

- (I) APPEARING IN THE PROCEEDING; AND
- (II) COMPLYING WITH ANY FURTHER ORDERS OF THE COURT;
- (2) INCREASE OR DECREASE ANY BOND PREVIOUSLY GIVEN BY THE ALLEGED FATHER OR THE PREGNANT WOMAN; AND
- (3) CONDUCT ANY OTHER PRELIMINARY PROCEEDING THAT THE COURT CONSIDERS JUST AND PROPER.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 16, § 66F(a).

In subsection (b) of this section, "until the trial is held" is substituted for the former reference to "the interim". "In the interim" could be read to describe the period from the filing of the complaint to the birth of the child; the same language also could be read to describe the period from the birth of the child to the time of the trial. The Commission to Revise the Annotated Code concluded that the latter interpretation more accurately reflected legislative intent, and revised subsection (b) of this section accordingly. This revision is called to the attention of the General Assembly.

In subsection (b)(1) of this section, "as provided in § 5-1014 of this subtitle" is substituted for the former phrase "in such form and penalty as the court prescribes", for clarity.

Defined term: "Complaint" § 5-1001

5-1026. ELECTION AND WAIVER OF JURY TRIAL.

(A) WAIVER OF JURY TRIAL.

UNLESS THE ALLEGED FATHER ELECTS A JURY TRIAL, THE COURT SHALL HEAR THE COMPLAINT WITHOUT A JURY.

(B) WRITTEN ANSWER FILED.

IF THE ALLEGED FATHER DESIRES A JURY TRIAL, HE SHALL REQUEST A JURY TRIAL IN WRITING AT THE TIME HE FILES A WRITTEN ANSWER TO THE COMPLAINT.

(C) WRITTEN ANSWER NOT FILED.

(1) IF THE ALLEGED FATHER APPEARS FOR TRIAL WITHOUT HAVING FILED A WRITTEN ANSWER, THE COURT SHALL ADVISE HIM OF HIS RIGHT TO HAVE THE ISSUE OF PATERNITY TRIED BY A JURY AND HE SHALL MAKE HIS ELECTION AT THE TIME THE COURT ADVISES HIM OF THE RIGHT.