

(D) INVALIDATION OF CONDITIONAL CONSENT OR ACQUIESCENCE.

IF, AT ANY TIME BEFORE A JUVENILE COURT ENTERS AN ORDER FOR ADOPTION OF A CHILD, THE JUVENILE COURT FINDS THAT A CONDITION FOR GUARDIANSHIP WILL NOT BE FULFILLED, THE CONSENT OR ACQUIESCENCE BECOMES INVALID.

COMMITTEE NOTE: Subsection (a)(1) of this section is derived from former FL § 5-319(d)(1) and, as it related to guardianships, § 5-322(a)(2).

Subsections (a)(2) and (c)(2) of this section are new and added to require a waiver if consent is given on-the-record.

Subsection (a)(3)(i) and (ii) of this section is new and added to ensure that consent is given knowingly, by ensuring that the individual consenting understands the consent being given. As to interpreters in connection with on the record consent, see Md. Rule 16-819.

Subsection (a)(3)(iii) of this section is derived from former FL § 5-314(a), as it related to guardianship.

Subsection (a)(3)(iv) of this section is new and added to provide for counsel's affidavit as to the voluntariness of consent.

Subsection (a)(3)(v) of this section is derived from former FL § 5-314(b), as it related to guardianship, and the substance of former FL § 5-301(h) and revised to apply to disabled, as well as minor, parents.

Subsection (b) of this section is new and added to ensure that documents relating to consent are integrated into the appropriate court file.

Subsection (c)(1) of this section is derived from former FL § 5-317(e) and revised to provide an alternative deadline based on the filing date of the consent.

Subsection (d) of this section is new and added to facilitate compliance with new § 5-320(b).

In subsection (a)(1)(ii) of this section, the former reference to a "natural" parent is deleted, to reflect that the parental rights of a nonbiological – i.e., adoptive – parent can be terminated in the same manner as a biological parent's can.

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

Defined terms: "Child" § 5-301

"CINA case" § 1-101

"Disability" § 5-101

"Guardianship" § 5-301

"Includes" § 1-101

"Including" § 1-101