

(2) THE TRIAL SHALL BE HELD BEFORE THE COURT OR, ON ELECTION OF THE INDIVIDUAL, BEFORE A JURY. AFTER AN ELECTION FOR A TRIAL BEFORE THE COURT, THE INDIVIDUAL MAY NOT HAVE A JURY TRIAL.

(3) THE ORDER SHALL BE SERVED ON EACH PARTY INTERESTED IN THE COMMITMENT PETITION AND ON ANY OTHER PERSON THAT THE COURT NAMES.

(B) CONDUCT OF TRIAL.

(1) THE TRIAL SHALL BE HELD AT THE TIME AND PLACE STATED IN THE ORDER, UNLESS LATER CHANGED BY THE COURT.

(2) THE COURT MAY ISSUE A SUBPOENA FOR ATTENDANCE OF ANY WITNESS AT THE TRIAL. THE INDIVIDUAL IS ENTITLED TO HAVE SUBPOENAS ISSUED FOR THAT PURPOSE.

(3) AT THE TRIAL, THE INDIVIDUAL IS ENTITLED:

(I) TO OFFER EVIDENCE; AND

(II) TO CROSS-EXAMINE ADVERSE WITNESSES.

(4) THE INDIVIDUAL MAY BE EXAMINED AS A WITNESS.

(C) COMMITMENT ORDER.

THE COURT IMMEDIATELY SHALL COMMIT THE INDIVIDUAL TO THE ADMINISTRATION IF THE TRIER OF FACT FINDS, ON CLEAR AND CONVINCING EVIDENCE, THAT:

(1) THE INDIVIDUAL IS A DRUG ADDICT;

(2) THE INDIVIDUAL NEEDS CARE, SUPERVISION, AND TREATMENT BECAUSE OF THE DRUG ADDICTION;

(3) THE INDIVIDUAL IS A DANGER TO THE LIFE OR SAFETY OF THE INDIVIDUAL OR ANOTHER; AND

(4) THERE IS NO AVAILABLE LESS RESTRICTIVE FORM OF INTERVENTION THAT IS CONSISTENT WITH THE WELFARE AND SAFETY OF THE INDIVIDUAL.

REVISOR'S NOTE: This section is new language derived without substantive change from the first paragraph of former Article 43B, § 9(a), except the first and second clauses of that paragraph, and from the first through the sixth sentences and the eighth sentence of (1)(2), as those provisions related to petitions by individuals other than the alleged drug addict.

Subsection (b)(3)(i) of this section is new