

## Article - Courts and Judicial Proceedings

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§3-8A-17.7.

(a) At a competency hearing, if the court determines that the child is incompetent to proceed, is unlikely to attain competency in the foreseeable future, has a mental disorder, as defined in § 10-620 of the Health - General Article, and is a danger to the life or safety of the child or others, the court may order a petition for emergency evaluation under § 10-622 of the Health - General Article.

(b) At a competency hearing, if the court determines that the child is incompetent to proceed, is unlikely to attain competency in the foreseeable future, and has a developmental disability, as defined in § 7-101 of the Health - General Article, the court may order the Developmental Disabilities Administration to evaluate the child within 30 days to determine the child's eligibility for services under Title 7 of the Health - General Article.

(c) At a competency hearing, if the court determines that the child is incompetent to proceed and is unlikely to attain competency in the foreseeable future, the court:

(1) May dismiss the delinquency petition or violation of probation petition;  
and

(2) After the expiration of the time periods for dismissal specified in § 3-8A-17.9 of this subtitle, shall dismiss the delinquency petition or violation of probation petition.

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