

THAT THERE ARE REASONABLE GROUNDS TO BELIEVE THAT THE PETITIONER IS A DRUG ADDICT, THE COURT PROMPTLY SHALL:

(1) GIVE THE PETITIONER A COPY OF THE REPORT;

(2) IF THE PETITIONER DOES NOT HAVE COUNSEL, ADVISE THE PETITIONER OF THE PETITIONER'S RIGHT TO COUNSEL; AND

(3) ADVISE THE PETITIONER THAT:

(I) THE PETITION AND THE REPORT SET FORTH REASONABLE GROUNDS TO BELIEVE THAT THE PETITIONER IS A DRUG ADDICT;

(II) IF THE PETITIONER IS FOUND TO BE A DRUG ADDICT, THE PETITIONER MAY BE COMMITTED TO THE ADMINISTRATION; AND

(III) THE PETITIONER IS ENTITLED TO A TRIAL BEFORE THE COURT OR A JURY.

(C) COMMITMENT ORDER.

THE COURT IMMEDIATELY SHALL COMMIT THE PETITIONER TO THE ADMINISTRATION IF:

(1) A MOTION BY OR FOR A TRIAL IS NOT MADE FOR THE PETITIONER; AND

(2) THE COURT FINDS, ON CLEAR AND CONVINCING EVIDENCE, THAT:

(I) THE PETITIONER IS A DRUG ADDICT;

(II) THE PETITIONER NEEDS CARE, SUPERVISION, AND TREATMENT BECAUSE OF THE DRUG ADDICTION;

(III) THE PETITIONER PRESENTS A DANGER TO THE LIFE OR SAFETY OF THE PETITIONER OR ANOTHER; AND

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

REVISOR'S NOTE: This section is new language added to reflect the substance of former Article 43B, § 9(a), (k), (1)(1), and the second sentence of (i), which, by cross-reference, applied to the proceedings under Part V of this subtitle. See revisor's note to § 9-601 of this subtitle.

In subsection (b)(3)(ii) of this section, the phrase "may be committed" is substituted for "shall be certified to the care and custody of