

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

5-3A-35.

(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;

(II) THE SEARCH RIGHTS OF ADOPTEES AND PARENTS UNDER § 5-3A-42 OF THIS SUBTITLE AND THE SEARCH RIGHTS OF ADOPTEES, PARENTS, AND SIBLINGS UNDER SUBTITLE 4B OF THIS TITLE; AND

(III) THE RIGHT TO FILE A DISCLOSURE VETO UNDER § 5-3A-42 OF THIS SUBTITLE.

COMMITTEE NOTE: FL § 5-3A-34(a), (b), and (c) is renumbered as FL § 5-3A-35(a), (b), and (d), to reflect addition of proposed FL § 5-3A-34 and of new subsection (c) of this section. The addition of subsection (c) reinstates former FL § 5-314(a), as it related to consent to adoption under Part III, and ensures that consent is given knowingly, by ensuring that the individual consenting understands the consent being given. As to interpreters in connection with on-the-record consent, see Md. Rule 16-819.

Defined term: "Child" § 5-3A-01