

~~B. THE FILING OF A DELINQUENCY PETITION IS IN THE BEST INTERESTS OF THE CHILD AND THE PUBLIC; AND~~

~~2. UNLESS THE COURT EXTENDS THE TIME, SHALL:~~

~~A. FILE A DELINQUENCY PETITION; OR~~

~~B. DISMISS THE COMPLAINT.~~

3-8A-15.

~~(c) (1) Detention or community detention may not be continued beyond emergency detention or community detention unless, upon an order of court after a hearing, the court has found that one or more of the circumstances stated in subsection (b) of this section exist.~~

~~(2) A court order under this paragraph shall:~~

~~(i) Contain a written determination of whether or not the criteria contained in subsection (c)(1) and (2) of this section have been met; and~~

~~(ii) Specify which of the circumstances stated in subsection (b) of this section exist.~~

~~(3) (i) If the court has not specifically prohibited community detention, the Department of Juvenile Services may release the child from detention into community detention and place the child in:~~

~~1. Shelter care; or~~

~~2. The custody of the child's parent, guardian, custodian, or other person able to provide supervision and care for the child and to return the child to court when required.~~

~~(ii) 1. [If] EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, IF a child who has been released by the Department of Juvenile Services or the court into community detention violates the conditions of community detention, and it is necessary to protect the child or others, an intake officer may authorize the detention of the child.~~

~~2. A CHILD ALLEGED TO BE DELINQUENT AS A RESULT OF THE FAILURE TO COMPLY WITH AN ORDER ISSUED UNDER § 3-8C-06.1 OF THIS TITLE AND WHO VIOLATES THE CONDITIONS OF COMMUNITY DETENTION MAY NOT BE PLACED IN DETENTION.~~