

Article - Family Law

Section 5-525.2

Annotated Code of Maryland

(1991 Replacement Volume and 1993 Supplement)

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

Article - Family Law

5-525.2.

~~(A) THE GENERAL ASSEMBLY DECLARES THAT THERE IS A PRESUMPTION THAT IT IS IN THE BEST INTEREST OF SIBLINGS TO RESIDE TOGETHER WHENEVER POSSIBLE, AND TO PRESERVE SIBLING BONDS THROUGH VISITATION WHEN SIBLINGS ARE NOT PLACED TOGETHER BY ORDER OR DECREE.~~

~~(B) (A) ANY SIBLINGS WHO HAVE AN EXISTING RELATIONSHIP BUT WHO ARE SEPARATED DUE TO A FOSTER CARE OR ADOPTIVE PLACEMENT MAY PETITION AN A EQUITY OR JUVENILE COURT, INCLUDING A JUVENILE COURT WITH JURISDICTION OVER ONE OR MORE OF THE SIBLINGS, FOR REASONABLE SIBLING VISITATION RIGHTS, PROVIDED THAT EITHER THE PETITIONER OR THE PETITIONER'S SIBLING IS THE SUBJECT OF A CHILD IN NEED OF ASSISTANCE PROCEEDING OR HAS BEEN THE SUBJECT OF A GUARDIANSHIP PROCEEDING.~~

~~(C) A PETITION UNDER THIS SECTION MUST BE FILED BY A GUARDIAN OR A NEXT FRIEND FOR THE CHILD UNLESS THE CHILD IS 14 YEARS OLD OR OLDER, OR IS REPRESENTED BY A COURT APPOINTED ATTORNEY WHO FILES THE PETITION ON THE CHILD'S BEHALF.~~

~~(D) (B) IF A PETITIONER UNDER THIS SECTION PETITIONS A COURT TO ISSUE A VISITATION DECREE OR TO AMEND AN ORDER, THE COURT:~~

~~(1) SHALL MAY HOLD A HEARING TO DETERMINE WHETHER VISITATION IS IN THE BEST INTEREST OF THE CHILDREN;~~

~~(2) SHALL WEIGH THE RELATIVE INTERESTS OF EACH CHILD AND BASE ITS DECISION ON THE BEST INTERESTS OF THE CHILDREN PROMOTING THE GREATEST WELFARE AND LEAST HARM TO THE CHILDREN; AND~~

~~(3) MAY ISSUE AN APPROPRIATE ORDER OR DECREE.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1994.

Approved May 2, 1994