Article - Estates and Trusts

[Previous][Next]

§13.5–102.

(a) Subject to subsection (b) of this section, a court of this State may treat a foreign country as if the country were a state for the purpose of applying Subtitles 1, 2, 3, and 5 of this title.

(b) Unless a court of this State finds by a preponderance of the evidence that a foreign country applies and follows substantive and procedural due process consistent with the practices and policies of the State of Maryland, the court:

(1) May not request a court in the foreign country to issue an order or hold a hearing;

(2) May not decline to exercise jurisdiction if, by declining jurisdiction in this State, a court in the foreign country may obtain jurisdiction;

(3) May not dismiss or stay a proceeding in this State requested or ordered by a court in the foreign country;

(4) May not determine that a court in the foreign country is an appropriate forum;

(5) May decline to comply with notice requirements of the foreign country or this title;

(6) May proceed with the case if this State is otherwise an appropriate forum;

(7) May not issue an order or provisional order to transfer a guardianship or conservatorship to the foreign country; and

(8) May not recognize under any provision of law a guardianship or conservatorship order from the foreign country.

[Previous][Next]