

(2) IF THE ALLEGED FATHER ELECTS TO WAIVE A JURY TRIAL:

(I) THE ALLEGED FATHER SHALL SIGN A WAIVER IN THE FORM THE COURT REQUIRES; AND

(II) THE WAIVER SHALL BE NOTED ON THE DOCKET AND FILED WITH THE OTHER PAPERS IN THE CASE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 16, § 66F(c) and the first sentence of (b), as that sentence related to waiver of the right to a jury trial.

Throughout this section, the term "alleged father" is substituted for the former references to "defendant" and "defendant alleged to be the putative father", since the mother also may be made a party defendant under this subtitle.

Defined term: "Complaint" § 5-1001

5-1027. PROCEDURE FOR JURY TRIAL.

(A) IN GENERAL.

EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, THE FOLLOWING SHALL BE TREATED IN ACCORDANCE WITH THE LAWS, RULES, AND PRACTICE THAT RELATE TO JURY TRIALS IN OTHER CIVIL CASES:

- (1) THE SUMMONING OF JURORS;
- (2) THE EMPANELLING OF A JURY;
- (3) JURY TRIAL PROCEEDINGS, INCLUDING INSTRUCTIONS TO THE JURY;
- (4) MOTIONS FOR NEW TRIAL;
- (5) JUDGMENT N.O.V.; AND
- (6) MATTERS THAT MAY BE CONSIDERED ON APPEAL.

(B) PATERNITY ONLY ISSUE.

THE ONLY QUESTION FOR THE JURY IN A TRIAL UNDER THIS SUBTITLE IS WHETHER THE ALLEGED FATHER IS THE FATHER OF THE CHILD.

(C) COMMENT ON FAILURE TO TESTIFY PROHIBITED.

IN A TRIAL UNDER THIS SUBTITLE, NO COMMENT ON OR REFERENCE TO AN ALLEGED FATHER'S FAILURE TO TESTIFY MAY BE MADE OR PERMITTED.