

Article – Family Law

Section 5-301(g) and 5-317(g)

Annotated Code of Maryland

(1991 Replacement Volume and 1995 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 5-301(g) through (i), respectively of Article – Family Law of the Annotated Code of Maryland be renumbered to be Section(s) 5-301(h) through (j), respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Family Law

5-301.

~~†(e)“Guardianship” means guardianship with the right to consent to adoption or long-term care short of adoption.†~~

(G) (1) “JOINT GUARDIANSHIP” MEANS LIMITED GUARDIANSHIP GRANTED TO A CAREGIVER UNDER § 5-317 OF THIS SUBTITLE.

(2) “JOINT GUARDIANSHIP” MAY INCLUDE THE AUTHORITY TO CONSENT TO MEDICAL CARE AND MAKE EDUCATIONAL AND OTHER DECISIONS FOR THE CHILD.

(3) “JOINT GUARDIANSHIP” DOES NOT INCLUDE THE AUTHORITY TO CONSENT TO ADOPTION OR LONG-TERM CARE SHORT OF ADOPTION.

5-317.

(f) A decree of guardianship:

(1) terminates the natural parents’ rights, duties, and obligations toward the child;

(2) subject to § 5-319 of this subtitle, eliminates the need to give notice to the natural parents of the filing of a petition for adoption of the child; [and]

(3) eliminates the need for a further consent by the natural parents to an adoption of the child; AND

(4) SUBJECT TO § 5-319 OF THIS SUBTITLE, AUTHORIZES THE CHILD PLACEMENT AGENCY TO CONSENT TO ~~ADOPTION,~~ JOINT GUARDIANSHIP, CUSTODY, OR OTHER LONG-TERM PLACEMENT THAT THE AGENCY ~~AND THE COURT, AFTER A HEARING, DETERMINE~~ DETERMINES TO BE IN THE CHILD’S BEST INTEREST.

(G) (1) AFTER ANY INVESTIGATION AND HEARING THE COURT CONSIDERS NECESSARY, THE COURT MAY GRANT A DECREE AWARDING JOINT GUARDIANSHIP, CUSTODY, OR OTHER LONG-TERM PLACEMENT THAT THE COURT DETERMINES TO BE IN THE CHILD’S BEST INTEREST.