

AFTER REVIEW OF THE PETITION, THE COURT SHALL ENDORSE THE PETITION IF THE COURT FINDS PROBABLE CAUSE TO BELIEVE THAT THE EMERGENCY EVALUEE HAS SHOWN THE SYMPTOMS OF A MENTAL DISORDER AND THAT THERE APPEARS TO BE CLEAR AND IMMINENT DANGER OF THE EMERGENCY EVALUEE'S DOING BODILY HARM TO THE EMERGENCY EVALUEE OR ANOTHER.

(C) FAILURE TO FIND PROBABLE CAUSE.

IF THE COURT DOES NOT FIND PROBABLE CAUSE, THE COURT SHALL INDICATE THAT FACT ON THE PETITION, AND NO FURTHER ACTION MAY BE TAKEN UNDER THE PETITION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 59, § 22(c).

The introductory clause of subsection (a) of this section, "{if} the petitioner ... is not ... a health officer," is substituted for the reference to a petition "submitted in accordance with subsection (b) of this section", for clarity.

The Commission to Revise the Annotated Code notes, for consideration by the General Assembly, that only the endorsement of the court -- i.e., a signature -- is required on the petition. The General Assembly may wish to require the court to endorse the petition and indicate its findings as to the petitioner.

Defined terms: "Court" § 10-620
 "Emergency evaluatee" § 10-620
 "Health officer" § 1-101 "Psychologist" § 10-601
 "Mental disorder" §§ 10-101 & 10-620
 "Peace officer" § 10-620
 "Physician" §§ 1-101 & 10-620

10-624. EMERGENCY FACILITY.

(A) DUTY OF PEACE OFFICER.

(1) A PEACE OFFICER SHALL TAKE AN EMERGENCY EVALUEE TO THE NEAREST EMERGENCY FACILITY IF THE PEACE OFFICER HAS A PETITION UNDER PART IV OF THIS SUBTITLE THAT:

(I) HAS BEEN ENDORSED BY A COURT WITHIN THE LAST 5 DAYS; OR

(II) IS SIGNED AND SUBMITTED BY A PHYSICIAN, A PSYCHOLOGIST, A HEALTH OFFICER OR DESIGNEE OF A HEALTH OFFICER, OR A PEACE OFFICER.

(2) AFTER A PEACE OFFICER TAKES THE EMERGENCY EVALUEE TO AN EMERGENCY FACILITY, THE PEACE OFFICER NEED NOT