

5-327.

If, after a juvenile court grants guardianship, a party becomes aware that a condition of consent to the guardianship may not be fulfilled:

(1) the party promptly shall:

(i) file notice with the juvenile court; [and]

(ii) give notice to all of the other parties; AND

(III) IF CONSENT WAS RECEIVED FROM A GOVERNMENTAL UNIT OR PERSON WHO IS NOT A PARTY, GIVE NOTICE TO THAT UNIT OR PERSON;

(3) if the party, UNIT, OR PERSON whose condition cannot be fulfilled fails to enter into a new consent, the juvenile court shall:

(i) set aside the guardianship order;

(ii) set the case in for a prompt trial on the merits of the guardianship petition; and

(iii) reopen the CINA case for review as required under Title 3, Subtitle 8 of the Courts Article.

COMMITTEE NOTE: Items (1) and (3) of this section are amended to accommodate instances in which a nonparty consents.

Defined terms: "CINA case" § 1-101

"Guardianship" § 5-301

"Juvenile court" § 1-101

"Party" § 5-301

"Person" § 1-101

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(b) On issuance of a show cause order as to adoption of a child under this section, a petitioner shall serve the order on:

(2) [the] EACH LIVING PARENT'S last attorney of record in the CINA case [for each living parent who has not consented to the adoption]; and

COMMITTEE NOTE: Subsection (b)(2) of this section is amended to make the due process provisions in Part II and Part III parallel, by conforming this provision to current FL § 5-316(b)(2).

Defined terms: "Child" § 5-301

"CINA case" § 1-101

"Parent" § 5-301

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(b) A juvenile court may not enter an order for adoption of a child under this Part III of this subtitle before the later of: