

- A. IN WRITING;
- B. KNOWINGLY AND VOLUNTARILY, ON THE RECORD BEFORE THE JUVENILE COURT; OR
- C. BY FAILURE TO FILE A TIMELY NOTICE OF OBJECTION AFTER BEING SERVED WITH A SHOW CAUSE ORDER IN ACCORDANCE WITH THIS SUBTITLE; OR

2. IF AN ADMINISTRATIVE, EXECUTIVE, OR JUDICIAL BODY OF A STATE OR OTHER JURISDICTION HAS GRANTED A GOVERNMENTAL UNIT OR PERSON OTHER THAN A PARENT THE POWER TO CONSENT TO ADOPTION, THE UNIT OR PERSON CONSENTS; OR

(2) IN ACCORDANCE WITH § 5-323 OF THIS SUBTITLE, THE JUVENILE COURT FINDS TERMINATION OF PARENTAL RIGHTS TO BE IN THE CHILD'S BEST INTERESTS WITHOUT CONSENT OTHERWISE REQUIRED UNDER THIS SECTION OR OVER THE CHILD'S OBJECTION.

(B) CONDITIONAL CONSENT OR ACQUIESCENCE.

A GOVERNMENTAL UNIT OR PERSON:

(1) MAY CONDITION CONSENT OR ACQUIESCENCE ON ADOPTION INTO A SPECIFIC FAMILY THAT A LOCAL DEPARTMENT APPROVES FOR THE PLACEMENT; BUT

(2) MAY NOT CONDITION CONSENT OR ACQUIESCENCE ON ANY FACTOR OTHER THAN PLACEMENT INTO A SPECIFIC FAMILY.

COMMITTEE NOTE: Subsection (a)(1)(i) and (ii) of this section is new and added to clarify the child's party status and a local department's role as to filing petitions.

Subsection (a)(1)(iii)1 of this section is derived from former FL § 5-317(c)(2), as it related to CINAs, and revised to delineate the methods by which consent may be given in addition to failure to make timely objection. Subsection (a)(1)(iii)1 is not meant to change the current meaning of "deemed consent".

Subsection (a)(1)(iii)2 of this section is new and added to recognize actions by other jurisdictions, in accordance with former FL §§ 5-313.1 and 5-326 - new § 5-305.

Subsection (a)(2) of this section is derived from the introductory language of former FL § 5-313(a).

Subsection (b) of this section is new and added to provide expressly for conditional consent or acquiescence in conjunction with new §§ 5-318(a)(2)(iii) and 5-327, which state the effect of noncompliance. The requirement for approval by a local department should not be construed to require approval before entry of a guardianship order.