

(A) IN GENERAL.

IF A PETITIONER FOR ADOPTION IS MARRIED, THE PETITIONER'S SPOUSE SHALL JOIN IN THE PETITION UNLESS THE PETITIONER'S SPOUSE:

(1) IS A NATURAL PARENT OF THE INDIVIDUAL TO BE ADOPTED AND HAS CONSENTED TO THE ADOPTION IN ACCORDANCE WITH THIS SUBTITLE;

(2) IS SEPARATED FROM THE PETITIONER UNDER CIRCUMSTANCES THAT GIVE THE PETITIONER GROUNDS FOR DIVORCE OR ANNULMENT; OR

(3) IS NOT COMPETENT TO JOIN IN THE PETITION.

(B) REQUIRED AMENDMENT.

IF THE MARITAL STATUS OF A PETITIONER CHANGES BEFORE ENTRY OF A FINAL DECREE ON A PETITION FOR ADOPTION, THE PETITIONER SHALL AMEND THE PETITION ACCORDINGLY.

REVISOR'S NOTE: This section is new language derived without substantive change from the second and fifth sentences and the first and second clauses of the fourth sentence of former Article 16, § 70.

The last clause of the fourth sentence of former Article 16, § 70, which related to "the intent of this section", is deleted as unnecessary.

5-316. REQUIRED CONSIDERATIONS IN PASSING ON PETITION FOR ADOPTION.

IN PASSING ON A PETITION FOR ADOPTION, A COURT:

(1) SHALL CONSIDER ANY ASSURANCE BY THE SOCIAL SERVICES ADMINISTRATION THAT IT WILL PROVIDE FUNDS FOR NECESSARY SUPPORT AND MAINTENANCE FOR THE CHILD; AND

(2) MAY CONSIDER THE RELIGIOUS BACKGROUND, TRAINING, AND BELIEFS OF THE NATURAL PARENTS, THE PROSPECTIVE ADOPTIVE PARENTS, AND THE CHILD TO BE ADOPTED, BUT MAY MAKE A DECISION WITHOUT CONSIDERING THE RELIGIOUS BACKGROUND, TRAINING, OR BELIEFS OF THESE INDIVIDUALS IF THE COURT FINDS THAT THE CHILD DOES NOT HAVE SUFFICIENT RELIGIOUS BACKGROUND, TRAINING, OR BELIEFS TO BE FACTORS IN THE ADOPTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 16, § 67(b) and the second sentence of (a).

In item (2) of this section, the term "prospective adoptive" parents is substituted for the former term "adopting", for consistency.