

(2) expiration of the time SET for revocation of consent, and not waived, under § 5-339 of this subtitle; or

COMMITTEE NOTE: Subsection (b)(2) of this section is amended to add the word "set", to correspond with current FL § 5-319(b)(2).

Defined terms: "Child" § 5-301
"Juvenile court" § 1-101

5-338.

(a) A juvenile court may enter an order for a child's adoption under this Part III of this subtitle only if:

(1) (I) BOTH THE CHILD'S PARENTS ARE DEAD;

(II) AN ADMINISTRATIVE, EXECUTIVE, OR JUDICIAL BODY OF A STATE OR OTHER JURISDICTION HAS GRANTED A GOVERNMENTAL UNIT OR PERSON OTHER THAN A PARENT THE POWER TO CONSENT TO ADOPTION, AND THE UNIT OR PERSON CONSENTS;

(III) PARENTAL RIGHTS HAVE BEEN TERMINATED IN COMPLIANCE WITH THE LAWS OF A STATE OR OTHER JURISDICTION, AS DESCRIBED IN § 5-305 OF THIS SUBTITLE; OR

[(i)] (IV) 1. at least one of the child's parents:

[1.] A. is represented by an attorney;

[2.] B. has had an opportunity to receive adoption counseling and guidance services; and

[3.] C. consents to the adoption:

[A.] I. in writing; or

[B.] II. knowingly and voluntarily, on the record before the juvenile court; and

[(ii)] 2. [a] THE parent who does not consent:

[1.] A. is dead; or

[2. A.] B. I. despite reasonable efforts as provided in § 5-316 of this subtitle, cannot be located;

[B.] II. has not contacted the local department with custody of the child or the child for at least 180 days immediately before the filing of the petition; and

[C.] III. fails to respond to a show cause order served under § 5-334 of this subtitle;