

(3) A MENTAL DISORDER, AS DEFINED IN § 10-101 OF THE HEALTH - GENERAL ARTICLE; OR

(4) MENTAL RETARDATION, AS DEFINED IN § 7-101 OF THE HEALTH - GENERAL ARTICLE.

COMMITTEE NOTE: This subsection is derived from former FL § 5-301(c).

No change is made other than renumbering and reordering of the conditions in alphabetical order.

SUBTITLE 3. ADOPTION WITHOUT OR AFTER GUARDIANSHIP BY GUARDIANSHIP TO AND ADOPTION THROUGH LOCAL DEPARTMENT.

PART I. GENERAL PROVISIONS.

5-301. DEFINITIONS.

(A) IN GENERAL.

IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

COMMITTEE NOTE: This subsection formerly was FL § 5-301(a). Only a stylistic change is made.

(B) CAREGIVER.

“CAREGIVER” MEANS A PERSON WITH WHOM A CHILD RESIDES AND WHO EXERCISES RESPONSIBILITY FOR THE WELFARE OF THE CHILD.

COMMITTEE NOTE: This subsection is new and added to exemplify persons who, in addition to a parent, might care for a child.

Defined terms: “Child” § 5-301

“Person” § 1-101

(C) CHILD.

“CHILD” MEANS AN INDIVIDUAL WHO IS THE SUBJECT OF A GUARDIANSHIP OR ADOPTION PETITION UNDER THIS SUBTITLE.

COMMITTEE NOTE: This subsection is new and added to allow concise reference to the subject of a petition under this subtitle. Use of the word “child” as the defined term reflects that, in some instances, a petition must be filed during the minority of the subject and, in any event, that most petitions involve minors. Such usage, however, is not intended to suggest that an individual who is a minor when a petition is filed will not be an adult by the time a court rules on the petition.

Defined term: “Guardianship” § 5-301

(D) GUARDIANSHIP.