

ADDICT NEEDS CARE, SUPERVISION, AND TREATMENT.

REVISOR'S NOTE: This section is new language added to reflect the substance of former Article 43B, § 9(c), which, by reference in former Article 43B, § 12(b), applied to petitions under Part IV of this subtitle. See revisor's note to § 9-601 of this subtitle.

In item (2) of this section, the phrase "unless the petitioner is the alleged drug addict" is new language added to reflect that, if the alleged drug addict begins the proceedings, the information required in item (2) of this section would be covered by item (3) of this section.

As to verifications, see § 1-201 of this article.

Defined term: "Drug addict" § 9-101

9-632. ACTION ON PETITION.

(A) ORDER FOR TRIAL.

(1) IF, AFTER EXAMINATION OF THE REPORT OF THE ADMINISTRATION AND A PETITION FILED UNDER PART IV OF THIS SUBTITLE, THE COURT FINDS THERE ARE REASONABLE GROUNDS TO BELIEVE THE INDIVIDUAL FOR WHOM COMMITMENT IS SOUGHT IS A DRUG ADDICT, THE COURT MAY ORDER A TRIAL ON THE COMMITMENT PETITION.

(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.

(B) SERVICE.

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

REVISOR'S NOTE: This section is new language derived from the first and second sentences of former Article 43B, § 12(a-1)(2) and revised to reflect the substance of former Article 43B, § 9(d), which, by reference in former Article 43B, § 12(b), applied to petitions under Part IV of this subtitle, except to the extent of any inconsistencies. See revisor's note to § 9-601 of this subtitle. However, subsection (a)(1) of this section enables, rather than requires, an order for trial in light of the second sentence of former Article 43B, § 12(a-1)(2).