



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3101

Introduced 2/17/2023, by Rep. Jennifer Gong-Gershowitz

SYNOPSIS AS INTRODUCED:

See Index

Amends the Abandoned Newborn Infant Protection Act. Provides that there is a presumption that by relinquishing a newborn infant in accordance with the Act, the infant's parent waives notice of any legal proceeding to terminate his or her parental rights. Requires a hospital to complete and submit, on behalf of a relinquished newborn infant, an application for medical assistance benefits provided under the Illinois Public Aid Code and to provide all available medical information and records regarding the infant to the Department of Children and Family Services and to the child welfare agency (rather than child-placing agency) that has accepted the referral of the infant. Provides that if the person (rather than parent) who relinquished a newborn infant, or a person claiming to be the parent of the infant, returns to reclaim the infant within 30 days (rather than 72 hours) after the infant was relinquished to a police station, the police station must inform such person of the name and location of the hospital to which the infant was transported. Makes changes to provisions concerning information for a relinquishing person on the relinquishment process; a child welfare agency's authority to make medical and health related decisions for a relinquished infant; notice to the infant's biological parents of legal proceedings to terminate their parental rights; the appointment of a guardian ad litem to represent the infant's interests; the alternative to relinquishment that results in the adoption of a relinquished infant under 30 (rather than 7) days of age; and other matters. Amends the Abandoned Newborn Infant Protection Act, the Immunization Data Registry Act, the Illinois Parentage Act of 2015, and the Adoption Act by replacing all references to "child placing agency" with "child welfare agency".

LRB103 29344 KTG 55731 b

1 AN ACT concerning children.

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

4 Section 5. The Abandoned Newborn Infant Protection Act is
5 amended by changing Sections 10, 15, 20, 22, 30, 35, 37, 40,
6 50, 55, 60, and 65, as follows:

7 (325 ILCS 2/10)

8 Sec. 10. Definitions. In this Act:

9 "Abandon" has the same meaning as in the Abused and
10 Neglected Child Reporting Act.

11 "Abused child" has the same meaning as in the Abused and
12 Neglected Child Reporting Act.

13 "Child welfare ~~Child-placing~~ agency" means an Illinois ~~a~~
14 licensed public or private agency that receives a child for
15 the purpose of placing or arranging for the placement of the
16 child in a foster or pre-adoptive family home or other
17 facility for child care, apart from the custody of the child's
18 parents.

19 "Department" or "DCFS" means the Illinois Department of
20 Children and Family Services.

21 "Emergency medical facility" means a freestanding
22 emergency center or trauma center, as defined in the Emergency
23 Medical Services (EMS) Systems Act.

1 "Emergency medical professional" includes licensed
2 physicians, and any emergency medical technician, emergency
3 medical technician-intermediate, advanced emergency medical
4 technician, paramedic, trauma nurse specialist, and
5 pre-hospital registered nurse, as defined in the Emergency
6 Medical Services (EMS) Systems Act.

7 "Fire station" means a fire station within the State with
8 at least one staff person.

9 "Hospital" has the same meaning as in the Hospital
10 Licensing Act.

11 "Legal custody" means the relationship created by a court
12 order in the best interest of a newborn infant that imposes on
13 the infant's custodian the responsibility of physical
14 possession of the infant, the duty to protect, train, and
15 discipline the infant, and the duty to provide the infant with
16 food, shelter, education, and medical care, except as these
17 are limited by parental rights and responsibilities.

18 "Neglected child" has the same meaning as in the Abused
19 and Neglected Child Reporting Act.

20 "Newborn infant" means a child who a licensed physician
21 reasonably believes is 30 days old or less at the time the
22 child is initially relinquished to a hospital, police station,
23 fire station, or emergency medical facility, and who is not an
24 abused or a neglected child.

25 "Parent" or "biological parent" means a person who has
26 established maternity or paternity of the newborn infant

1 through genetic testing.

2 "Police station" means a municipal police station, a
3 county sheriff's office, a campus police department located on
4 any college or university owned or controlled by the State or
5 any private college or private university that is not owned or
6 controlled by the State when employees of the campus police
7 department are present, or any of the district headquarters of
8 the Illinois State Police.

9 "Relinquish" means to bring a newborn infant, who a
10 licensed physician reasonably believes is 30 days old or less,
11 to a hospital, police station, fire station, or emergency
12 medical facility and to leave the infant with personnel of the
13 facility, if the person leaving the infant does not express an
14 intent to return for the infant or states that he or she will
15 not return for the infant. In the case of a mother who gives
16 birth to an infant in a hospital, the mother's act of leaving
17 that newborn infant at the hospital (i) without expressing an
18 intent to return for the infant or (ii) stating that she will
19 not return for the infant is not a "relinquishment" under this
20 Act.

21 "Temporary protective custody" means the temporary
22 placement of a newborn infant within a hospital or other
23 medical facility out of the custody of the infant's parent.

24 (Source: P.A. 97-293, eff. 8-11-11; 98-973, eff. 8-15-14.)

25 (325 ILCS 2/15)

1 Sec. 15. Presumptions.

2 (a) There is a presumption that by relinquishing a newborn
3 infant in accordance with this Act, the infant's parent
4 consents to the termination of his or her parental rights with
5 respect to the infant and therefore waives notice of any legal
6 proceeding to terminate his or her parental rights.

7 (b) There is a presumption that a person relinquishing a
8 newborn infant in accordance with this Act:

9 (1) is the newborn infant's biological parent; and

10 (2) either without expressing an intent to return for
11 the infant or expressing an intent not to return for the
12 infant, did intend to relinquish the infant to the
13 hospital, police station, fire station, or emergency
14 medical facility to treat, care for, and provide for the
15 infant in accordance with this Act.

16 (c) A parent of a relinquished newborn infant may rebut
17 the presumption set forth in either subsection (a) or
18 subsection (b) pursuant to Section 55, at any time before the
19 termination of the parent's parental rights.

20 (Source: P.A. 92-408, eff. 8-17-01; 92-432, eff. 8-17-01;
21 93-820, eff. 7-27-04.)

22 (325 ILCS 2/20)

23 Sec. 20. Procedures with respect to relinquished newborn
24 infants.

25 (a) Hospitals. Every hospital must accept and provide all

1 necessary emergency services and care to a relinquished
2 newborn infant, in accordance with this Act. The hospital
3 shall examine a relinquished newborn infant and perform tests
4 that, based on reasonable medical judgment, are appropriate in
5 evaluating whether the relinquished newborn infant was abused
6 or neglected.

7 The act of relinquishing a newborn infant serves as
8 implied consent for the hospital and its medical personnel and
9 physicians on staff to treat and provide care for the infant.

10 The hospital shall complete and submit an application for
11 medical assistance provided under Article V of the Illinois
12 Public Aid Code on behalf of the infant and shall provide all
13 available medical information and records regarding the infant
14 to the Department and the child welfare agency that has
15 accepted the referral of the infant in accordance with Section
16 50.

17 The hospital shall be deemed to have temporary protective
18 custody of a relinquished newborn infant until the infant is
19 discharged to the custody of a child welfare ~~child placing~~
20 agency or the Department.

21 (b) Fire stations and emergency medical facilities. Every
22 fire station and emergency medical facility must accept and
23 provide all necessary emergency services and care to a
24 relinquished newborn infant, in accordance with this Act.

25 The act of relinquishing a newborn infant serves as
26 implied consent for the fire station or emergency medical

1 facility and its emergency medical professionals to treat and
2 provide care for the infant, to the extent that those
3 emergency medical professionals are trained to provide those
4 services.

5 After the relinquishment of a newborn infant to a fire
6 station or emergency medical facility, the fire station or
7 emergency medical facility's personnel must arrange for the
8 transportation of the infant to the nearest hospital as soon
9 as transportation can be arranged.

10 If the person who relinquished ~~parent of~~ a newborn infant,
11 or a person claiming to be the parent of the infant, returns to
12 reclaim the infant within 30 days ~~child within 72 hours~~ after
13 the infant was relinquished ~~relinquishing the child~~ to a fire
14 station or emergency medical facility, the fire station or
15 emergency medical facility must inform such person ~~the parent~~
16 of the name and location of the hospital to which the infant
17 was transported.

18 (c) Police stations. Every police station must accept a
19 relinquished newborn infant, in accordance with this Act.
20 After the relinquishment of a newborn infant to a police
21 station, the police station must arrange for the
22 transportation of the infant to the nearest hospital as soon
23 as transportation can be arranged. The act of relinquishing a
24 newborn infant serves as implied consent for the hospital to
25 which the infant is transported and that hospital's medical
26 personnel and physicians on staff to treat and provide care

1 for the infant.

2 If the person who relinquished ~~parent of~~ a newborn infant,
3 or a person claiming to be the parent of the infant, returns to
4 reclaim the infant within 30 days ~~72 hours~~ after ~~relinquishing~~
5 the infant was relinquished to a police station, the police
6 station must inform such person ~~the parent~~ of the name and
7 location of the hospital to which the infant was transported.
8 (Source: P.A. 92-408, eff. 8-17-01; 92-432, eff. 8-17-01;
9 93-820, eff. 7-27-04.)

10 (325 ILCS 2/22)

11 Sec. 22. Signs. Every hospital, fire station, emergency
12 medical facility, and police station that is required to
13 accept a relinquished newborn infant in accordance with this
14 Act must post, either by physical or electronic means, a sign
15 in a conspicuous place on the exterior of the building housing
16 the facility informing persons that a newborn infant may be
17 relinquished at the facility in accordance with this Act. The
18 Department shall prescribe specifications for the signs and
19 for their placement that will ensure statewide uniformity.

20 ~~This Section does not apply to a hospital, fire station,~~
21 ~~emergency medical facility, or police station that has a sign~~
22 ~~that is consistent with the requirements of this Section that~~
23 ~~is posted on the effective date of this amendatory Act of the~~
24 ~~95th General Assembly.~~

25 (Source: P.A. 102-4, eff. 4-27-21.)

1 (325 ILCS 2/30)

2 Sec. 30. Anonymity of relinquishing person. If there is
3 no evidence of abuse or neglect of a relinquished newborn
4 infant, the relinquishing person has the right to remain
5 anonymous and to leave the hospital, police station, fire
6 station, or emergency medical facility at any time and not be
7 pursued or followed. Before the relinquishing person leaves
8 the hospital, police station, fire station, or emergency
9 medical facility, the hospital, police station, fire station,
10 or emergency medical facility personnel shall (i) verbally
11 inform the relinquishing person that by relinquishing the
12 child anonymously, he or she will have to petition the court if
13 he or she desires to prevent the termination of parental
14 rights and regain custody of the child and (ii) ~~shall~~
15 relinquishing person the information ~~packet~~ described in
16 Section 35 of this Act. However, nothing in this Act shall be
17 construed as precluding the relinquishing person from
18 providing his or her identity or completing the application
19 forms for the Illinois Adoption Registry and Medical
20 Information Exchange and requesting that the hospital, police
21 station, fire station, or emergency medical facility forward
22 those forms to the Illinois Adoption Registry and Medical
23 Information Exchange.

24 (Source: P.A. 92-408, eff. 8-17-01; 92-432, eff. 8-17-01;
25 93-820, eff. 7-27-04.)

1 (325 ILCS 2/35)

2 Sec. 35. Information for relinquishing person.

3 (a) The ~~A~~ hospital, police station, fire station, or
4 emergency medical facility that receives a newborn infant
5 relinquished in accordance with this Act shall ~~must~~ offer
6 information about the relinquishment process to ~~an information~~
7 ~~packet to the relinquishing person and, if possible, must~~
8 ~~clearly inform~~ the relinquishing person either in writing or
9 by referring said person to a website or other electronic
10 resource. Such information shall clearly state that ~~his or her~~
11 acceptance of the information is completely voluntary. The
12 information ~~packet~~ must include all of the following:

13 (1) (Blank).

14 (2) Written notice of the following:

15 (A) No sooner than 60 days following the date of
16 the initial relinquishment of the infant to a
17 hospital, police station, fire station, or emergency
18 medical facility, the court may enter an order
19 terminating parental rights without notice to the
20 parents of the infant ~~child placing agency or the~~
21 ~~Department will commence proceedings for the~~
22 ~~termination of parental rights and placement of the~~
23 ~~infant for adoption.~~

24 (B) Failure of a parent of the infant to contact
25 the Department and petition for the return of custody

1 of the infant before termination of parental rights
2 bars any future action asserting legal rights with
3 respect to the infant.

4 (3) A resource list of providers of counseling
5 services including grief counseling, pregnancy counseling,
6 and counseling regarding adoption and other available
7 options for placement of the infant.

8 ~~Upon request of a parent, the Department of Public Health~~
9 ~~shall provide the application forms for the Illinois Adoption~~
10 ~~Registry and Medical Information Exchange.~~

11 (b) The information offered ~~packet~~ given to a
12 relinquishing person ~~parent~~ in accordance with this Act shall
13 include, in addition to other information required under this
14 Act, the following:

15 (1) Information ~~A brochure (with a self-mailer~~
16 ~~attached)~~ that describes this Act and the rights of birth
17 parents, including an option ~~optional section~~ for the
18 parent to complete and mail to the Department of Children
19 and Family Services a form ~~7~~ that shall ask for basic
20 anonymous background information about the relinquished
21 child. This form ~~brochure~~ shall be maintained by the
22 Department on its website.

23 (2) Information about ~~A brochure that describes~~ the
24 Illinois Adoption Registry, including a toll-free number
25 and website information. ~~This brochure shall be maintained~~
26 ~~on the Office of Vital Records website.~~

1 (3) Information about a mother's postpartum health ~~A~~
2 ~~brochure describing postpartum health information for the~~
3 ~~mother.~~

4 The information provided in writing or through electronic
5 means ~~packet~~ shall be designed in coordination between the
6 Office of Vital Records and the Department of Children and
7 Family Services. The failure to provide such information under
8 this Section, or the failure of the relinquishing person to
9 accept such information, shall not invalidate the
10 relinquishment under this Act. ~~, with the exception of the~~
11 ~~resource list of providers of counseling services and adoption~~
12 ~~agencies, which shall be provided by the hospital, fire~~
13 ~~station, police station, sheriff's office, or emergency~~
14 ~~medical facility.~~

15 (Source: P.A. 96-1114, eff. 7-20-10; 97-333, eff. 8-12-11.)

16 (325 ILCS 2/37)

17 Sec. 37. Public disclosure of information prohibited.
18 Emergency medical professionals, employees, or other persons
19 engaged in the administration or operation of a fire station,
20 police station, hospital, emergency medical facility, child
21 welfare ~~placing~~ agency, or the Department where a newborn
22 infant ~~baby~~ has been relinquished or transferred under this
23 Act, are prohibited from publicly disclosing any information
24 concerning the relinquishment of the infant and the
25 individuals involved, except as otherwise provided by law.

1 (Source: P.A. 95-549, eff. 6-1-08.)

2 (325 ILCS 2/40)

3 Sec. 40. Reporting requirements.

4 (a) Within 12 hours after accepting a newborn infant from
5 a relinquishing person or from a police station, fire station,
6 or emergency medical facility in accordance with this Act, a
7 hospital must report to the Department's State Central
8 Registry for the purpose of transferring physical custody of
9 the infant from the hospital to either a child welfare
10 ~~child-placing~~ agency or the Department.

11 (b) Within 24 hours after receiving a report under
12 subsection (a), the Department must request assistance from
13 law enforcement officials to investigate the matter using the
14 National Crime Information Center to ensure that the
15 relinquished newborn infant is not a missing child.

16 (c) Once a hospital has made a report to the Department
17 under subsection (a), the Department must arrange for a
18 licensed child welfare ~~child-placing~~ agency to accept physical
19 custody of the relinquished newborn infant.

20 (d) If a relinquished child is not a newborn infant as
21 defined in this Act, the hospital and the Department must
22 proceed as if the child is an abused or neglected child.

23 (Source: P.A. 92-408, eff. 8-17-01; 92-432, eff. 8-17-01;
24 93-820, eff. 7-27-04.)

1 (325 ILCS 2/50)

2 Sec. 50. Child welfare ~~Child-placing~~ agency procedures.

3 (a) The Department's State Central Registry must maintain
4 a list of licensed child welfare ~~child-placing~~ agencies
5 willing to take legal custody of newborn infants relinquished
6 in accordance with this Act. The child welfare ~~child-placing~~
7 agencies on the list must be contacted by the Department on a
8 rotating basis upon notice from a hospital that a newborn
9 infant has been relinquished in accordance with this Act.

10 (b) Upon notice from the Department that a newborn infant
11 has been relinquished in accordance with this Act, a child
12 welfare ~~child-placing~~ agency must accept the newborn infant if
13 the agency has the accommodations to do so. The child welfare
14 ~~child-placing~~ agency must seek an order for legal custody of
15 the infant upon its acceptance of the infant.

16 (c) Within 3 business days after accepting the referral
17 from the Department, ~~assuming physical custody of the infant,~~
18 the child welfare ~~child-placing~~ agency shall file a petition
19 for custody in the division of the circuit court in which
20 petitions for adoption would normally be heard. The infant
21 shall be referred to as "Baby Girl Doe" or "Baby Boy Doe" in
22 all pleadings, notwithstanding actual knowledge of the
23 infant's name or of the names of the infant's alleged parents,
24 in order to preserve the confidentiality of the relinquishing
25 parent or parents and the expectation of anonymity consistent
26 with the purposes of this Act. The petition for custody shall

1 allege that the newborn infant has been relinquished in
2 accordance with this Act and shall request ~~state~~ that the
3 child welfare ~~child-placing~~ agency be given the authority
4 ~~intends~~ to place the infant in an adoptive home, foster home,
5 child care facility, or other facility appropriate for the
6 needs of the infant. No filing or appearance fees shall be
7 charged to any petitioner.

8 (d) If no licensed child welfare ~~child-placing~~ agency is
9 able to accept the relinquished newborn infant, then the
10 Department must assume responsibility for the infant as soon
11 as practicable.

12 (e) A custody order issued under subsection (b) shall
13 grant the child welfare agency the authority to make medical
14 and health related decisions for the infant. Said order shall
15 remain in effect until a final ~~adoption~~ order based on the
16 relinquished newborn infant's best interests is issued in
17 accordance with this Act and the Adoption Act.

18 (f) When possible, the child welfare ~~child-placing~~ agency
19 must place a relinquished newborn infant in a prospective
20 adoptive home.

21 (g) An order terminating the parental rights of the
22 biological parents of the infant and appointing a guardian of
23 the infant with authority to consent to the adoption may be
24 entered ~~The Department or child-placing agency must initiate~~
25 ~~proceedings to (i) terminate the parental rights of the~~
26 ~~relinquished newborn infant's known or unknown parents, (ii)~~

1 ~~appoint a guardian for the infant, and (iii) obtain consent to~~
 2 ~~the infant's adoption in accordance with this Act~~ no sooner
 3 than 60 days following the date of the initial relinquishment
 4 of the infant to the hospital, police station, fire station,
 5 or emergency medical facility.

6 (g-1) Notice to the infant's biological parents of the
 7 legal proceedings under this Act shall be given by publication
 8 of a notice in a newspaper published in the county in which the
 9 action is pending, or if there is no newspaper published in
 10 that county, then in a newspaper published in an adjoining
 11 county having a circulation in the county in which the action
 12 is pending. The form to be used for publication shall be
 13 substantially as follows:

14 "ABANDONED NEWBORN NOTICE - STATE OF ILLINOIS, County of
 15, ss,--Circuit Court of County, In the matter of
 16 the Abandonment of BABY (GIRL/BOY) DOE, a newborn infant, Case
 17 Number To THE UNKNOWN MOTHER, UNKNOWN FATHER and
 18 ALL WHOM IT MAY CONCERN: Take notice that a Petition was filed
 19 in the Circuit Court of County, Illinois, for an
 20 unnamed child, referred to as BABY (GIRL/BOY) DOE, born on or
 21 about, and relinquished to on or about
 22, pursuant to the Abandoned Newborn Infant
 23 Protection Act. Now therefore, unless you UNKNOWN MOTHER,
 24 UNKNOWN FATHER and ALL WHOM IT MAY CONCERN, file your petition
 25 for return of custody in the said Circuit Court of County,
 26, in the city of, Illinois, on or

1 before, an order terminating your parental rights
2 may be entered against you any time after that day and a
3 judgment may be entered in accordance with the Petition.
4 (E-filing instructions, Contact information for the attorney
5 for the petition)"

6 Notwithstanding actual knowledge, the name of the
7 relinquishing parent, alleged parent, or infant shall not be
8 included in the publication notice in order to preserve
9 confidentiality and anonymity consistent with the purpose of
10 this Act. No further notice is required unless a person
11 claiming to be the infant's parent files a petition in
12 accordance with Section 55 of this Act, or a possible parent is
13 discovered as a result of the required procedures in
14 subsection (h).

15 (h) Before requesting an order ~~filing a petition~~ for
16 termination of parental rights, the Department or child
17 welfare ~~child placing~~ agency must do the following:

18 (1) If the name of either biological parent or alleged
19 parent is known, search the Illinois ~~Search its~~ Putative
20 Father Registry for the purpose of determining the
21 identity and location of the putative father of the
22 relinquished newborn infant who is, or is expected to be,
23 the subject of an adoption proceeding, in order to provide
24 notice of the proceeding to the putative father. At least
25 one search of the Registry must be conducted, at least 30
26 days after the relinquished newborn infant's estimated

1 date of birth; earlier searches may be conducted, however.
2 Notice to any potential putative father discovered in a
3 search of the Registry according to the estimated age of
4 the relinquished newborn infant must be in accordance with
5 the Code of Civil Procedure or Section 12a of the Adoption
6 Act. If the names of all alleged parents are unknown, then
7 a search is not required under this Section.

8 (2) Verify with the Department that, in accordance
9 with subsection (b) of Section 40, that law enforcement
10 officials, using the National Crime Information Center,
11 ~~that~~ the relinquished newborn infant is not a missing
12 child.

13 (3) Publish notice in accordance with subsection
14 (g-1).

15 (Source: P.A. 92-408, eff. 8-17-01; 92-432, eff. 8-17-01;
16 93-820, eff. 7-27-04.)

17 (325 ILCS 2/55)

18 Sec. 55. Petition for return of custody.

19 (a) A parent or person claiming to be a parent of a newborn
20 infant relinquished in accordance with this Act may petition
21 for the return of custody of the infant before the termination
22 of parental rights with respect to the infant.

23 (b) A parent of a newborn infant relinquished in
24 accordance with this Act may petition for the return of
25 custody of the infant by contacting the Department for the

1 purpose of obtaining the name of the child welfare ~~placing~~
2 agency with custody of the infant and the appropriate court in
3 which the petition of return of custody of the infant must be
4 filed and then filing a petition for return of custody in the
5 circuit court in which the proceeding for the termination of
6 parental rights is pending. No filing or appearance fees shall
7 be charged to any petitioner.

8 (c) (Blank). ~~If a petition for the termination of parental~~
9 ~~rights has not been filed by the Department or the~~
10 ~~child placing agency, the parent of the relinquished newborn~~
11 ~~infant must contact the Department, which must notify the~~
12 ~~parent of the appropriate court in which the petition for~~
13 ~~return of custody must be filed.~~

14 (d) The circuit court may hold the proceeding for the
15 termination of parental rights in abeyance for a period not to
16 exceed 60 days from the date that the petition for return of
17 custody was filed without a showing of good cause. During that
18 period:

19 (1) The court shall order genetic testing to establish
20 maternity or paternity, or both.

21 (2) The Department shall conduct a child protective
22 investigation and home study to develop recommendations to
23 the court.

24 (3) When indicated as a result of the Department's
25 investigation and home study, further proceedings under
26 the Juvenile Court Act of 1987 as the court determines

1 appropriate, may be conducted. However, relinquishment of
2 a newborn infant in accordance with this Act does not
3 render the infant abused, neglected, or abandoned solely
4 because the newborn infant was relinquished to a hospital,
5 police station, fire station, or emergency medical
6 facility in accordance with this Act.

7 (4) The court shall appoint a guardian ad litem to
8 represent the interests of the newborn infant.

9 (e) Failure to file a petition for the return of custody of
10 a relinquished newborn infant before the termination of
11 parental rights bars any future action asserting legal rights
12 with respect to the infant unless the parent's act of
13 relinquishment that led to the termination of parental rights
14 involved fraud perpetrated against and not stemming from or
15 involving the parent of the newborn infant. No action to void
16 or revoke the termination of parental rights of a parent of a
17 newborn infant relinquished in accordance with this Act,
18 including an action based on fraud, may be commenced after 12
19 months after the date that the newborn infant was initially
20 relinquished to a hospital, police station, fire station, or
21 emergency medical facility.

22 (Source: P.A. 92-408, eff. 8-17-01; 92-432, eff. 8-17-01;
23 93-820, eff. 7-27-04.)

24 (325 ILCS 2/60)

25 Sec. 60. Department's duties. The Department must

1 implement a public information program to promote safe
2 placement alternatives for newborn infants. The public
3 information program must inform the public of the following:

4 (1) The relinquishment alternative provided for in
5 this Act, which results in the adoption of a newborn
6 infant relinquished under 30 ~~7~~ days of age and which
7 provides for the parent's anonymity, if the parent so
8 chooses.

9 (2) The alternative of adoption through a public or
10 private agency, in which the parent's identity may or may
11 not be known to the agency, but is kept anonymous from the
12 adoptive parents, if the birth parent so desires, and
13 which allows the parent to be actively involved in the
14 child's adoption plan.

15 The public information program may include, but need not
16 be limited to, the following elements:

17 (i) Educational and informational materials in print,
18 audio, video, electronic or other media.

19 (ii) Establishment of a web site.

20 (iii) Public service announcements and advertisements.

21 (iv) Establishment of toll-free telephone hotlines to
22 provide information.

23 (Source: P.A. 94-941, eff. 6-26-06.)

24 (325 ILCS 2/65)

25 Sec. 65. Evaluation.

1 (a) The Department shall collect and analyze information
2 regarding the relinquishment of newborn infants and placement
3 of children under this Act. Police stations, fire stations,
4 emergency medical facilities, and medical professionals
5 accepting and providing services to a newborn infant under
6 this Act shall report to the Department data necessary for the
7 Department to evaluate and determine the effect of this Act in
8 the prevention of injury or death of newborn infants. Child
9 welfare ~~child placing~~ agencies shall report to the Department
10 data necessary to evaluate and determine the effectiveness of
11 these agencies in providing child protective and child welfare
12 services to newborn infants relinquished under this Act.

13 (b) The information collected shall include, but need not
14 be limited to: the number of newborn infants relinquished; the
15 category of the place of relinquishment (hospital, police
16 station, fire station, or emergency medical facility); the
17 services provided to relinquished newborn infants; the outcome
18 of care for the relinquished newborn infants; the number and
19 disposition of cases of relinquished newborn infants subject
20 to placement; the number of children accepted and served by
21 child welfare ~~child placing~~ agencies; and the services
22 provided by child welfare ~~child placing~~ agencies and the
23 disposition of the cases of the children placed under this
24 Act.

25 (c) The Department shall submit a report by January 1,
26 2002, and on January 1 of each year thereafter, to the Governor

1 and General Assembly regarding the prevention of injury or
2 death of newborn infants and the effect of placements of
3 children under this Act. The report shall include, but need
4 not be limited to, a summary of collected data, an analysis of
5 the data and conclusions regarding the Act's effectiveness, a
6 determination whether the purposes of the Act are being
7 achieved, and recommendations for changes that may be
8 considered necessary to improve the administration and
9 enforcement of this Act.

10 (Source: P.A. 92-408, eff. 8-17-01; 92-432, eff. 8-17-01;
11 93-820, eff. 7-27-04.)

12 Section 10. The Immunization Data Registry Act is amended
13 by changing Section 20 as follows:

14 (410 ILCS 527/20)

15 Sec. 20. Confidentiality of information; release of
16 information; statistics; panel on expanding access.

17 (a) Records maintained as part of the immunization data
18 registry are confidential.

19 (b) The Department may release an individual's
20 confidential information to the individual or to the
21 individual's parent or guardian if the individual is less than
22 18 years of age.

23 (c) Subject to subsection (d) of this Section, the
24 Department may release information in the immunization data

1 registry concerning an individual to the following entities:

2 (1) The immunization data registry of another state.

3 (2) A health care provider or a health care provider's
4 designee.

5 (3) A local health department.

6 (4) An elementary or secondary school that is attended
7 by the individual.

8 (5) A licensed child care center in which the
9 individual is enrolled.

10 (6) A licensed child welfare ~~child placing~~ agency.

11 (7) A college or university that is attended by the
12 individual.

13 (8) The Department of Healthcare and Family Services
14 or a managed care entity contracted with the Department of
15 Healthcare and Family Services to coordinate the provision
16 of medical care to enrollees of the medical assistance
17 program.

18 (d) Before immunization data may be released to an entity,
19 the entity must enter into an agreement with the Department
20 that provides that information that identifies a patient will
21 not be released to any other person without the written
22 consent of the patient.

23 (e) The Department may release summary statistics
24 regarding information in the immunization data registry if the
25 summary statistics do not reveal the identity of an
26 individual.

1 (Source: P.A. 97-117, eff. 7-14-11; 98-651, eff. 6-16-14.)

2 Section 15. The Illinois Parentage Act of 2015 is amended
3 by changing Section 602 as follows:

4 (750 ILCS 46/602)

5 Sec. 602. Standing. A complaint to adjudicate parentage
6 shall be verified, shall be designated a petition, and shall
7 name the person or persons alleged to be the parent of the
8 child. Subject to Article 3 and Sections 607, 608, and 609 of
9 this Act, a proceeding to adjudicate parentage may be
10 maintained by:

11 (a) the child;

12 (b) the mother of the child;

13 (c) a pregnant woman;

14 (d) a man presumed or alleging himself to be the
15 parent of the child;

16 (e) a woman presumed or alleging herself to be the
17 parent of the child;

18 (f) the support-enforcement agency or other
19 governmental agency authorized by other law;

20 (g) any person or public agency that has physical
21 possession of or has custody of or has been allocated
22 parental responsibilities for, is providing financial
23 support to, or has provided financial support to the
24 child;

1 (h) the Department of Healthcare and Family Services
2 if it is providing, or has provided, financial support to
3 the child or if it is assisting with child support
4 collections services;

5 (i) an authorized adoption agency or licensed child
6 welfare ~~child-placing~~ agency;

7 (j) a representative authorized by law to act for an
8 individual who would otherwise be entitled to maintain a
9 proceeding but who is deceased, incapacitated, or a minor;
10 or

11 (k) an intended parent.

12 (Source: P.A. 99-85, eff. 1-1-16; 99-769, eff. 1-1-17.)

13 Section 20. The Adoption Act is amended by changing
14 Sections 4.1 and 10 as follows:

15 (750 ILCS 50/4.1) (from Ch. 40, par. 1506)

16 Sec. 4.1. Adoption between multiple jurisdictions. It is
17 the public policy of this State to promote child welfare in
18 adoption between multiple jurisdictions by implementing
19 standards that foster permanency for children in an
20 expeditious manner while considering the best interests of the
21 child as paramount. Ensuring that standards for
22 interjurisdictional adoption are clear and applied
23 consistently, efficiently, and reasonably will promote the
24 best interests of the child in finding a permanent home.

1 (a) The Department of Children and Family Services shall
2 promulgate rules regarding the approval and regulation of
3 agencies providing, in this State, adoption services, as
4 defined in Section 2.24 of the Child Care Act of 1969, which
5 shall include, but not be limited to, a requirement that any
6 agency shall be licensed in this State as a child welfare
7 agency as defined in Section 2.08 of the Child Care Act of
8 1969. Any out-of-state agency, if not licensed in this State
9 as a child welfare agency, must obtain the approval of the
10 Department in order to act as a sending agency, as defined in
11 Section 1 of the Interstate Compact on Placement of Children
12 Act, seeking to place a child into this State through a
13 placement subject to the Interstate Compact on the Placement
14 of Children. An out-of-state agency, if not licensed in this
15 State as a child welfare agency, is prohibited from providing
16 in this State adoption services, as defined by Section 2.24 of
17 the Child Care Act of 1969; shall comply with Section 12C-70 of
18 the Criminal Code of 2012; and shall provide all of the
19 following to the Department:

20 (1) A copy of the agency's current license or other
21 form of authorization from the approving authority in the
22 agency's state. If no license or authorization is issued,
23 the agency must provide a reference statement, from the
24 approving authority, stating that the agency is authorized
25 to place children in foster care or adoption or both in its
26 jurisdiction.

1 (2) A description of the program, including home
2 studies, placements, and supervisions, that the child
3 welfare ~~child-placing~~ agency conducts within its
4 geographical area, and, if applicable, adoptive placements
5 and the finalization of adoptions. The child welfare ~~child~~
6 ~~placing~~ agency must accept continued responsibility for
7 placement planning and replacement if the placement fails.

8 (3) Notification to the Department of any significant
9 child welfare ~~child-placing~~ agency changes after approval.

10 (4) Any other information the Department may require.

11 The rules shall also provide that any agency that places
12 children for adoption in this State may not, in any policy or
13 practice relating to the placement of children for adoption,
14 discriminate against any child or prospective adoptive parent
15 on the basis of race.

16 (a-5) (Blank).

17 (b) Interstate adoptions.

18 (1) All interstate adoption placements under this Act
19 shall comply with the Child Care Act of 1969 and the
20 Interstate Compact on the Placement of Children. The
21 placement of children with relatives by the Department of
22 Children and Family Services shall also comply with
23 subsection (b) of Section 7 of the Children and Family
24 Services Act. The Department may promulgate rules to
25 implement interstate adoption placements, including those
26 requirements set forth in this Section.

1 (2) If an adoption is finalized prior to bringing or
2 sending a child to this State, compliance with the
3 Interstate Compact on the Placement of Children is not
4 required.

5 (3) Approval requirements. The Department shall
6 promulgate procedures for interstate adoption placements
7 of children under this Act. No later than September 24,
8 2017 (30 days after the effective date of Public Act
9 100-344), the Department shall distribute a written list
10 of all preadoption approval requirements to all Illinois
11 licensed child welfare agencies performing adoption
12 services, and all out-of-state agencies approved under
13 this Section, and shall post the requirements on the
14 Department's website. The Department may not require any
15 further preadoption requirements other than those set
16 forth in the procedures required under this paragraph. The
17 procedures shall reflect the standard of review as stated
18 in the Interstate Compact on the Placement of Children and
19 approval shall be given by the Department if the placement
20 appears not to be contrary to the best interests of the
21 child.

22 (4) Time for review and decision. In all cases where
23 the child to be placed is not a youth in care in Illinois
24 or any other state, a provisional or final approval for
25 placement shall be provided in writing from the Department
26 in accordance with the Interstate Compact on the Placement

1 of Children. Approval or denial of the placement must be
2 given by the Department as soon as practicable, but in no
3 event more than 3 business days of the receipt of the
4 completed referral packet by the Department's Interstate
5 Compact Administrator. Receipt of the packet shall be
6 evidenced by the packet's arrival at the address
7 designated by the Department to receive such referrals.
8 The written decision to approve or deny the placement
9 shall be communicated in an expeditious manner, including,
10 but not limited to, electronic means referenced in
11 paragraph (b) (7) of this Section, and shall be provided to
12 all Illinois licensed child welfare agencies involved in
13 the placement, all out-of-state child placing agencies
14 involved in the placement, and all attorneys representing
15 the prospective adoptive parent or biological parent. If,
16 during its initial review of the packet, the Department
17 believes there are any incomplete or missing documents, or
18 missing information, as required in paragraph (b) (3), the
19 Department shall, as soon as practicable, but in no event
20 more than 2 business days of receipt of the packet,
21 communicate a list of any incomplete or missing documents
22 and information to all Illinois licensed child welfare
23 agencies involved in the placement, all out-of-state child
24 placing agencies involved in the placement, and all
25 attorneys representing the adoptive parent or biological
26 parent. This list shall be communicated in an expeditious

1 manner, including, but not limited to, electronic means
2 referenced in paragraph (b)(7) of this Section.

3 (5) Denial of approval. In all cases where the child
4 to be placed is not a youth in the care of any state, if
5 the Department denies approval of an interstate placement,
6 the written decision referenced in paragraph (b)(4) of
7 this Section shall set forth the reason or reasons why the
8 placement was not approved and shall reference which
9 requirements under paragraph (b)(3) of this Section were
10 not met. The written decision shall be communicated in an
11 expeditious manner, including, but not limited to,
12 electronic means referenced in paragraph (b)(7) of this
13 Section, to all Illinois licensed child welfare agencies
14 involved in the placement, all out-of-state child placing
15 agencies involved in the placement, and all attorneys
16 representing the prospective adoptive parent or biological
17 parent.

18 (6) Provisional approval. Nothing in paragraphs (b)(3)
19 through (b)(5) of this Section shall preclude the
20 Department from issuing provisional approval of the
21 placement pending receipt of any missing or incomplete
22 documents or information.

23 (7) Electronic communication. All communications
24 concerning an interstate placement made between the
25 Department and an Illinois licensed child welfare agency,
26 an out-of-state child placing agency, and attorneys

1 representing the prospective adoptive parent or biological
2 parent, including the written communications referenced in
3 this Section, may be made through any type of electronic
4 means, including, but not limited to, electronic mail.

5 (c) Intercountry adoptions. The adoption of a child, if
6 the child is a habitual resident of a country other than the
7 United States and the petitioner is a habitual resident of the
8 United States, or, if the child is a habitual resident of the
9 United States and the petitioner is a habitual resident of a
10 country other than the United States, shall comply with the
11 Intercountry Adoption Act of 2000, as amended, and the
12 Immigration and Nationality Act, as amended. In the case of an
13 intercountry adoption that requires oversight by the adoption
14 services governed by the Intercountry Adoption Universal
15 Accreditation Act of 2012, this State shall not impose any
16 additional preadoption requirements.

17 (d) (Blank).

18 (e) Re-adoption after an intercountry adoption.

19 (1) Any time after a minor child has been adopted in a
20 foreign country and has immigrated to the United States,
21 the adoptive parent or parents of the child may petition
22 the court for a judgment of adoption to re-adopt the child
23 and confirm the foreign adoption decree.

24 (2) The petitioner must submit to the court one or
25 more of the following to verify the foreign adoption:

26 (i) an immigrant visa for the child issued by

1 United States Citizenship and Immigration Services of
2 the U.S. Department of Homeland Security that was
3 valid at the time of the child's immigration;

4 (ii) a decree, judgment, certificate of adoption,
5 adoption registration, or equivalent court order,
6 entered or issued by a court of competent jurisdiction
7 or administrative body outside the United States,
8 establishing the relationship of parent and child by
9 adoption; or

10 (iii) such other evidence deemed satisfactory by
11 the court.

12 (3) The child's immigrant visa shall be prima facie
13 proof that the adoption was established in accordance with
14 the laws of the foreign jurisdiction and met United States
15 requirements for immigration.

16 (4) If the petitioner submits documentation that
17 satisfies the requirements of paragraph (2), the court
18 shall not appoint a guardian ad litem for the minor who is
19 the subject of the proceeding, shall not require any
20 further termination of parental rights of the child's
21 biological parents, nor shall it require any home study,
22 investigation, post-placement visit, or background check
23 of the petitioner.

24 (5) The petition may include a request for change of
25 the child's name and any other request for specific relief
26 that is in the best interests of the child. The relief may

1 include a request for a revised birth date for the child if
2 supported by evidence from a medical or dental
3 professional attesting to the appropriate age of the child
4 or other collateral evidence.

5 (6) Two adoptive parents who adopted a minor child
6 together in a foreign country while married to one another
7 may file a petition for adoption to re-adopt the child
8 jointly, regardless of whether their marriage has been
9 dissolved. If either parent whose marriage was dissolved
10 has subsequently remarried or entered into a civil union
11 with another person, the new spouse or civil union partner
12 shall not join in the petition to re-adopt the child,
13 unless the new spouse or civil union partner is seeking to
14 adopt the child. If either adoptive parent does not join
15 in the petition, he or she must be joined as a party
16 defendant. The defendant parent's failure to participate
17 in the re-adoption proceeding shall not affect the
18 existing parental rights or obligations of the parent as
19 they relate to the minor child, and the parent's name
20 shall be placed on any subsequent birth record issued for
21 the child as a result of the re-adoption proceeding.

22 (7) An adoptive parent who adopted a minor child in a
23 foreign country as an unmarried person may file a petition
24 for adoption to re-adopt the child as a sole petitioner,
25 even if the adoptive parent has subsequently married or
26 entered into a civil union.

1 (8) If one of the adoptive parents who adopted a minor
2 child dies prior to a re-adoption proceeding, the deceased
3 parent's name shall be placed on any subsequent birth
4 record issued for the child as a result of the re-adoption
5 proceeding.

6 (Source: P.A. 99-49, eff. 7-15-15; 100-344, eff. 8-25-17;
7 100-863, eff. 8-14-18.)

8 (750 ILCS 50/10) (from Ch. 40, par. 1512)

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

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

13 FINAL AND IRREVOCABLE CONSENT TO ADOPTION

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

16 That such child was born on at

17 That I reside at, County of and State of

18 That I am of the age of years.

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

21 That I hereby acknowledge that I have been provided with a
22 copy of the Birth Parent Rights and Responsibilities-Private
23 Form before signing this Consent and that I have had time to

1 read, or have had read to me, this Form. I understand that if I
 2 do not receive any of the rights as described in this Form, it
 3 shall not constitute a basis to revoke this Final and
 4 Irrevocable Consent.

5 That I do hereby consent and agree to the adoption of such
 6 child.

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

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

16 Dated (insert date).

17

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

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

1 of 1987.

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

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

8 I,, (relationship, e.g., mother, father) of, a
9 male or female (circle one) child, state:

10 1. That such child was born on, at, in the
11 City/Town of ... and State of

12 2. That I reside at, County of and State of,
13 my email address (if I have one) is my cell phone number
14 where I can receive text messages (if I have one) is and
15 my land line phone number (if I have one) is, and any
16 other contact information is

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

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

20 5. That I hereby acknowledge that I have been provided a
21 copy of the Birth Parent Rights and Responsibilities-Private
22 Form before signing this Consent and that I have had time to
23 read, or have had read to me, this Form and that I understand
24 the Rights and Responsibilities described in this Form. I

1 understand that if I do not receive any of my rights as
 2 described in said Form, it shall not constitute a basis to
 3 revoke this Final and Irrevocable Consent to Adoption by a
 4 Specified Person.

5 6. That I do hereby consent and agree to the adoption of
 6 such child by (specified person or persons) only. If only
 7 first names are used for the specified person or persons, I
 8 voluntarily sign this specified consent form without
 9 disclosure to me of the last name of the specified person or
 10 persons. However, I understand that if I wish to know the last
 11 name of the specified person or persons, I may request it
 12 before signing the form. If I do not receive the last name, I
 13 may choose not to sign the specified consent form.

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

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

1 adopt(s) such child; PROVIDED that each specified person has
2 filed or shall file, within 60 days from the date hereof, a
3 petition for the adoption of such child.

4 9. That if the specified person or persons designated
5 herein do not file a petition for adoption within the
6 time-frame specified above, or, if said petition for adoption
7 is filed within the time-frame specified above but the
8 adoption petition is dismissed with prejudice or the adoption
9 proceeding is otherwise concluded without an order declaring
10 the child to be the adopted child of the specified person or
11 persons, then I understand that I will be sent written notice
12 of such circumstances at the mailing address, at the email
13 address, through a text message to my cell phone number, and to
14 any other contact information I have provided in paragraph 2
15 within 5 business days of this occurrence. I understand that
16 the notice will be directed to me using the contact
17 information I have provided in this consent. I understand that
18 I will have 15 business days from the date that the written
19 notice is sent to me to respond in the manner described in the
20 notice, within which time I may request the Court to declare
21 this consent voidable and return the child to me. I further
22 understand that the Court will make the final decision of
23 whether or not the child will be returned to me. If I do not
24 make such request within 15 business days of the date the
25 notice was sent, then I expressly waive any other notice or
26 service of process in any legal proceeding regarding the

1 child, including a legal proceeding for someone other than
2 (specified person or persons) to adopt the child, and
3 that I will have no parental rights as to the child. The person
4 sending the notice shall file an affidavit of notice as proof
5 of the date sent.

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

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

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

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

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

1 Dated (insert date).
 2
 3 Signature of parent.
 4
 5 Address of parent.
 6
 7 Phone number(s) of parent.
 8
 9 Personal email(s) of parent.
 10

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

15 STATE OF)
 16) SS.
 17 COUNTY OF

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

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

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

15 Birth Parent Rights and Responsibilities-Private Form

16 THIS FORM DOES NOT CONSTITUTE LEGAL ADVICE. LEGAL ADVICE IS
17 DEPENDENT ON THE SPECIFIC CIRCUMSTANCES OF EACH SITUATION AND
18 JURISDICTION. THE INFORMATION IN THIS FORM CANNOT REPLACE THE
19 ADVICE OF AN ATTORNEY LICENSED IN YOUR STATE.

20 As a birth parent in the State of Illinois, you have the
21 right:

22 1. To have your own attorney represent you. The
23 prospective adoptive parents may agree to pay for the cost of

1 your attorney in a manner consistent with Illinois law, but
2 they are not required to do so.

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

5 3. To request to receive counseling before and after
6 signing a Final and Irrevocable Consent to Adoption
7 ("Consent"), a Final and Irrevocable Consent to Adoption by a
8 Specified Person or Persons: Non-DCFS Case ("Specified
9 Consent"), or a Consent to Adoption of Unborn Child ("Unborn
10 Consent"). The prospective adoptive parents may agree to pay
11 for the cost of counseling in a manner consistent with
12 Illinois law, but they are not required to do so.

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

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

18 6. To see your child before signing a Consent or Specified
19 Consent if you are the custodial parent, and to request to see
20 your child if you are not the custodial parent.

21 7. To request contact with your child and/or the child's
22 prospective adoptive parents, with the understanding that any
23 promises regarding contact with your child or receipt of
24 information about the child after signing a Consent, Specified
25 Consent, or Unborn Consent cannot be enforced under Illinois
26 law.

1 8. To receive copies of all documents that you sign and
2 have those documents provided to you in your preferred
3 language.

4 9. To request that your identifying information remain
5 confidential, unless required otherwise by Illinois law or
6 court order, and to voluntarily share your medical,
7 background, and identifying information, including information
8 on the original birth certificate of your child. This can be
9 done through the Illinois Adoption Registry and Medical
10 Information Exchange or through completing the Birth Parent
11 Preference Form. Please visit <http://dph.illinois.gov> or
12 www.newillinoisadoptionlaw.com.

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

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

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

25 13. To delay signing a Consent, Specified Consent, or
26 Unborn Consent if you are not ready to do so.

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

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

7 As a Birth Parent in the State of Illinois, you have the
8 responsibility:

9 1. To carefully consider your reasons for choosing
10 adoption.

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

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

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

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

1 Birth Parent Medical Information

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

9 The following information is true and complete to the best
10 of my knowledge and belief.

11 Birth parent name:
12

13 Signature:
14

15 Date:.....

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

19 MOTHER'S PHYSICAL CHARACTERISTICS:

20 Eyes: ... Hair: Complexion: Height:

21 Weight: Body build: Race:

22 Nationality/Descent: Blood type: Rh factor:

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

24 Right /.../ Left /.../ handed

25 Age: or Date of birth: Religion:

26 Please list your highest education level, occupation,

1 hobbies, interests, and talents:

2

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

4 If yes, explain:

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

7

8 Describe your relationship with the birth father:

9 FATHER'S PHYSICAL CHARACTERISTICS:

10 Eyes: ... Hair: Complexion: Height:

11 Weight: Body build: Race:

12 Nationality/Descent: Blood type: Rh factor:

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

14 Right /.../ Left /.../ handed

15 Age: or Date of birth: Religion:

16 Please list your highest education level, occupation,
17 hobbies, interests, and talents:

18

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

20 If yes, explain:

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

23

24 PREGNANCY HISTORY INVOLVING THIS CHILD

25 Month prenatal care began during this pregnancy:

26 Complications during pregnancy: Yes ... No ... If yes,

1 explain:

2

3 MEDICATION AND OTHER SUBSTANCES USED DURING
4 PREGNANCY OR YEAR PRIOR TO PREGNANCY

			FREQUENCY/ AMOUNT DURING PREGNANCY	FREQUENCY/ AMOUNT PRIOR TO PREGNANCY
	YES	NO		
9 Alcohol	/.. /	/.. /
10 Amphetamines	/.. /	/.. /
11 Barbiturates	/.. /	/.. /
12 Cocaine	/.. /	/.. /
13 Heroin	/.. /	/.. /
14 LSD	/.. /	/.. /
15 Marijuana	/.. /	/.. /
16 Caffeine 17 (Coffee, 18 tea, etc)	/.. /	/.. /
19 Prescription 20 drugs	/.. /	/.. /
21 Non- 22 prescription 23 drugs	/.. /	/.. /
24 Other	/.. /	/.. /

25 In addition to this form, a birth parent shall also be

1 provided the forms for the Illinois Adoption Registry and
2 Medical Information Exchange.

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

5 CONSENT TO ADOPTION OF UNBORN CHILD

6 I,, state:

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

9 That I reside at County of, and State of

10 That I am of the age of years.

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

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

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

23 That I wish to and do understand that by signing this
24 consent I do irrevocably and permanently give up all custody

1 and other parental rights I have to such child, except that I
2 have the right to revoke this consent by giving written notice
3 of my revocation not later than 72 hours after the birth of the
4 child.

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

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

12 Dated (insert date).
13

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

22 FINAL AND IRREVOCABLE CONSENT
23 TO STANDBY ADOPTION

1 I, ..., (relationship, e.g. mother or father) of ..., a
2 male or female (circle one) child, state:

3 That the child was born on at

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

5 That I am of the age of years.

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

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

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

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

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

1 or any other rights over my child if (specified person or
2 persons) adopt my child.

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

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

12 Dated (insert date).
13

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

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

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

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

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

19 (3) The form of the certificate of acknowledgement for a
 20 Final and Irrevocable Consent for Standby Adoption shall be
 21 substantially as follows:

22 STATE OF)

23) SS.

24 COUNTY OF)

1 I, (name of Judge or other person) (official
 2 title, name, and address), certify that, personally
 3 known to me to be the same person whose name is subscribed to
 4 the foregoing Final and Irrevocable Consent to Standby
 5 Adoption, appeared before me this day in person and
 6 acknowledged that (she) (he) signed and delivered the consent
 7 as (her) (his) free and voluntary act, for the specified
 8 purpose.

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

18 Dated (insert date).

19 Signature

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

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

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

1 The parent shall not need to take further action to revoke
2 the consent if the standby adoption by the specified person or
3 persons does not occur, notwithstanding the provisions of
4 Section 11 of this Act.

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

9 FINAL AND IRREVOCABLE SURRENDER

10 FOR PURPOSES OF ADOPTION

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

13 That such child was born on, at

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

15 That I am of the age of years.

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

23 That I hereby grant to the Agency full power and authority
24 to place such child with any person or persons it may in its

1 sole discretion select to become the adopting parent or
 2 parents and to consent to the legal adoption of such child by
 3 such person or persons; and to take any and all measures which,
 4 in the judgment of the Agency, may be for the best interests of
 5 such child, including authorizing medical, surgical and dental
 6 care and treatment including inoculation and anaesthesia for
 7 such child.

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

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

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

17 Dated (insert date).
 18

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

1 FINAL AND IRREVOCABLE DESIGNATED SURRENDER
 2 FOR PURPOSES OF ADOPTION

3 I, (relationship, e.g., mother, father, relative,
 4 guardian) of, a male or female (circle one) child, state:

5 1. That such child was born on, at

6 2. That I reside at, County of, and State of
 7, my email address (if I have one) is my cell phone
 8 number where I can receive text messages (if I have one) is
 9 and my land line phone number (if I have one) is, and
 10 any other contact information is

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

12 4. That I do hereby surrender and entrust the entire
 13 custody and control of such child to the (the "Agency"), a
 14 (public) (licensed) child welfare agency with its principal
 15 office in the City of, County of and State of,
 16 for the purpose of enabling it to care for and supervise the
 17 care of such child, to place such child for adoption with
 18 (specified person or persons)
 19 and to consent to the legal adoption of such child and to take
 20 any and all measures which, in the judgment of the Agency, may
 21 be for the best interests of such child, including authorizing
 22 medical, surgical and dental care and treatment including
 23 inoculation and anesthesia for such child. If only first names
 24 are used for the specified person or persons, I voluntarily
 25 sign this designated surrender without disclosure to me of the

1 last name of the specified person or persons. However, I
2 understand that if I wish to know the last name of the
3 specified person or persons, I may request it before signing
4 the form. If I do not receive the last name, I may choose not
5 to sign the designated surrender form.

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

9 6. That if the petition for adoption is not filed by the
10 specified person or persons designated herein or, if the
11 petition for adoption is filed but the adoption petition is
12 dismissed with prejudice or the adoption proceeding is
13 otherwise concluded without an order declaring the child to be
14 the adopted child of each specified person, then I understand
15 that the Agency will send notice to me at the mailing address,
16 at the email address, through a text message to my cell phone
17 number provided in paragraph 2, and to any other contact
18 information I have provided in paragraph 2 within 5 business
19 days of this occurrence. The person sending the notice shall
20 prepare an affidavit of notice. I understand that I will have
21 15 business days from the date that the written notice was sent
22 to respond, within which time I may choose to designate other
23 adoptive parent(s). However, I acknowledge that the Agency has
24 full power and authority to place the child for adoption with
25 any person or persons it may in its sole discretion select to
26 become the adopting parent or parents and to consent to the

1 legal adoption of the child by such person or persons.

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

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

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

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

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

20 Dated (insert date).

21

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

1 SURRENDER OF UNBORN CHILD FOR
2 PURPOSES OF ADOPTION

3 I, (father), state:

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

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

7 That I am of the age of years.

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

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

1 such child.

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

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

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

13 Dated (insert date).

14

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

18 CONSENT

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

20 That I reside at, County of and State of

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

23 Dated (insert date).

1
2

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

6 CONSENT

7 I,, state:

8 That I reside at, County of and State of
9 That I am of the age of years. That I hereby enter my
10 appearance in this proceeding and waive service of summons on
11 me. That I consent and agree to my adoption by and

12 Dated (insert date).
.....

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

21 H. A consent (other than that given by an agency, or
22 guardian of the person of the child sought to be adopted who

1 was appointed by a court of competent jurisdiction) shall be
2 acknowledged by a parent before a judge of a court of competent
3 jurisdiction or, except as otherwise provided in this Act,
4 before a representative of an agency, or before a person,
5 other than the attorney for the prospective adoptive parent or
6 parents, designated by a court of competent jurisdiction.

7 I. A surrender, or any other document equivalent to a
8 surrender, by which a child is surrendered to an agency shall
9 be acknowledged by the person signing such surrender, or other
10 document, before a judge of a court of competent jurisdiction,
11 or, except as otherwise provided in this Act, before a
12 representative of an agency, or before a person designated by
13 a court of competent jurisdiction.

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

17 STATE OF)

18) SS.

19 COUNTY OF ...)

20 I, (Name of judge or other person), (official
21 title, name and location of court or status or position of
22 other person), certify that, personally known to me to be
23 the same person whose name is subscribed to the foregoing
24 (consent) (surrender), appeared before me this day in person
25 and acknowledged that (she) (he) signed and delivered such

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

3 I have fully explained that by signing such (consent)
4 (surrender) (she) (he) is irrevocably relinquishing all
5 parental rights to such child or adult and (she) (he) has
6 stated that such is (her) (his) intention and desire. (Add if
7 Consent only) I am further satisfied that, before signing this
8 Consent, has read, or has had read to him or her, the
9 Birth Parent Rights and Responsibilities-Private Form.

10 Dated (insert date).

11 Signature

12 K. When the execution of a consent or a surrender is
13 acknowledged before someone other than a judge, such other
14 person shall have his or her signature on the certificate
15 acknowledged before a notary public, in form substantially as
16 follows:

17 STATE OF)

18) SS.

19 COUNTY OF ...)

20 I, a Notary Public, in and for the County of, in the
21 State of, certify that, personally known to me to
22 be the same person whose name is subscribed to the foregoing
23 certificate of acknowledgment, appeared before me in person
24 and acknowledged that (she) (he) signed such certificate as

1 (her) (his) free and voluntary act and that the statements
2 made in the certificate are true.

3 Dated (insert date).

4 Signature Notary Public
5 (official seal)

6 There shall be attached a certificate of magistracy, or
7 other comparable proof of office of the notary public
8 satisfactory to the court, to a consent signed and
9 acknowledged in another state.

10 L. A surrender or consent executed and acknowledged
11 outside of this State, either in accordance with the law of
12 this State or in accordance with the law of the place where
13 executed, is valid.

14 M. Where a consent or a surrender is signed in a foreign
15 country, the execution of such consent shall be acknowledged
16 or affirmed in a manner conformable to the law and procedure of
17 such country.

18 N. If the person signing a consent or surrender is in the
19 military service of the United States, the execution of such
20 consent or surrender may be acknowledged before a commissioned
21 officer and the signature of such officer on such certificate
22 shall be verified or acknowledged before a notary public or by
23 such other procedure as is then in effect for such division or
24 branch of the armed forces.

25 O. (1) The parent or parents of a child in whose interests

1 a petition under Section 2-13 of the Juvenile Court Act of 1987
2 is pending may, with the approval of the designated
3 representative of the Department of Children and Family
4 Services ("Department" or "DCFS"), execute a consent to
5 adoption by a specified person or persons:

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

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

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

14 The court may waive the time frames in subdivisions (a),
15 (b), and (c) for good cause shown if the court finds it to be
16 in the child's best interests.

17 A consent under this subsection O shall be acknowledged by
18 a parent pursuant to subsection H and subsection K of this
19 Section.

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

23 FINAL AND IRREVOCABLE CONSENT TO ADOPTION BY

24 A SPECIFIED PERSON OR PERSONS: DCFS CASE

1 I,, the
 2 mother or father (circle one) of a male or
 3 female (circle one) child, state:

4 1. My child (name of
 5 child) was born on (insert date) at
 6 Hospital in the City/Town of
 7, in County, State of
 8

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

11 Mail may also be sent to me at this address
 12, in care of
 13

14 My home telephone number is

15 My cell telephone number is

16 My e-mail address is

17 3. I,, am years old.

18 4. I enter my appearance in this action for my child to
 19 be adopted by the person or persons specified herein by me
 20 and waive service of summons on me in this action only.

21 5. I hereby acknowledge that I have been provided a
 22 copy of the Birth Parent Rights and Responsibilities in
 23 Illinois for Final and Irrevocable Consents to Adoption by
 24 a Specified Person or Persons for DCFS Cases before
 25 signing this Consent and that I have had time to read this
 26 form or have it read to me and that I understand the rights

1 and responsibilities described in this form. I understand
2 that if I do not receive any of my rights as described in
3 the form, it shall not constitute a basis to revoke this
4 Final and Irrevocable Consent to Adoption by a Specified
5 Person or Persons.

6 6. I do hereby consent and agree to the adoption of
7 such child by (names of current foster
8 parent(s) or caregiver(s), hereinafter referred to as the
9 "specified person or persons") only.

10 7. I wish to sign this consent and I understand that by
11 signing this consent I irrevocably and permanently give up
12 all my parental rights I have to my child.

13 8. I understand that this consent allows my child to
14 be adopted by the specified person or persons only and
15 that I cannot under any circumstances after signing this
16 document change my mind and revoke or cancel this consent.

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

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

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

22 (c) the DCFS Guardianship Administrator refuses to
23 consent to my child's adoption by the specified person
24 or persons on the basis that the adoption is not in my
25 child's best interests.

26 I understand that if this consent is void I have

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

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

23 11. If a person other than the specified person or
24 persons files a petition to adopt my child or if the
25 consent is void under paragraph 9, the Department will
26 send written notice to me using the mailing address and

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

12 Caseworker's name and telephone number:
 13 ;

14 Agency name, address, zip code, and telephone number:
 15 ;

16 Supervisor's name and telephone number:
 17 ;

18 DCFS Advocacy Office for Children and Families:
 19 800-232-3798.

20 12. I expressly acknowledge that paragraph 9 (and
 21 paragraphs 8a and 8b, if applicable) do not impair the
 22 validity and finality of this consent under any
 23 circumstances.

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

26 Dated (insert date).

1
2

Signature of parent

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

6 8a. I understand that I cannot change my mind or
7 revoke this consent or recover custody of my child on the
8 basis that the specified persons divorce or are granted a
9 dissolution of a civil union or that one of the specified
10 persons has died.

11 8b. I understand that if the specified persons get a
12 divorce or are granted a dissolution of a civil union
13 before the petition to adopt my child is granted, this
14 consent remains valid only for (name only
15 one specified person) to adopt my child.

16 8c. I understand that if either of the specified
17 persons dies before the petition to adopt my child is
18 granted, this consent remains valid for the surviving
19 person to adopt my child.

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

24 STATE OF)

1) SS.

2 COUNTY OF

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

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

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

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

21 (c) the Department of Children and Family Services
 22 Guardianship Administrator refuses to consent to the
 23 child's adoption by a specified person or persons on the
 24 basis that the adoption is not in the child's best
 25 interests.

1 Dated (insert date).
 2
 3 Signature

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

9 (a) the placement disrupts and the child is moved to
 10 another placement; or

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

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

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

24 (6) The Department of Children and Family Services is
 25 authorized to promulgate rules necessary to implement this

1 subsection O.

2 (7) (Blank).

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

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

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

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

1 parent executing such consent in order to verify the identity
2 of the parent.

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

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

10 FINAL AND IRREVOCABLE

11 WAIVER OF PARENTAL RIGHTS OF PUTATIVE OR LEGAL FATHER

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

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

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

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

24 4. That I am years of age and my date

1 of birth is,

2 5. That I (select one):

3 am married to the biological mother.

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

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

12 6. That I (select one):

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

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

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

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

26 9. That I understand that this Waiver is FINAL AND

1 IRREVOCABLE and that I am permanently barred from
2 contesting any proceeding for the adoption of the child
3 after I sign this Waiver.

4 10. That I waive any further service of summons or
5 other pleadings in any proceeding to terminate parental
6 rights, if any to this child, or any proceeding for
7 adoption of this child.

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

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

14 Dated:,

15

16 Signature

17 OATH

18 I have been duly sworn and I state under oath that I have read
19 and understood this Final and Irrevocable Waiver of Parental
20 Rights of Putative or Legal Father. The facts contained in it
21 are true and correct to the best of my knowledge. I have signed
22 this document as my free and voluntary act in order to
23 facilitate the adoption of the child.

1
2

Signature

3 Signed and Sworn before me on

4 this day

5 of, 20....

6

7 Notary Public

8 (Source: P.A. 99-833, eff. 1-1-17; 100-1060, eff. 1-1-19.)

1 INDEX

2 Statutes amended in order of appearance

3 325 ILCS 2/10

4 325 ILCS 2/15

5 325 ILCS 2/20

6 325 ILCS 2/22

7 325 ILCS 2/30

8 325 ILCS 2/35

9 325 ILCS 2/37

10 325 ILCS 2/40

11 325 ILCS 2/50

12 325 ILCS 2/55

13 325 ILCS 2/60

14 325 ILCS 2/65

15 410 ILCS 527/20

16 750 ILCS 46/602

17 750 ILCS 50/4.1 from Ch. 40, par. 1506

18 750 ILCS 50/10 from Ch. 40, par. 1512