A. 94-586, eff. 8-15-05; 94-1010, eff. 10-1-06.)

8 (225 ILCS 10/7.6)

9 Sec. 7.6. Annual report. Every licensed child welfare
10 agency providing adoption services shall file an annual report
11 with the Department and with the Attorney General on forms and
12 on a date prescribed by the Department. The annual reports for
13 the preceding 2 years must be made available, upon request, to
14 the public by the Department and every licensed agency and must
15 be included on the website of the Department. Each licensed
16 agency that maintains a website shall provide the reports on
17 its website. The annual report shall include all of the
18 following matters and all other matters required by the
19 Department:

20 (1) a balance sheet and a statement of income and
21 expenses for the year, certified by an independent public
22 accountant; for purposes of this item (1), the audit report
23 filed by an agency with the Department may be included in
24 the annual report and, if so, shall be sufficient to comply
25 with the requirement of this item (1);

1 (2) non-identifying information concerning the
2 placements made by the agency during the year, consisting
3 of the number of adoptive families in the process of
4 obtaining approval for an adoption-only home ~~a foster~~
5 ~~family license~~, the number of adoptive families that are
6 approved ~~licensed~~ and awaiting placement, the number of
7 biological parents that the agency is actively working
8 with, the number of placements, and the number of adoptions
9 initiated during the year and the status of each matter at
10 the end of the year;

11 (3) any instance during the year in which the agency
12 lost the right to provide adoption services in any State or
13 country, had its license suspended for cause, or was the
14 subject of other sanctions by any court, governmental
15 agency, or governmental regulatory body relating to the
16 provision of adoption services;

17 (4) any actions related to licensure that were
18 initiated against the agency during the year by a licensing
19 or accrediting body;

20 (5) any pending investigations by federal or State
21 authorities;

22 (6) any criminal charges, child abuse charges,
23 malpractice complaints, or lawsuits against the agency or
24 any of its employees, officers, or directors related to the
25 provision of adoption services and the basis or disposition
26 of the actions;

1 (7) any instance in the year where the agency was found
2 guilty of, or pled guilty to, any criminal or civil or
3 administrative violation under federal, State, or foreign
4 law that relates to the provision of adoption services;

5 (8) any instance in the year where any employee,
6 officer, or director of the agency was found guilty of any
7 crime or was determined to have violated a civil law or
8 administrative rule under federal, State, or foreign law
9 relating to the provision of adoption services; and

10 (9) any civil or administrative proceeding instituted
11 by the agency during the year and relating to adoption
12 services, excluding uncontested adoption proceedings and
13 proceedings filed pursuant to Section 12a of the Adoption
14 Act.

15 Failure to disclose information required under this
16 Section may result in the suspension of the agency's license
17 for a period of 90 days. Subsequent violations may result in
18 revocation of the license.

19 Information disclosed in accordance with this Section
20 shall be subject to the applicable confidentiality
21 requirements of this Act and the Adoption Act.

22 (Source: P.A. 94-586, eff. 8-15-05.)

23 Section 10. The Adoption Act is amended by changing Section
24 10 and by adding Sections 12.2 and 12.3 as follows:

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.

26 That I understand such child will be placed for adoption

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

6 Dated (insert date).

7

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

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

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

21 FINAL AND IRREVOCABLE CONSENT TO ADOPTION BY

22 A SPECIFIED PERSON OR PERSONS; NON-DCFS CASE

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

25 1. That such child was born on, at, City of ...

1 and State of

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

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

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

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

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

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

24 8. That I understand such child will be adopted by
25 (specified person or persons) and that
26 I cannot under any circumstances, after signing this document,

1 change my mind and revoke or cancel this consent or obtain or
2 recover custody or any other rights over such child if
3 (specified person or persons)
4 adopt(s) such child; PROVIDED that each specified person has
5 filed or shall file, within 60 days from the date hereof, a
6 petition for the adoption of such child.

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

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

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

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

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

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

22 Dated (insert date).

23

24 Signature of parent.

25

26 Address of parent.

1
2

Phone number(s) of parent.

3
4

Personal email(s) of parent.

5
6

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

10 STATE OF)

11) SS.

12 COUNTY OF)

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

24 A-2. Birth Parent Rights and Responsibilities-Private
25 Form. The Birth Parent Rights and Responsibilities-Private

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

9 Birth Parent Rights and Responsibilities-Private Form

10 THIS FORM DOES NOT CONSTITUTE LEGAL ADVICE. LEGAL ADVICE IS
11 DEPENDENT ON THE SPECIFIC CIRCUMSTANCES OF EACH SITUATION AND
12 JURISDICTION. THE INFORMATION IN THIS FORM CANNOT REPLACE THE
13 ADVICE OF AN ATTORNEY LICENSED IN YOUR STATE.

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

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

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

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

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

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

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

9 6. To see your child before signing a Consent or Specified
10 Consent if you are the custodial parent, and to request to see
11 your child if you are not the custodial parent.

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

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

21 9. To request that your identifying information remain
22 confidential, unless required otherwise by Illinois law or
23 court order, and to voluntarily share your medical, background,
24 and identifying information, including information on the
25 original birth certificate of your child. This can be done
26 through the Illinois Adoption Registry and Medical Information

1 Exchange or through completing the Birth Parent Preference
2 Form. Please visit <http://dph.illinois.gov> or
3 www.newillinoisadoptionlaw.com register with the Illinois
4 Adoption Registry and Medical Information Exchange.

5 10. To access the Confidential Intermediary Program which
6 provides a way for a court appointed person to connect and/or
7 exchange information between adoptees, adoptive parents and
8 birth parents, and other biological family members, provided in
9 most cases that mutual consent is given. Please visit
10 www.ci-illinois.org or call (800) 526-9022(x29).

11 11 ~~10~~. To work with an adoption agency or attorney of your
12 choice, or change said agency or attorney, provided you
13 promptly inform all of the parties currently involved.

14 12 ~~11~~. To receive, upon request, a written list of any
15 promised support, financial or otherwise, from your attorney or
16 the attorney for your child's prospective adoptive parents.

17 13 ~~12~~. To delay signing a Consent, Specified Consent, or
18 Unborn Consent if you are not ready to do so.

19 14 ~~13~~. To decline to sign a Consent, Specified Consent, or
20 Unborn Consent even if you have received financial support from
21 the prospective adoptive parents.

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

25 As a Birth Parent in the State of Illinois, you have the
26 responsibility:

1 1. To carefully consider your reasons for choosing
2 adoption.

3 ~~2. To voluntarily provide all known medical, background,~~
4 ~~and family information about yourself and your immediate family~~
5 ~~to your child's prospective adoptive parents or their attorney.~~
6 ~~For the health of your child, you are strongly encouraged, but~~
7 ~~not required, to provide all known medical, background, and~~
8 ~~family history information about yourself and your family to~~
9 ~~your child's prospective adoptive parents or their attorney.~~

10 2 ~~3.~~ (Birth mothers only) To accurately complete an
11 Affidavit of Identification, which identifies the father of the
12 child when known, with the understanding that a birth mother
13 has a right to decline to identify the birth father.

14 3. To provide the necessary documentation regarding
15 financial need to make an appropriate determination of
16 reasonable pregnancy-related expenses.

17 4. To not accept financial support or reimbursement of
18 pregnancy related expenses simultaneously from more than one
19 source or if you are not pregnant, as doing so is a crime.

20 5. To voluntarily provide all known medical, background,
21 and family information about yourself and your immediate family
22 to your child's prospective adoptive parents or their attorney.
23 For the health of your child, you are strongly encouraged, but
24 not required, to do so as set forth on the following form:

25 Birth Parent Medical Information

26 The purpose of this form is to gather your health history,

1 genetic history, and social background information to share
 2 with the adoptive parents. It is important the adoptive family
 3 provide this information to the child's physician. It will
 4 become a part of the child's medical and family history. This
 5 form, in its entirety, will be given to the adoptive parent(s).

6 The following information is true and complete to the best
 7 of my knowledge and belief.

8 Birth parent name:

9

10 Signature:

11

12 Date:.....

13 YES or NO (circle one) I agree to release my full name on
 14 this form to the adoptive family. If NO is circled then the
 15 birth parent's name shall be redacted on this form.

16 MOTHER'S PHYSICAL CHARACTERISTICS:

17 Eyes: ... Hair: Complexion: Height:

18 Weight: Body build: Race:

19 Nationality/Descent: Blood type: Rh factor:

20 Eye glasses or contact lenses? Yes /.../ No /.../

21 Right /.../ Left /.../ handed

22 Age: or Date of birth: Religion:

23 Please list your highest education level, occupation,
 24 hobbies, interests, and talents:

25

26 Existence of any disabilities? Yes /.../ No /.../

1 If yes, explain:

2 If you have other children, list them below. Include any
3 children previously placed for adoption.

4

5 Describe your relationship with the birth father:

6 FATHER'S PHYSICAL CHARACTERISTICS:

7 Eyes: ... Hair: Complexion: ... Height:

8 Weight: Body build: Race:

9 Nationality/Descent: Blood type: Rh factor:

10 Eye glasses or contact lenses? Yes /.../ No /.../

11 Right /.../ Left /.../ handed

12 Age: or Date of birth: Religion:

13 Please list your highest education level, occupation,
14 hobbies, interests, and talents:

15

16 Existence of any disabilities? Yes /.../ No /.../

17 If yes, explain:

18 If you have other children, list them below. Include any
19 children previously placed for adoption.

20

21 PREGNANCY HISTORY INVOLVING THIS CHILD

22 Month prenatal care began during this pregnancy:.....

23 Complications during pregnancy: Yes... No ... If yes,
24 explain:

25

26 MEDICATION AND OTHER SUBSTANCES USED DURING PREGNANCY OR YEAR

<u>PRIOR TO PREGNANCY</u>					
	<u>YES</u>	<u>NO</u>	<u>FREQUENCY/</u> <u>AMOUNT</u> <u>DURING</u> <u>PREGNANCY</u>	<u>FREQUENCY/</u> <u>AMOUNT</u> <u>PRIOR TO</u> <u>PREGNANCY</u>	
1					
2					
3					
4					
5					
6	<u>Alcohol</u>	<u>/../</u>	<u>/../</u>	<u>.....</u>	<u>.....</u>
7	<u>Amphetamines</u>	<u>/../</u>	<u>/../</u>	<u>.....</u>	<u>.....</u>
8	<u>Barbiturates</u>	<u>/../</u>	<u>/../</u>	<u>.....</u>	<u>.....</u>
9	<u>Cocaine</u>	<u>/../</u>	<u>/../</u>	<u>.....</u>	<u>.....</u>
10	<u>Heroin</u>	<u>/../</u>	<u>/../</u>	<u>.....</u>	<u>.....</u>
11	<u>LSD</u>	<u>/../</u>	<u>/../</u>	<u>.....</u>	<u>.....</u>
12	<u>Marijuana</u>	<u>/../</u>	<u>/../</u>	<u>.....</u>	<u>.....</u>
13	<u>Caffeine</u>				
14	<u>(Coffee,</u>				
15	<u>tea, etc)</u>	<u>/../</u>	<u>/../</u>	<u>.....</u>	<u>.....</u>
16	<u>Prescription</u>				
17	<u>drugs</u>	<u>/../</u>	<u>/../</u>	<u>.....</u>	<u>.....</u>
18	<u>Non-</u>				
19	<u>prescription</u>				
20	<u>drugs</u>	<u>/../</u>	<u>/../</u>	<u>.....</u>	<u>.....</u>
21	<u>Other</u>	<u>/../</u>	<u>/../</u>	<u>.....</u>	<u>.....</u>

22 In addition to this form, a birth parent shall also be
 23 provided the forms for the Illinois Adoption Registry and
 24 Medical Information Exchange.

25 B. The form of consent required for the adoption of an

1 unborn child shall be substantially as follows:

2 CONSENT TO ADOPTION OF UNBORN CHILD

3 I,, state:

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

6 That I reside at County of, and State of

7 That I am of the age of years.

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

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

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

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

26 That I understand such child will be placed for adoption

1 and that, except as hereinabove provided, I cannot under any
2 circumstances, after signing this document, change my mind and
3 revoke or cancel this consent or obtain or recover custody or
4 any other rights over such child.

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

7 Dated (insert date).

8

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

17 FINAL AND IRREVOCABLE CONSENT

18 TO STANDBY ADOPTION

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

21 That the child was born on at

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

23 That I am of the age of years.

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

26 That I do hereby consent and agree to the standby adoption

1 of the child, and that I have not previously executed a consent
2 or surrender with respect to the child.

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

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

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

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

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

3 Dated (insert date).

4

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

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

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

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

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

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

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

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

23 I have fully explained that this consent to adoption is
24 valid only if the petition to adopt is filed, and that if the

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

8 Dated (insert date).

9 Signature

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

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

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

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

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

24 FINAL AND IRREVOCABLE SURRENDER

25 FOR PURPOSES OF ADOPTION

26 I, (relationship, e.g., mother, father, relative,

1 guardian) of, a ..male child, state:

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

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

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

24 That I understand I cannot under any circumstances, after
25 signing this surrender, change my mind and revoke or cancel
26 this surrender or obtain or recover custody or any other rights

1 over such child.

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

12 FINAL AND IRREVOCABLE DESIGNATED SURRENDER

13 FOR PURPOSES OF ADOPTION

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

- 16 1. That such child was born on, at
- 17 2. That I reside at, County of, and State of
18
- 19 3. That I am of the age of years.
- 20 4. That I do hereby surrender and entrust the entire
21 custody and control of such child to the (the "Agency"), a
22 (public) (licensed) child welfare agency with its principal
23 office in the City of, County of and State of,
24 for the purpose of enabling it to care for and supervise the
25 care of such child, to place such child for adoption with
26 (specified person or persons)

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

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

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

26 7. That I acknowledge that this surrender is valid even if

1 the specified persons separate or divorce or one of the
2 specified persons dies prior to the entry of the final judgment
3 for adoption.

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

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

12 10. That I understand I cannot under any circumstances,
13 after signing this surrender, change my mind and revoke or
14 cancel this surrender or obtain or recover custody or any other
15 rights over such child.

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

18 Dated (insert date).

19

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

24 SURRENDER OF UNBORN CHILD FOR
25 PURPOSES OF ADOPTION

26 I, (father), state:

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

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

4 That I am of the age of years.

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

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

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

26 That I understand I cannot under any circumstances, after

1 signing this surrender, change my mind and revoke or cancel
 2 this surrender or obtain or recover custody or any other rights
 3 over such child, except that I have the right to revoke this
 4 surrender by giving written notice of my revocation not later
 5 than 72 hours after the birth of such child.

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

8 Dated (insert date).

9

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

13 CONSENT

14 I,, (father) (mother) of, an adult, state:

15 That I reside at, County of and State of

16 That I do hereby consent and agree to the adoption of such
 17 adult by and

18 Dated (insert date).

19

20 F. The form of consent required for the adoption of a child
 21 of the age of 14 years or over, or of an adult, to be given by
 22 such person, shall be substantially as follows:

23 CONSENT

24 I,, state:

25 That I reside at, County of and State of

26 That I am of the age of years. That I hereby enter my

1 appearance in this proceeding and waive service of summons on
2 me. That I consent and agree to 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 ("Department" or "DCFS"), execute a consent to
16 adoption by a specified person 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 The court may waive the time frames in subdivisions (a),
26 (b), and (c) for good cause shown if the court finds it to be in

1 the child's best interests.

2 A consent under this subsection O shall be acknowledged by
3 a parent pursuant to subsection H and subsection K of this
4 Section.

5 (2) The final and irrevocable consent to adoption by a
6 specified person or persons in a Department of Children and
7 Family Services (DCFS) case shall be substantially as follows:

8 FINAL AND IRREVOCABLE CONSENT TO ADOPTION BY

9 A SPECIFIED PERSON OR PERSONS: DCFS CASE

10 I,, the
11 (mother or father) of amale child,
12 state:

13 1. My child (name of
14 child) was born on (insert date) at
15 Hospital in the municipality of, in
16 County, State of

17 2. I reside at, County of
18 and State of

19 Mail may also be sent to me at this address
20, in care of

21 My home telephone number is

22 My cell telephone number is

23 My e-mail address is

24 3. I,, am years old.

25 4. I enter my appearance in this action for my child to
26 be adopted by the person or persons specified herein by me

1 and waive service of summons on me in this action only.

2 5. I hereby acknowledge that I have been provided a
3 copy of the Birth Parent Rights and Responsibilities for
4 DCFS Cases before signing this Consent and that I have had
5 time to read this form or have it read to me and that I
6 understand the rights and responsibilities described in
7 this form. I understand that if I do not receive any of my
8 rights as described in the form, it shall not constitute a
9 basis to revoke this Final and Irrevocable Consent to
10 Adoption by a Specified Person or Persons.

11 6. I do hereby consent and agree to the adoption of
12 such child by (specified person or persons)
13 only.

14 7. I wish to sign this consent and I understand that by
15 signing this consent I irrevocably and permanently give up
16 all my parental rights I have to my child.

17 8. I understand that this consent allows my child to be
18 adopted by only and that I cannot under any
19 circumstances after signing this document change my mind
20 and revoke or cancel this consent.

21 9. I understand that this consent will be void if:

22 (a) the Department places my child with someone
23 other than the specified person or persons; or

24 (b) a court denies the adoption petition for the
25 specified person or persons to adopt my child; or

26 (c) the DCFS Guardianship Administrator refuses to

1 consent to my child's adoption by the specified person
2 or persons on the basis that the adoption is not in my
3 child's best interests.

4 I understand that if this consent is void I have
5 parental rights to my child, subject to any applicable
6 court orders including those entered under Article II of
7 the Juvenile Court Act of 1987, unless and until I sign a
8 new consent or surrender or my parental rights are
9 involuntarily terminated. I understand that if this
10 consent is void, my child may be adopted by someone other
11 than the specified person or persons only if I sign a new
12 consent or surrender, or my parental rights are
13 involuntarily terminated. I understand that if this
14 consent is void, the Department will notify me within 30
15 days using the addresses and telephone numbers I provided
16 in paragraph 2 of this form. I understand that if I receive
17 such a notice, it is very important that I contact the
18 Department immediately, and preferably within 30 days, to
19 have input into the plan for my child's future.

20 10. I understand that if a petition for adoption of my
21 child is filed by someone other than the specified person
22 or persons, the Department will notify me within 14 days
23 after the Department becomes aware of the petition. The
24 fact that someone other than the specified person or
25 persons files a petition to adopt my child does not make
26 this consent void.

1 11. If a person other than the specified person or
 2 persons files a petition to adopt my child or if the
 3 consent is void under paragraph 9, the Department will send
 4 written notice to me using the mailing address and email
 5 address provided by me in paragraph 2 of this form. The
 6 Department will also contact me using the telephone numbers
 7 I provided in paragraph 2 of this form. It is very
 8 important that I let the Department know if any of my
 9 contact information changes. If I do not let the Department
 10 know if any of my contact information changes, I understand
 11 that I may not receive notification from the Department if
 12 this consent is void or if someone other than the specified
 13 person or persons files a petition to adopt my child. If
 14 any of my contact information changes, I should immediately
 15 notify:

16 Caseworker's name and telephone number:
 17 ;
 18 Agency name, address, zip code, and telephone number:
 19 ;
 20 Supervisor's name and telephone number:
 21 ;
 22 DCFS Advocacy Office for Children and Families:
 23 800-232-3798.

24 12. I expressly acknowledge that paragraph 9 (and
 25 paragraphs 8a and 8b, if applicable) do not impair the
 26 validity and finality of this consent under any

1 circumstances.

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

4 Dated (insert date).

5

6 Signature of parent

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

10 8a. If (specified persons) get a
11 divorce or are granted a dissolution of a civil union
12 before the petition to adopt my child is granted, this
13 consent is valid for (specified person) to
14 adopt my child. I understand that I cannot change my mind
15 or revoke this consent or recover custody of my child on
16 the basis that the specified persons divorce or are granted
17 a dissolution of a civil union.

18 8b. I understand that if either
19 (specified persons) dies before the petition to adopt my
20 child is granted, this consent remains valid for the
21 surviving person to adopt my child. I understand that I
22 cannot change my mind or revoke this consent or recover
23 custody of my child on the basis that one of the specified
24 persons dies.

25 (4) The form of the certificate of acknowledgement for a
26 Final and Irrevocable Consent for Adoption by a Specified

1 Person or Persons: DCFS Case shall be substantially as follows:

2 STATE OF)

3) SS.

4 COUNTY OF)

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

13 I have fully explained that by signing this consent this
14 parent is irrevocably and permanently relinquishing all
15 parental rights to the child so that the child may be adopted
16 by a specified person or persons, and this parent has stated
17 that such is (her) (his) intention and desire. I have fully
18 explained that this consent is void only if:

19 (a) the placement is disrupted and the child is moved
20 to a different placement; or

21 (b) a court denies the petition for adoption; or

22 (c) the Department of Children and Family Services
23 Guardianship Administrator refuses to consent to the
24 child's adoption by a specified person or persons on the

1 basis that the adoption is not in the child's best
2 interests.

3 Dated (insert date).

4

5 Signature

6 (5) If a consent to adoption by a specified person or
7 persons is executed in this form, the following provisions
8 shall apply. The consent shall be valid only for the specified
9 person or persons to adopt the child. The consent shall be void
10 if:

11 (a) the placement disrupts and the child is moved to
12 another placement; or

13 (b) a court denies the petition for adoption; or

14 (c) the Department of Children and Family Services
15 Guardianship Administrator refuses to consent to the
16 child's adoption by the specified person or persons on the
17 basis that the adoption is not in the child's best
18 interests.

19 If the consent is void under this Section, the parent shall
20 not need to take further action to revoke the consent. No
21 proceeding for termination of parental rights shall be brought
22 unless the parent who executed the consent to adoption by a
23 specified person or persons has been notified of the
24 proceedings pursuant to Section 7 of this Act or subsection (4)
25 of Section 2-13 of the Juvenile Court Act of 1987.

26 (6) The Department of Children and Family Services is

1 authorized to promulgate rules necessary to implement this
2 subsection O.

3 (7) (Blank).

4 (8) The Department of Children and Family Services shall
5 promulgate a rule and procedures regarding Consents to Adoption
6 by a Specified Person or Persons in DCFS cases. The rule and
7 procedures shall provide for the development of the Birth
8 Parent Rights and Responsibilities Form for DCFS Cases.

9 (9) A consent to adoption by specified persons on this
10 consent form shall have no effect on a court's determination of
11 custody or visitation under the Illinois Marriage and
12 Dissolution of Marriage Act or the Illinois Religious Freedom
13 Protection and Civil Union Act if the marriage or civil union
14 of the specified persons is dissolved after the adoption is
15 final.

16 P. If the person signing a consent is incarcerated or
17 detained in a correctional facility, prison, jail, detention
18 center, or other comparable institution, either in this State
19 or any other jurisdiction, the execution of such consent may be
20 acknowledged before social service personnel of such
21 institution, or before a person designated by a court of
22 competent jurisdiction.

23 Q. A consent may be acknowledged telephonically, via
24 audiovisual connection, or other electronic means, provided
25 that a court of competent jurisdiction has entered an order
26 approving the execution of the consent in such manner and has

1 designated an individual to be physically present with the
2 parent executing such consent in order to verify the identity
3 of the parent.

4 R. An agency whose representative is acknowledging a
5 consent pursuant to this Section shall be a public child
6 welfare agency, or a child welfare agency, or a child placing
7 agency that is authorized or licensed in the State or
8 jurisdiction in which the consent is signed.

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

11 FINAL AND IRREVOCABLE

12 WAIVER OF PARENTAL RIGHTS OF PUTATIVE OR LEGAL FATHER

13 I,, state under oath or affirm as
14 follows:

15 1. That the biological mother has
16 named me as a possible biological or legal father of her
17 minor child who was born, or is expected to be born on
18,, in the City/Town of....., State
19 of

20 2. That I understand that the biological mother
21 intends to or has placed the child for
22 adoption.

23 3. That I reside at, in the City/Town
24 of....., State of

1 4. That I am years of age and my date
2 of birth is,

3 5. That I (select one):

4 am married to the biological mother.

5 am not married to the biological mother and
6 have not been married to the biological mother within
7 300 days before the child's birth or expected date of
8 child's birth.

9 am not currently married to the biological
10 mother, but was married to the biological mother,
11 within 300 days before the child's birth or expected
12 date of child's birth.

13 6. That I (select one):

14 neither admit nor deny that I am the
15 biological father of the child.

16 deny that I am the biological father of the
17 child.

18 7. That I hereby agree to the termination of my
19 parental rights, if any, without further notice to me of
20 any proceeding for the adoption of the minor child, even if
21 I have taken any action to establish parental rights or
22 take any such action in the future including registering
23 with any putative father registry.

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

1
2

Signature

3 Signed and Sworn before me on

4 this day

5 of, 20....

6

7 Notary Public

8 (Source: P.A. 97-493, eff. 8-22-11; 97-988, eff. 1-1-13;

9 97-1063, eff. 1-1-13; 98-463, eff. 8-16-13.)

10 (750 ILCS 50/12.2 new)

11 Sec. 12.2. Adoptive parent rights and responsibilities.

12 Prior to finalization of an adoption pursuant to this Act, any

13 prospective adoptive parent in a private adoption who is not

14 being provided with adoption services by a licensed child

15 welfare agency pursuant to the Child Care Act of 1969, who is

16 not adopting a related child, and who is not adopting a child

17 who is a ward of the Department of Children and Family Services

18 shall be provided with the following form:

19 Adoptive Parents Rights and Responsibilities-Private Form

20 THIS FORM DOES NOT CONSTITUTE LEGAL ADVICE. LEGAL ADVICE IS

21 DEPENDENT ON THE SPECIFIC CIRCUMSTANCES OF EACH SITUATION AND

22 JURISDICTION. THE INFORMATION IN THIS FORM CANNOT REPLACE THE

1 ADVICE OF AN ATTORNEY LICENSED IN YOUR STATE.

2 As an adoptive parent in the State of Illinois, you have
3 the right:

4 1. To be treated with dignity and respect.

5 2. To make decisions free from pressure or coercion,
6 including your decision to accept or reject the placement of a
7 particular child.

8 3. To be informed of the rights of birth parents.

9 4. To know that the birth parent shall have the right to
10 request to receive counseling before and after signing a Final
11 and Irrevocable Consent to Adoption ("Consent"), a Final and
12 Irrevocable Consent to Adoption by a Specified Person or
13 Persons: Non-DCFS Case ("Specified Consent"), or a Consent to
14 Adoption of Unborn Child ("Unborn Consent"). You may agree to
15 pay for the cost of counseling in a manner consistent with
16 Illinois law, but you are not required to do so.

17 5. To receive a written schedule of fees and refund
18 policies from the entity who will handle the investigation of
19 your adoption for the Court.

20 6. To explore the possibility of a subsidy for a child with
21 special needs who is not a ward of the Illinois Department of
22 Children and Family Services. The Department may provide a
23 subsidy if the child meets certain criteria. If you adopt a
24 child who is eligible for supplemental security income (SSI),
25 or who meets other special needs criteria, your child may be
26 subsidy eligible. You should discuss eligibility for a subsidy

1 with your attorney before the adoption is finalized, as this
2 option is only available before the entry of a Judgment Order
3 for Adoption.

4 7. To share information and connect in the future with the
5 birth parent(s) of your child. The birth parent(s), you, and
6 the adopted person have the right to voluntarily share medical,
7 background, and identifying information, including information
8 on the original birth certificate. This can be done through the
9 Illinois Adoption Registry and Medical Information Exchange or
10 through the birth parent completing a Birth Parent Preference
11 Form. Please visit <http://www.dph.illinois.gov> and search for
12 adoption or www.newillinoisadoptionlaw.com.

13 8. To access the Confidential Intermediary program, which
14 provides a way for a court appointed person to connect and/or
15 exchange information between adopted persons, adoptive parents
16 and birth parents, and other biological family members,
17 provided in most cases that mutual consent is given. Please
18 visit www.ci-illinois.org or call (800) 526-9022(x29).

19 As an adoptive parent in the State of Illinois, it is your
20 responsibility:

21 1. To work cooperatively and honestly with the person or
22 entity handling your investigation and appointed by the court,
23 including disclosing information requested by that person or
24 entity.

25 2. To pay the agreed-upon fees to the investigating person
26 or entity promptly.

1 3. To keep the person or entity handling your investigation
2 informed of any new pertinent information about your family.

3 4. To cooperate with post-placement monitoring and
4 support.

5 5. To consult with your attorney prior to offering any
6 financial assistance to the birth parent or parents.

7 6. To obtain training in parenting an adopted child, which
8 may include on-line and in-person training on adoption related
9 topics.

10 (750 ILCS 50/12.3 new)

11 Sec. 12.3. Additional requirements in private adoptions.
12 In cases of adoptions in which an Illinois licensed child
13 welfare agency is not providing adoption services and the child
14 who is the subject of the adoption is not a related child of
15 the prospective adoptive parent and not under the custody or
16 guardianship of the Department of Children and Family Services
17 under the Juvenile Court Act of 1987, the following
18 requirements shall apply in addition to any other applicable
19 requirements set forth in Section 6 or other provisions of this
20 Act:

21 (1) Within 10 days of filing a petition for adoption
22 pursuant to Section 5 of this Act, the prospective adoptive
23 parents and anyone 18 years of age or older who resides in
24 the adoptive home must initiate requests for background
25 checks from the following: the State police and child abuse

1 registry from every state of residence for the 5 years
2 preceding the filing date of the petition, the FBI, the
3 National Sex Offender Registry, and, if Illinois
4 residents, from the Illinois State Police and Child Abuse
5 and Neglect Tracking System. The background checks must be
6 fingerprint-based, if available. The Child Abuse and
7 Neglect Tracking System background check must also be
8 requested for each person 13 to 17 years of age living in
9 the adoptive home.

10 (2) Within 30 days of filing a petition for adoption,
11 the results of the background checks set forth in paragraph
12 (1) of this Section shall be provided to the guardian ad
13 litem of the child appointed by the court or, should there
14 not be a guardian ad litem, to the investigator appointed
15 by the court pursuant to subsection A of Section 6 of this
16 Act.

17 (3) An initial assessment, including a home visit, must
18 be made by the guardian ad litem or the investigator
19 appointed by the court pursuant to subsection A of Section
20 6 of this Act no later than 30 days of said appointment;

21 (4) As part of the investigation, the guardian ad litem
22 or the investigator appointed by the court pursuant to
23 subsection A of Section 6 of this Act must provide the
24 prospective adoptive parents with the Adoptive Parent
25 Rights and Responsibilities-Private Form set forth in
26 Section 12.2 of this Act. The prospective adoptive parent

1 or parents must sign the form acknowledging receipt of the
2 form, and the original form must be filed with the court at
3 the time of the issuance of the interim order, and a copy
4 must be provided to the prospective parent or parents;

5 (5) The attorney for the prospective adoptive parent or
6 parents or the birth parent or parents shall provide the
7 prospective adoptive parent or parents with the Birth
8 Parent Medical form or forms if completed by the birth
9 parent or parents as set forth in subsection A-2 of Section
10 10 of this Act, as soon as practicable but no later than
11 the time of entry of the interim order;

12 (6) The guardian ad litem, or the court-appointed
13 investigator appointed pursuant to subsection A of Section
14 6 of this Act, shall provide a report of investigation to
15 the Court within 6 months after appointment, or earlier if
16 so ordered by the court.

17 (7) The birth parent shall have the right to request to
18 receive counseling before and after signing a Final and
19 Irrevocable Consent to Adoption form, a Final and
20 Irrevocable Consent to Adoption by a Specified Person or
21 Persons: Non-DCFS Case form, or a Consent to Adoption of
22 Unborn Child form. The prospective adoptive parent or
23 parents may agree to pay for the cost of counseling in a
24 manner consistent with Illinois law, but the prospective
25 adoptive parent or parents are not required to do so.

1 INDEX

2 Statutes amended in order of appearance

3 225 ILCS 10/2.08 from Ch. 23, par. 2212.08

4 225 ILCS 10/2.17 from Ch. 23, par. 2212.17

5 225 ILCS 10/2.23

6 225 ILCS 10/2.25

7 225 ILCS 10/3.2 new

8 225 ILCS 10/3.3 new

9 225 ILCS 10/7.4

10 225 ILCS 10/7.6

11 750 ILCS 50/10 from Ch. 40, par. 1512

12 750 ILCS 50/12.2 new

13 750 ILCS 50/12.3 new