

Article - Family Law

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§5-313.

(a) Except as provided in § 5-331 of this subtitle, a petition for guardianship shall precede a petition for adoption under this subtitle.

(b) Only the individual who would be subject to guardianship or a local department may file a petition for guardianship under this Part II of this subtitle.

(c) A petition for guardianship of an individual shall be filed before the individual attains 18 years of age.

(d) A petitioner under this section shall attach to a petition:

(1) all written consents for the guardianship that the petitioner has;

(2) if applicable:

(i) proof of guardianship or relinquishment of parental rights granted by an administrative, executive, or judicial body of a state or other jurisdiction; and

(ii) certification that the guardianship or relinquishment was granted in compliance with the jurisdiction's laws; and

(3) a notice of filing that:

(i) states the date on which the petition was filed;

(ii) identifies each person whose consent was filed with the petition;

(iii) states the obligation of a parent to give the juvenile court and local department notice of each change in the parent's address;

(iv) has printed on it the website that the Department maintains under § 2-302 of the Human Services Article; and

(v) includes no identifying information that would be in violation of an agreement or consent.

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