

Subtitle 7

Guardian of the Person

701. *Testamentary Appointment of Guardian of the Person of a Minor.*

Unless prohibited by agreement or court order, the surviving parent of a minor may, by will, appoint one or more guardians and successor guardians of the person of an unmarried minor. Such a guardian shall not be required to be approved by or qualify in any court.

702. *Court appointment of Guardian of the Person of a Minor.*

(a) *General.* On petition by any person interested in the welfare of the minor, and after notice and hearing, the Court may appoint a guardian of the person of an unmarried minor where neither parent is serving as said guardian and where no testamentary appointment has been made. If otherwise qualified, the Court shall appoint a person designated by the minor, if the minor is fourteen (14) years or older, unless such decision is not in the best interests of the minor. This section shall not be construed to require court appointment of a guardian of the person of a minor where there is no good reason, such as a dispute, for a court appointment.

(b) *Venue and procedure.* The venue for a proceeding to appoint a guardian of the person of a minor shall be in the county where the minor resides. The contents of the petition and the manner of giving notice of the hearing on the petition shall be prescribed by Maryland Rules.

703. *Bond, Accountings, Compensation.*

The guardian of the person of a minor shall not be required to post any bond or to file any accounts. Unless otherwise provided by the will appointing a guardian of the person, he shall not be entitled to any compensation for serving as guardian of the person.

704. *Guardian of the Person of a Disabled Person.*

The Court shall have power to superintend and direct the care of the person of a disabled person, may appoint a guardian of the person, and make such orders and decrees respecting their persons as may seem proper, including an order directing the disabled person to be sent to a hospital. Procedures in such cases shall be prescribed by Maryland Rules.

SEC. 2. *And be it further enacted,* That the following sections of the Annotated Code of Maryland (1967 Edition, as from time to time replace, amended and supplemented) be and they are hereby repealed:

Section 42 of Article 10 of the Code (1968 Replacement Volume), title "Attorneys at Law and Attorneys in Fact," subtitle "Attorneys in Fact"; Section 15A of Article 16 of the Code (1966 Replacement Volume), title "Chancery," subtitle "Distribution"; Sections 43 to 48 and Section 50 of said Article 16, subtitle "Inebriates"; Sections 51 and 53 to 65 of said Article 16, subtitle "Infants"; Sections 110 to 113 of said Article 16, subtitle "Jurisdiction"; Sections 132 to 145, and 147 of said Article 16, subtitle "Non Compos Mentis"; Section 148 of said Article 16, subtitle "Nonresidents"; Sections 149 to 151