

In subsection (a) of this section, the word "prospective", which modifies "adoptive", is new language added for clarity.

Also in subsection (a) of this section, the words "or adopting individual" are new language added in light of § 5-309 of this subtitle, which gives to single individuals the right to adopt.

Defined terms: "Child placement agency" § 5-301
"Guardianship" § 5-301 "Including" § 1-101
"Placement for adoption" § 5-301

5-320. RESERVED.

5-321. RESERVED.

PART III. PROCEDURE.

5-322. NOTICE.

(A) IN GENERAL.

(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A PETITIONER SHALL GIVE TO EACH PERSON WHOSE CONSENT IS REQUIRED NOTICE OF THE FILING OF A PETITION FOR ADOPTION OR A PETITION FOR GUARDIANSHIP.

(2) A PERSON WHOSE CONSENT IS FILED WITH THE PETITION NEED NOT BE GIVEN NOTICE IF THE CONSENT INCLUDES A WAIVER OF THE RIGHT TO NOTICE OF THE FILING OF THE PETITION.

(3) THE PETITIONER SHALL GIVE NOTICE BY ENTRY AND SERVICE OF A SHOW CAUSE ORDER SENT TO THE LAST KNOWN ADDRESS THAT THE PETITIONER HAS FOR EACH PERSON.

(B) WAIVER.

(1) EXCEPT IN AN INDEPENDENT ADOPTION, IF THE COURT IS SATISFIED BY AFFIDAVIT OR TESTIMONY THAT THE PETITIONER, AFTER REASONABLE EFFORTS IN GOOD FAITH, CANNOT LEARN THE IDENTITY OR LOCATION OF A NATURAL PARENT, THE COURT MAY WAIVE THE REQUIREMENT OF NOTICE TO THE NATURAL PARENT.

(2) IN AN INDEPENDENT ADOPTION, IF THE COURT IS SATISFIED BY AFFIDAVIT OR TESTIMONY THAT THE PETITIONER, AFTER REASONABLE EFFORTS IN GOOD FAITH, CANNOT LEARN THE IDENTITY OR LOCATION OF A NATURAL PARENT, THE COURT MAY NOT WAIVE THE REQUIREMENT OF NOTICE TO THE NATURAL PARENT, BUT THE COURT SHALL:

(I) ORDER NOTICE BY PUBLICATION; OR

(II) IF THE COURT FINDS THE PETITIONER TO BE INDIGENT, ORDER NOTICE BY POSTING.