

GENERAL REVISOR'S NOTE:

Throughout this subtitle, the terms "party" and "parties" are substituted for the former terms "spouse" and "spouses" to conform the language throughout this subtitle and to conform to the language used in Title 11 of this article.

The fifth clause of the first sentence of former Article 16, § 25, which related to the treatment, at the time of a limited divorce, of the property that the wife owned before the marriage, is deleted as violative of the Maryland Equal Rights Amendment, and obsolete.

TITLE 9. CHILD CUSTODY AND VISITATION.

SUBTITLE 1. IN GENERAL.

9-101. PETITION BY GRANDPARENTS FOR VISITATION.

AT ANY TIME AFTER THE TERMINATION OF A MARRIAGE, AN EQUITY COURT MAY:

(1) CONSIDER A PETITION FOR REASONABLE VISITATION BY A GRANDPARENT OF A NATURAL OR ADOPTED CHILD OF THE PARTIES WHOSE MARRIAGE HAS BEEN TERMINATED; AND

(2) IF THE COURT FINDS IT TO BE IN THE BEST INTERESTS OF THE CHILD, GRANT VISITATION RIGHTS TO THE GRANDPARENT.

REVISOR'S NOTE: This section formerly appeared as the second sentence of CJ § 3-602(a)(4).

The only changes are in style.

The Commission to Revise the Annotated Code notes, for consideration by the General Assembly, that the language of this section limits the right of a grandparent to petition for visitation of a grandchild to the situation in which the court has granted the parents a divorce. The General Assembly may wish to expand these visitation rights to include situations in which the parents never participated in a marriage ceremony or the marriage of the parents has been annulled. The Commission notes that the provisions of Title 1 of this article that set forth the jurisdiction of an equity court include a general provision for the court to grant visitation rights. The Commission is not sure whether these general visitation rights may be broad enough to include the visitation rights of grandparents that are not included in this section.

9-102. PETITION BY CHILD TO CHANGE CUSTODY.