



Rep. Sara Feigenholtz

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LRB097 14710 AJO 67428 a

1 AMENDMENT TO HOUSE BILL 4028

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4028 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Adoption Act is amended by changing Section  
5 10 as follows:

6 (750 ILCS 50/10) (from Ch. 40, par. 1512)  
7 Sec. 10. Forms of consent and surrender; execution and  
8 acknowledgment thereof.

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

11 FINAL AND IRREVOCABLE CONSENT TO ADOPTION

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

14 That such child was born on .... at ....

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

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

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

3           That I hereby acknowledge that I have been provided with a  
4 copy of the Birth Parent Rights and Responsibilities-Private  
5 Form before signing this Consent and that I have had time to  
6 read, or have had read to me, this Form. I understand that if I  
7 do not receive any of the rights as described in this Form, it  
8 shall not constitute a basis to revoke this Final and  
9 Irrevocable Consent.

10          That I do hereby consent and agree to the adoption of such  
11 child.

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

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

21          Dated (insert date).

22          .....

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

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

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

11                           FINAL AND IRREVOCABLE CONSENT TO ADOPTION BY

12                           A SPECIFIED PERSON OR PERSONS; NON-DCFS CASE

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

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

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

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

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

21           5. That I hereby acknowledge that I have been provided a  
22 copy of the Birth Parent Rights and Responsibilities-Private  
23 Form before signing this Consent and that I have had time to  
24 read, or have had read to me, this Form and that I understand  
25 the Rights and Responsibilities described in this Form. I  
26 understand that if I do not receive any of my rights as

1 described in said Form, it shall not constitute a basis to  
2 revoke this Final and Irrevocable Consent to Adoption by a  
3 Specified Person.

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

6 7. That I wish to and understand that upon signing this  
7 consent I do irrevocably and permanently give up all custody  
8 and other parental rights I have to such child if such child is  
9 adopted by .... (specified person or persons). I hereby  
10 transfer all of my rights to the custody, care and control of  
11 such child to ..... (specified person  
12 or persons).

13 8. That I understand such child will be adopted by  
14 ..... (specified person or persons) and that  
15 I cannot under any circumstances, after signing this document,  
16 change my mind and revoke or cancel this consent or obtain or  
17 recover custody or any other rights over such child if  
18 ..... (specified person or persons)  
19 adopt(s) such child; PROVIDED that each specified person has  
20 filed or shall file, within 60 days from the date hereof, a  
21 petition for the adoption of such child.

22 9. That if the specified person or persons designated  
23 herein do not file a petition for adoption within the  
24 time-frame specified above, or, if said petition for adoption  
25 is filed within the time-frame specified above but the adoption  
26 petition is dismissed with prejudice or the adoption proceeding

1 is otherwise concluded without an order declaring the child to  
2 be the adopted child of the specified person or persons, then I  
3 understand that I will receive written notice of such  
4 circumstances within 10 business days of their occurrence. I  
5 understand that the notice will be directed to me using the  
6 contact information I have provided in this consent. I  
7 understand that I will have 10 business days from the date that  
8 the written notice is sent to me to respond, within which time  
9 I may request the Court to declare this consent voidable and  
10 return the child to me. I further understand that the Court  
11 will make the final decision of whether or not the child will  
12 be returned to me. If I do not make such request within 10  
13 business days of the date of the notice, then I expressly waive  
14 any other notice or service of process in any legal proceeding  
15 for the adoption of the child.

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

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

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

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

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

11           Dated (insert date).  
 12 .....  
 13           Signature of parent.  
 14 .....  
 15           Address of parent.  
 16 .....  
 17           Phone number(s) of parent.  
 18 .....  
 19           Personal email(s) of parent.  
 20 .....

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

25           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 and

7 Irrevocable Consent for Adoption by a Specified Person or

8 Persons; non-DCFS case, appeared before me this day in person

9 and acknowledged that (she)(he) signed and delivered the

10 consent as (her)(his) free and voluntary act, for the specified

11 purpose. I am further satisfied that, before signing this

12 Consent, ..... has read, or has had read to him or her, the

13 Birth Parent Rights and Responsibilities-Private Form.

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

15 Form. The Birth Parent Rights and Responsibilities-Private

16 Form must be read by, or have been read to, any person

17 executing a Final and Irrevocable Consent to Adoption under

18 subsection A, a Final and Irrevocable Consent to Adoption by a

19 Specified Person or Persons: Non-DCFS Case under subsection

20 A-1, or a Consent to Adoption of Unborn Child under subsection

21 B prior to the execution of said Consent. The form of the Birth

22 Parent Rights and Responsibilities-Private Form shall be

23 substantially as follows:

24 Birth Parent Rights and Responsibilities-Private Form

25 As a birth parent in the State of Illinois, you have the

26 right:

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

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

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

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

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

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

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



1 law.

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

5 9. To request that your identifying information remain  
6 confidential, unless required otherwise by Illinois law or  
7 court order, and to register with the Illinois Adoption  
8 Registry and Medical Information Exchange.

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

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

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

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

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

23 As a Birth Parent in the State of Illinois, you have the  
24 responsibility:

25 1. To carefully consider your reasons for choosing  
26 adoption.

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

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

12           4. To not accept financial support or reimbursement of  
13 pregnancy related expenses simultaneously from more than one  
14 source.

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

17                           CONSENT TO ADOPTION OF UNBORN CHILD

18           I, ....., state:

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

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

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

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

25           That I hereby acknowledge that I have been provided with a  
26 copy of the Birth Parent Rights and Responsibilities-Private

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

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

9 That I wish to and do understand that by signing this  
 10 consent I do irrevocably and permanently give up all custody  
 11 and other parental rights I have to such child, except that I  
 12 have the right to revoke this consent by giving written notice  
 13 of my revocation not later than 72 hours after the birth of the  
 14 child.

15 That I understand such child will be placed for adoption  
 16 and that, except as hereinabove provided, I cannot under any  
 17 circumstances, after signing this document, change my mind and  
 18 revoke or cancel this consent or obtain or recover custody or  
 19 any other rights over such child.

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

22 Dated (insert date).  
 23 .....

24 B-5. (1) The parent of a child may execute a consent to  
 25 standby adoption by a specified person or persons. A consent  
 26 under this subsection B-5 shall be acknowledged by a parent

1 pursuant to subsection H and subsection K of this Section. The  
2 form of consent required for the standby adoption of a born  
3 child effective at a future date when the consenting parent of  
4 the child dies or requests that a final judgment of adoption be  
5 entered shall be substantially as follows:

6 FINAL AND IRREVOCABLE CONSENT

7 TO STANDBY ADOPTION

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

10 That the child was born on .... at .....

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

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

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

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

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

24 That I understand that until (I die) (the child's other  
25 parent dies), I retain all legal rights and obligations  
26 concerning the child, but at that time, I irrevocably give all

1 custody and other parental rights to .... (specified person or  
2 persons).

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

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

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

18 Dated (insert date).

19 .....

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

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

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

19           A consent to standby adoption by specified persons on this  
20 form shall have no effect on a court's determination of custody  
21 or visitation under the Illinois Marriage and Dissolution of  
22 Marriage Act if the marriage of the specified persons is  
23 dissolved before the adoption is final.

24           (3) The form of the certificate of acknowledgement for a  
25 Final and Irrevocable Consent for Standby Adoption shall be  
26 substantially as follows:

1 STATE OF .....)  
 2 ) SS.  
 3 COUNTY OF .....)

4 I, ..... (name of Judge or other person) ..... (official  
 5 title, name, and address), certify that ....., personally  
 6 known to me to be the same person whose name is subscribed to  
 7 the foregoing Final and Irrevocable Consent to Standby  
 8 Adoption, 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 this consent to adoption is  
 13 valid only if the petition to adopt is filed, and that if the  
 14 specified person or persons, for any reason, cannot or will not  
 15 adopt the child or if the adoption petition is denied, then  
 16 this consent will be void. I have fully explained that if the  
 17 specified person or persons adopt the child, by signing this  
 18 consent (she) (he) is irrevocably and permanently  
 19 relinquishing all parental rights to the child, and (she) (he)  
 20 has stated that such is (her) (his) intention and desire.

21 Dated (insert date).

22 Signature .....

23 (4) If a consent to standby adoption is executed in this  
 24 form, the consent shall be valid only if the specified person

1 or persons adopt the child. The consent shall be void if:

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

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

5 The parent shall not need to take further action to revoke  
6 the consent if the standby adoption by the specified person or  
7 persons does not occur, notwithstanding the provisions of  
8 Section 11 of this Act.

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

13 FINAL AND IRREVOCABLE SURRENDER

14 FOR PURPOSES OF ADOPTION

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

17 That such child was born on ....., at .....

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

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

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



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

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

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

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

19           Dated (insert date).  
 20 .....

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

FINAL AND IRREVOCABLE DESIGNATED SURRENDER

FOR PURPOSES OF ADOPTION

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

1. That such child was born on ....., at .....

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

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

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

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

6. That if the petition for adoption is not filed by the specified person or persons designated herein or, if the petition for adoption is filed but the adoption petition is

1 dismissed with prejudice or the adoption proceeding is  
2 otherwise concluded without an order declaring the child to be  
3 the adopted child of each specified person, then I understand  
4 that the Agency will provide notice to me within 10 business  
5 days and that such notice will be directed to me using the  
6 contact information I have provided to the Agency. I understand  
7 that I will have 10 business days from the date that the Agency  
8 sends me its notice to respond, within which time I may choose  
9 to designate other adoptive parent(s). However, I acknowledge  
10 that the Agency has full power and authority to place the child  
11 for adoption with any person or persons it may in its sole  
12 discretion select to become the adopting parent or parents and  
13 to consent to the legal adoption of the child by such person or  
14 persons.

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

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

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

1           10. That I understand I cannot under any circumstances,  
 2 after signing this surrender, change my mind and revoke or  
 3 cancel this surrender or obtain or recover custody or any other  
 4 rights over such child.

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

7           Dated (insert date).

8           .....

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

13                         SURRENDER OF UNBORN CHILD FOR  
 14                                 PURPOSES OF ADOPTION

15           I, .... (father), state:

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

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

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

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

1 not previously executed a consent or surrender with respect to  
2 such child.

3 That I hereby grant to the Agency full power and authority  
4 to place such child with any person or persons it may in its  
5 sole discretion select to become the adopting parent or parents  
6 and to consent to the legal adoption of such child by such  
7 person or persons; and to take any and all measures which, in  
8 the judgment of the Agency, may be for the best interests of  
9 such child, including authorizing medical, surgical and dental  
10 care and treatment, including inoculation and anaesthesia for  
11 such child.

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

15 That I understand I cannot under any circumstances, after  
16 signing this surrender, change my mind and revoke or cancel  
17 this surrender or obtain or recover custody or any other rights  
18 over such child, except that I have the right to revoke this  
19 surrender by giving written notice of my revocation not later  
20 than 72 hours after the birth of such child.

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

23 Dated (insert date).  
24 .....

25 E. The form of consent required from the parents for the  
26 adoption of an adult, when such adult elects to obtain such

1 consent, shall be substantially as follows:

2 CONSENT

3 I, ....., (father) (mother) of ....., an adult, state:

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

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

7 Dated (insert date).

8 .....

9 F. The form of consent required for the adoption of a child  
10 of the age of 14 years or upwards, or of an adult, to be given  
11 by such person, shall be substantially as follows:

12 CONSENT

13 I, ....., state:

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

15 That I am of the age of .... years. That I consent and agree to  
16 my adoption by .... and .....

17 Dated (insert date).

18 .....

19 G. The form of consent given by an agency to the adoption  
20 by specified persons of a child previously surrendered to it  
21 shall set forth that the agency has the authority to execute  
22 such consent. The form of consent given by a guardian of the  
23 person of a child sought to be adopted, appointed by a court of  
24 competent jurisdiction, shall set forth the facts of such  
25 appointment and the authority of the guardian to execute such  
26 consent.

1           H. A consent (other than that given by an agency, or  
2 guardian of the person of the child sought to be adopted who  
3 was appointed by a court of competent jurisdiction) shall be  
4 acknowledged by a parent before a judge of a court of competent  
5 jurisdiction or, except as otherwise provided in this Act,  
6 before a representative of an agency, or before a person, other  
7 than the attorney for the prospective adoptive parent or  
8 parents, designated by a court of competent jurisdiction.

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

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

19       STATE OF ....)

20                               ) SS.

21       COUNTY OF ...)

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

1 and acknowledged that (she) (he) signed and delivered such  
2 (consent) (surrender) as (her) (his) free and voluntary act,  
3 for the specified purpose.

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

11 Dated (insert date).

12 Signature .....

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

18 STATE OF ....)

19 ) SS.

20 COUNTY OF ...)

21 I, a Notary Public, in and for the County of ....., in the  
22 State of ....., certify that ....., personally known to me to  
23 be the same person whose name is subscribed to the foregoing  
24 certificate of acknowledgment, appeared before me in person and  
25 acknowledged that (she) (he) signed such certificate as (her)  
26 (his) free and voluntary act and that the statements made in



1 the certificate are true.

2 Dated (insert date).

3 Signature ..... Notary Public  
4 (official seal)

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

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

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

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

24 O. (1) The parent or parents of a child in whose interests  
25 a petition under Section 2-13 of the Juvenile Court Act of 1987

1 is pending may, with the approval of the designated  
2 representative of the Department of Children and Family  
3 Services ("Department" or "DCFS"), execute a consent to  
4 adoption by a specified person or persons:

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

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

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

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

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

19 (2) The final and irrevocable consent to adoption by a  
20 specified person or persons in a Department of Children and  
21 Family Services (DCFS) case ~~consent to adoption by a specified~~  
22 ~~person or persons shall have the caption of the proceeding in~~  
23 ~~which it is to be filed and~~ shall be substantially as follows:

24 FINAL AND IRREVOCABLE CONSENT TO ADOPTION BY

25 A SPECIFIED PERSON OR PERSONS: DCFS CASE

26 I, ....., the

1 ..... (mother or father) of a ....male child,  
2 state:

3 1. My child ..... (name of  
4 child) was born on (insert date) at .....  
5 Hospital in the municipality of ....., in  
6 ..... County, State of .....

7 2. I reside at ....., County of  
8 ..... and State of .....

9 Mail may also be sent to me at this address  
10 ....., in care of .....

11 My home telephone number is .....

12 My cell telephone number is .....

13 My e-mail address is .....

14 3. I, ....., am .... years old.

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

19 5. I hereby acknowledge that I have been provided a  
20 copy of the Birth Parent Rights and Responsibilities for  
21 DCFS Cases before signing this Consent and that I have had  
22 time to read this form or have it read to me and that I  
23 understand the rights and responsibilities described in  
24 this form. I understand that if I do not receive any of my  
25 rights as described in the form, it shall not constitute a  
26 basis to revoke this Final and Irrevocable Consent to

1       Adoption by a Specified Person or Persons.

2           6. I do hereby consent and agree to the adoption of  
3 such child by ..... (specified person or persons)  
4 only.

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

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

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

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

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

17           (c) the DCFS Guardianship Administrator refuses to  
18 consent to my child's adoption by the specified person  
19 or persons on the basis that the adoption is not in my  
20 child's best interests.

21           I understand that if this consent is void I have  
22 parental rights to my child, subject to any applicable  
23 court orders including those entered under Article II of  
24 the Juvenile Court Act of 1987, unless and until I sign a  
25 new consent or surrender or my parental rights are  
26 involuntarily terminated. I understand that if this

1 consent is void, my child may be adopted by someone other  
2 than the specified person or persons only if I sign a new  
3 consent or surrender, or my parental rights are  
4 involuntarily terminated. I understand that if this  
5 consent is void, the Department will notify me within 30  
6 days using the addresses and telephone numbers I provided  
7 in paragraph 2 of this form. I understand that if I receive  
8 such a notice, it is very important that I contact the  
9 Department immediately, and preferably within 30 days, to  
10 have input into the plan for my child's future.

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

18 11. If a person other than the specified person or  
19 persons files a petition to adopt my child or if the  
20 consent is void under paragraph 9, the Department will send  
21 written notice to me using the mailing address and email  
22 address provided by me in paragraph 2 of this form. The  
23 Department will also contact me using the telephone numbers  
24 I provided in paragraph 2 of this form. It is very  
25 important that I let the Department know if any of my  
26 contact information changes. If I do not let the Department

1 know if any of my contact information changes, I understand  
 2 that I may not receive notification from the Department if  
 3 this consent is void or if someone other than the specified  
 4 person or persons files a petition to adopt my child. If  
 5 any of my contact information changes, I should immediately  
 6 notify:

7 Caseworker's name and telephone number:

8 ..... i

9 Agency name, address, zip code, and telephone number:

10 ..... i

11 Supervisor's name and telephone number:

12 ..... i

13 DCFS Advocacy Office for Children and Families:

14 800-232-3798.

15 12. I expressly acknowledge that paragraph 9 (and  
 16 paragraphs 8a and 8b, if applicable) do not impair the  
 17 validity and finality of this consent under any  
 18 circumstances.

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

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

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

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

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

24           Dated (insert date).

25           .....

26           Signature of parent

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

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

22 8b. I understand that if either .....  
23 (specified persons) dies before the petition to adopt my  
24 child is granted, this consent remains valid for the  
25 surviving person to adopt my child. I understand that I  
26 cannot change my mind or revoke this consent or recover





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

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

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

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

25       Dated (insert date).

26       .....

1 Signature

2 (5) If a consent to adoption by a specified person or  
3 persons is executed in this form, the following provisions  
4 shall apply. The consent shall be valid only for the ~~if that~~  
5 specified person or persons to adopt the child. The consent  
6 shall be void ~~voidable after one year~~ if:

7 (a) the placement disrupts and the child is moved to  
8 another placement ~~the specified person or persons do not~~  
9 ~~file a petition to adopt the child within one year after~~  
10 ~~the consent is signed and the parent files a timely motion~~  
11 ~~to revoke this consent. If this motion is filed before the~~  
12 ~~filing of the petition for adoption the court shall revoke~~  
13 ~~this consent; or~~

14 (b) a court denies the petition for adoption ~~a court~~  
15 ~~denies the adoption petition; or~~

16 (c) the Department of Children and Family Services  
17 Guardianship Administrator refuses to consent to the  
18 child's adoption by the specified person or persons on the  
19 basis that the adoption is not in the child's best  
20 interests ~~determines that the specified person or persons~~  
21 ~~will not or cannot complete the adoption, or in the best~~  
22 ~~interests of the child should not adopt the child.~~

23 If the consent is void under this Section, the parent shall  
24 not need to take further action to revoke the consent. No  
25 proceeding for termination of parental rights shall be brought  
26 unless the parent who executed the consent to adoption by a

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

19 (6) The Department of Children and Family Services is  
20 authorized to promulgate rules necessary to implement this  
21 subsection O.

22 (7) (Blank). The Department shall collect and maintain data  
23 concerning the efficacy of specific consents. This data shall  
24 include the number of specific consents executed and their  
25 outcomes, including but not limited to the number of children  
26 adopted pursuant to the consents, the number of children for

1 ~~whom adoptions are not completed, and the reason or reasons why~~  
2 ~~the adoptions are not completed.~~

3 (8) The Department of Children and Family Services shall  
4 promulgate a rule and procedures regarding Consents to Adoption  
5 by a Specified Person or Persons in DCFS cases. The rule and  
6 procedures shall provide for the development of the Birth  
7 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 of  
10 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 be  
19 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 if  
20 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 order  
9 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. 96-601, eff. 8-21-09; 96-1461, eff. 1-1-11;

9 97-493, eff. 8-22-11.)

10 Section 99. Effective date. This Act takes effect January  
11 1, 2013."