

Section 5-322
Annotated Code of Maryland
(1991 Replacement Volume and 1992 Supplement)

~~BY adding to~~

~~Article — Family Law
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(1991 Replacement Volume and 1992 Supplement)~~

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Family Law

§5-322.

(a) (1) (i) 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.

(ii) In addition to the notice of filing required under subparagraph (i) of this paragraph, if a petition for guardianship is filed after a juvenile proceeding in which the child has been adjudicated to be a child in need of assistance, a neglected child, or an abused child, a petitioner shall give notice of the filing of the petition for guardianship to the attorney who represented a natural parent in the juvenile proceeding.

(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) If a petition for guardianship is filed after a juvenile proceeding in which the child has been adjudicated to be a child in need of assistance, the petitioner shall give notice to the child's natural parent by serving a show cause order by certified mail or private process:

(1) on the natural parent at the latest address listed in juvenile court records maintained in accordance with § 3-837 of the Courts Article; or

(2) EXCEPT FOR A PETITION FILED UNDER SUBSECTION (E) OF THIS SECTION, on the natural parent at any other address for the natural parent identified after reasonable good faith efforts to locate the parent.

(c) (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.