

(k) *The proposed patient and the petitioner are entitled to present and cross-examine witnesses at the hearing and the court may in its discretion receive the testimony of any other person.*

(l) *Upon motion of the proposed patient the court may exclude from the hearings any persons not necessary for the conduct of the proceedings except those persons to whom notice was given pursuant to subsection (h) and any other persons requested to be present by the proposed patient. At the time of the hearing, the patient shall not be so under the influence or so suffer the effect of drugs, medication, or other treatment as to be hampered in preparing for or participating in the proceedings. When in the opinion of the psychiatrist attending the patient the discontinuance of drugs, medication or other treatment is not in the best interest of the patient, the court at the time of the hearing, shall be presented a record of all drugs, medication or other treatment which the patient has received during the forty-eight (48) hours immediately prior to the hearing along with a report as to the expected effect of such drug, medication, or treatment on the proposed patient.*

(m) *The hearing shall be conducted in a courtroom as informal as may be consistent with orderly procedure and located apart from the grounds of any facility and in due process of law. An accurate stenographic record or tape recording of the proceedings shall be made. The court and jury shall not be bound by the evidence presented by any witness but shall make its determination upon the entire record. In all cases the court shall find the facts specifically, state separately its conclusions of law thereon, and direct the entry of an appropriate judgment. The court shall hear any relevant testimony and shall receive all relevant evidence which may be offered at the hearing.*

(n) *In all such proceedings the state's attorney may appear and represent the petitioner or shall appear and represent the petitioner upon the request of the judge of the court or the petitioner. The petitioner shall be notified of his right to request that the state's attorney appear. The proposed patient shall have the right to be represented by counsel, and if he is unable to retain counsel, because of financial or other reasons, the court, at the time the psychiatrists are appointed, shall appoint counsel to represent him. Counsel shall consult with the proposed patient prior to the hearing and shall be given adequate time to prepare therefor. Counsel shall have the full right of subpoena.*

(o) *If the proposed patient is able but unwilling to retain counsel, or if the proposed patient desires to reject representation by court appointed counsel, the court shall conduct a preliminary hearing and receive testimony from the proposed patient, court appointed counsel (if any), or the Mental Health Information Service. If the court is satisfied that the proposed patient's waiver of counsel is freely and intelligently made, any court appointed counsel shall be dismissed and the proposed patient shall proceed pro se. In all other cases, court appointed counsel shall continue to represent the proposed patient or counsel shall be appointed by the court.*

(p) *Every proposed patient is entitled to be examined by psychiatrists or psychologists of his own choice. If the proposed patient is unable to pay for the costs of an examination, the State of Maryland shall defray the reasonable costs of examination and testimony by a psychiatrist of the proposed patient's choice.*