

§3805. Commitment

1. Eligibility.

[PL 2021, c. 326, §17 (AMD); MRS T. 34-A §3805, sub-§1 (RP).]

1-A. Eligibility. Beginning October 1, 2021, only a juvenile, as defined in Title 15, section 3003, subsection 14, who is 12 years of age or older at the time of commitment may be committed to the facility pursuant to this subchapter and Title 15, Part 6.

[PL 2021, c. 326, §18 (NEW).]

2. Limitations. A person may not be detained or confined in or committed to the facility if, upon petition by the commissioner or the commissioner's designee and after hearing, the court finds by a preponderance of the evidence that the person is more appropriately a subject for intensive treatment services that are available and provided by or through the Department of Health and Human Services. Prior to the hearing, the court shall provide notice of the hearing in writing or orally to the juvenile, the juvenile's parents, the juvenile's guardian or legal custodian, the attorney for the State and the Department of Health and Human Services.

[PL 2007, c. 536, §7 (AMD).]

3. Certification. When a person is detained or confined in or committed to the facility, the court making the detention, confinement or commitment shall certify on the mittimus the person's birthplace, parentage and legal residence.

[PL 2005, c. 507, §23 (AMD).]

SECTION HISTORY

PL 1983, c. 459, §6 (NEW). PL 1983, c. 581, §§47,59 (AMD). PL 1991, c. 311, §2 (AMD). PL 1995, c. 560, §K82 (AMD). PL 1995, c. 560, §K83 (AFF). PL 1999, c. 583, §31 (AMD). PL 2001, c. 354, §3 (AMD). PL 2003, c. 689, §B6 (REV). PL 2003, c. 706, §A10 (AMD). PL 2005, c. 507, §§22,23 (AMD). PL 2007, c. 536, §7 (AMD). PL 2021, c. 326, §§17, 18 (AMD).

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