

SUBTITLE 6. COMMITMENT FOR EVALUATION

8-601.

(A)-(1)--FOR GOOD CAUSE AND AFTER GIVING THE DEFENDANT AN OPPORTUNITY TO BE HEARD, IF A DISTRICT OR CIRCUIT COURT JUDGE HAS REASON TO BELIEVE THAT A DEFENDANT IN A CRIMINAL CASE HAS A DRUG OR ALCOHOL ADDICTION, THE JUDGE MAY COMMIT THE DEFENDANT TO THE ADMINISTRATION FOR EVALUATION OF THE NATURE AND EXTENT OF THE ADDICTION, IF ANY, AND THE INDIVIDUAL'S TREATMENT NEEDS, IF ANY, UNDER THE CONDITIONS THAT THE JUDGE SETS.

(2)--BEFORE A JUDGE ORDERS COMMITMENT UNDER THIS SECTION, THE JUDGE SHALL CONSULT WITH THE ADMINISTRATION.

(3)--ONCE THE DEFENDANT IS COMMITTED TO THE ADMINISTRATION, LAW ENFORCEMENT OR COURT OFFICIALS WITHIN THE LOCAL JURISDICTION SHALL PROVIDE TRANSPORTATION DUTIES WITHIN THE SCOPE OF THIS SUBTITLE.

(B)-(1)-(i)--A COMMITMENT UNDER THIS SECTION SHALL BE FOR AT LEAST 96 HOURS AND NOT MORE THAN 14 DAYS.

(ii)--ON GOOD CAUSE SHOWN BY THE ADMINISTRATION, THE COURT MAY EXTEND THE TIME PERIOD FOR CONDUCTING THIS EVALUATION BY AN ADDITIONAL 14 DAYS.

(2)--EXCEPT DURING THE FIRST 96 HOURS AFTER COMMITMENT, THE DIRECTOR OR A DESIGNEE OF THE DIRECTOR MAY TERMINATE THE COMMITMENT IF THE DIRECTOR OR DESIGNEE DETERMINES THAT CONTINUED COMMITMENT:

(i)--IS NOT IN THE BEST INTEREST OF THE INDIVIDUAL, OR

(ii)--DOES NOT SERVE ANY USEFUL PURPOSE.

(C)--BEFORE AN INDIVIDUAL IS RELEASED FROM COMMITMENT UNDER THIS SECTION, THE DIRECTOR OR DESIGNEE SHALL GIVE THE JUDGE THAT ORDERED THE COMMITMENT NOTICE OF THE PROPOSED DATE AND TIME OF RELEASE.

8-602.

THE PROVISIONS OF §§ 8-502, 8-503, 8-504, 8-506, 8-507, AND 8-508 OF THIS TITLE SHALL APPLY TO COMMITMENTS UNDER SUBTITLE 6.

Subtitle 5. Disposition and Treatment OF
AN ALCOHOL ABUSER

8-501.