**§3805. Commitment**

**1. Eligibility.**

[PL 2021, c. 326, §17 (AMD); MRSA 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).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Maine Legislature and is current through January 1, 2025
 . The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.