

Adoption

Adoption is the legal process of terminating the rights of a child's parents and creating new rights in new parents. Adoptions may be either domestic or international.

Domestic adoption can take many forms. The simplest form is a related adoption, where the child is related to one of the adopting parents. A step-parent adoption is a related adoption where one of the adopting parents is also the biological parent of a child, and the second adopting parent is a new husband or wife of the parent. Uncles, aunts, grandparents and even same-sex couples can adopt using related adoption.

Parents can also adopt unrelated children. Sometimes, parents come across children through acquaintances, or an agency can identify adoptive children. Adoption of unrelated children is more complex than related children, as a home study is required and a criminal background check must be performed.

In an agency adoption, an agency matches the child to the adoptive parents. Agency adoptions can be domestic or international. Agencies can be useful in locating children in other states, or even in other countries. Some agencies support "open" adoption, meaning the biological parents maintain contact with the child after the adoption. However, these open arrangements are not enforceable in Illinois.

International adoptions have special considerations and requirements. The easiest way to adopt internationally is through an adoption agency. The agency will arrange for the adoption to take place in the foreign country. Upon return to the United States, the child is "re-adopted," but the re-adoption is treated like a related adoption. It is also possible to bring a child to the United States for the purpose of adopting, but this process has immigration and other requirements.

Finally, adoptions may result from juvenile court processes.

In any adoption, there are a few important facts to know:

1. The court is required to appoint a guardian *ad litem* to represent the child's interest. This GAL is an expense for the adopting parent that is not included in the adoption attorney's fees.
2. Usually, adoptions are entered on an agreed upon basis. However, if a biological parent objects, an adoption case is similar in nature to a contested custody proceeding.
3. It is illegal to contract for the sale of a child. However, reasonable expenses of the birth parents can be paid; so can agency fees.