

Rule 79.1

ASSISTED OUTPATIENT COMMITMENT (“AOT”)

This rule applies to a person committed to the Summit County ADM board and accepted into the Summit County Probate Court’s New Day, Assisted Outpatient Commitment (“AOT”) program.

(A) Establishment of AOT program

- (1) This Court established an AOT program for the purpose of supporting and monitoring treatment of persons under civil commitment who committed to the ADM and accepted into New Day Court.
- (2) This Court has formed a multidisciplinary team to support its AOT operations including, but not limited to:
 - Magistrate or Judge;
 - A New Day Court Coordinator;
 - A local NAMI representative;
 - Other relevant service providers;
 - Treatment Provider and Case Manager; and
 - ADM representative.

(B) AOT eligibility criteria

- Person is an adult Summit County resident;
- Person has been diagnosed with a severe mental illness usually schizophrenia, bipolar disorder, schizoaffective disorder or catastrophic depression.
- Person is unlikely, or has refused to, voluntarily participate in necessary treatment; and
- Person needs oversight or treatment to prevent rehospitalization or deterioration which could result in harm to self or others.
- Person can understand what is expected under the terms of the AOT Court order and does not have a significant intellectual deficit;
- Person may have a substance use disorder, but it is not the primary diagnosis;
- Appropriate treatment for the person is available in the community;
- Person’s primary residence is known. If the person has no known residence, the person is eligible only if s/he can be found.
- Person does not have personality disorder as a primary diagnosis;
- Person does not have a pending criminal charge and is eligible for mental health court or another specialty docket program in another court.
- Persons with a medical issue causing psychiatric symptoms but without a diagnosis of a severe mental illness are not eligible. For example, drug or infection induced psychosis.

(C) Procedures for Hospital to initiate AOT proceedings in Probate Court when patient is hospitalized

After receipt of an Affidavit of Mental Illness from a hospital, with supporting documentation, the court will set a hearing date at the first available Thursday. Hearings will be held at the relevant hospital in person or via Zoom.

After the hearing is set, the Court sends a packet of information to the ADM board's attorney, the patient's appointed attorney and the hearing magistrate.

The patient may stipulate to the commitment at the date and time of the hearing. Otherwise the Magistrate will hear the evidence and decide if the patient should be committed by clear and convincing evidence. The Magistrate may contemporaneously consider a motion for forced medication.

If committed, the patient is notified in writing of his/her intake appointment with Community Support Services or relevant treatment provider as well as the date/time to appear in New Day Court.

(D) Responsibilities of the Court

- a. This Court shall facilitate communication between members of the multi-disciplinary team
- b. This Court shall monitor, support and evaluate New Day Court participants for compliance with individual treatment plans and other expectations.
- c. This Court shall appropriately track and report participant outcome and will participate in a shared data base.
- d. This Court shall hold regular status conferences with New Day court participants. The timing of the conference will vary with the needs of each individual.
- e. This Court will review case management and treatment notes before each status conference.
- f. At each follow-up status, the Court may consider the following items, including, but not limited to:
 - Compliance with treatment orders;
 - Employment;
 - Housing;
 - Transportation; and
 - Resources.
- g. At the conclusion of the status, the Court will set the next status date and time, and give the person a written notice of appearance.
- h. If a person fails to appear at their review conference without good cause, the Court may reset it, send a warning letter to the person or issue a pick up order as decided by the team.

(E) Expectations for New Day participants

- Attend every treatment appointment as scheduled and engage with case manager;
- Attend every New Day Court appearance as scheduled;
- Speak honestly to the Court about needs and choices;
- Engage in treatment as an advocate for themselves;
- Comply with all Court Orders related to the underlying civil commitment matter.

(F) Successful Completion of AOT Successful completion of the New Day Court program will be determined by the Court on a case-by-case basis, after recommendations from the treatment team.

History:

- Effective January 1, 2026