

PROBATE COURT OF FRANKLIN COUNTY, OHIO

Judge Robert G. Montgomery

IN THE MATTER OF:

Case No. MI-
MO-

Date: _____

Alleged Mentally Ill

HEARING ON CONTESTED MATTERS MENTAL ILLNESS CIVIL COMMITMENT

(RC 5122.15)

Initial Affidavit

Continued Commitment

DECISION OF MAGISTRATE

HEARING NOTES

Attorney for Respondent ("R") _____

Attorney for Franklin Co _____ ADAMH Board ODMH
 Mental Health Recovery Services Board other _____

Court reporter _____ Interpreter _____

Independent expert _____ Guardian _____

R present yes no Presence waived by R's counsel

Attorney for R discuss hearing and rights with R yes no

Court physician _____ Qualifications stipulated
 Testimony as to qualifications
 Authenticity and admissibility of medical records stipulated Reserving right to object
 Stipulated that Court physician may testify based upon physician's review of current medical records

Court physician interview R yes no when _____

Based on education, training, experience, review of medical records, and all information available regarding R, able to reach an opinion to a reasonable degree of medical certainty regarding R's mental condition? yes no

Opinion based in major part on interview yes no

Diagnosis ("Dx")

schizophrenia paranoid chronic other _____

schizoaffective disorder bi-polar other _____

bi-polar disorder manic phase depressive phase with psychotic features

psychotic disorder not otherwise specified

organic brain syndrome

MENTAL ILLNESS COMMITMENT HEARING

Respondent _____

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other _____

Basis _____

Substantial disorder of thought mood perception orientation memory

Grossly impaired judgment behavior capacity to recognize reality ability to meet the ordinary demands of life

Substantial risk of harm to (1) self (2) others _____

(3) Able to care for basic needs yes no _____

(4) Would benefit from treatment ("Tx") in a hospital as manifested by evidence of a grave and imminent risk to substantial rights of others self

(5) Would benefit from treatment ("Tx") because (all of the following)

(a) R is unlikely to survive safely in the community without supervision from a clinical determination.

(b) R has a history of lack of compliance with Tx and [either (i) or (ii)]

(i) at least 2x in last 36 months lack of compliance has been a significant factor in necessitating hospitalization or forensic/mental health unit of a correctional facility (36 months extended by length of intervening hospitalization or incarceration)

(ii) within past 48 months, lack of compliance resulted in one or more acts of serious violent behavior towards self or others or threats of or attempts at serious physical harm to self or others (48 months extended by length of intervening hospitalization or incarceration).

(c) R is unlikely to voluntarily participate in necessary Tx

(d) R's Tx history and current behavior indicate R is in need of Tx in order to prevent a relapse or deterioration that would likely result in substantial risk of serious harm to self or others

MENTAL ILLNESS COMMITMENT HEARING

Respondent _____

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Least restrictive setting for Tx inpatient civil hospital forensic unit outpatient
 other _____

Prognosis for episode good fair guarded poor

long term good fair guarded poor

Additional notes on direct examination _____

Court physician cross examined yes no _____

R testify yes no _____

Any other witness(es) yes no (see page 4 additional notes)

Motion for continuance R's attorney ADAMH/MHR SB/ODMH attorney Court

Basis independent expert independent counsel other

Objection yes no ADAMH/MHR SB/ODMH attorney R's attorney

Basis _____

MENTAL ILLNESS COMMITMENT HEARING

Respondent _____

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Sustained Overruled Basis _____

Voluntary submitted Objection by ADAMH/MHR SB/ODMH attorney yes no

Basis _____

Sustained Overruled Basis _____

Additional hearing notes: _____

FINDINGS OF FACT

Respondent's county of residence _____

The evidence is is not clear and convincing that:

Respondent suffers from a mental illness diagnosed as:

schizophrenia paranoid chronic other _____

schizoaffective disorder bi-polar other _____

bi-polar disorder manic phase depressive phase with psychotic features

psychotic disorder not otherwise specified

organic brain syndrome

other _____

As a result of that mental illness, Respondent presents a substantial disorder of

thought mood perception orientation memory

Which results in a gross impairment of

judgment behavior capacity to recognize reality ability to meet the ordinary demands of life

MENTAL ILLNESS COMMITMENT HEARING

Respondent _____

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As a result of that mental illness, Respondent represents a substantial risk of harm to

- self [R.C. 5122.01(B)(1)] (suicidal/serious physical harm attempts/ideation)
- others [R.C. 5122.01(B)(2)] (homicidal/serious physical harm attempts/ideation)
- self [R.C. 5122.01(B)(3)] (inability to care for basic physical needs)
- others/self [R.C. 5122.01(B)(4)] (grave/imminent risk to substantial rights of others self)
- others/self [R.C. 5122.01B(5)] (would benefit as manifested by evidence of behavior)

The least restrictive alternative for the treatment of Respondent is

- inpatient hospitalization in a civil mental hospital forensic unit
- outpatient care in accordance with the treatment plan.
- other _____
- Other findings of fact _____

CONCLUSIONS OF LAW

- Respondent is is not a mentally ill person subject to court order
- Respondent is is not entitled to be admitted as a voluntary patient
- Other conclusions of law _____

RECOMMENDATIONS

The Magistrate recommends that Respondent

- be committed to the Franklin County _____
- Alcohol, Drug Addiction and Mental Health Services Board Mental Health Recovery Services Board
- other _____

MENTAL ILLNESS COMMITMENT HEARING

Respondent _____

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for a period of time not to exceed 90 days two years, with placement at

Twin Valley Behavioral Health Care

The Ohio State University Harding Hospital

Riverside Methodist Hospital

Ohio Hospital for Psychiatry

Dublin Springs Hospital

other _____

Timothy B. Moritz Forensic Unit

pending transfer to Twin Valley Behavioral Health Care

The affidavit be dismissed

The record be expunged

R's counsel is relieved of further responsibility

The hearing be continued to _____, 201__ at 9:00 AM for the following reason(s)

obtain independent expert obtain independent counsel

other _____

Date

Magistrate