

In the introductory language of subsection (a) of this section, the phrase "under this subtitle" is new language added for clarity.

In subsection (b)(2) of this section, the phrase "from the deceased father's estate", which modifies "an amount", is new language added for clarity.

In subsection (b)(2)(ii) of this section, the former phrase "if the decedent had died leaving a legitimate child or children or descendants of such deceased child" is deleted as unnecessary.

The only changes are in style.

The Commission to Revise the Annotated Code recommends that the General Assembly consider repealing this section, which provides that a father's duty to support a child born out of wedlock continues after the father's death. In situations where a child is born in wedlock, the common law applies and a parent's duty to support the child normally terminates with the parent's death. The common law rule also appears to apply to the obligation of a mother to support her child born out of wedlock. This essentially unique treatment of the father of a child born out of wedlock may raise constitutional questions.

Defined terms: "Summons" § 1-101

"Support" § 1-101

5-1044. RIGHT OF APPEAL.

A PARTY HAS THE RIGHT TO APPEAL FROM AN ORDER UNDER THIS SUBTITLE TO THE COURT OF SPECIAL APPEALS, AS PROVIDED IN TITLE 12, SUBTITLE 3 OF THE COURTS ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 16, § 66K.

5-1045. RESERVED.

5-1046. RESERVED.

PART VII. MISCELLANEOUS PROVISIONS.

5-1047. PATERNITY DOCKET.

(A) DUTY OF CLERKS.

THE CLERK OF THE CIRCUIT COURT SHALL KEEP A DOCKET KNOWN AS THE "PATERNITY DOCKET".

(B) CONTENTS OF DOCKET.