

Article - Criminal Procedure

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§3-120.

(a) (1) If at any time the Health Department considers that a committed person is eligible for conditional release, the Health Department may apply for the conditional release to the court that committed the person.

(2) The Health Department shall send a copy of the application for conditional release:

- (i) to the committed person;
- (ii) to counsel for the committed person; and
- (iii) to the State's Attorney, by certified mail, return receipt requested.

(b) Within 30 days after receipt of the application from the Health Department, the court shall issue an order that is in accordance with § 3-114 of this title for:

- (1) continued commitment; or
- (2) conditional release under the conditions it imposes after giving consideration to the recommendations of specific conditions from the Health Department.

(c) If the court orders a conditional release of the committed person under this section, the committed person, the State's Attorney, or the Health Department may apply for a revocation, change, or extension under § 3-122 of this title.

(d) (1) An appeal from a District Court order shall be on the record in circuit court.

(2) An appeal from a circuit court order shall be by application for leave to appeal to the Court of Special Appeals.

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