

Civil Commitment for Substance Abuse Checklist

INSTRUCTIONS FOR PETITION FOR INVOLUNTARY TREATMENT FOR ALCOHOL AND OTHER DRUG ABUSE

The person who is filing the Petition must set forth facts showing that someone is suffering from alcohol and other drug abuse and presents an imminent danger or imminent threat of danger to self, family, or others if not treated for substance abuse.

- The certificate of physician must be filled out completely by a **physician** who has examined the person who is suffering from alcohol and other drug abuse within two (2) days prior to the day the petition is filed with the Court.
- The statement of treatment provider must be completed by the **facility** that is going to be providing the treatment.
- The person filing the paperwork is responsible for all fees; court costs; evaluation assessment costs; sheriff fees (if any apply); hearing fees; treatment costs as stated in the Ohio Revised Code.
- The person filing the paperwork must place a security deposit for 50% of the total amount of the cost of treatment with the court at the time of filing of the petition and petitioner must sign a guarantee for the rest of the payment of treatment.
- All of the money required for the court costs deposit, the treatment deposit and the cost of the examination must be paid when the petition is filed.
- None of the court cost deposit will be refunded once the case is filed.

INVOLUNTARY CIVIL COMMITMENT FOR SUBSTANCE ABUSE TREATMENT

The Probate Court has exclusive jurisdiction to order involuntary treatment for an individual residing in Summit County who abuses alcohol or other drugs and can reasonably benefit from treatment. Each of these actions is involuntary.

What is the role of the Court in ordering the involuntary treatment of individuals who are suffering from the abuse of alcohol or other drugs?

Ohio law permits a spouse, relative or guardian to file in the Probate Court a verified petition alleging that an individual residing in Summit County who suffers from alcohol or drug abuse, is in imminent danger or imminent threat of danger to self, family or others as a result of the alcohol or other drug abuse, and can reasonably benefit from treatment. The applicable court cost deposit must be paid. The case caption is titled "In the Interest of (name of respondent)". The contents of the petition are specified in the statutes and the filing of the petition requires a probable cause hearing where the Applicant is examined by the Court under oath, and permits the Probate Court to schedule a full hearing within 7 days. Upon a finding based upon clear and convincing evidence that the individual may reasonably benefit from treatment, the Probate Court is permitted to order the individual to undergo treatment.

The responsibility for payment for the treatment and examination expenses is upon the applicant, who must deposit with the Court upon the filing of the petition one-half of the estimated costs of the treatment of the respondent and sign a financial guarantee for the costs associated with the hearing, the examination of the respondent and the balance of the costs of any treatment ordered by the Court. Treatment, if ordered, must be delivered by a licensed or certified facility.

Where do I obtain alcohol and substance treatment services in Summit County?

The Summit County agency responsible for establishing a community network of providers is:

County of Summit ADM Board
1867 W. Market Street, Suite B2
Akron, Ohio 44313
(330) 762-3500

Treatment services are also offered through many private providers.

Do I need an attorney to file a petition for forced alcohol treatment?

Good legal advice can be critically important to a person intending to file a petition for the involuntary treatment of an individual suffering from alcohol or other drug abuse since upon filing there are substantial financial deposits for treatment that must be paid and further financial guarantees that must be signed. The petitioner is not required to have an attorney.