



Understanding Infant Adoption 7

Illinois Adoption Guide for Healthcare Providers & Staff

Prepared by Kelsey Vander Vliet Ranyard and Celeste Liversidge, JD, of Ethical Family Building; [Ethical Family Building](#) is a nonprofit organization working to safeguard domestic adoptions through education, transparency, and accountability.

Disclaimer: This resource guide is intended for informational purposes only and does not constitute legal advice. It is not a substitute for consultation with hospital legal counsel or a licensed adoption attorney. Adoption laws and procedures vary by jurisdiction and are subject to change. Healthcare providers and staff are strongly encouraged to seek professional legal guidance to ensure compliance with applicable laws and regulations.

Introduction to Adoption

What is Adoption?

Adoption is a legal process in which biological parents (also referred to herein as “placing parents” or “birth parents”) relinquish their parental rights to their child, allowing the child to be placed in the care of adoptive parents. However, adoption is more than just a legal agreement; it is a life-altering experience that reflects a commitment to a child's love, care, and well-being.

Healthcare providers should have a basic understanding of the three main types of adoption to offer informed support for their patients:

- **Private Adoption:** This is a direct arrangement between birth parents and adoptive parents, often through a licensed adoption agency or attorney. In a private adoption, the birth parents have voluntarily relinquished their parental rights to the child, and the child is placed directly into the legal and physical custody of the adoptive parents. Most private adoptions are “open adoptions,” meaning there will be ongoing contact between the birth parents and adoptive parents. Private adoption is the most common type of adoption that healthcare providers encounter when working in mother-baby and neonatal units.
- **Adoption from Foster Care:** This occurs when a child in state foster care is legally available for adoption after a court has terminated the parental rights of the birth parents. Foster care adoptions often involve older children. Every state has laws and regulations governing foster care and adoption, which are

managed by the state's public child welfare agency. If the child is placed for adoption in another state, compliance with the Interstate Compact on the Placement of Children (ICPC) is required.

- **Intercountry Adoption:** The process by which a child born in one country is adopted by a family in another country. The State Department serves as the oversight authority for intercountry adoption in the United States.

For expectant mothers, the adoption journey is filled with complex emotions and culminates in a life-changing decision. The private adoption process allows mothers to create an adoption plan at any point during their pregnancy or after giving birth. In this journey, healthcare providers play a crucial role, providing neutral care and support, facilitating fully informed decision-making, and making ethical referrals to adoption providers. Your role in this process is integral in ensuring the well-being of all patients considering this option.

Important Terminology

The biological parent signs adoption consent or relinquishment, authorizing the court to terminate her parental rights:

- Before adoption consents are signed, refer to the biological parent as an **“expectant parent”** or **“parent.”**
- A parent making an adoption plan for their child is called a **“placing parent.”**
- After adoption consents are signed, refer to the biological parent as a **“birth parent.”**

Support for Patients Considering Adoption

Expectant parents should have access to a variety of support resources from the moment they begin considering adoption through the completion of the process and beyond. Below is a summary of some of the available services and providers that patients can access to find appropriate support.

➔ Pregnancy Options Counseling

Many non-profit organizations in Illinois offer pregnancy options counseling for expectant mothers. The purpose of this counseling is to help women consider their available options during pregnancy. It is important to note that not all pregnancy centers provide the same services. For instance, some pregnancy resource centers do not offer information or referrals for abortion. However, most centers typically provide services such as pregnancy testing, ultrasounds, maternity clothes, parenting assistance, resource referrals, parenting classes, and counseling. Generally, these organizations do not charge fees unless they also operate a licensed medical clinic on site.

➔ Ethical & Effective Referrals

Empowering patients in their decision-making process is key. When making a referral to an adoption provider, it's important to present at least three options. This allows the patient to understand the range of services available and choose the one that best suits her needs. See the Understanding Infant Adoption curriculum handouts [Questions for Healthcare Practitioners to Ask Adoption Agencies and/or Attorneys](#) and [Questions for Patients to Ask Adoption Agencies and/or Attorneys](#) for suggestions.

➔ Choosing an Adoption Provider

The Internet is full of adoption providers offering help to expectant parents, but not all of these entities have your patients' best interests at heart. It's essential to understand the different types of adoption professionals available:

- **Licensed Adoption Agencies:** Adoption agencies are licensed by the state to provide adoption services to expectant/birth parents and adoptive families. These services can include social work, home studies,

adoption education, pregnancy counseling, adoption matching, and post-placement care. Agencies work to ensure that social and emotional challenges are addressed through social work and counseling, while also ensuring compliance with adoption rules and regulations.

- **Licensed Adoption Attorneys:** Attorneys play a vital role in the adoption process. Ideally, the adoptive parents should have their own attorney, and the expectant or birth parents should be represented by a separate attorney. This ensures that everyone's rights are protected and that there are no conflicts of interest. Attorneys in Illinois are licensed by the Illinois State Bar Association.
- **Unlicensed Adoption Intermediaries:** Some adoption providers are not licensed to offer adoption services. Unlicensed adoption intermediaries are also referred to as “advertisers,” “matchmakers,” “brokers,” or “marketers.” They solicit expectant and adoptive parents for their services through online ads and other marketing tactics and collect substantial matching fees from hopeful adoptive parents. Working with an unlicensed adoption provider can complicate the process for expectant mothers trying to find suitable adoptive parents for their children and can prevent them from getting adequate support and guidance. It is very appropriate to ask an agency to see a copy of their state-issued child-placing agency license.

More than half of the states in the U.S. have laws prohibiting the use of unlicensed adoption intermediaries, but such laws are frequently overlooked. In Illinois, only a licensed child-placing agency may place a minor for adoption or engage in the business of placing a minor for adoption. See [Illinois Adoption Laws](#), below, for further information.

- **Out-of-State Adoption Providers:** With the increasing use of the Internet in the adoption process, patients may choose to work with adoption providers located outside of Illinois. It's crucial to ensure these out-of-state providers are licensed to provide adoption services and that they work cooperatively with a Illinois-licensed adoption agency and attorney to ensure that the placing parents receive local support before, during, and after adoption. This not only ensures legal compliance but also the safety and well-being of the patient and the child.

➔ Choosing Prospective Adoptive Parents

The process of selecting adoptive parents requires careful consideration. Expectant parents often have a specific vision of the type of family they wish to find for their child. A Illinois-licensed child-placing agency or attorney can assist expectant parents in identifying potential adoptive families that align with their desired characteristics. Once the expectant parent has reviewed profiles of suitable prospective adoptive parents, she should have the opportunity to meet with them in person whenever possible before making a final decision.

Expectant parents should create a list of questions to ask prospective adoptive parents to ensure they find the right family for their child. However, compiling this list can be overwhelming. See the handout [Questions for Patients to Ask Adoption Agencies and/or Attorneys](#) for suggestions.

Support After Adoption

Birth parents often experience grief and a range of intense emotional and psychological effects after placing a child for adoption. It is important to provide them with mental health support during this time. Support following adoption can take various forms, including individual counseling, group therapy, and support groups.

Illinois Adoption Laws

Adoption is a complex legal process. Violating state laws can jeopardize the safety of all parties involved, as well as the child's permanency. Below are frequently asked questions regarding Illinois adoption laws.

Does Illinois allow independent (non-agency) adoptions?

Yes. Illinois does allow independent (non-agency) adoptions, often referred to as "private" or "independent" adoptions. In these cases, the adoption is arranged directly between the placing parents and the adoptive parents, typically with the assistance of an attorney rather than a licensed adoption agency.

Does Illinois allow unlicensed adoption facilitators?

No. Illinois does not permit unlicensed adoption facilitators. Only Illinois-licensed child placement agencies may receive or accept fees or anything of value for providing adoption services, with a narrow exception for entities whose contract has been formally approved by Illinois Department of Children and Family Services. [750 ILCS 50/21](#)

Does Illinois require that placing parents have separate legal representation?

No. Illinois does not require that placing parents have separate legal representation, but they must be notified in the required Birth Parent Rights and Responsibilities form that they have a right to separate legal representation paid for by the prospective adoptive parents. [750 ILCS 50/10](#)

Are adoptive parents allowed to pay an expectant mother's living expenses?

Yes. Upon order of the court, adoptive parents may also pay the expectant mother's living expenses starting from 120 days before the estimated due date to 60 days postpartum. Adoptive parents may advance up to \$1,000 of the reasonable living expenses of the expectant mother without court approval if it is based on financial need and the health of the child. Adoptive parents may give the birth parent a gift, so long as it is not over \$200. The cost of an attorney for the expectant mother may also be advanced by the adopting parents without prior court approval if the cost does not exceed \$1,000. [720 ILCS 5/12C-70](#)

When can the placing mother sign the adoption consent or relinquishment?

An irrevocable consent or surrender of a biological mother may be signed 72 hours after the child's birth and must be executed in front of a judge, representative of a licensed agency, or person appointed by the Court. [750 ILCS 50/9 and 50/10](#)

For information on birth fathers' right to give their consent, please see the guidance regarding birth fathers below.

Can birth mothers who have consented to an adoption change their mind and revoke their consent?

No. A consent is irrevocable upon signature. [750 ILCS 50/9, 50/10, 50/11](#)

For information on birth fathers' right to revoke their consent, please see the guidance regarding birth fathers below.

Are post-adoption contact agreements legally binding in Illinois?

No. [750 ILCS 5/602.9](#)

What legal rights do birth fathers have in an Illinois adoption?

In all states, including Illinois, birth fathers' legal rights in adoption depend on various factors, such as their legal relationship with the child's mother and their actions before and after being notified of the adoption proceedings. Birth fathers who wish to understand and enforce their legal rights should consult with a Illinois adoption attorney for guidance.

What to do when you suspect a violation in your hospital?

If you witness violations of Illinois law in your hospital or healthcare clinic, you should immediately file a report. Where you file the report will depend on the type of entity or individual who has committed the offense. If you are witnessing repeated offenses, alert your healthcare administration office.

| Type of Entity | Where to Report | Contact Information |
|--|--|---|
| Licensed Adoption Agency | Illinois Department of Children and Family Services, Division of Licensing | https://sunshine.dcfs.illinois.gov/Content/Licensing/Daycare/FileComplaint.aspx Adoption agencies fall under the daycare licensing complaint procedure. Call the Day Care Information Hotline at (877) 746-0829 and ask for the name and number of the licensing representative assigned to your provider. You may then call the licensing representative or his/her supervisor and discuss your concerns. |
| Licensed Attorney | Attorney Registration & Disciplinary Commission of the Supreme Court of Illinois | https://www.iardc.org/Home/FileComplaint |
| Unlicensed Adoption Facilitator Unlicensed Adoption Advertising | Illinois Department of Children and Family Services, Division of Licensing | https://sunshine.dcfs.illinois.gov/Content/Licensing/Daycare/FileComplaint.aspx Adoption agencies fall under the daycare licensing complaint procedure. Call the Day Care Information Hotline at (877) 746-0829 and ask for the name and number of the licensing representative assigned to your provider. You may then call the licensing representative or his/her supervisor and discuss your concerns. |

Child Protection in Illinois

In the state of Illinois, mandated reporters include:

- Medical personnel, including physicians, residents, interns, hospital administrators and personnel, psychiatrists, surgeons, dentists, dental hygienists, osteopaths, chiropractors, podiatric physicians, physician assistants, emergency medical technicians, physical therapists, acupuncturists, nurses, genetic counselors, respiratory care practitioners, home health aides, or certified nursing assistants
- Physicians, physician assistants, nurses, medical technicians, nursing assistants, social workers, or professional counselors in any office, clinic, or any other physical location that provides abortions, abortion referrals, or contraceptives

[325 ILCS 5/4](#) and [720 ILCS 5/11-20.2](#)

Child Abuse, Neglect, and Exploitation Definitions under Illinois Law

Under Illinois law, a child is any person under the age of 18. (325 ILCS 5/3) (from Ch. 23, par. 2053)

- **Abused child** means a child whose parent, immediate family member, any person responsible for the child's welfare, any individual residing in the same home as the child, or a paramour of the child's parent does any of the following:
 - Inflicts, causes, allows to be inflicted, or creates a substantial risk of physical injury by other than accidental means that causes death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function
 - Commits or allows to be committed an act or acts of torture upon the child

325 ILCS 5/3

- **Neglected** means a child to whom any of the following applies:
 - Is a newborn infant whose blood, urine, or meconium contains any amount of a controlled substance or a metabolite thereof
 - Is not receiving proper or necessary nourishment or medically indicated treatment, including food or care, that is not provided solely on the basis of the present or anticipated mental or physical impairment as determined by a physician, or otherwise is not receiving the proper or necessary support or medical or other remedial care as necessary for a child's well-being
 - Is not receiving other care necessary for their well-being, including adequate food, clothing, and shelter
 - Is subjected to an environment that is injurious insofar as the following:
 - The child's environment creates a likelihood of harm to the child's health, physical well-being, or welfare.
 - The likely harm to the child is the result of a blatant disregard of parent or caregiver responsibilities.

325 ILCS 5/3

Illinois Department of Children and Family Services Contact Information

Contact the Illinois Department of Children and Family Services to report incidents of abuse, neglect, or exploitation.

- 1-800-25-ABUSE (800-252-2873)
- Non-life threatening and non-emergency instances online form: <https://childabuse.illinois.gov/>

Safe Haven/Safe Surrender Laws and Process

Safe Haven/Safe Surrender laws are designed to prevent the abandonment and endangerment of infants by providing a safe and legal way for parents to relinquish unharmed newborns. These laws allow parents to safely surrender their infant directly to a designated provider, while generally protecting them from criminal liability and prosecution. Additionally, these laws ensure that the relinquishing parent can remain anonymous. It is important to note that Safe Haven/Safe Surrender laws are intended for use in extreme circumstances and are not a substitute for the resources provided in the public child welfare system or private adoption processes.

- **For Immediate Assistance:** Call or text the 24/7 Safe Haven Crisis Helpline at 1-888-510-BABY (2229)

More information is available at <https://dcfs.illinois.gov/safe-kids/prevention/com-communications-sumlicen-abinfant.html>.

What are the age restrictions for a Safe Haven/Safe Surrender relinquishment in Illinois?

A newborn infant may be relinquished under this act. The term 'newborn infant' means a child who a licensed physician reasonably believes is 30 days old or younger at the time the child is initially relinquished and who is not an abused or a neglected child. [325 ILCS 2/15](#)

Who can relinquish the infant under Safe Haven/Safe Surrender laws?

The newborn's birth parent may relinquish the infant. [325 ILCS 2/10](#)

Who are the designated Safe Haven/Safe Surrender providers?

A newborn infant may be relinquished to a hospital; police station, including a municipal police station, a county sheriff's office, a campus police department located on any college or university, or any of the district headquarters of the Illinois State Police; fire station; or emergency medical facility. [325 ILCS 2/10](#)

Putative Father Registry

A putative father is a person who claims to be the father of a child and wants to establish paternity. The purpose of a registry is to allow an unmarried father of a born or unborn child to register his name so he will be notified before the child is placed for adoption. The father does not have to be listed on the birth certificate to register.

The Illinois Putative Father Registry is maintained by the Illinois Department of Child and Family Services. Information is available at <https://www.putativefather.org/index.aspx>.

Illinois Adoption Service Providers

Licensed Private Adoption Agencies

In Illinois, adoption agencies are licensed by the Department of Children and Family Services. The following licensed agencies focus on domestic infant adoption with counseling and/or services available for expectant parents; an online listing of licensed agencies is available at <https://dcfs.illinois.gov/loving-homes/adoption/a-adoption-la.html>. Some agencies are licensed in multiple states.

Contact ascc@adoptioncouncil.org with any additions, corrections, or updates.

- **ABC Counseling & Family Services**
705 E Lincoln St, Ste 303
Normal, IL 61761
Phone: (309) 451-9495
Fax: (309) 451-9404
Contact Form: <https://abccounseling.org/contact>
<https://abccounseling.org/>
- **Adoption Center for Family Building**
8140 McCormick Blvd Ste 131
Skokie, IL 60076
Phone: (847) 674-3231
Contact Form: <https://centerforfamily.com/contact-us/>
<https://centerforfamily.com/>

- **Adoption Center of Illinois at Family Resource Center**
5828 N Clark St
Chicago, IL 60660
Phone: (773) 334-2300
Fax: (773) 334-2300
Contact Form: <https://www.adoptioncenterofillinois.org/contact/>
<https://www.adoptioncenterofillinois.org/>
- **Baptist Children's Home & Family Services**
949 County Rd 1300 N
Carmi, IL 62821
Phone: (618) 382-4164
bchfs@bchfs.com
<https://bchfs.com/>
- **Bethany Christian Services**
12416 S Harlem Ave Ste 305
Palos Heights, IL 60463-3701
Phone: (708) 385-4889
Contact Form: <https://bethany.org/contact-us>
<https://bethany.org/>
- **Bethany for Children & Families**
1701 River Dr Ste 200
Moline, IL 61265
Phone: (309) 797-7700
Fax: (309) 797-2386
Contact Form: <https://www.bethany-qc.org/contact>
<https://www.bethany-qc.org/>
- **Caritas Family Solutions**
8601 W Main St
Belleville, IL 62223
Phone: (618) 213-8700
Fax: (618) 213-8777
Contact Form : <https://caritasfamilysolutions.org/contact-us/>
<https://caritasfamilysolutions.org/>
- **The Center for Youth & Family Solutions**
2610 W Richwoods Blvd
Peoria, IL 61604
Phone: (309) 323-6600
Contact Form: <https://www.cyfsolutions.org/contact/>
<https://www.cyfsolutions.org/>
- **Christian Family Services Inc.**
9955 Bunkum Rd
Fairview Heights, IL 62208
Phone: (618) 397-7678
parents@cfserve.org
<https://www.stlcfs.org/>

- **The Cradle**
2049 Ridge Ave
Evanston, IL 60201
Phone: (847) 475-5800
Fax: (847) 475-5871
cradle@cradle.org
<https://cradle.org/>
- **Evangelical Child & Family Agency**
1530 N Main St
Wheaton, IL 60187
Phone: (630) 653-6400
mail@evancfa.org
<https://www.evancfa.org/>
- **FamilyCore**
330 SW Washington St
Peoria, IL 61602
Phone: (309) 676-2400
Fax: (309) 676-6022
<https://www.familycore.org/contact/>
<https://www.familycore.org/>
- **Family Service Center**
919 S Spring St
Springfield, IL 62704
Phone: (217) 528-8406
fsc@service2families.com
<https://service2families.com/>
- **Gateway Woods Family Services**
923 Detroit Ct
Morton, IL 61550
Phone: (309) 266-0767
info@gatewaywoodsil.org
<https://www.adoptiongateway.org/>
- **Hopeful Beginnings of St. Mary's**
510 N Plum Grove Rd
Palatine, IL 60067
Phone: (847) 870-8181
Fax: (847) 870-8325
information@hopefulbeginning.org
<https://www.hopefulbeginning.org/>

- **Lutheran Child and Family Services of Illinois**

One Oakbrook Terr Ste 501
Oakbrook Terrace, IL 60181
Phone: (800) 363-5237
Fax: (708) 771-7184
lcfs_info@lcfs.org
<https://lcfs.org/>

- **Lutheran Family Service**

17628 Hubbard Rd
East Moline, IL 61244
Phone: (563) 359-0696
Contact Form: <https://lutheranfamilyservice.org/contact/>
<https://lutheranfamilyservice.org/>

Licensed Adoption Attorneys

This listing reflects the current Illinois licensed fellows of the [Academy of Adoption & Assisted Reproduction Attorneys](#). This list may not be representative of all attorneys in the state working in the field of adoption law. Some attorneys hold licensure in more than one state.

Contact ascc@adoptioncouncil.org with any additions, corrections, or updates.

- **Shelley Ballard**

1500 Oak Ave Unit 4E
Evanston, IL 60201
Phone: (312) 316-0912
Contact Form: <https://www.sballardlaw.com/contact/>
<https://www.sballardlaw.com/>

- **Kirsten Crouse Bays**

655 W Lincoln Ste 8
Charleston, IL 61920
Phone: (217) 345-6099
Contact Form: <https://adoptionil.weebly.com/contact-us.html>
<https://adoptionil.weebly.com/>

- **Ellyn J. Bullock**

100 N Chestnut St Ste 240
Champaign, IL 61820
Phone: (217) 351-6156
Fax: (217) 351-6203
ellyn@ejbullocklaw.com
<https://www.ejbullocklaw.com/>

- **Nidhi Desai**

221 N LaSalle St Ste 1136
Chicago, IL 60601
Phone: (312) 673-5312
Fax: (312) 673-5318
Contact Form: <https://www.familybuildinglaw.com/contact.html>
<https://www.familybuildinglaw.com/>

- **Genie Miller Gillespie**
6 E Monroe St #1004
Chicago, IL 60603
Phone: (312) 332-6339
gmg@illinoisadoptionlawyer.com
<https://illinoisadoptionlawyer.com/>
- **Joshua Gitselson**
Freeburg, IL 60611
Phone: (814) 237-7900
Fax: (814) 260-4440
joshua@bierlylaw.com
<https://bierlylaw.com/>
- **Michelle M. Hughes**
221 N LaSalle Ste 2200
Chicago, IL 60601
Phone: (312) 857-7287
Contact Form: <https://www.mmhugheslaw.com/contact>
<https://www.mmhugheslaw.com/>
- **Amy Rebecca Johnson**
165 N Meramec Ave Ste 110
St. Louis, MO 63105
Phone: (314) 727-2266
Fax: (314) 727-2101
Contact Form: <https://www.pcblawfirm.com/contact-us/>
<https://www.pcblawfirm.com/>
- **Robert B. Kirsh**
2930 E 96th St
Indianapolis, IN 46240
Phone: (317) 575-5555
Contact Form: <https://lovingadoptions.com/contact/>
<https://lovingadoptions.com/>
- **Kimberly Kuhlengel-Jones**
1070 N Mill St
P.O. Box 186
Nashville, IL 62263
Phone: (618) 327-3093
- **Sheila A. Maloney**
633 Rogers St Ste 102
Downers Grove, IL 60515
Phone: (630) 512-8400
Fax: (630) 510-3761
stmesq@msn.com
<http://www.sheilamaloneylaw.com/>

- **Robert R. Parker**
300 NE Perry Ave
Peoria, IL 61603
Phone: (309) 673-0069
Fax: (309) 673-8791
rob@parkerandparkerattorneys.com
<https://www.parkerandparkerattorneys.com/>
- **Denise J. Patton**
8784 Shade Tree Cir
Village of Lakewood, IL 60014
Phone: (847) 925-9072
dpatton@growyourfamily.net
<https://www.growyourfamily.net/>
- **Allan F. Stewart**
231 S Bemiston Ave Ste 800
Saint Louis, MO 63105
Phone: (314) 863-8484
Fax: (314) 863-5312
Contact Form: <https://www.lawsmo.com/contact-allan-stewart.html>
<https://www.lawsmo.com/>
- **Joanna Beck Wilkinson**
5211 Westminster Pl
St. Louis, MO 63108
Phone: (573) 446-7554
joanna@marybecklaw.com
<https://marybecklaw.com/>

Resources

- [Academy of Adoption & Assisted Reproduction Attorneys](#)
- [AdoptChange](#)
- [Child Welfare Information Gateway: State, Territory, and Tribal Resources](#)
- [Illinois Department of Children and Families](#)
- [Illinois State Bar Association](#)
- [Illinois State Legislature - Illinois Compiled Statutes](#)

About the Adoption-Sensitive Clinical Care Project

It is critical that expectant parents who may wish to place a child for adoption have access to appropriately trained staff and comprehensive supports throughout the adoption process. The federally-funded Adoption-Sensitive Clinical Care Project and the Understanding Infant Adoption curriculum are being administered by [National Council For Adoption \(NCFA\)](#), [The Adoption & Foster Care Clinic](#), [Spaulding for Children](#), and [University of Washington School of Social Work](#) for the project period 2024-2026.

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