

(a) (1) On motion by or for the individual for whom commitment is sought or on motion of the court, the court shall 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.

(3) The order shall be served on each party interested in the commitment petition and on any other person that the court names.

(b) (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) 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] HAS A DRUG DEPENDENCE;

(2) The individual needs care, supervision, and treatment because of the drug [addiction] DEPENDENCE;

(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.

[9-627, 9-628.] 8-627, 8-628. Reserved.

Part IV. Commitment of Defendant Convicted of Crime.

[9-629.] 8-629.

An individual may not be committed under Part IV of this subtitle if the individual: