

~~(M)~~ (N) "PROTECTIVE PROCEEDING" IS A PROCEEDING TO PROTECT AN ESTATE IN ACCORDANCE WITH SUBTITLE 2 OF THIS TITLE OR A PROCEEDING TO APPOINT A GUARDIAN OF THE PERSON BROUGHT PURSUANT TO SUBTITLE 7 OF THIS TITLE.

SECTION 3. AND BE IT FURTHER ENACTED, That new subheading "Part I. Minors" to precede Sections 13-701 through 13-703 be and it is hereby added to Article - Estates and Trusts, of the Annotated Code of Maryland (1974 Volume and 1976 Supplement).

SECTION 4. AND BE IT FURTHER ENACTED, That Section 13-704 to be under the new subheading "Part II. Disabled Persons" of Article - Estates and Trusts, of the Annotated Code of Maryland (1974 Volume and 1976 Supplement) be and it is hereby repealed and reenacted, with amendments, to read as follows:

Article - Estates and Trusts

PART II. DISABLED PERSONS

13-704.

The court may superintend and direct the care of a disabled person, appoint a guardian of the person, and pass orders and decrees respecting [them as seems proper, including an order directing the disabled person to be sent to a hospital. Procedures in these cases shall be as prescribed by Maryland Rules.] THE PERSON AS SEEMS PROPER, INCLUDING AN ORDER DIRECTING THE DISABLED PERSON TO BE SENT TO A HOSPITAL. PROCEDURES IN THESE CASES SHALL BE AS PRESCRIBED BY MARYLAND RULES AND IN ACCORDANCE WITH THE PROVISIONS OF THIS SUBTITLE.

SECTION 5. AND BE IT FURTHER ENACTED, That new Sections 13-705 through 13-710, inclusive, be and they are hereby added to Article - Estates and Trusts, of the Annotated Code of Maryland (1974 Volume and 1976 Supplement) to read as follows:

Article - Estates and Trusts

13-705.

(A) ON PETITION AND AFTER ANY NOTICE OR HEARING PRESCRIBED BY LAW OR THE MARYLAND RULES, A COURT MAY APPOINT A GUARDIAN OF THE PERSON OF A DISABLED PERSON.

(B) A GUARDIAN OF THE PERSON SHALL BE APPOINTED IF THE COURT DETERMINES FROM CLEAR AND CONVINCING EVIDENCE THAT A PERSON LACKS SUFFICIENT UNDERSTANDING OR CAPACITY TO MAKE OR COMMUNICATE RESPONSIBLE DECISIONS CONCERNING HIS PERSON, INCLUDING PROVISIONS FOR HEALTH CARE, FOOD, CLOTHING, OR SHELTER, BECAUSE OF ANY MENTAL DISABILITY,