

STATE OF ILLINOIS

IN THE CIRCUIT COURT OF CHAMPAIGN COUNTY, ILLINOIS

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))
In the matter of the petition of))
_____)) No. _____))
))
))
For Appointment of))
Confidential Intermediary))

ORDER FOR APPOINTMENT OF CONFIDENTIAL INTERMEDIARY

The cause, having been heard upon the Petition filed for the appointment of a Confidential Intermediary pursuant to the Adoption Act at 750 ILC 50/18.3a (as revised January 1, 2004), and the Court having considered the contents thereof, and being fully advised in the premises, finds:

1. That the Petitioner is:

Place an X
on appropriate
line.

- an adopted person over the age of 21; or
- the adoptive parent or legal guardian on behalf of an adopted person under the age of 21; or
- a birth parent of an adopted person over 21 years of age; or
- an adult child of deceased adopted or surrendered person; or
- an adult birth sibling of adopted person whose birth parent is Deceased; or
- an adult birth sibling of deceased birth parent.

2. That the Petitioner seeks to:

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on appropriate
line.

- exchange medical information with mutually consenting biological relatives, and/or
- obtain identifying information about one or more mutually consenting biological relatives, and/or
- arrange contact with one or more mutually consenting biological relatives.

Strike out
unless
applicable.

3. ~~That because the Petitioner is not an adult adopted person over age 21, an adoptive parent or legal guardian or an adopted person under the age of 21 years, or a birth parent of an adopted person who is over the age of 21 years, that disclosure is of greater benefit than non disclosure.~~

IT IS HEREBY ORDERED:

1. That _____ is appointed as a Certified Confidential Intermediaries to act in accordance with the mandates in Section 18.3a of the Adoption Act, 750 ILCS 50/18.3a.
2. That the fees and expenses of the Confidential Intermediary will be paid in advance by the Petitioner.
3. That the Confidential Intermediary shall have access to:
 - a. Vital Records maintained by the Department of Public Health and its local designees;
 - b. Court records which relate to the adoption or the identity and location of an adopted person, of an adult child of a deceased adopted person or which relate to the location and identity of a birth parent, birth sibling or the sibling of a deceased parent;
 - c. Records and documents as described in 3.a and 3.b regarding a surrendered person when the Petitioner is an adult child of a deceased surrendered person.
4. Except as provided in paragraph 6 of this Order, the Confidential Intermediary shall not have access to:
 - 1) 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)
 - 2) Medical Records
 - 3) Financial Records
 - 4) Credit Records
 - 5) Banking Records
 - 6) Adoption Home Studies
 - 7) Attorney's records
 - 8) Other personal records

5. Except as provided in paragraph 6 of this Order, adoption agencies shall provide the Confidential Intermediary with any statement indicating a desire by the surrendering birth parent to have identifying information shared or not shared. In the event a sought after birth parent has made a clear statement of intent to not have identifying information shared, the Confidential Intermediary shall discontinue the search and inform the petitioner of the sought after birth parent's intent.
6. The public or private adoption agency shall only disclose to the Confidential Intermediary the full name, 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 of siblings of the sought after relative.
7. An adoption agency shall disclose to a Confidential Intermediary medical information about an adult adopted person or a minor adoptee only if the adult adopted person or the adoptive parent of an adopted minor has signed a written HIPAA authorization for disclosure of personal medical information. The medical information disclosable under this paragraph 7 is limited to medical information about the adopted person from birth through the date of the adoption.
8. The Illinois Adoption Registry shall release to the Confidential Intermediary all information in Seciton 18.3a (i) of 750 ILCS 50 as amended.
9. The Illinois Adoption Registry shall release to the Confidential Intermediary information regarding the date the adoption was finalized and the county in which the adoption was finalized.
10. The Confidential Intermediary will act in accordance with the Adoption Act and 750 ILCS 50/18.3a and will take an oath of office as provided in Sec (j) of the statute as a condition of his/her appointment, and the appointment of the Intermediary shall be effective upon execution of said oath, which the Intermediary shall upon execution file with the Clerk of the Court.
11. This case is set for status on _____, at _____ a.m./p.m. in Courtroom _____. The Confidential Intermediary shall submit any interim or final written report prior to said date. If a written report is not filed with the Court prior to the status date, the Intermediary must appear on the above date.
12. All documents, reports, and other written material submitted to the court shall be filed herein pursuant to the provision of 750 ILCS 50/18.3a, and the records maintained by the Circuit Clerk shall be impounded as provided in the Adoption Act.

ENTERED

JUDGE