



# GROWING YOUR FAMILY:

A GUIDE FOR  
PROSPECTIVE LGBT  
ADOPTIVE PARENTS

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# WELCOME

Growing your family is an incredible experience, and all of us at Equality Illinois are so excited for you!

According to United States Census data for the state of Illinois, there are over 34,000 same-sex couples in long-term relationships living across the state, and 21 percent of these couples are raising children. Many same-sex couples, as well as single LGBT individuals, become parents through adoption or foster care. While the journey for adoptive and foster parents can be long and sometimes challenging, Equality Illinois is committed to helping you understand and navigate your legal rights. We hope that this guide will help you along this exciting journey!

**Growing Your Family: A Guide for Prospective LGBT Adoptive Parents** contains an overview of adoption law, some topics for your consideration, and a list of adoption and foster agencies in Illinois and their stated policies toward same-sex couples and LGBT individuals. We determined each agency's policy through either their published statement or with direct communication with agency spokespeople. In some cases, Equality Illinois was unable to ascertain the agency's policy and we have noted this in our guide.

We intend this guide to serve as a compilation of resources to help you make the best choices for your family. However, please note that this is not a list of Equality Illinois' recommended agencies. We cannot vouch for the services these agencies offer and do not make qualitative statements regarding any of the agencies.

Under Illinois law, adoption and foster care decisions are made based on that which is in the best interest of the child. While many factors go into consideration of this standard, prospective parent(s)' sexual orientation and marital status are not to be considered against the prospective parent(s). Please know that any agency that receives public funds cannot deny you service because you are LGBT or because of your civil union or marriage status.

**We wish you success in your journey to become a foster or adoptive parent(s)!**

# TO GROW OR NOT TO GROW

The decision to expand your family is a big one. In addition to the legal issues and concerns that arise, it requires a great deal of self-reflection and examination. As you begin the adoption process, here are a few things to keep in mind:

- Adoption can be a satisfying and successful means of forming a family, but it is different than parenting a child you are biologically related to. Accepting the difference, and being open to seeing how it unfolds in the family you create and the relationship you have with your child are the keys to successful adoption.
- Ask yourself tough questions, and be able to answer them honestly. The adoption process can be arduous and even intrusive. A lot of people may be asking you for very personal information, and self-reflection can go a long way. The more you process your own thoughts, feelings and emotions, the better you will be able to communicate them out to those looking for details. Additionally, self-reflection can help you learn what you want out of expanding your family, and how to make that happen.
- If you're looking to expand your family with a partner, keep the lines of communication open and honest. Your relationship is an important part of your extended family, and keeping that connection solid will not only help ease the stress associated with the adoption process, but help you create the family you want.
- The adoption process is long, and it may be complicated. Be prepared to handle the stress in healthy ways, and to seek help along the way. There are myriad resources available to LGBT individuals and couples looking to expand their families via adoption, beyond the legal considerations. Individual, couple and family therapy can help you manage the challenges and opportunities that arise.

As you begin to navigate the process of expanding your family, remember not to lose sight of yourself, your relationship and your ultimate goal: to create a warm, loving family and a whole new chapter of your life.

Content on this page courtesy of  
The Family Institute at Northwestern University. [www.family-institute.org](http://www.family-institute.org).

# ADOPTION LAW

## IN ILLINOIS

Since the adoption process is not governed by any single set of national laws and guidelines, it is best to work with an agency that knows the laws for your state and can help you navigate them.

Here are some aspects of Illinois adoption law:

- Birthmothers cannot sign the legal paperwork consenting to an adoption prior to 72 hours after the baby's birth. They may, however, take longer than 72 hours to make this decision if they choose.
- A new mom considering adoption for her baby has the same legal rights as any other mother: the right to privacy; the right to name the baby; the right to choose circumcision for a male baby, as well as make decisions on any other medical procedures. She also has the right to make her own decision without undue pressure from others.
- The decision to relinquish parental rights and consent to an adoption is final and irrevocable when signed. Birthparents cannot regain their parental rights to the child unless their consent was obtained by fraud or duress. Fraud involves intentional deception about a significant fact. Duress exists when a person is prevented from exercising his or her free will.
- A minor does not need his or her parents' permission to sign a consent to adoption.
- A final order of adoption is granted by the court six months after the baby's placement into an adoptive home, at which time a new birth certificate is issued with the adoptive parents' names. This period is for evaluation of the adoptive family and is not a time that the birthparents can use to change their minds and request the baby be returned.

Content on this page courtesy of The Cradle.  
[www.cradle.org](http://www.cradle.org).

# LGBT-SPECIFIC LEGAL INFORMATION

## **Who can adopt in Illinois?**

The prospective parent(s) must be 18 or older. If you are married or are in a civil union, your spouse or partner must adopt with you.

## **Can LGBT persons adopt?**

Yes, LGBT single persons and same-sex couples can adopt. Illinois has recognized the right to adopt for LGBT couples and singles since 1995.

## **Can same-gender couples adopt internationally?**

We know of no countries active in international adoption that will knowingly place a child with a same-gender couple. Same gender couples will be required to adopt as single parents when they pursue an international adoption, and then seek a second-parent adoption for the other parent when they return to Illinois.

## **If a couple enters into a civil union or marriage, do they still have to do a second parent adoption?**

Your child will be recognized in Illinois as the child of both of you. However, it is recommended that you complete a second parent adoption in order to have your parentage recognized in other states.

## **Does having a civil union or marriage change the adoption process in any way?**

Yes, in a second parent adoption, the process for couples in a civil union or marriage is streamlined and less expensive than if the parents are not a civil union or marriage. This means no criminal background check, no fingerprinting, no legal publication to all whom it may concern, and no search of the putative father registry.

## **Are there other significant issues affecting family formation for LGBT individuals?**

Same-gender surrogate parents must comply with the requirements of the Illinois Gestational Surrogacy Act in order to have both parents recognized as the legal parents of a child born to a surrogate.

Content on this page courtesy of  
Rosemary S. Mulryan, Esq. [www.mulryanandnyork.com](http://www.mulryanandnyork.com).

# DOMESTIC ADOPTION PROCESS

There are several steps in the domestic adoption process. Each agency is different, but follow these steps to get a general idea of what you will need to do:

- 1. Attend a general adoption information session at an agency.** Meetings can provide an overview of adoption programs, introduce you to open adoption (for domestic adoption), and include an opportunity for questions.
- 2. Complete and return preliminary paperwork.** Note: Some agencies require a registration fee.
- 3. Initial consultation with adoption counselor.** Meet with a personal adoption counselor who will discuss your interest in adoption.
- 4. Home study process.** The home study consists of a series of couple and/or individual interviews with your counselor, selecting the adoption program that is right for you, home visits, paperwork, and a series of educational classes that will prepare you for welcoming a child into your home. Your counselor will work closely with you throughout your preparation process. A home study is the legal document required for licensure as a foster parent in the state of Illinois. It documents the backgrounds, lifestyles, home setting and medical history of an adoptive family. A home study also includes a background check and fingerprinting. When you adopt through an agency, a foster parent license is required. A home study is made up of the following parts: - fingerprints - criminal background check - state child abuse and neglect clearance - medical history - a series of interviews with an adoption counselor designed to get to know you and educate you about adoption - autobiography - references - home visit.
- 5. Create your “Dear Birthparent” letter to introduce your family to potential birthparents.** You may write a letter to prospective birthparents, including photos of yourselves, family and friends. The letter is your first introduction to birthparents and will help them to understand a little about what it would be like for their child to live with your family. Your “Dear Birthparent” letter will be shown to birthparents who are considering adoption.
- 6. Match meeting.** Expectant parents who are considering placing a child and prospective adoptive parents may meet to determine if they want to work together toward an open adoption.
- 7. Placement. Hooray!** Your family at last grows, and your child comes home.
- 8. Post-placement follow-up and support.** Agencies are meant to serve as a source of support before and after you bring your baby home. You should seek an agency that encourages you to stay connected to their services after placement.

Content on this page courtesy of The Cradle.  
[www.cradle.org](http://www.cradle.org).

# WHAT IS OPEN ADOPTION?

Most domestic adoptions in the US today involve some sort of interaction between the birth and adoptive parents. Some agencies allow birth parents to select the adoptive parents for their child from a pool of pre-screened candidates. The birth and adoptive families may meet and can even arrange to stay in contact after placement of the child. This is called open adoption.

Experience with open adoption has shown the following benefits for all members of the adoption circle:

## **Open adoption benefits for the child:**

- A clearer sense of identity
- Understanding they are loved by their birth family and why they chose adoption
- Ready access to information about their medical and social history
- Access to biological siblings, if there are any

## **Open adoption benefits for adoptive parents:**

- Knowledge that birthparents chose adoption freely and willingly
- A feeling of entitlement and being personally entrusted to raise the child
- Dissolution of fantasies about birthparents or fear of the unknown
- Greater ability to answer the child's questions about his or her origins
- Ongoing access to birthparents' medical and social histories

## **Open adoption benefits for birthparents:**

- An opportunity to personally answer their birth child's questions about his or her adoption
- Reassurance of knowing the child is safe and thriving.

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[www.cradle.org](http://www.cradle.org).



# FREQUENTLY ASKED QUESTIONS

## **What are the adoption paths in Illinois?**

Adoptions fall into 3 broad categories:

- Unrelated-agency placement or independent placement of an unrelated child
- Related or second parent adoptions
- Foster family conversion – adoption of a child through the child welfare system (DCFS)

## **How long will the adoption process take?**

Timeframes in adoption are difficult to predict and vary from family to family. Timeframes will be dependent on the program and agency you choose, and there are no guaranteed placement dates. Some of the timing in the process is under your control as an adoptive parent: how motivated & available you are, how quickly you get paperwork back to your agency, and how flexible you are in your request for a child all will impact your timeframe in adoption. Consider asking potential agencies about the number of children they place, the number of waiting families, and average wait times, while keeping in mind that no reputable agency can guarantee a specific placement date.

## **Why are adoption fees from a non-profit agency so high?**

Fees cover a range of services to all members of the adoption circle (birthparents, adoptive parents as well as adopted individuals) as well as to those who explore adoption but then ultimately choose not to place their child. Your chosen agency will prepare you as adoptive parents for this experience through counseling and education. Expectant parent services include counseling, medical expenses and nursery care. Agencies may also provide extensive educational and outreach services to the professional community to ensure that they give their clients and patients accurate information about the option of adoption.

## **Are there financial assistance programs?**

The federal government offers a refundable Adoption Tax Credit, which may cover all or some of your adoption-related costs.

Many employers also offer adoption assistance to their employees to help cover some of the costs. Check with your employer if such benefit is available to you.

## **Does our age have an effect on our waiting time in the domestic program?**

The average age for our adoptive parents across programs is 40. There are lots of factors that birthparents consider when thinking about the family they'd like to place with. Age can sometimes be a factor.

## **Can we decide the amount of openness we want?**

The specifics of an open adoption are different for every family. As parents of your adopted child, you can develop an ongoing plan that you are comfortable with. The open relationship is going to be different for every situation and will depend on what you are looking for in that relationship as well as what the birthparents are looking for.

Content on this page courtesy of The Cradle.  
[www.cradle.org](http://www.cradle.org).

# ADOPTION AGENCIES

(alphabetical by city)

Questions or complaints about any adoption agency should be directed to the Illinois Department of Children and Family Services, 800-572-2390.

AGENCY	LOCATION	SENSITIVITY AND/OR SERVICES SPECIFIC TO LGBT PROSPECTIVE PARENTS?	SERVICES OFFERED	PHONE NUMBER	WEBSITE
Shelter, Inc.	Arlington Heights	Yes	Foster, Adoption Through Foster Care	(847) 590-6190 x35	<a href="http://www.shelterinc.org">www.shelterinc.org</a>
St. Mary's Services	Arlington Heights	Yes. "St. Mary's Services does not discriminate in practices or services on the basis of race, color, creed, religion, age, sexual orientation, or disability." Private agency.	Adoption/ Maternity Counseling	(847) 870-8181	<a href="http://www.stmaryservices.com">www.stmaryservices.com</a>
Youth Service Bureau of Illinois Valley	Aurora, Glen Ellyn, LaSalle, Mendota, Ottawa, Princeton, Rockford, Streator	Yes	Foster	(815) 431-3026	<a href="http://www.ysbiv.org">www.ysbiv.org</a>
Caritas Family Solutions	Belleville	Yes	Adoption/ Foster	(800) 997-9702	<a href="http://www.cssil.org">www.cssil.org</a>
Lifeline International Adoption	Bensenville	No	Adoption	(630) 521-8281	<a href="http://www.lifelineadoption.org">www.lifelineadoption.org</a>
Holt-Sunny Ridge Children's Services	Bolingbrook	Yes. You must be married couple or in a civil union.	Adoption	(630) 754-4500	<a href="http://www.sunnyridge.org">www.sunnyridge.org</a>
One Hope United	Centralia, Charleston, Collinsville, Effingham, Mt. Vernon, Olney, Springfield	Yes	Foster, Adoption Through Foster Care	(847) 245-6500	<a href="http://www.onehopeunited.org">www.onehopeunited.org</a>
ABC Counseling and Family Services	Champaign, Decatur, Normal, Pekin, Peoria, Springfield	Yes. <i>Not affiliated with DCFS.</i>	Adoption (Both Domestic and International)	(309) 451-9495	<a href="http://www.abccounseling.org">www.abccounseling.org</a>
Ada S. McKinley Community Services, Inc.	Chicago	Yes. Includes sexual orientation in non-discrimination policy. You must be married couple or in a civil union.	Foster, Adoption Through Foster Care	(773) 602-2660	<a href="http://www.adasmckinley.org">www.adasmckinley.org</a>

AGENCY	LOCATION	SENSITIVITY AND/OR SERVICES SPECIFIC TO LGBT PROSPECTIVE PARENTS?	SERVICES OFFERED	PHONE NUMBER	WEBSITE
Association House of Chicago	Chicago	Yes. Has done one previous adoption for a same-sex couple in a civil union. Bilingual agency. <i>Not affiliated with DCFS.</i>	Foster, Adoption Through Foster Care	(773) 772-7170	<a href="http://www.associationhouse.org">www.associationhouse.org</a>
Catholic Charities, Arch of Chicago	Chicago	No	Adoption	(312) 655-7086	<a href="http://www.catholiccharities.net">www.catholiccharities.net</a>
Child Link	Chicago	Yes. Has adopted to same-sex couples and includes same-sex couples in "success stories" on their website.	Foster, Adoption Through Foster Care	(312) 377-4735	<a href="http://www.childlnk.org">www.childlnk.org</a>
Children's Home and Aid Society	Chicago	Yes, for domestic program, and includes sexual orientation in non-discrimination policy; however, international adoption programs are restricted.	Adoption/ Foster	(312) 455-5200	<a href="http://www.childrenshomeandaid.org">www.childrenshomeandaid.org</a>
The Children's Place Association	Chicago	Yes. Actively works with LGBT individuals & couples. Includes sexual orientation in non-discrimination policy and addresses issues of sexuality in client rights and grievance policy.	Adoption/ Foster	(773) 826-1230	<a href="http://www.childrens-place.org">www.childrens-place.org</a>
Envision Unlimited	Chicago	Yes. Welcomes same sex couples and encourages them to apply as potential foster parents.	Foster, Adoption Through Foster Care	(773) 241-5700	<a href="http://www.envisionchicago.org">www.envisionchicago.org</a>
Family Resource Center	Chicago	Yes. Includes same-sex couples on potential family profiles.	Adoption	(800) 676-2229	<a href="http://www.adoptioncenterofillinois.org">www.adoptioncenterofillinois.org</a>
Jewish Child and Family Services	Chicago	Yes. Provides a full range of services "regardless of orientation" to couples and individuals who become licensed with agency.	Foster, Adoption Through Foster Care	(312) 673-2731	<a href="http://www.jcfs.org">www.jcfs.org</a>
Kaleidoscope, Inc.	Chicago	Yes	Adoption/ Foster	(773) 278-7200	<a href="http://www.kaleidoscope4kids.org">www.kaleidoscope4kids.org</a>

AGENCY	LOCATION	SENSITIVITY AND/OR SERVICES SPECIFIC TO LGBT PROSPECTIVE PARENTS?	SERVICES OFFERED	PHONE NUMBER	WEBSITE
Lawrence Hall Youth Services	Chicago	Yes. "LHYS considers all foster home applicants regardless of socioeconomic status, race, culture, marital/civil union status, gender, gender identity, or sexual orientation."	Foster	(773) 769-3500	<a href="http://www.lawrencehall.org">www.lawrencehall.org</a>
UHLICH Children's Advantage Network (UCAN)	Chicago	Yes. "Diversity at UCAN means... serving and employing a wide range of individuals with broad representation of similarities and differences including people of every ability, race, ethnicity, gender identity, socio-economic status, sexual orientation, age, culture and religion."	Foster	(312) 738-5910	<a href="http://www.ucanchicago.org">www.ucanchicago.org</a>
Universal Family Connection, Inc.	Chicago	Yes	Adoption/ Foster	(773) 881-1711	<a href="http://www.universalfamilyconnection.org">www.universalfamilyconnection.org</a>
Illinois Youth Advocate Program	Chicago, Matteson	Yes. "The National Youth Advocate Program does not discriminate in recruitment of foster parents or services provided to youth and families on the basis of age, color, race, sex, sexual orientation, gender identity/expression, religion, national origin, marital status or disability."	Foster, Adoption Through Foster Care	(773) 596-9045	<a href="http://www.nyap.org/illinois">www.nyap.org/illinois</a>
Angel Adoption, Inc.	Crystal Lake	Yes. Website contains LGBT-specific information. <i>Not affiliated with DCFS.</i>	Adoption	(847) 462-8874	<a href="http://www.angeladoptioninc.com">www.angeladoptioninc.com</a>
Lutheran Social Services of Illinois	Des Plaines	Yes. Actively works with LGBT individuals & couples and sexual orientation is included in anti-discrimination policy.	Adoption/ Foster	(888) 671-0300	<a href="http://www.adoptionillinois.org">www.adoptionillinois.org</a>
Hoyleton Youth and Family Services	East St. Louis	Yes. "We have served many foster parents with diversity in regard to sexual orientation. This includes placement as well as supporting permanency plans. Hoyleton has also participated in several Pride events throughout southern Illinois."	Foster, Adoption Through Foster Care	(618) 213-3170	<a href="http://www.hoyleton.org">www.hoyleton.org</a>

AGENCY	LOCATION	SENSITIVITY AND/OR SERVICES SPECIFIC TO LGBT PROSPECTIVE PARENTS?	SERVICES OFFERED	PHONE NUMBER	WEBSITE
The Cradle	Evanston	Yes. Actively works with same-sex couples and includes same-sex couples in "success stories."	Adoption	(847) 475-5800	www.cradle.org
Christian Family Services	Fairview Heights	No.	Adoption	(618)397-7678	www.cfserve.org
Journeys of the Heart	Glen Ellyn	Yes. Wait time could be upwards of 1 to 2 years.	Adoption	(630) 469-4367	www.journeysoftheheart.net
LDS Family Services	Glen Ellyn	No. <i>Not affiliated with DCFS.</i>	Adoption	(630) 942-8803	www.itsaboutlove.org
Camelot Care Center Inc.	Gurnee, Itasca, Matteson, Peoria, Rockford, Springfield	Yes	Foster	(217) 585-9185	www.camelotcarecenters.com
Hobby Horse House Child Welfare Agency	Jacksonville	No information provided	Foster, Adoption Through Foster Care	(217) 243-7708	www.elmcity.org
ABC for Adoption	Lincolnshire	Yes	Adoption	(888) 442-3678	www.abcforadoption.com
Illinois Mentor	Marion, Matteson, Peoria, Rockford, Swansea	Yes. <i>Not affiliated with DCFS.</i>	Foster	(708) 679-9137	www.il-mentor.com
Bethany for Children and Families	Moline	Yes	Adoption/ Foster	(309) 797-7700	www.bethany-qc.org
Baptist Children's Home and Family Services	Mt. Vernon	No	Foster	(618) 242-4944	www.bchfs.com
Our Children's Homestead	Naperville, Rockford	Yes. Sexual Orientation is included in the non- discrimination policy. Has actively worked with LGBT couples in the past.	Adoption/ Foster	(630) 639-0004	www.ourchildrens homestead.org

AGENCY	LOCATION	SENSITIVITY AND/OR SERVICES SPECIFIC TO LGBT PROSPECTIVE PARENTS?	SERVICES OFFERED	PHONE NUMBER	WEBSITE
The Baby Fold	Normal	Yes. Actively works with LGBT individuals & couples. Agency has a non-discrimination policy that includes sexual orientation.	Foster, Adoption Through Foster Care	(309) 454-1770	<a href="http://www.thebabyfold.org">www.thebabyfold.org</a>
Adoption-Link	Oak Park	Yes. The agency "serves children, birth parents and adoptive families of all races, cultures and orientations in domestic and international adoption. We also provide humanitarian services and support to all families including multi-racial, HIV+ and those with special needs."	Adoption	(708) 524-1433	<a href="http://www.adoption-link.org">www.adoption-link.org</a>
Hephzibah Children's Association	Oak Park	Yes	Foster, Adoption Through Foster Care	(708) 649-7100	<a href="http://www.hephzibahhome.org">www.hephzibahhome.org</a>
Aunt Martha's	Olympia Fields	Yes	Foster	(708) 754-1044	<a href="http://www.auntmarthas.org">www.auntmarthas.org</a>
Little City Foundation	Palatine	Yes	Adoption/ Foster	(847) 358-5510	<a href="http://www.littlecity.org">www.littlecity.org</a>
Bethany Christian Services	Palos Heights	No	Adoption/ Foster	(708) 385-4889	<a href="http://www.bethany.org/chicago">www.bethany.org/chicago</a>
Children's Home Association of Illinois	Peoria	Yes. Agency has licensed LGBT foster and adoptive parents.	Foster, Adoption Through Foster Care	(309) 685-1047	<a href="http://www.chail.org">www.chail.org</a>
FamilyCore	Peoria	Yes	Adoption/ Foster	(309) 676-2400	<a href="http://www.cfspeoria.org">www.cfspeoria.org</a>
Chaddock	Quincy	Yes	Foster, Adoption Through Foster Care	(217) 222-0034	<a href="http://www.chaddock.org">www.chaddock.org</a>

AGENCY	LOCATION	SENSITIVITY AND/OR SERVICES SPECIFIC TO LGBT PROSPECTIVE PARENTS?	SERVICES OFFERED	PHONE NUMBER	WEBSITE
Generations of Hope	Rantoul	Yes. Includes sexual orientation in non-discrimination policy and encourages same-sex couples to apply/join.	Foster, Adoption Through Foster Care	(217) 893-4673	<a href="http://www.generationsofhope.org">www.generationsofhope.org</a>
Lutheran Child and Family Services	River Forest	Yes	Adoption/ Foster	(708) 771-7180	<a href="http://www.lcfs.org">www.lcfs.org</a>
Madison Adoption Associates	Rochester	No	International Adoption	(217) 498-9700	<a href="http://www.madisonadoption.com">www.madisonadoption.com</a>
Adoption Center for Family Building	Skokie	Yes. "CFB does not discriminate on the basis of race, religion, marital status, ethnicity, gender or sexual orientation."	Adoption	(847) 674-3231	<a href="http://www.centerforfamily.com">www.centerforfamily.com</a>
Rutledge Youth Foundation, Inc.	Springfield	Yes	Adoption/ Foster	(217) 525-7757	<a href="http://www.rutledgeyouthfoundation.com">www.rutledgeyouthfoundation.com</a>
Family Service Center's Adoption Center of Central Illinois	Springfield	Yes	Adoption/ Foster	(217) 528-8406	<a href="http://www.service2families.com">www.service2families.com</a>
Illini Christian Ministries	St. Joseph	No	Adoption	(217) 469-7566	<a href="http://www.icmfamily.org">www.icmfamily.org</a>
Evangelical Child and Family Agency	Wheaton	No. <i>Not affiliated with DCFS.</i>	Adoption/ Foster	(630) 653-6400	<a href="http://www.evancfa.org">www.evancfa.org</a>
International Children's Alliance	Woodridge	No	Adoption	(630) 655-0431	<a href="http://www.adoptica.org">www.adoptica.org</a>

## ADOPTIVE PARENTS' RIGHTS AND RESPONSIBILITIES IN ILLINOIS

***This document does not constitute legal advice. Legal advice is dependent on the specific circumstances of each situation and jurisdiction. The information in this document is an overview and does not cover all cases or facets of adoption law in Illinois. It cannot replace the advice of an attorney licensed in your state.***

Illinois has progressive adoption laws that protect the rights of birth parents and adoptive parents. Prior to paying any agency fees, adoptive parents who are using the services of an adoption agency in Illinois must receive this document from their caseworker as soon as is reasonably practical after meeting with an agency worker. Adoptive parents may take this document home to read in private prior to reviewing it with a worker from the agency.

This document provides adoptive parents with information regarding their choices, rights and responsibilities as they relate to adopting a child in Illinois. The information generally refers to the rights of adoptive parents in agency-assisted and private Illinois adoptions, and does not refer to situations involving adoptions that go through the child welfare system and the Juvenile Court. While much of the information contained in this document is applicable, prospective adoptive parents who are providing long term foster care and who are considering adoption should seek the assistance of their caseworkers and their attorneys.

### **The different ways to adopt a child are to:**

- 1) adopt domestically through an adoption agency that is licensed in Illinois or elsewhere in the U.S. (an 'agency assisted adoption');
- 2) work with an adoption agency that is licensed in Illinois or elsewhere in the U.S. to adopt internationally (an 'international or intercountry adoption'); or
- 3) work with an adoption attorney to adopt domestically (a 'private adoption'; other states may or may not be involved); or
- 4) become a licensed foster parent and provide long term foster care for a child who has been removed from his or her parents due to abuse, neglect or dependence. If the child cannot return home to his or her birth parents, the placement will likely convert to an adoption.

**Note:** No agency or attorney can guarantee in advance that you will be approved as an adoptive parent, that a child will be placed with you or that if a child is placed with you that you will be ultimately approved by the court as an adoptive parent.

## **RIGHTS OF ADOPTIVE PARENTS**

### **ADOPTIVE PARENTS WORKING WITH AN ILLINOIS ADOPTION AGENCY HAVE MANY RIGHTS, INCLUDING THE RIGHT TO:**

1. Be treated with respect and dignity.

Adoptive Parent(s) Initials \_\_\_\_\_/\_\_\_\_\_

Witness Initials \_\_\_\_\_



## ADOPTIVE PARENT'S RIGHTS AND RESPONSIBILITIES

2. Make decisions free from pressure or coercion, including your decision to accept or reject the placement of a particular child.
3. Be informed of the rights of birth parents.
4. Receive a written schedule of agency fees and refund policies as well as a copy of the agency's annual report.

**Note:** An agency may not require you to make a donation, or increase its fees without notice. Agencies may not charge additional fees and expenses beyond those disclosed in the adoption fee schedule unless additional fees are reasonably required by the circumstances and you are informed of them before they are incurred. In addition, an agency may not charge excessive fees and they must be based on services provided to adoptive families and to birth parents.

5. Know whether or not the agency will provide you with a copy of your home study. Adoptive parents also have the right to request a transfer of their foster parent licensing or home study file to another agency and the right to expect that the transfer be made in a timely manner.
6. For the adoption of a child born in Illinois, receive in writing, no later than the date of placement, non-identifying information (if known) concerning the child and his or her birth family to be placed with you for adoption, including the:
  - Date and place of birth of the child; immunization records; and conditions or diseases believed to be hereditary;
  - Drugs or medications taken by the child's biological mother during pregnancy;
  - Psychological and psychiatric information known about the child and birth family;
  - Any other information that may be a factor influencing the child's present or future physical, mental or emotional health;
  - Information on previous placements, if any, and reasons for placement changes, excluding identifying information on previous caregivers;
  - Any known behavioral information about the child necessary to care for the child and other children in your home;
  - Age, general physical appearance, ethnic background, race, religion, education, occupations, hobbies, interests and talents of each of the biological parents;
  - Existence of any other children born to the biological parents;
  - Information about biological grandparents; reason for emigrating into the United States, if applicable, and country of origin;
  - Relationship between biological parents;
  - Detailed medical and mental health histories of the child, the biological parents, and members of their immediate families;
  - In the case of emergency placements, known information may be provided verbally, but subsequently must be provided in writing;
  - Information learned by the agency between the time of placement and the time of the adoption finalization as it is acquired;

Adoptive Parent(s) Initials \_\_\_\_\_/\_\_\_\_\_

Witness Initials \_\_\_\_\_

## **ADOPTIVE PARENT'S RIGHTS AND RESPONSIBILITIES**

**Note:** If you are adopting a child from another country, the availability of the abovementioned information will be limited. If you are adopting a child born in another State, you should receive all known background information and birth records.

7. Adoptive parents may view supporting documentation in the child's file in the presence of casework staff at the Illinois agency, but may not have access to identifying or personal information about other people. Adoptive parents should be advised by the adoption agency if certain information about birth family members is not provided due to confidentiality protections under federal law.
8. Training that includes counseling and guidance for ensuring a successful adoption. You must complete the training within the time frame required by your agency.
9. Confidentiality of your identifying information (unless otherwise required by Illinois law or court order).
10. Seek medical, emotional and social work advice from independent resources prior to accepting the placement of a particular child.
11. If you are adopting domestically, you can ask to participate in an open or closed adoption with your adopted child's birth parents and ask to meet them prior to placement; or to choose another agency if your request cannot be honored. Any agreement or promises regarding plans to have contact with the birth parents of your child or receive information after the finalization of the adoption cannot be enforced under Illinois law.

### **AS AN ADOPTIVE PARENT WORKING WITH AN ATTORNEY TOWARD A PRIVATE ADOPTION, YOU HAVE THE RIGHT TO:**

1. Receive information regarding legal fees, expenses and refund policies.
2. Inquire about the attorney's license and status. You may access this information by calling the Illinois Attorney Registration and Disciplinary Commission at 800-826-8625 or 312-565-2600 or accessing its website at [www.iardc.org](http://www.iardc.org). Another resource is the American Academy of Adoption Attorneys website: [www.adoptionattorneys.org/](http://www.adoptionattorneys.org/) or telephone at 202/832-2222.
3. Ask about and expect that your attorney have experience in adoption law.
4. Inquire about any conflict of interest that would affect the attorney's representation of you. An attorney may not represent both the birth parents and the adoptive parents at the same time. Similarly, you should inquire about the attorney's relationship with any agencies with which you have worked.
5. Ask your attorney to explain to you the parameters of confidentiality of the private information you disclose to your attorney.

Adoptive Parent(s) Initials \_\_\_\_\_/\_\_\_\_\_

Witness Initials \_\_\_\_\_

## **ADOPTIVE PARENT'S RIGHTS AND RESPONSIBILITIES**

**Note: Illinois laws do not permit an attorney to be paid to provide adoption services.**

- Adoption services are defined as: arranging for the placement of a child, identifying a child for adoption, matching adoptive parents with biological parents, arranging or facilitating an adoption, taking or acknowledging consents or surrenders.
- Licensed attorneys may provide and charge for legal services related to the adoption. For example, fees may be charged to appear in court on your behalf or provide you with legal advice.

### **RESPONSIBILITIES OF ADOPTIVE PARENTS**

**As an adoptive parent, it is your responsibility to:**

- Work cooperatively and honestly with the entity handling your adoption.
- Disclose if you have ever been the subject of an unfavorable home study or if you have ever withdrawn an application from an agency.
- Pay the agreed-upon fees promptly.
- Obtain the express permission of the agency that developed a "review only" home study before forwarding the study to other agencies.
- Keep your agency informed of new pertinent information about your family.
- Receive permission from the agency with which you are licensed before you accept a child being placed by another agency into your home.
- Cooperate in obtaining the required training on adoption related issues.
- Be cooperative with post-placement monitoring and support.
- If you are transferring your foster parent license from one agency to another, you are responsible for arranging for the original agency to send the home study directly to the subsequent adoption agency.

### **REQUIREMENTS FOR LICENSED ADOPTION AGENCIES**

1. This document shall be utilized in all agency-assisted adoptions in Illinois, **except in cases in which there is a pending Juvenile Court case** relating to the child being placed for adoption
2. The Department of Children and Family Services must license any agency providing adoption services in Illinois.
  - The agency must be recognized by the IRS as a charitable organization under section 501(c) 3 of the Internal Revenue Code.
  - Only adoption agencies that are licensed may receive payment or compensation for providing adoption services or advertise their services. (Adoptive parents may advertise on their own behalf.)
  - DCFS will not issue or renew the license of an adoption agency unless it is already or has achieved 501(c)(3) status, as recognized by the Internal Revenue code, by August 15, 2007.

Adoptive Parent(s) Initials \_\_\_\_\_/\_\_\_\_\_

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## ADOPTIVE PARENT'S RIGHTS AND RESPONSIBILITIES

3. Before you submit an application to an adoption agency that is providing adoption services in Illinois, the agency must provide you with its estimated fees, its refund and grievance policies and procedures in writing.
4. Before you enter into a contract or agreement with an Illinois adoption agency, the agency must provide you with a description, in writing, of its adoption services, policies and practices, and general eligibility criteria, including:
  - a. Verification of its current licenses and certifications;
  - b. Description of the agency's philosophy and/or religious affiliation;
  - c. Content of the home study, preparation and licensing process, general training hours required and description of the home study process;
  - d. Any policy, requirements or situation that would affect the placement of a child with you;
  - e. Expected waiting period for the placement of a child with you;
  - f. How background information about the child is gathered and in what form it is shared; and
  - g. The post-placement process and the requirements for the finalization of your adoption.
5. This document shall be read aloud in its entirety to the adoptive parent(s) by an agency employee and shall be provided to them in writing in their preferred language.
6. The adoptive parent(s) and a witness from the agency must initial each page.
7. After it is signed and dated, a copy of this document shall be provided to the adoptive parent(s), and the original shall be maintained in the adoption agency's client file.

## RESOURCES

### THE ILLINOIS DCFS LICENSED ADOPTION AGENCY WEBSITE

This website provides information on all the adoption agencies in Illinois. The "Summary of Illinois Licensed Adoption Agencies" document provides a basic overview of all agencies, including contact information regarding each agency's DCFS licensing representative. [www.state.il.us/dcfs/adoption/agencies/default.html](http://www.state.il.us/dcfs/adoption/agencies/default.html)

### THE ILLINOIS ADOPTION REGISTRY AND MEDICAL INFORMATION EXCHANGE

Your agency should offer you information about the Illinois Adoption Registry, which provides a means by which registrants may authorize or prohibit the release of identifying information, including a copy of the adopted person's original birth certificate, to others involved in their surrender or adoption. Confidential facts may be released to registrants only after at least two specified parties to the adoption have each filed an explicit mutual consent for the exchange of this information.

Website: [www.idph.state.il.us/vitalrecords/adoptioninfo.htm](http://www.idph.state.il.us/vitalrecords/adoptioninfo.htm) or telephone 877-323-5299

### THE ILLINOIS CONFIDENTIAL INTERMEDIARY PROGRAM

The DCFS Confidential Intermediary Program provides a way for adoptees, adoptive parents, birth parents and other birth relatives to connect. A Confidential Intermediary (CI), who is trained and certified by DCFS to provide this service, is appointed by the Court to locate the sought-after relative. When the relative is located, the CI explains the reason for the contact, describes the options available and helps facilitate a mutually agreeable outcome. The CI protects each person's privacy and confidentiality until/unless both decide to have direct contact. Website: [www.ci-illinois.org](http://www.ci-illinois.org) or telephone 847-298-9096

Adoptive Parent(s) Initials \_\_\_\_\_/\_\_\_\_\_

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## ADOPTIVE PARENT'S RIGHTS AND RESPONSIBILITIES

### DCFS ADOPTION ASSISTANCE/SUBSIDIES FOR NON-WARD SPECIAL NEEDS CHILDREN:

For special needs children who are not wards of the Illinois Department of Children and Family Services, the Department will provide subsidies if the ward meets the necessary criteria. If you adopt a child who is eligible for supplemental security income (SSI), or who meets other special needs criteria, your child may be subsidy eligible. If you are working with an agency, check with your caseworker.

Website [www.state.il.us/dcf](http://www.state.il.us/dcf) or telephone 800-232-3798

### NORTH AMERICAN COUNCIL ON ADOPTABLE CHILDREN (NACAC)

Website: [www.nacac.org/](http://www.nacac.org/)

970 Raymond Avenue, Suite 106

St. Paul, MN 55114

Telephone: 651-644-3036

### CHILD WELFARE INFORMATION GATEWAY

A division of the Children's Bureau, Administration for Children and Families, U.S. Department of Health and Human Services website: [www.childwelfare.gov/](http://www.childwelfare.gov/)

### SIGNATURES:

#### Adoptive Parents:

\_\_\_\_\_  
Adoptive Parent's Printed Name

\_\_\_\_\_  
Adoptive Parent's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Adoptive Parent's Printed Name

\_\_\_\_\_  
Adoptive Parent's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness's Printed Name

\_\_\_\_\_  
Witness's Signature

\_\_\_\_\_  
Date

#### Agency:

\_\_\_\_\_  
Printed Agency Name

\_\_\_\_\_  
Authorized Representative's Printed Name

\_\_\_\_\_  
Authorized Representative's Signature

\_\_\_\_\_  
Date

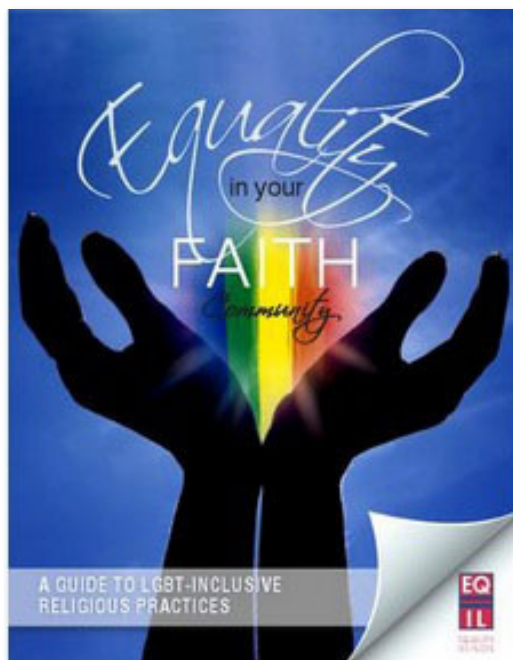
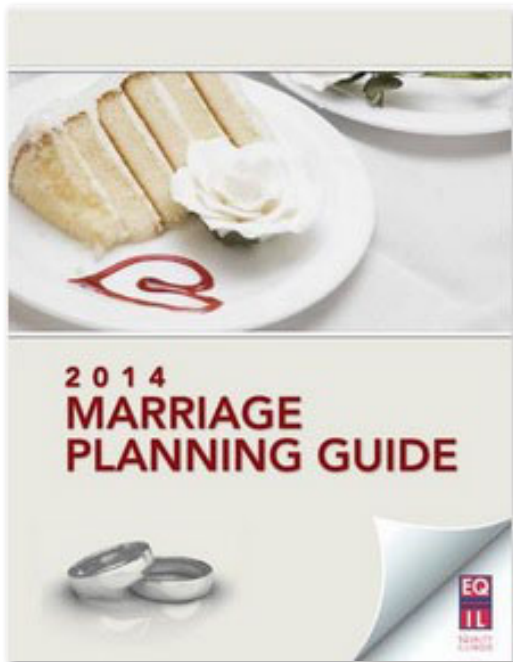
Adoptive Parent(s) Initials \_\_\_\_\_/\_\_\_\_\_

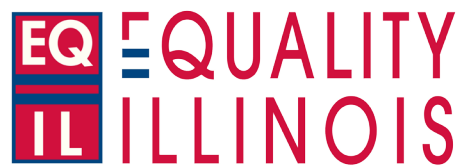
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## NOTES:

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Access these and additional resources on [www.eqil.org](http://www.eqil.org)





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Equality Illinois builds a better Illinois by advancing equal treatment and social justice through education, advocacy, and protection of the rights of the LGBT community.

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