

receive an order from the committing court approving further inpatient care. THE ADMINISTRATION SHALL APPLY FOR AND RECEIVE AN ORDER FROM THE COMMITTING COURT APPROVING FURTHER INPATIENT CARE AT THE END OF EACH 6 MONTH PERIOD THEREAFTER.

12.

(a-1) (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], CLEAR AND CONVINCING EVIDENCE THAT AT THE TIME OF THE HEARING EACH OF THE FOLLOWING ELEMENTS EXIST AS TO THE INDIVIDUAL WHOSE ADMISSION OR RETENTION IS SOUGHT:

(I) THE INDIVIDUAL IS A DRUG ADDICT;

(II) THE INDIVIDUAL IS IN NEED OF CARE, SUPERVISION, AND TREATMENT BECAUSE OF HIS DRUG ADDICTION;

(III) THE INDIVIDUAL PRESENTS A DANGER TO HIS OWN LIFE OR SAFETY OR THE LIFE OR SAFETY OF OTHERS; AND

(IV) THERE IS NO LESS RESTRICTIVE FORM OF INTERVENTION AVAILABLE WHICH IS CONSISTENT WITH THE PERSON'S WELFARE AND SAFETY, 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.

(c) Upon a determination that the individual is a drug addict, the committing court shall certify the individual to the care and custody of the 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 the drug addict by the Administration as rehabilitated, or (ii) the expiration of a period of 5 years from the date the period commenced. However, the period of the initial inpatient care received by the drug addict immediately following an order of commitment under this section may not exceed 2 years and the Administration may not certify as rehabilitated any individual within less than 2 years after the period commenced. [On the second anniversary of] AFTER