

5-3A-34. CONSIDERATIONS.

(A) IN GENERAL.

IN RULING ON A PETITION FOR A CHILD'S ADOPTION UNDER THIS PART III OF THIS SUBTITLE, A COURT SHALL CONSIDER:

(1) ALL FACTORS NECESSARY TO DETERMINE THE CHILD'S BEST INTERESTS; AND

(2) THE REPORT REQUIRED UNDER § 5-3A-31 OF THIS SUBTITLE.

(B) MARRIAGE.

IN RULING ON AN ADOPTION PETITION UNDER THIS PART III OF THIS SUBTITLE, A COURT MAY NOT DENY THE PETITION SOLELY BECAUSE THE PETITIONER IS SINGLE OR UNMARRIED.

COMMITTEE NOTE: Subsection (a) of this section is new and added to state expressly that a court may consider relevant factors not limited solely to religious background covered under former FL § 5-316(2).

Subsection (b) of this section is derived without substantive change from former FL § 5-309(b).

Subsection (b) of this section, the reference to being "unmarried" is substituted for the former reference to "not hav[ing] a spouse".

Defined term: "Child" § 5-3A-01

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(C) CONSENT OF A PARTY TO AN ADOPTION UNDER THIS PART III OF THIS SUBTITLE IS NOT VALID UNLESS:

(1) THE CONSENT IS GIVEN IN A LANGUAGE THAT THE PARTY UNDERSTANDS;

(2) IF GIVEN IN A LANGUAGE OTHER THAN ENGLISH, THE CONSENT:

(I) IS GIVEN BEFORE A JUDGE ON THE RECORD; OR

(II) IS ACCOMPANIED BY THE AFFIDAVIT OF A TRANSLATOR STATING THAT THE TRANSLATION OF THE DOCUMENT OF CONSENT IS ACCURATE;

(3) THE CONSENT NAMES THE CHILD;

(4) THE CONSENT CONTAINS ENOUGH INFORMATION TO IDENTIFY THE PROSPECTIVE ADOPTIVE PARENT; AND

(5) THE PARTY HAS RECEIVED WRITTEN NOTICE OR ON-THE-RECORD NOTICE OF:

(I) THE REVOCATION PROVISIONS IN THIS SECTION;