

1 AN ACT concerning civil law.

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

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

7 (750 ILCS 50/18.05)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 Registry.

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

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

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

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

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

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

1 (750 ILCS 50/18.06)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 "Proof of death" means a death certificate.

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

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

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

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

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

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

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

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

18 (750 ILCS 50/18.08)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 information;

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

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

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

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

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

22 Sec. 18.1. Disclosure of identifying information.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 (750 ILCS 50/18.1a)

24 Sec. 18.1a. Registry matches.

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

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

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

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

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

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

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

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

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

12 (750 ILCS 50/18.1b)

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

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

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

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

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

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

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

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

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

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

26 (1) Information Exchange Authorization. Adopted or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 identification.

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

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

5 Sec. 18.2. Forms.

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

12 BIRTH PARENT REGISTRATION IDENTIFICATION

13 (Insert all known information)

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

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

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

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

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

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

6 Name of adoptive parents, if known:

7 Other identifying information:

8

9 (Signature of parent)

10

11 (date) (printed name of parent)

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

14 ADOPTED PERSON

15 REGISTRATION IDENTIFICATION

16 (Insert all known information)

17 I,, state the following:

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

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

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

25 Maiden name of adoptive mother: (first)

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

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

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

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

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

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

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

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

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

10 (race).

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

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

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

14 date).

15 Other identifying information:

16

17 (signature of adoptee)

18

19 (date) (printed name of adoptee)

20 (c) The form of the Surrendered Person Registration

21 Identification shall be substantially as follows:

22 SURRENDERED PERSON REGISTRATION

23 IDENTIFICATION

24 (Insert all known information)

25 I,, state the following:

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

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

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

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

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

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

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

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

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

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

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

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

6 REGISTRATION IDENTIFICATION FORM
7 FOR SURVIVING RELATIVES OF DECEASED BIRTH PARENTS
8 (Insert all known information)

9 I,, state the following:

- 10 Name of deceased birth parent at time of surrender:
- 11 Deceased birth parent's date of birth:
- 12 Deceased birth parent's date of death:
- 13 Adopted or surrendered person's name at birth (if known):
- 14(first) (middle) (last),(birth
- 15 date), (city and state of birth), (sex),
- 16 (race).

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

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

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

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

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

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

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

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

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

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

10 I,, state the following:

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

15 Adopted or surrendered person's date of death:

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

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

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

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

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

5 INFORMATION EXCHANGE AUTHORIZATION

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

17 1. Only my name and last known address.

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

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

25 4. A copy of my completed medical questionnaire.

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

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

13 Dated (insert date).

14
 15 (signature)

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

18 DENIAL OF INFORMATION EXCHANGE

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

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

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

18 Dated (insert date).

19

20 (signature)

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

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

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

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

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

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

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

12
 13 (Signature/Date)

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

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

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

5
 6
 7
 8

9 (Signature/Date)

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

24
 25

1 (Signature/Date)

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

17
18

19 (Signature/Date)

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

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

4
5 (Signature/Date)

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

18
19

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

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

8
 9

10 (Signature/Date)

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

25 Non-Identifying Information Section

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

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

4 My race is best described as:

5 My height is:

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

8 My natural hair color is/was:

9 My eye color is:

10 My religion is best described as:

11 My ethnic background is best described as:

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

16 My occupation is best described as

17 My hobbies include

18 My interests include

19 My talents include

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

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

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

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

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

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

25 Dated (insert date).

26

1 (signature)

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

10 State of

11 County of

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

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

20

21 (signature)

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

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

7 State of.....

8 County of.....

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

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

17
 18 (signature)

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

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

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

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

21 (m) Beginning on January 1, 2015, any birth parent of an
22 adult adopted person named on the original birth certificate
23 may request a non-certified copy of the original birth
24 certificate reflecting the birth of the adult adopted person,
25 provided that:

26 (1) any non-certified copy of the original birth

1 certificate released under this subsection (m) shall not
2 reflect the State file number on the original birth
3 certificate; and

4 (2) if the Department of Public Health does not locate
5 the original birth certificate, it shall issue a
6 certification of no record found.

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

8 (750 ILCS 50/18.3a) (from Ch. 40, par. 1522.3a)

9 Sec. 18.3a. Confidential intermediary.

10 (a) General purposes. Notwithstanding any other provision
11 of this Act,

12 (1) any adopted or surrendered person 21 years of age
13 or over; or ~~τ~~

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

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

18 (4) any adult child or adult grandchild of a deceased
19 adopted or surrendered person; or

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

22 (6) any adult birth sibling of the adult adopted or
23 surrendered person unless the birth parent has checked
24 Option E on the Birth Parent Preference Form or has filed a
25 Denial of Information Exchange with the Registry and is not

1 deceased; or

2 (7) any adult adopted birth sibling of an adult adopted
3 or surrendered person; or

4 (8) any adult birth sibling of the birth parent if the
5 birth parent is deceased

6 may petition the court in any county in the State of Illinois
7 for appointment of a confidential intermediary as provided in
8 this Section for the purpose of exchanging medical information
9 with one or more mutually consenting biological relatives,
10 obtaining identifying information about one or more mutually
11 consenting biological relatives, or arranging contact with one
12 or more mutually consenting biological relatives. The
13 petitioner ~~Additionally, in cases where an adopted or~~
14 ~~surrendered person is deceased, an adult child of the adopted~~
15 ~~or surrendered person or his or her adoptive parents or~~
16 ~~surviving spouse may file a petition under this Section and in~~
17 ~~cases where the birth parent is deceased, an adult birth~~
18 ~~sibling of the adopted or surrendered person or of the deceased~~
19 ~~birth parent may file a petition under this Section for the~~
20 ~~purpose of exchanging medical information with one or more~~
21 ~~mutually consenting biological relatives of the adopted or~~
22 ~~surrendered person, obtaining identifying information about~~
23 ~~one or more mutually consenting biological relatives of the~~
24 ~~adopted or surrendered person, or arranging contact with one or~~
25 ~~more mutually consenting biological relatives of the adopted or~~
26 ~~surrendered person. Beginning January 1, 2006, any adopted or~~

1 ~~surrendered person 21 years of age or over; any adoptive parent~~
2 ~~or legal guardian of an adopted or surrendered person under the~~
3 ~~age of 21; any birth parent, birth sibling, birth aunt, or~~
4 ~~birth uncle of an adopted or surrendered person over the age of~~
5 ~~21; any surviving child, adoptive parent, or surviving spouse~~
6 ~~of a deceased adopted or surrendered person who wishes to~~
7 ~~petition the court for the appointment of a confidential~~
8 ~~intermediary shall be required to accompany his or her ~~their~~~~
9 petition with proof of registration with the Illinois Adoption
10 Registry and Medical Information Exchange.

11 (b) Petition. Upon petition, ~~by an adopted or surrendered~~
12 ~~person 21 years of age or over (an "adult adopted or~~
13 ~~surrendered person"), an adoptive parent or legal guardian of~~
14 ~~an adopted or surrendered person under the age of 21, or a~~
15 ~~birth parent of an adopted or surrendered person who is 21~~
16 ~~years of age or over,~~ the court shall appoint a confidential
17 intermediary. Upon ~~petition by an adult child, adoptive parent~~
18 ~~or surviving spouse of an adopted or surrendered person who is~~
19 ~~deceased, by an adult birth sibling of an adopted or~~
20 ~~surrendered person whose common birth parent is deceased and~~
21 ~~whose adopted or surrendered birth sibling is 21 years of age~~
22 ~~or over, or by an adult sibling of a birth parent who is~~
23 ~~deceased, and whose surrendered child is 21 years of age or~~
24 ~~ever, the court may appoint a confidential intermediary if the~~
25 ~~court finds that the disclosure is of greater benefit than~~
26 ~~nondisclosure.~~ The petition shall state which biological

1 ~~relative or relatives are being sought and~~ shall indicate if
2 the petitioner wants to do any one or more of the following as
3 to the sought-after relative or relatives: exchange medical
4 information with the biological relative or relatives, obtain
5 identifying information from the biological relative or
6 relatives, or to arrange contact with the biological relative.

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

11 (d) Fees and expenses. The court shall not condition the
12 appointment of the confidential intermediary on the payment of
13 the intermediary's fees and expenses in advance of the
14 commencement of the work of the confidential intermediary. No
15 fee shall be charged to any petitioner ~~if the petitioner is an~~
16 ~~adult adopted or surrendered person and the sought after~~
17 ~~relative is a birth parent who filed or who did not file a~~
18 ~~Denial with the Registry prior to January 1, 2011, or filed a~~
19 ~~Birth Parent Preference Form on which Option E was selected~~
20 ~~after January 1, 2011 and more than 5 years have transpired~~
21 ~~since the birth parent filed the Denial of Information Exchange~~
22 ~~or Birth Parent Preference Form on which Option E was selected.~~

23 (e) Eligibility of intermediary. The court may appoint as
24 confidential intermediary any person certified by the
25 Department of Children and Family Services as qualified to
26 serve as a confidential intermediary. Certification shall be

1 dependent upon the confidential intermediary completing a
2 course of training including, but not limited to, applicable
3 federal and State privacy laws.

4 (f) (Blank).

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

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

1 restricted to the full name, date of birth, place of birth,
2 last known address, last known telephone number of the
3 sought-after relative or, if applicable, of the children or
4 siblings of the sought-after relative, and the 18.3 statement.
5 If the petitioner is an adult adopted or surrendered person or
6 the adoptive parent of a minor and if the petitioner has signed
7 a written authorization to disclose personal medical
8 information, an adoption agency disclosing information to a
9 confidential intermediary shall disclose available medical
10 information about the adopted or surrendered person from birth
11 through adoption.

12 (h) Missing or lost original birth certificate; remedy.
13 Disclosure of information by the confidential intermediary
14 shall be consistent with the public policy and intent of laws
15 granting original birth certificate access as expressed in
16 Section 18.04 of this Act. The confidential intermediary shall
17 comply with the following procedures in disclosing information
18 to the petitioners:

19 (1) If the petitioner is an adult adopted or
20 surrendered person, or the adult child, adult grandchild,
21 or surviving spouse of a deceased adopted or surrendered
22 person, the confidential intermediary shall disclose:

23 (A) identifying information about the birth parent
24 of the adopted person which, in the ordinary course of
25 business, would have been reflected on the original
26 filed certificate of birth, as of the date of birth,

1 only if:

2 (i) the adopted person was born before January
3 1, 1946 and the petitioner has requested a
4 non-certified copy of the adopted person's
5 original birth certificate under Section 18.1 of
6 this Act, and the Illinois Department of Public
7 Health has issued a certification that the
8 original birth certificate was not found, or the
9 petitioner has presented the confidential
10 intermediary with the non-certified copy of the
11 original birth certificate which omits the name of
12 the birth parent;

13 (ii) the adopted person was born after January
14 1, 1946, and the petitioner has requested a
15 non-certified copy of the adopted person's
16 original birth certificate under Section 18.1 of
17 this Act and the Illinois Department of Public
18 Health has issued a certification that the
19 original birth certificate was not found.

20 In providing information pursuant to this
21 subdivision (h)(1)(A), the confidential intermediary
22 shall expressly inform the petitioner in writing that
23 since the identifying information is not from an
24 official original certificate of birth filed pursuant
25 to the Vital Records Act, the confidential
26 intermediary cannot attest to the complete accuracy of

1 the information and the confidential intermediary
2 shall not be liable if the information disclosed is not
3 accurate. Only information from the court files shall
4 be provided to the petitioner in this Section. If the
5 identifying information concerning a birth father is
6 sought by the petitioner, the confidential
7 intermediary shall disclose only the identifying
8 information of the birth father as defined in Section
9 18.06 of this Act;

10 (B) the name of the child welfare agency which had
11 legal custody of the surrendered person or
12 responsibility for placing the surrendered person and
13 any available contact information for such agency;

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

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

20 (2) If the petitioner is an adult adopted or
21 surrendered person, or the adoptive parent of an adult
22 adopted or surrendered person under the age of 21, or the
23 adoptive parent of a deceased adopted or surrendered
24 person, the confidential intermediary shall provide, in
25 addition to the information listed in paragraph (1) of this
26 subsection (h):

1 (A) any information which the adoption agency
2 provides pursuant to subsection (i) of this Section
3 pertaining to medical information about the adopted or
4 surrendered person; and

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

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

11 (A) any information for which the sought-after
12 relative has provided his or her consent under
13 paragraphs (1) through (4) of subsection (i) of this
14 Section;

15 (B) the name of the child welfare agency which had
16 legal custody of the surrendered person or
17 responsibility for placing the surrendered person and
18 any available contact information for such agency; and

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

21 ~~Adoption agency disclosure of medical information. If the~~
22 ~~petitioner is an adult adopted or surrendered person or the~~
23 ~~adoptive parent of a minor and if the petitioner has signed a~~
24 ~~written authorization to disclose personal medical~~
25 ~~information, an adoption agency disclosing information to a~~
26 ~~confidential intermediary shall disclose available medical~~

1 ~~information about the adopted or surrendered person from birth~~
2 ~~through adoption.~~

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

7 (i) Duties of confidential intermediary in conducting a
8 search. In conducting a search under this Section, the
9 confidential intermediary shall first determine whether
10 ~~confirm that~~ there is a ~~no~~ Denial of Information Exchange or a
11 Birth Parent Preference Form with Option E selected or an 18.3
12 statement referenced in subsection (g) of this Section on file
13 with the Illinois Adoption Registry. ~~If the petitioner is an~~
14 ~~adult child of an adopted or surrendered person who is~~
15 ~~deceased, the confidential intermediary shall additionally~~
16 ~~confirm that the adopted or surrendered person did not file a~~
17 ~~Denial of Information Exchange or a Birth Parent Preference~~
18 ~~Form with Option E selected with the Illinois Adoption Registry~~
19 ~~during his or her life. If there is a Denial on file with the~~
20 ~~Registry, the confidential intermediary must discontinue the~~
21 ~~search unless the petitioner is an adult adopted or surrendered~~
22 ~~person and the sought after birth relative filed the Denial 5~~
23 ~~years or more prior to the search or the birth parent has not~~
24 ~~been the object of a search through the State confidential~~
25 ~~intermediary program for 10 or more years. If the petitioner is~~
26 ~~an adult adopted or surrendered person and there is a~~ denial,

1 the Birth Parent Preference Form on file with the Registry and
2 the birth parent who completed the form selected Option E, or
3 if there is an 18.3 statement indicating the birth parent's
4 intent not to have identifying information shared and the birth
5 parent did not later file an Information Exchange Authorization
6 with the Registry, the confidential intermediary must
7 discontinue the search unless 5 years or more have elapsed
8 since the execution filing of the Denial of Information
9 Exchange, Birth Parent Preference Form, or the 18.3 statement.

10 ~~If the petitioner is an adult birth sibling of an adopted or~~
11 ~~surrendered person or an adult sibling of a birth parent who is~~
12 ~~deceased, the confidential intermediary shall additionally~~
13 ~~confirm that the birth parent did not file a Denial of~~
14 ~~Information Exchange or a Birth Parent Preference Form with~~
15 ~~Option E selected with the Registry during his or her life. If~~
16 ~~the confidential intermediary learns that a sought after birth~~
17 ~~parent signed an 18.3 statement indicating his or her intent~~
18 ~~not to have identifying information shared, and did not later~~
19 ~~file an Information Exchange Authorization or a Birth Parent~~
20 ~~Preference Form with the Registry, the confidential~~
21 ~~intermediary shall discontinue the search and inform the~~
22 ~~petitioning party of the birth parent's intent, unless the~~
23 ~~petitioner is an adult adopted or surrendered person and 5~~
24 ~~years or more have elapsed since the birth parent signed the~~
25 ~~statement indicating his or her intent not to have identifying~~
26 ~~information shared. In cases where the birth parent filed a~~

1 ~~Denial of Information Exchange or Birth Parent Preference Form~~
2 ~~where Option E was selected, or statement indicating his or her~~
3 ~~intent not to have identifying information shared less than 5~~
4 ~~years prior to the search request and the petitioner is an~~
5 ~~adult adopted or surrendered person, the confidential~~
6 ~~intermediary shall inform the petitioner of the need to~~
7 ~~discontinue the search until 5 years have elapsed since the~~
8 ~~Denial of Information Exchange or Birth Parent Preference Form~~
9 ~~where Option E was selected, or statement was filed; in cases~~
10 ~~where~~ a birth parent was previously the subject of a search
11 through the State confidential intermediary program, the
12 confidential intermediary shall inform the petitioner of the
13 need to discontinue the search until 10 years or more have
14 elapsed since the initial search was closed. In cases where a
15 birth parent has been the object of 2 searches through the
16 State confidential intermediary program, no subsequent search
17 for the birth parent shall be authorized absent a court order
18 to 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. ~~The If both the petitioner and~~
8 ~~the 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) (Blank). ~~If the petitioner is an adopted or surrendered~~
17 ~~person 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 ~~19.4, 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, or for medical information regarding a sought-after
8 relative pursuant to subsection (h) of Section 18.3a, 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) (Blank). ~~Provide information to eligible petitioner.~~
23 ~~The confidential intermediary may provide to eligible~~
24 ~~petitioners as described in subsections (a) and (b) of this~~
25 ~~Section, the name of the child welfare agency which had legal~~
26 ~~custody of the surrendered person or responsibility for placing~~

1 ~~the surrendered person and any available contact information~~
2 ~~for 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 The Department of Children and Family Services shall submit
10 reports to the Adoption Registry-Confidential Intermediary
11 Advisory Council by July 1 and January 1 of each year in order
12 to report the penalties assessed and collected under this
13 subsection, the amounts of related deposits into the DCFS
14 Children's Services Fund, and any expenditures from such
15 deposits.

16 (Source: P.A. 96-661, eff. 8-25-09; 96-895, eff. 5-21-10;
17 97-110, eff. 7-14-11; 97-1063, eff. 1-1-13.)