

SUBJECT TO SUBSECTION (B) OF THIS SECTION, A JUVENILE COURT SHALL RULE ON A GUARDIANSHIP PETITION:

- (1) WITHIN 180 DAYS AFTER THE PETITION IS FILED; AND
- (2) WITHIN 45 DAYS AFTER THE EARLIER OF:

(I) RECEIPT OF ALL OF THE CONSENTS REQUIRED UNDER THIS PART II OF THIS SUBTITLE; OR

(II) TRIAL ON THE MERITS.

(B) MINIMUM LIMIT.

A JUVENILE COURT MAY NOT ENTER AN ORDER FOR GUARDIANSHIP OF A CHILD UNDER THIS SUBTITLE BEFORE THE LATER OF:

- (1) 30 DAYS AFTER THE BIRTH OF THE CHILD;
- (2) EXPIRATION OF THE TIME SET FOR REVOCATION OF CONSENT, AND NOT WAIVED, UNDER § 5-321(C) OF THIS SUBTITLE; OR
- (3) EXPIRATION OF THE TIME TO RESPOND TO THE SHOW CAUSE ORDER ISSUED UNDER § 5-316 OF THIS SUBTITLE.

COMMITTEE NOTE: Subsections (a)(1) and (b)(1) and (2) of this section are derived from former FL §§ 5-317(d) and 5-324, as they related to CINAs.

Subsection (a)(2) of this section is new and added to provide an alternative period based on the filing of consents or trial.

Subsection (b)(3) of this section is new and added to reflect new § 5-316, which requires issuance of a show cause order.

Defined terms: "Child" § 5-301

"Guardianship" § 5-301

"Juvenile court" § 1-101

5-320. AUTHORITY TO GRANT GUARDIANSHIP.

(A) CONSENT AND ACQUIESCENCE OR BEST INTERESTS.

A JUVENILE COURT MAY GRANT GUARDIANSHIP OF A CHILD ONLY IF:

- (1) (I) THE CHILD DOES NOT OBJECT;
- (II) THE LOCAL DEPARTMENT:
  - 1. FILED THE PETITION; OR
  - 2. DID NOT OBJECT TO ANOTHER PARTY FILING THE PETITION; AND
- (III) 1. EACH OF THE CHILD'S LIVING PARENTS CONSENTS: