

# Adoption Process

By: Tiffany Newton

The adoption process can be long, emotional and expensive. The reason to proceed with an adoption can vary from family to family. The journey to finalizing an adoption can be stressful for anyone. However, the end result is generally a cause for celebration. Having some information upfront regarding what the adoption process looks like from a legal perspective can help put your mind at ease.

## **Who can be adopted?**

1. A child who has been surrendered to an agency and the agency has consented to the adoption;
2. A child to whose adoption a person authorized by law, other than his parents, has consented, or to whose adoption no consent is required;
3. A child who is in the custody of persons who intend to adopt him through placement made by his parents;
4. A child for whom a parent has signed a specific consent;
5. An adult who has lived in the home of the persons intended to adopt him at any time more than 2 year continuously before the adoption process or is a relative; or
6. A child who has been relinquished as defined in the Abandoned Newborn Infant Protection Act.

## **Who may adopt a child?**

A person under no legal disability, who has resided in the State of Illinois continuously for a period of at least 6 months

## **How do I start an adoption case?**

A proceeding is started by filing a verified petition within 30 days after the child has become available for adoption.

The petition should state the name and residence of the person or persons requesting the adoption, when the petitioners intend to acquire custody of the child, information regarding the child and his relationship with the petitioners, name and place of residence of the child's parents, the person or agency having the ability to consent to the adoption, and whether the court has entered any previous orders regarding the child or the child's parents.

## **What are the next steps after the petition is filed?**

The court will appoint a child welfare agency to investigate the allegations contained in the petition as well as the character and reputation of the petitioners. This investigation includes a fingerprint criminal background check. The results of the investigation shall be presented to the court in a written report.

The court will hold a hearing to determine the validity of the consent to adoption provided and to determine suitable temporary custodial care for the child.

The court will appoint a *guardian ad litem* to represent the child sought to be adopted. The *guardian ad litem* will also make a report to the court regarding their recommendation for or against the adoption based on information gathered during their investigation.