

Article – Family Law

5-311.

(a) Unless the natural parents' rights have been terminated by a judicial proceeding, an individual may not be adopted without the consent of:

- (1) the natural mother;
- (2) the natural father; and
- (3) the individual, if the individual is at least 10 years old.

(b) (1) If the natural parents' rights have been terminated by a judicial proceeding, an individual may not be adopted without the consent of:

(i) the executive head of the child placement agency that has been awarded guardianship of the individual; and

(ii) the individual, if the individual is at least 10 years old.

(2) The executive head of the child placement agency may not withhold consent for the sole reason that the race or religion of the prospective adoptive parents is different from that of the individual to be adopted or of the birth parents, where to do so would be contrary to the best interests of the child.

(c) (1) Except as provided in paragraph (2) of this subsection, within [90] 30 calendar days after the required consent to an adoption is filed under this section, or any time before a final decree of adoption is entered, whichever occurs first, the individual or agency executing the consent may revoke the consent.

(2) An individual to be adopted may revoke the individual's consent at any time before a final decree of adoption or an interlocutory decree of adoption is entered.

(3) Except as provided in paragraphs (1) and (2) of this subsection, the required consent to an adoption filed under this section may not be revoked at any time by the individual or agency executing the consent.

5-317.

(a) A petition for a decree of adoption may be preceded by a petition for guardianship of the child.

(b) Only the executive head of a child placement agency or the attorney for the child on behalf of the child may file a petition for the agency to be granted guardianship.

(c) Except as provided in §§ 5-313 and 5-313.1 of this subtitle, the court may grant a decree awarding guardianship only:

- (1) after any investigation and hearing the court considers necessary; and
- (2) with the consent of each living natural parent of the child.