

"Drug abuser" § 9-101

9-614. ORDER FOR MEDICAL EXAMINATION.

(A) WITNESSES.

WHEN THE PETITIONER APPEARS BEFORE THE COURT, THE COURT MAY EXAMINE, UNDER OATH, THE PETITIONER OR ANY OTHER WITNESSES.

(B) ORDER FOR EXAMINATION.

(1) IF THE COURT FINDS THAT THERE ARE REASONABLE GROUNDS TO BELIEVE THAT THE PETITIONER IS A DRUG ABUSER, THE COURT SHALL ORDER THE PETITIONER TO HAVE A MEDICAL EXAMINATION.

(2) (I) THE ORDER SHALL STATE:

1. THE DATE AND FACILITY FOR THE MEDICAL EXAMINATION; AND

2. THE DATE ON WHICH THE PETITIONER IS TO APPEAR AGAIN BEFORE THE COURT, WHICH DATE SHALL BE, EXCLUSIVE OF SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, WITHIN 7 DAYS AFTER ADMISSION OF THE PETITIONER TO THE MEDICAL EXAMINATION FACILITY.

(II) IF THE COURT HAS REASON TO BELIEVE THAT THE PETITIONER WILL NOT APPEAR FOR THE MEDICAL EXAMINATION, THE ORDER ALSO SHALL DIRECT A PEACE OFFICER OR POLICE OFFICER TO ARREST AND PROMPTLY TO TAKE THE PETITIONER TO THE MEDICAL EXAMINATION FACILITY SPECIFIED IN THE ORDER.

(C) WARRANT.

IF THE PETITIONER DOES NOT APPEAR FOR THE MEDICAL EXAMINATION AS ORDERED, AND THE COURT IS SATISFIED SERVICE WAS TIMELY OR COULD NOT BE MADE WITH DILIGENCE, THE COURT MAY ISSUE A WARRANT THAT DIRECTS A PEACE OFFICER OR POLICE OFFICER TO ARREST AND PROMPTLY TO TAKE THE PETITIONER TO THE MEDICAL EXAMINATION FACILITY SPECIFIED IN THE ORDER.

(D) COPIES.

(1) THE PETITIONER SHALL BE GIVEN A COPY OF THE ORDER.

(2) THE ADMINISTRATION SHALL BE GIVEN A COPY OF THE ORDER AND OF ANY WARRANT ISSUED UNDER THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43B, § 9(g), (h), and the first sentence of (d).