

and Mental Hygiene under certain circumstances, be committed to certain mental health facilities under certain conditions; requiring a committing court to make certain findings and conduct certain hearings; and generally relating to the commitment of juveniles to certain mental health facilities.

BY adding to

Article - Courts and Judicial Proceedings  
Section 3-820(e), (f) and (g)  
Annotated Code of Maryland  
(1974 Volume and 1979 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article - Courts and Judicial Proceedings

3-820.

~~(E) -- A CHILD MAY NOT BE COMMITTED TO THE CUSTODY OR UNDER THE GUARDIANSHIP OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR A MENTAL DISORDER OR MENTAL ILLNESS UNLESS THE CHILD~~

~~(1) -- HAS UNDERGONE PROFESSIONAL EVALUATION, AND~~

~~(2) -- HAS BEEN DETERMINED TO BE IN NEED OF INPATIENT CARE OR TREATMENT FOR THE PROTECTION OF THE CHILD OR OTHERS.~~

(E) A CHILD MAY BE PLACED IN AN EMERGENCY FACILITY ON AN EMERGENCY BASIS UNDER § 22 OF ARTICLE 59.

(F) THE COURT MAY NOT COMMIT A CHILD TO THE CUSTODY OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR INPATIENT CARE AND TREATMENT IN A STATE MENTAL HOSPITAL UNLESS THE COURT FINDS ON THE RECORD BASED UPON CLEAR AND CONVINCING EVIDENCE THAT:

(1) THE CHILD HAS A MENTAL DISORDER;

(2) THE CHILD NEEDS INPATIENT MEDICAL CARE OR TREATMENT FOR THE PROTECTION OF HIMSELF OR OTHERS;

(3) THE CHILD IS UNABLE OR UNWILLING TO BE VOLUNTARILY ADMITTED TO SUCH FACILITY; AND

(4) THERE IS NO LESS RESTRICTIVE FORM OF INTERVENTION AVAILABLE WHICH IS CONSISTENT WITH THE CHILD'S CONDITION AND WELFARE.

(G) ANY COMMITMENT ORDER ISSUED UNDER SUBSECTION (F) SHALL REQUIRE THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE TO