

(2) WHETHER THE AUTHORITY OF THE STANDBY GUARDIAN IS TO BECOME EFFECTIVE ON THE PETITIONER'S INCAPACITY, ON THE PETITIONER'S DEATH, OR ON WHICHEVER OCCURS FIRST; AND

(3) THAT THERE IS A SIGNIFICANT RISK THAT THE PETITIONER WILL BECOME INCAPACITATED OR DIE, AS APPLICABLE, WITHIN 2 YEARS OF THE FILING OF THE PETITION, AND THE BASIS FOR THIS STATEMENT.

~~(C) EXCEPT ON A MOTION AND FOR GOOD CAUSE SHOWN, THE PETITIONER'S APPEARANCE IN COURT MAY NOT BE REQUIRED IF THE PETITIONER IS MEDICALLY UNABLE TO APPEAR.~~

(C) IF THE PETITIONER IS MEDICALLY UNABLE TO APPEAR, THE PETITIONER'S APPEARANCE IN COURT MAY NOT BE REQUIRED, EXCEPT ON A MOTION AND FOR GOOD CAUSE SHOWN.

(D) (1) IF THE COURT FINDS THAT THERE IS A SIGNIFICANT RISK THAT THE PETITIONER WILL BECOME INCAPACITATED OR DIE WITHIN 2 YEARS OF THE FILING OF THE PETITION AND THAT THE INTERESTS OF THE MINOR WILL BE PROMOTED BY THE APPOINTMENT OF A STANDBY GUARDIAN OF THE PERSON OR PROPERTY OF THE MINOR, THE COURT SHALL ISSUE A DECREE ACCORDINGLY.

(2) A DECREE UNDER THIS SUBSECTION SHALL:

(I) SPECIFY WHETHER THE AUTHORITY OF THE STANDBY GUARDIAN IS EFFECTIVE ON THE RECEIPT OF A DETERMINATION OF THE PETITIONER'S INCAPACITY, ON THE RECEIPT OF THE CERTIFICATE OF THE PETITIONER'S DEATH, OR ON WHICHEVER OCCURS FIRST; AND

(II) PROVIDE THAT THE AUTHORITY OF THE STANDBY GUARDIAN MAY BECOME EFFECTIVE EARLIER ON WRITTEN CONSENT OF THE PETITIONER IN ACCORDANCE WITH SUBSECTION (E)(3) OF THIS SECTION.

(3) IF AT ANY TIME BEFORE THE BEGINNING OF THE AUTHORITY OF THE STANDBY GUARDIAN THE COURT FINDS THAT THE REQUIREMENTS OF PARAGRAPH (1) OF THIS SUBSECTION ARE NO LONGER SATISFIED, THE COURT MAY RESCIND THE DECREE.

(E) (1) (I) IF A DECREE UNDER SUBSECTION (D) OF THIS SECTION PROVIDES THAT THE AUTHORITY OF THE STANDBY GUARDIAN IS EFFECTIVE ON RECEIPT OF A DETERMINATION OF THE PETITIONER'S INCAPACITY, THE STANDBY GUARDIAN'S AUTHORITY SHALL BEGIN ON THE STANDBY GUARDIAN'S RECEIPT OF A COPY OF A DETERMINATION OF INCAPACITY MADE UNDER § 13-906 OF THIS SUBTITLE.

(II) A STANDBY GUARDIAN SHALL FILE A COPY OF THE DETERMINATION OF INCAPACITY WITH THE COURT THAT ISSUED THE DECREE WITHIN 90 DAYS OF THE DATE OF RECEIPT OF THE DETERMINATION.

(III) IF A STANDBY GUARDIAN FAILS TO COMPLY WITH SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE COURT MAY RESCIND THE STANDBY GUARDIAN'S AUTHORITY.