

section literally contradicts subsection (a) of this section in that a man who does not satisfy any of the criteria of subsection (a) of this section could never meet the definition of "natural father". The General Assembly may wish to amend subsection (a) of this section to provide that the criteria of that subsection are not exclusive. The General Assembly also may wish to amend subsection (b) of this section to provide for a hearing to determine who is the natural father in any case in which more than 1 man meets the criteria of subsection (a) of this section or in which 1 or more men meet the criteria of subsection (a) of this section and 1 or more men who do not meet those criteria also claim to be the natural father.

Defined term: "Father" § 5-301

5-311. REQUIRED CONSENT; REVOCATION.

(A) IN GENERAL.

UNLESS THE NATURAL PARENTS' RIGHTS HAVE BEEN TERMINATED BY A JUDICIAL PROCEEDING, AN INDIVIDUAL MAY NOT BE ADOPTED WITHOUT THE CONSENT OF:

- (1) THE NATURAL MOTHER;
- (2) THE NATURAL FATHER; AND
- (3) THE INDIVIDUAL, IF THE INDIVIDUAL IS AT LEAST 10 YEARS OLD.

(B) IF NATURAL PARENTS' RIGHTS TERMINATED.

IF THE NATURAL PARENTS' RIGHTS HAVE BEEN TERMINATED BY A JUDICIAL PROCEEDING, AN INDIVIDUAL MAY NOT BE ADOPTED WITHOUT THE CONSENT OF:

- (1) THE EXECUTIVE HEAD OF THE CHILD PLACEMENT AGENCY THAT HAS BEEN AWARDED GUARDIANSHIP OF THE INDIVIDUAL; AND
- (2) THE INDIVIDUAL, IF THE INDIVIDUAL IS AT LEAST 10 YEARS OLD.

(C) REVOCATION OF CONSENT.

IN AN ADOPTION PROCEEDING:

- (1) EXCEPT WHEN PRECEDED BY A FINAL DECREE OF GUARDIANSHIP, THE CONSENT OF A NATURAL PARENT MAY BE REVOKED AT ANY TIME BEFORE A FINAL DECREE OF ADOPTION OR AN INTERLOCUTORY DECREE OF ADOPTION BARS THE RIGHT TO REVOKE CONSENT; AND