

(I) THE PARTY PROMPTLY SHALL:

1. FILE NOTICE WITH THE JUVENILE COURT; AND
2. GIVE NOTICE TO ALL OF THE OTHER PARTIES;

(II) THE JUVENILE COURT SHALL SCHEDULE A HEARING TO OCCUR WITHIN 30 DAYS AFTER THE FILING OF THE NOTICE; AND

(III) IF THE PARTY WHOSE CONDITION CANNOT BE FULFILLED FAILS TO ENTER INTO A NEW CONSENT, THE JUVENILE COURT SHALL SET THE CASE IN FOR A PROMPT TRIAL ON THE MERITS OF THE PETITION.

(B) NONCONSENSUAL GUARDIANSHIP.

BEFORE A JUVENILE COURT GRANTS GUARDIANSHIP UNDER § 5-320(A)(2) OF THIS SUBTITLE, THE JUVENILE COURT SHALL HOLD A TRIAL ON THE MERITS OF THE PETITION.

(C) NOTICE OF HEARINGS.

BEFORE A TRIAL OR OTHER HEARING UNDER THIS SECTION, A JUVENILE COURT SHALL GIVE NOTICE TO ALL OF THE PARTIES.

COMMITTEE NOTE: Subsection (a)(1) of this section is derived from the references to hearings in former FL § 5-317(c)(1) and (g)(1).

Subsection (a)(2) of this section is new and added to reflect the addition of provisions for conditional consent in the referenced new § 5-320(b).

Subsection (b) of this section is new and added to emphasize the need for timely resolution of nonconsensual guardianship cases.

Subsection (c) is new and added to state expressly the requirement for notice of hearings.

The introductory clause of subsection (a)(1), “[i]n addition to ...”, is substituted for the former “[e]xcept as provided”, to make clear that a hearing under this subsection supplements mandated hearings.

In subsection (a)(1) of this section, the reference to “entering a guardianship order ... or otherwise ruling on a guardianship petition” is substituted for the former reference to “grant[ing] a decree awarding guardianship”, to reflect that the ruling may deny guardianship.

Defined terms: “Guardianship” § 5-301

“Juvenile court” § 1-101

“Party” § 5-301

5-319. TIME LIMITS.

(A) MAXIMUM LIMITS.