

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

**ADMINISTRATIVE ORDER 2018-5
ADOPTION PROCEDURES**

Adoption cases are assigned randomly by the Clerk of the Court to the following five (5) calendar Judges currently assigned to hear Adoption matters in the County Division:

Monday: Calendar 4 – Judge Carol Kipperman
Tuesday: Calendar 12 – Judge Nichole C. Patton
Wednesday: Calendar 9 – Judge LaGuina Clay-Herron
Thursday: Calendar 10 – Judge Maureen Ward Kirby
Friday: Calendar 5 – Judge Patrick T. Stanton

INITIAL COURT DATE

Each Adoption case shall be set for initial presentment and or status on the assigned calendar within 14 days of filing the Petition for Adoption. See Administrative Order 2018-2. If unable to bring the family in for presentment an initial case management order must be filed explaining the circumstances and setting a future date. **All pending adoption cases must have a future court date.**

ADOPTION CALLS

Adoption cases will be heard in Courtroom 1703 Monday – Friday unless otherwise ordered. See above for assigned Calendar Judge.

8:45 A.M. Routine Motions

9:30 A.M. Initial Presentments, Motions (including Motions for Default), Case Management, and Consents.

1:30 P.M. Initial Presentments, Motions (including Motions for Default), Case Management, and Consents.

2:00 P.M. Set Matters

ROUTINE MOTIONS

The following types of motions may be considered routine and resolved without a court appearance:

- Permission to Sue or Defend as an Indigent Person
- Appointment of a Special Process Server
- Motion to allow Examination of Court File by Petitioner's Attorney
- Motion to file Amended Petition
- Motion to Authorize Medical Care
- Motion for Permission to Travel and Issuance of Passport
- Motion to Continue Date set for Entry of Judgment or status
- Motion to Delete Identifying Information
- Motion to Amend Judgment (correct typographical error)
- Motion for certified Copy of Judgment of Adoptions

Every Routine Motion should be accompanied by a Notice of Motion whether notice is required or not; and, **a courtesy copy of all Motions shall be served on the Guardian ad Litem.**

Objections to Routine Motions can be made telephonically (312-603-2492) or by email to the Office of the Presiding Judge up to 8:45 a.m. on the day of the scheduled motion. If the Court receives an objection, movant will be notified and required to reschedule the matter on the 9:30 a.m. or 1:30 p.m. calls.

COURTESY COPIES

Courtesy copies of all Petitions for Adoptions (including agency reports) and Motions (including Routine Motions) which are intended to be filed or presented on the 8:45, 9:30 or 1:30 calls, shall be delivered to the Office of the Presiding Judge, room 1701 no later than 12:00 noon **two working days** prior to the intended date of presentment or hearing.

CONTESTED MATTERS

Matters requiring extensive argument or an evidentiary hearing will be scheduled by the assigned Calendar Judge. Briefing schedules will be set by the Judge.

COURT REPORTERS AND INTERPRETERS

An Official Court Reporter is required for all consents and surrenders of parental rights. Counsel is to advise the Adoption Case Coordinator of the necessity of an Official Court Reporter and a Spanish or Polish Language Interpreter at least one business day prior to the court date, for other Language and Deaf Interpreters 72 hours is required.

GUARDIANS AD LITEM

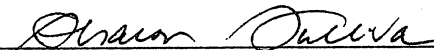
The Office of the Presiding Judge maintains an approved list of Guardians ad Litem which is available in Courtroom 1703. A GAL will be appointed from the list according to case number. The Guardian Ad Litem Fees are set forth below and are due and payable as of the date of appointment.

Type of Adoption	GAL only	Gal as investigator
Special Needs Adoption (DCFS)	\$150.00	n/a
- Each additional DCFS child	\$50.00	n/a
- (not to exceed)	\$250.00	n/a
Related (non- DCFS)	\$250.00	\$325.00
Agency (including DAAFSS)	\$250.00	n/a
International	\$250.00	n/a
Petitioners with Fee Waivers (CVLS)	\$25.00	\$25.00

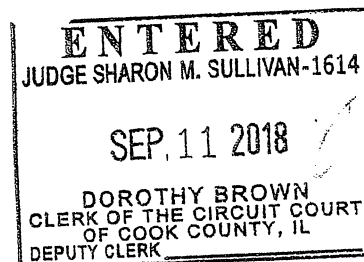
In contested adoptions or unusually extended proceedings and/or when a home visit is required, the appointed GAL may receive an hourly fee of \$200.00 per hour plus expenses. All fees and costs must be approved by the assigned judge by filing a Fee Petition with notice.

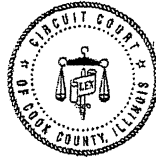
ADOPTION CASE COORDINATOR

The Adoption Case Coordinator is Ms. Gloria Contreras, Room 1701 Richard J. Daley Center, 50 West Washington Street, Chicago, Illinois 60602. (312) 603-2492; Fax: (312)603-4351; TDD: (312)603-6673; email: CJCAL3@cookcountyil.gov. Ms. Contreras is available to assist the court, attorneys and litigants on procedural matters and scheduling. However, she is not able to give legal advice.



Hon. Sharon M. Sullivan
Presiding Judge, County Division





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

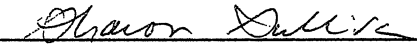
ADMINISTRATIVE ORDER 2018-2

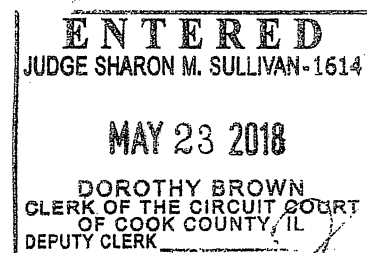
Subject: All Adoption Cases

Within 14 days of the filing of a Petition for Adoption counsel for the Petitioner or the self-represented Petitioner must appear for initial presentment and or status.

Effective this 23rd day of May, 2018 and spread upon the records of this Court.

ENTERED:


Honorable Sharon M. Sullivan
Presiding Judge, County Division





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

Administrative Order 2017-2

Subject: Appointment and Duties of Guardians ad Litem in Adoption Cases

1. Definitions: Petitioner means Petitioner(s) including the plural, whether represented by counsel or self-represented. Adoptee means Adoptee(s) singular or plural as appropriate to the context.
2. The Guardian ad Litem (hereinafter "GAL") will be appointed at earlier of the time of initial presentment or the entry of any Interim Order. It shall be the duty of Petitioner to furnish the appointed GAL with a copy of the Petition for Adoption, Interim Order and any other material normally provided to the GAL in similar cases. In adoptions where the GAL is appointed as investigator, counsel shall deliver a completed original Affidavit in Support of Adoption as provided on the County Division website. Petitioner shall provide the GAL documentation and shall further comply with the "Appointment of Guardian ad Litem for a Minor Child" sheet which is available in the courtroom, as amended from time to time. All required documents must be provided to the GAL no later than 14 days prior to the scheduled finalization date.
3. As a convenience, the Presiding Judge's Office will accept such documents for delivery to the GAL's mail slot. Petitioner should be aware that the documents will be picked up by the GAL as their schedule permits.
4. The Court will also determine if an investigation is necessary pursuant to 750 ILCS 50/6 and enter the appropriate order at the time of initial presentment.
5. In all cases, the GAL shall file an appearance as GAL for the adoptee [hereinafter "adoptee" adoptee shall include the plural] within 14 days of appointment. From the date of appointment, the GAL shall receive notice of all requests for relief made to the Court by any party as required by either the Rules of the Illinois Supreme Court or the Circuit Court of Cook County. The GAL may file any response deemed necessary to advance the best interest of the adoptee.
6. If the GAL chooses, an answer may be filed on behalf of the adoptee. This pleading must

comply with 735 ILCS 5/2-610. No default will be entered against an adoptee for the failure to file an answer absent an order compelling the filing of such pleading. Copies of all filings by the GAL shall be furnished to all parties who have properly appeared and are not in default.

7. The GAL shall, in addition to the above, do the following:

- A. Review court file in each case to make certain that pleadings are proper, service is effected on all necessary parties, and that parental rights, as required in each case, have been finally and properly terminated. For cases where termination took place in Cook County, the Clerk of Court will verify the finality of any parallel Juvenile Court proceedings. In cases where the parental rights were terminated in Juvenile Court proceedings in another Illinois County or State, it shall be the responsibility of the Petitioner to obtain or provide an Affidavit that the appropriate Appellate Court records in the jurisdiction where the termination took place confirm there is no pending appeal and all appeal rights are extinguished.
- B. In all cases where the Petitioner is related to the adoptee as defined by 750 ILCS 50/1 B, and where no agency investigative report has been prepared, the GAL shall have the discretion to meet with the adoptee in an appropriate setting to determine the adoptee's position concerning the proposed adoption. In such cases where one of the Petitioners is the step-parent of the adoptee, the GAL shall obtain and review all documents necessary to determine whether the adoptee is available for adoption and the Petitioners' legal relationship to each other and the adoptee. The GAL is appointed to represent the adoptee's best interest and not the expressed preference of the adoptee. In those cases where a conflict arises in those positions, the GAL shall act in accordance with the suggestions of the American Bar Association standards and seek appointment of a successor GAL and remain in the case to zealously advocate the adoptee's position.
- C. Remain apprised of all situations which affect the adoptee's status quo as it existed at the time of the entry of the Interim Order.
- D. Attend and participate in all contested and/or settlement hearings or conferences in the case, unless otherwise ordered by the court. Conduct all necessary discovery in connection therewith.
- E. In cases where the parental rights of the adoptee's biological parents have been terminated in a Juvenile Court proceeding which remains pending, contact the adoptee's Guardian ad Litem in those proceedings to determine if anything has arisen in the adoptee's life that remains to be brought to the attention of the Juvenile Court Judge or Adoption Court Judge which the Juvenile Court Guardian *ad Litem* believes would be relevant to the decision to be made by this Court. The accounts received should be analyzed by the GAL to determine whether such information should be brought to the attention of the Court. If so, the GAL should file the appropriate motion for leave to obtain any and all supporting material

which the GAL deems relevant to the adoptee's best interest. All parties shall be aware that this court is not sitting for review of decisions made terminating parental rights in other courts.

- F. Review the investigative report(s) prepared in connection with the adoption and investigate any issues that arise in the report which adversely impacts what the GAL believes is in the adoptee's best interest. Absent the known existence of contrary facts or an inherent inconsistency in the investigative report, the GAL is presumed to be acting in a reasonable manner by relying on the facts set out in the investigative report without undertaking any independent investigation.
- G. In all adoptions where no investigative report is prepared by a licensed private agency or government agency with authority to provide said report, for Court review, Petitioner shall provide to the GAL shall obtain and review a Criminal History from the Illinois State Police and FBI as a result of a fingerprint search, a CANTS and Sex Offender Registry search on any Petitioner or adult resident in the adoptee's home, who is not related to the adoptee as a biological or legal parent. Additional information as set forth in the "Appointment of Guardian ad Litem for a Minor Child" shall also be provided to the GAL. A person holding a license issued by the State of Illinois, the Judiciary of this State, or employed by any private or public entity that requires, as a condition of licensure or continued employment a criminal background check may satisfy this requirement by filing with the court a statement from such employer, on official letterhead, that a criminal background check was conducted in the past year and no disqualifying offenses were disclosed. Petitioner may obtain waivers of the criminal history check for good cause on a case by case basis by a properly noticed Motion seeking such relief.
- H. If no investigative report has been required by the Court and it comes to the attention of the GAL that a petitioner and/or adult resident in the adoptee's home, who is not the biological parent of the adoptee has committed any offense involving sexual abuse of any person, physical abuse or abandonment of a adoptee or been convicted of any felony offense, as defined by the laws of the jurisdiction in which it occurred, the GAL may petition the Court to order an investigative report prior to the entry of a judgment of adoption. Nothing herein shall preclude the GAL from requesting the Court to order a new or additional investigative report in any case where the GAL believes that such information will be relevant and necessary to the Court's resolution of the matter. "Committed any offense" includes any offense for which there has been an adjudication of guilt regardless of whether or not a judgment was entered, e.g. a supervisory disposition.

- I. In all cases, in lieu of an answer, file with the Court a report as to what is in the best interest of the adoptee based upon a review of all available data. If the GAL concludes that the adoption is in the best interest of the adoptee, a consent to the adoption should be filed by the GAL in all cases where the adoptee is under the age of 14.

Entered:

Honorable Sharon M. Sullivan
Presiding Judge, County Division

Requirements for Termination of Parental Rights by Default

Default of Unknown Father (when no Father is named on the Birth Certificate) with:

- A. Child's Birth Certificate
 - B. Certification of Putative Father Registry Search Results
 - C. Affidavit for Publication
 - D. Certificate of Publication
 - File motion entitled, "*Motion for Default*" and attach the above documents labeled as Exhibits A through D; and
 - File separate Order entitled, "*Order for Default and Termination of Parental Rights of Unknown*" (to be signed by Judge).
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Default of Biological or Legal Father (person named on Birth Certificate; or Voluntary Acknowledgment of Paternity; or Court Ordered Adjudication or Court Accepted DNA Test; or legally presumptive father) with:

- A. Child's Birth Certificate
- B. Proof of Sheriff's Service of Summons issued and SERVED to Father at last known address; and/or
- C. Proof of Clerk's or US Post Office's certified mailing and SIGNED RECEIPT to the last known address
- D. Military Affidavit
- File motion entitled, "*Motion for Default*" and attach the above documents labeled as Exhibits A through D; and
- File separate Order entitled, "*Order for Default and Termination of Parental Rights of Father*" (to be signed by Judge).

If Sheriff is UNABLE to serve Bio/Legal Father; and if Bio/Legal Father DID NOT RECEIVE Clerk's certified mailing, then you must default Bio/Legal Father with ALL OF THE FOLLOWING DOCUMENTS:

- A. Child's Birth Certificate
- B. Proof of ATTEMPTED Sheriff's Service of Summons issued to last known address
- C. Proof of Clerk's or US Post Office's ATTEMPTED certified mailing to the last known address
- D. Military Affidavit
- E. Affidavit for Publication
- F. Certificate of Publication
- G. Applicable Prisons and Departments of Corrections Search (You must print-out the actual search page results and attach to motion)
- H. Internet & Social Media Search (e.g. Email, Google Search, WhitePages.com, Facebook, Twitter, My Space, LinkedIn, etc. You must print-out the actual search page results and attach to motion)
- I. Defense Manpower Data Center Internet Search (Print-out the actual search page results to attach to motion)
- J. Calls and text messages to last known phone numbers
- K. Notarized Affidavit of Due Diligence-Numbered 1 through 5 (this document explains to the court WHAT you did to find Bio/ Legal Father and WHY you were not successful. See requirements directly below.)

Five Requirements of the Notarized Affidavit of Due Diligence-Numbered 1 through 5:

- Number 1: In detail you must list clearly all of the ways you attempted to locate Legal Father.
- Number 2: In detail you must explain clearly why you failed to locate Father after all inquiries to Father's: parents; siblings; friends; employers; other relatives and associates.
- Number 3: In detail you must explain clearly why you failed to locate Father after calling and texting his last known phone numbers.
- Number 4: In detail you must explain clearly why you failed to locate Father after searching all social media sites.
- Number 5: In detail you must explain clearly why you failed to locate Father after searching all applicable prisons, departments of corrections and Defense Manpower Data Base.

- File motion entitled, “*Affidavit of Due Diligence and Motion for Default*” and attach ALL of the above-listed documents labeled as Exhibits A through K; but attach the NOTARIZED Affidavit of Due Diligence as first the page of the exhibits; and
- File separate Order entitled, “*Order for Default and Termination of Parental Rights of Father*” (to be signed by Judge).

Default of Putative Father (person[s] NOT named on Birth Certificate but is believed to be the father) with:

- A. Child’s Birth Certificate
- B. Certification of Putative Father Registry Search Results
- C. Proof of Sheriff’s Service of Summons issued and SERVED to Father at last known address; and/or
- D. Proof of Clerk’s or US Post Office’s certified mailing and SIGNED RECEIPT to the last known address
- E. Military Affidavit
- File motion entitled, “*Motion for Default*” and attach the above documents labeled as Exhibits A through E; and
- File separate Order entitled, “*Order for Default and Termination of Parental Rights of Father*” (to be signed by Judge).

If Sheriff is UNABLE to serve Putative Father; and if Putative Father DID NOT RECEIVE Clerk’s certified mailing, then you must default Putative Father with ALL OF THE FOLLOWING:

- A. Child’s Birth Certificate
- B. Certification of Putative Father Registry Search Results
- C. Proof of ATTEMPTED Sheriff’s Service of Summons issued to last known address
- D. Proof of Clerk’s or US Post Office’s ATTEMPTED certified mailing to the last known address
- E. Military Affidavit
- F. Affidavit for Publication
- G. Certificate of Publication
- H. Applicable Prisons and Departments of Corrections Search (Must print-out the actual search page results and attach to motion)
- I. Internet & Social Media Search (e.g. Email, Google Search, WhitePages.com, Facebook, Twitter, My Space, LinkedIn, etc. You must print-out the actual search page results and attach to motion)
- J. Defense Manpower Data Center Internet Search (Print-out the actual search pages and to attach to motion)
- K. Calls and text messages to last known phone numbers
- L. Notarized Affidavit of Due Diligence-Numbered 1 through 5 (this document explains to the court WHAT you did to find Bio/ Legal Father and WHY you were not successful. See requirements directly below.)

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- Number 2: In detail you must explain clearly why you failed to locate Father after all inquiries to Father’s: parents; siblings; friends; employers; other relatives and associates.
- Number 3: In detail you must explain clearly why you failed to locate Father after calling and texting his last known phone numbers.
- Number 4: In detail you must explain clearly why you failed to locate Father after searching all social media sites.
- Number 5: In detail you must explain clearly why you failed to locate Father after searching all applicable prisons, departments of corrections and Defense Manpower Data Base.
 - File motion entitled, “*Affidavit of Due Diligence and Motion for Default*” and attach the above documents labeled as Exhibits A through L; but attach the NOTARIZED Affidavit of Due Diligence as first the page of the exhibits; and
 - File separate Order entitled, “*Order for Default and Termination of Parental Rights of Father*” (to be signed by Judge).

Default of Mother

Same requirements as “Default of Biological or Legal Father”

Guardian ad Litem Contact Information
(All GALs have mail slots located outside 1701)
Effective December 1, 2017

Gilbert Grossi (Case ending in 0)
1701 Daley Center, (GAL mail slot)
Chicago, IL 60602
708-296-0966 (cell)
708-575-2899 (e-fax)

Grossig24@gmail.com

Marta C. Bukata (case ending in 1)
c/o Chicago Legal Clinic, Inc.
211 W. Wacker, suite 750
Chicago, Illinois 60606
312-726-2938
312-726-5206 (fax)

mcbukata@clclaw.org

Denise Patton (case ending in 2)
4760 Fairfax Avenue
Palatine, IL 60067
847-925-9072
847-972-6107 (fax)

DPatton@GrowYourFamily.net

Michelle M. Hughes (case ending in 3)
221 N. LaSalle St., Suite 2200
Chicago, Illinois 60601
312-857-7287

hugheslaw@mindspring.com

Catherine O'Hearn (case ending in 4)
1701 Daley Center, (GAL mail slot)
Chicago, IL 60602
312-622-4148 (cell)

Cohearn9847@gmail.com

Paul Barbahen (case ending in 5 and 6)
36 W. Randolph St. #703
Chicago, IL 60601
312-419-1111
312-419-1110 (fax)

barbahenlaw@msn.com

Diana E. Lopez (case ending in 7)
Lopez Law Group, PC.
105 W. Madison, Suite 1101
Chicago, Illinois 60602
312-265-1544
773-678-4491 (cell)
773-305-2751 (e-fax)

dlopez@lopezlg.com

Sheila Maloney (case ending in 8)
633 Rogers St., Suite 102
Downers Grove, IL 60515
630-512-8400
630-510-3761 (e-fax)
630-939-5313 (cell)

stmesq@msn.com

Charisse Hampton (case ending in 9)
1011 N. Euclid Ave.
Oak Park, IL 60302
708-203-2160
708-358-8966 (fax)

Charissehampton@yahoo.com

MEMO RE: PRIVATE VENDOR FINGERPRINTING PROCEDURE FOR ADOPTIONS

Updated: November 1, 2018

What: Fingerprinting for all adoption cases (state and FBI)

Who: Adoption clients

Why: Cook County Sheriff's Office no longer provides fingerprinting services at Daley Center

New Procedure:

- 1) The Department of Adoption and Family Supportive Services (DAFSS – formerly Office of Adoption and Child Custody Advocacy – OACCA) still manages the fingerprinting results.
- 2) The state-approved vendors list can be found here:
<https://www.idfpr.com/LicenseLookup/fingerprintlist.asp> Also see attached.

Clients may use any state-approved vendor. However, the “preferred” vendor per DAFSS is **Accurate Biometrics**. Accurate Biometrics has numerous locations in the city and suburbs. Appointments are walk-ins only. See list of all locations, along with addresses, hours of operation, and phone numbers, here:
http://www accuratibiometrics.com/fingerprint_results_by_region.php?region=2

- 3) Fees.

DAFSS has arranged for a reduced fee with Accurate Biometrics of **\$55.00** for both state and federal fingerprinting procedures. Checks to be made out to Accurate Biometrics.

Fees for other private vendors can be found by calling that particular vendor.

- 4) Form.

For Accurate Biometrics, the Client must bring the form titled “**The Department of Adoption and Family Supportive Services**.” See attached.

- 5) Photo Identification

Client must also bring a valid government-issued photo identification to the appointment (driver's license, state ID, or passport).

- 6) Engage DAFSS as Fingerprint Administrator

One the client(s) and any other adult in the household completes their fingerprinting:

- a) CLIENT MUST DELIVER TO YOU A COPY OF THEIR RECEIPT FOR THE BACKGROUND CHECK. The receipt will have id numbers on it that DAFSS will need to obtain the background check results.
- b) Contact Melissa Reyes (information listed below) at DAFSS via email informing her that you client has submitted performed an Accurate Biometrics background check and the name and contact information for

the GAL in the matter along with a copy the following documents attached: [*Note: if you have the GAL's email information, CC the GAL in your initial email to Melissa*]

- A. Order Appointing GAL
- B. Case Management Order
- C. Order granting access to court file (if you obtained)
- D. Petition
- E. CLSP
- F. Receipts from Accurate Biometrics (Melissa needs the TCN number)

7) Receiving Results from DAFSS

Once Melissa receives the fingerprinting results (usually within 2 weeks) she will send a copy to both you and the GAL.

DAFSS Contact Person re: Fingerprinting

Melissa Reyes

312-603-0552

melissa.reyes@cookcountyil.gov



phone 773-685-5699
fax 773-685-5433
www.accuratebiometrics.com

Cook County Department of Adoption and Family Supportive Services

Fingerprint Applicant Form

Adam Walsh Act

Please Provide The Following Information (Please Print Clearly).

Last Name: _____ First Name: _____ MI _____

Address: _____ City: _____

State: _____ Zip Code: _____

Date of Birth: ____/____/____ Sex: _____ Race: _____

Height: _____ Weight: _____

Hair Color: _____ Eye Color: _____

Social Security #: _____ - _____ - _____

Place of Birth:(State or Country if outside USA): _____

ORI #

(DO NOT WRITE BELOW THIS LINE – FOR OFFICE USE ONLY)

F.P. Technician _____

Date Printed _____

TCN# _____