

Part 2. Placement of Minors for Adoption.

§ 48-3-201. Who may place minors for adoption.

- (a) Only the following may place the minor for adoption:
- (1) An agency,
 - (2) A guardian,
 - (3) Both parents acting jointly, if
 - a. Both parents are married to each other and living together, or
 - b. One parent has legal custody of a minor and the other has physical custody but neither has both, or
 - (4) A parent with legal and physical custody of a minor, except as provided in subdivision (3) of this subsection.
- (b) A parent, guardian, or agency that places a minor directly for adoption shall execute a consent to the minor's adoption pursuant to Part 6 of this Article.
- (c) A parent or guardian of a minor who wants an agency to place the minor for adoption must execute a relinquishment to the agency pursuant to Part 7 of this Article before the agency can place the minor.
- (d) An agency having legal and physical custody of a minor may place the minor for adoption at any time after a relinquishment is executed by anyone as permitted by G.S. 48-3-701. The agency may place the minor for adoption even if other consents are required before an adoption can be granted, unless an individual whose consent is required notifies the agency in writing of the individual's objections before the placement. The agency shall act promptly after accepting a relinquishment to obtain all other necessary consents, relinquishments, or terminations of any guardian's authority pursuant to Chapter 35A of the General Statutes or parental rights pursuant to Article 11 of Chapter 7B of the General Statutes. (1995, c. 457, s. 2; 1997-215, s. 11(b); 1998-202, s. 13(j).)