



## 98TH GENERAL ASSEMBLY

### State of Illinois

### 2013 and 2014

### HB5949

by Rep. Sara Feigenholtz

#### SYNOPSIS AS INTRODUCED:

750 ILCS 50/18.05	
750 ILCS 50/18.06	
750 ILCS 50/18.08	
750 ILCS 50/18.1	from Ch. 40, par. 1522.1
750 ILCS 50/18.1a	
750 ILCS 50/18.1b	
750 ILCS 50/18.2	from Ch. 40, par. 1522.2
750 ILCS 50/18.3a	from Ch. 40, par. 1522.3a

Amends the Adoption Act. Defines "adult grandchild" as the biological grandchild 21 years of age or over of a deceased adopted or surrendered person. Replaces references to the Adoption Advisory Council with references to the Adoption Registry-Confidential Intermediary Advisory Council. Makes changes in Sections concerning the Illinois Adoption Registry and Medical Information Exchange; the Adoption Registry-Confidential Intermediary Advisory Council; disclosure of identifying information; registry matches; the Illinois Adoption Registry Application; and forms. In the Section concerning confidential intermediaries, makes changes in subsections concerning: general purposes; eligibility of petitioner; the petition; confidential intermediary access to information; remedies in the event of a missing or lost original birth certificate; and duties of the confidential intermediary in conducting a search.

LRB098 20304 HEP 55745 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning civil law.

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

4 Section 5. The Adoption Act is amended by changing Sections  
5 18.05, 18.06, 18.08, 18.1, 18.1a, 18.1b, 18.2, and 18.3a as  
6 follows:

7 (750 ILCS 50/18.05)

8 Sec. 18.05. The Illinois Adoption Registry and Medical  
9 Information Exchange.

10 (a) General function. Subject to appropriation, the  
11 Department of Public Health shall administer the Illinois  
12 Adoption Registry and Medical Information Exchange in the  
13 manner outlined in subsections (b) and (c) for the purpose of  
14 facilitating the voluntary exchange of identifying and medical  
15 information between mutually consenting members of birth and  
16 adoptive families. The Department shall establish rules for the  
17 confidential operation of the Illinois Adoption Registry. For  
18 ~~The Department shall appoint an OBC Access Public Information~~  
19 ~~Campaign Oversight Committee comprised of, but not limited to,~~  
20 ~~representatives of the Department of Public Health and the~~  
21 ~~Department of Children and Family Services, as well as~~  
22 ~~representatives of the organizations that serve, as of the~~  
23 ~~effective date of this amendatory Act of the 96th General~~

1 ~~Assembly, on the Illinois Adoption Registry Advisory Council or~~  
2 ~~the Confidential Intermediary Advisory Council. On and after~~  
3 ~~the effective date of this amendatory Act of the 96th General~~  
4 ~~Assembly, the OBC Access Public Information Campaign Oversight~~  
5 ~~Committee shall develop and ensure the timely implementation of~~  
6 ~~a year long, nationwide campaign to be conducted from November~~  
7 ~~1, 2010, through October 31, 2011, for the express purpose of~~  
8 informing the public in earnest about the conditions under  
9 which an adult adopted or surrendered person may receive a  
10 non-certified copy of his or her original birth certificate,  
11 and the procedures pursuant to which a birth parent may file a  
12 Birth Parent Preference Form to express his or her wishes with  
13 respect to contact with a surrendered son or daughter and the  
14 release of identifying information that appears on the original  
15 birth certificate provide notices enclosed with driver's  
16 license renewal applications issued by the Secretary of State's  
17 office through November 30, 2020. ~~This year long informational~~  
18 ~~campaign shall include, but not be limited to:~~

19 ~~(1) Public service announcements to be distributed to~~  
20 ~~local and national radio and television stations.~~

21 ~~(2) Notices to be distributed throughout Illinois to~~  
22 ~~physicians' offices, religious institutions, social~~  
23 ~~welfare organizations, retirement homes, and other~~  
24 ~~entities capable of reaching individuals who may be~~  
25 ~~impacted by this change in the law.~~

26 ~~(3) An informational website exclusively devoted to~~

1 ~~providing the general public with information about the new~~  
2 ~~law as well as other forms of free electronic media.~~

3 ~~(4) Press releases to be distributed to local and~~  
4 ~~national radio and television stations, as well as to~~  
5 ~~relevant websites.~~

6 ~~(5) Announcements about the new law to be posted on the~~  
7 ~~websites of all adoption agencies licensed in the State.~~

8 ~~(6) Notices accompanying every vehicle registration~~  
9 ~~renewal application issued by the Secretary of State's~~  
10 ~~office between October 31, 2010, and November 1, 2011.~~

11 ~~(7) Notices enclosed with driver's license renewal~~  
12 ~~applications issued by the Secretary of State's office~~  
13 ~~beginning 30 days after the effective date of this~~  
14 ~~amendatory Act of the 96th General Assembly and through~~  
15 ~~November 30, 2014.~~

16 The Illinois Adoption Registry shall also maintain an  
17 informational Internet site where interested parties may  
18 access information about the Illinois Adoption Registry and  
19 Medical Information Exchange and download all necessary  
20 application forms. The Illinois Adoption Registry shall  
21 maintain statistical records regarding Registry participation  
22 and publish and circulate to the public informational material  
23 about the function and operation of the Registry.

24 (b) Establishment of the Adoption/Surrender Records File.  
25 When a person has voluntarily registered with the Illinois  
26 Adoption Registry and completed an Illinois Adoption Registry

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

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

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

23 (2) Any photographs voluntarily provided by any  
24 registrant for any other registered party at the time of  
25 registration or any time thereafter. All such photographs  
26 shall be submitted in an unsealed envelope no larger than 8

1           1/2" x 11", and shall not include identifying information  
2           pertaining to any person other than the registrant who  
3           submitted them. Any such identifying information shall be  
4           redacted by the Department or the information shall be  
5           returned for removal of identifying information.

6           (3) Any Information Exchange Authorization, Denial of  
7           Information Exchange, or Birth Parent Preference Form  
8           which has been filed by a registrant.

9           (4) For all adoptions finalized after January 1, 2000,  
10          copies of the original certificate of live birth and the  
11          certificate of adoption.

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

14          (6) Any proof of death that has been submitted by a  
15          registrant.

16          (7) Any birth certificate that has been submitted by a  
17          registrant.

18          (8) Any marriage certificate that has been submitted by  
19          a registrant.

20          (9) Any proof of guardianship that has been submitted  
21          by a registrant.

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

1 Registry.

2 (d) An established Adoption/Surrender Records File for an  
3 adoption filed in Illinois under a Record of Foreign Birth that  
4 was not finalized in a court action in the State of Illinois  
5 shall be limited to the following items submitted to the State  
6 Registrar of Vital Records under Section 16.1 of the Vital  
7 Records Act, to the extent that they are available:

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

17 (2) A certified copy, extract, or translation of the  
18 adoption decree or other document essentially equivalent  
19 thereto (the records of the U.S. Citizenship and  
20 Immigration Services or of the U.S. Department of State to  
21 be considered essentially equivalent thereto).

22 (3) A copy of the IR-3 or IH-3 visa.

23 (4) The name and address of the adoption agency that  
24 handled the adoption.

25 (Source: P.A. 96-895, eff. 5-21-10; 97-445, eff. 8-19-11.)

1 (750 ILCS 50/18.06)

2 Sec. 18.06. Definitions. When used in Sections 18.05  
3 through Section 18.6, for the purposes of the Registry:

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

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

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

10 "Adult grandchild" means the biological grandchild 21  
11 years of age or over of a deceased adopted or surrendered  
12 person.

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

15 "Agency" means a public child welfare agency or a licensed  
16 child welfare agency.

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

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

25 "Birth mother" means the biological mother of an adopted or  
26 surrendered person.



1 "Birth parent" means a birth mother or birth father of an  
2 adopted or surrendered person.

3 "Birth Parent Preference Form" means the form prepared by  
4 the Department of Public Health pursuant to Section 18.2  
5 completed by a birth parent registrant and filed with the  
6 Registry that indicates the birth parent's preferences  
7 regarding contact and, if applicable, the release of his or her  
8 identifying information on the non-certified copy of the  
9 original birth certificate released to an adult adopted or  
10 surrendered person or to the surviving adult child or surviving  
11 spouse of a deceased adopted or surrendered person who has  
12 filed a Request for a Non-Certified Copy of an Original Birth  
13 Certificate.

14 "Birth relative" means a birth mother, birth father, birth  
15 sibling, birth aunt, or birth uncle.

16 "Birth sibling" means the adult full or half sibling of an  
17 adopted or surrendered person.

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

20 "Confidential intermediary" means an individual certified  
21 by the Department of Children and Family Services pursuant to  
22 Section 18.3a(e).

23 "Denial of Information Exchange" means an affidavit  
24 completed by a registrant with the Illinois Adoption Registry  
25 and Medical Information Exchange denying the release of  
26 identifying information which has been filed with the Registry.

1 "Information Exchange Authorization" means an affidavit  
2 completed by a registrant with the Illinois Adoption Registry  
3 and Medical Information Exchange authorizing the release of  
4 identifying information which has been filed with the Registry.

5 "Medical Information Exchange Questionnaire" means the  
6 medical history questionnaire completed by a registrant of the  
7 Illinois Adoption Registry and Medical Information Exchange.

8 "Non-certified Copy of the Original Birth Certificate"  
9 means a non-certified copy of the original certificate of live  
10 birth of an adult adopted or surrendered person who was born in  
11 Illinois.

12 "Proof of death" means a death certificate.

13 "Registrant" or "Registered Party" means a birth parent,  
14 birth sibling, birth aunt, birth uncle, adopted or surrendered  
15 person 21 years of age or over, adoptive parent or legal  
16 guardian of an adopted or surrendered person under the age of  
17 21, or adoptive parent, surviving spouse, or adult child of a  
18 deceased adopted or surrendered person who has filed an  
19 Illinois Adoption Registry Application or Registration  
20 Identification Form with the Registry.

21 "Registry" means the Illinois Adoption Registry and  
22 Medical Information Exchange.

23 "Request for a Non-Certified Copy of an Original Birth  
24 Certificate" means an affidavit completed by an adult adopted  
25 or surrendered person or by the surviving adult child or  
26 surviving spouse of a deceased adopted or surrendered person

1 and filed with the Registry requesting a non-certified copy of  
2 an adult adopted or surrendered person's original certificate  
3 of live birth in Illinois.

4 "Surrendered person" means a person whose parents' rights  
5 have been surrendered or terminated but who has not been  
6 adopted.

7 "Surviving spouse" means the wife or husband, 21 years of  
8 age or older, of a deceased adopted or surrendered person who  
9 would be 21 years of age or older if still alive and who has one  
10 or more surviving biological children who are under the age of  
11 21.

12 "18.3 Statement" means a statement regarding the  
13 disclosure of identifying information signed by a birth parent  
14 under Section 18.3 of this Act as it existed immediately prior  
15 to the effective date of this amendatory Act of the 96th  
16 General Assembly.

17 (Source: P.A. 96-895, eff. 5-21-10; 97-110, eff. 7-14-11.)

18 (750 ILCS 50/18.08)

19 Sec. 18.08. Adoption Registry-Confidential Intermediary  
20 Advisory Council.

21 (a) There shall be established under the Department of  
22 Public Health and the Department of Children and Family  
23 Services the Adoption Registry-Confidential Intermediary  
24 Advisory Council. The Council shall include:

25 (1) the Director of the Department of Public Health, or

1 his or her designee, who shall serve as the co-chairperson  
2 of the Council;

3 (2) the Director of the Department of Children and  
4 Family Services, or his or her designee, who shall serve as  
5 the co-chairperson of the Council;

6 (3) an attorney representing the Attorney General's  
7 Office appointed by the Attorney General;

8 (4) a currently certified confidential intermediary  
9 appointed by the Director of the Department of Children and  
10 Family Services;

11 (5) one representative from each of the following  
12 organizations appointed by the Director of the Department  
13 of Public Health: Adoption Advocates of America, Adoptive  
14 Families Today, Catholic Conference of Illinois, Chicago  
15 Area Families for Adoption, Chicago Bar Association, Child  
16 Care Association of Illinois, ~~Children Remembered, Inc.,~~  
17 Children's Home and Aid Society of Illinois, Child Welfare  
18 Advisory Council, The Cradle, Healing Hearts, Illinois  
19 Foster Parents Association, Illinois State Bar  
20 Association, Illinois State Medical Society, Jewish  
21 Children's Bureau, LDS Social Services, Lutheran Social  
22 Services of Illinois, Maryville Academy, Midwest Adoption  
23 Center, St. Mary's Services, Stars of David, ~~and~~  
24 Truthseekers in Adoption, and White Oak Foundation;

25 (6) 5 additional members appointed by the Director of  
26 the Department of Children and Family Services who shall,

1 when making those appointments, consider advocates for  
2 adopted persons, adoptive parents, or birth parents,  
3 lawyers who represent clients in private adoptions,  
4 lawyers specializing in privacy law, and representatives  
5 of agencies involved in adoptions;

6 (7) an attorney from the Department of Children and  
7 Family Services, who shall serve as an ex-officio,  
8 non-voting advisor to the Council; and

9 (8) the person directly responsible for administering  
10 the confidential intermediary program, who shall serve as  
11 an ex-officio, non-voting advisor to the Council.

12 (b) If any one of the named organizations in item (5) of  
13 subsection (a) notifies the Director of the Department of  
14 Public Health or the Director of the Department of Children and  
15 Family Services in writing that the organization does not wish  
16 to participate on the Adoption Registry-Confidential  
17 Intermediary Advisory Council or that the organization is no  
18 longer functioning, the Directors may designate another  
19 organization that represents the same constituency as the named  
20 organization to replace the named organization on the Council.

21 (c) Council members shall receive no compensation for their  
22 service. The Council shall meet no less often than once every 6  
23 months and shall meet as the Director of the Department of  
24 Public Health or the Director of the Department of Children and  
25 Family Services deems necessary. The Council shall have only an  
26 advisory role to the Directors and may make recommendations to

1 the pertinent Department regarding the development of rules,  
2 procedures, and forms that will promote the efficient and  
3 effective operation of (i) the Illinois Adoption Registry, (ii)  
4 the Office of Vital Records as it pertains to the Registry and  
5 to access to the non-certified copy of the original birth  
6 certificate, and (iii) the Confidential Intermediary Program  
7 in Illinois. The Council will also serve in an advisory  
8 capacity regarding the effective delivery of adult  
9 post-adoption services in Illinois, including:

10 (1) advising the Department of Public Health on the  
11 development of rules, procedures, and forms utilized by the  
12 Illinois Adoption Registry and Medical Information  
13 Exchange;

14 (2) making recommendations regarding the procedures,  
15 tools, and technology that will promote efficient and  
16 effective operation of the Registry;

17 (3) assisting the Department of Public Health with the  
18 development, publication, and circulation of an  
19 informational pamphlet that describes the purpose,  
20 function, and mechanics of the Illinois Adoption Registry  
21 and Medical Information Exchange, including information  
22 about who is eligible to register and how to register;  
23 information about the questions and concerns that  
24 registrants may develop when they register or when they  
25 receive information from the Registry; and a list of  
26 services, programs, groups, and informational websites

1 that are available to assist registrants with their  
2 questions and concerns;

3 (4) collecting, compiling, and reviewing statistical  
4 data and empirical information concerning the procedures  
5 in the Registry including, but not limited to, data  
6 concerning the filing of Denials of Information Exchange,  
7 Information Exchange Authorizations, Requests for a  
8 Non-Certified Copy of an Original Birth Certificate, and  
9 Birth Parent Preference Forms;

10 (5) making recommendations to the Director of the  
11 Department of Children and Family Services regarding the  
12 standards for certification for confidential  
13 intermediaries;

14 (6) making recommendations to the Director of the  
15 Department of Children and Family Services concerning  
16 oversight methods used to verify that intermediaries are  
17 complying with the appropriate laws;

18 (7) assisting the Department of Children and Family  
19 Services with training for confidential intermediaries,  
20 including training with respect to federal and State  
21 privacy laws;

22 (8) reviewing the relationship between confidential  
23 intermediaries and the court system and making  
24 recommendations to the Director of the Department of  
25 Children and Family Services concerning sample orders that  
26 define the scope of the intermediaries' access to

1 information;

2 (9) considering any recent violations of policy or  
3 procedures by confidential intermediaries and remedial  
4 steps, including decertification, which might be  
5 recommended to the Director of the Department of Children  
6 and Family Services so as to prevent future violations; and

7 (10) reviewing reports from the Department of Children  
8 and Family Services submitted by July 1 and January 1 of  
9 each year in order detailing the penalties assessed and  
10 collected, the amounts of related deposits into the DCFS  
11 Children's Services Fund, and any expenditures from such  
12 deposits.

13 (d) Within 45 days after the effective date of this  
14 amendatory Act of the 97th General Assembly, both the Adoption  
15 Registry Advisory Council and the Confidential Intermediary  
16 Council shall, notwithstanding any other provision of this Act,  
17 turn over the Council's records to the Adoption  
18 Registry-Confidential Intermediary Advisory Council and cease  
19 to function.

20 (Source: P.A. 97-1063, eff. 1-1-13.)

21 (750 ILCS 50/18.1) (from Ch. 40, par. 1522.1)

22 Sec. 18.1. Disclosure of identifying information.

23 (a) The Department of Public Health shall establish and  
24 maintain a Registry for the purpose of allowing mutually  
25 consenting members of birth and adoptive families to exchange



1 identifying and medical information. Identifying information  
2 for the purpose of this Act shall mean any one or more of the  
3 following:

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

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

8 (3) A non-certified copy of the original birth  
9 certificate of an adult adopted or surrendered person.

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

17 (c) At any time after a child is surrendered for adoption,  
18 or at any time during the adoption proceedings or at any time  
19 thereafter, either birth parent or both of them may file with  
20 the Registry a Birth Parent Registration Identification Form.

21 (d) A birth sibling 21 years of age or over who was not  
22 surrendered for adoption and who has submitted a copy of his or  
23 her birth certificate as well as proof of death for a deceased  
24 birth parent and such birth parent did not file a Denial of  
25 Information Exchange or a Birth Parent Preference Form on which  
26 Option E was selected with the Registry prior to his or her

1 death may file a Registration Identification Form and an  
2 Information Exchange Authorization or a Denial of Information  
3 Exchange.

4 (e) A birth aunt or birth uncle who has submitted birth  
5 certificates for himself or herself and for a deceased birth  
6 parent naming at least one common biological parent as well as  
7 proof of death for the deceased birth parent and such birth  
8 parent did not file a Denial of Information Exchange or a Birth  
9 Parent Preference Form on which Option E was selected with the  
10 Registry prior to his or her death may file a Registration  
11 Identification Form and an Information Exchange Authorization  
12 or a Denial of Information Exchange.

13 (f) Any adopted person 21 years of age or over, any  
14 surrendered person 21 years of age or over, or any adoptive  
15 parent or legal guardian of an adopted or surrendered person  
16 under the age of 21 may file with the Registry a Registration  
17 Identification Form and an Information Exchange Authorization  
18 or a Denial of Information Exchange.

19 (g) Any adult child or adult grandchild 21 years of age or  
20 over of a deceased adopted or surrendered person who has  
21 submitted a copy of his or her birth certificate naming an  
22 adopted or surrendered person as his or her biological parent  
23 as well as proof of death for the deceased adopted or  
24 surrendered person and such adopted or surrendered person did  
25 not file a Denial of Information Exchange with the Registry  
26 prior to his or her death may file a Registration

1 Identification Form and an Information Exchange Authorization  
2 or a Denial of Information Exchange.

3 (h) Any surviving spouse of a deceased adopted or  
4 surrendered person 21 years of age or over who has submitted  
5 proof of death for the deceased adopted or surrendered person  
6 and such adopted or surrendered person did not file a Denial of  
7 Information Exchange with the Registry prior to his or her  
8 death as well as a birth certificate naming themselves and the  
9 adopted or surrendered person as the parents of a minor child  
10 under the age of 21 may file a Registration Identification Form  
11 and an Information Exchange Authorization or a Denial of  
12 Information Exchange.

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

22 (j) The Department of Public Health shall supply to the  
23 adopted or surrendered person or his or her adoptive parents,  
24 legal guardians, adult children, adult grandchildren, or  
25 surviving spouse, and to the birth parents identifying  
26 information only if both the adopted or surrendered person, or

1 one of his or her adoptive parents, legal guardians, adult  
2 children, adult grandchildren, or his or her surviving spouse,  
3 and the birth parents have filed with the Registry an  
4 Information Exchange Authorization or a Birth Parent  
5 Preference Form on which Option A, B, or C was selected and the  
6 information at the Registry indicates that the consenting  
7 adopted or surrendered person, the child of the consenting  
8 adoptive parents or legal guardians, the parent of the  
9 consenting adult child of the adopted or surrendered person, or  
10 the deceased wife or husband of the consenting surviving spouse  
11 is the child of the consenting birth parents, except  
12 identifying information that appears on a non-certified copy of  
13 an original birth certificate may be provided to an adult  
14 adopted or surrendered person or to the surviving adult child, adult grandchild,  
15 adult grandchild, or surviving spouse of a deceased adopted or  
16 surrendered person pursuant to the procedures outlined in  
17 Section 18.1b(e) of this Act.

18 The Department of Public Health shall supply to adopted or  
19 surrendered persons who are birth siblings identifying  
20 information only if both siblings have filed with the Registry  
21 an Information Exchange Authorization and the information at  
22 the Registry indicates that the consenting siblings have one or  
23 both birth parents in common. Identifying information shall be  
24 supplied to consenting birth siblings who were adopted or  
25 surrendered if any such sibling is 21 years of age or over.  
26 Identifying information shall be supplied to consenting birth

1 siblings who were not adopted or surrendered if any such  
2 sibling is 21 years of age or over and has proof of death of the  
3 common birth parent and such birth parent did not file a Denial  
4 of Information Exchange or a Birth Parent Preference Form on  
5 which Option E was selected with the Registry prior to his or  
6 her death.

7 (k) The Department of Public Health shall supply to the  
8 adopted or surrendered person or his or her adoptive parents,  
9 legal guardians, adult children, adult grandchildren, or  
10 surviving spouse, and to a birth aunt identifying information  
11 only if both the adopted or surrendered person or one of his or  
12 her adoptive parents, legal guardians, adult children, adult  
13 grandchildren, or his or her surviving spouse, and the birth  
14 aunt have filed with the Registry an Information Exchange  
15 Authorization and the information at the Registry indicates  
16 that the consenting adopted or surrendered person, or the child  
17 of the consenting adoptive parents or legal guardians, or the  
18 parent of the consenting adult child, or the deceased wife or  
19 husband of the consenting surviving spouse of the adopted or  
20 surrendered person is or was the child of the brother or sister  
21 of the consenting birth aunt.

22 (l) The Department of Public Health shall supply to the  
23 adopted or surrendered person or his or her adoptive parents,  
24 legal guardians, adult children, adult grandchildren, or  
25 surviving spouse, and to a birth uncle identifying information  
26 only if both the adopted or surrendered person or one of his or

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

11 (m) A registrant may notify the Registry of his or her  
12 desire not to have identifying information revealed or may  
13 revoke any previously filed Information Exchange Authorization  
14 by completing and filing with the Registry a Registry  
15 Identification Form along with a Denial of Information Exchange  
16 or, if applicable, a Birth Parent Preference Form. Any  
17 registrant, except a birth parent, may revoke his or her Denial  
18 of Information Exchange by filing an Information Exchange  
19 Authorization. A birth parent may revoke a Denial of  
20 Information Exchange by filing a Birth Parent Preference Form.  
21 Any birth parent who has previously filed a Birth Parent  
22 Preference Form where Option E was selected may revoke such  
23 preference by filing a subsequent Birth Parent Preference Form  
24 and selecting Option A, B, C, or D. The Department of Public  
25 Health shall act in accordance with the most recently filed  
26 affidavit.

1 (n) Identifying information ascertained from the Registry  
2 shall be confidential and may be disclosed only (1) upon a  
3 Court Order, which order shall name the person or persons  
4 entitled to the information, or (2) to a registrant who is the  
5 subject of an Information Exchange Authorization or, if  
6 applicable, a Birth Parent Preference Form that was completed  
7 by another registrant and filed with the Illinois Adoption  
8 Registry and Medical Information Exchange, or (3) as authorized  
9 under subsection (h) of Section 18.3 of this Act, or (4)  
10 pursuant to the procedures outlined in Section 18.1b(e) of this  
11 Act. Any person who willfully provides unauthorized disclosure  
12 of any information filed with the Registry or who knowingly or  
13 intentionally files false information with the Registry shall  
14 be guilty of a Class A misdemeanor and shall be liable for  
15 damages.

16 (o) If information is disclosed pursuant to this Act, the  
17 Department shall redact it to remove any identifying  
18 information about any party who has not consented to the  
19 disclosure of such identifying information, or, in the case of  
20 identifying information on the original birth certificate,  
21 pursuant to Section 18.1b(e) of this Act.

22 (Source: P.A. 96-895, eff. 5-21-10; 97-110, eff. 7-14-11.)

23 (750 ILCS 50/18.1a)

24 Sec. 18.1a. Registry matches.

25 (a) The Registry shall release identifying information, as

1 specified on the applicant's Information Exchange  
2 Authorization or, if applicable, a Birth Parent Preference  
3 Form, to the following mutually consenting registered parties  
4 and provide them with any photographs or correspondence which  
5 have been placed in the Adoption/Surrender Records File and are  
6 specifically intended for the registered parties:

7 (i) an adult adopted or surrendered person and one of  
8 his or her birth relatives who have both filed an  
9 applicable Information Exchange Authorization or, if  
10 applicable, a Birth Parent Preference Form specifying the  
11 other consenting party with the Registry, if information  
12 available to the Registry confirms that the consenting  
13 adopted or surrendered person is biologically related to  
14 the consenting birth relative;

15 (ii) the adoptive parent or legal guardian of an  
16 adopted or surrendered person under the age of 21 and one  
17 of the adopted or surrendered person's birth relatives who  
18 have both filed an Information Exchange Authorization  
19 specifying the other consenting party, or, if applicable, a  
20 Birth Parent Preference Form, with the Registry, if  
21 information available to the Registry confirms that the  
22 child of the consenting adoptive parent or legal guardian  
23 is biologically related to the consenting birth relative;  
24 and

25 (iii) the adoptive parent, adult child, adult  
26 grandchild, or surviving spouse of a deceased adopted or



1 surrendered person, and one of the adopted or surrendered  
2 person's birth relatives who have both filed an applicable  
3 Information Exchange Authorization specifying the other  
4 consenting party or, if applicable, a Birth Parent  
5 Preference Form, with the Registry, if information  
6 available to the Registry confirms that the child of the  
7 consenting adoptive parent, the parent of the consenting  
8 adult child or the deceased wife or husband of the  
9 consenting surviving spouse of the adopted or surrendered  
10 person was biologically related to the consenting birth  
11 relative.

12 (b) If a registrant is the subject of a Denial of  
13 Information Exchange filed by another registered party or is an  
14 adopted or surrendered person, or the surviving relative of a  
15 deceased adopted or surrendered person, and a birth parent of  
16 the adopted or surrendered person completed a Birth Parent  
17 Preference Form and selected Option E, the Registry shall not  
18 release identifying information to either registrant or, if  
19 applicable, to an adopted person who has requested a copy of  
20 his or her original birth certificate, with the exception of  
21 non-certified copies of the original birth certificate  
22 released under Section 18.1b(e), and as to a birth parent who  
23 has prohibited release of identifying information on the  
24 original birth certificate to the adult adopted or surrendered  
25 person, upon the death of said birth parent.

26 (c) If a registrant has completed a Medical Information

1 Exchange Questionnaire and has consented to its disclosure,  
2 that Questionnaire shall be released to any registered party  
3 who has indicated their desire to receive such information on  
4 his or her Illinois Adoption Registry Application, if  
5 information available to the Registry confirms that the  
6 consenting parties are biologically related, that the  
7 consenting birth relative and the child of the consenting  
8 adoptive parents or legal guardians are birth relatives, or  
9 that the consenting birth relative and the deceased wife or  
10 husband of the consenting surviving spouse are birth relatives.  
11 (Source: P.A. 96-895, eff. 5-21-10; 97-110, eff. 7-14-11.)

12 (750 ILCS 50/18.1b)

13 Sec. 18.1b. The Illinois Adoption Registry Application.  
14 The Illinois Adoption Registry Application shall substantially  
15 include the following:

16 (a) General Information. The Illinois Adoption Registry  
17 Application shall include the space to provide Information  
18 about the registrant including his or her surname, given name  
19 or names, social security number (optional), mailing address,  
20 home telephone number, gender, date and place of birth, and the  
21 date of registration. If applicable and known to the  
22 registrant, he or she may include the maiden surname of the  
23 birth mother, any subsequent surnames of the birth mother, the  
24 surname of the birth father, the given name or names of the  
25 birth parents, the dates and places of birth of the birth

1 parents, the surname and given name or names of the adopted  
2 person prior to adoption, the gender and date and place of  
3 birth of the adopted or surrendered person, the name of the  
4 adopted person following his or her adoption and the state and  
5 county where the judgment of adoption was finalized.

6 (b) Medical Information Exchange Questionnaire. In  
7 recognition of the importance of medical information and of  
8 recent discoveries regarding the genetic origin of many medical  
9 conditions and diseases all registrants shall be asked to  
10 voluntarily complete a Medical Information Exchange  
11 Questionnaire. The Medical Information Exchange Questionnaire  
12 shall include a comprehensive check-list of medical conditions  
13 and diseases including those of genetic origin.

14 (1) Birth relatives shall be asked to indicate all  
15 genetically-inherited diseases and conditions on this list  
16 which are known to exist in the adopted or surrendered  
17 person's birth family at the time of registration. In  
18 addition, all birth relatives shall be apprised of the  
19 Registry's provisions for voluntarily submitting  
20 information about their and their family's medical  
21 histories on a confidential, ongoing basis.

22 (2) Adopted and surrendered persons and their adoptive  
23 parents, legal guardians, adult children, adult  
24 grandchildren, and surviving spouses shall be asked to  
25 indicate all genetically-inherited diseases and medical  
26 conditions with which the adopted or surrendered person or,

1 if applicable, his or her children have been diagnosed  
2 since birth.

3 (3) The Medical Information Exchange Questionnaire  
4 shall include a space where the registrant may authorize  
5 the release of the Medical Information Exchange  
6 Questionnaire to specified registered parties and a  
7 disclaimer informing registrants that the Department of  
8 Public Health cannot guarantee the accuracy of medical  
9 information exchanged through the Registry.

10 (c) Written statement. All registrants shall be given the  
11 opportunity to voluntarily file a written statement with the  
12 Registry. This statement shall be submitted in the space  
13 provided. No written statement submitted to the Registry shall  
14 include identifying information pertaining to any person other  
15 than the registrant who submitted it. Any such identifying  
16 information shall be redacted by the Department or returned for  
17 removal of identifying information.

18 (d) Exchange of information. All registrants except birth  
19 parents may indicate their wishes regarding contact and the  
20 exchange of identifying and/or medical information with any  
21 other registrant by completing an Information Exchange  
22 Authorization or a Denial of Information Exchange. Birth  
23 parents may indicate their wishes regarding contact by filing a  
24 Birth Parent Preference Form pursuant to the procedures  
25 outlined in this Section.

26 (1) Information Exchange Authorization. Adopted or

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

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

1 for an adopted or surrendered person who did not file a  
2 Denial of Information Exchange prior to his or her death  
3 and who are interested in exchanging identifying and/or  
4 medical information or would welcome contact with one or  
5 more of the adopted or surrendered person's birth relatives  
6 may specify with whom they wish to exchange identifying  
7 information by filing an Information Exchange  
8 Authorization.

9 (2) Denial of Information Exchange. Adopted or  
10 surrendered persons 21 years of age or over who do not wish  
11 to exchange identifying information or establish contact  
12 with one or more of their birth relatives may specify with  
13 whom they do not wish to exchange identifying information  
14 or do not wish to establish contact by filing a Denial of  
15 Information Exchange. Birth relatives other than birth  
16 parents who do not wish to establish contact with an  
17 adopted or surrendered person or one or more of his or her  
18 adoptive parents, legal guardians, or adult children or  
19 adult grandchildren may specify with whom they do not wish  
20 to exchange identifying information or do not wish to  
21 establish contact by filing a Denial of Information  
22 Exchange. Birth parents who wish to prohibit the release of  
23 their identifying information on the original birth  
24 certificate released to an adult adopted or surrendered  
25 person who was born after January 1, 1946, or to the  
26 surviving adult child, adult grandchild, or surviving

1 spouse of a deceased adopted or surrendered person who was  
2 born after January 1, 1946, may do so by filing a Denial  
3 with the Registry on or before December 31, 2010. Adoptive  
4 parents or legal guardians of adopted or surrendered  
5 persons under the age of 21 who do not wish to establish  
6 contact with one or more of the adopted or surrendered  
7 person's birth relatives may specify with whom they do not  
8 wish to exchange identifying information by filing a Denial  
9 of Information Exchange. Adoptive parents, adult children,  
10 adult grandchildren, and surviving spouses of deceased  
11 adoptees who do not wish to exchange identifying  
12 information or establish contact with one or more of the  
13 adopted or surrendered person's birth relatives may  
14 specify with whom they do not wish to exchange identifying  
15 information or do not wish to establish contact by filing a  
16 Denial of Information Exchange.

17 (3) Birth Parent Preference Form. Beginning January 1,  
18 2011, birth parents who are eligible to register with the  
19 Illinois Adoption Registry and Medical Information  
20 Exchange and whose birth child was born on or after January  
21 1, 1946 may communicate their wishes regarding contact or  
22 may prohibit the release of identifying information on the  
23 non-certified copy of the original birth certificate  
24 released under subsection (e) of this Section by filing a  
25 Birth Parent Preference Form with the Registry. Birth  
26 parents whose birth child was born before January 1, 1946,



1           may communicate their wishes regarding contact by  
2           completing a Birth Parent Preference Form, selecting  
3           Option A, B, C, or D, and filing the form with the  
4           Registry, but may not prohibit the release of identifying  
5           information. All Birth Parent Preference Forms on file with  
6           the Registry at the time of receipt of a Request for a  
7           Non-Certified Copy of an Original Birth Certificate from an  
8           adult adopted or surrendered person or the surviving adult  
9           child, surviving adult grandchild, or surviving spouse of a  
10          deceased adopted or surrendered person shall be forwarded  
11          to the relevant adopted or surrendered person or surviving  
12          adult child, surviving adult grandchild, or surviving  
13          spouse of a deceased adopted or surrendered person along  
14          with a non-certified copy of the adopted or surrendered  
15          person's original birth certificate as outlined in  
16          subsection (e) of this Section.

17          (e) Procedures for requesting a non-certified copy of an  
18          original birth certificate by an adult adopted or surrendered  
19          person or by a surviving adult child, adult grandchild, or  
20          surviving spouse of a deceased adopted or surrendered person:

21                 (1) On or after the effective date of this amendatory  
22          Act of the 96th General Assembly, any adult adopted or  
23          surrendered person who was born in Illinois prior to  
24          January 1, 1946, may complete and file with the Registry a  
25          Request for a Non-Certified Copy of an Original Birth  
26          Certificate. The Registry shall provide such adult adopted

1 or surrendered person with an unaltered, non-certified  
2 copy of his or her original birth certificate upon receipt  
3 of the Request for a Non-Certified Copy of an Original  
4 Birth Certificate. Additionally, in cases where an adopted  
5 or surrendered person born in Illinois prior to January 1,  
6 1946, is deceased, and one of his or her surviving adult  
7 children, adult grandchildren, or his or her surviving  
8 spouse has registered with the Registry, he or she may  
9 complete and file with the Registry a Request for a  
10 Non-Certified Copy of an Original Birth Certificate. The  
11 Registry shall provide such surviving adult child, adult  
12 grandchild, or surviving spouse with an unaltered,  
13 non-certified copy of the adopted or surrendered person's  
14 original birth certificate upon receipt of the Request for  
15 a Non-Certified Copy of an Original Birth Certificate.

16 (2) Beginning November 15, 2011, any adult adopted or  
17 surrendered person who was born in Illinois on or after  
18 January 1, 1946, may complete and file with the Registry a  
19 Request for a Non-certified Copy of an Original Birth  
20 Certificate. Additionally, in cases where the adopted or  
21 surrendered person is deceased and one of his or her  
22 surviving adult children, adult grandchildren, or his or  
23 her surviving spouse has registered with the Registry, he  
24 or she may complete and file with the Registry a Request  
25 for a Non-Certified Copy of an Original Birth Certificate.  
26 Upon receipt of such request from an adult adopted or

1 surrendered person or from one of his or her surviving  
2 adult children, adult grandchildren, or his or her  
3 surviving spouse, the Registry shall:

4 (i) Determine if there is a Denial of Information  
5 Exchange which was filed by a birth parent named on the  
6 original birth certificate prior to January 1, 2011. If  
7 a Denial was filed by a birth parent named on the  
8 original birth certificate prior to January 1, 2011,  
9 and there is no proof of death in the Registry file for  
10 the birth parent who filed said Denial, the Registry  
11 shall inform the requesting adult adopted or  
12 surrendered person or the requesting surviving adult  
13 child, adult grandchild, or surviving spouse of a  
14 deceased adopted or surrendered person that they may  
15 receive a non-certified copy of the original birth  
16 certificate from which all identifying information  
17 pertaining to the birth parent who filed the Denial has  
18 been redacted. A requesting adult adopted or  
19 surrendered person shall also be informed in writing of  
20 his or her right to petition the court for the  
21 appointment of a confidential intermediary pursuant to  
22 Section 18.3a of this Act and, if applicable, to  
23 conduct a search through an agency post-adoption  
24 search program once 5 years have elapsed since the  
25 birth parent filed the Denial of Information Exchange  
26 with the Registry.

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

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

16 (iii) Determine if a birth parent named on the  
17 original birth certificate has filed an Information  
18 Exchange Authorization.

19 (iv) If the Registry has confirmed that a  
20 requesting adult adopted or surrendered person or the  
21 parent of a requesting adult child of a deceased  
22 adopted or surrendered person or the husband or wife of  
23 a requesting surviving spouse was not the object of a  
24 Denial of Information Exchange filed by a birth parent  
25 on or before December 31, 2010, and that no birth  
26 parent named on the original birth certificate has

1 filed a Birth Parent Preference Form where Option E was  
2 selected prior to the receipt of a Request for a  
3 Non-Certified Copy of an Original Birth Certificate,  
4 the Registry shall provide the adult adopted or  
5 surrendered person or his or her surviving adult child  
6 or surviving spouse with an unaltered non-certified  
7 copy of the adopted or surrendered person's original  
8 birth certificate.

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

22 (4) A copy of the original birth certificate shall only  
23 be released to adopted or surrendered persons who were born  
24 in Illinois; to surviving adult children, adult  
25 grandchildren, or surviving spouses of deceased adopted or  
26 surrendered persons who were born in Illinois; or to 2

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

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

19 (6) In cases where a birth parent registered with the  
20 Registry and filed a Medical Information Exchange  
21 Questionnaire prior to the effective date of this  
22 amendatory Act of the 96th General Assembly but gave no  
23 indication as to his or her wishes regarding contact or the  
24 sharing of identifying information, the Registry shall  
25 contact the birth parent by written letter prior to January  
26 1, 2011, and provide him or her with the opportunity to

1 indicate his or her preference regarding contact and the  
2 sharing of identifying information by submitting a Birth  
3 Parent Preference Form to the Registry prior to November 1,  
4 2011.

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

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

18 (9) In cases where a birth parent filed a Denial of  
19 Information Exchange with the Registry prior to January 1,  
20 2011, or filed a Birth Parent Preference Form with the  
21 Registry and selected Option E after January 1, 2011, and a  
22 proof of death for the birth parent who filed the Denial or  
23 the Birth Parent Preference Form has been filed with the  
24 Registry by a confidential intermediary, a surviving  
25 relative of the deceased birth parent, or a birth child of  
26 the deceased birth parent, the Registry shall be authorized



1 to release an unaltered non-certified copy of the original  
2 birth certificate to an adult adopted or surrendered person  
3 or to the surviving adult child, adult grandchild, or  
4 surviving spouse of a deceased adopted or surrendered  
5 person who has filed a Request for a Non-Certified Copy of  
6 the Original Birth Certificate with the Registry.

7 (10) On and after the effective date of this amendatory  
8 Act of the 96th General Assembly, in cases where all birth  
9 parents named on the original birth certificate of an  
10 adopted or surrendered person born after January 1, 1946,  
11 are deceased and copies of death certificates for all birth  
12 parents named on the original birth certificate have been  
13 filed with the Registry by either a confidential  
14 intermediary, a surviving relative of the deceased birth  
15 parent, or a birth child of the deceased birth parent, the  
16 Registry shall be authorized to release a non-certified  
17 copy of the original birth certificate to the adopted or  
18 surrendered person upon receipt of his or her Request for a  
19 Non-Certified Copy of an Original Birth Certificate.

20 (f) A registrant may complete all or any part of the  
21 Illinois Adoption Registry Application. All Illinois Adoption  
22 Registry Applications, Information Exchange Authorizations,  
23 Denials of Information Exchange, requests to revoke an  
24 Information Exchange Authorization or Denial of Information  
25 Exchange, Birth Parent Preference Forms, and affidavits  
26 submitted to the Registry shall be accompanied by proof of

1 identification.

2 (Source: P.A. 96-895, eff. 5-21-10; 97-110, eff. 7-14-11;  
3 97-333, eff. 8-12-11.)

4 (750 ILCS 50/18.2) (from Ch. 40, par. 1522.2)

5 Sec. 18.2. Forms.

6 (a) The Department shall develop the Illinois Adoption  
7 Registry forms as provided in this Section. The General  
8 Assembly shall reexamine the content of the form as requested  
9 by the Department, in consultation with the Registry Advisory  
10 Council. The form of the Birth Parent Registration  
11 Identification Form shall be substantially as follows:

12 BIRTH PARENT REGISTRATION IDENTIFICATION

13 (Insert all known information)

14 I, ....., state that I am the ..... (mother or father) of the  
15 following child:

16 Child's original name: ..... (first) ..... (middle) .....  
17 (last), ..... (hour of birth), ..... (date of birth),  
18 ..... (city and state of birth), ..... (name of  
19 hospital).

20 Father's full name: ..... (first) ..... (middle) .....  
21 (last), ..... (date of birth), ..... (city and state of  
22 birth).

23 Name of mother inserted on birth certificate: ..... (first)  
24 ..... (middle) ..... (last), ..... (race), ..... (date  
25 of birth), ..... (city and state of birth).

1 That I surrendered my child to: ..... (name of agency),  
 2 ..... (city and state of agency), ..... (approximate date  
 3 child surrendered).

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

6 Name of adoptive parents, if known: .....

7 Other identifying information: .....

8 .....

9 (Signature of parent)

10 .....

11 (date) (printed name of parent)

12 (b) The form of the Adopted Person Registration  
 13 Identification shall be substantially as follows:

14 ADOPTED PERSON

15 REGISTRATION IDENTIFICATION

16 (Insert all known information)

17 I, ....., state the following:

18 Adopted Person's present name: ..... (first) .....  
 19 (middle) ..... (last).

20 Adopted Person's name at birth (if known): ..... (first)  
 21 ..... (middle) ..... (last), ..... (birth date), .....  
 22 (city and state of birth), ..... (sex), ..... (race).

23 Name of adoptive father: ..... (first) ..... (middle) .....  
 24 (last), ..... (race).

25 Maiden name of adoptive mother: ..... (first) .....

1 (middle) ..... (last), ..... (race).

2 Name of birth mother (if known): ..... (first) .....

3 (middle) ..... (last), ..... (race).

4 Name of birth father (if known): ..... (first) .....

5 (middle) ..... (last), ..... (race).

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

7 with adoptee (if known): ..... (first) ..... (middle)

8 ..... (last), ..... (race), and name of common birth

9 parent: ..... (first) ..... (middle) ..... (last),

10 ..... (race).

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

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

13 I was adopted in ..... (city and state), ..... (approximate

14 date).

15 Other identifying information: .....

16 .....

17 (signature of adoptee)

18 .....

19 (date) (printed name of adoptee)

20 (c) The form of the Surrendered Person Registration

21 Identification shall be substantially as follows:

22 SURRENDERED PERSON REGISTRATION

23 IDENTIFICATION

24 (Insert all known information)

25 I, ....., state the following:

1 Surrendered Person's present name: ..... (first) .....  
2 (middle) ..... (last).

3 Surrendered Person's name at birth (if known): .....  
4 (first) ..... (middle) ..... (last), .....(birth  
5 date), ..... (city and state of birth), ..... (sex),  
6 ..... (race).

7 Name of guardian father: ..... (first) ..... (middle) .....  
8 (last), ..... (race).

9 Maiden name of guardian mother: ..... (first) .....  
10 (middle) ..... (last), ..... (race).

11 Name of birth mother (if known): ..... (first) .....  
12 (middle) ..... (last) ..... (race).

13 Name of birth father (if known): ..... (first) .....  
14 (middle) ..... (last), .....(race).

15 Name(s) at birth of sibling(s) having a common birth parent  
16 with surrendered person (if known): ..... (first)  
17 ..... (middle) ..... (last), ..... (race), and name of  
18 common birth parent: ..... (first) ..... (middle)  
19 ..... (last), ..... (race).

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

21 I was surrendered for adoption in ..... (city and state), .....  
22 (approximate date).

23 Other identifying information: .....  
24 .....  
25 (signature of surrendered person)  
26 ..... .....

1 (date) (printed name of person  
 2 surrendered for adoption)

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

6 REGISTRATION IDENTIFICATION FORM  
 7 FOR SURVIVING RELATIVES OF DECEASED BIRTH PARENTS

8 (Insert all known information)

9 I, ....., state the following:

10 Name of deceased birth parent at time of surrender:

11 Deceased birth parent's date of birth:

12 Deceased birth parent's date of death:

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

14 .....(first) ..... (middle) ..... (last), .....(birth  
 15 date), ..... (city and state of birth), ..... (sex),  
 16 ..... (race).

17 My relationship to the adopted or surrendered person (check  
 18 one): (birth parent's non-surrendered child) (birth parent's  
 19 sister) (birth parent's brother).

20 If you are a non-surrendered child of the birth parent, provide  
 21 name(s) at birth and age(s) of non-surrendered siblings having  
 22 a common parent with the birth parent. If more than one  
 23 sibling, please give information requested below on reverse  
 24 side of this form. If you are a sibling or parent of the birth

1 parent, provide name(s) at birth and age(s) of the sibling(s)  
 2 of the birth parent. If more than one sibling, please give  
 3 information requested below on reverse side of this form.

4 Name (First) ..... (middle) ..... (last), .....(birth  
 5 date), ..... (city and state of birth), ..... (sex),  
 6 ..... (race).

7 Name(s) of common parent(s) (first) ..... (middle) .....  
 8 (last), .....(race), (first) ..... (middle) .....  
 9 (last), .....(race).

10 My birth sibling/child of my brother/child of my sister/ was  
 11 surrendered for adoption to ..... (name of agency) City and  
 12 state of agency ..... Date .....(approximate) Other  
 13 identifying information ..... (Please note that you must: (i)  
 14 be at least 21 years of age to register; (ii) submit with your  
 15 registration a certified copy of the birth parent's birth  
 16 certificate; (iii) submit a certified copy of the birth  
 17 parent's death certificate; and (iv) if you are a  
 18 non-surrendered birth sibling or a sibling of the deceased  
 19 birth parent, also submit a certified copy of your birth  
 20 certificate with this registration. No application from a  
 21 surviving relative of a deceased birth parent can be accepted  
 22 if the birth parent filed a Denial of Information Exchange  
 23 prior to his or her death.)

24 .....  
 25 (signature of birth parent's surviving relative)

1 .....  
 2 (date) (printed name of birth  
 3 parent's surviving relative)

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

7 REGISTRATION IDENTIFICATION FORM FOR  
 8 SURVIVING RELATIVES OF DECEASED ADOPTED OR SURRENDERED PERSONS  
 9 (Insert all known information)

10 I, ....., state the following:

11 Adopted or surrendered person's name at birth (if known):  
 12 (first) ..... (middle) ..... (last), .....(birth  
 13 date), ..... (city and state of birth), ..... (sex),  
 14 ..... (race).

15 Adopted or surrendered person's date of death:

16 My relationship to the deceased adopted or surrendered  
 17 person(check one): (adoptive mother) (adoptive father) (adult  
 18 child) (surviving spouse).

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

24 Name (first) ..... (middle) ..... (last), .....(birth  
 25 date), ..... (city and state of birth), ..... (sex),





1 (date) (printed name of adopted  
2 person's surviving relative)

3 (d) The form of the Information Exchange Authorization  
4 shall be substantially as follows:

5 INFORMATION EXCHANGE AUTHORIZATION

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

17  1. Only my name and last known address.

18  2. A copy of my Illinois Adoption Registry  
19 Application.

20  3. A non-certified copy of the adopted or  
21 surrendered person's original certificate of live birth  
22 (check only if you are an adopted or surrendered person or  
23 the surviving adult child or surviving spouse of a deceased  
24 adopted or surrendered person).

25  4. A copy of my completed medical questionnaire.

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

9 NOTE: New IARMIE registrants who do not complete a Medical  
 10 Information Exchange Questionnaire and release a copy of their  
 11 questionnaire to at least one Registry applicant must pay a \$15  
 12 registration fee.

13 Dated (insert date).

14 .....  
 15 (signature)

16 (e) The form of the Denial of Information Exchange shall be  
 17 substantially as follows:

18 DENIAL OF INFORMATION EXCHANGE

19 I, ....., state that I am the person who completed the  
 20 Registration Identification; that I am of the age of .....  
 21 years; that I hereby instruct the Department of Public Health  
 22 not to give any identifying information about me to the  
 23 following person(s) (birth mother) (birth father) (birth  
 24 sibling) (adopted or surrendered person) (adoptive mother)  
 25 (adoptive father) (legal guardian of an adopted or surrendered

1 person) (birth aunt) (birth uncle) (adult child of a deceased  
2 adopted or surrendered person) (surviving spouse of a deceased  
3 adopted or surrendered person) (all eligible relatives).

4 I do/do not (circle appropriate response) authorize the  
5 Registry to release a copy of my completed Medical Information  
6 Exchange Questionnaire to qualified Registry applicants. NOTE:  
7 New IARMIE registrants who do not complete a Medical  
8 Information Exchange Questionnaire and release a copy of their  
9 questionnaire to at least one Registry applicant must pay a \$15  
10 registration fee. Birth parents filing a Denial of Information  
11 Exchange are advised that, under Illinois law, an adult adopted  
12 person may initiate a search for a birth parent who has filed a  
13 Denial of Information Exchange or Birth Parent Preference Form  
14 on which Option E was selected through the State confidential  
15 intermediary program once 5 years have elapsed since the filing  
16 of the Denial of Information Exchange or Birth Parent  
17 Preference Form.

18 Dated (insert date).

19 .....

20 (signature)

21 (f) The form of the Birth Parent Preference Form shall be  
22 substantially as follows:

23 In recognition of the basic right of all persons to access  
24 their birth records, Illinois law now provides for the release  
25 of original birth certificates to adopted and surrendered

1 persons 21 years of age or older upon request. While many birth  
2 parents are comfortable sharing their identities or initiating  
3 contact with their birth sons and daughters once they have  
4 reached adulthood, Illinois law also recognizes that there may  
5 be unique situations where a birth parent might have a  
6 compelling reason for not wishing to establish contact with a  
7 birth son or birth daughter or for not wishing to release  
8 identifying information that appears on the original birth  
9 certificate of a birth son or birth daughter who has reached  
10 adulthood. The Illinois Adoption Registry and Medical  
11 Information Exchange (IARMIE) has therefore established the  
12 attached form to allow birth parents to express their  
13 preferences regarding contact; and, if their birth child was  
14 born on or after January 1, 1946, to express their wishes  
15 regarding the sharing of identifying information listed on the  
16 original birth certificate with an adult adopted or surrendered  
17 person who has reached the age of 21 or his or her surviving  
18 relatives.

19 In selecting one of the 5 options below, birth parents  
20 should keep in mind that the decision to deny an adult adopted  
21 or surrendered person access to identifying information on his  
22 or her original birth record and/or information about  
23 genetically-transmitted diseases is an important decision that  
24 may impact the adopted or surrendered person's life in many  
25 ways. A request for anonymity on this form only pertains to  
26 information that is provided to an adult adopted or surrendered

1 person or his or her surviving relatives through the Registry.  
2 This will not prevent the disclosure of identifying information  
3 that may be available to the adoptee through his or her  
4 adoptive parents and/or other means available to him or her.  
5 Birth parents who would prefer not to be contacted by their  
6 surrendered son or daughter are strongly urged to complete both  
7 the Non-Identifying Information Section included on the final  
8 page of the attached form and the Medical Questionnaire in  
9 order to provide their surrendered son or daughter with the  
10 background information he or she may need to better understand  
11 his or her origins. Birth parents whose birth son or birth  
12 daughter is under 21 years of age at the time of the completion  
13 of this form are reminded that no original birth certificate  
14 will be released by the IARMIE before an adoptee has reached  
15 the age of 21. Should you need additional assistance in  
16 completing this form, please contact the agency that handled  
17 the adoption, if applicable, or the Illinois Adoption Registry  
18 and Medical Information Exchange at 877-323-5299.

19 After careful consideration, I have made the following  
20 decision regarding contact with my birth son/birth daughter,  
21 (insert birth son's/birth daughter's name at birth, if  
22 applicable) ....., who was born in (insert city/town of birth)  
23 ..... on (insert date of birth)..... and the release of my  
24 identifying information as it appears on his/her original birth  
25 certificate when he/she reaches the age of 21, and I have  
26 chosen Option ..... (insert A, B, C, D, or E, as applicable).

1 I realize that this form must be accompanied by a completed  
 2 IARMIE application form as well as a Medical Information  
 3 Exchange Questionnaire or the \$15 registration fee. I am also  
 4 aware that I may revoke this decision at any time by completing  
 5 a new Birth Parent Preference Form and filing it with the  
 6 IARMIE. I understand that it is my responsibility to update the  
 7 IARMIE with any changes to contact information provided below.  
 8 I also understand that, while preferences regarding the release  
 9 of identifying information through the Registry are binding  
 10 unless the law should change in the future, any selection I  
 11 have made regarding my preferred method of contact is not.

12 .....  
 13 (Signature/Date)

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

16 Option A. My birth son or birth daughter was born on or after  
 17 January 1, 1946, and I agree to the release of my identifying  
 18 information as it appears on my birth son's/birth daughter's  
 19 original birth certificate, OR my birth son or birth daughter  
 20 was born prior to January 1, 1946. I would welcome direct  
 21 contact with my birth son/birth daughter when he or she has  
 22 reached the age of 21. In addition, before my birth son or  
 23 birth daughter has reached the age of 21 or in the event of his  
 24 or her death, I would welcome contact with the following

1 relatives of my birth child (circle all that apply): adoptive  
 2 mother, adoptive father, surviving spouse, surviving adult  
 3 child. I wish to be contacted at the following mailing address,  
 4 email address or phone number:

5 .....  
 6 .....  
 7 .....  
 8 .....

9 (Signature/Date)

10 Option B. My birth son or birth daughter was born on or after  
 11 January 1, 1946, and I agree to the release of my identifying  
 12 information as it appears on my birth son's/birth daughter's  
 13 original birth certificate, OR my birth son or birth daughter  
 14 was born prior to January 1, 1946. I would welcome contact with  
 15 my birth son/birth daughter when he or she has reached the age  
 16 of 21. In addition, before my birth son or birth daughter has  
 17 reached the age of 21 or in the event of his or her death, I  
 18 would welcome contact with the following relatives of my birth  
 19 child (circle all that apply): adoptive mother, adoptive  
 20 father, surviving spouse, surviving adult child. I would prefer  
 21 to be contacted through the following person. (Insert name and  
 22 mailing address, email address or phone number of chosen  
 23 contact person.)

24 .....  
 25 .....



1 (Signature/Date)

2 Option C. My birth son or birth daughter was born on or after  
3 January 1, 1946, and I agree to the release of my identifying  
4 information as it appears on my birth son's/birth daughter's  
5 original birth certificate, OR my birth son or birth daughter  
6 was born prior to January 1, 1946. I would welcome contact with  
7 my birth son/birth daughter when he or she has reached the age  
8 of 21. In addition, before my birth son or birth daughter has  
9 reached the age of 21 or in the event of his or her death, I  
10 would welcome contact with the following relatives of my birth  
11 child (circle all that apply): adoptive mother, adoptive  
12 father, surviving spouse, surviving adult child. I would prefer  
13 to be contacted through the Illinois Confidential Intermediary  
14 Program (please call 800-526-9022 for additional information)  
15 or through the agency that handled the adoption. (Insert agency  
16 name, address and phone number, if applicable.)

17 .....  
18 .....

19 (Signature/Date)

20 Option D. My birth son or birth daughter was born on or after  
21 January 1, 1946, and I agree to the release of my identifying  
22 information as it appears on my birth son's/birth daughter's  
23 original birth certificate when he or she has reached the age  
24 of 21, OR my birth son or birth daughter was born prior to

1 January 1, 1946. I would prefer not to be contacted by my birth  
2 son/birth daughter or his or her adoptive parents or surviving  
3 relatives.

4 .....  
5 (Signature/Date)

6 Option E. My birth son or birth daughter was born on or after  
7 January 1, 1946, and I wish to prohibit the release of my  
8 (circle ALL applicable options) first name, last name, last  
9 known address, birth son/birth daughter's last name (if last  
10 name listed is same as mine), as they appear on my birth  
11 son's/birth daughter's original birth certificate and do not  
12 wish to be contacted by my birth son/birth daughter when he or  
13 she has reached the age of 21. If there were any special  
14 circumstances that played a role in your decision to remain  
15 anonymous which you would like to share with your birth  
16 son/birth daughter, please list them in the space provided  
17 below (optional).

18 .....  
19 .....

20 I understand that, although I have chosen to prohibit the  
21 release of my identity on the non-certified copy of the  
22 original birth certificate released to my birth son/birth  
23 daughter, he or she may request that a court-appointed  
24 confidential intermediary contact me to request updated  
25 medical information and/or confirm my desire to remain

1 anonymous once 5 years have elapsed since the signing of this  
 2 form; at the time of this subsequent search, I wish to be  
 3 contacted through the person named below. (Insert in blank area  
 4 below the name and phone number of the contact person, or leave  
 5 it blank if you wish to be contacted directly.) I also  
 6 understand that this request for anonymity shall expire upon my  
 7 death.

8 .....  
 9 .....

10 (Signature/Date)

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

25 Non-Identifying Information Section

1 I wish to voluntarily provide the following non-identifying  
2 information to my birth son or birth daughter:

3 My age at the time of my child's birth was .....

4 My race is best described as: .....

5 My height is: .....

6 My body type is best described as (circle one): slim, average,  
7 muscular, a few extra pounds, or more than a few extra pounds.

8 My natural hair color is/was: .....

9 My eye color is: .....

10 My religion is best described as: .....

11 My ethnic background is best described as: .....

12 My educational level is closest to (circle applicable  
13 response): completed elementary school, graduated from  
14 high school, attended college, earned bachelor's degree,  
15 earned master's degree, earned doctoral degree.

16 My occupation is best described as .....

17 My hobbies include .....

18 My interests include .....

19 My talents include .....

20 In addition to my surrendered son or daughter, I also  
21 am the biological parent of (insert number) ..... boys and  
22 (insert number) ..... girls, of whom (insert number) .....  
23 are still living.

24 The relationship between me and my child's birth mother/birth  
25 father would best be described as (circle appropriate  
26 response): husband and wife, ex-spouses, boyfriend and

1 girlfriend, casual acquaintances, other (please specify)  
2 .....

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

5 REQUEST FOR A NON-CERTIFIED COPY OF AN ORIGINAL BIRTH  
6 CERTIFICATE

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

25 Dated (insert date).

26 .....

1 (signature)

2 (h) Any Information Exchange Authorization, Denial of  
3 Information Exchange, or Birth Parent Preference Form filed  
4 with the Registry, or Request for a Non-Certified Copy of an  
5 Original Birth Certificate filed with the Registry by a  
6 surviving adult child or surviving spouse of a deceased adopted  
7 or surrendered person, shall be acknowledged by the person who  
8 filed it before a notary public, in form substantially as  
9 follows:

10 State of .....

11 County of .....

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

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

20 .....

21 (signature)

22 (i) When the execution of an Information Exchange  
23 Authorization, Denial of Information Exchange, or Birth Parent  
24 Preference Form or Request for a Non-Certified Copy of an

1 Original Birth Certificate completed by a surviving adult child  
 2 or surviving spouse of a deceased adopted or surrendered person  
 3 is acknowledged before a representative of an agency, such  
 4 representative shall have his signature on said Certificate  
 5 acknowledged before a notary public, in form substantially as  
 6 follows:

7 State of.....

8 County of.....

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

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

17 .....  
 18 (signature)

19 (j) When an Illinois Adoption Registry Application,  
 20 Information Exchange Authorization, Denial of Information  
 21 Exchange, Birth Parent Preference Form, or Request for a  
 22 Non-Certified Copy of an Original Birth Certificate completed  
 23 by a surviving adult child or surviving spouse of a deceased  
 24 adopted or surrendered person is executed in a foreign country,  
 25 the execution of such document shall be acknowledged or

1 affirmed before an officer of the United States consular  
2 services.

3 (k) If the person signing an Information Exchange  
4 Authorization, Denial of Information, Birth Parent Preference  
5 Form, or Request for a Non-Certified Copy of an Original Birth  
6 Certificate completed by a surviving adult child or surviving  
7 spouse of a deceased adopted or surrendered person is in the  
8 military service of the United States, the execution of such  
9 document may be acknowledged before a commissioned officer and  
10 the signature of such officer on such certificate shall be  
11 verified or acknowledged before a notary public or by such  
12 other procedure as is then in effect for such division or  
13 branch of the armed forces.

14 (l) An adopted or surrendered person, surviving adult  
15 child, adult grandchild, or surviving spouse who completes a  
16 Request For a Non-Certified Copy of the Original Birth  
17 Certificate shall meet the same filing requirements and pay the  
18 same filing fees as a non-adopted person seeking to obtain a  
19 copy of his or her original birth certificate.

20 (Source: P.A. 96-895, eff. 5-21-10; 97-110, eff. 7-14-11.)

21 (750 ILCS 50/18.3a) (from Ch. 40, par. 1522.3a)

22 Sec. 18.3a. Confidential intermediary.

23 (a) General purposes. Notwithstanding any other provision  
24 of this Act,

25 (1) any adopted or surrendered person 21 years of age



1 or over; or ~~7~~

2 (2) any adoptive parent or legal guardian of an adopted  
3 or surrendered person under the age of 21; or ~~7~~

4 (3) ~~or~~ any birth parent of an adopted or surrendered  
5 person who is 21 years of age or over; or

6 (4) any adult child or adult grandchild of a deceased  
7 adopted or surrendered person; or

8 (5) any adoptive parent or surviving spouse of a  
9 deceased adopted or surrendered person; or

10 (6) any adult birth sibling of the adult adopted or  
11 surrendered person unless the birth parent has checked  
12 Option E on the Birth Parent Preference Form or has filed a  
13 Denial of Information Exchange with the Registry and is not  
14 deceased; or

15 (7) any adult adopted birth sibling of an adult adopted  
16 or surrendered person; or

17 (8) any adult birth sibling of the birth parent if the  
18 birth parent is deceased

19 may petition the court in any county in the State of Illinois  
20 for appointment of a confidential intermediary as provided in  
21 this Section for the purpose of exchanging medical information  
22 with one or more mutually consenting biological relatives,  
23 obtaining identifying information about one or more mutually  
24 consenting biological relatives, or arranging contact with one  
25 or more mutually consenting biological relatives. The  
26 petitioner ~~Additionally, in cases where an adopted or~~

1 ~~surrendered person is deceased, an adult child of the adopted~~  
2 ~~or surrendered person or his or her adoptive parents or~~  
3 ~~surviving spouse may file a petition under this Section and in~~  
4 ~~cases where the birth parent is deceased, an adult birth~~  
5 ~~sibling of the adopted or surrendered person or of the deceased~~  
6 ~~birth parent may file a petition under this Section for the~~  
7 ~~purpose of exchanging medical information with one or more~~  
8 ~~mutually consenting biological relatives of the adopted or~~  
9 ~~surrendered person, obtaining identifying information about~~  
10 ~~one or more mutually consenting biological relatives of the~~  
11 ~~adopted or surrendered person, or arranging contact with one or~~  
12 ~~more mutually consenting biological relatives of the adopted or~~  
13 ~~surrendered person. Beginning January 1, 2006, any adopted or~~  
14 ~~surrendered person 21 years of age or over; any adoptive parent~~  
15 ~~or legal guardian of an adopted or surrendered person under the~~  
16 ~~age of 21; any birth parent, birth sibling, birth aunt, or~~  
17 ~~birth uncle of an adopted or surrendered person over the age of~~  
18 ~~21; any surviving child, adoptive parent, or surviving spouse~~  
19 ~~of a deceased adopted or surrendered person who wishes to~~  
20 ~~petition the court for the appointment of a confidential~~  
21 ~~intermediary shall be required to accompany his or her ~~their~~~~  
22 ~~petition with proof of registration with the Illinois Adoption~~  
23 ~~Registry and Medical Information Exchange.~~

24 (b) Petition. Upon petition, by an adopted or surrendered  
25 ~~person 21 years of age or over (an "adult adopted or~~  
26 ~~surrendered person"), an adoptive parent or legal guardian of~~

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

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

24 (d) Fees and expenses. The court shall not condition the  
25 appointment of the confidential intermediary on the payment of  
26 the intermediary's fees and expenses in advance of the

1 commencement of the work of the confidential intermediary. No  
2 fee shall be charged if the petitioner is an adult adopted or  
3 surrendered person and the sought-after relative is a birth  
4 parent who filed or who did not file a Denial with the Registry  
5 prior to January 1, 2011, or filed a Birth Parent Preference  
6 Form on which Option E was selected after January 1, 2011 and  
7 more than 5 years have transpired since the birth parent filed  
8 the Denial of Information Exchange or Birth Parent Preference  
9 Form on which Option E was selected.

10 (e) Eligibility of intermediary. The court may appoint as  
11 confidential intermediary any person certified by the  
12 Department of Children and Family Services as qualified to  
13 serve as a confidential intermediary. Certification shall be  
14 dependent upon the confidential intermediary completing a  
15 course of training including, but not limited to, applicable  
16 federal and State privacy laws.

17 (f) (Blank).

18 (g) Confidential intermediary access to information  
19 ~~Access~~. Subject to the limitations of subsection (i) of this  
20 Section, the confidential intermediary shall have access to  
21 vital records ~~or a comparable public entity that maintains~~  
22 ~~vital records in another state in accordance with that state's~~  
23 ~~laws,~~ maintained by the Department of Public Health and its  
24 local designees for the maintenance of vital records, or a  
25 comparable public entity that maintains vital records in  
26 another state in accordance with that state's laws, and all

1 records of the court or any adoption agency, public or private,  
2 as limited in this Section, which relate to the adoption or the  
3 identity and location of an adopted or surrendered person, of  
4 an adult child or surviving spouse of a deceased adopted or  
5 surrendered person, or of a birth parent, birth sibling, or the  
6 sibling of a deceased birth parent. The confidential  
7 intermediary shall not have access to any personal health  
8 information protected by the Standards for Privacy of  
9 Individually Identifiable Health Information adopted by the  
10 U.S. Department of Health and Human Services under the Health  
11 Insurance Portability and Accountability Act of 1996 unless the  
12 confidential intermediary has obtained written consent from  
13 the person whose information is being sought by an adult  
14 adopted or surrendered person or, if that person is a minor  
15 child, that person's parent or guardian. Confidential  
16 intermediaries shall be authorized to inspect confidential  
17 relinquishment and adoption records. The confidential  
18 intermediary shall not be authorized to access medical records,  
19 financial records, credit records, banking records, home  
20 studies, attorney file records, or other personal records. In  
21 cases where a birth parent is being sought, an adoption agency  
22 shall inform the confidential intermediary of any statement  
23 filed pursuant to Section 18.3, hereinafter referred to as "the  
24 18.3 statement", indicating a desire of the surrendering birth  
25 parent to have identifying information shared or to not have  
26 identifying information shared. ~~If there was a clear statement~~

1 ~~of intent by the sought-after birth parent not to have~~  
2 ~~identifying information shared, the confidential intermediary~~  
3 ~~shall discontinue the search and inform the petitioning party~~  
4 ~~of the sought-after relative's intent unless the birth parent~~  
5 ~~filed the 18.3 statement prior to the effective date of this~~  
6 ~~amendatory Act of the 96th General Assembly and more than 5~~  
7 ~~years have elapsed since the filing of the 18.3 statement. If~~  
8 ~~the adult adopted or surrendered person is the subject of an~~  
9 ~~18.3 statement indicating a desire not to establish contact~~  
10 ~~which was filed more than 5 years prior to the search request,~~  
11 ~~the confidential intermediary shall confirm the petitioner's~~  
12 ~~desire to continue the search.~~ Information provided to the  
13 confidential intermediary by an adoption agency shall be  
14 restricted to the full name, date of birth, place of birth,  
15 last known address, last known telephone number of the  
16 sought-after relative or, if applicable, of the children or  
17 siblings of the sought-after relative, and the 18.3 statement.  
18 If the petitioner is an adult adopted or surrendered person or  
19 the adoptive parent of a minor and if the petitioner has signed  
20 a written authorization to disclose personal medical  
21 information, an adoption agency disclosing information to a  
22 confidential intermediary shall disclose available medical  
23 information about the adopted or surrendered person from birth  
24 through adoption.

25 (h) Missing or lost original birth certificate; remedy.  
26 Disclosure of information by the confidential intermediary

1 shall be consistent with the public policy and intent of laws  
2 granting original birth certificate access as expressed in  
3 Section 18.04 of this Act. The confidential intermediary shall  
4 comply with the following procedures in disclosing information  
5 to the petitioners:

6 (1) If the petitioner is an adult adopted or  
7 surrendered person, or the adult child, adult grandchild,  
8 or surviving spouse of a deceased adopted or surrendered  
9 person, the confidential intermediary shall disclose:

10 (A) identifying information about the birth parent  
11 of the adopted person which, in the ordinary course of  
12 business, would have been reflected on the original  
13 filed certificate of birth, as of the date of birth,  
14 only if:

15 (i) the adopted person was born before January  
16 1, 1946 and the petitioner has requested a  
17 non-certified copy of the adopted person's  
18 original birth certificate under Section 18.1 of  
19 this Act, and the Illinois Department of Public  
20 Health has issued a certification that the  
21 original birth certificate was not found, or the  
22 petitioner has presented the confidential  
23 intermediary with the non-certified copy of the  
24 original birth certificate which omits the name of  
25 the birth parent;

26 (ii) the adopted person was born after January

1           1, 1946, and the petitioner has requested a  
2           non-certified copy of the adopted person's  
3           original birth certificate under Section 18.1 of  
4           this Act and the Illinois Department of Public  
5           Health has issued a certification that the  
6           original birth certificate was not found.

7           In providing information pursuant to this  
8           subdivision (h)(1)(A), the confidential intermediary  
9           shall expressly inform the petitioner in writing that  
10           since the identifying information is not from an  
11           official original certificate of birth filed pursuant  
12           to the Vital Records Act, the confidential  
13           intermediary cannot attest to the complete accuracy of  
14           the information and the confidential intermediary  
15           shall not be liable if the information disclosed is not  
16           accurate. Only information from the court files shall  
17           be provided to the petitioner in this Section. If the  
18           identifying information concerning a birth father is  
19           sought by the petitioner, the confidential  
20           intermediary shall disclose only the identifying  
21           information of the birth father as defined in Section  
22           18.06 of this Act;

23           (B) the name of the child welfare agency which had  
24           legal custody of the surrendered person or  
25           responsibility for placing the surrendered person and  
26           any available contact information for such agency;



1           (C) the name of the state in which the surrender  
2           occurred or in which the adoption was finalized; and

3           (D) any information for which the sought-after  
4           relative has provided his or her consent to disclose  
5           under paragraphs (1) through (4) of subsection (i) of  
6           this Section.

7           (2) If the petitioner is an adult adopted or  
8           surrendered person, or the adoptive parent of an adult  
9           adopted or surrendered person under the age of 21, or the  
10           adoptive parent of a deceased adopted or surrendered  
11           person, the confidential intermediary shall provide, in  
12           addition to the information listed in paragraph (1) of this  
13           subsection (h):

14           (A) any information which the adoption agency  
15           provides pursuant to subsection (i) of this Section  
16           pertaining to medical information about the adopted or  
17           surrendered person; and

18           (B) any non-identifying information, as defined in  
19           Section 18.4 of this Act, that is obtained during the  
20           search.

21           (3) If the petitioner is not defined in paragraph (1)  
22           or (2) of this subsection, the confidential intermediary  
23           shall provide to the petitioner:

24           (A) any information for which the sought-after  
25           relative has provided his or her consent under  
26           paragraphs (1) through (4) of subsection (i) of this

1           Section;

2                   (B) the name of the child welfare agency which had  
3           legal custody of the surrendered person or  
4           responsibility for placing the surrendered person and  
5           any available contact information for such agency; and

6                   (C) the name of the state in which the surrender  
7           occurred or in which the adoption was finalized.

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

16           (h-5) Disclosure of information shall be made by the  
17           confidential intermediary at any time from the appointment of  
18           the confidential intermediary and the court's issuance of an  
19           order of dismissal.

20           (i) Duties of confidential intermediary in conducting a  
21           search. In conducting a search under this Section, the  
22           confidential intermediary shall first determine whether  
23           ~~confirm that~~ there is a ~~no~~ Denial of Information Exchange or a  
24           Birth Parent Preference Form with Option E selected or an 18.3  
25           statement referenced in subsection (g) of this Section on file  
26           with the Illinois Adoption Registry. ~~If the petitioner is an~~

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

1 ~~Information Exchange or a Birth Parent Preference Form with~~  
2 ~~Option E selected with the Registry during his or her life. If~~  
3 ~~the confidential intermediary learns that a sought after birth~~  
4 ~~parent signed an 18.3 statement indicating his or her intent~~  
5 ~~not to have identifying information shared, and did not later~~  
6 ~~file an Information Exchange Authorization or a Birth Parent~~  
7 ~~Preference Form with the Registry, the confidential~~  
8 ~~intermediary shall discontinue the search and inform the~~  
9 ~~petitioning party of the birth parent's intent, unless the~~  
10 ~~petitioner is an adult adopted or surrendered person and 5~~  
11 ~~years or more have elapsed since the birth parent signed the~~  
12 ~~statement indicating his or her intent not to have identifying~~  
13 ~~information shared. In cases where the birth parent filed a~~  
14 ~~Denial of Information Exchange or Birth Parent Preference Form~~  
15 ~~where Option E was selected, or statement indicating his or her~~  
16 ~~intent not to have identifying information shared less than 5~~  
17 ~~years prior to the search request and the petitioner is an~~  
18 ~~adult adopted or surrendered person, the confidential~~  
19 ~~intermediary shall inform the petitioner of the need to~~  
20 ~~discontinue the search until 5 years have elapsed since the~~  
21 ~~Denial of Information Exchange or Birth Parent Preference Form~~  
22 ~~where Option E was selected, or statement was filed; in cases~~  
23 ~~where~~ a birth parent was previously the subject of a search  
24 through the State confidential intermediary program, the  
25 confidential intermediary shall inform the petitioner of the  
26 need to discontinue the search until 10 years or more have

1 elapsed since the initial search was closed. In cases where a  
2 birth parent has been the object of 2 searches through the  
3 State confidential intermediary program, no subsequent search  
4 for the birth parent shall be authorized absent a court order  
5 to the contrary.

6 In conducting a search under this Section, the confidential  
7 intermediary shall attempt to locate the relative or relatives  
8 from whom the petitioner has requested information. If the  
9 sought-after relative is deceased or cannot be located after a  
10 diligent search, the confidential intermediary may contact  
11 other adult relatives of the sought-after relative.

12 The confidential intermediary shall contact a sought-after  
13 relative on behalf of the petitioner in a manner that respects  
14 the sought-after relative's privacy and shall inform the  
15 sought-after relative of the petitioner's request for medical  
16 information, identifying information or contact as stated in  
17 the petition. Based upon the terms of the petitioner's request,  
18 the confidential intermediary shall contact a sought-after  
19 relative on behalf of the petitioner and inform the  
20 sought-after relative of the following options:

21 (1) The sought-after relative may totally reject one or  
22 all of the requests for medical information, identifying  
23 information or contact. The sought-after relative shall be  
24 informed that they can provide a medical questionnaire to  
25 be forwarded to the petitioner without releasing any  
26 identifying information. The confidential intermediary

1 shall inform the petitioner of the sought-after relative's  
2 decision to reject the sharing of information or contact.

3 (2) The sought-after relative may consent to  
4 completing a medical questionnaire only. In this case, the  
5 confidential intermediary shall provide the questionnaire  
6 and ask the sought-after relative to complete it. The  
7 confidential intermediary shall forward the completed  
8 questionnaire to the petitioner and inform the petitioner  
9 of the sought-after relative's desire to not provide any  
10 additional information.

11 (3) The sought-after relative may communicate with the  
12 petitioner without having his or her identity disclosed. In  
13 this case, the confidential intermediary shall arrange the  
14 desired communication in a manner that protects the  
15 identity of the sought-after relative. The confidential  
16 intermediary shall inform the petitioner of the  
17 sought-after relative's decision to communicate but not  
18 disclose his or her identity.

19 (4) The sought-after relative may consent to initiate  
20 contact with the petitioner. The ~~If both the petitioner and~~  
21 ~~the sought-after relative or relatives are eligible to~~  
22 ~~register with the Illinois Adoption Registry, the~~  
23 ~~confidential intermediary shall provide the necessary~~  
24 ~~application forms and request that the sought-after~~  
25 ~~relative register with the Illinois Adoption Registry. If~~  
26 ~~either the petitioner or the sought after relative or~~

1 ~~relatives are ineligible to register with the Illinois~~  
 2 ~~Adoption Registry, the~~ confidential intermediary shall  
 3 obtain written consents from both parties that they wish to  
 4 disclose their identities to each other and to have contact  
 5 with each other.

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

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

13 (2) I recognize that violation of this oath subjects me  
 14 to civil liability and to a potential finding of contempt  
 15 of court. ....

16 SUBSCRIBED AND SWORN to before me, a Notary Public, on (insert  
 17 date)

18 ....."

19 (k) Sanctions.

20 (1) Any confidential intermediary who improperly  
 21 discloses confidential information identifying a  
 22 sought-after relative shall be liable to the sought-after  
 23 relative for damages and may also be found in contempt of  
 24 court.

25 (2) Any person who learns a sought-after relative's  
 26 identity, directly or indirectly, through the use of

1 procedures provided in this Section and who improperly  
2 discloses information identifying the sought-after  
3 relative shall be liable to the sought-after relative for  
4 actual damages plus minimum punitive damages of \$10,000.

5 (3) The Department shall fine any confidential  
6 intermediary who improperly discloses confidential  
7 information in violation of item (1) or (2) of this  
8 subsection (k) an amount up to \$2,000 per improper  
9 disclosure. This fine does not affect civil liability under  
10 item (2) of this subsection (k). The Department shall  
11 deposit all fines and penalties collected under this  
12 Section into the Illinois Adoption Registry and Medical  
13 Information Fund.

14 (1) Death of person being sought. Notwithstanding any other  
15 provision of this Act, if the confidential intermediary  
16 discovers that the person being sought has died, he or she  
17 shall report this fact to the court, along with a copy of the  
18 death certificate. If the sought-after relative is a birth  
19 parent, the confidential intermediary shall also forward a copy  
20 of the birth parent's death certificate, if available, to the  
21 Registry for inclusion in the Registry file.

22 (m) Any confidential information obtained by the  
23 confidential intermediary during the course of his or her  
24 search shall be kept strictly confidential and shall be used  
25 for the purpose of arranging contact between the petitioner and  
26 the sought-after birth relative. At the time the case is



1 closed, all identifying information shall be returned to the  
2 court for inclusion in the impounded adoption file.

3 (n) (Blank). ~~If the petitioner is an adopted or surrendered~~  
4 ~~person 21 years of age or over or the adoptive parent or legal~~  
5 ~~guardian of an adopted or surrendered person under the age of~~  
6 ~~21, any non identifying information, as defined in Section~~  
7 ~~18.4, that is ascertained during the course of the search may~~  
8 ~~be given in writing to the petitioner at any time during the~~  
9 ~~search before the case is closed.~~

10 (o) Except as provided in subsection (k) of this Section,  
11 no liability shall accrue to the State, any State agency, any  
12 judge, any officer or employee of the court, any certified  
13 confidential intermediary, or any agency designated to oversee  
14 confidential intermediary services for acts, omissions, or  
15 efforts made in good faith within the scope of this Section.

16 (p) An adoption agency that has received a request from a  
17 confidential intermediary for the full name, date of birth,  
18 last known address, or last known telephone number of a  
19 sought-after relative pursuant to subsection (g) of Section  
20 18.3a, or for medical information regarding a sought-after  
21 relative pursuant to subsection (h) of Section 18.3a, must  
22 satisfactorily comply with this court order within a period of  
23 45 days. The court shall order the adoption agency to reimburse  
24 the petitioner in an amount equal to all payments made by the  
25 petitioner to the confidential intermediary, and the adoption  
26 agency shall be subject to a civil monetary penalty of \$1,000

1 to be paid to the Department of Children and Family Services.  
2 Following the issuance of a court order finding that the  
3 adoption agency has not complied with Section 18.3, the  
4 adoption agency shall be subject to a monetary penalty of \$500  
5 per day for each subsequent day of non-compliance. Proceeds  
6 from such fines shall be utilized by the Department of Children  
7 and Family Services to subsidize the fees of petitioners as  
8 referenced in subsection (d) of this Section.

9 (q) (Blank). ~~Provide information to eligible petitioner.  
10 The confidential intermediary may provide to eligible  
11 petitioners as described in subsections (a) and (b) of this  
12 Section, the name of the child welfare agency which had legal  
13 custody of the surrendered person or responsibility for placing  
14 the surrendered person and any available contact information  
15 for such agency. In addition, the confidential intermediary may  
16 provide to such petitioners the name of the state in which the  
17 surrender occurred or in which the adoption was finalized.~~

18 Any reimbursements and fines, notwithstanding any  
19 reimbursement directly to the petitioner, paid under this  
20 subsection are in addition to other remedies a court may  
21 otherwise impose by law.

22 The Department of Children and Family Services shall submit  
23 reports to the Adoption Registry-Confidential Intermediary  
24 Advisory Council by July 1 and January 1 of each year in order  
25 to report the penalties assessed and collected under this  
26 subsection, the amounts of related deposits into the DCFS

1 Children's Services Fund, and any expenditures from such  
2 deposits.

3 (Source: P.A. 96-661, eff. 8-25-09; 96-895, eff. 5-21-10;  
4 97-110, eff. 7-14-11; 97-1063, eff. 1-1-13.)