

terminated in the same manner as a biological parent's can, and by timing parental minority from the filing of the petition rather than the time to give consent.

Subsections (a)(2) and (b)(2) of this section are derived from former FL § 5-323 (c) and (a)(2), respectively.

Subsection (b)(1) of this section is derived from former FL § 5-323(a)(1)(i) and (iv) and expanded to provide for representation of the subject of a petition in every case, including adoption, without regard to consent or disability.

Subsection (c) of this section is derived from former FL § 5-323(e) and restated to cover guardianship cases and to allow dual representation only if not inconsistent with the Maryland Rules of Professional Conduct.

Subsection (d) of this section is derived from the first sentence of former FL § 5-323(d).

In subsection (a)(1) of this section, the reference to "Article 27A, § 4" is substituted for former FL § 5-323(b), which enumerated specific hearings without reference to appeals, to ensure that the substantive provisions remain consistent in the event of future amendment. Art. 27A, § 4 provides, in relevant part, for representation of an indigent parent in connection with a case under Part II or III this subtitle, extending to a hearing in connection with a guardianship case, a hearing under new § 5-326 for which the parent has not waived the right to notice, a hearing in connection with an adoption case under Part III of this subtitle, and an appeal and, unless the Public Defender or court relieves an assigned attorney, continuing until final disposition of the cause.

In subsection (a)(1)(i) of this section, the reference to "effectively participating" is substituted for the former reference to "consenting and effectively participating", to conform to former FL § 5-323(c) – subsection (a)(2) of this section – which, by reference to "consenting and otherwise effectively participating", made clear that consent is part of effective participation.

In subsection (a)(2) of this section, the newly defined term "parent" is substituted for the former references to an "individual whose consent is required" and "individual", for brevity and consistency with subsection (a)(1) of this section. The introductory language of subsection (b)(1) of this section, "[i]n accordance with paragraph (2)", is substituted for the former language "subject to paragraph (2)" and the former disclaimer "unless the public defender is required to provide representation" is omitted, as children are represented by the Department's contractor.

In subsection (b)(2) of this section, the former limitation "[i]n any action in which payment for the services of a court-appointed attorney for a child is the responsibility of the local department of social services" is omitted from