

(C) IF EXCEPTIONS ARE FILED, OR IF THE COURT DOES NOT INTEND TO FOLLOW THE RECOMMENDATIONS OF THE HEARING OFFICER, IT SHALL, WITHIN 30 DAYS AFTER RECEIPT OF THE REPORT, UNLESS WAIVED BY THE PERSON AND THE STATE'S ATTORNEY CONDUCT A HEARING. THE HEARING SHALL BE ON THE RECORD MADE BEFORE THE HEARING OFFICER, ALTHOUGH THE COURT MAY CONTINUE THE HEARING AND REMAND THE CASE BACK TO THE HEARING OFFICER FOR TAKING OF ADDITIONAL EVIDENCE. THE PERSON HAS A RIGHT TO BE PRESENT AND TO BE REPRESENTED BY COUNSEL AT THIS HEARING. THE COURT MAY ORDER A TRANSCRIPT OF THE HEARING SPECIFIED IN § 27A(D) WHEN REQUIRED.

(D) THE COURT SHALL ENTER AN APPROPRIATE ORDER WITHIN 15 DAYS AFTER THE WAIVER OR THE CONCLUSION OF THE HEARING.

(E) IF THE COURT FINDS THAT THE PERSON HAS A MENTAL DISORDER, AND BY REASON OF THAT MENTAL DISORDER WOULD BE A DANGER TO HIMSELF, OR THE PERSON OR PROPERTY OF OTHERS IF NOT CONFINED IN AN INSTITUTION FOR IN-PATIENT CARE OR TREATMENT, IT SHALL ENTER AN ORDER COMMITTING THE PERSON TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR INSTITUTIONAL IN-PATIENT CARE OR TREATMENT.

(F) IF THE COURT FINDS THAT THE PERSON HAS A MENTAL DISORDER, AND BY REASON OF THAT MENTAL DISORDER WOULD NOT BE A DANGER TO HIMSELF OR THE PERSON OR PROPERTY OF OTHERS IF NOT CONFINED IN AN INSTITUTION FOR IN-PATIENT CARE OR TREATMENT, BUT WOULD BE A DANGER IF RELEASED INTO THE COMMUNITY WITHOUT SPECIAL CONDITIONS IMPOSED BY THE COURT, THE COURT SHALL ENTER AN ORDER RELEASING THE PERSON SUBJECT TO THE CONDITIONS.

(G) UPON THE REPORT OF AN ALLEGED VIOLATION OF A CONDITION CONTAINED IN THE ORDER THE COURT MAY BY BODY ATTACHMENT CAUSE THE PERSON TO BE BROUGHT BEFORE IT AND SHALL CONDUCT A HEARING AND IF THE COURT FINDS THAT A VIOLATION HAS OCCURRED THE COURT MAY REVOKE THE ORDER OF RELEASE AND COMMIT THE PERSON TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE UNDER THE PROVISIONS OF SUBSECTION (E) OF THIS SECTION, OR THE COURT MAY OTHERWISE MODIFY THE ORDER.

(H) IN ALL OTHER CASES THE COURT SHALL ORDER THE PERSON RELEASED WITHOUT CONDITION.

(I) ALL FINDINGS BY THE COURT UNDER SUBSECTIONS (E) AND (F) OF THIS SECTION SHALL BE UPON A PREPONDERANCE OF THE EVIDENCE. THE ORDER SHALL CONTAIN A CONCISE STATEMENT OF THE COURT'S FINDINGS AND THE REASONS FOR THEM.

(J) AN APPEAL FROM A DISTRICT COURT ORDER SHALL BE ON THE RECORD IN CIRCUIT COURT. AN APPEAL FROM A CIRCUIT COURT ORDER SHALL BE BY APPLICATION FOR LEAVE TO APPEAL TO THE COURT OF SPECIAL APPEALS.