

**TITLE 3: HUMAN RESOURCES**  
**DIVISION 2: HEALTH**

**§ 2520. Hearing Rights.**

Whenever a hearing pursuant to this article is required, the person sought to be committed shall have a full panoply of due process rights including, but not necessarily limited to, the following:

- (a) The right to have all applications to the court in writing, served on defendant with sufficient time for preparation.
- (b) The right to be present throughout the proceedings.
- (c) The right to be free of chemical restraints or physical restraints. If the person is violent or the court finds other just cause for physical restraints in the courtroom, the court may order physical restraints. The record must reflect their use and reason for their use.
- (d) The right to testify, call witnesses, and present evidence on the person's own behalf and the right against self-incrimination.
- (e) The right to cross-examine witnesses, examine evidence offered against him and raise objections.
- (f) The right to an attorney throughout the proceedings.
- (g) The right to a record.
- (h) A decision based on the evidence, with written findings of fact and conclusions of law.
- (i) Periodic court review of commitments.

**Source:** PL 8-36, § 22, modified.