

THE ALLEGED DRUG ADDICT IS THE PETITIONER, A COMMUNICATION TO THE SPOUSE BY THE ALLEGED DRUG ADDICT IS NOT A CONFIDENTIAL COMMUNICATION.

REVISOR'S NOTE: This section is new language derived without substantive change from the seventh sentence of former Article 43B, § 9(1)(2).

Defined term: "Drug addict" § 9-101

9-622. ACTION ON PETITION.

(A) WITNESSES.

AFTER A PETITION IS FILED UNDER PART III OF THIS SUBTITLE, THE COURT MAY EXAMINE, UNDER OATH, THE PETITIONER OR ANY OTHER WITNESSES.

(B) ORDER.

(1) IF THE COURT FINDS THAT THERE ARE REASONABLE GROUNDS TO BELIEVE THAT THE INDIVIDUAL FOR WHOM COMMITMENT IS SOUGHT UNDER PART III OF THIS SUBTITLE IS A DRUG ADDICT, THE COURT SHALL ORDER THE INDIVIDUAL TO APPEAR BEFORE THE COURT.

(2) THE ORDER SHALL STATE THAT THE INDIVIDUAL IS TO APPEAR BEFORE THE COURT FOR A DETERMINATION WHETHER THERE ARE REASONABLE GROUNDS TO ORDER THE INDIVIDUAL TO HAVE A MEDICAL EXAMINATION. THE ORDER SHALL STATE THE TIME AT WHICH THE INDIVIDUAL IS TO APPEAR.

(3) THE COURT:

(I) SHALL DIRECT THAT THE ORDER AND PETITION BE SERVED ON THE ALLEGED DRUG ADDICT PERSONALLY OR BY REGISTERED MAIL; AND

(II) MAY DIRECT THAT THE ORDER AND PETITION BE SERVED ON THE PETITIONER PERSONALLY OR BY MAIL.

(C) ARREST.

(1) IF THE INDIVIDUAL DOES NOT APPEAR AS ORDERED, THE COURT SHALL ISSUE A WARRANT THAT DIRECTS A PEACE OFFICER OR POLICE OFFICER TO ARREST AND PROMPTLY TO BRING THE INDIVIDUAL BEFORE THE COURT.

(2) THE OFFICER SHALL:

(I) SHOW THE WARRANT TO THE INDIVIDUAL;
AND

(II) INFORM THE INDIVIDUAL OF THE PURPOSE FOR WHICH THE INDIVIDUAL IS BEING ARRESTED.