

(D) EFFECT OF NONCOMPLIANCE.

FAILURE TO COMPLY WITH A CONDITION OF AN AGREEMENT MADE UNDER THIS SECTION IS NOT A GROUND FOR REVOKING CONSENT TO, OR SETTING ASIDE AN ORDER FOR, AN ADOPTION OR GUARDIANSHIP.

(E) MEDIATION.

IF A DISPUTE AS TO AN AGREEMENT MADE UNDER THIS SECTION ARISES, A COURT MAY REFER THE PARTIES TO MEDIATION TO TRY TO RESOLVE THE DISPUTE.

(F) ENFORCEMENT.

(1) A JUVENILE COURT OR OTHER COURT OF COMPETENT JURISDICTION SHALL ENFORCE A WRITTEN AGREEMENT MADE IN ACCORDANCE WITH THIS SECTION UNLESS ENFORCEMENT IS NOT IN THE ADOPTEE'S BEST INTERESTS.

(2) IF A PARTY MOVES IN JUVENILE COURT OR ANOTHER COURT OF COMPETENT JURISDICTION TO MODIFY A WRITTEN AGREEMENT MADE IN ACCORDANCE WITH THIS SECTION AND SATISFIES THE COURT THAT MODIFICATION IS JUSTIFIED BECAUSE AN EXCEPTIONAL CIRCUMSTANCE HAS ARISEN AND THE COURT FINDS MODIFICATION TO BE IN AN ADOPTEE'S BEST INTERESTS, THE COURT MAY MODIFY THE AGREEMENT.

COMMITTEE NOTE: This section is new and added to create a formal procedure for postadoption visits or other contact. This section is ~~applicable to cases filed on or before September 30, 2005 but is not intended to preclude other agreements not intended to invalidate agreements entered into on or before September 30 December 31, 2005.~~

New subsection (f)(1) provides for any court of competent jurisdiction to enforce an agreement, although the Committee believes it would be best for parties to return to a juvenile court.

As to "minor", see Art. 1, § 24 of the Code.

Defined terms: "Adoptive parent" § 5-101

"CINA case" § 1-101

"Guardianship" § 5-301

"Identifying information" § 5-301

"Juvenile court" § 1-101

"Parent" § 5-301

"Party" § 5-301