



Rep. Sara Feigenholtz

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LRB096 18717 AJO 38854 a

1 AMENDMENT TO HOUSE BILL 6080

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 6080 by replacing  
3 everything after the enacting clause with the following:

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

6 (750 ILCS 50/10) (from Ch. 40, par. 1512)

7 Sec. 10. Forms of consent and surrender; execution and  
8 acknowledgment thereof. A. The form of consent required for  
9 the adoption of a born child shall be substantially as follows:

10 FINAL AND IRREVOCABLE CONSENT TO ADOPTION

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

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

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

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

16 That I hereby enter my appearance in this proceeding and

1 waive service of summons on me.

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

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

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

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

20 Dated (insert date).

21 .....

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

25 A-1. (1) The form of the Final and Irrevocable Consent to

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

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

10 FINAL AND IRREVOCABLE CONSENT TO ADOPTION BY

11 A SPECIFIED PERSON OR PERSONS; NON-DCFS CASE

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

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

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

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

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

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

1 revoke this Final and Irrevocable Consent to Adoption by a  
2 Specified Person.

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

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

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

21 9. That if the specified person or persons designated  
22 herein do not file a petition for adoption within the  
23 time-frame specified above, or, if said petition for adoption  
24 is filed within the time-frame specified above but the adoption  
25 petition is dismissed with prejudice or the adoption proceeding  
26 is otherwise concluded without an order declaring the child to

1 be the adopted child of the specified person or persons, then I  
2 understand that I may request the Court to declare this consent  
3 voidable and return the child to me. I further understand that  
4 the Court will make the final decision of whether or not the  
5 child will be returned to me.

6 10. That I understand that I must request the return of the  
7 child to me within 10 business days from the date that written  
8 notice is sent to me. If I do not make such request within 10  
9 business days of the date of the notice, then I expressly waive  
10 any other notice or service of process in any legal proceeding  
11 for the adoption of the child.

12 11. That I expressly acknowledge that nothing in this  
13 Consent impairs the validity and absolute finality of this  
14 Consent under any circumstance other than those described in  
15 paragraph 9 of this Consent.

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

23 13. That I do expressly waive any other notice or service  
24 of process in any of the legal proceedings for the adoption of  
25 the child as long as the adoption proceeding by the specified  
26 person or persons is pending.

1       14. That I have read and understand the above and I am  
2 signing it as my free and voluntary act.

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

7       Dated (insert date).

8       .....

9       Signature of parent

10      .....

11      Address of parent

12      .....

13      Phone number(s) of parent

14      .....

15      Personal email(s) of parent

16      (3) The form of the certificate of acknowledgement for a  
17 Final and Irrevocable Consent for Adoption by a Specified  
18 Person or Persons: Non-DCFS Case shall be substantially as  
19 follows:

20      STATE OF.....)

21      \_\_\_\_\_ ) SS.

22      COUNTY OF.....)

23      I, ..... (Name of Judge or other person),

24      ..... (official title, name, and address),

25      certify that ....., personally known to me to be the

1 same person whose name is subscribed to the foregoing Final and  
2 Irrevocable Consent for Adoption by a Specified Person or  
3 Persons; non-DCFS case, appeared before me this day in person  
4 and acknowledged that (she)(he) signed and delivered the  
5 consent as (her)(his) free and voluntary act, for the specified  
6 purpose. I am further satisfied that, before signing this  
7 Consent, ..... has read, or has had read to him or her, the  
8 Birth Parent Rights and Responsibilities-Private Form.

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

19 Birth Parent Rights and Responsibilities-Private Form

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

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

26 2. To be treated with dignity and respect at all times and

1 to make decisions free from coercion and pressure.

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

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

12 5. To ask your child's prospective adoptive parents any  
13 questions that pertain to your decision to place your child  
14 with them.

15 6. To see your child before signing a Consent or Specified  
16 Consent.

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

23 8. To receive copies of all documents that you sign and  
24 have those documents provided to you in your preferred  
25 language.

26 9. To request that your identifying information remain



1 confidential, unless required otherwise by Illinois law or  
2 court order, and to register with the Illinois Adoption  
3 Registry and Medical Information Exchange.

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

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

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

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

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

18 As a Birth Parent in the State of Illinois, you have the  
19 responsibility:

20 1. To carefully consider your reasons for choosing  
21 adoption.

22 2. To provide all known medical background and family  
23 information about yourself and your immediate family to your  
24 child's prospective adoptive parents or their attorney.

25 3. (Birth mothers only) To accurately complete an Affidavit  
26 of Identification, which identifies the father of the child

1 when known, with the understanding that a birth mother has a  
2 right to decline to identify the birth father.

3 4. To not accept financial support or reimbursement of  
4 pregnancy related expenses simultaneously from more than one  
5 source.

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

8 CONSENT TO ADOPTION OF UNBORN CHILD

9 I, ....., state:

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

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

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

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

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

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

26 That I wish to and do understand that by signing this

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

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

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

13 Dated (insert date).

14 .....

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

23 FINAL AND IRREVOCABLE CONSENT  
 24 TO STANDBY ADOPTION

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

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

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

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

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

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

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

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

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

26           I understand that this consent to standby adoption is valid

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

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

9 Dated (insert date).

10 .....

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

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

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

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

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

15 (3) The form of the certificate of acknowledgement for a  
16 Final and Irrevocable Consent for Standby Adoption shall be  
17 substantially as follows:

18 STATE OF .....)

19 ) SS.

20 COUNTY OF .....)

21 I, ..... (name of Judge or other person) ..... (official  
22 title, name, and address), certify that ....., personally  
23 known to me to be the same person whose name is subscribed to  
24 the foregoing Final and Irrevocable Consent to Standby

1 Adoption, appeared before me this day in person and  
 2 acknowledged that (she) (he) signed and delivered the consent  
 3 as (her) (his) free and voluntary act, for the specified  
 4 purpose.

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

14 Dated (insert date).

15 Signature.....

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

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

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

22 The parent shall not need to take further action to revoke  
 23 the consent if the standby adoption by the specified person or  
 24 persons does not occur, notwithstanding the provisions of  
 25 Section 11 of this Act.

26 C. The form of surrender to any agency given by a parent of

1 a born child who is to be subsequently placed for adoption  
2 shall be substantially as follows and shall contain such other  
3 facts and statements as the particular agency shall require.

4 FINAL AND IRREVOCABLE SURRENDER

5 FOR PURPOSES OF ADOPTION

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

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

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

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

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

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



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

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

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

10 Dated (insert date).

11 .....

12 C-5. The form of a Final and Irrevocable Designated  
13 Surrender for Purposes of Adoption to any agency given by a  
14 parent of a born child who is to be subsequently placed for  
15 adoption shall be substantially as follows and shall contain  
16 such other facts and statements as the particular agency shall  
17 require:

18 FINAL AND IRREVOCABLE DESIGNATED SURRENDER

19 FOR PURPOSES OF ADOPTION

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

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

23 2. That I reside at ....., County of ....., and State of  
24 .....

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

26 4. That I do hereby surrender and entrust the entire

1 custody and control of such child to the .... (the "Agency"), a  
 2 (public) (licensed) child welfare agency with its principal  
 3 office in the City of ....., County of .... and State of .....,  
 4 for the purpose of enabling it to care for and supervise the  
 5 care of such child, to place such child for adoption with  
 6 ..... (specified person or persons)  
 7 and to consent to the legal adoption of such child and to take  
 8 any and all measures which, in the judgment of the Agency, may  
 9 be for the best interests of such child, including authorizing  
 10 medical, surgical and dental care and treatment including  
 11 inoculation and anesthesia for such child.

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

15 6. That if the petition for adoption is not filed by the  
 16 specified person or persons designated herein or, if the  
 17 petition for adoption is filed but the adoption petition is  
 18 dismissed with prejudice or the adoption proceeding is  
 19 otherwise concluded without an order declaring the child to be  
 20 the adopted child of each specified person, then I understand  
 21 that the Agency will provide notice to me within 10 business  
 22 days and that such notice will be directed to me using the  
 23 contact information I have provided to the Agency. I understand  
 24 that I will have 10 business days from the date that the Agency  
 25 sends me its notice to respond, within which time I may choose  
 26 to designate other adoptive parent(s). However, I acknowledge

1 that the Agency has full power and authority to place the child  
 2 for adoption with any person or persons it may in its sole  
 3 discretion select to become the adopting parent or parents and  
 4 to consent to the legal adoption of the child by such person or  
 5 persons.

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

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

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

18 10. That I understand I cannot under any circumstances,  
 19 after signing this surrender, change my mind and revoke or  
 20 cancel this surrender or obtain or recover custody or any other  
 21 rights over such child.

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

24 Dated (insert date).

25 .....

26 D. The form of surrender to an agency given by a parent of

1 an unborn child who is to be subsequently placed for adoption  
2 shall be substantially as follows and shall contain such other  
3 facts and statements as the particular agency shall require.

4 SURRENDER OF UNBORN CHILD FOR  
5 PURPOSES OF ADOPTION

6 I, .... (father), state:

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

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

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

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

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

1 care and treatment, including inoculation and anaesthesia for  
2 such child.

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

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

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

14 Dated (insert date).

15 .....

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

19 CONSENT

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

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

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

24 Dated (insert date).

25 .....

26 F. The form of consent required for the adoption of a child

1 of the age of 14 years or upwards, or of an adult, to be given  
2 by such person, shall be substantially as follows:

3 CONSENT

4 I, ....., state:

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

6 That I am of the age of .... years. That I consent and agree to  
7 my adoption by .... and .....

8 Dated (insert date).

9 .....

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

18 H. A consent (other than that given by an agency, or  
19 guardian of the person of the child sought to be adopted who  
20 was appointed by a court of competent jurisdiction) shall be  
21 acknowledged by a parent before a judge of a court of competent  
22 jurisdiction or, except as otherwise provided in this Act,  
23 before a representative of an agency, or before a person, other  
24 than the attorney for the prospective adoptive parent or  
25 parents, designated by a court of competent jurisdiction.

26 I. A surrender, or any other document equivalent to a

1 surrender, by which a child is surrendered to an agency shall  
2 be acknowledged by the person signing such surrender, or other  
3 document, before a judge of a court of competent jurisdiction,  
4 or, except as otherwise provided in this Act, before a  
5 representative of an agency, or before a person designated by a  
6 court of competent jurisdiction.

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

10 STATE OF ....)

11 ) SS.

12 COUNTY OF ...)

13 I, .... (Name of judge or other person), .... (official  
14 title, name and location of court or status or position of  
15 other person), certify that ....., personally known to me to be  
16 the same person whose name is subscribed to the foregoing  
17 (consent) (surrender), appeared before me this day in person  
18 and acknowledged that (she) (he) signed and delivered such  
19 (consent) (surrender) as (her) (his) free and voluntary act,  
20 for the specified purpose.

21 I have fully explained that by signing such (consent)  
22 (surrender) (she) (he) is irrevocably relinquishing all  
23 parental rights to such child or adult and (she) (he) has  
24 stated that such is (her) (his) intention and desire. (Add if  
25 Consent only) I am further satisfied that, before signing this  
26 Consent, ..... has read, or has had read to him or her, the

1 Birth Parent Rights and Responsibilities-Private Form.

2 Dated (insert date).

3 Signature .....

4 K. When the execution of a consent or a surrender is  
5 acknowledged before someone other than a judge, such other  
6 person shall have his or her signature on the certificate  
7 acknowledged before a notary public, in form substantially as  
8 follows:

9 STATE OF ....)

10 ) SS.

11 COUNTY OF ...)

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

19 Dated (insert date).

20 Signature ..... Notary Public  
21 (official seal)

22 There shall be attached a certificate of magistracy, or  
23 other comparable proof of office of the notary public  
24 satisfactory to the court, to a consent signed and acknowledged  
25 in another state.



1 L. A surrender or consent executed and acknowledged outside  
2 of this State, either in accordance with the law of this State  
3 or in accordance with the law of the place where executed, is  
4 valid.

5 M. Where a consent or a surrender is signed in a foreign  
6 country, the execution of such consent shall be acknowledged or  
7 affirmed in a manner conformable to the law and procedure of  
8 such country.

9 N. If the person signing a consent or surrender is in the  
10 military service of the United States, the execution of such  
11 consent or surrender may be acknowledged before a commissioned  
12 officer and the signature of such officer on such certificate  
13 shall be verified or acknowledged before a notary public or by  
14 such other procedure as is then in effect for such division or  
15 branch of the armed forces.

16 O. (1) The parent or parents of a child in whose interests  
17 a petition under Section 2-13 of the Juvenile Court Act of 1987  
18 is pending may, with the approval of the designated  
19 representative of the Department of Children and Family  
20 Services, execute a consent to adoption by a specified person  
21 or persons:

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

24 (b) in whose physical custody at least one sibling of  
25 the child who is the subject of this consent has resided  
26 for at least 6 months, and the child who is the subject of

1 this consent is currently residing in this foster home; or

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

4 A consent under this subsection O shall be acknowledged by a  
5 parent pursuant to subsection H and subsection K of this  
6 Section.

7 (2) The consent to adoption by a specified person or  
8 persons shall have the caption of the proceeding in which it is  
9 to be filed and shall be substantially as follows:

10 FINAL AND IRREVOCABLE CONSENT TO ADOPTION BY

11 A SPECIFIED PERSON OR PERSONS: DCFS CASE

12 I, ....., the  
13 ..... (mother or father) of a ....male child,  
14 state:

15 ~~1.~~ My child ..... (name of  
16 child) was born on (insert date) at .....  
17 Hospital in ..... County, State of  
18 .....

19 ~~2.~~ I reside at ....., County of  
20 ..... and State of .....

21 ~~3.~~ I, ....., am .... years old.

22 ~~4.~~ I enter my appearance in this action to adopt my  
23 child by the person or persons specified herein by me and  
24 waive service of summons on me in this action only.

25 ~~5.~~ I consent to the adoption of my child by  
26 ..... (specified person or

1 persons) only.

2 ~~6.~~ I wish to sign this consent and I understand that by  
3 signing this consent I irrevocably and permanently give up  
4 all parental rights I have to my child if my child is  
5 adopted by ..... (specified person  
6 or persons).

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

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

1 child.

2 ~~9.~~ I have read and understand the above and I am  
3 signing it as my free and voluntary act.

4 Dated (insert date).

5 .....

6 Signature of parent

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

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

23 ~~11.~~ I understand that if either .....  
24 (specified persons) dies before the petition to adopt my  
25 child is granted, then the surviving person can adopt my  
26 child. I understand that I cannot change my mind and revoke



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

12 Dated (insert date).  
 13 .....  
 14 Signature

15 (5) If a consent to adoption by a specified person or  
 16 persons is executed in this form, the following provisions  
 17 shall apply. The consent shall be valid only if that specified  
 18 person or persons adopt the child. The consent shall be  
 19 voidable after one year if:

20 (a) the specified person or persons do not file a  
 21 petition to adopt the child within one year after the  
 22 consent is signed and the parent files a timely motion to  
 23 revoke this consent. If this motion is filed before the  
 24 filing of the petition for adoption the court shall revoke  
 25 this consent; or

26 (b) a court denies the adoption petition; or

1           (c) the Department of Children and Family Services  
2           Guardianship Administrator determines that the specified  
3           person or persons will not or cannot complete the adoption,  
4           or in the best interests of the child should not adopt the  
5           child.

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

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

24          (7) The Department shall collect and maintain data  
25          concerning the efficacy of specific consents. This data shall  
26          include the number of specific consents executed and their

1 outcomes, including but not limited to the number of children  
2 adopted pursuant to the consents, the number of children for  
3 whom adoptions are not completed, and the reason or reasons why  
4 the adoptions are not completed.

5 P. If the person signing a consent is incarcerated or  
6 detained in a correctional facility, prison, jail, detention  
7 center, or other comparable institution, either in this State  
8 or any other jurisdiction, the execution of such consent may be  
9 acknowledged before social service personnel of such  
10 institution, or before a person designated by a court of  
11 competent jurisdiction.

12 Q. A consent may be acknowledged telephonically, via  
13 audiovisual connection, or other electronic means, provided  
14 that a court of competent jurisdiction has entered an order  
15 approving the execution of the consent in such manner and has  
16 designated an individual to be physically present with the  
17 parent executing such consent in order to verify the identity  
18 of the parent.

19 R. An agency whose representative is acknowledging a  
20 consent pursuant to this Section shall be a public child  
21 welfare agency, or a child welfare agency, or a child placing  
22 agency that is authorized or licensed in the State or  
23 jurisdiction in which the consent is signed.

24 (Source: P.A. 96-601, eff. 8-21-09.)

25 Section 99. Effective date. This Act takes effect January



1 1, 2011.".