

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT – COUNTY DIVISION**

In the Matter of the Petition of _____)
)
) No. _____)
)
For appointment of _____)
Confidential Intermediary)

PETITION FOR APPOINTMENT OF A CONFIDENTIAL INTERMEDIARY

Comes now _____ petitioning this Court for the appointment of a Confidential Intermediary pursuant to 750 ILCS 50/18.3a and in support of this petition states as follows:

1. I am: (select one)

- an adopted person 21 years of age or over; or
- a “surrendered person” 21 years of age or over (Note: A “surrendered person” is a person who was never adopted but whose birth parents’ rights were surrendered or terminated); or
- an adoptive parent of an adopted or surrendered person under the age of 21; please complete the following information, if known:

Date of adoption: _____

Adoption case number _____

- a legal guardian of an adopted or surrendered person under the age of 21; please attach a copy of the order appointing the Petitioner the legal guardian of the adopted or surrendered person; or
- a birth parent of an adopted or surrendered person 21 years of age or over; or
- an adult child of a deceased adopted or surrendered person; please attach documents establishing the relationship between the Petitioner and the deceased adopted or surrendered person as well as a copy of the death certificate for the deceased adopted or surrendered person; or
- an adoptive parent of a deceased adopted or surrendered person; please attach documents establishing the relationship between the Petitioner and the deceased adopted or surrendered person as well as a copy of the death certificate for the deceased adopted or surrendered person; or

- a legal guardian of a deceased adopted or surrendered person; please attach documents establishing the relationship between the Petitioner and the deceased adopted or surrendered person as well as a copy of the death certificate for the deceased adopted or surrendered person; or
- a surviving spouse of a deceased adopted or surrendered person; please attach documents establishing the relationship between the Petitioner and the deceased adopted or surrendered person as well as a copy of the death certificate for the deceased adopted or surrendered person; or
- an adult birth sibling of an adopted or surrendered person whose common birth parent is deceased and whose adopted or surrendered birth sibling is 21 years of age or over; please attach documents establishing the relationship between the Petitioner and the deceased birth parent as well as a copy of the death certificate for the deceased birth parent; or
- an adult sibling of a deceased birth parent whose surrendered child is 21 years of age or over; please attach copies of the deceased birth parent's death certificate and all documents establishing the relationship between the Petitioner and the deceased birth parent.

2. That _____ is an adopted
 (name of adopted or surrendered person or child's name at birth)
 or surrendered person having a date of birth of _____, and on the date of filing this
 Petition said adopted or surrendered person is _____ years of age.
 (age)

Since the date of my adoption or date that I became a surrendered person, my name has been legally changed by marriage (please attach a copy of a marriage certificate) or by legal change of name (please attach a certified copy of order changing name). Strike if not applicable.

3a. _____ was adopted by _____
 (name of adopted person)
 _____ on or about _____ / _____ / _____ in
 mm dd yy
 _____ County, Illinois, and named _____.

3b. _____ was born in Illinois on or about
 (name of adopted person)
 _____ / _____ / _____, but was adopted in
 mm dd yy
 the State of _____ on or about _____ / _____ / _____ and named
 mm dd yy
 _____. Birth name, if known _
 _____.

4. That the Petitioner seeks the appointment of a Confidential Intermediary for the purpose of (select all that apply):

- exchanging medical information with one or more mutually consenting biological relatives of the adopted or surrendered person; and/or
- obtaining identifying information about one or more mutually consenting biological relatives of the adopted or surrendered person; and/or
- arranging contact with one or more mutually consenting biological relatives of the adopted or surrendered person.

5. The Petitioner seeks the following biological relative(s) (select all that apply):

- any/all living birth relatives 21 years of age or over
- birth son(s) or daughter(s) 21 years of age or over
- birth mother
- birth father
- birth sibling 21 years of age or over
- other person 21 years of age or over (please identify): _____

6. If the Petitioner is:

- an adult child, adoptive parent, legal guardian or surviving spouse of a deceased adopted or surrendered person (strike as applicable); or
- an adult birth sibling of an adopted or surrendered person whose common birth parent is deceased and whose adopted or surrendered birth sibling is 21 years of age or over; or
- an adult sibling of a deceased birth parent whose surrendered child is 21 years of age or over,

disclosure of the requested information is of greater benefit than nondisclosure because:
Please explain in detail why you are filing the petition. Attach additional pages or documents as needed.

7. The Petitioner has been entered into the Illinois Adoption Registry and Medical Information Exchange as evidenced by the attached verification of registration letter.

NOTICE

Except as stated below, the Petitioner understands that the appointed Confidential Intermediary will not have access to the following: personal health information protected by the Standards for Privacy of Individually Identifiable Health Information under the Health Insurance Portability and Accountability Act of 1996 (HIPAA); medical records; financial records; credit records; banking records; home studies; attorney’s records; or other personal records.

The Petitioner also understands the public or private adoption agency shall only disclose to the Confidential Intermediary the full name, the date of birth, place of birth, last known address and last known telephone number of the sought after relative, or if applicable, of the children or siblings of the sought after relative. If the Petitioner is an adult adopted person or the adoptive parent of a minor and if the Petitioner has signed a written authorization to disclose

personal medical information, adoption agency disclosing information to a Confidential Intermediary shall disclose available medical information about the adopted person from birth through adoption (see 750 ILCS 50/18.3a (g)).

WHEREFORE, the Petitioner prays that this Court appoint a Confidential Intermediary pursuant to the Adoption Act at 750 ILCS 50/18.3a, and for such other relief as may be necessary.

Respectfully submitted,

Dated: _____

Petitioner

CERTIFICATION

Under penalties for perjury as provided in Section 1-109 of the Code of Civil Procedure the undersigned states that the foregoing facts contained in the Petition for Appointment of a Confidential Intermediary are true based upon personal knowledge and belief.

Petitioner

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, _____, a duly authorized Notary Public in and for the State of _____, County of _____ do hereby state that on the ____ day of _____, 20____ the aforesaid person appeared before me and affixed his/her signature to this document. That I am personally acquainted with the named individual he/she having established their identity in the following manner.

I have attached legible copies of the documents shown to me in order to establish his/her identity to the original petition to be filed with this court.

(SEAL)

Notary Public

Commission Expires: _____

Note: The Petition must be certified by the Petitioner and notarized to establish the Petitioner's identity.

(Name)

(Address)

(City/State/Zip)

(Telephone Number)

Instructions for Completion of the Petition for Appointment of a Confidential Intermediary

I. Completing the Petition

- a. The petitioner should insert his or her name immediately above the words “To appoint a”. The petitioner should also insert his or her name in the space provided on the first line of the body of the document.
- b. In Paragraph 1, the petitioner should select which of the descriptions applies to the petitioner and, if required, include the date of the adoption and the adoption case number. A legal guardian must attach a copy of the order establishing the guardianship.
- c. In Paragraph 2, the petitioner should insert the following information if known:
 - the adopted person’s name at birth or at adoption
 - date of birth of adopted or surrendered person
 - current approximate age of adopted or surrendered person

If the petitioner is an adult adopted or surrendered person, the adoptive parent of an adopted or surrendered person under the age of 21 whose name has changed by marriage or other legal name change, copies of the marriage certificate and/or court order should be attached to the petition.

- d. Complete paragraph 3a if the adoption occurred in Illinois. If known, please include the name of the adoptee, their adoptive parents, the date of the adoption, location of the court and the name given to the child at the time of adoption.

Complete Paragraph 3b if the adoptee was born in Illinois but adopted in another state. NOTE: Confidentiality laws in states other than Illinois may limit the ability of a confidential intermediary to obtain information about adoption proceedings in the state where the adoption was finalized.

Strike through Paragraph 3 on the petition form if you are seeking information about an adopted or surrendered person.

- e. The petitioner should select the information which the Confidential Intermediary will be asked to obtain by checking the appropriate box (es) in paragraph 4. All three boxes may be selected.
- f. The Petitioner should identify by checking the box or completing the “other section” in paragraph 5, any biological relatives with whom they wish to exchange information or establish contact.
- g. Paragraph 6 should be completed if the petitioner is:
 - an adult child, adoptive parent, legal guardian or surviving spouse of a deceased adopted or surrendered person (strike as applicable); or

- an adult birth sibling of an adopted or surrendered person whose common birth parent is deceased and whose adopted or surrendered birth sibling is 21 years of age or over; or
- an adult sibling of a deceased birth parent whose surrendered child is 21 years of age or over;

It is important to understand that the law requires the Court to make a decision whether a Confidential Intermediary is appointed if the Petitioner is NOT an adult adopted or surrendered person, a birth parent, or an adoptive parent or legal guardian of an adopted or surrendered person under 21. The Court must decide if there may be sufficient benefit to both the petitioner and the birth relatives involved. Therefore, you must explain in detail why you are filing the petition. Attach additional pages or documents if needed to fully explain. **Failure to complete this section will cause the petition to be denied.**

- h. Paragraph 7 should be completed. Attach a copy of the letter received from the Illinois Department of Public Health verifying that you have been registered with the Illinois Adoption Registry.
- i. The petitioner should sign the petition and also certify the truth of the petition under penalties of perjury as provided in the Code of Civil Procedure for the State of Illinois (sign in both places). In addition, the petitioner must appear before a notary public to establish their identity. Any petition received which is not certified and notarized will not be approved by the court, unless the individual appears personally in court and establishes their identity. It is suggested that the petitioner sign and certify the petition in the presence of the notary public to avoid any inconvenience.
- j. On the page that includes the notary statement and the signature of the notary, the spaces for name, address and telephone number are for the petitioner's information, not the notary.

II. Filing the Petition

The petition maybe filed in person or by mail addressed to the Office of the Clerk of the Circuit Court of Cook County Room 1202, 50 West Washington Street, Chicago, Illinois 60602. If the petition is filed in person, a future date for hearing at the Petitioner's convenience can be scheduled that day. If the petition is filed by mail, a hearing will be scheduled within 14 days of receipt of the petition by the Clerk of Court. A notification of the court date will be sent to all petitioners who file by mail. As stated, there is no fee charged for filing this petition.

A party's appearance is required at the hearing on the petition, unless they have obtained the consent of the court not to appear.

In order to obtain the Court's permission not to appear at the hearing, the "Motion for Waiver of Court Appearance" and supporting statements must be received by the court prior to the court date. A suggested form for such a motion is available on our website. Please note, that the court presumes that residents of Cook, Lake, McHenry, DuPage, Kane and Will County will not be inconvenienced by an appearance in Court. However, a petitioner who lives in one of those counties may file a request to be excused from appearing if he believes he has sufficient reason to do so. He must explain why he is requesting to be excused and, if possible, attach supporting information such as physician's statement.

Questions concerning qualifications of Confidential Intermediary or any other information about this program can be obtained from the Midwest Adoption Center, 3158 S. River Road, Suite 120, Des Plaines, Illinois 60018; telephone number (847) 298-9096. Information is also available via the internet at www.CI-Illinois.org.