

## **OUTLINE – Non-Agency Adoptions**

**A. FILING – The following information within this section A provides the process to be followed in the preparation of an adoption case through to the filing of your Petition. Please review the entire manual**

1. **FIRST THINGS FIRST.** Review all the materials you have received from CVLS regarding the adoption case. The primary document will be the questionnaire created from the intake interview. This document should provide you with most, if not all, the information that will be necessary to complete the paperwork (pleadings and forms) necessary for you to file and pursue the adoption matter to final Judgment. After reviewing the paper work, contact your client to inform them that you will be handling their matter, that you will begin preparing the paperwork necessary to file the adoption case, and that you may be contacting them from time to time during that process with additional questions. At this point, confirm all intake information with the client(s). Let them know that once the paperwork is completed, you will arrange with them a date for them to come in and review the paperwork and sign the necessary pleadings/affidavits/etc.
2. Prepare all documents and pleadings necessary to file. All pleadings/orders/forms referenced herein are available from CVLS. If you do not have our templates, please contact CVLS to obtain them. The purpose for each pleading and form will be discussed in later sections. Please read the entire manual before proceeding.
3. Review the Adoption Court’s “Standing Order” on the County Court website in the “Orders and Forms” section: <http://cookcountycourt.org/divisions/index.html>. The Standing Order provides the rules and procedures of the adoption court and is updated from time to time. As the Court updates this from time to time, if it is not available, contact CVLS for an update.

### **Documents and Pleadings Necessary to Prepare to File**

*County Division Cover Sheet* (Clerk’s administrative document)

*Petition for Adoption* (with exhibits as referenced in petition. i.e. death certificate of parent, probate Order appointing Petitioner(s) guardian, etc.)

*CLSP* (review guidelines to determine that client is within 125% of federal poverty level for fee waiver)

*Summons for Child(ren)OR Consent of Minor* (children under 14 must be served; children 14 and older must sign a consent to adoption – no service necessary)

*Summons for each living Parent* who will not be consenting and whose rights are not terminated

or *Affidavit for Service by Publication* for Parent whose whereabouts are unknown

or *Consent to Adoption by Specified Person* form for Parent willing to consent

If unknown father, *Affidavit for Service by Publication*

*Interim Order* OR *Order Appointing GAL and Investigator*

*Case Management Order*

*Order Granting File Access to Attorney of Record* (can be included in interim order or order appointing gal and investigator)

*Affidavit of Separation* (if client is married, separated 12 months and petitioning w/out spouse).  
*Certificate of Adoption* (won't need until later, but must be signed by client)  
*CANTS form* (won't need until later, but must be signed by client; LEAVE the "release info" lines blank.  
This information is for the GAL and filled in by the GAL)  
*Affidavit in Support of Petition to Adopt* (won't need until later, but must be signed by client)  
*Affidavit of Military Service*, if necessary (for any parent you expect to default)  
*Affidavit of Due Diligence*, if necessary (for any parent for whom you've published service and expect to default)

**If client is CLSP eligible and you need to either**

**1) publish and/or 2) perform criminal background check:**

*Motion to Waive Publication Fee*

*Order for Free Publication*

*Motion to Waive Office of Adoption and Child Custody Advocacy  
("OACCA") Fee*

*Order for OACCA Fee Waiver*

*Rule 298 Application*(this is the old fee waiver form which the court likes to see when seeking from the court an order for free services like law bulletin publication)

**If Client is related to the child being adopted AND is the current legal guardian, you may be able to waive a criminal background check. A criminal background check is performed as part of a guardianship matter and the court often recognizes that fact and will waive a criminal background check**

*Motion to Waive Criminal Background Check*

*Order waiving criminal background check*

**If seeking criminal background check waiver and the client is CLSP eligible, you will want to combine motions in case your criminal background check waiver request is denied. You will seek a fee waiver in the alternative.**

*Motion to Waive Criminal Background Check Or Waive OACCA Fee  
Both prior relevant orders above*

3. Select a court date with your client. You do not need to arrange the date with the court or clerk. Adoptions are heard everyday at 9:30 a.m. and 1:30 p.m. You may pick any date you like and simply notify the court the day before that you will be coming in the next day. This is done by delivering a copy of your proposed Petition for Adoption – discussed next.
4. Deliver a courtesy copy of the Petition for Adoption (does not need to be signed or filed) to the Presiding Judge's office by 3:00 p.m. the day before you intend to go to court. Courtesy copy(s) can be delivered (room 1701 Daley Center), faxed (312-603-4351), or attached to an email at [cjcal3@cookcountyil.gov](mailto:cjcal3@cookcountyil.gov) . All types of delivery should be sent to the attention of Gloria Contreras, the adoption court coordinator. In your cover letter, inform the court if you will be appearing for the

9:30 or 1:30 call the next day. You must also include any additional Petition/Motion(s) you intend to present the next day (i.e. Motions to Waive Publication Fee, Criminal background check, or OACCA fee). Remember that, although all courtesy copies need not be signed or filed, you must get them signed by your client and filed before your court appearance the next day.

5. On or before your day to appear in court, meet with your client prior to court to review and execute all paperwork and to prepare for court. This can be efficiently done in one day (preventing multiple trips downtown by client) by setting your court time for the 1:30 call, and inviting your client and the child(ren) to come in about 10 am. You can review the paperwork, make any necessary changes, and have your client execute all documents necessary for her signature before you go over to file and present the Petition in Court. If any changes were made to the Petition, make a note to inform the Court that you have made changes to the courtesy copy. You can also have your client come in prior to the court date, and file your Petition prior to the court date, and set the matter for a subsequent date on the 9:30 or 1:30 call.

#### **B. FILE YOUR CASE AND SERVE THE CHILD**

1. On or before your day in court, file your case.
  - \* File your Petition for Adoption in Room 1202. The clerk will only want your Cover Sheet, Petition, Summons(es), and CLSP if applicable. Also, any additional Motions should be filed as well. If client is CLSP eligible, filing fees are automatically waived. If not CLSP eligible, there will be a \$65 filing fee. Other documents (i.e. orders and forms) prepared for court will not be stamped. You will need to add the case number to all additional documents prior to court;
  - \* You may file your case on a day prior to your court date, or on the day of court. Again, it can be efficient to meet with your client on the same day prior to a scheduled 1:30 p.m. court call to review and ready paperwork and proceed to court so as to prevent your client from making multiple trips downtown. You should plan on getting to the clerk's office by 12:30 in order to file and serve the child(ren) (discussed next) by the 1:30 call.
2. **Serve child(ren)**, under the age of 14, in Sheriff's office, Room 701. The child is also a party defendant in an adoption case and must be served. It is efficient to serve the child prior to court since the child must be present in court anyway. The Sheriff opens at 9am, but will allow adoption service earlier when there are minor children.

#### **C. APPEARING FOR COURT**

2. **Proceed to Court and Check in for initial presentation** of case.
  - \* Your first court appearance in your adoption case is to introduce the Petitioner(s) and the child(ren) to be adopted to the court, to appoint a Guardian Ad Litem (GAL) to determine the best interests of the child(ren) to be adopted, and to appoint an Investigator to look into the background of the Petitioner(s). You do not need to have served either biological parent at this time, unless you

are in need of an immediate custody order (“Interim” Order). This is not often necessary if the child has been in the care of Petitioner(s) and is stable or if the Petitioner has a previous custody or guardianship order, but if so, please contact CVLS to discuss.

\* Proceed to Court at Room 1703 (waiting area for parties and child in Room 1705)

\* Write **attorney name** (not case name) and case number in call book located, prior to court, in 1701 (back admin office accessible from hall south of 1703), or at time of court at clerk’s desk in 1703. There are three sections in the call book – “Motions”, “Initial Presentation”, and “Consents/Surrenders”. You will write your attorney name in the “Initial Presentation” section. Any other motions you may have filed along with your Petition for Adoption will be heard with the initial presentation.

3. **Step up to the bench** when case called

\* When case called, approach bench without clients. Introduce yourself and the case to the court. Inform the court about the relationship of Petitioner(s) to child, expected method of obtaining jurisdiction over the parents (i.e. consent, personal service, publication service). Discuss this and any other issues of significance with the Judge. Once you complete this discussion, Judge will invite Petitioner(s) and child(ren) in from the waiting room. Introduce your clients and the child to the Judge. The Judge will conduct an informal interview with the clients and child. Judge will welcome additional interested family members into proceedings. Upon completion of this initial presentation you will seek entry of the following two orders, which is the primary purpose, in addition to introducing the petitioner(s) and child(ren) to the court, of your appearance on this initial court date. You will enter:

a. Case Management Order setting expected Judgment entry date. This date can be at the lawyer’s choosing and should be about 2 months after this first court date. If you expect special circumstances regarding the time it will take for service, you may want a longer period.

b. Interim Order appointing GAL and Investigator.

\* There are five court appointed GAL’s in adoption cases, one of whom will be appointed in your case. Their primary responsibility, as GAL, is to confirm that an adoption is in the child’s best interests. A GAL is appointed in all adoptions. Your GAL assignment will be based on your case number. The last digit of your case number will determine the GAL. There is a form in the clerk’s office, when you file, and in court, showing which GAL is to be appointed based on cases ending in 0 or 1, 2 or 3, etc. You may write the GAL in your Interim Order at this time. See section “E” below for engaging the GAL. See the GAL contact information sheet as an appendix to this manual.

\* Please note that the statute and court make a distinction between adoption cases based on whether a petitioner is related (relative of the 1<sup>st</sup> degree) to the child or unrelated. This distinction only results in one procedural difference between the cases. In related cases, the GAL is most often appointed as investigator. The GAL performs a more summary investigation, mostly just

reviewing your affidavit of investigator, performing the CANTS check, and reviewing your criminal background check (if not waived). In related cases, you can write the GAL's name in as Investigator on your Interim Order prior to court. In unrelated cases the court often seeks a more thorough investigation of the petitioner(s) and appoints the Cook County Office of Adoption and Child Custody Advocacy (OACCA) as investigator. They perform a much more detailed investigation which includes that which the GAL would perform and interviews of the petitioner(s) and child(ren), home studies, medical record and school record review, et al. If you have an unrelated case, you would confirm with the court whether your Interim Order should appoint OACCA, as is usual, or the GAL. Because the OACCA investigation takes more work, takes more time, and is more expensive, you may want to ask the Court to appoint the GAL rather than OACCA in your unrelated case under certain circumstances. Those include ones in which your client is already the legal guardian or custodian, or your client has been a long time sole caregiver (around 8 or more years) and the parents are deceased or out of the picture for that period. In the latter scenario, the court will most likely not agree to the GAL as investigator but it is worth a try. See section "F" below for engaging the investigator.

**D. POST "INITIAL PRESENTATION" REQUIREMENTS – The real work of an adoption.** Think of your adoption as accomplishing 3 tasks, in no particular order. All must be accomplished prior to seeking entry of your Judgment. First you must sever both parents' rights. Second, you must engage the GAL to make a determination that an adoption is in the Child(ren)'s best interests. Third, you must engage the investigator to determine that the Petitioner(s) are fit and proper persons to adopt.

**1. JURISDICTION OVER DEFENDANTS.** Severing both parents' rights takes place in one of three ways. One method is through a biological parent(s) death. This happens automatically. You need only allege their death and verify with a death certificate. The second method is to allege them unfit, obtain jurisdiction over them through service, and default them or prove them unfit if contested at a fitness hearing (CVLS does not as a rule take contested adoptions, but, as in all lawsuits, things can go other than as planned). The third method is with the bio parent(s) consent. The Consent is an Appearance and Consent. Jurisdiction over the consenting parent is obtained with their consent.

a. **SERVE ALL NECESSARY PARTIES**

\* Service of child(ren) noted above.

\* The living biological parents of the child to be adopted, who are not Petitioner's to the adoption, must be served, unless willing to appear in court and consent.

\* If their whereabouts are known, place a summons (and Petition) with the Sheriff in room 701 for personal service. If defendant lives outside of Cook County, contact the sheriff in that jurisdiction to get information for service there. If client is CLSP eligible, service fee is waived. If not, the service fee will be a \$60 flat fee anywhere in Cook County and/or \$50 for window service. Unlike other case types where you can check on service on the clerk's website within the

cases docket information, Adoption files are not accessible online and are not easily accessible at court unless you've entered an Order granting you access to the court file. It is easiest to check on the status/result of the sheriff's personal service attempts by contacting the sheriff by phone. The number for service status for the Cook County Sheriff is 312.603.3365.

\* If whereabouts of defendant are unknown after personal service attempt and/or the exercise of due diligence to locate defendant, place Affidavit for Service by Publication with the law bulletin in Room 1202 at the law bulletin counter. If a client is CLSP eligible, and you have completed the Rule 298 Petition, you may seek an Order for Free Publication, by Motion, from the court which will waive the publication fee. Such a motion can be filed for the initial presentation of your case or at any time after initial presentation. See section "G. Motions" below. If you are not eligible, the Law Bulletin charges a \$190 publication fee (see section "I.4. Fees" below)

b. **PUTATIVE FATHER REGISTRY SEARCH**

\* A legal father of a child is a man who was married to mother at the time of birth or conception of a child; has a paternity order finding father to be the legal father; for children born after 1996, is listed as father on child's birth certificate. If you have no legal father, you must search the Illinois Putative Father Registry to see if a man has registered as a possible father for a child. A failure to register, by statute, will allow for the termination of the parental rights for any man who has not obtained legal rights as the legal father as stated above. Your due diligence is completed if the registry results in no father being registered, though you will still allege an "unknown father" and terminate the unknown father's rights. If a father is registered, you must amend your petition to name that father as an alleged biological father (registration alone does not grant legal status), and you must serve that man, at the address given to the registry, with a copy of your amended Petition for Adoption. Obtaining a name through the registry search is extremely rare.

\* Search the registry at [www.putativefather.org](http://www.putativefather.org) . If you are a CVLS volunteer working on a CVLS case, contact Phil Mohr prior to searching the web site at [philmoehr@cvls.org](mailto:philmoehr@cvls.org) for information on waiving the registry search fee.

c. Once you have obtained jurisdiction over a non-deceased, non-consenting parent(s), you will move to default if/when they fail to appear or respond to the Petition for Adoption. Moving to default based on allegations of unfitness will be discussed in section E. below.

d. **CONSENT OF PARENT.** If any defendant biological parent is willing to consent to the adoption, you may bring them in at anytime to provide their consent to the court. If this is an unrelated adoption, and OACCA has been appointed as Investigator, OACCA can also take the parent's consent. However, OACCA, though potentially more convenient or informal for defendants, does

charge a fee to take consents. The court does not.

**Document(s) Needed**

*Appearance and Consent to Adoption*

- \* The Parent may provide their consent anytime after the case is filed and before seeking entry of Judgment, including the day of the initial presentation of case.
- \* Consenting parent need not be served as the consent is an Appearance and Consent.
- \* Consenting parent must have and bring a state I.D. or driver's license.
- \* **Notify the court a day in advance that you will be presenting a consenting parent on the 9:30 or 1:30 call to ensure a required court reporter is present.** If you intend to take a consent on your initial presentation date, additionally notify Gloria, when you are submitting your courtesy copy of the Petition, that you have a consenting parent coming.
- \* If your client is a biological relative, it is recommended that you only take the consent of your relative parent simultaneously or after you take the consent of the parent related to your client. When you terminate your related parent's rights, you will also be extinguishing your client's biological relationship. It is wise not do so until you have terminated the non-relative parent's rights first.
- \* As attorney for Petitioner(s), you are not the attorney for the consenting parent and must inform them so. You may talk to the consenting parent and explain the impact of a consent, prepare the Appearance and Consent form (do not list your info as attorney on form), and present him/her to the court but you will not be participating in the consent process before the court. You can not guarantee the Consenting parent any provision post adoption (e.g. visitation, naming of parent in a will as guardian in the event of adopting parent's death, etc.). It can be deemed an improper inducement of the consent. If you would like to consider settlement possibilities with a biological parent which results in the parent's consent, please contact CVLS.
- \* The termination of the parental rights takes place the moment the court, or other person authorized to take a consent (i.e. OACCA), acknowledges the consent.

**2. BEST INTERESTS - CONTACT GAL**

**Documents to Tender to GAL after filing**

*Petition for Adoption*

*Interim Order OR Order Appointing GAL and Investigator*

*Case Management Order*

*CANTS (Child Abuse and Neglect Tracking Service) form*

*All Documents Supporting your Petition* (i.e. divorce decrees, guardianship orders, affidavits explaining prior arrests, etc.)

- \* You must send your appointed GAL the Interim Order which appoints them to the case, as well as all the above documents. All documents can be tendered to the GAL either by delivery to their mailbox in room 1701, mail, fax or email. See the attached GAL contact information sheet for all contact info. All

five GAL's have kindly agreed to reduce their fee for CVLS cases to \$25 per case. You must additionally include the payment with the documents.

\* Provided there are no red flags raised from the Affidavit or CANTS check, the GAL will submit a report to the court recommending the adoption prior to the case management date for entry of Judgment. If red flags are raised, or additional time is needed, the GAL will contact you to discuss the need for a continuance.

### 3. **FIT AND PROPER TO ADOPT – CONTACT INVESTIGATOR (RELATED CASES ONLY)**

#### **Document to Tender to GAL as Investigator in related cases after filing**

*Affidavit for Investigator (If GAL appointed as investigator)*

- a. In most cases, the court will require a criminal background check for all non-biological parents seeking to adopt. If you have a mother and step-father seeking to adopt mother's child, the court may require a criminal background check on the step-father, but not the mother. The criminal background check is performed by the Illinois State Police and the Sheriff of Cook County. There is a non-waivable fee of \$39.25 per person for the State Police check, and \$10 fee for the Sheriff. The administration of the check is performed by OACCA (not as investigator in this role, solely as criminal background check administrator). The \$50 admin fee is waivable by court order obtained during the initial hearing, with motion.  
\* Contact OACCA (312-603-0550) to arrange an appointment for the criminal background check. Client(s) need a copy of Order for OACCA fee waiver, if entered, and checks payable to Illinois State Police (\$39.25) and Cook County Sheriff (\$10).
- b. When the GAL is also appointed as Investigator, you will have already sent the necessary documents as stated above as GAL. Additionally forward the Affidavit of Investigator, and any additional supporting documents (i.e. divorce decrees, orders of guardianship, affidavit of explanation of prior arrests or convictions).
- c. **If OACCA is appointed as Investigator, contact OACCA (312-603-0550) to arrange appointment. See also OACCA Adoption Investigation requirements form as an appendix to this manual.**

### E. **PREPARE FOR ENTRY OF JUDGMENT**

1. **If**
  - \* case filed
  - \* child served
  - \* Judge met with Petitioner(s) and child
  - \* parent(s) deceased, consented or have been served and are in default
  - \* all necessary forms delivered to GAL and GAL has submitted report approving
  - \* criminal background check and/or OACCA investigation complete and clear, if not waived
  - \* putative father search results completed, if necessary, with no registrant

2. **Then prepare**

**Documents to Prepare**

*Judgment for Adoption*

*Default Order* for each individual parent(s), as necessary

*Affidavit of Military Service* for any defaulted named parent, if necessary

*Affidavit of Due Diligence*, if necessary (when moving to default with pub service for named defendant parent(s). Do not need for an unknown father)

*Motion for (Default) and Entry of Judgment*

*Notice of Motion for GAL*

a. Once all your work is done to obtain: 1) jurisdiction over the necessary parties and consents from parents or ability to default; 2) a GAL report recommending the adoption; and 3) an investigative/criminal background check (as needed), you must request entry of a Judgment Order for Adoption. The method to request entry of the Judgment is to file a Motion for Entry of Judgment. If you have alleged a parent to be unfit, served the parent (personally or publication), and they have failed to appear and respond, the parent is in default. If you are terminating a parent's right by default, you must file a Motion for Default and Entry of Judgment.

b. For any named defendant parent served by publication, you will not obtain their default without submitting an Affidavit of Due Diligence stating why the Petitioner does not know the whereabouts of the parent and what they have done to locate him or her. If the Affidavit shows the court that the Petitioner exhibited due diligence in searching for the parent, then a default will be entered.

c. Prepare a separate Order of Default for each parent who has not consented and is in default.

d. For any defendant parent served personally or by publication, for whom you are seeking an order of default for their failure to appear and/or plead, you must prepare an Affidavit of Military Service stating whether the parent is in the military. If you must use unable to determine also state, in the "based on these facts" section, last known information. For example, you may state "defendant was last known in 2008 to not be in the military and employed as a civilian."

3. **Submit for entry (room 1701) at least 14 days before case management court date**

*Judgment for Adoption*

*Default Order* for parent(s), if necessary

*Affidavit of Due Diligence*, if necessary

*Affidavit of Military Service*, if necessary

*Motion for Default*

*Motion for Entry of Judgment* (Motion for Default and Entry of Judgment can be

a combined motion when needing both a default of a parent and judgment)

*Notice of Motion for GAL*

*Putative Father Registry search results, if necessary*

a. You must prepare a Motion for (Default and) Entry of Judgment in order to request entry of your Judgment for Adoption. You will notice up the Motion for Entry with the GAL using the Notice of Motion form, setting the court date for your pre-existing case management or subsequent case management date. You will serve the GAL with the Notice of Motion and all remaining documents above.

b. Deliver to the adoption Court, in room 1701, the above documents (with 3-4 copies of Judgment and Default Order(s) at least 14 days before your next case management court date for which you are seeking entry of the judgment. You will want to deliver to the court originals of the Notice of Motion, Motion, Affidavit of Due Diligence (if necessary), and Putative Father Registry search results (if necessary), and copies of the Judgment and Default Order(s) (if necessary) because the court will want original signatures on all those documents. You can fax, email, or deliver (mailbox in 1701) the GAL with all documents. See the GAL information sheet to obtain their fax numbers and email addresses.

c. You do not need to appear in court on your Motion for Entry/Case Management date if everything is done and all documents are served on GAL and delivered to court. **YOU MUST CONTACT GLORIA THE DAY BEFORE COURT/ENTRY, however, to confirm that all is completed and your appearance is unnecessary.**

#### **F. CONTINUANCE – NOT READY FOR ENTRY OF JUDGMENT**

If you are not ready for entry of the Judgment before your case management date, you must obtain a continuance of your case management date for a “subsequent case management” date. This can be done in one of 3 ways.

1. **Reach Agreement with the GAL.** The easiest, and recommended, method of continuance is to contact the GAL to get their agreement to continue. It is not unusual to have complications in the adoption proceedings requiring more time. GAL’s routinely agree to continuances. Prior to the Case Management Date, contact the GAL and discuss what work still needs to be completed. Unless there has been multiple continuances and the GAL feels there is a problem, the GAL will usually agree to the continuance. Prepare a Subsequent Case Management Order (SCMO). You will check “the parties and the Guardian ad litem agreeing” on the Subsequent Case Management Order. Explain what still needs to be completed. Fill in a new case management date. You can then either deliver the agreed Order to 1701 the day before the Case Management Date (personal delivery – fax (312-603-4351) – or email ([cjcal3@cookcountyil.gov](mailto:cjcal3@cookcountyil.gov)), or you can appear in Court on the Case Management date to enter the Order. Appearance is only necessary if you were unable to deliver the agreed order the day before. If you are delivering the SCMO to the court with the intent of not appearing the next day, you must contact Gloria to ensure your appearance is not required.

2. **Appear in Court.** If you were unable to take the easier route, which can avoid having to go into court, you can always just appear in court on your case management date and ask for a continuance. You will complete the “Subsequent Case Management Order” the same as you would in par. 1 above, only you would not check the “parties and GAL agreeing” box.

3. **Filing a Motion.** If you don’t want to have to appear in court on your case management date and were unable to obtain GAL’s continuance agreement, you can also file a simple routine motion for continuance. Deliver it to 1701 by 4p.m. the day before the case management date. This Motion must be accompanied with a “Subsequent Case Management Order”. You must give the GAL Notice with copy of Motion and Order at least two days prior to the Case Management date.

You will fill out the Subsequent Case Management Order by checking the box “the court finding”, you will explain what still needs to be completed, and you will pick your new future case management date. Pick a date at least more than 14 days after you expect to have all necessary work completed.

**Prepare**

*Motion to Continue Case Management Date*

*Notice of Motion to GAL*

*Subsequent Case Management Order*

**G. MOTIONS.** The court will permit the initial courtesy copy(s) of the Petition for Adoption accompanied by any Motion (e.g. Motion to Waive Pub Fee), to be faxed or emailed, and submitted the day before court. They will also accept Agreed SCMO’s, or a Motion to Continue with SCMO by fax or email, the day before court. However, for any other motions, including Motions for a free publication, to waive a criminal background check or fee, or to continue, which are filed after initial presentation, the court requires an original signature on the motion and service on the GAL at least 2 days before court. Therefore, for all motions other than those with your initial Petition, you should file the motion in the Clerk’s office, Room 1202 and deliver stamped copies to the Court (to Gloria) in room 1701 at least 2 days before the court date. You should also serve the GAL 2 days before the court date, but may do so by fax or email. You should then call Gloria the day before court to ask whether your appearance is needed.

**I. POST ENTRY OF JUDGMENT**

**Prepare**

Certificate of Adoption

1. Your Judgment will be available in room 1701 the day after your court date for entry. If you are unable to pick up within a couple days, it will often be sent to 1202 for pick-up. Check in 1701 first, but if it has been a week + since entry it will most likely be in 1202. Regardless of where you picked up the Judgment, go

- to cashier in 1202 to obtain free “certification” on one Judgment. Any additional certified Judgments will be \$6. You only need one, for your client(s).
2. At the same time, hand to the Clerk for certification the Certificate of Adoption. They will certify it and return it to you. You will forward it to the Department of Vital Statistics to get new birth certificate.
  3. Mail to Illinois Department of Vital Statistics the Certificate of Adoption with a \$15 check payable to Illinois Department of Public Health. This will Order the new birth certificate for the Petitioner(s). You can ask, in the Certificate of Adoption, for the new birth certificate to be mailed directly to the Petitioner(s). Let them know that it will be 3-6 months (sometimes more) and that, if they move, they need to notify the Department of Vital Statistics. **IF THE CHILD WAS BORN OUT OF STATE, YOU MUST FORWARD TO THAT STATE’S APPROPRIATE AGENCY. CONTACT THAT STATES DEPARTMENT OF VITAL STATISTICS (or comparable agency) TO GET MORE INFO.**
  4. Mail client the Certified copy of the Judgment and a letter explaining that the case is completed with entry of the Judgment and that you have ordered a new birth certificate which will be mailed to them directly within 2-6 months. Inform them from where you ordered the birth certificate so that they may contact the appropriate agency to check on status. Close the case.

#### **I. MISCELLANEOUS**

1. Service/Delivery
  - \* In addition to personal delivery, all deliveries to the court, except the final Judgment documents, can be done via Email ([cjcal3@cookcountyl.gov](mailto:cjcal3@cookcountyl.gov)) or Fax (603-4351) to the case coordinator, Gloria Contreras (603-2492 tel.). Final Judgment docs need multiple copies and should not be on faxed paper.
  - \* GAL’s maintain a mailbox in the adoption court office (1701) for deliveries and notice, and will accept all notices, docs, etc. via fax or regular mail as well. A GAL list with all contact information is attached.
2. Contested Matters. If a parent unexpectedly appears and contests, please contact CVLS for assistance.
3. Cases involving undocumented Petitioner(s) and/or child(ren). There are unique issues that must be addressed anytime you have a non-citizen petitioner, or child to be adopted, who is here either undocumented or temporarily documented. The issues include the ability to obtain proper immigration status for the child post-adoption, but more importantly, pleadings must be able to comply with the Hague Convention (international custody/child abduction/adoption treaty) requirements. Please contact CVLS before you proceed and file this type of case. There are also unique issues if the adopting parent(s) are undocumented. These have more to do with immigration/deportation concerns of the client(s). Please also contact CVLS before you proceed with this issue.

4. Fees
- \* **Waivable** Fees per CLSP form
    - Filing \$65
    - Window Service (per summons) \$50
    - Personal Service (within Cook County/per summons) \$60
  
  - \* **Waivable** Fees per Court Order accompanied  
By Rule 298 Petition
    - Publication \$190
    - OACCA – Administration of criminal background check \$50
  
  - \* **Reduced** Fees for CVLS cases
    - GAL fee **\$25**
    - Putative Father Registry Search \$0 (normally \$40)
  
  - \* **Non-waivable** Fees
    - State Police Criminal Background Check fee **\$36.50** per person
    - Cook County Sheriff Crim bkgrnd Check fee **\$10**-1 person, \$15-2
    - Order new Birth Certificate **\$15**
    - OACCA investigation fees for non-related cases \$25 - \$3000
    - Birth parent interview/taking consent \$80
  
  - \* Traditional CVLS related adoption with ability to waive all waivable fees  
will require above fees in bold for a total of \$89.25

Updated  
CVLS  
July 28, 2012