

(1) IF ANOTHER STATE IS OR RECENTLY WAS THE CHILD'S HOME STATE;

(2) IF ANOTHER STATE HAS A CLOSER CONNECTION WITH THE CHILD AND THE CHILD'S FAMILY OR WITH THE CHILD AND 1 OR MORE OF THE CONTESTANTS;

(3) IF SUBSTANTIAL EVIDENCE CONCERNING THE CHILD'S PRESENT OR FUTURE CARE, PROTECTION, TRAINING, AND PERSONAL RELATIONSHIPS IS MORE READILY AVAILABLE IN ANOTHER STATE;

(4) IF THE PARTIES HAVE AGREED ON ANOTHER FORUM THAT IS NO LESS APPROPRIATE; AND

(5) IF THE EXERCISE OF JURISDICTION BY A COURT OF THIS STATE WOULD CONTRAVENE ANY OF THE PURPOSES STATED IN § 9-202 OF THIS SUBTITLE.

(D) COMMUNICATIONS WITH OTHER COURTS.

BEFORE DETERMINING WHETHER TO DECLINE OR RETAIN JURISDICTION, THE COURT MAY COMMUNICATE WITH A COURT OF ANOTHER STATE AND EXCHANGE INFORMATION PERTINENT TO THE ASSUMPTION OF JURISDICTION BY EITHER COURT WITH A VIEW TO ASSURING THAT JURISDICTION WILL BE EXERCISED BY THE MORE APPROPRIATE COURT AND THAT A FORUM WILL BE AVAILABLE TO THE PARTIES.

(E) ACTION ON FINDING OF INCONVENIENT FORUM.

IF THE COURT FINDS THAT IT IS AN INCONVENIENT FORUM AND THAT A COURT OF ANOTHER STATE IS A MORE APPROPRIATE FORUM, IT MAY DISMISS THE PROCEEDINGS, OR IT MAY STAY THE PROCEEDINGS ON CONDITION THAT A CUSTODY PROCEEDING BE PROMPTLY COMMENCED IN ANOTHER NAMED STATE OR ON ANY OTHER CONDITIONS WHICH MAY BE JUST AND PROPER, INCLUDING THE CONDITION THAT A MOVING PARTY STIPULATE THE PARTY'S CONSENT AND SUBMISSION TO THE JURISDICTION OF THE OTHER FORUM.

(F) AFFECT OF DIVORCE OR OTHER PROCEEDING.

THE COURT MAY DECLINE TO EXERCISE ITS JURISDICTION UNDER THIS SUBTITLE IF A CUSTODY DETERMINATION IS INCIDENTAL TO AN ACTION FOR DIVORCE OR ANOTHER PROCEEDING WHILE RETAINING JURISDICTION OVER THE DIVORCE OR OTHER PROCEEDING.

(G) ASSESSMENT OF COSTS, EXPENSES, AND FEES.

IF IT APPEARS TO THE COURT THAT IT IS CLEARLY AN INAPPROPRIATE FORUM, IT MAY REQUIRE THE PARTY WHO COMMENCED THE PROCEEDINGS TO PAY, IN ADDITION TO THE COSTS OF THE PROCEEDINGS IN THIS STATE, NECESSARY TRAVEL AND OTHER EXPENSES, INCLUDING ATTORNEYS' FEES, INCURRED BY OTHER PARTIES OR THEIR WITNESSES. PAYMENT IS TO BE MADE TO THE CLERK OF THE COURT FOR REMITTANCE TO THE PROPER PARTY.