

(A-1) (1) WHEN, UNDER SUBSECTION (A) OF THIS SECTION, A JUDGE ADJOURNS PROCEEDINGS, THE JUDGE SHALL REQUEST THE ADMINISTRATION TO EXAMINE AND EVALUATE THE DEFENDANT TO DETERMINE IF THE DEFENDANT IS A DRUG ADDICT AND QUALIFIES AS AN APPROPRIATE CANDIDATE FOR REHABILITATION.

(2) IF A PETITION FOR CIVIL PROCEEDINGS IS FILED UNDER SUBSECTION (A) OF THIS SECTION, THE COURT WITH CIVIL JURISDICTION, ON EXAMINATION OF THE PETITION, MAY ISSUE AN ORDER THAT DIRECTS THE HEARING OF THE PETITION BEFORE THE COURT AT A SPECIFIED TIME AND PLACE. THE ORDER SHALL BE SERVED ON THE PARTIES INTERESTED IN THE PETITION AND ON ANY OTHER PERSON WHOM THE COURT, IN ITS DISCRETION, NAMES. AT THE SPECIFIED TIME AND PLACE, THE COURT SHALL HEAR THE TESTIMONY INTRODUCED FOR AND AGAINST THE PETITION, AND, IF THE COURT CONSIDERS IT ADVISABLE, THE ALLEGED DRUG ADDICT SHALL BE EXAMINED. THE COURT MAY ISSUE SUBPOENAS FOR THE ATTENDANCE OF ANY WITNESS. THE ALLEGED DRUG ADDICT HAS THE RIGHT TO BE REPRESENTED BY COUNSEL, PRODUCE WITNESSES ON HIS BEHALF, AND CROSS-EXAMINE WITNESSES. IF, FROM THE FACTS ASCERTAINED AT THE HEARING, THE PROOFS PRODUCED, THE PETITION, AND THE FINDINGS OF THE ADMINISTRATION, THE COURT DETERMINES BY A PREPONDERANCE OF THE EVIDENCE THAT THE INDIVIDUAL IS A DRUG ADDICT, THE COURT IMMEDIATELY SHALL ISSUE AN ORDER THAT CERTIFIES THE INDIVIDUAL TO THE CARE AND CUSTODY OF THE ADMINISTRATION, FOR THE PERIOD PROVIDED IN SUBSECTION (C) OF THIS SECTION.

(3) THIS SECTION DOES NOT PREVENT THE JUDGE WITH ORIGINAL JURISDICTION FROM CONTINUING THIS CIVIL COMMITMENT PROCEEDING TO ITS CONCLUSION, IF THE JUDGE SO CHOOSES AND IF THE PETITION AND THE FINDINGS OF THE ADMINISTRATION ARE AVAILABLE.

(c) Upon a determination that [such person] THE INDIVIDUAL is a drug addict, the committing court shall certify [such person] THE INDIVIDUAL to the care and custody of the [Authority] ADMINISTRATION for a period commencing on the date the order of certification is made and terminating upon the first to occur of (i) the discharge of [such] THE drug addict by the [Authority] ADMINISTRATION as rehabilitated, or (ii) the expiration of a period of [ten] 5 years from the date [such] THE period commenced. However, the period of the initial inpatient care received by [such] THE DRUG addict immediately following an order of commitment under this section may not exceed [three] 2 years AND THE ADMINISTRATION MAY NOT CERTIFY AS REHABILITATED ANY INDIVIDUAL WITHIN LESS THAN 2 YEARS AFTER THE PERIOD COMMENCED. [If on] ON the second anniversary of the order of commitment [such addict is still receiving initial inpatient care, the Authority], THE ADMINISTRATION shall REVIEW THE PROGRESS OF THE INDIVIDUAL TO DETERMINE HIS REHABILITATION AND advise the committing court whether [inpatient] care should be continued. The court [may] then [affirm] MAY CONTINUE the commitment or terminate it. HOWEVER, A COMMITMENT MAY NOT EXCEED 5 YEARS. THE COURT ALSO MAY TERMINATE A COMMITMENT and refer the DRUG addict to