

2009 SESSION

INTRODUCED

093194248

SENATE BILL NO. 1080

Offered January 14, 2009

Prefiled January 13, 2009

A BILL to amend and reenact § 37.2-820 of the Code of Virginia, relating to involuntary commitment, place of hearing.

Patron—Howell

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 37.2-820 of the Code of Virginia is amended and reenacted as follows:

§ 37.2-820. Place of hearing.

A. ~~The~~ Subject to the requirements of subsection B of this section, the hearing provided for pursuant to §§ 37.2-814 through 37.2-819 may be conducted by the district court judge or a special justice at the convenient facility or other place open to the public provided for in § 37.2-809, if he deems it advisable, even though the facility or place is located in a county or city other than his own. In conducting such hearings in a county or city other than his own, the judge or special justice shall have all of the authority and power that he would have in his own county or city. A district court judge or special justice of the county or city in which the facility or place is located may conduct the hearing provided for in §§ 37.2-814 through 37.2-819.

B. Upon request of the respondent or his attorney, the district court judge or a special justice may restrict attendance at all or part of the hearing to persons whose participation is required for proper conduct of the hearing and those whose presence is requested by the respondent upon finding that (i) such restriction is necessary to protect the respondent's health, safety, or privacy and (ii) the respondent's interest in the restriction outweighs the public's interest in attendance by any person who would be excluded.

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