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An Act To Amend the Laws Governing Involuntary Hospitalization Procedures When Both Commitment and Involuntary Treatment Are Sought

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 34-B MRSA §3864, sub-§5, ¶A, as amended by PL 2005, c. 519, Pt. BBBB, §9 and affected by §20, is further amended to read:

A. The District Court shall hold a hearing on the application not later than 14 days from the date of the application. The District Court may separate the hearing on commitment from the hearing on involuntary treatment.

(1) On a motion by any party, the hearing on commitment may be continued for cause for a period not to exceed 10 additional days.

(1-A) On a motion by any party or by the court on its own motion, the hearing on involuntary treatment may be continued for cause for a period not to exceed 21 days from the date of entry of the order on the application for commitment.

(2) If the hearing on commitment is not held within the time specified, or within the specified continuance period, the court shall dismiss the application and order the person discharged forthwith.

(2-A) If the hearing on involuntary treatment is not held within the time specified, or within the specified continuance period, the court shall dismiss the application for involuntary treatment.

(3) In computing the time periods set forth in this paragraph, the Maine Rules of Civil Procedure apply.

SUMMARY

This bill amends the laws regarding involuntary hospitalization to permit a court to separate hearings on commitment from hearings on involuntary treatment. It also enlarges the time within which the hearing on involuntary treatment may be heard.