

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 18.04, 18.05, 18.06, 18.07, 18.1, 18.1a, 18.1b, 18.2, 18.3,
6 18.3a, 18.5, and 18.6 as follows:

7 (750 ILCS 50/18.04)

8 Sec. 18.04. Original Birth Certificate Access ~~The Illinois~~
9 ~~Adoption Registry and Medical Information Exchange;~~
10 legislative intent. The General Assembly recognizes that it is
11 the basic right of all persons to access their birth records,
12 and, to this end, supports public policy that allows an adult
13 adoptee to access his or her original birth certificate. The
14 General Assembly further recognizes that there are
15 circumstances under which a birth parent may have compelling
16 reasons for wishing to remain anonymous to a child he or she
17 surrendered for adoption. In an effort to balance these
18 interests, the General Assembly supports public policy that
19 releases a non-certified copy of the original birth certificate
20 to an adult adopted person upon request unless a specific
21 request for anonymity has been filed with the Registry by a
22 birth parent named on the original birth certificate ~~the~~
23 ~~importance of creating a procedure by which mutually consenting~~

1 ~~adult members of birth and adoptive families, and adult adopted~~
2 ~~or surrendered persons may voluntarily exchange vital medical~~
3 ~~information throughout the life of the adopted or surrendered~~
4 ~~person. The General Assembly supports public policy that~~
5 ~~requires explicit mutual consent prior to the release of~~
6 ~~confidential information. The General Assembly further~~
7 ~~recognizes that it is in the best interest of adopted and~~
8 ~~surrendered persons that birth family medical histories and the~~
9 ~~preferences regarding contact of all parties to an adoption be~~
10 ~~compiled, preserved and provided to mutually consenting~~
11 ~~members of birth and adoptive families.~~

12 (Source: P.A. 94-173, eff. 1-1-06.)

13 (750 ILCS 50/18.05)

14 Sec. 18.05. The Illinois Adoption Registry and Medical
15 Information Exchange.

16 (a) General function. Subject to appropriation, the
17 Department of Public Health shall administer the Illinois
18 Adoption Registry and Medical Information Exchange in the
19 manner outlined in subsections (b) and (c) for the purpose of
20 facilitating the voluntary exchange of identifying and medical
21 information between mutually consenting members of birth and
22 adoptive families. The Department shall establish rules for the
23 confidential operation of the Illinois Adoption Registry. The
24 Department shall conduct a public information campaign through
25 public service announcements and other forms of media coverage

1 and, until December 31, 2010, through notices enclosed with
2 driver's license renewal applications, shall inform the public
3 of the Illinois Adoption Registry and Medical Information
4 Exchange. From October 1, 2008, to April 1, 2009, such
5 information campaign shall expressly inform the public of the
6 circumstances under which an adult adopted or surrendered
7 person may receive a non-certified copy of his or her original
8 birth certificate and any procedures pursuant to which a birth
9 parent may file a Birth Parent Preference Form to express his
10 or her preferences with respect to contact and the release of
11 identifying information that appears on the original birth
12 certificate. The Illinois Adoption Registry shall also
13 maintain an informational Internet site where interested
14 parties may access information about the Illinois Adoption
15 Registry and Medical Information Exchange and download all
16 necessary application forms. The Illinois Adoption Registry
17 shall maintain statistical records regarding Registry
18 participation and publish and circulate to the public
19 informational material about the function and operation of the
20 Registry.

21 (b) Establishment of the Adoption/Surrender Records File.
22 When a person has voluntarily registered with the Illinois
23 Adoption Registry and completed an Illinois Adoption Registry
24 Application or a Registration Identification Form, the
25 Registry shall establish a new Adoption/Surrender Records
26 File. Such file may concern an adoption that was finalized by a

1 court action in the State of Illinois, an adoption of a person
2 born in Illinois finalized by a court action in a state other
3 than Illinois or in a foreign country, a surrender taken in the
4 State of Illinois, or an adoption filed according to Section
5 16.1 of the Vital Records Act under a Record of Foreign Birth
6 that was not finalized by a court action in the State of
7 Illinois. Such file may be established for adoptions or
8 surrenders finalized prior to as well as after the effective
9 date of this amendatory Act. A file may be created in any
10 manner to preserve documents including but not limited to
11 microfilm, optical imaging, or electronic documents.

12 (c) Contents of the Adoption/Surrender Records File. An
13 established Adoption/Surrender Records File shall be limited
14 to the following items, to the extent that they are available:

15 (1) The General Information Section and Medical
16 Information Exchange Questionnaire of any Illinois
17 Adoption Registry Application or a Registration
18 Identification Form which has been voluntarily completed
19 by any registered party.

20 (2) Any photographs voluntarily provided by any
21 registrant for any other registered party at the time of
22 registration or any time thereafter. All such photographs
23 shall be submitted in an unsealed envelope no larger than 8
24 1/2" x 11", and shall not include identifying information
25 pertaining to any person other than the registrant who
26 submitted them. Any such identifying information shall be

1 redacted by the Department or the information shall be
2 returned for removal of identifying information.

3 (3) Any Information Exchange Authorization, ~~or~~ Denial
4 of Information Exchange, or Birth Parent Preference Form
5 which has been filed by a registrant.

6 (4) For all adoptions finalized after January 1, 2000,
7 copies of the original certificate of live birth and the
8 certificate of adoption.

9 (5) Any updated address submitted by any registered
10 party about himself or herself.

11 (6) Any proof of death that ~~which~~ has been submitted by
12 a registrant.

13 (7) Any birth certificate that has been submitted by a
14 registrant.

15 (8) Any marriage certificate that has been submitted by
16 a registrant.

17 (9) Any proof of guardianship that has been submitted
18 by a registrant.

19 (10) Any Request for a Non-Certified Copy of an
20 Original Birth Certificate that has been filed with the
21 Registry by an adult adopted or surrendered person or by a
22 surviving adult child or surviving spouse of a deceased
23 adopted or surrendered person who has registered with the
24 Registry.

25 (d) An established Adoption/Surrender Records File for an
26 adoption filed in Illinois under a Record of Foreign Birth that

1 was not finalized in a court action in the State of Illinois
2 shall be limited to the following items submitted to the State
3 Registrar of Vital Records under Section 16.1 of the Vital
4 Records Act, to the extent that they are available:

5 (1) Evidence as to the child's birth date and
6 birthplace (including the country of birth and, if
7 available, the city and province of birth) provided by the
8 original birth certificate, or by a certified copy,
9 extract, or translation thereof or by other document
10 essentially equivalent thereto (the records of the U.S.
11 Immigration and Naturalization Service or of the U.S.
12 Department of State to be considered essentially
13 equivalent thereto).

14 (2) A certified copy, extract, or translation of the
15 adoption decree or other document essentially equivalent
16 thereto (the records of the U.S. Immigration and
17 Naturalization Service or of the U.S. Department of State
18 to be considered essentially equivalent thereto).

19 (3) A copy of the IR-3 visa.

20 (4) The name and address of the adoption agency that
21 handled the adoption.

22 (Source: P.A. 94-173, eff. 1-1-06; 94-430, eff. 8-2-05; 95-331,
23 eff. 8-21-07.)

24 (750 ILCS 50/18.06)

25 Sec. 18.06. Definitions. When used in Sections 18.05

1 through Section 18.6, for the purposes of the Registry:

2 "Adopted person" means a person who was adopted pursuant to
3 the laws in effect at the time of the adoption.

4 "Adoptive parent" means a person who has become a parent
5 through the legal process of adoption.

6 "Adult child" means the biological child 21 years of age or
7 over of a deceased adopted or surrendered person.

8 "Adult Adopted or Surrendered Person" means an adopted or
9 surrendered person 21 years of age or over.

10 "Agency" means a public child welfare agency or a licensed
11 child welfare agency.

12 "Birth aunt" means the adult full or half sister of a
13 deceased birth parent.

14 "Birth father" means the biological father of an adopted or
15 surrendered person who is named on the original certificate of
16 live birth or on a consent or surrender document, or a
17 biological father whose paternity has been established by a
18 judgment or order of the court, pursuant to the Illinois
19 Parentage Act of 1984.

20 "Birth mother" means the biological mother of an adopted or
21 surrendered person.

22 "Birth parent" means a birth mother or birth father of an
23 adopted or surrendered person.

24 "Birth Parent Preference Form" means the form prepared by
25 the Department of Public Health pursuant to Section 18.2
26 completed by a birth parent registrant and filed with the

1 Registry that indicates the birth parent's preferences
2 regarding contact and the release of his or her identifying
3 information on the non-certified copy of the original birth
4 certificate released to an adult adopted or surrendered person
5 or to the surviving adult child or surviving spouse of a
6 deceased adopted or surrendered person who has filed a Request
7 for a Non-Certified Copy of an Original Birth Certificate.

8 "Birth relative" means a birth mother, birth father, birth
9 sibling, birth aunt, or birth uncle.

10 "Birth sibling" means the adult full or half sibling of an
11 adopted or surrendered person.

12 "Birth uncle" means the adult full or half brother of a
13 deceased birth parent.

14 "Confidential Intermediary" means an individual certified
15 by the Department of Children and Family Services pursuant to
16 Sec. 18.3a(e).

17 "Denial of Information Exchange" means an affidavit
18 completed by a registrant with the Illinois Adoption Registry
19 and Medical Information Exchange denying the release of
20 identifying information which has been filed with the Registry.

21 "Information Exchange Authorization" means an affidavit
22 completed by a registrant with the Illinois Adoption Registry
23 and Medical Information Exchange authorizing the release of
24 identifying information which has been filed with the Registry.

25 "Medical Information Exchange Questionnaire" means the
26 medical history questionnaire completed by a registrant of the

1 Illinois Adoption Registry and Medical Information Exchange.

2 "Non-certified Copy of the Original Birth Certificate"
3 means a non-certified copy of the original certificate of live
4 birth of an adult adopted or surrendered person who was born in
5 Illinois.

6 "Proof of death" means a death certificate.

7 "Registrant" or "Registered Party" means a birth parent,
8 birth sibling, birth aunt, birth uncle, adopted or surrendered
9 person 21 years of age or over, adoptive parent or legal
10 guardian of an adopted or surrendered person under the age of
11 21, or adoptive parent, surviving spouse, or adult child of a
12 deceased adopted or surrendered person who has filed an
13 Illinois Adoption Registry Application or Registration
14 Identification Form with the Registry.

15 "Registry" means the Illinois Adoption Registry and
16 Medical Information Exchange.

17 "Request for a Non-Certified Copy of an Original Birth
18 Certificate" means an affidavit completed by an adult adopted
19 or surrendered person or by the surviving adult child or
20 surviving spouse of a deceased adopted or surrendered person
21 and filed with the Registry requesting a non-certified copy of
22 an adult adopted or surrendered person's original certificate
23 of live birth in Illinois.

24 "Surrendered person" means a person whose parents' rights
25 have been surrendered or terminated but who has not been
26 adopted.

1 "Surviving spouse" means the wife or husband of a deceased
2 adopted or surrendered person who has one or more biological
3 children under the age of 21.

4 "18.3 Statement" means a statement regarding the
5 disclosure of identifying information signed by a birth parent
6 under former Section 18.3 of the Adoption Act prior to the
7 enactment of this Section.

8 (Source: P.A. 94-173, eff. 1-1-06.)

9 (750 ILCS 50/18.07)

10 Sec. 18.07. Adoption Registry Advisory Council. There is
11 established an Adoption Registry Advisory Council. The Council
12 shall meet twice yearly, and at least once yearly jointly with
13 the Confidential Intermediary Advisory Council. The Council
14 shall be chaired by the Director of the Department of Public
15 Health or his designee. The Council shall include the Director
16 of the Department of Children and Family Services or his
17 designee. The Council shall also include one representative
18 from each of the following organizations: Adoption Advocates of
19 Illinois, Adoptive Families Today, American Adoption Congress,
20 Catholic Conference of Illinois, Chicago Area Families for
21 Adoption, Chicago Bar Association, Child Care Association of
22 Illinois, Children Remembered, Inc., Children's Home and Aid
23 Society of Illinois, Child Welfare Advisory Council, The
24 Cradle, Healing Hearts, Illinois Foster Parents Association,
25 Illinois State Bar Association, Illinois State Medical

1 Society, Jewish Children's Bureau, Kids Help Foundation, LDS
2 Social Services, Lutheran Social Services of Illinois,
3 Maryville Academy, Midwest Adoption Center, St. Mary's
4 Services, Stars of David, and Truthseekers in Adoption.

5 If any one of the above named organizations notifies the
6 Director of the Department of Public Health in writing that the
7 organization does not wish to participate on the Advisory
8 Council or that the organization is no longer functioning, the
9 Director shall appoint another organization that represents
10 the same constituency as the named organization to replace the
11 named organization on the Council.

12 The Council's responsibilities shall include the following:

13 1) Advising the Department on the development of rules,
14 procedures, and forms utilized by the Illinois Adoption
15 Registry and Medical Information Exchange;

16 2) Making recommendations regarding the procedures,
17 tools and technology that will ensure efficient and
18 effective operation of the Registry;

19 ~~3) Submitting a report to the Governor and the General~~
20 ~~Assembly no later than January 1, 2001, on the status of~~
21 ~~the Registry, an evaluation of the effectiveness of the~~
22 ~~Registry, and pertinent statistics regarding the Registry;~~

23 3) ~~4)~~ Assisting the Department with the development,
24 publication, and circulation of an informational pamphlet
25 that describes the purpose, function, and mechanics of the
26 Illinois Adoption Registry and Medical Information

1 Exchange, including information about who is eligible to
2 register and how to register; information about the
3 questions and concerns that registrants may develop when
4 they register or when they receive information from the
5 Registry; and a list of services, programs, groups, and
6 informational websites that are available to assist
7 registrants with their questions and concerns:i-

8 4) Collecting statistical data and empirical
9 information concerning the procedures in the Registry
10 including, but not limited to, data concerning the filing
11 of Denials of Information Exchange, Information Exchange
12 Authorizations, Requests for a Non-Certified Copy of an
13 Original Birth Certificate and Birth Parent Preference
14 Forms.

15 (Source: P.A. 91-417, eff. 1-1-00.)

16 (750 ILCS 50/18.1) (from Ch. 40, par. 1522.1)

17 Sec. 18.1. Disclosure of identifying information.

18 (a) The Department of Public Health shall establish and
19 maintain a Registry for the purpose of allowing ~~providing~~
20 ~~identifying information to~~ mutually consenting members of
21 birth and adoptive families to exchange identifying and medical
22 information. Identifying information for the purpose of this
23 Act shall mean any one or more of the following:

24 (1) The name and last known address of the consenting
25 person or persons.

1 (2) A copy of the Illinois Adoption Registry
2 Application of the consenting person or persons.

3 (3) A non-certified copy of the original birth
4 certificate ~~of live birth~~ of an adult ~~the~~ adopted or
5 surrendered person.

6 (b) Written authorization from all parties identified must
7 be received prior to disclosure of any identifying information,
8 with the exception of non-certified copies of original birth
9 certificates released to adult adopted or surrendered persons
10 or to surviving adult children and surviving spouses of
11 deceased adopted or surrendered persons pursuant to the
12 procedures outlined in Section 18.1b(e).

13 (c) ~~(b)~~ At any time after a child is surrendered for
14 adoption, or at any time during the adoption proceedings or at
15 any time thereafter, either birth parent or both of them may
16 file with the Registry a Birth Parent Registration
17 Identification Form and an Information Exchange Authorization
18 or a Denial of Information Exchange.

19 (d) ~~(b-5)~~ A birth sibling 21 years of age or over who was
20 not surrendered for adoption and who has submitted a copy of
21 his or her birth certificate as well as proof of death for a
22 deceased birth parent and such birth parent did not file a
23 Denial of Information Exchange with the Registry prior to his
24 or her death may file a Registration Identification Form and an
25 Information Exchange Authorization or a Denial of Information
26 Exchange.

1 (e) ~~(b-7)~~ A birth aunt or birth uncle who has submitted
2 birth certificates for himself or herself and for a deceased
3 birth parent naming at least one common biological parent as
4 well as proof of death for the deceased birth parent and such
5 birth parent did not file a Denial of Information Exchange with
6 the Registry prior to his or her death may file a Registration
7 Identification Form and an Information Exchange Authorization
8 or a Denial of Information Exchange.

9 (f) ~~(e)~~ Any adopted person 21 years of age or over, any
10 surrendered person 21 years of age or over, or any adoptive
11 parent or legal guardian of an adopted or surrendered person
12 under the age of 21 may file with the Registry a Registration
13 Identification Form and an Information Exchange Authorization
14 or a Denial of Information Exchange.

15 (g) ~~(e-3)~~ Any adult child 21 years of age or over of a
16 deceased adopted or surrendered person who has submitted a copy
17 of his or her birth certificate naming an adopted or
18 surrendered person as his or her biological parent as well as
19 proof of death for the deceased adopted or surrendered person
20 and such adopted or surrendered person did not file a Denial of
21 Information Exchange with the Registry prior to his or her
22 death may file a Registration Identification Form and an
23 Information Exchange Authorization or a Denial of Information
24 Exchange.

25 (h) ~~(e-5)~~ Any surviving spouse of a deceased adopted or
26 surrendered person 21 years of age or over who has submitted

1 proof of death for the deceased adopted or surrendered person
2 and such adopted or surrendered person did not file a Denial of
3 Information Exchange with the Registry prior to his or her
4 death as well as a birth certificate naming themselves and the
5 adopted or surrendered person as the parents of a minor child
6 under the age of 21 may file a Registration Identification Form
7 and an Information Exchange Authorization or a Denial of
8 Information Exchange.

9 (i) ~~(e-7)~~ Any adoptive parent or legal guardian of a
10 deceased adopted or surrendered person 21 years of age or over
11 who has submitted proof of death as well as proof of parentage
12 or guardianship for the deceased adopted or surrendered person
13 and such adopted or surrendered person did not file a Denial of
14 Information Exchange with the Registry prior to his or her
15 death may file a Registration Identification Form and an
16 Information Exchange Authorization or a Denial of Information
17 Exchange.

18 (j) ~~(d)~~ The Department of Public Health shall supply to the
19 adopted or surrendered person or his or her adoptive parents,
20 legal guardians, adult children or surviving spouse, and to the
21 birth parents identifying information only if both the adopted
22 or surrendered person, or one of his or her adoptive parents,
23 legal guardians, adult children or his or her surviving spouse,
24 and the birth parents have filed with the Registry an
25 Information Exchange Authorization and the information at the
26 Registry indicates that the consenting adopted or surrendered

1 person, the child of the consenting adoptive parents or legal
2 guardians, the parent of the consenting adult child of the
3 adopted or surrendered person, or the deceased wife or husband
4 of the consenting surviving spouse is the child of the
5 consenting birth parents, except identifying information that
6 appears on a non-certified copy of an original birth
7 certificate may be provided to an adult adopted or surrendered
8 person or to the surviving adult child or surviving spouse of a
9 deceased adopted or surrendered person pursuant to the
10 procedures outlined in Section 18.1b(e) of this Act.

11 The Department of Public Health shall supply to adopted or
12 surrendered persons who are birth siblings identifying
13 information only if both siblings have filed with the Registry
14 an Information Exchange Authorization and the information at
15 the Registry indicates that the consenting siblings have one or
16 both birth parents in common. Identifying information shall be
17 supplied to consenting birth siblings who were adopted or
18 surrendered if any such sibling is 21 years of age or over.
19 Identifying information shall be supplied to consenting birth
20 siblings who were not adopted or surrendered if any such
21 sibling is 21 years of age or over and has proof of death of the
22 common birth parent and such birth parent did not file a Denial
23 of Information Exchange with the Registry prior to his or her
24 death.

25 (k) ~~(d-3)~~ The Department of Public Health shall supply to
26 the adopted or surrendered person or his or her adoptive

1 parents, legal guardians, adult children or surviving spouse,
2 and to a birth aunt identifying information only if both the
3 adopted or surrendered person or one of his or her adoptive
4 parents, legal guardians, adult children or his or her
5 surviving spouse, and the birth aunt have filed with the
6 Registry an Information Exchange Authorization and the
7 information at the Registry indicates that the consenting
8 adopted or surrendered person, or the child of the consenting
9 adoptive parents or legal guardians, or the parent of the
10 consenting adult child, or the deceased wife or husband of the
11 consenting surviving spouse of the adopted or surrendered
12 person is or was the child of the brother or sister of the
13 consenting birth aunt.

14 (1) ~~(d-5)~~ The Department of Public Health shall supply to
15 the adopted or surrendered person or his or her adoptive
16 parents, legal guardians, adult children or surviving spouse,
17 and to a birth uncle identifying information only if both the
18 adopted or surrendered person or one of his or her adoptive
19 parents, legal guardians, adult children or his or her
20 surviving spouse, and the birth uncle have filed with the
21 Registry an Information Exchange Authorization and the
22 information at the Registry indicates that the consenting
23 adopted or surrendered person, or the child of the consenting
24 adoptive parents or legal guardians, or the parent of the
25 consenting adult child, or the deceased wife or husband of the
26 consenting surviving spouse of the adopted or surrendered

1 person is or was the child of the brother or sister of the
2 consenting birth uncle.

3 (m) ~~(e)~~ A registrant may notify the Registry of his or her
4 desire not to have identifying information ~~his or her identity~~
5 revealed or may revoke any previously filed Information
6 Exchange Authorization by completing and filing with the
7 Registry a Registry Identification Form along with a Denial of
8 Information Exchange. ~~The Illinois Adoption Registry~~
9 ~~Application does not need to be completed in order to file a~~
10 ~~Denial of Information Exchange.~~ Any registrant, except a birth
11 parent, may revoke his or her Denial of Information Exchange by
12 filing an Information Exchange Authorization. A birth parent
13 may revoke a Denial of Information Exchange by filing a Birth
14 Parent Preference Form. Any birth parent who has previously
15 filed a Birth Parent Preference Form where Option E was
16 selected may revoke such preference by filing a subsequent
17 Birth Parent Preference Form and selecting Option A, B, C, or
18 D. The Department of Public Health shall act in accordance with
19 the most recently filed affidavit ~~Authorization.~~

20 (n) ~~(f)~~ Identifying information ascertained from the
21 Registry shall be confidential and may be disclosed only (1)
22 upon a Court Order, which order shall name the person or
23 persons entitled to the information, or (2) to a registrant who
24 is the subject of an Information Exchange Authorization that
25 was completed by another registrant and filed with the Illinois
26 Adoption Registry and Medical Information Exchange, or (3) as

1 authorized under subsection (h) of Section 18.3 of this Act, or
2 (4) pursuant to the procedures outlined in Section 18.1b(e) of
3 this Act. ~~A copy of the certificate of live birth shall only be~~
4 ~~released to an adopted or surrendered person who was born in~~
5 ~~Illinois and who is the subject of an Information Exchange~~
6 ~~Authorization filed by one of his or her birth relatives.~~ Any
7 person who willfully provides unauthorized disclosure of any
8 information filed with the Registry or who knowingly or
9 intentionally files false information with the Registry shall
10 be guilty of a Class A misdemeanor and shall be liable for
11 damages.

12 (o) ~~(g)~~ If information is disclosed pursuant to this Act,
13 the Department shall redact it to remove any identifying
14 information about any party who has not consented to the
15 disclosure of such identifying information, and in the case of
16 identifying information on the original birth certificate,
17 pursuant to Section 18.1b(e) of this Act.

18 (Source: P.A. 94-173, eff. 1-1-06.)

19 (750 ILCS 50/18.1a)

20 Sec. 18.1a. Registry matches.

21 (a) The Registry shall release identifying information, as
22 specified on the applicant's Information Exchange
23 Authorization, to the following mutually consenting registered
24 parties and provide them with any photographs or correspondence
25 which have been placed in the Adoption/Surrender Records File

1 and are specifically intended for the registered parties:

2 (i) an adult adopted or surrendered person and one of
3 his or her birth relatives who have both filed an
4 applicable Information Exchange Authorization specifying
5 the other consenting party with the Registry, if
6 information available to the Registry confirms that the
7 consenting adopted or surrendered person is biologically
8 related to the consenting birth relative;

9 (ii) the adoptive parent or legal guardian of an
10 adopted or surrendered person under the age of 21 and one
11 of the adopted or surrendered person's birth relatives who
12 have both filed an Information Exchange Authorization
13 specifying the other consenting party with the Registry, if
14 information available to the Registry confirms that the
15 child of the consenting adoptive parent or legal guardian
16 is biologically related to the consenting birth relative;
17 and

18 (iii) the adoptive parent, adult child or surviving
19 spouse of a deceased adopted or surrendered person, and one
20 of the adopted or surrendered person's birth relatives who
21 have both filed an applicable Information Exchange
22 Authorization specifying the other consenting party with
23 the Registry, if information available to the Registry
24 confirms that child of the consenting adoptive parent, the
25 parent of the consenting adult child or the deceased wife
26 or husband of the consenting surviving spouse of the

1 adopted or surrendered person was biologically related to
2 the consenting birth relative.

3 (b) If a registrant is the subject of a Denial of
4 Information Exchange filed by another registered party, the
5 Registry shall not release identifying information to either
6 registrant with the exception of non-certified copies of the
7 original birth certificate released under Section 18.1b(e),
8 and as to a birth parent who has prohibited release of
9 identifying information on the original birth certificate to
10 the adult adopted or surrendered person, upon the death of said
11 birth parent.

12 (c) If a registrant has completed a Medical Information
13 Exchange Questionnaire and has consented to its disclosure,
14 that Questionnaire shall be released to any registered party
15 who has indicated their desire to receive such information on
16 his or her Illinois Adoption Registry Application, if
17 information available to the Registry confirms that the
18 consenting parties are biologically related, that the
19 consenting birth relative and the child of the consenting
20 adoptive parents or legal guardians are birth relatives, or
21 that the consenting birth relative and the deceased wife or
22 husband of the consenting surviving spouse are birth relatives.

23 (Source: P.A. 94-173, eff. 1-1-06.)

24 (750 ILCS 50/18.1b)

25 Sec. 18.1b. The Illinois Adoption Registry Application.

1 The Illinois Adoption Registry Application shall substantially
2 include the following:

3 (a) General Information. The Illinois Adoption Registry
4 Application shall include the space to provide Information
5 about the registrant including his or her surname, given name
6 or names, social security number (optional), mailing address,
7 home telephone number, gender, date and place of birth, and the
8 date of registration. If applicable and known to the
9 registrant, he or she may include the maiden surname of the
10 birth mother, any subsequent surnames of the birth mother, the
11 surname of the birth father, the given name or names of the
12 birth parents, the dates and places of birth of the birth
13 parents, the surname and given name or names of the adopted
14 person prior to adoption, the gender and date and place of
15 birth of the adopted or surrendered person, the name of the
16 adopted person following his or her adoption and the state and
17 county where the judgment of adoption was finalized.

18 (b) Medical Information Exchange Questionnaire. In
19 recognition of the importance of medical information and of
20 recent discoveries regarding the genetic origin of many medical
21 conditions and diseases all registrants shall be asked to
22 voluntarily complete a Medical Information Exchange
23 Questionnaire.

24 (1) For birth relatives, the Medical Information
25 Exchange Questionnaire shall include a comprehensive
26 check-list of medical conditions and diseases including

1 those of genetic origin. Birth relatives shall be asked to
2 indicate all genetically-inherited diseases and conditions
3 on this list which are known to exist in the adopted or
4 surrendered person's birth family at the time of
5 registration. In addition, all birth relatives shall be
6 apprised of the Registry's provisions for voluntarily
7 submitting information about their and their family's
8 medical histories on a confidential, ongoing basis.

9 (2) Adopted and surrendered persons and their adoptive
10 parents, legal guardians, adult children, and surviving
11 spouses shall be asked to indicate all
12 genetically-inherited diseases and medical conditions with
13 which the adopted or surrendered person or, if applicable,
14 his or her children have been diagnosed since birth.

15 (3) The Medical Information Exchange Questionnaire
16 shall include a space where the registrant may authorize
17 the release of the Medical Information Exchange
18 Questionnaire to specified registered parties and a
19 disclaimer informing registrants that the Department of
20 Public Health cannot guarantee the accuracy of medical
21 information exchanged through the Registry.

22 (c) Written statement. All registrants shall be given the
23 opportunity to voluntarily file a written statement with the
24 Registry. This statement shall be submitted in the space
25 provided. No written statement submitted to the Registry shall
26 include identifying information pertaining to any person other

1 than the registrant who submitted it. Any such identifying
2 information shall be redacted by the Department or returned for
3 removal of identifying information.

4 (d) Exchange of ~~Contact~~ information. All registrants may
5 indicate their wishes regarding contact and the exchange of
6 identifying and/or medical information with any other
7 registrant by completing an Information Exchange Authorization
8 or a Denial of Information Exchange.

9 (1) Information Exchange Authorization. Adopted or
10 surrendered persons 21 years of age or over who are
11 interested in exchanging identifying and/or medical
12 information or would welcome contact with one or more of
13 their birth relatives; birth parents who are interested in
14 exchanging identifying and/or medical information or would
15 welcome contact with an adopted or surrendered person 21
16 years of age or over, or one or more of his or her adoptive
17 parents, legal guardians, adult children, or a surviving
18 spouse; birth siblings 21 years of age or over who were
19 adopted or surrendered and who are interested in exchanging
20 identifying and/or medical information or would welcome
21 contact with an adopted or surrendered person, or one or
22 more of his or her adoptive parents, legal guardians, adult
23 children, or a surviving spouse; birth siblings 21 years of
24 age or over who were not surrendered and who have submitted
25 proof of death for any common birth parent who did not file
26 a Denial of Information Exchange prior to his or her death,

1 and who are interested in exchanging identifying and/or
2 medical information or would welcome contact with an
3 adopted or surrendered person, or one or more of his or her
4 adoptive parents, legal guardians, adult children, or a
5 surviving spouse; birth aunts and birth uncles 21 years of
6 age or over who have submitted birth certificates for
7 themselves and a deceased birth parent naming at least one
8 common biological parent as well as proof of death for a
9 deceased birth parent who did not file a Denial of
10 Information Exchange prior to his or her death and who are
11 interested in exchanging identifying and/or medical
12 information or would welcome contact with an adopted or
13 surrendered person 21 years of age or over, or one or more
14 of his or her adoptive parents, legal guardians, adult
15 children or a surviving spouse; adoptive parents or legal
16 guardians of adopted or surrendered persons under the age
17 of 21 who are interested in exchanging identifying and/or
18 medical information or would welcome contact with one or
19 more of the adopted or surrendered person's birth
20 relatives; adoptive parents and legal guardians of
21 deceased adopted or surrendered persons 21 years of age or
22 over who have submitted proof of death for a deceased
23 adopted or surrendered person who did not file a Denial of
24 Information Exchange prior to his or her death and who are
25 interested in exchanging identifying and/or medical
26 information or would welcome contact with one or more of

1 the adopted or surrendered person's birth relatives; adult
2 children of deceased adopted or surrendered persons who
3 have submitted a birth certificate naming the adopted or
4 surrendered person as their biological parent and proof of
5 death for an adopted or surrendered person who did not file
6 a Denial of Information Exchange prior to his or her death;
7 and surviving spouses of deceased adopted or surrendered
8 persons who have submitted a marriage certificate naming an
9 adopted or surrendered person as their deceased wife or
10 husband and proof of death for an adopted or surrendered
11 person who did not file a Denial of Information Exchange
12 prior to his or her death and who are interested in
13 exchanging identifying and/or medical information or would
14 welcome contact with one or more of the adopted or
15 surrendered person's birth relatives may specify with whom
16 they wish to exchange identifying information by filing an
17 Information Exchange Authorization.

18 (2) Denial of Information Exchange. Adopted or
19 surrendered persons 21 years of age or over who do not wish
20 to exchange identifying information or establish contact
21 with one or more of their birth relatives may specify with
22 whom they do not wish to exchange identifying information
23 or do not wish to establish contact by filing a Denial of
24 Information Exchange. Birth relatives who do not wish to
25 establish contact with an adopted or surrendered person or
26 one or more of his or her adoptive parents, legal

1 guardians, or adult children may specify with whom they do
2 not wish to exchange identifying information or do not wish
3 to establish contact by filing a Denial of Information
4 Exchange. Birth parents who wish to prohibit the release of
5 their identifying information on the original birth
6 certificate released to an adult adopted or surrendered
7 person who was born after January 1, 1946, or to the
8 surviving adult child or surviving spouse of a deceased
9 adopted or surrendered person who was born after January 1,
10 1946, may do so by filing a Denial with the Registry on or
11 before December 31, 2008. As of January 1, 2009, birth
12 parents who wish to prohibit the release of identifying
13 information on the non-certified copy of the original birth
14 certificate released to an adult adopted or surrendered
15 person or to the surviving adult child or surviving spouse
16 of a deceased adopted or surrendered person may do so by
17 selecting Option E on a Birth Parent Preference Form and
18 filing the Form with the Registry. Adoptive parents or
19 legal guardians of adopted or surrendered persons under the
20 age of 21 who do not wish to establish contact with one or
21 more of the adopted or surrendered person's birth relatives
22 may specify with whom they do not wish to exchange
23 identifying information by filing a Denial of Information
24 Exchange. Adoptive parents, adult children, and surviving
25 spouses of deceased adoptees who do not wish to exchange
26 identifying information or establish contact with one or

1 more of the adopted or surrendered person's birth relatives
2 may specify with whom they do not wish to exchange
3 identifying information or do not wish to establish contact
4 by filing a Denial of Information Exchange. ~~The Illinois~~
5 ~~Adoption Registry Application does not need to be completed~~
6 ~~in order to file a Denial of Information Exchange.~~

7 (3) Birth Parent Preference Form. Beginning January 1,
8 2009, birth parents who are eligible to register with the
9 Illinois Adoption Registry and Medical Information
10 Exchange and who wish to communicate their wishes regarding
11 contact and/or the release of their identifying
12 information on the non-certified copy of the original birth
13 certificate released to an adult adopted or surrendered
14 person or the surviving adult child or surviving spouse of
15 a deceased adopted or surrendered person who has requested
16 a copy of the adopted or surrendered person's original
17 birth certificate by filing a Request for a Non-Certified
18 Copy of an Original Birth Certificate pursuant to
19 subsection (e) of this Section, may file a Birth Parent
20 Preference Form with the Registry. All Birth Parent
21 Preference Forms on file with the Registry at the time of
22 receipt of a Request for a Non-Certified Copy of an
23 Original Birth Certificate from an adult adopted or
24 surrendered person or the surviving adult child or
25 surviving spouse of a deceased adopted or surrendered
26 person shall be forwarded to the relevant adopted or

1 surrendered person or surviving adult child or surviving
2 spouse of a deceased adopted or surrendered person along
3 with a non-certified copy of the adopted or surrendered
4 person's original birth certificate as outlined in
5 subsection (e) of this Section.

6 (e) Procedures for requesting a non-certified copy of an
7 original birth certificate by an adult adopted or surrendered
8 person or by a surviving adult child or surviving spouse of a
9 deceased adopted or surrendered person:

10 (1) Effective immediately, any adult adopted or
11 surrendered person who was born in Illinois prior to
12 January 1, 1946, may complete and file with the Registry a
13 Request for a Non-Certified Copy of an Original Birth
14 Certificate. The Registry shall provide such adult adopted
15 or surrendered person with an unaltered, non-certified
16 copy of his or her original birth certificate upon receipt
17 of the Request for a Non-Certified Copy of an Original
18 Birth Certificate. Additionally, in cases where an adopted
19 or surrendered person born in Illinois prior to January 1,
20 1946, is deceased, and one of his or her surviving adult
21 children or his or her surviving spouse has registered with
22 the Registry, he or she may complete and file with the
23 Registry a Request for a Non-Certified Copy of an Original
24 Birth Certificate. The Registry shall provide such
25 surviving adult child or surviving spouse with an
26 unaltered, non-certified copy of the adopted or

1 surrendered person's original birth certificate upon
2 receipt of the Request for a Non-Certified Copy of an
3 Original Birth Certificate.

4 (2) Beginning April 1, 2009, any adult adopted or
5 surrendered person who was born in Illinois on or after
6 January 1, 1946, may complete and file with the Registry a
7 Request for a Non-certified Copy of an Original Birth
8 Certificate. Additionally, in cases where the adopted or
9 surrendered person is deceased and one of his or her
10 surviving adult children or his or her surviving spouse has
11 registered with the Registry, he or she may complete and
12 file with the Registry a Request for a Non-Certified Copy
13 of an Original Birth Certificate. Upon receipt of such
14 request from an adult adopted or surrendered person or from
15 one of his or her surviving adult children or his or her
16 surviving spouse, the Registry shall:

17 (i) Determine if there is a Denial of Information
18 Exchange which was filed by a birth parent named on the
19 original birth certificate prior to January 1, 2009. If
20 a Denial was filed by a birth parent named on the
21 original birth certificate prior to January 1, 2009,
22 and there is no proof of death in the Registry file for
23 the birth parent who filed said Denial, the Registry
24 shall inform the requesting adult adopted or
25 surrendered person or the requesting surviving adult
26 child or surviving spouse of a deceased adopted or

1 surrendered person that they may receive a
2 non-certified copy of the original birth certificate
3 from which all identifying information pertaining to
4 the birth parent who filed the Denial has been
5 redacted. A requesting adult adopted or surrendered
6 person shall also be informed in writing of his or her
7 right to petition the court for the appointment of a
8 Confidential Intermediary pursuant to Section 18.3a of
9 this Act and, if applicable, to conduct a search
10 through an agency post-adoption search program.

11 (ii) Determine if a birth parent named on the
12 original birth certificate has filed a Birth Parent
13 Preference Form and selected Option E. If one of the
14 birth parents named on the original birth certificate
15 filed a Birth Parent Preference Form and selected
16 Option E, and there is no proof of death in the
17 Registry file for the birth parent who filed said Birth
18 Parent Preference Form, the Registry shall inform the
19 requesting adult adopted or surrendered person or the
20 requesting surviving adult child or surviving spouse
21 of a deceased adopted or surrendered person that he or
22 she may receive a non-certified copy of the original
23 birth certificate from which identifying information
24 pertaining to the birth parent who completed the Birth
25 Parent Preference Form has been redacted per the birth
26 parent's specifications on the Form. The Registry

1 shall forward to the adult adopted or surrendered
2 person or to the surviving adult child or surviving
3 spouse of a deceased adopted or surrendered person a
4 copy of the Birth Parent Preference Form filed by the
5 birth parent from which identifying information has
6 been redacted per the birth parent's specifications on
7 the Form. The requesting adult adopted or surrendered
8 person shall also be informed in writing of his or her
9 right to petition the court for the appointment of a
10 Confidential Intermediary pursuant to Section 18.3a of
11 this Act, and, if applicable, to conduct a search
12 through an agency post-adoption search program.

13 (iii) Determine if a birth parent named on the
14 original birth certificate has filed an Information
15 Exchange Authorization.

16 (iv) If the Registry has confirmed that a
17 requesting adult adopted or surrendered person or the
18 parent of a requesting adult child of a deceased
19 adopted or surrendered person or the husband or wife of
20 a requesting surviving spouse was not the object of a
21 Denial of Information Exchange filed by a birth parent
22 on or before December 31, 2008, and that no birth
23 parent named on the original birth certificate has
24 filed a Birth Parent Preference Form where Option E was
25 selected prior to the receipt of a Request for a
26 Non-Certified Copy of an Original Birth Certificate,

1 the Registry shall provide the adult adopted or
2 surrendered person or his or her surviving adult child
3 or surviving spouse with an unaltered non-certified
4 copy of the adopted or surrendered person's original
5 birth certificate. In addition, the adult adopted or
6 surrendered person or surviving adult child or
7 surviving spouse of a deceased adopted or surrendered
8 person shall receive any Birth Parent Preference Forms
9 which are on file with the Registry.

10 (3) In cases where the Registry receives a Birth Parent
11 Preference Form from a birth parent subsequent to the
12 release of the non-certified copy of the original birth
13 certificate to an adult adopted or surrendered person or to
14 the surviving adult child or surviving spouse of a deceased
15 adopted or surrendered person, the Birth Parent Preference
16 Form shall be immediately forwarded to the adult adopted or
17 surrendered person or to the surviving adult child or
18 surviving spouse of the deceased adopted or surrendered
19 person and the birth parent who filed the form shall be
20 informed that the relevant original birth certificate has
21 already been released.

22 (4) A copy of the original birth certificate shall only
23 be released to adopted or surrendered persons who were born
24 in Illinois; to surviving adult children or surviving
25 spouses of deceased adopted or surrendered persons who were
26 born in Illinois; or to two registered parties who have

1 both consented to the release of a non-certified copy of
2 the original birth certificate to one another through the
3 Registry when the birth of the relevant adopted or
4 surrendered person took place in Illinois.

5 (5) In cases where the Registry receives a Request for
6 a Non-Certified Copy of an Original Birth Certificate from
7 an adult adopted or surrendered person who has not
8 completed a Registry application and the file of that
9 adopted or surrendered person includes an Information
10 Exchange Authorization or Medical Information Exchange
11 Questionnaire from one or more of his or her birth
12 relatives, the Registry shall so inform the adult adopted
13 or surrendered person and forward Registry application
14 forms to him or her along with a non-certified copy of the
15 original birth certificate consistent with the procedures
16 outlined in this subsection (e).

17 (6) In cases where a birth parent registered with the
18 Registry and filed a Medical Information Exchange
19 Questionnaire prior to the enactment of this Section but
20 gave no indication as to his or her wishes regarding
21 contact or the sharing of identifying information, the
22 Registry shall contact the birth parent by written letter
23 prior to January 1, 2009, and provide him or her with the
24 opportunity to indicate his or her preference regarding
25 contact and the sharing of identifying information by
26 submitting a Birth Parent Preference Form to the Registry

1 prior to April 1, 2009.

2 (7) In cases where the Registry cannot locate a copy of
3 the original birth certificate in the Registry file, they
4 shall be authorized to request a copy of the original birth
5 certificate from the Illinois county where the birth took
6 place for placement in the Registry file.

7 (8) Adopted and surrendered persons who wish to have
8 their names placed with the Illinois Adoption Registry and
9 Medical Information Exchange may do so by completing a
10 Registry application at any time, but completing a Registry
11 application shall not be required for adopted and
12 surrendered persons who seek only to obtain a copy of their
13 original birth certificate or any relevant Birth Parent
14 Preference Forms through the Registry.

15 (9) In cases where a birth parent filed a Denial with
16 the Registry prior to January 1, 2009, or filed a Birth
17 Parent Preference Form with the Registry and selected
18 Option E after January 1, 2009, and a proof of death for
19 the birth parent who filed the Denial or the Birth Parent
20 Preference Form has been filed with the Registry, the
21 Registry shall be authorized to release an unaltered
22 non-certified copy of the original birth certificate to an
23 adult adopted or surrendered person or to the surviving
24 adult child or surviving spouse of a deceased adopted or
25 surrendered person who has filed a Request for a
26 Non-Certified Copy of the Original Birth Certificate with

1 the Registry.

2 (f) ~~(e)~~ A registrant may complete all or any part of the
3 Illinois Adoption Registry Application. All Illinois Adoption
4 Registry Applications, Information Exchange Authorizations,
5 Denials of Information Exchange, requests to revoke an
6 Information Exchange Authorization, ~~or~~ Denial of Information
7 Exchange, and affidavits submitted to the Registry shall be
8 accompanied by proof of identification.

9 (g) Notwithstanding any other rulemaking authority that
10 may exist, neither the Governor nor any agency or agency head
11 under the jurisdiction of the Governor has any authority to
12 make or promulgate rules to implement or enforce the provisions
13 of this Section of this amendatory Act of the 95th General
14 Assembly. If, however, the Governor believes that rules are
15 necessary to implement or enforce the provisions of this
16 Section of this amendatory Act of the 95th General Assembly,
17 the Governor may suggest rules to the General Assembly by
18 filing them with the Clerk of the House and the Secretary of
19 the Senate and by requesting that the General Assembly
20 authorize such rulemaking by law, enact those suggested rules
21 into law, or take any other appropriate action in the General
22 Assembly's discretion. Nothing contained in this amendatory
23 Act of the 95th General Assembly shall be interpreted to grant
24 rulemaking authority under any other Illinois statute where
25 such authority is not otherwise explicitly given. For the
26 purposes of this Section, "rules" is given the meaning

1 contained in Section 1-70 of the Illinois Administrative
2 Procedure Act, and "agency" and "agency head" are given the
3 meanings contained in Sections 1-20 and 1-25 of the Illinois
4 Administrative Procedure Act to the extent that such
5 definitions apply to agencies or agency heads under the
6 jurisdiction of the Governor. ~~(f) The Department shall~~
7 ~~establish the Illinois Adoption Registry Application form~~
8 ~~including the Medical Information Exchange Questionnaire by~~
9 ~~rule.~~

10 (Source: P.A. 94-173, eff. 1-1-06.)

11 (750 ILCS 50/18.2) (from Ch. 40, par. 1522.2)

12 Sec. 18.2. Forms.

13 (a) The Department shall develop the Illinois Adoption
14 Registry forms as provided in this Section. The General
15 Assembly shall reexamine the content of the form as requested
16 by the Department, in consultation with the Advisory Council.

17 The form of the Birth Parent Registration Identification Form
18 shall be ~~substantially~~ as follows:

19 BIRTH PARENT REGISTRATION IDENTIFICATION

20 (Insert all known information)

21 I,, state that I am the (mother or father) of the
22 following child:

23 Child's original name: (first) (middle)

24 (last), (hour of birth), (date of birth),

25 (city and state of birth), (name of

1 hospital).

2 Father's full name: (first) (middle)
3 (last), (date of birth), (city and state of
4 birth).

5 Name of mother inserted on birth certificate: (first)
6 (middle) (last), (race), (date
7 of birth), (city and state of birth).

8 That I surrendered my child to: (name of agency),
9 (city and state of agency), (approximate date
10 child surrendered).

11 That I placed my child by private adoption: (date),
12 (city and state).

13 Name of adoptive parents, if known:

14 Other identifying information:

15

16 (Signature of parent)

17

18 (date) (printed name of parent)

19 (b) The form of the Adopted Person Registration
20 Identification shall be ~~substantially~~ as follows:

21 ADOPTED PERSON

22 REGISTRATION IDENTIFICATION

23 (Insert all known information)

24 I,, state the following:

25 Adopted Person's present name: (first)

1 (middle) (last).

2 Adopted Person's name at birth (if known): (first)

3 (middle) (last), (birth date),

4 (city and state of birth), (sex), (race).

5 Name of adoptive father: (first) (middle)

6 (last), (race).

7 Maiden name of adoptive mother: (first)

8 (middle) (last), (race).

9 Name of birth mother (if known): (first)

10 (middle) (last), (race).

11 Name of birth father (if known): (first)

12 (middle) (last), (race).

13 Name(s) at birth of sibling(s) having a common birth parent

14 with adoptee (if known): (first) (middle)

15 (last), (race), and name of common birth

16 parent: (first) (middle) (last),

17 (race).

18 I was adopted through: (name of agency).

19 I was adopted privately: (state "yes" if known).

20 I was adopted in (city and state), (approximate

21 date).

22 Other identifying information:

23

24 (signature of adoptee)

25

26 (date) (printed name of adoptee)

1 (c) The form of the Surrendered Person Registration
2 Identification shall be ~~substantially~~ as follows:

3 SURRENDERED PERSON REGISTRATION

4 IDENTIFICATION

5 (Insert all known information)

6 I,, state the following:

7 Surrendered Person's present name: (first)
8 (middle) (last).

9 Surrendered Person's name at birth (if known):
10 (first) (middle) (last),(birth
11 date), (city and state of birth), (sex),
12 (race).

13 Name of guardian father: (first) (middle)
14 (last), (race).

15 Maiden name of guardian mother: (first)
16 (middle) (last), (race).

17 Name of birth mother (if known): (first)
18 (middle) (last) (race).

19 Name of birth father (if known): (first)
20 (middle) (last),(race).

21 Name(s) at birth of sibling(s) having a common birth parent
22 with surrendered person (if known): (first)
23 (middle) (last), (race), and name of
24 common birth parent: (first) (middle)
25 (last), (race).

1 I was surrendered for adoption to: (name of agency).

2 I was surrendered for adoption in (city and state),
3 (approximate date).

4 Other identifying information:

5

6 (signature of surrendered person)

7

8 (date) (printed name of person

9 surrendered for adoption)

10 (c-3) The form of the Registration Identification Form for
11 Surviving Relatives of Deceased Birth Parents shall be
12 ~~substantially~~ as follows:

13 REGISTRATION IDENTIFICATION FORM

14 FOR SURVIVING RELATIVES OF DECEASED BIRTH PARENTS

15 (Insert all known information)

16 I,, state the following:

17 Name of deceased birth parent at time of surrender:

18 Deceased birth parent's date of birth:

19 Deceased birth parent's date of death:

20 Adopted or surrendered person's name at birth (if known):

21(first) (middle) (last),(birth
22 date), (city and state of birth), (sex),
23 (race).

24 My relationship to the adopted or surrendered person (check
25 one): (birth parent's non-surrendered child) (birth parent's

1 sister) (birth parent's brother).

2 If you are a non-surrendered child of the birth parent, provide
3 name(s) at birth and age(s) of non-surrendered siblings having
4 a common parent with the birth parent. If more than one
5 sibling, please give information requested below on reverse
6 side of this form. If you are a sibling or parent of the birth
7 parent, provide name(s) at birth and age(s) of the sibling(s)
8 of the birth parent. If more than one sibling, please give
9 information requested below on reverse side of this form.

10 Name (First) (middle) (last),(birth
11 date), (city and state of birth), (sex),
12 (race).

13 Name(s) of common parent(s) (first) (middle)
14 (last),(race), (first) (middle)
15 (last),(race).

16 My birth sibling/child of my brother/child of my sister/ was
17 surrendered for adoption to (name of agency) City and
18 state of agency Date(approximate) Other
19 identifying information (Please note that you must: (i)
20 be at least 21 years of age to register; (ii) submit with your
21 registration a certified copy of the birth parent's birth
22 certificate; (iii) submit a certified copy of the birth
23 parent's death certificate; and (iv) if you are a
24 non-surrendered birth sibling or a sibling of the deceased
25 birth parent, also submit a certified copy of your birth

1 certificate with this registration. No application from a
2 surviving relative of a deceased birth parent can be accepted
3 if the birth parent filed a Denial of Information Exchange
4 prior to his or her death.)

5
6 (signature of birth parent's surviving relative)

7
8 (date) (printed name of birth
9 parent's surviving relative)

10 (c-5) The form of the Registration Identification Form for
11 Surviving Relatives of Deceased Adopted or Surrendered Persons
12 shall be ~~substantially~~ as follows:

13 REGISTRATION IDENTIFICATION FORM FOR
14 SURVIVING RELATIVES OF DECEASED ADOPTED OR SURRENDERED PERSONS
15 (Insert all known information)

16 I,, state the following:

17 Adopted or surrendered person's name at birth (if known):
18 (first) (middle) (last),(birth
19 date), (city and state of birth), (sex),
20 (race).

21 Adopted or surrendered person's date of death:

22 My relationship to the deceased adopted or surrendered
23 person(check one): (adoptive mother) (adoptive father) (adult
24 child) (surviving spouse).

1 If you are an adult child or surviving spouse of the adopted or
2 surrendered person, provide name(s) at birth and age(s) of the
3 children of the adopted or surrendered person. If the adopted
4 or surrendered person had more than one child, please give
5 information requested below on reverse side of this form.

6 Name (first) (middle) (last),(birth
7 date), (city and state of birth), (sex),
8 (race).

9 Name(s) of common parent(s) (first) (middle)
10 (last),(race), (first) (middle)
11 (last),(race).

12 My child/parent/deceased spouse was surrendered for
13 adoption to(name of agency) City and state of agency
14 Date (approximate) Other identifying
15 information (Please note that you must: (i) be at
16 least 21 years of age to register; (ii) submit with your
17 registration a certified copy of the adopted or surrendered
18 person's death certificate; (iii) if you are the child of a
19 deceased adopted or surrendered person, also submit a
20 certified copy of your birth certificate with this
21 registration; and (iv) if you are the surviving wife or
22 husband of a deceased adopted or surrendered person, also
23 submit a copy of your marriage certificate with this
24 registration. No application from a surviving relative of a
25 deceased adopted or surrendered person can be accepted if
26 the adopted or surrendered person filed a Denial of

1 Information Exchange prior to his or her death.)
 2
 3 (signature of adopted or surrendered person's surviving
 4 relative)

5
 6 (date) (printed name of adopted
 7 person's surviving relative)

8 (d) The form of the Information Exchange Authorization
 9 shall be ~~substantially~~ as follows:

10 INFORMATION EXCHANGE AUTHORIZATION

11 I,, state that I am the person who completed the
 12 Registration Identification; that I am of the age of
 13 years; that I hereby authorize the Department of Public Health
 14 to give to the following person(s) (birth mother) (birth
 15 father) (birth sibling) (adopted or surrendered person)
 16 (adoptive mother) (adoptive father) (legal guardian of an
 17 adopted or surrendered person) (birth aunt) (birth uncle)
 18 (adult child of a deceased adopted or surrendered person)
 19 (surviving spouse of a deceased adopted or surrendered person)
 20 (all eligible relatives) the following (please check the
 21 information authorized for exchange):

- 22 [] 1. Only my name and last known address.
 23 [] 2. A copy of my Illinois Adoption Registry

1 Application.

2 [] 3. A copy of the adopted or surrendered person's
3 original certificate of live birth (check only if you are
4 an adopted or surrendered person or the surviving adult
5 child or surviving spouse of a deceased adopted or
6 surrendered person).

7 [] 4. A copy of my completed medical questionnaire.

8 I am fully aware that I can only be supplied with
9 information about an individual or individuals who have duly
10 executed an Information Exchange Authorization that has not
11 been revoked or, if I am an adopted or surrendered person, from
12 a birth parent who completed a Birth Parent Preference Form and
13 did not prohibit the release of his or her identity to me; that
14 I can be contacted by writing to: (own name or name of
15 person to contact) (address) (phone number).

16 NOTE: New IARMIE registrants who do not complete a Medical
17 Information Exchange Questionnaire and release a copy of their
18 questionnaire to at least one Registry applicant must pay a \$40
19 registration fee.

20 Dated (insert date).

21
22 (signature)

23 (e) The form of the Denial of Information Exchange shall be
24 ~~substantially~~ as follows:

25 DENIAL OF INFORMATION EXCHANGE

1 I,, state that I am the person who completed the
2 Registration Identification; that I am of the age of
3 years; that I hereby instruct the Department of Public Health
4 not to give any identifying information about me to the
5 following person(s) (birth mother) (birth father) (birth
6 sibling) (adopted or surrendered person) (adoptive mother)
7 (adoptive father) (legal guardian of an adopted or surrendered
8 person) (birth aunt) (birth uncle) (adult child of a deceased
9 adopted or surrendered person) (surviving spouse of a deceased
10 adopted or surrendered person) (all eligible relatives).

11 IMPORTANT NOTE: A DENIAL FILED BY A BIRTH PARENT ON OR AFTER
12 JANUARY 1, 2009, SHALL NOT PROHIBIT THE RELEASE OF THE BIRTH
13 PARENT'S IDENTIFYING INFORMATION ON THE ORIGINAL BIRTH
14 CERTIFICATE OF AN ADULT ADOPTED OR SURRENDERED PERSON. BIRTH
15 PARENTS WHO WISH TO PROHIBIT THE RELEASE OF THEIR IDENTIFYING
16 INFORMATION ON THE ORIGINAL BIRTH CERTIFICATE OF AN ADULT
17 ADOPTED OR SURRENDERED PERSON SHALL FILE A BIRTH PARENT
18 PREFERENCE FORM ON OR AFTER JANUARY 1, 2009. DENIALS FILED BY A
19 BIRTH PARENT BEFORE JANUARY 1, 2009, WILL EXPIRE UPON THE DEATH
20 OF THE BIRTH PARENT WITH RESPECT TO AN ADULT ADOPTED OR
21 SURRENDERED PERSON'S ACCESS TO IDENTIFYING INFORMATION ON HIS
22 OR HER ORIGINAL BIRTH CERTIFICATE.

23 I do/do not (circle appropriate response) authorize the
24 Registry to release a copy of my completed Medical Information
25 Exchange Questionnaire to qualified Registry applicants. NOTE:
26 New IARMIE registrants who do not complete a Medical

1 Information Exchange Questionnaire and release a copy of their
 2 questionnaire to at least one Registry applicant must pay a \$40
 3 registration fee. Birth parents filing a Denial of Information
 4 Exchange are advised that, under Illinois law, an adult adopted
 5 person may initiate a search for a birth parent who has filed a
 6 Denial of Information Exchange through the state confidential
 7 intermediary program once five years have elapsed since the
 8 filing of the Denial of Information Exchange; ~~that I do not~~
 9 ~~wish to be contacted.~~

10 Dated (insert date).

11

12 (signature)

13 (f) The form of the Birth Parent Preference Form shall be
 14 as follows:

15 In recognition of the basic right of all persons to access
 16 their birth records, Illinois law now provides for the release
 17 of original birth certificates to adopted and surrendered
 18 persons 21 years of age or older upon request. While many birth
 19 parents are comfortable sharing their identities or initiating
 20 contact with their birth sons and daughters once they have
 21 reached adulthood, Illinois law also recognizes that there may
 22 be unique situations where a birth parent might have a
 23 compelling reason for not wishing to establish contact with a
 24 birth son or daughter or for not wishing to release identifying
 25 information that appears on the original birth certificate of a

1 birth son or daughter who has reached adulthood. The Illinois
2 Adoption Registry and Medical Information Exchange (IARMIE)
3 has therefore established this form to allow birth parents
4 whose birth son or daughter was born on or after January 1,
5 1946, to express their wishes regarding contact and the sharing
6 of identifying information listed on the original birth
7 certificate with an adult adopted or surrendered person who has
8 reached the age of 21.

9 In selecting one of the five options below, birth parents
10 should keep in mind that the decision to deny an adult adopted
11 or surrendered person access to his or her original birth
12 record is an important one that can impact the adopted or
13 surrendered person's life in many ways. Since no original birth
14 certificates are released by the IARMIE before an adoptee has
15 reached the age of 21, birth parents are encouraged to take as
16 much time as they need to weigh the options available to them
17 before completing this form. Should you need additional
18 assistance in completing this form, please contact the agency
19 that handled the adoption, if applicable, or the Illinois
20 Adoption Registry and Medical Information Exchange at
21 217-557-5159.

22 After careful consideration, I, (insert your name),
23 have made the following decision regarding contact with my
24 birth son/birth daughter, (insert birth son's/birth daughter's
25 name at birth, if applicable), who was born in (insert
26 city/town of birth) on (insert date of birth)..... and

1 the release of my identifying information as it appears on
 2 his/her original birth certificate when he/she reaches the age
 3 of 21, and I have chosen Option (insert A, B, C, D or E,
 4 as applicable). I realize that this form must be accompanied by
 5 a completed IARMIE application form as well as a Medical
 6 Information Exchange Questionnaire or the \$40 registration
 7 fee. I am also aware that I may revoke this decision at any
 8 time by completing a new Birth Parent Preference Form and
 9 filing it with the IARMIE. I understand that it is my
 10 responsibility to update the IARMIE with any changes to contact
 11 information provided below. I also understand that, while
 12 preferences regarding the release of identifying information
 13 through the Registry are binding unless the law should change
 14 in the future, any selection I have made regarding my preferred
 15 method of contact is not.

16
 17 (Signature/Date)

18 (Please insert your signature and today's date above, as well
 19 as under your chosen option, A, B, C, D, or E below.)

20 Option A. I agree to the release of my identifying information
 21 as it appears on my birth son's/birth daughter's original birth
 22 certificate, would welcome direct contact with my birth
 23 son/birth daughter when he or she has reached the age of 21 and
 24 I wish to be contacted at the following mailing address, email

1 address or phone number:

2
.....

3
.....

4
.....

5
.....

6 (Signature/Date)

7 Option B. I agree to the release of my identifying information
8 as it appears on my birth son's/birth daughter's original birth
9 certificate, would welcome contact with my birth son/birth
10 daughter when he or she has reached the age of 21, but I would
11 prefer to be contacted through the following person (insert
12 name and mailing address, email address or phone number of
13 chosen contact person)

14
.....

15
.....

16 (Signature/Date)

17 Option C. I agree to the release of my name as it appears on my
18 birth son's/birth daughter's original birth certificate, would
19 welcome contact with my birth son/birth daughter when he or she
20 has reached the age of 21, but I would prefer to be contacted
21 through the Illinois confidential intermediary program (please
22 call 800-526-9022 for additional information) or through the
23 agency that handled the adoption. (insert agency name, address
24 and phone number, if applicable.)

1

2

3 (Signature/Date)

4 Option D. I agree to the release of my name as it appears on my
5 birth son's/birth daughter's original birth certificate, but I
6 would prefer not to be contacted by my birth son/birth daughter
7 when he or she has reached the age of 21.

8

9 (Signature/Date)

10 Option E. I wish to prohibit the release of my (circle ALL
11 applicable options) first name, last name, last known address,
12 birth son's/birth daughter's last name (if last name listed is
13 same as mine), as they appear on my birth son's/birth
14 daughter's original birth certificate and do not wish to be
15 contacted by my birth son/birth daughter when he or she has
16 reached the age of 21. If there were any special circumstances
17 that played a role in your decision to remain anonymous which
18 you would like to share with your birth son/birth daughter,
19 please list them in the space provided below (optional).

20

21

22 I understand that, although I have chosen to prohibit the
23 release of my identity on the copy of the original birth
24 certificate released to my birth son/birth daughter, he or she

1 may request that a court-appointed confidential intermediary
 2 contact me to request updated medical information and/or
 3 confirm my desire to remain anonymous once five years have
 4 elapsed since the signing of this form. I also understand that
 5 this request for anonymity shall expire upon my death.

6

7

8 (Signature/Date)

9 NOTE: A copy of this form will be forwarded to your birth son
 10 or daughter should he or she file a request for his or her
 11 original birth certificate with the IARMIE. However, if you
 12 have selected Option E, identifying information, per your
 13 specifications above, will be deleted from the copy of this
 14 form forwarded to your birth son or daughter during your
 15 lifetime. In the event that an adopted or surrendered person is
 16 deceased, his or her surviving adult children may request a
 17 copy of the adopted or surrendered person's original birth
 18 certificate providing they have registered with the IARMIE; the
 19 copy of this form and the non-certified copy of the original
 20 birth certificate forwarded to the surviving child of the
 21 adopted or surrendered person shall be redacted per your
 22 specifications on this form during your lifetime.

23 (g) The form of the Request for a Non-Certified Copy of an
 24 Original Birth Certificate shall be as follows:

25 REQUEST FOR A NON-CERTIFIED COPY OF AN ORIGINAL BIRTH

1
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CERTIFICATE

I, (requesting party's full name), hereby request a non-certified copy of (check appropriate option) my original birth certificate the original birth certificate of my deceased adopted or surrendered parent the original birth certificate of my deceased adopted or surrendered spouse (insert deceased parent's/deceased spouse's name at adoption) I/my deceased parent/my deceased spouse was born in (insert city and county of adopted or surrendered person's birth) on (insert adopted or surrendered person's date of birth). In the event that one or both of my/my deceased parent's/my deceased spouse's birth parents has requested that their identity not be released to me/to my deceased parent/to my deceased spouse, I wish to (check appropriate option) a. receive a non-certified copy of the original birth certificate from which identifying information pertaining to the birth parent who requested anonymity has been deleted; or b. I do not wish to receive an altered copy of the original birth certificate.

Dated (insert date).

.....

(signature)

(h) Any ~~(f)~~ The Information Exchange Authorization, and the Denial of Information Exchange, Birth Parent Preference Form, or Request for a Non-Certified Copy of an Original Birth

1 Certificate filed with the Registry, shall be acknowledged by
 2 the person who filed it ~~birth parent, birth sibling, adopted or~~
 3 ~~surrendered person, adoptive parent, or legal guardian~~ before a
 4 notary public, in form substantially as follows:

5 State of

6 County of

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

14 Given under my hand and notarial seal on (insert date).

15

16 (signature)

17 (i) ~~(g)~~ When the execution of an Information Exchange
 18 Authorization, ~~or a Denial of Information Exchange,~~ Birth
 19 Parent Preference Form or Request for a Non-Certified Copy of
 20 an Original Birth Certificate is acknowledged before a
 21 representative of an agency, such representative shall have his
 22 signature on said Certificate acknowledged before a notary
 23 public, in form substantially as follows:

24 State of.....

25 County of.....

1 I, a Notary Public, in and for the said County, in the
 2 State aforesaid, do hereby certify that personally known
 3 to me to be the same person whose name is subscribed to the
 4 foregoing certificate of acknowledgement, appeared before me
 5 in person and acknowledged that (he or she) signed such
 6 certificate as (his or her) free and voluntary act and that the
 7 statements in such certificate are true.

8 Given under my hand and notarial seal on (insert date).

9

10 (signature)

11 (j) ~~(h)~~ When an Illinois Adoption Registry Application,
 12 Information Exchange Authorization, ~~or a~~ Denial of Information
 13 Exchange, Birth Parent Preference Form, or Request for a
 14 Non-Certified Copy of an Original Birth Certificate is executed
 15 in a foreign country, the execution of such document shall be
 16 acknowledged or affirmed before an officer of the United States
 17 consular services.

18 (k) ~~(i)~~ If the person signing an Information Exchange
 19 Authorization, ~~or a~~ Denial of Information, Birth Parent
 20 Preference Form or Request for a Non-Certified Copy of an
 21 Original Birth Certificate is in the military service of the
 22 United States, the execution of such document may be
 23 acknowledged before a commissioned officer and the signature of
 24 such officer on such certificate shall be verified or
 25 acknowledged before a notary public or by such other procedure

1 as is then in effect for such division or branch of the armed
2 forces.

3 ~~(j) The Department shall modify these forms as necessary to~~
4 ~~implement the provisions of this amendatory Act of 1999~~
5 ~~including creating Registration Identification Forms for~~
6 ~~non surrendered birth siblings, adoptive parents and legal~~
7 ~~guardians.~~

8 (Source: P.A. 93-189, eff. 1-1-04; 94-173, eff. 1-1-06.)

9 (750 ILCS 50/18.3) (from Ch. 40, par. 1522.3)

10 Sec. 18.3. (a) The agency, Department of Children and
11 Family Services, Court Supportive Services, Juvenile Division
12 of the Circuit Court, and any other party to the surrender of a
13 child for adoption or in an adoption proceeding shall inform
14 ~~obtain from~~ any birth parent or parents relinquishing ~~giving up~~
15 a child for purposes of adoption after the effective date of
16 this Act of the opportunity to register with the Illinois
17 Adoption Registry and Medical Information Exchange and to
18 utilize the Illinois confidential intermediary program and
19 shall obtain a written confirmation that acknowledges the birth
20 parent's receipt of such information. ~~a written statement which~~
21 ~~indicates: (1) a desire to have identifying information shared~~
22 ~~with the adopted or surrendered person at a later date; (2) a~~
23 ~~desire not to have identifying information revealed; or (3)~~
24 ~~that no decision is made at that time. In addition, the agency,~~
25 ~~Department of Children and Family Services, Court Supportive~~

1 ~~Services, Juvenile Division of the Circuit Court, and any other~~
2 ~~organization involved in the surrender of a child for adoption~~
3 ~~in an adoption proceeding shall inform the birth parent or~~
4 ~~parents of a child born, adopted or surrendered in Illinois of~~
5 ~~the existence of the Illinois Adoption Registry and Medical~~
6 ~~Information Exchange and provide them with the necessary~~
7 ~~application forms and if requested, assistance with completing~~
8 ~~the forms.~~

9 ~~(b) When the written statement is signed, the birth parent~~
10 ~~or parents shall be informed in writing that their decision~~
11 ~~regarding the sharing of identifying information can be made or~~
12 ~~changed by such birth parent or parents at any future date.~~

13 ~~(c) The birth parent shall be informed in writing that if~~
14 ~~contact or exchange of identifying ~~sharing of identifying~~~~
15 ~~information with the adult adopted or surrendered person is to~~
16 ~~occur, that adult adopted or surrendered person ~~he or she~~ must~~
17 ~~be 21 years of age or over.~~

18 ~~(d) If the birth parent or parents indicate a desire to~~
19 ~~share identifying information with the adopted or surrendered~~
20 ~~person, the birth parent shall complete an Information Exchange~~
21 ~~Authorization.~~

22 ~~(e) Any birth parent or parents requesting that no~~
23 ~~identifying information be revealed to the adopted or~~
24 ~~surrendered person shall be informed that such request will be~~
25 ~~conveyed to the adopted or surrendered person if he or she~~
26 ~~requests such information; and such identifying information~~

1 ~~shall not be revealed.~~

2 ~~(f) Any adopted or surrendered person 21 years of age or~~
3 ~~ever may also indicate in writing his or her desire or lack of~~
4 ~~desire to share identifying information with the birth parent~~
5 ~~or parents or with one or more of his or her birth relatives.~~
6 ~~Any adopted or surrendered person requesting that no~~
7 ~~identifying information be revealed to the birth parent or to~~
8 ~~one or more of his or her birth relatives shall be informed~~
9 ~~that such request shall be conveyed to the birth parent or~~
10 ~~birth relative if he or she requests such information; and such~~
11 ~~identifying information shall not be revealed.~~

12 (b) ~~(g)~~ Any birth parent, birth sibling, adopted or
13 surrendered person, adoptive parent, or legal guardian
14 indicating their desire to receive identifying or medical
15 information shall be informed of the existence of the Registry
16 and assistance shall be given to such person to legally record
17 his or her name with the Registry.

18 (c) ~~(h)~~ The agency, Department of Children and Family
19 Services, Court Supportive Services, Juvenile Division of the
20 Circuit Court, and any other organization involved in the
21 surrender of a child for adoption in an adoption proceeding
22 which has written statements from an adopted or surrendered
23 person and the birth parent or a birth sibling indicating a
24 desire to share ~~receive~~ identifying information or establish
25 contact shall supply such information to the mutually
26 consenting parties, except that no identifying information

1 shall be supplied to consenting birth siblings if any such
2 sibling is under 21 years of age. However, both the Registry
3 having an Information Exchange Authorization and the
4 organization having a written statement requesting the sharing
5 of identifying information or contact shall communicate with
6 each other to determine if the adopted or surrendered person or
7 the birth parent or birth sibling has signed a form at a later
8 date indicating a change in his or her desires regarding the
9 sharing of information or contact. ~~The agreement of the birth~~
10 ~~parent shall be binding.~~

11 (d) ~~(i)~~ On and after January 1, 2000, any licensed child
12 welfare agency which provides post-adoption search assistance
13 to adoptive parents, adopted persons, surrendered persons,
14 birth parents, or other birth relatives shall require that any
15 person requesting post-adoption search assistance complete an
16 Illinois Adoption Registry Application prior to the
17 commencement of the search.

18 (Source: P.A. 94-173, eff. 1-1-06.)

19 (750 ILCS 50/18.3a) (from Ch. 40, par. 1522.3a)

20 Sec. 18.3a. Confidential intermediary.

21 (a) General purposes. Notwithstanding any other provision
22 of this Act, any adopted or surrendered person 21 years of age
23 or over, any adoptive parent or legal guardian of an adopted or
24 surrendered person under the age of 21, or any birth parent of
25 an adopted or surrendered person who is 21 years of age or over

1 may petition the court in any county in the State of Illinois
2 for appointment of a confidential intermediary as provided in
3 this Section for the purpose of exchanging medical information
4 with one or more mutually consenting biological relatives,
5 obtaining identifying information about one or more mutually
6 consenting biological relatives, or arranging contact with one
7 or more mutually consenting biological relatives.
8 Additionally, in cases where an adopted or surrendered person
9 is deceased, an adult child of the adopted or surrendered
10 person or his or her adoptive parents or surviving spouse may
11 file a petition under this Section and in cases where the birth
12 parent is deceased, an adult birth sibling of the adopted or
13 surrendered person or of the deceased birth parent may file a
14 petition under this Section for the purpose of exchanging
15 medical information with one or more mutually consenting
16 biological relatives of the adopted or surrendered person,
17 obtaining identifying information about one or more mutually
18 consenting biological relatives of the adopted or surrendered
19 person, or arranging contact with one or more mutually
20 consenting biological relatives of the adopted or surrendered
21 person. Beginning January 1, 2006, any adopted or surrendered
22 person 21 years of age or over; any adoptive parent or legal
23 guardian of an adopted or surrendered person under the age of
24 21; any birth parent, birth sibling, birth aunt, or birth uncle
25 of an adopted or surrendered person over the age of 21; any
26 surviving child, adoptive parent, or surviving spouse of a

1 deceased adopted or surrendered person who wishes to petition
2 the court for the appointment of a confidential intermediary
3 shall be required to accompany their petition with proof of
4 registration with the Illinois Adoption Registry and Medical
5 Information Exchange.

6 (b) Petition. Upon petition by an adopted or surrendered
7 person 21 years of age or over (an "adult adopted or
8 surrendered person"), an adoptive parent or legal guardian of
9 an adopted or surrendered person under the age of 21, or a
10 birth parent of an adopted or surrendered person who is 21
11 years of age or over, the court shall appoint a confidential
12 intermediary. Upon petition by an adult child, adoptive parent
13 or surviving spouse of an adopted or surrendered person who is
14 deceased, by an adult birth sibling of an adopted or
15 surrendered person whose common birth parent is deceased and
16 whose adopted or surrendered birth sibling is 21 years of age
17 or over, or by an adult sibling of a birth parent who is
18 deceased, and whose surrendered child is 21 years of age or
19 over, the court may appoint a confidential intermediary if the
20 court finds that the disclosure is of greater benefit than
21 nondisclosure. The petition shall state which biological
22 relative or relatives are being sought and shall indicate if
23 the petitioner wants to do any one or more of the following:
24 exchange medical information with the biological relative or
25 relatives, obtain identifying information from the biological
26 relative or relatives, or to arrange contact with the

1 biological relative.

2 (c) Order. The order appointing the confidential
3 intermediary shall allow that intermediary to conduct a search
4 for the sought-after relative by accessing those records
5 described in subsection (g) of this Section.

6 (d) Fees and expenses. The court shall condition the
7 appointment of the confidential intermediary on the
8 petitioner's payment of the intermediary's fees and expenses in
9 advance of the commencement of the work of the confidential
10 intermediary. However, no fee shall be charged if the
11 petitioner is an adult adopted or surrendered person and the
12 sought-after relative is a birth parent who filed a Denial with
13 the Registry prior to January 1, 2009, or filed a Birth Parent
14 Preference Form on which Option E was selected after January 1,
15 2009.

16 (e) Eligibility of intermediary. The court may appoint as
17 confidential intermediary any person certified by the
18 Department of Children and Family Services as qualified to
19 serve as a confidential intermediary. Certification shall be
20 dependent upon the confidential intermediary completing a
21 course of training including, but not limited to, applicable
22 federal and State privacy laws.

23 (f) Confidential Intermediary Council. There shall be
24 established under the Department of Children and Family
25 Services a Confidential Intermediary Advisory Council. One
26 member shall be an attorney representing the Attorney General's

1 Office appointed by the Attorney General. One member shall be a
2 currently certified confidential intermediary appointed by the
3 Director of the Department of Children and Family Services. The
4 Director shall also appoint 5 additional members. When making
5 those appointments, the Director shall consider advocates for
6 adopted persons, adoptive parents, birth parents, lawyers who
7 represent clients in private adoptions, lawyers specializing
8 in privacy law, and representatives of agencies involved in
9 adoptions. The Director shall appoint one of the 7 members as
10 the chairperson. An attorney from the Department of Children
11 and Family Services and the person directly responsible for
12 administering the confidential intermediary program shall
13 serve as ex-officio, non-voting advisors to the Council.
14 Council members shall serve at the discretion of the Director
15 and shall receive no compensation other than reasonable
16 expenses approved by the Director. The Council shall meet no
17 less than twice yearly and shall meet at least once yearly with
18 the Registry Advisory Council, and shall make recommendations
19 to the Director regarding the development of rules, procedures,
20 and forms that will ensure efficient and effective operation of
21 the confidential intermediary process, including:

22 (1) Standards for certification for confidential
23 intermediaries.

24 (2) Oversight of methods used to verify that
25 intermediaries are complying with the appropriate laws.

26 (3) Training for confidential intermediaries,

1 including training with respect to federal and State
2 privacy laws.

3 (4) The relationship between confidential
4 intermediaries and the court system, including the
5 development of sample orders defining the scope of the
6 intermediaries' access to information.

7 (5) Any recent violations of policy or procedures by
8 confidential intermediaries and remedial steps, including
9 decertification, to prevent future violations.

10 (g) Access. Subject to the limitations of subsection (i) of
11 this Section, the confidential intermediary shall have access
12 to vital records maintained by the Department of Public Health
13 and its local designees for the maintenance of vital records or
14 a comparable public entity that maintains vital records in
15 another state in accordance with that state's laws, and all
16 records of the court or any adoption agency, public or private,
17 as limited in this Section, which relate to the adoption or the
18 identity and location of an adopted or surrendered person, of
19 an adult child or surviving spouse of a deceased adopted or
20 surrendered person, or of a birth parent, birth sibling, or the
21 sibling of a deceased birth parent. The confidential
22 intermediary shall not have access to any personal health
23 information protected by the Standards for Privacy of
24 Individually Identifiable Health Information adopted by the
25 U.S. Department of Health and Human Services under the Health
26 Insurance Portability and Accountability Act of 1996 unless the

1 confidential intermediary has obtained written consent from
2 the person whose information is being sought or, if that person
3 is a minor child, that person's parent or guardian.
4 Confidential intermediaries shall be authorized to inspect
5 confidential relinquishment and adoption records. The
6 confidential intermediary shall not be authorized to access
7 medical records, financial records, credit records, banking
8 records, home studies, attorney file records, or other personal
9 records. In cases where a birth parent is being sought by an
10 adult adopted or surrendered person, an adoption agency shall
11 inform the confidential intermediary of any statement filed
12 pursuant to Section 18.3, hereinafter referred to as "the 18.3
13 statement", indicating a desire of the surrendering birth
14 parent to have identifying information shared or to not have
15 identifying information shared. If there was a clear statement
16 of intent by the sought-after birth parent not to have
17 identifying information shared, the confidential intermediary
18 shall discontinue the search and inform the petitioning party
19 of the sought-after relative's intent unless the birth parent
20 filed the 18.3 statement prior to the enactment of this Section
21 and more than five years have elapsed since the filing of the
22 18.3 statement. If the adult adopted or surrendered person is
23 the subject of an 18.3 statement indicating a desire not to
24 establish contact which was filed more than five years prior to
25 the search request, the confidential intermediary shall
26 confirm the petitioner's desire to continue the search.

1 Information provided to the confidential intermediary by an
2 adoption agency shall be restricted to the full name, date of
3 birth, place of birth, last known address, last known telephone
4 number of the sought-after relative or, if applicable, of the
5 children or siblings of the sought-after relative, and the 18.3
6 statement.

7 (h) Adoption agency disclosure of medical information. If
8 the petitioner is an adult adopted or surrendered person or the
9 adoptive parent of a minor and if the petitioner has signed a
10 written authorization to disclose personal medical
11 information, an adoption agency disclosing information to a
12 confidential intermediary shall disclose available medical
13 information about the adopted or surrendered person from birth
14 through adoption.

15 (i) Duties of confidential intermediary in conducting a
16 search. In conducting a search under this Section, the
17 confidential intermediary shall first confirm that there is no
18 Denial of Information Exchange on file with the Illinois
19 Adoption Registry. If the petitioner is an adult child of an
20 adopted or surrendered person who is deceased, the confidential
21 intermediary shall additionally confirm that the adopted or
22 surrendered person did not file a Denial of Information
23 Exchange with the Illinois Adoption Registry during his or her
24 life. If the petitioner is an adult birth sibling of an adopted
25 or surrendered person or an adult sibling of a birth parent who
26 is deceased, the confidential intermediary shall additionally

1 confirm that the birth parent did not file a Denial of
2 Information Exchange with the Registry during his or her life.
3 If there is a Denial on file with the Registry, the
4 confidential intermediary must discontinue the search unless
5 the petitioner is an adult adopted or surrendered person and
6 the sought-after birth relative filed the Denial five years or
7 more prior to the search or the birth parent has not been the
8 object of a search through the state confidential intermediary
9 program for ten or more years. If the petitioner is an adult
10 adopted or surrendered person and there is a Birth Parent
11 Preference Form on file with the Registry and the birth parent
12 who completed the form selected Option E, the confidential
13 intermediary must discontinue the search unless 5 years or more
14 have elapsed since the filing of the Birth Parent Preference
15 Form. If the confidential intermediary learns that a
16 sought-after birth parent signed an 18.3 a statement indicating
17 his or her intent not to have identifying information shared
18 prior to the enactment of this Section, and did not later file
19 an Information Exchange Authorization or a Birth Parent
20 Preference Form with the ~~Adoption~~ Registry, the confidential
21 intermediary shall discontinue the search and inform the
22 petitioning party of the birth parent's intent unless the
23 petitioner is an adult adopted or surrendered person and five
24 years or more have elapsed since the birth parent signed the
25 statement indicating his or her intent not to have identifying
26 information shared. In cases where the birth parent filed a

1 Denial of Information Exchange or statement indicating his or
2 her intent not to have identifying information shared less than
3 five years prior to the search request and the petitioner is an
4 adult adopted or surrendered person, the confidential
5 intermediary shall inform the petitioner of the need to
6 discontinue the search until five years have elapsed since the
7 Denial of Information Exchange was filed; in cases where a
8 birth parent was previously the subject of a search through the
9 state confidential intermediary program, the confidential
10 intermediary shall inform the petitioner of the need to
11 discontinue the search until ten years or more have elapsed
12 since the initial search was closed. In cases where a birth
13 parent has been the object of two searches through the state
14 confidential intermediary program, no subsequent search for
15 the birth parent shall be authorized absent a court order to
16 the contrary.

17 In conducting a search under this Section, the confidential
18 intermediary shall attempt to locate the relative or relatives
19 from whom the petitioner has requested information. If the
20 sought-after relative is deceased or cannot be located after a
21 diligent search, the confidential intermediary may contact
22 other adult relatives of the sought-after relative.

23 The confidential intermediary shall contact a sought-after
24 relative on behalf of the petitioner in a manner that respects
25 the sought-after relative's privacy and shall inform the
26 sought-after relative of the petitioner's request for medical

1 information, identifying information or contact as stated in
2 the petition. Based upon the terms of the petitioner's request,
3 the confidential intermediary shall contact a sought-after
4 relative on behalf of the petitioner and inform the
5 sought-after relative of the following options:

6 (1) The sought-after relative may totally reject one or
7 all of the requests for medical information, identifying
8 information or contact. The sought-after relative shall be
9 informed that they can provide a medical questionnaire to
10 be forwarded to the petitioner without releasing any
11 identifying information. The confidential intermediary
12 shall inform the petitioner of the sought-after relative's
13 decision to reject the sharing of information or contact.

14 (2) The sought-after relative may consent to
15 completing a medical questionnaire only. In this case, the
16 confidential intermediary shall provide the questionnaire
17 and ask the sought-after relative to complete it. The
18 confidential intermediary shall forward the completed
19 questionnaire to the petitioner and inform the petitioner
20 of the sought-after relative's desire to not provide any
21 additional information.

22 (3) The sought-after relative may communicate with the
23 petitioner without having his or her identity disclosed. In
24 this case, the confidential intermediary shall arrange the
25 desired communication in a manner that protects the
26 identity of the sought-after relative. The confidential

1 intermediary shall inform the petitioner of the
 2 sought-after relative's decision to communicate but not
 3 disclose his or her identity.

4 (4) The sought after relative may consent to initiate
 5 contact with the petitioner. If both the petitioner and the
 6 sought-after relative or relatives are eligible to
 7 register with the Illinois Adoption Registry, the
 8 confidential intermediary shall provide the necessary
 9 application forms and request that the sought-after
 10 relative register with the Illinois Adoption Registry. If
 11 either the petitioner or the sought-after relative or
 12 relatives are ineligible to register with the Illinois
 13 Adoption Registry, the confidential intermediary shall
 14 obtain written consents from both parties that they wish to
 15 disclose their identities to each other and to have contact
 16 with each other.

17 (j) Oath. The confidential intermediary shall sign an oath
 18 of confidentiality substantially as follows: "I,,
 19 being duly sworn, on oath depose and say: As a condition of
 20 appointment as a confidential intermediary, I affirm that:

21 (1) I will not disclose to the petitioner, directly or
 22 indirectly, any confidential information except in a
 23 manner consistent with the law.

24 (2) I recognize that violation of this oath subjects me
 25 to civil liability and to a potential finding of contempt
 26 of court.

1 SUBSCRIBED AND SWORN to before me, a Notary Public, on (insert
2 date)

3"

4 (k) Sanctions.

5 (1) Any confidential intermediary who improperly
6 discloses confidential information identifying a
7 sought-after relative shall be liable to the sought-after
8 relative for damages and may also be found in contempt of
9 court.

10 (2) Any person who learns a sought-after relative's
11 identity, directly or indirectly, through the use of
12 procedures provided in this Section and who improperly
13 discloses information identifying the sought-after
14 relative shall be liable to the sought-after relative for
15 actual damages plus minimum punitive damages of \$10,000.

16 (3) The Department shall fine any confidential
17 intermediary who improperly discloses confidential
18 information in violation of item (1) or (2) of this
19 subsection (k) an amount up to \$2,000 per improper
20 disclosure. This fine does not affect civil liability under
21 item (2) of this subsection (k). The Department shall
22 deposit all fines and penalties collected under this
23 Section into the Illinois Adoption Registry and Medical
24 Information Fund.

25 (1) Death of person being sought. Notwithstanding any other
26 provision of this Act, if the confidential intermediary

1 discovers that the person being sought has died, he or she
2 shall report this fact to the court, along with a copy of the
3 death certificate. If the sought-after relative is a birth
4 parent, the confidential intermediary shall also forward a copy
5 of the birth parent's death certificate or obituary to the
6 Registry for inclusion in the Registry file.

7 (m) Any confidential information obtained by the
8 confidential intermediary during the course of his or her
9 search shall be kept strictly confidential and shall be used
10 for the purpose of arranging contact between the petitioner and
11 the sought-after birth relative. At the time the case is
12 closed, all identifying information shall be returned to the
13 court for inclusion in the impounded adoption file.

14 (n) If the petitioner is an adopted or surrendered person
15 21 years of age or over or the adoptive parent or legal
16 guardian of an adopted or surrendered person under the age of
17 21, any non-identifying information, as defined in Section
18 18.4, that is ascertained during the course of the search may
19 be given in writing to the petitioner at any time during the
20 search before the case is closed.

21 (o) Except as provided in subsection (k) of this Section,
22 no liability shall accrue to the State, any State agency, any
23 judge, any officer or employee of the court, any certified
24 confidential intermediary, or any agency designated to oversee
25 confidential intermediary services for acts, omissions, or
26 efforts made in good faith within the scope of this Section.

1 (p) An adoption agency that has received a request from a
2 confidential intermediary for the full name, date of birth,
3 last known address, or last known telephone number of a
4 sought-after relative pursuant to subsection (g) of Section
5 18.3a ~~18.3~~, or for medical information regarding a sought-after
6 relative pursuant to subsection (h) of Section 18.3a ~~18.3~~, must
7 satisfactorily comply with this court order within a period of
8 45 days. The court shall order the adoption agency to reimburse
9 the petitioner in an amount equal to all payments made by the
10 petitioner to the confidential intermediary, and the adoption
11 agency shall be subject to a civil monetary penalty of \$1,000
12 to be paid to the Department of Children and Family Services.
13 Following the issuance of a court order finding that the
14 adoption agency has not complied with Section 18.3, the
15 adoption agency shall be subject to a monetary penalty of \$500
16 per day for each subsequent day of non-compliance. Proceeds
17 from such fines shall be utilized by the Department of Children
18 and Family Services to subsidize the fees of petitioners as
19 referenced in subsection (d) of this Section.

20 (q) Provide information to eligible petitioners. The
21 confidential intermediary may provide to eligible petitioners
22 as described in subsections (a) and (b) of this Section, the
23 name of the child welfare agency which had legal custody of the
24 surrendered person or responsibility for placing the
25 surrendered person and any available contact information for
26 such agency. In addition, the confidential intermediary may

1 provide to such petitioners the name of the state in which the
2 surrender occurred or in which the adoption was finalized.

3 Any reimbursements and fines, notwithstanding any
4 reimbursement directly to the petitioner, paid under this
5 subsection are in addition to other remedies a court may
6 otherwise impose by law.

7 ~~Proceeds from the penalties paid to the Department of~~
8 ~~Children and Family Services shall be deposited into the DCFS~~
9 ~~Children's Services Fund.~~ The Department of Children and Family
10 Services shall submit reports to the Confidential Intermediary
11 Advisory Council by July 1 and January 1 of each year in order
12 to report the penalties assessed and collected under this
13 subsection, the amounts of related deposits into the DCFS
14 Children's Services Fund, and any expenditures from such
15 deposits.

16 (Source: P.A. 93-189, eff. 1-1-04; 94-173, eff. 1-1-06;
17 94-1010, eff. 10-1-06.)

18 (750 ILCS 50/18.5) (from Ch. 40, par. 1522.5)

19 Sec. 18.5. Liability. No liability shall attach to the
20 State, any agency thereof, any licensed agency, any judge, any
21 officer or employee of the court, or any party or employee
22 thereof involved in the surrender of a child for adoption or in
23 an adoption proceeding for acts or efforts made within the
24 scope of Sections 18.05 thru 18.5, inclusive, of this Act and
25 under its provisions, except for subsection (n) ~~(f)~~ of Section

1 18.1.

2 (Source: P.A. 91-417, eff. 1-1-00.)

3 (750 ILCS 50/18.6) (from Ch. 40, par. 1522.6)

4 Sec. 18.6. Registry fees. The Department of Public Health
5 shall levy a fee for each registrant under Sections 18.05
6 through 18.5. A \$40 fee shall be charged for registering with
7 the Illinois Adoption Registry and Medical Information
8 Exchange. However, this fee shall be waived for all adopted or
9 surrendered persons, surviving children and spouses of
10 deceased adopted persons, adoptive parents, legal guardians,
11 birth parents, and birth siblings who complete a Medical
12 Information Exchange Questionnaire at the time of registration
13 and authorize its release to specified registered parties, and
14 for adoptive parents registering within 12 months of the
15 finalization of the adoption. All persons who were registered
16 with the Illinois Adoption Registry prior to the effective date
17 of this amendatory Act of 1999 and who wish to update their
18 registration may do so without charge. No charge of any kind
19 shall be made for the withdrawal of any form provided in
20 Section 18.2.

21 (Source: P.A. 91-417, eff. 1-1-00.)