

1 AN ACT concerning civil law.

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

4 Section 5. The Adoption Act is amended by changing Sections
5 18.04, 18.05, 18.06, 18.07, 18.1, 18.1a, 18.1b, 18.2, 18.3,
6 18.3a, 18.5, and 18.6 as follows:

7 (750 ILCS 50/18.04)

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

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

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

13 (750 ILCS 50/18.05)

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

16 (a) General function. Subject to appropriation, the
17 Department of Public Health shall administer the Illinois
18 Adoption Registry and Medical Information Exchange in the
19 manner outlined in subsections (b) and (c) for the purpose of
20 facilitating the voluntary exchange of identifying and medical
21 information between mutually consenting members of birth and
22 adoptive families. The Department shall establish rules for the
23 confidential operation of the Illinois Adoption Registry. The
24 Department shall appoint an OBC-Access Public Information
25 Campaign Oversight Committee comprised of, but not limited to,

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

21 (1) Public service announcements to be distributed to local
22 and national radio and television stations.

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

1 law.

2 (3) An informational website exclusively devoted to
3 providing the general public with information about the new law
4 as well as other forms of free electronic media.

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

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

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

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

16 ~~conduct a public information campaign through public service~~
17 ~~announcements and other forms of media coverage and, until~~
18 ~~December 31, 2010, through notices enclosed with driver's~~
19 ~~license renewal applications, shall inform the public of the~~
20 ~~Illinois Adoption Registry and Medical Information Exchange.~~

21 The Illinois Adoption Registry shall also maintain an
22 informational Internet site where interested parties may
23 access information about the Illinois Adoption Registry and
24 Medical Information Exchange and download all necessary
25 application forms. The Illinois Adoption Registry shall
26 maintain statistical records regarding Registry participation

1 and publish and circulate to the public informational material
2 about the function and operation of the Registry.

3 (b) Establishment of the Adoption/Surrender Records File.

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

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

23 (1) The General Information Section and Medical
24 Information Exchange Questionnaire of any Illinois
25 Adoption Registry Application or a Registration
26 Identification Form which has been voluntarily completed

1 by any registered party.

2 (2) Any photographs voluntarily provided by any
3 registrant for any other registered party at the time of
4 registration or any time thereafter. All such photographs
5 shall be submitted in an unsealed envelope no larger than 8
6 1/2" x 11", and shall not include identifying information
7 pertaining to any person other than the registrant who
8 submitted them. Any such identifying information shall be
9 redacted by the Department or the information shall be
10 returned for removal of identifying information.

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

14 (4) For all adoptions finalized after January 1, 2000,
15 copies of the original certificate of live birth and the
16 certificate of adoption.

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

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

21 (7) Any birth certificate that has been submitted by a
22 registrant.

23 (8) Any marriage certificate that has been submitted by
24 a registrant.

25 (9) Any proof of guardianship that has been submitted
26 by a registrant.

1 (10) Any Request for a Non-Certified Copy of an
2 Original Birth Certificate that has been filed with the
3 Registry by an adult adopted or surrendered person or by a
4 surviving adult child or surviving spouse of a deceased
5 adopted or surrendered person who has registered with the
6 Registry.

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

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

22 (2) A certified copy, extract, or translation of the
23 adoption decree or other document essentially equivalent
24 thereto (the records of the U.S. Citizenship and
25 Immigration Services ~~Immigration and~~ ~~Naturalization~~
26 ~~Service~~ or of the U.S. Department of State to be considered

1 essentially equivalent thereto).

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

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

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

7 (750 ILCS 50/18.06)

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

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

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

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

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

18 "Agency" means a public child welfare agency or a licensed
19 child welfare agency.

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

22 "Birth father" means the biological father of an adopted or
23 surrendered person who is named on the original certificate of
24 live birth or on a consent or surrender document, or a
25 biological father whose paternity has been established by a

1 judgment or order of the court, pursuant to the Illinois
2 Parentage Act of 1984.

3 "Birth mother" means the biological mother of an adopted or
4 surrendered person.

5 "Birth parent" means a birth mother or birth father of an
6 adopted or surrendered person.

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

17 "Birth relative" means a birth mother, birth father, birth
18 sibling, birth aunt, or birth uncle.

19 "Birth sibling" means the adult full or half sibling of an
20 adopted or surrendered person.

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

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

26 "Denial of Information Exchange" means an affidavit

1 completed by a registrant with the Illinois Adoption Registry
2 and Medical Information Exchange denying the release of
3 identifying information which has been filed with the Registry.

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

8 "Medical Information Exchange Questionnaire" means the
9 medical history questionnaire completed by a registrant of the
10 Illinois Adoption Registry and Medical Information Exchange.

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

15 "Proof of death" means a death certificate.

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

24 "Registry" means the Illinois Adoption Registry and
25 Medical Information Exchange.

26 "Request for a Non-Certified Copy of an Original Birth

1 Certificate" means an affidavit completed by an adult adopted
2 or surrendered person or by the surviving adult child or
3 surviving spouse of a deceased adopted or surrendered person
4 and filed with the Registry requesting a non-certified copy of
5 an adult adopted or surrendered person's original certificate
6 of live birth in Illinois.

7 "Surrendered person" means a person whose parents' rights
8 have been surrendered or terminated but who has not been
9 adopted.

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

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

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

19 (750 ILCS 50/18.07)

20 Sec. 18.07. Adoption Registry Advisory Council. There is
21 established an Adoption Registry Advisory Council. The Council
22 shall meet twice yearly, and at least once yearly jointly with
23 the Confidential Intermediary Advisory Council. The Council
24 shall be chaired by the Director of the Department of Public
25 Health or his designee. The Council shall include the Director

1 of the Department of Children and Family Services or his
2 designee. The Council shall also include one representative
3 from each of the following organizations: Adoption Advocates of
4 Illinois, Adoptive Families Today, American Adoption Congress,
5 Catholic Conference of Illinois, Chicago Area Families for
6 Adoption, Chicago Bar Association, Child Care Association of
7 Illinois, Children Remembered, Inc., Children's Home and Aid
8 Society of Illinois, Child Welfare Advisory Council, The
9 Cradle, Healing Hearts, Illinois Foster Parents Association,
10 Illinois State Bar Association, Illinois State Medical
11 Society, Jewish Children's Bureau, Kids Help Foundation, LDS
12 Social Services, Lutheran Social Services of Illinois,
13 Maryville Academy, Midwest Adoption Center, St. Mary's
14 Services, Stars of David, and Truthseekers in Adoption.

15 If any one of the above named organizations notifies the
16 Director of the Department of Public Health in writing that the
17 organization does not wish to participate on the Advisory
18 Council or that the organization is no longer functioning, the
19 Director shall appoint another organization that represents
20 the same constituency as the named organization to replace the
21 named organization on the Council.

22 The Council's responsibilities shall include the following:

23 1) Advising the Department on the development of rules,
24 procedures, and forms utilized by the Illinois Adoption
25 Registry and Medical Information Exchange;

26 2) Making recommendations regarding the procedures,

1 tools and technology that will ensure efficient and
2 effective operation of the Registry;

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

7 3) ~~4)~~ Assisting the Department with the development,
8 publication, and circulation of an informational pamphlet
9 that describes the purpose, function, and mechanics of the
10 Illinois Adoption Registry and Medical Information
11 Exchange, including information about who is eligible to
12 register and how to register; information about the
13 questions and concerns that registrants may develop when
14 they register or when they receive information from the
15 Registry; and a list of services, programs, groups, and
16 informational websites that are available to assist
17 registrants with their questions and concerns; -

18 4) Collecting, compiling, and reviewing statistical
19 data and empirical information concerning the procedures
20 in the Registry including, but not limited to, data
21 concerning the filing of Denials of Information Exchange,
22 Information Exchange Authorizations, Requests for a
23 Non-Certified Copy of an Original Birth Certificate, and
24 Birth Parent Preference Forms.

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

1 (750 ILCS 50/18.1) (from Ch. 40, par. 1522.1)

2 Sec. 18.1. Disclosure of identifying information.

3 (a) The Department of Public Health shall establish and
4 maintain a Registry for the purpose of allowing ~~providing~~
5 ~~identifying information to~~ mutually consenting members of
6 birth and adoptive families to exchange identifying and medical
7 information. Identifying information for the purpose of this
8 Act shall mean any one or more of the following:

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

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

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

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

23 (c) ~~(b)~~ At any time after a child is surrendered for
24 adoption, or at any time during the adoption proceedings or at
25 any time thereafter, either birth parent or both of them may
26 file with the Registry a Birth Parent Registration

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

3 (d) ~~(b-5)~~ A birth sibling 21 years of age or over who was
4 not surrendered for adoption and who has submitted a copy of
5 his or her birth certificate as well as proof of death for a
6 deceased birth parent and such birth parent did not file a
7 Denial of Information Exchange with the Registry prior to his
8 or her death may file a Registration Identification Form and an
9 Information Exchange Authorization or a Denial of Information
10 Exchange.

11 (e) ~~(b-7)~~ A birth aunt or birth uncle who has submitted
12 birth certificates for himself or herself and for a deceased
13 birth parent naming at least one common biological parent as
14 well as proof of death for the deceased birth parent and such
15 birth parent did not file a Denial of Information Exchange with
16 the Registry prior to his or her death may file a Registration
17 Identification Form and an Information Exchange Authorization
18 or a Denial of Information Exchange.

19 (f) ~~(e)~~ Any adopted person 21 years of age or over, any
20 surrendered person 21 years of age or over, or any adoptive
21 parent or legal guardian of an adopted or surrendered person
22 under the age of 21 may file with the Registry a Registration
23 Identification Form and an Information Exchange Authorization
24 or a Denial of Information Exchange.

25 (g) ~~(e-3)~~ Any adult child 21 years of age or over of a
26 deceased adopted or surrendered person who has submitted a copy

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

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

19 (i) ~~(e-7)~~ Any adoptive parent or legal guardian of a
20 deceased adopted or surrendered person 21 years of age or over
21 who has submitted proof of death as well as proof of parentage
22 or guardianship for the deceased adopted or surrendered person
23 and such adopted or surrendered person did not file a Denial of
24 Information Exchange with the Registry prior to his or her
25 death may file a Registration Identification Form and an
26 Information Exchange Authorization or a Denial of Information

1 Exchange.

2 (j) ~~(d)~~ The Department of Public Health shall supply to the
3 adopted or surrendered person or his or her adoptive parents,
4 legal guardians, adult children or surviving spouse, and to the
5 birth parents identifying information only if both the adopted
6 or surrendered person, or one of his or her adoptive parents,
7 legal guardians, adult children or his or her surviving spouse,
8 and the birth parents have filed with the Registry an
9 Information Exchange Authorization and the information at the
10 Registry indicates that the consenting adopted or surrendered
11 person, the child of the consenting adoptive parents or legal
12 guardians, the parent of the consenting adult child of the
13 adopted or surrendered person, or the deceased wife or husband
14 of the consenting surviving spouse is the child of the
15 consenting birth parents, except identifying information that
16 appears on a non-certified copy of an original birth
17 certificate may be provided to an adult adopted or surrendered
18 person or to the surviving adult child or surviving spouse of a
19 deceased adopted or surrendered person pursuant to the
20 procedures outlined in Section 18.1b(e) of this Act.

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

1 supplied to consenting birth siblings who were adopted or
2 surrendered if any such sibling is 21 years of age or over.
3 Identifying information shall be supplied to consenting birth
4 siblings who were not adopted or surrendered if any such
5 sibling is 21 years of age or over and has proof of death of the
6 common birth parent and such birth parent did not file a Denial
7 of Information Exchange with the Registry prior to his or her
8 death.

9 (k) ~~(d-3)~~ The Department of Public Health shall supply to
10 the adopted or surrendered person or his or her adoptive
11 parents, legal guardians, adult children or surviving spouse,
12 and to a birth aunt identifying information only if both the
13 adopted or surrendered person or one of his or her adoptive
14 parents, legal guardians, adult children or his or her
15 surviving spouse, and the birth aunt have filed with the
16 Registry an Information Exchange Authorization and the
17 information at the Registry indicates that the consenting
18 adopted or surrendered person, or the child of the consenting
19 adoptive parents or legal guardians, or the parent of the
20 consenting adult child, or the deceased wife or husband of the
21 consenting surviving spouse of the adopted or surrendered
22 person is or was the child of the brother or sister of the
23 consenting birth aunt.

24 (l) ~~(d-5)~~ The Department of Public Health shall supply to
25 the adopted or surrendered person or his or her adoptive
26 parents, legal guardians, adult children or surviving spouse,

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

13 (m) ~~(e)~~ A registrant may notify the Registry of his or her
14 desire not to have identifying information ~~his or her identity~~
15 revealed or may revoke any previously filed Information
16 Exchange Authorization by completing and filing with the
17 Registry a Registry Identification Form along with a Denial of
18 Information Exchange. ~~The Illinois Adoption Registry~~
19 ~~Application does not need to be completed in order to file a~~
20 ~~Denial of Information Exchange.~~ Any registrant, except a birth
21 parent, may revoke his or her Denial of Information Exchange by
22 filing an Information Exchange Authorization. A birth parent
23 may revoke a Denial of Information Exchange by filing a Birth
24 Parent Preference Form. Any birth parent who has previously
25 filed a Birth Parent Preference Form where Option E was
26 selected may revoke such preference by filing a subsequent

1 Birth Parent Preference Form and selecting Option A, B, C, or
2 D. The Department of Public Health shall act in accordance with
3 the most recently filed affidavit Authorization.

4 (n) ~~(f)~~ Identifying information ascertained from the
5 Registry shall be confidential and may be disclosed only (1)
6 upon a Court Order, which order shall name the person or
7 persons entitled to the information, or (2) to a registrant who
8 is the subject of an Information Exchange Authorization that
9 was completed by another registrant and filed with the Illinois
10 Adoption Registry and Medical Information Exchange, or (3) as
11 authorized under subsection (h) of Section 18.3 of this Act, or
12 (4) pursuant to the procedures outlined in Section 18.1b(e) of
13 this Act. ~~A copy of the certificate of live birth shall only be~~
14 ~~released to an adopted or surrendered person who was born in~~
15 ~~Illinois and who is the subject of an Information Exchange~~
16 ~~Authorization filed by one of his or her birth relatives.~~ Any
17 person who willfully provides unauthorized disclosure of any
18 information filed with the Registry or who knowingly or
19 intentionally files false information with the Registry shall
20 be guilty of a Class A misdemeanor and shall be liable for
21 damages.

22 (o) ~~(g)~~ If information is disclosed pursuant to this Act,
23 the Department shall redact it to remove any identifying
24 information about any party who has not consented to the
25 disclosure of such identifying information, or, in the case of
26 identifying information on the original birth certificate,

1 pursuant to Section 18.1b(e) of this Act.

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

3 (750 ILCS 50/18.1a)

4 Sec. 18.1a. Registry matches.

5 (a) The Registry shall release identifying information, as
6 specified on the applicant's Information Exchange
7 Authorization, to the following mutually consenting registered
8 parties and provide them with any photographs or correspondence
9 which have been placed in the Adoption/Surrender Records File
10 and are specifically intended for the registered parties:

11 (i) an adult adopted or surrendered person and one of
12 his or her birth relatives who have both filed an
13 applicable Information Exchange Authorization specifying
14 the other consenting party with the Registry, if
15 information available to the Registry confirms that the
16 consenting adopted or surrendered person is biologically
17 related to the consenting birth relative;

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

1 and

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

13 (b) If a registrant is the subject of a Denial of
14 Information Exchange filed by another registered party, the
15 Registry shall not release identifying information to either
16 registrant with the exception of non-certified copies of the
17 original birth certificate released under Section 18.1b(e),
18 and as to a birth parent who has prohibited release of
19 identifying information on the original birth certificate to
20 the adult adopted or surrendered person, upon the death of said
21 birth parent.

22 (c) If a registrant has completed a Medical Information
23 Exchange Questionnaire and has consented to its disclosure,
24 that Questionnaire shall be released to any registered party
25 who has indicated their desire to receive such information on
26 his or her Illinois Adoption Registry Application, if

1 information available to the Registry confirms that the
2 consenting parties are biologically related, that the
3 consenting birth relative and the child of the consenting
4 adoptive parents or legal guardians are birth relatives, or
5 that the consenting birth relative and the deceased wife or
6 husband of the consenting surviving spouse are birth relatives.
7 (Source: P.A. 94-173, eff. 1-1-06.)

8 (750 ILCS 50/18.1b)

9 Sec. 18.1b. The Illinois Adoption Registry Application.
10 The Illinois Adoption Registry Application shall substantially
11 include the following:

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

1 county where the judgment of adoption was finalized.

2 (b) Medical Information Exchange Questionnaire. In
3 recognition of the importance of medical information and of
4 recent discoveries regarding the genetic origin of many medical
5 conditions and diseases all registrants shall be asked to
6 voluntarily complete a Medical Information Exchange
7 Questionnaire.

8 (1) For birth relatives, the Medical Information
9 Exchange Questionnaire shall include a comprehensive
10 check-list of medical conditions and diseases including
11 those of genetic origin. Birth relatives shall be asked to
12 indicate all genetically-inherited diseases and conditions
13 on this list which are known to exist in the adopted or
14 surrendered person's birth family at the time of
15 registration. In addition, all birth relatives shall be
16 apprised of the Registry's provisions for voluntarily
17 submitting information about their and their family's
18 medical histories on a confidential, ongoing basis.

19 (2) Adopted and surrendered persons and their adoptive
20 parents, legal guardians, adult children, and surviving
21 spouses shall be asked to indicate all
22 genetically-inherited diseases and medical conditions with
23 which the adopted or surrendered person or, if applicable,
24 his or her children have been diagnosed since birth.

25 (3) The Medical Information Exchange Questionnaire
26 shall include a space where the registrant may authorize

1 the release of the Medical Information Exchange
2 Questionnaire to specified registered parties and a
3 disclaimer informing registrants that the Department of
4 Public Health cannot guarantee the accuracy of medical
5 information exchanged through the Registry.

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

14 (d) Exchange of ~~Contact~~ information. All registrants may
15 indicate their wishes regarding contact and the exchange of
16 identifying and/or medical information with any other
17 registrant by completing an Information Exchange Authorization
18 or a Denial of Information Exchange.

19 (1) Information Exchange Authorization. Adopted or
20 surrendered persons 21 years of age or over who are
21 interested in exchanging identifying and/or medical
22 information or would welcome contact with one or more of
23 their birth relatives; birth parents who are interested in
24 exchanging identifying and/or medical information or would
25 welcome contact with an adopted or surrendered person 21
26 years of age or over, or one or more of his or her adoptive

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

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

1 Information Exchange Authorization.

2 (2) Denial of Information Exchange. Adopted or
3 surrendered persons 21 years of age or over who do not wish
4 to exchange identifying information or establish contact
5 with one or more of their birth relatives may specify with
6 whom they do not wish to exchange identifying information
7 or do not wish to establish contact by filing a Denial of
8 Information Exchange. Birth relatives who do not wish to
9 establish contact with an adopted or surrendered person or
10 one or more of his or her adoptive parents, legal
11 guardians, or adult children may specify with whom they do
12 not wish to exchange identifying information or do not wish
13 to establish contact by filing a Denial of Information
14 Exchange. Birth parents who wish to prohibit the release of
15 their identifying information on the original birth
16 certificate released to an adult adopted or surrendered
17 person who was born after January 1, 1946, or to the
18 surviving adult child or surviving spouse of a deceased
19 adopted or surrendered person who was born after January 1,
20 1946, may do so by filing a Denial with the Registry on or
21 before December 31, 2010. As of January 1, 2011, birth
22 parents who wish to prohibit the release of identifying
23 information on the non-certified copy of the original birth
24 certificate released to an adult adopted surrendered
25 person or to the surviving adult child or surviving spouse
26 of a deceased adopted or surrendered person may do so by

1 selecting Option E on a Birth Parent Preference Form and
2 filing the Form with the Registry. Adoptive parents or
3 legal guardians of adopted or surrendered persons under the
4 age of 21 who do not wish to establish contact with one or
5 more of the adopted or surrendered person's birth relatives
6 may specify with whom they do not wish to exchange
7 identifying information by filing a Denial of Information
8 Exchange. Adoptive parents, adult children, and surviving
9 spouses of deceased adoptees who do not wish to exchange
10 identifying information or establish contact with one or
11 more of the adopted or surrendered person's birth relatives
12 may specify with whom they do not wish to exchange
13 identifying information or do not wish to establish contact
14 by filing a Denial of Information Exchange. ~~The Illinois~~
15 ~~Adoption Registry Application does not need to be completed~~
16 ~~in order to file a 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 who wish to communicate their wishes regarding
21 contact and/or the release of their identifying
22 information on the non-certified copy of the original birth
23 certificate released to an adult adopted or surrendered
24 person or the surviving adult child or surviving spouse of
25 a deceased adopted or surrendered person who has requested
26 a copy of the adopted or surrendered person's original

1 birth certificate by filing a Request for a Non-Certified
2 Copy of an Original Birth Certificate pursuant to
3 subsection (e) of this Section, may file a Birth Parent
4 Preference Form with the Registry. All Birth Parent
5 Preference Forms on file with the Registry at the time of
6 receipt of a Request for a Non-Certified Copy of an
7 Original Birth Certificate from an adult adopted or
8 surrendered person or the surviving adult child or
9 surviving spouse of a deceased adopted or surrendered
10 person shall be forwarded to the relevant adopted or
11 surrendered person or surviving adult child or surviving
12 spouse of a deceased adopted or surrendered person along
13 with a non-certified copy of the adopted or surrendered
14 person's original birth certificate as outlined in
15 subsection (e) of this Section.

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

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

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

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

1 surviving spouse, the Registry shall:

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

24 (ii) Determine if a birth parent named on the
25 original birth certificate has filed a Birth Parent
26 Preference Form. If one of the birth parents named on

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

1 requesting adult adopted or surrendered person shall
2 also be informed in writing of his or her right to
3 petition the court for the appointment of a
4 confidential intermediary pursuant to Section 18.3a of
5 this Act, and, if applicable, to conduct a search
6 through an agency post-adoption search program once 5
7 years have elapsed since the birth parent filed the
8 Birth Parent Preference Form, on which Option E was
9 selected, with the Registry.

10 (iii) Determine if a birth parent named on the
11 original birth certificate has filed an Information
12 Exchange Authorization.

13 (iv) If the Registry has confirmed that a
14 requesting adult adopted or surrendered person or the
15 parent of a requesting adult child of a deceased
16 adopted or surrendered person or the husband or wife of
17 a requesting surviving spouse was not the object of a
18 Denial of Information Exchange filed by a birth parent
19 on or before December 31, 2010, and that no birth
20 parent named on the original birth certificate has
21 filed a Birth Parent Preference Form where Option E was
22 selected prior to the receipt of a Request for a
23 Non-Certified Copy of an Original Birth Certificate,
24 the Registry shall provide the adult adopted or
25 surrendered person or his or her surviving adult child
26 or surviving spouse with an unaltered non-certified

1 copy of the adopted or surrendered person's original
2 birth certificate.

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

15 (4) A copy of the original birth certificate shall only
16 be released to adopted or surrendered persons who were born
17 in Illinois; to surviving adult children or surviving
18 spouses of deceased adopted or surrendered persons who were
19 born in Illinois; or to 2 registered parties who have both
20 consented to the release of a non-certified copy of the
21 original birth certificate to one another through the
22 Registry when the birth of the relevant adopted or
23 surrendered person took place in Illinois.

24 (5) In cases where the Registry receives a Request for
25 a Non-Certified Copy of an Original Birth Certificate from
26 an adult adopted or surrendered person who has not

1 completed a Registry application and the file of that
2 adopted or surrendered person includes an Information
3 Exchange Authorization or Medical Information Exchange
4 Questionnaire from one or more of his or her birth
5 relatives, the Registry shall so inform the adult adopted
6 or surrendered person and forward Registry application
7 forms to him or her along with a non-certified copy of the
8 original birth certificate consistent with the procedures
9 outlined in this subsection (e).

10 (6) In cases where a birth parent registered with the
11 Registry and filed a Medical Information Exchange
12 Questionnaire prior to the effective date of this
13 amendatory Act of the 96th General Assembly but gave no
14 indication as to his or her wishes regarding contact or the
15 sharing of identifying information, the Registry shall
16 contact the birth parent by written letter prior to January
17 1, 2011, and provide him or her with the opportunity to
18 indicate his or her preference regarding contact and the
19 sharing of identifying information by submitting a Birth
20 Parent Preference Form to the Registry prior to November 1,
21 2011.

22 (7) In cases where the Registry cannot locate a copy of
23 the original birth certificate in the Registry file, they
24 shall be authorized to request a copy of the original birth
25 certificate from the Illinois county where the birth took
26 place for placement in the Registry file.

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

9 (9) In cases where a birth parent filed a Denial of
10 Information Exchange with the Registry prior to January 1,
11 2011, or filed a Birth Parent Preference Form with the
12 Registry and selected Option E after January 1, 2011, and a
13 proof of death for the birth parent who filed the Denial or
14 the Birth Parent Preference Form has been filed with the
15 Registry by either a confidential intermediary or a
16 surviving relative of the deceased birth parent, the
17 Registry shall be authorized to release an unaltered
18 non-certified copy of the original birth certificate to an
19 adult adopted or surrendered person or to the surviving
20 adult child or surviving spouse of a deceased adopted or
21 surrendered person who has filed a Request for a
22 Non-Certified Copy of the Original Birth Certificate with
23 the Registry.

24 (10) On and after the effective date of this amendatory
25 Act of the 96th General Assembly, in cases where all birth
26 parents named on the original birth certificate of an

1 adopted or surrendered person born after January 1, 1946,
2 are deceased and copies of death certificates for all birth
3 parents named on the original birth certificate have been
4 filed with the Registry by either a confidential
5 intermediary or a surviving relative of the deceased birth
6 parent, the Registry shall be authorized to release a
7 non-certified copy of the original birth certificate to the
8 adopted or surrendered person upon receipt of his or her
9 Request for a Non-Certified Copy of an Original Birth
10 Certificate.

11 (f) ~~(e)~~ A registrant may complete all or any part of the
12 Illinois Adoption Registry Application. All Illinois Adoption
13 Registry Applications, Information Exchange Authorizations,
14 Denials of Information Exchange, requests to revoke an
15 Information Exchange Authorization or Denial of Information
16 Exchange, and affidavits submitted to the Registry shall be
17 accompanied by proof of identification.

18 ~~(f) The Department shall establish the Illinois Adoption~~
19 ~~Registry Application form including the Medical Information~~
20 ~~Exchange Questionnaire by rule.~~

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

22 (750 ILCS 50/18.2) (from Ch. 40, par. 1522.2)

23 Sec. 18.2. Forms.

24 (a) The Department shall develop the Illinois Adoption
25 Registry forms as provided in this Section. The General

1 Assembly shall reexamine the content of the form as requested
 2 by the Department, in consultation with the Registry Advisory
 3 Council. The form of the Birth Parent Registration
 4 Identification Form shall be substantially as follows:

BIRTH PARENT REGISTRATION IDENTIFICATION

(Insert all known information)

7 I,, state that I am the (mother or father) of the
 8 following child:

9 Child's original name: (first) (middle)
 10 (last), (hour of birth), (date of birth),
 11 (city and state of birth), (name of
 12 hospital).

13 Father's full name: (first) (middle)
 14 (last), (date of birth), (city and state of
 15 birth).

16 Name of mother inserted on birth certificate: (first)
 17 (middle) (last), (race), (date
 18 of birth), (city and state of birth).

19 That I surrendered my child to: (name of agency),
 20 (city and state of agency), (approximate date
 21 child surrendered).

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

24 Name of adoptive parents, if known:

25 Other identifying information:

26

1 (Signature of parent)
 2
 3 (date) (printed name of parent)

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

6 ADOPTED PERSON
 7 REGISTRATION IDENTIFICATION
 8 (Insert all known information)

9 I,, state the following:

10 Adopted Person's present name: (first)
 11 (middle) (last).

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

15 Name of adoptive father: (first) (middle)
 16 (last), (race).

17 Maiden name of adoptive mother: (first)
 18 (middle) (last), (race).

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

21 Name of birth father (if known): (first)
 22 (middle) (last), (race).

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

1 parent: (first) (middle) (last),
2 (race).

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

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

5 I was adopted in (city and state), (approximate
6 date).

7 Other identifying information:

8

9 (signature of adoptee)

10

11 (date) (printed name of adoptee)

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

14 SURRENDERED PERSON REGISTRATION

15 IDENTIFICATION

16 (Insert all known information)

17 I,, state the following:

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

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

24 Name of guardian father: (first) (middle)
25 (last), (race).

1 Maiden name of guardian mother: (first)
2 (middle) (last), (race).

3 Name of birth mother (if known): (first)
4 (middle) (last) (race).

5 Name of birth father (if known): (first)
6 (middle) (last),(race).

7 Name(s) at birth of sibling(s) having a common birth parent
8 with surrendered person (if known): (first)
9 (middle) (last), (race), and name of
10 common birth parent: (first) (middle)
11 (last), (race).

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

13 I was surrendered for adoption in (city and state),
14 (approximate date).

15 Other identifying information:
16
17 (signature of surrendered person)

18
19 (date) (printed name of person
20 surrendered for adoption)

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

24 REGISTRATION IDENTIFICATION FORM
25 FOR SURVIVING RELATIVES OF DECEASED BIRTH PARENTS

1 (Insert all known information)

2 I,, state the following:

3 Name of deceased birth parent at time of surrender:

4 Deceased birth parent's date of birth:

5 Deceased birth parent's date of death:

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

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

10 My relationship to the adopted or surrendered person (check
11 one): (birth parent's non-surrendered child) (birth parent's
12 sister) (birth parent's brother).

13 If you are a non-surrendered child of the birth parent, provide
14 name(s) at birth and age(s) of non-surrendered siblings having
15 a common parent with the birth parent. If more than one
16 sibling, please give information requested below on reverse
17 side of this form. If you are a sibling or parent of the birth
18 parent, provide name(s) at birth and age(s) of the sibling(s)
19 of the birth parent. If more than one sibling, please give
20 information requested below on reverse side of this form.

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

24 Name(s) of common parent(s) (first) (middle)
25 (last),(race), (first) (middle)

1 (last),(race).

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

16
17 (signature of birth parent's surviving relative)

18
19 (date) (printed name of birth
20 parent's surviving relative)

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

24 REGISTRATION IDENTIFICATION FORM FOR

1 SURVIVING RELATIVES OF DECEASED ADOPTED OR SURRENDERED PERSONS

2 (Insert all known information)

3 I,, state the following:

4 Adopted or surrendered person's name at birth (if known):
5 (first) (middle) (last),(birth
6 date), (city and state of birth), (sex),
7 (race).

8 Adopted or surrendered person's date of death:

9 My relationship to the deceased adopted or surrendered
10 person(check one): (adoptive mother) (adoptive father) (adult
11 child) (surviving spouse).

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

17 Name (first) (middle) (last),(birth
18 date), (city and state of birth), (sex),
19 (race).

20 Name(s) of common parent(s) (first) (middle)
21 (last),(race), (first) (middle)
22 (last),(race).

23 My child/parent/deceased spouse was surrendered for
24 adoption to(name of agency) City and state of agency
25 Date (approximate) Other identifying
26 information (Please note that you must: (i) be at

1 least 21 years of age to register; (ii) submit with your
 2 registration a certified copy of the adopted or surrendered
 3 person's death certificate; (iii) if you are the child of a
 4 deceased adopted or surrendered person, also submit a
 5 certified copy of your birth certificate with this
 6 registration; and (iv) if you are the surviving wife or
 7 husband of a deceased adopted or surrendered person, also
 8 submit a copy of your marriage certificate with this
 9 registration. No application from a surviving relative of a
 10 deceased adopted or surrendered person can be accepted if
 11 the adopted or surrendered person filed a Denial of
 12 Information Exchange prior to his or her death.)

13
 14 (signature of adopted or surrendered person's surviving
 15 relative)

16
 17 (date) (printed name of adopted
 18 person's surviving relative)

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

21 INFORMATION EXCHANGE AUTHORIZATION
 22 I,, state that I am the person who completed the
 23 Registration Identification; that I am of the age of

1 years; that I hereby authorize the Department of Public Health
2 to give to the following person(s) (birth mother) (birth
3 father) (birth sibling) (adopted or surrendered person)
4 (adoptive mother) (adoptive father) (legal guardian of an
5 adopted or surrendered person) (birth aunt) (birth uncle)
6 (adult child of a deceased adopted or surrendered person)
7 (surviving spouse of a deceased adopted or surrendered person)
8 (all eligible relatives) the following (please check the
9 information authorized for exchange):

10 1. Only my name and last known address.

11 2. A copy of my Illinois Adoption Registry
12 Application.

13 3. A copy of the adopted or surrendered person's
14 original certificate of live birth (check only if you are
15 an adopted or surrendered person or the surviving adult
16 child or surviving spouse of a deceased adopted or
17 surrendered person).

18 4. A copy of my completed medical questionnaire.

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

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

5 Dated (insert date).

6
7 (signature)

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

10 DENIAL OF INFORMATION EXCHANGE

11 I,, state that I am the person who completed the
12 Registration Identification; that I am of the age of
13 years; that I hereby instruct the Department of Public Health
14 not to give any identifying information about me to the
15 following person(s) (birth mother) (birth father) (birth
16 sibling)(adopted or surrendered person)(adoptive mother)
17 (adoptive father)(legal guardian of an adopted or surrendered
18 person)(birth aunt)(birth uncle)(adult child of a deceased
19 adopted or surrendered person) (surviving spouse of a deceased
20 adopted or surrendered person) (all eligible relatives).

21 IMPORTANT NOTE: A DENIAL FILED BY A BIRTH PARENT ON OR AFTER
22 JANUARY 1, 2011, SHALL NOT PROHIBIT THE RELEASE OF THE BIRTH
23 PARENT'S IDENTIFYING INFORMATION ON THE ORIGINAL BIRTH
24 CERTIFICATE OF AN ADULT ADOPTED OR SURRENDERED PERSON. BIRTH
25 PARENTS WHO WISH TO PROHIBIT THE RELEASE OF THEIR IDENTIFYING

1 INFORMATION ON THE ORIGINAL BIRTH CERTIFICATE OF AN ADULT
 2 ADOPTED OR SURRENDERED PERSON SHALL FILE A BIRTH PARENT
 3 PREFERENCE FORM ON OR AFTER JANUARY 1, 2011. DENIALS FILED BY A
 4 BIRTH PARENT BEFORE JANUARY 1, 2011, WILL EXPIRE UPON THE DEATH
 5 OF THE BIRTH PARENT WITH RESPECT TO ACCESS TO IDENTIFYING
 6 INFORMATION ON THE ORIGINAL BIRTH CERTIFICATE RELEASED TO AN
 7 ADULT ADOPTED OR SURRENDERED PERSON OR TO A SURVIVING ADULT
 8 CHILD OR SURVIVING SPOUSE OF A DECEASED ADOPTED OR SURRENDERED
 9 PERSON.

10 I do/do not (circle appropriate response) authorize the
 11 Registry to release a copy of my completed Medical Information
 12 Exchange Questionnaire to qualified Registry applicants. NOTE:
 13 New IARMIE registrants who do not complete a Medical
 14 Information Exchange Questionnaire and release a copy of their
 15 questionnaire to at least one Registry applicant must pay a \$15
 16 registration fee. Birth parents filing a Denial of Information
 17 Exchange are advised that, under Illinois law, an adult adopted
 18 person may initiate a search for a birth parent who has filed a
 19 Denial of Information Exchange through the State confidential
 20 intermediary program once 5 years have elapsed since the filing
 21 of the Denial of Information Exchange, that I do not wish to be
 22 contacted.

23 Dated (insert date).

24

25 (signature)

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

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

22 In selecting one of the 5 options below, birth parents
23 should keep in mind that the decision to deny an adult adopted
24 or surrendered person access to identifying information on his
25 or her original birth record and/or information about
26 genetically-transmitted diseases is an important one that can

1 impact the adopted or surrendered person's life in many ways. A
2 request for anonymity on this form only pertains to information
3 that is provided to an adult adopted or surrendered person or
4 his or her surviving relatives through the Registry and does
5 not prevent the disclosure of identifying information that may
6 be available to the adoptee through his or her adoptive parents
7 and/or other means available to him or her. Birth parents who
8 would prefer not to be contacted by their surrendered son or
9 daughter are strongly urged to complete both the
10 Non-Identifying Information Section included on the final page
11 of this document and the Medical Questionnaire in order to
12 provide their surrendered son or daughter with the background
13 information their surrendered son or daughter may need to
14 better understand himself or herself and his or her origins.
15 Furthermore, birth parents whose surrendered son or daughter is
16 under 21 years of age at the time of completion of this form
17 are reminded that, since no original birth certificates are
18 released by the IARMIE before an adoptee has reached the age of
19 21, and birth parents are encouraged to take as much time as
20 they need to weigh the options available to them before
21 completing this form. Should you need additional assistance in
22 completing this form, please contact the agency that handled
23 the adoption, if applicable, or the Illinois Adoption Registry
24 and Medical Information Exchange at 217-557-5159.

25 After careful consideration, I, (insert your name),
26 have made the following decision regarding contact with my

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

19

20 (Signature/Date)

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

23 Option A. I agree to the release of my identifying information
24 as it appears on my birth son's/birth daughter's original birth

1 certificate, would welcome direct contact with my birth
 2 son/birth daughter when he or she has reached the age of 21 and
 3 I wish to be contacted at the following mailing address, email
 4 address or phone number:

5
 6
 7
 8

9 (Signature/Date)

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

17
 18

19 (Signature/Date)

20 Option C. I agree to the release of my name as it appears on my
 21 birth son's/birth daughter's original birth certificate, would
 22 welcome contact with my birth son/birth daughter when he or she
 23 has reached the age of 21, but I would prefer to be contacted
 24 through the Illinois confidential intermediary program (please

1 call 800-526-9022 for additional information) or through the
2 agency that handled the adoption. (Insert agency name, address
3 and phone number, if applicable.)

4

5

6 (Signature/Date)

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

11

12 (Signature/Date)

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

23

24

1 I understand that, although I have chosen to prohibit the
 2 release of my identity on the copy of the original birth
 3 certificate released to my birth son/birth daughter, he or she
 4 may request that a court-appointed confidential intermediary
 5 contact me to request updated medical information and/or
 6 confirm my desire to remain anonymous once 5 years have elapsed
 7 since the signing of this form; at the time of this subsequent
 8 search, I wish to be contacted through the person named below.
 9 (Insert in blank area below the name and phone number of the
 10 contact person, or leave it blank if you wish to be contacted
 11 directly.) I also understand that this request for anonymity
 12 shall expire upon my death.

13

14

15 (Signature/Date)

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

1 copy of this form and the non-certified copy of the original
2 birth certificate forwarded to the surviving child of the
3 adopted or surrendered person shall be redacted per your
4 specifications on this form during your lifetime.

5 Non-Identifying Information Section

6 I wish to voluntarily provide the following non-identifying
7 information to my surrendered son or daughter:

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

9 My race is best described as:

10 My height is:

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

13 My natural hair color is/was:

14 My eye color is:

15 My religion is best described as:

16 My ethnic background is best described as:

17 My educational level is closest to (circle applicable
18 response): completed elementary school, graduated from
19 high school, attended college, earned bachelor's degree,
20 earned master's degree, earned doctoral degree.

21 My occupation is best described as

22 My hobbies include

23 My interests include

24 My talents include

25 In addition to my surrendered son or daughter, I also
26 am the biological parent of (insert number) boys and

1 (insert number) girls, of whom (insert number)
2 are still living.

3 The relationship between me and my child's birth mother/birth
4 father would best be described as (circle appropriate
5 response): husband and wife, ex-spouses, boyfriend and
6 girlfriend, casual acquaintances, other (please specify)
7

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

10 REQUEST FOR A NON-CERTIFIED COPY OF AN ORIGINAL BIRTH
11 CERTIFICATE

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

1 information pertaining to the birth parent who requested
2 anonymity has been deleted; or b. I do not wish to
3 received an altered copy of the original birth certificate.

4 Dated (insert date).

5

6 (signature)

7 (h) Any ~~(f) The~~ Information Exchange Authorization, ~~and the~~
8 Denial of Information Exchange, or Birth Parent Preference Form
9 filed with the Registry, or Request for a Non-Certified Copy of
10 an Original Birth Certificate filed with the Registry by a
11 surviving adult child or surviving spouse of a deceased adopted
12 or surrendered person, shall be acknowledged by the person who
13 filed it ~~birth parent, birth sibling, adopted or surrendered~~
14 ~~person, adoptive parent, or legal guardian~~ before a notary
15 public, in form substantially as follows:

16 State of

17 County of

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

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

1
2

(signature)

3 (i) ~~(g)~~ When the execution of an Information Exchange
4 Authorization, ~~or a~~ Denial of Information Exchange, or Birth
5 Parent Preference Form or Request for a Non-Certified Copy of
6 an Original Birth Certificate completed by a surviving adult
7 child or surviving spouse of a deceased adopted or surrendered
8 person is acknowledged before a representative of an agency,
9 such representative shall have his signature on said
10 Certificate acknowledged before a notary public, in form
11 substantially as follows:

12 State of.....

13 County of.....

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

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

22
23

(signature)

24 (j) ~~(h)~~ When an Illinois Adoption Registry Application,

1 Information Exchange Authorization, ~~or a~~ Denial of Information
2 Exchange, Birth Parent Preference Form, or Request for a
3 Non-Certified Copy of an Original Birth Certificate completed
4 by a surviving adult child or surviving spouse of a deceased
5 adopted or surrendered person is executed in a foreign country,
6 the execution of such document shall be acknowledged or
7 affirmed before an officer of the United States consular
8 services.

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

20 (l) An adopted or surrendered person who completes a
21 Request For a Non-Certified Copy of the Original Birth
22 Certificate shall meet the same filing requirements and pay the
23 same filing fees as a non-adopted person seeking to obtain a
24 copy of his or her original birth certificate.

25 ~~(j) The Department shall modify these forms as necessary to~~
26 ~~implement the provisions of this amendatory Act of 1999~~

1 ~~including creating Registration Identification Forms for~~
2 ~~non-surrendered birth siblings, adoptive parents and legal~~
3 ~~guardians.~~

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

5 (750 ILCS 50/18.3) (from Ch. 40, par. 1522.3)

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

1 ~~the existence of the Illinois Adoption Registry and Medical~~
2 ~~Information Exchange and provide them with the necessary~~
3 ~~application forms and if requested, assistance with completing~~
4 ~~the forms.~~

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

9 ~~(e) The birth parent shall be informed in writing that if~~
10 ~~contact or exchange of identifying sharing of identifying~~
11 ~~information with the adult adopted or surrendered person is to~~
12 ~~occur, that adult adopted or surrendered person he or she must~~
13 ~~be 21 years of age or over.~~

14 ~~(d) If the birth parent or parents indicate a desire to~~
15 ~~share identifying information with the adopted or surrendered~~
16 ~~person, the birth parent shall complete an Information Exchange~~
17 ~~Authorization.~~

18 ~~(c) Any birth parent or parents requesting that no~~
19 ~~identifying information be revealed to the adopted or~~
20 ~~surrendered person shall be informed that such request will be~~
21 ~~conveyed to the adopted or surrendered person if he or she~~
22 ~~requests such information; and such identifying information~~
23 ~~shall not be revealed.~~

24 ~~(f) Any adopted or surrendered person 21 years of age or~~
25 ~~over may also indicate in writing his or her desire or lack of~~
26 ~~desire to share identifying information with the birth parent~~

1 ~~or parents or with one or more of his or her birth relatives.~~
2 ~~Any adopted or surrendered person requesting that no~~
3 ~~identifying information be revealed to the birth parent or to~~
4 ~~one or more of his or her birth relatives shall be informed~~
5 ~~that such request shall be conveyed to the birth parent or~~
6 ~~birth relative if he or she requests such information; and such~~
7 ~~identifying information shall not be revealed.~~

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

14 **(c)** ~~(h)~~ The agency, Department of Children and Family
15 Services, Court Supportive Services, Juvenile Division of the
16 Circuit Court, and any other organization involved in the
17 surrender of a child for adoption in an adoption proceeding
18 which has written statements from an adopted or surrendered
19 person and the birth parent or a birth sibling indicating a
20 desire to share ~~receive~~ identifying information or establish
21 contact shall supply such information to the mutually
22 consenting parties, except that no identifying information
23 shall be supplied to consenting birth siblings if any such
24 sibling is under 21 years of age. However, both the Registry
25 having an Information Exchange Authorization and the
26 organization having a written statement requesting the sharing

1 of identifying information or contact shall communicate with
2 each other to determine if the adopted or surrendered person or
3 the birth parent or birth sibling has signed a form at a later
4 date indicating a change in his or her desires regarding the
5 sharing of information or contact. ~~The agreement of the birth~~
6 ~~parent shall be binding.~~

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

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

15 (750 ILCS 50/18.3a) (from Ch. 40, par. 1522.3a)

16 Sec. 18.3a. Confidential intermediary.

17 (a) General purposes. Notwithstanding any other provision
18 of this Act, any adopted or surrendered person 21 years of age
19 or over, any adoptive parent or legal guardian of an adopted or
20 surrendered person under the age of 21, or any birth parent of
21 an adopted or surrendered person who is 21 years of age or over
22 may petition the court in any county in the State of Illinois
23 for appointment of a confidential intermediary as provided in
24 this Section for the purpose of exchanging medical information
25 with one or more mutually consenting biological relatives,

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

1 Information Exchange.

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

24 (c) Order. The order appointing the confidential
25 intermediary shall allow that intermediary to conduct a search
26 for the sought-after relative by accessing those records

1 described in subsection (g) of this Section.

2 (d) Fees and expenses. The court shall condition the
3 appointment of the confidential intermediary on the
4 petitioner's payment of the intermediary's fees and expenses in
5 advance of the commencement of the work of the confidential
6 intermediary. However, no fee shall be charged if the
7 petitioner is an adult adopted or surrendered person and the
8 sought-after relative is a birth parent who filed a Denial with
9 the Registry prior to January 1, 2011, or filed a Birth Parent
10 Preference Form on which Option E was selected after January 1,
11 2011 and more than 5 years have transpired since the birth
12 parent filed the Denial of Information Exchange or Birth Parent
13 Preference Form on which Option E was selected.

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

21 (f) Confidential Intermediary Council. There shall be
22 established under the Department of Children and Family
23 Services a Confidential Intermediary Advisory Council. One
24 member shall be an attorney representing the Attorney General's
25 Office appointed by the Attorney General. One member shall be a
26 currently certified confidential intermediary appointed by the

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

20 (1) Standards for certification for confidential
21 intermediaries.

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

24 (3) Training for confidential intermediaries,
25 including training with respect to federal and State
26 privacy laws.

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

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

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

1 confidential intermediary has obtained written consent from
2 the person whose information is being sought by an adult
3 adopted or surrendered person or, if that person is a minor
4 child, that person's parent or guardian. Confidential
5 intermediaries shall be authorized to inspect confidential
6 relinquishment and adoption records. The confidential
7 intermediary shall not be authorized to access medical records,
8 financial records, credit records, banking records, home
9 studies, attorney file records, or other personal records. In
10 cases where a birth parent is being sought, an adoption agency
11 shall inform the confidential intermediary of any statement
12 filed pursuant to Section 18.3, hereinafter referred to as "the
13 18.3 statement", indicating a desire of the surrendering birth
14 parent to have identifying information shared or to not have
15 identifying information shared. If there was a clear statement
16 of intent by the sought-after birth parent not to have
17 identifying information shared, the confidential intermediary
18 shall discontinue the search and inform the petitioning party
19 of the sought-after relative's intent unless the birth parent
20 filed the 18.3 statement prior to the effective date of this
21 amendatory Act of the 96th General Assembly and more than 5
22 years have elapsed since the filing of the 18.3 statement. If
23 the adult adopted or surrendered person is the subject of an
24 18.3 statement indicating a desire not to establish contact
25 which was filed more than 5 years prior to the search request,
26 the confidential intermediary shall confirm the petitioner's

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

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

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

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

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

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

25 The confidential intermediary shall contact a sought-after
26 relative on behalf of the petitioner in a manner that respects

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

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

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

24 (3) The sought-after relative may communicate with the
25 petitioner without having his or her identity disclosed. In
26 this case, the confidential intermediary shall arrange the

1 desired communication in a manner that protects the
2 identity of the sought-after relative. The confidential
3 intermediary shall inform the petitioner of the
4 sought-after relative's decision to communicate but not
5 disclose his or her identity.

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

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

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

26 (2) I recognize that violation of this oath subjects me

1 to civil liability and to a potential finding of contempt
2 of court.

3 SUBSCRIBED AND SWORN to before me, a Notary Public, on (insert
4 date)

5"

6 (k) Sanctions.

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

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

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

1 (1) Death of person being sought. Notwithstanding any other
2 provision of this Act, if the confidential intermediary
3 discovers that the person being sought has died, he or she
4 shall report this fact to the court, along with a copy of the
5 death certificate. If the sought-after relative is a birth
6 parent, the confidential intermediary shall also forward a copy
7 of the birth parent's death certificate, if available, to the
8 Registry for inclusion in the Registry file.

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

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

23 (o) Except as provided in subsection (k) of this Section,
24 no liability shall accrue to the State, any State agency, any
25 judge, any officer or employee of the court, any certified
26 confidential intermediary, or any agency designated to oversee

1 confidential intermediary services for acts, omissions, or
2 efforts made in good faith within the scope of this Section.

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

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

1 surrendered person and any available contact information for
2 such agency. In addition, the confidential intermediary may
3 provide to such petitioners the name of the state in which the
4 surrender occurred or in which the adoption was finalized.

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

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

18 (Source: P.A. 96-661, eff. 8-25-09.)

19 (750 ILCS 50/18.5) (from Ch. 40, par. 1522.5)

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

1 under its provisions, except for subsection (n) ~~(f)~~ of Section
2 18.1.

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

4 (750 ILCS 50/18.6) (from Ch. 40, par. 1522.6)

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

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

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.