

The only changes are in style.

As to applications for admissions, see Subtitle 5 of this title.

Defined terms: "Admission" § 7-101  
 "Mentally retarded individual" § 7-101  
 "Release" § 7-701

7-704. HABEAS CORPUS.

(A) RIGHT OF INDIVIDUAL.

ANY INDIVIDUAL WHO HAS BEEN ADMITTED TO A FACILITY OR VETERANS' ADMINISTRATION HOSPITAL OR ANY PERSON ON BEHALF OF THE INDIVIDUAL MAY APPLY AT ANY TIME TO A COURT OF COMPETENT JURISDICTION FOR A WRIT OF HABEAS CORPUS TO DETERMINE THE CAUSE AND THE LEGALITY OF THE DETENTION.

(B) RIGHT OF ADMINISTRATION.

THE DIRECTOR, IN THE NAME OF THE ADMINISTRATION, MAY MAKE AN APPLICATION FOR A WRIT OF HABEAS CORPUS TO DETERMINE WHETHER A FACILITY PROPERLY ADMITTED OR PROPERLY HOLDS AN INDIVIDUAL. THE ATTORNEY GENERAL, ON BEHALF OF THE ADMINISTRATION, SHALL FILE THE APPLICATION WITH THE CIRCUIT COURT FOR THE COUNTY WHERE THE FACILITY IS LOCATED.

REVISOR'S NOTE: This section formerly appeared as Article 59A, § 13.

In subsection (b) of this section, the reference to the "circuit court" is added, for clarity.

Also in subsection (b) of this section, the reference to an "individual" is substituted for the reference to a "mentally retarded person", to reflect that the admission may be improper because the admittee is not mentally retarded.

Also in subsection (b) of this section, the former reference to the "authorized representative" of the Director is deleted as unnecessary in light of § 7-204(c) of this title.

The only other changes are in style.

Defined terms: "Administration" § 7-101  
 "Admission" § 7-101 "Facility" § 7-101  
 "County" § 1-101 "Person" § 1-101  
 "Director" § 7-101

7-705. JUDICIAL RELEASE.