

“Juvenile court” § 1-101

“Local department” § 1-101

“Parent” § 5-301

“Party” § 5-301

“Person” § 1-101

5-317. INVESTIGATIONS.

IN ADDITION TO ANY INVESTIGATION REQUIRED UNDER § 5-323(C) OF THIS SUBTITLE, A JUVENILE COURT MAY ORDER A NEUTRAL GOVERNMENTAL UNIT OR NEUTRAL PERSON TO CARRY OUT ANY INVESTIGATION THAT THE JUVENILE COURT CONSIDERS NECESSARY TO DETERMINE A CHILD'S BEST INTERESTS IN RULING ON A PETITION FOR GUARDIANSHIP.

COMMITTEE NOTE: This section is derived from the references to investigation in former FL § 5-317(c)(1) and (g)(1).

The introductory clause, “[i]n addition to ...”, is substituted for the former “[e]xcept as provided”, to make clear that an investigation under this section supplements mandated investigations.

The reference to investigation by a “neutral governmental unit or neutral person” is added to ensure the court is provided with impartial information.

The phrase “to determine a child’s best interests” is added to state the standard expressly.

The word “ruling” is substituted for the former reference to “grant[ing] a decree awarding guardianship”, to reflect that the ruling may deny guardianship.

Defined terms: “Child” § 5-301

“Guardianship” § 5-301

“Juvenile court” § 1-101

“Person” § 1-101

5-318. HEARINGS ON GUARDIANSHIP PETITION.

(A) CONSENSUAL GUARDIANSHIP.

(1) IN ADDITION TO ANY HEARING REQUIRED UNDER THIS SUBSECTION OR § 5-306(B)(2) OF THIS SUBTITLE, A JUVENILE COURT MAY HOLD A HEARING BEFORE ENTERING A GUARDIANSHIP ORDER UNDER § 5-320(A)(1) OF THIS SUBTITLE OR OTHERWISE RULING ON A GUARDIANSHIP PETITION.

(2) IF A PARTY BECOMES AWARE, BEFORE A JUVENILE COURT RULES ON A GUARDIANSHIP PETITION, THAT A CONDITION OF CONSENT UNDER § 5-320(B) OF THIS SUBTITLE MAY NOT BE FULFILLED: