

HB 550/95 - JUD

---

**By: Delegate Montague**

Requested: June 21, 1995

Introduced and read first time: January 10, 1996

Assigned to: Judiciary

---

Committee Report: Favorable

House action: Adopted

Read second time: February 6, 1996

---

CHAPTER \_\_\_\_

1 AN ACT concerning

2 **Guardianship - Minors - Notice**

3 FOR the purpose of requiring a petitioner in certain guardianship proceedings to give  
4 notice to the attorney who represented the minor child in the juvenile proceeding  
5 when the petition for guardianship is filed after a juvenile proceeding; clarifying  
6 language; and generally relating to giving notice in guardianship proceedings.

7 BY repealing and reenacting, with amendments,  
8 Article - Family Law  
9 Section 5-322(a)  
10 Annotated Code of Maryland  
11 (1991 Replacement Volume and 1995 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Family Law**

15 5-322.

16 (a) (1) (i) Subject to paragraph (2) of this subsection, a petitioner shall give  
17 to each person whose consent is required notice of the filing of a petition for adoption or  
18 a petition for guardianship.

19 (ii) In addition to the notice of filing required under subparagraph (i)  
20 of this paragraph, if a petition for guardianship is filed after a juvenile proceeding in  
21 which the child has been adjudicated to be a child in need of assistance, a neglected child,  
22 or an abused child, a petitioner shall give notice of the filing of the petition for  
23 guardianship to:

HOUSE BILL 20

2

1   1. the attorney who represented a natural parent in the juvenile  
2 proceeding; AND

3   2. THE ATTORNEY WHO REPRESENTED THE MINOR CHILD  
4 IN THE JUVENILE PROCEEDING.

5   (2) A person whose consent is filed with the petition need not be given  
6 notice if the consent includes a waiver of the right to notice of the filing of the petition.

7   (3) The petitioner shall give notice by entry and service of a show cause  
8 order sent to the last known address that the petitioner has for each person WHOSE  
9 CONSENT IS REQUIRED.

10                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 October 1, 1996.