

Article - Courts and Judicial Proceedings

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§3-803.

(a) In addition to the jurisdiction specified in Subtitle 8A of this title, the court has exclusive original jurisdiction over:

- (1) Voluntary placement hearings;
- (2) Proceedings arising from a petition alleging that a child is a CINA;
- (3) Proceedings arising under the Interstate Compact on the Placement of Children;
- (4) Proceedings to terminate parental rights after a CINA proceeding;
- (5) Guardianship review proceedings after a TPR proceeding; and
- (6) Adoption proceedings, if any, after a TPR proceeding.

(b) (1) The court has concurrent jurisdiction over:

(i) Custody, visitation, support, and paternity of a child whom the court finds to be a CINA; and

(ii) Custody of a child alleged to be a CINA under the circumstances described in § 3-819(d) of this subtitle.

(2) During pendency of an action under this subtitle, a party has a continuing duty to advise the court and any other court considering custody, support, visitation, or paternity of a child, of the pendency of any other action concerning the child, whether the action is in this or another state.

(3) (i) The court may decline to exercise jurisdiction under this subsection if there is a proceeding pending in another court of competent jurisdiction.

(ii) If the court and another court both have pending actions involving a child described in paragraph (1) of this subsection, the court shall communicate with the other court expeditiously to determine the more appropriate court to take further action, consistent with the best interest of the child.

(iii) The court shall advise the parties of the decision and the basis for the decision.

(c) (1) The court has concurrent jurisdiction over proceedings against an adult for a violation of § 3-828 of this subtitle.

(2) (i) The court may waive its jurisdiction under this subsection on its own motion or on the motion of any party to the proceeding, if charges against the adult arising from the same incident are pending in the criminal court.

(ii) On motion by the State's Attorney or the adult charged under § 3-828 of this subtitle, the court shall waive its jurisdiction and the adult shall be tried in the criminal court according to the usual criminal procedure.

(3) The age of the child at the time a petition is filed under § 3-828 of this subtitle controls the determination of jurisdiction under this subsection.

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