

**IN THE _____ MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO**

| | | |
|--------------------|---|----------------------|
| STATE/MUNICIPALITY |) | CASE NO. _____ |
| vs. |) | JUDGE _____ |
| DEFENDANT |) | JOURNAL ENTRY |
| |) | Order for Evaluation |
| |) | |
| |) | |
| |) | |

It has come to this court's attention that the defendant may not be competent to stand trial.

Defendant hereby ordered to have psychiatric evaluation with Dr. _____
on _____ at _____ as follows (check one):
(Date) (Time)

- Defendant is in custody. Evaluation to occur at _____
(Jail location)
- Defendant is in custody. _____
(Custodial Law Enforcement Agency)
is hereby ordered to transport defendant to _____
(Doctor's office/facility address)
for said appointment and return defendant to jail hereafter.
- Defendant is not in custody. Defendant ordered to attend evaluation at:

(Doctor's office/facility address)

DATE: _____

JUDGE

**IN THE _____ MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO**

| | | |
|--------------------|---|--|
| STATE/MUNICIPALITY |) | CASE NO. _____ |
| vs. |) | JUDGE _____ |
| DEFENDANT |) | ORDER FOR 20 DAY EVALUATION |
| |) | |
| |) | |
| |) | |
| |) | |

This cause came on for hearing this _____ day of _____, 20____. On a former date, the Defendant was referred for a competency evaluation. The report of Dr. _____ dated _____ indicates the Defendant refused to/was unable to cooperate and for this reason, or other reason(s) the doctor was unable to render an opinion as to the Defendant’s competency

to stand trial. Therefore, and pursuant to R.C. 2945.371(C) the court orders the defendant to: Northcoast Behavioral Healthcare,
(Any center, program, or facility operated or certified by the Department of Mental Health or the Cuyahoga County Board of Developmental Disabilities)

for a 20-day inpatient competency evaluation. _____
(Custodial police department or the appropriate transport agency) is ordered to transport defendant to above-named program/facility upon notification by

_____ that a bed is available. Defendant is ordered remanded
Center, program, facility mental health liaison) to/detained by _____ until a bed becomes available.
(Custodial police dept./agency/county jail)

Unless the evaluation is completed earlier, at the end of the 20-day period designated for evaluation, defendant is ordered returned to the _____ Jail by the above-named
(Custodial police dept.) police department/transport agency.

Upon completion of the evaluation, the forensic examiner will provide a report to the court opining either (1) that the defendant is incompetent to stand trial and is therefore requesting that the defendant’s legal status be updated to incompetent to stand trial or (2) that the defendant is competent to stand trial and can be transported by the above named police agent/agency back to _____ Jail to await trial.

In the event that the forensic examiner opines that the defendant is competent to stand trial the above-named police dept./agency will transport the defendant back to _____ Jail to await trial upon notification by the designated agent or agency that the defendant is ready for return.

The _____ will notify the above- named police
(Designated agent or agency)
dept. /agency when the evaluation is completed and the defendant is available for transport.

DATE: _____

JUDGE

**IN THE _____ MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO**

| | | |
|--------------------|---|--|
| STATE/MUNICIPALITY |) | CASE NO. _____ |
| vs. |) | JUDGE _____ |
| DEFENDANT |) | JOURNAL ENTRY |
| |) | Defendant Incompetent to Stand Trial but Restorable |
| |) | |
| |) | |

This case came on for hearing this _____ day of _____, 20____.

Pursuant to R.C. 2945.38, and based upon the evidence presented and the opinion of Dr. _____ in his/her report dated _____, 20 ____, the court finds that the defendant is presently incompetent to stand trial. The defendant’s present mental condition renders him/her incapable of understanding the nature and objective of the proceedings against the defendant or of presently assisting in his/her own defense. Based on the evidence presented and the report of the doctor, the court further finds that there is a substantial probability that the defendant will become competent to stand trial within one year if the defendant is provided with a course of treatment.

Pursuant to R.C. 2945.38(B)(1)(b), the court orders defendant to

Northcoast Behavioral Healthcare
(Any center, program or facility operated or certified by the Department of Mental Health or the Cuyahoga County Board of Developmental Disabilities)

for treatment and competency restoration as the least restrictive treatment alternative.

_____ is ordered to transport defendant upon notification by an agent of the
(Custodial police department/sheriff)
above-named program or facility or mental health liaison that a bed is available.

The defendant shall be transported back to the _____ jail by the _____ police department as soon as the forensic examiner of Northcoast Behavioral Healthcare opines that the defendant is capable of adequate court participation or is determined to be unrestorable.

Defendant shall not be required to undergo treatment pursuant to this court's order for longer than:

- one year as the crime charged carries a possible sentence of death or life imprisonment; is an offense of violence that is a first or second degree felony; is an offense of conspiracy, attempt or complicity to one of the foregoing crimes and the conspiracy, attempt or complicity is a first or second degree felony, or
- six months as the crime charged is a felony other than those described above, or
- sixty days as the crime charged is a 1st or 2nd degree misdemeanor, or
- thirty days as the crime charged is a 3rd, 4th degree, minor or unclassified misdemeanor.

If, at any time during treatment, the forensic examiner determines that the defendant's competency to stand trial cannot be restored in the foreseeable future, the forensic examiner will notify the court and the procedures for civil commitment pursuant to R.C. 5122 will be ordered. Pursuant to R.C. 2945.38(F) the person who supervises the continuing evaluation and treatment of the defendant ordered to undergo treatment under division (B)(1)(a) of R.C. 2945.38 shall file a written report with the court whenever the person believes the defendant is competent; or, for a felony, fourteen days before the expiration of the maximum time for treatment, specified in R.C. 2945.38 (B)(1)(a); for a misdemeanor, ten days before the expiration of the maximum time for treatment, specified in R.C. 2945.38(C); at a minimum, after each six months of treatment; or, whenever the person who supervises the treatment believes that there is not a substantial probability will become capable of understanding the proceedings during the defendant's course of treatment. Any such notification to the court may be mailed, faxed to court fax number (____) _____ or e-mailed to _____.

(Court e-mail address)

Defendant is granted level 4 movement for medical purposes only.

DATE: _____

JUDGE

**IN THE _____ MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO**

| | | |
|--------------------|---|---|
| STATE/MUNICIPALITY |) | CASE NO. _____ |
| vs. |) | JUDGE _____ |
| DEFENDANT |) | JOURNAL ENTRY |
| |) | Defendant Incompetent to Stand Trial in Felony Case, Unable to Determine if Restorable, 4 Month Evaluation Order |

This cause came for hearing this _____ day of _____, _____. Based upon the evidence presented and the opinion of Dr. _____ in his/her report dated _____, the court finds the defendant is incompetent to stand trial. The defendant's present mental condition renders him/her incapable of understanding the nature and objective of the proceedings against the defendant or of presently assisting in his/her own defense in this felony case. After taking into consideration all relevant reports, information, and other evidence, the court is unable at this time to determine whether there is a substantial probability that the defendant will become competent to stand trial within one year if the defendant is provided with a course of treatment.

Therefore and pursuant to R.C. 2945.38(B)(1)(a) the court orders the defendant to _____
Northcoast Behavioral Healthcare
(Any center, program or facility operated or certified by the Department of Mental Health or the Cuyahoga County Board of Developmental Disabilities)
for a continuing evaluation of the defendant for a period not to exceed four months to determine whether there is a substantial probability that the defendant will become competent to stand trial within one year if the defendant is provided with a course of treatment. Hospitalization at the above-named program or facility is the least restrictive treatment setting for the defendant.

_____ shall transport defendant upon notification by the designated
(Custodial police dept./agency)
agent or agency that a bed is available.

Defendant is granted level 4 movement for medical purposes only.

DATE _____

JUDGE

**IN THE _____ MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO**

| | | |
|--------------------|---|--|
| STATE/MUNICIPALITY |) | CASE NO. _____ |
| vs. |) | JUDGE _____ |
| DEFENDANT |) | JOURNAL ENTRY |
| |) | Finding Defendant Incompetent to Stand Trial, Ordering a Second Opinion as Defendant Appears to be a Mentally Retarded Person |
| |) | |
| |) | |
| |) | |
| |) | |

The cause came on for hearing this _____ day of _____, 20____. Based upon the evidence presented and the opinion of Dr. _____ in his/her report dated _____, the court finds that the defendant’s present mental condition renders him/her incapable of understanding the nature and objective of the proceedings against the defendant or of presently assisting in his/her own defense and therefore the defendant is presently incompetent to stand trial. Furthermore, based on the opinion of Dr. _____ the court finds defendant is a mentally retarded person subject to institutionalization. Therefore, the court orders defendant to undergo a separate, second opinion evaluation which shall be conducted by a psychologist designated by the director of the Cuyahoga County Board of Developmental Disabilities. The examiner is to provide the court with a report within thirty days of this order pursuant to R.C. 2945.371(G). The report shall include, but not be limited to, findings based on the guidelines set forth in R.C. 2945.371(G)(1)-(4).

Once said report is received, the court shall provide prosecution and defense a copy of same and shall set a competency hearing within 10 days.

DATE: _____

JUDGE

**IN THE _____ MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO**

| | | |
|--------------------|---|---|
| STATE/MUNICIPALITY |) | CASE NO. _____ |
| vs. |) | JUDGE _____ |
| DEFENDANT |) | JOURNAL ENTRY |
| |) | Incompetent and Hospitalized – Time for Court-Ordered Hospitalization Expired Orders Civil Commitment, Dismissal of Case |

On _____ 20__ this defendant was found incompetent to stand trial and was
(Date)
committed to Northcoast Behavioral Healthcare for Restoration to Competence.

On consideration of the report of Northcoast Behavioral Healthcare dated
_____ 20 __, the court now finds that:
(Date)

The defendant is not capable of understanding the nature and objective of the proceedings against him/her and is not capable of assisting in his/her defense.

The defendant is mentally ill, would benefit from further psychiatric treatment and is suitable for civil commitment.

The most serious offense with which the defendant is charged is a

- 1st or 2nd degree misdemeanor for which defendant can be ordered hospitalized for up to 60 days.
- 3rd, 4th, minor or unclassified misdemeanor for which defendant can be ordered hospitalized for up to 30 days.

The time for court ordered hospitalization is expired.

IT IS THEREFORE ORDERED:

An affidavit shall be filed in Probate Court for civil commitment in accordance with O.R.C. §5122.01 by Northcoast Behavioral Healthcare staff.

The defendant shall be returned to and detained at Northcoast Behavioral Healthcare until the probable cause or initial hearing can be held in Probate Court pursuant to O.R.C. 2945.38(H)(4), said detention not exceed ten (10) days.

If defendant is in court, the _____
(Custodial Police Department)
are ordered to transport defendant to Northcoast forthwith following this hearing.

The person who supervises the defendant's treatment shall:

Notify the prosecutor in writing of the discharge date of the defendant at least 10 days prior to discharge.

Notify the prosecutor in writing of the change of the defendant's commitment or admission to voluntary status.

The complaint pending in this matter is dismissed without prejudice to further action.

DATE: _____

JUDGE

**IN THE _____ MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO**

| | | |
|--------------------|---|---|
| STATE/MUNICIPALITY |) | CASE NO. _____ |
| vs. |) | JUDGE _____ |
| |) | |
| DEFENDANT |) | JOURNAL ENTRY |
| |) | Defendant Incompetent to Stand Trial; |
| |) | Not Restorable Within One year, Orders |
| |) | Civil Commitment |
| |) | Dismissal of Case |

This cause came for hearing this _____ day of _____, 20___. Based on the evidence presented and the opinion of Dr. _____ in his/her report dated _____, 20___, the court finds that defendant is still incompetent to stand trial. Despite efforts to restore the defendant to competency, the defendant’s present mental condition still renders him/her incapable of understanding the nature and objective of the proceedings against the defendant or of presently assisting in his/her own defense. Based upon the evidence presented and the report of Dr. _____ the court further finds that there is not a substantial probability that the defendant will become competent to stand trial within one year.

Therefore and pursuant to R.C. 2945.38(H)(4), the indictment against defendant is dismissed without prejudice.

Choose only one option below:

The court finds that the defendant is a “mentally ill person subject to hospitalization” according to the criteria set forth in R.C. 5122.01(B) The court further orders that the prosecutor file an affidavit in Probate Court for Civil Commitment pursuant to R.C. Chapter 5122. Defendant is remanded to _____ pending a civil
(County Jail/Custodial Police Dept)
commitment hearing. Jail time not to exceed 10 days.

The court does not find there is reason to believe the defendant is a “mentally ill person subject to hospitalization” or finds the defendant does not fit the criteria set forth in R.C. 5122.01(B) for civil commitment. Therefore, the defendant is ordered released.

DATE _____

JUDGE

**IN THE _____ MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO**

| | | |
|--------------------|---|--|
| STATE/MUNICIPALITY |) | CASE NO. _____ |
| vs. |) | JUDGE _____ |
| |) | |
| DEFENDANT |) | JOURNAL ENTRY |
| |) | Order for Defendant to Be Medicated Involuntarily |

This cause came on for hearing on the ____ day of _____, 20___. On a prior date, _____, 20___, this court found the defendant incompetent to stand trial and restorable based at least in part upon the medical report/testimony of Dr. _____ which was dated _____, 20___. The court has now received a request for an order to administer antipsychotic medication to the defendant involuntarily in order to restore the defendant to competency.

Pursuant to the evidence presented the court finds by clear and convincing evidence **all of the following:**

- _____ The defendant has been found incompetent to stand trial but restorable.
Defendant needs to take antipsychotic medication but refuses to do so; AND
- _____ The defendant lacks the ability due to incompetency to make informed consent or refusal to the needed medication; AND
- _____ The defendant is charged with a serious crime against persons or property; AND
- _____ The medication to be administered is medically appropriate because it is in the defendant's best interests, the treatment is substantially likely to render the defendant competent to stand trial; AND

- _____ The benefits expected outweigh any side effects the medication may cause based on the following findings. The side effects of the medical treatment are unlikely to undermine the fairness of the trial as they will not interfere with the defendant's ability to assist counsel in conducting a defense. In arriving at this conclusion this court finds that the medical treatment will not substantially:
 - i. sedate the defendant
 - ii. interfere with defendant's ability to communicate with counsel
 - iii. prevent rapid reaction to trial developments
 - iv. diminish defendant's ability to express emotions

- _____ There are no less intrusive judicial alternatives substantially likely to achieve the same result.
- _____ The medical treatment will significantly further important governmental interests in bringing the defendant to trial as the:

- i. government has an interest in prosecuting and bringing to trial the defendant charged with a serious crime.
- ii. the medical treatment may lessen the time needed to bring the case to trial so evidence/witness testimony is not lost with the passage of time.
- iii. the involuntary medication is necessary to further these interests while alternative, less intrusive treatments are unlikely to achieve the same results.

Based upon all the foregoing, _____ is hereby authorized to administer involuntarily medication to the defendant in order to restore the defendant's competency to stand trial in this case.

DATE: _____

JUDGE

**IN THE _____ MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO**

| | | |
|--------------------|---|---|
| STATE/MUNICIPALITY |) | CASE NO. _____ |
| vs. |) | JUDGE _____ |
| DEFENDANT |) | JOURNAL ENTRY |
| |) | Finding of NGRI |
| |) | to see if Hospitalization Required |
| |) | 10 Day Hearing Set |

This cause came on for trial on this ____ day of _____, 20_____.

Defendant [did] [did not] waive the right to a trial by jury. [The jury] [The court] finds defendant not guilty by reason of insanity to the criminal charges in this case.

Pursuant to R.C. 2945.40(A), the court finds probable cause to believe defendant, having been found not guilty by reason of insanity, is a mentally ill/mentally retarded person subject to hospitalization/institutionalization by court order. Defendant is therefore ordered taken into temporary custody to remain for ten days or until hearing of this issue, whichever first occurs. During detention, defendant shall be referred to _____
Psychiatrist for determination of whether defendant is a mentally ill/mentally retarded person subject to hospitalization/institutionalization.

The court sets this matter for hearing on _____ at _____ a.m./p.m.
(Not later than 10 days or per R.C. 2945.40(B))

By copy of this order, defendant is advised that he/she has the following rights at said hearing.

The right to attend the hearings which shall be open to the public;

The right to be represented by counsel and to have that counsel provided at public expense if the person is indigent;

The right to have independent expert evaluation and to have that independent expert evaluation provided at public expense if the person is indigent;

The right to subpoena witnesses and documents, to present evidence on the person's behalf, and to cross-examine witnesses against the person;

The right to testify in the person's own behalf and to not be compelled to testify;

The right to have copies of any relevant medical or mental health document in the custody of the state or of any place of commitment other than a document for which the court finds that the release to the person of information contained in the document would create a substantial risk of harm to any person.

The court shall make and maintain a full transcript and record of the hearing proceedings.

So ordered.

DATE: _____

JUDGE

**IN THE _____ MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO**

| | | |
|--------------------|---|---|
| STATE/MUNICIPALITY |) | CASE NO. _____ |
| vs. |) | JUDGE _____ |
| DEFENDANT |) | JOURNAL ENTRY |
| |) | Post NGRI |
| |) | Court's Findings on Whether Defendant is Mentally Ill/Retarded Subject to Hospitalization/Institutionalization |
| |) | |

On a prior date, the defendant was found to be not guilty by reason of insanity of the charges brought in this case. Pursuant to R.C. § 2945.40, this court held a hearing to determine whether the defendant is a mentally ill/mentally retarded person subject to hospitalization/institutionalization by order of this court.

Based upon the evidence presented and any stipulations of the parties the court finds that (check only one):

There has not been presented clear and convincing evidence that the defendant is a mentally ill/mentally retarded person subject to hospitalization/institutionalization wherefore, the defendant is discharged.

The defendant is a mentally ill/mentally retarded person subject to hospitalization/institutionalization by court order. Defendant is therefore committed to Northcoast Behavioral Healthcare

(Facility operated by the Department of Mental Health, the Cuyahoga County Board of Developmental Disabilities or other appropriate medical or psychiatric facility)

as this is the least restrictive commitment alternative available that is

consistent with public safety and the defendant's welfare. _____ shall

(Custodial Police Dept. or transport agency)

transport defendant to the facility upon notification from the facility that a bed is available.

The prosecutor is hereby ordered to provide said facility:

- (1) All reports of defendant's current mental condition, and
- (2) Other relevant information including: copies of relevant police reports, and copies of prior arrest and conviction records the prosecutor possesses.

Pursuant to R.C. §2945.401(J)(1)(b) this case will remain under this court's jurisdiction until the defendant is no longer a mentally ill/mentally retarded person subject to hospitalization/institutionalization by court order, as determined by this trial court or the

expiration of the maximum jail sentence defendant could have received if convicted this date of the most serious charge in this case to with:

- 1st degree misdemeanor 180 days
- 2nd degree misdemeanor 90 days
- 3rd degree misdemeanor 60 days
- 4th degree misdemeanor 30 days

DATE: _____

JUDGE

IN THE _____ MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO

| | | |
|--------------------|---|--|
| STATE/MUNICIPALITY |) | CASE NO. _____ |
| vs. |) | JUDGE _____ |
| DEFENDANT |) | JOURNAL ENTRY |
| |) | (Because Court Has Received |
| |) | From Chief Clinical Officer a |
| |) | Request for Termination of |
| |) | Hospitalization or Defendant's Movement |
| |) | to a Less Restrictive Setting) |
| |) | Second Opinion Ordered |

On a previous date, defendant was found incompetent to stand trial or not guilty by reason of insanity.

Based upon the report of Dr. _____ dated _____ recommending a non-secured status or termination of defendant's commitment, this defendant is ordered to have a second opinion evaluation pursuant to R.C. 2945.401(C).

Said evaluation shall be scheduled with Dr. _____ on _____, _____ at the _____
(Date) (Time)

(Name of location and address)

Any transportation required to be done by the _____
(Custodial Police Dept or appropriate transport agency)

The report of Dr. _____ is ordered submitted to this court within 30 days.

DATE: _____

JUDGE

**IN THE _____ MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO**

| | | |
|--------------------|---|---|
| STATE/MUNICIPALITY |) | CASE NO. _____ |
| vs. |) | JUDGE _____ |
| DEFENDANT |) | JOURNAL ENTRY |
| |) | (Sample of Conditional Release - Change of Status) |

This cause came on for hearing based on the request of _____
(Hospital, facility, program and the
_____ dated _____ for the Conditional Release of
chief clinical officer thereof)
the defendant.

Based upon the evidence presented, the court finds by clear and convincing evidence that defendant remains a mentally ill person subject to court ordered commitment pursuant to R.C. 2945.40 and that the least restrictive treatment alternative consistent with community safety is Conditional Release under the following conditions (spell out conditions below):

1. Defendant is to be placed at a group home with 24 hour supervision, as determined by his treatment team and staff from Recovery Resources. Defendant is not to change residence without permission from the court;
2. Defendant shall receive follow up psychiatric care, medication management and case management services through Recovery Resources. Defendant to comply with all rules, regulations and treatment recommendations of her treatment team.
3. Defendant must refrain from use of illicit drugs and alcohol and submit to urine screens and other tests as specified by her treatment team.
4. Defendant must not possess any weapons.

Further conditions of release are set forth in the Conditional Release Plan, attached hereto and incorporated herein.

Commitment to be transferred to the Alcohol, Drug Addiction & Mental Health Services Board of Cuyahoga County.

Judge

cc: Northcoast Behavioral Healthcare Legal Assurance Administrator
Prosecutor
Defense Attorney

**IN THE _____ MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO**

| | | |
|--------------------|---|-------------------------------|
| STATE/MUNICIPALITY |) | CASE NO. _____ |
| vs. |) | JUDGE _____ |
| DEFENDANT |) | JOURNAL ENTRY |
| |) | Post NGRI |
| |) | Termination of Commitment and |
| |) | Jurisdiction |

On a prior date, defendant was found not guilty by reason of insanity. Defendant's commitment to this court is hereby terminated due to (choose only one):

- Pursuant to hearing held on the _____ day of _____, 20 ____, the court finds defendant is no longer a mentally ill/mentally retarded person subject to hospitalization/institutionalization.

- The maximum term of imprisonment the defendant could have received if convicted of the most serious offense charged in this case has expired.

DATE: _____

JUDGE

APPLICATION FOR EMERGENCY ADMISSION

In Accordance with Sections 5122.01 and 5122.10 ORC

TO: Hospital or Community Mental Health Agency _____
(Behavioral Healthcare Organization - BHO/Facility Name) (Date)

The undersigned has reason to believe that: _____
(Name of Person to be Admitted)

1. Is a mentally ill person subject to hospitalization by court order under division B of Section 51 22.01 of the Revised Code, i.e., this person (check all that apply)

- (1) Represents a substantial risk of physical harm to self as manifested by evidence of threats of, or attempts at, suicide or serious self-inflicted bodily harm;
(2) Represents a substantial risk of physical harm to others as manifested by evidence of recent homicidal or other violent behavior, evidence of recent threats that place another in reasonable fear of violent behavior and serious physical harm, or other evidence of present dangerousness;
(3) Represents a substantial and immediate risk of serious physical impairment or injury to self as manifested by evidence that the person is unable to provide for and is not providing for the person's basic physical needs because of the person's mental illness and that appropriate provision for those needs cannot be made immediately available in the community;
(4) Would benefit from treatment in a hospital for his mental illness and is in need of such treatment as manifested by evidence of behavior that creates a grave and imminent risk to substantial rights of others or himself.

2. Represents a substantial risk of physical harm to self or others if allowed to remain at liberty pending examination.

Therefore, it is requested that said person be admitted to the above named facility.

STATEMENT OF BELIEF

Must be filled out by one of the following: a psychiatrist, licensed clinical psychologist, licensed physician, health or police officer, sheriff, deputy sheriff, or probation officer with his/her judge's approval.

(Statement shall include the circumstances under which the individual was taken into custody and the reason, facts, observations for the person's belief that hospitalization is necessary. The statement shall also include a reference to efforts made to secure the individual's property at his residence if he was taken into custody there. Every reasonable and appropriate effort should be made to take this person into custody in the least conspicuous manner possible.)

Large empty rectangular box for the Statement of Belief.

AFFIDAVIT (Mental Illness)

**In Accordance with
5122.01 & 5122.11 of O.R.C.**

The State of Ohio, Cuyahoga County, s.s.

PROBATE COURT

_____ the undersigned, residing at
(Your name/name of person filing)

_____, says that he or she has information to believe,

Or has actual knowledge that _____
(Person needing help (Respondent))

_____ Represents a substantial risk of physical harm to himself as manifested by evidence of threats of or attempts at suicide or serious self-inflicted bodily harm; OR

_____ Represents a substantial risk of physical harm to others as manifested by evidence of recent homicidal or other violent behavior or evidence of recent threats that place another in reasonable fear of violent behavior and serious physical harm; OR

_____ Represents a substantial and immediate risk of physical impairment or injury to himself as manifested by evidence that he is unable to provide for and is not providing for his basic physical needs because of his mental illness and that appropriate provision for such needs cannot be made immediately available in the community; OR

_____ Would benefit from treatment in a hospital for mental illness and is in need of such treatment as manifested by evidence of behavior that creates a grave and imminent risk to substantial rights of others or himself.

(Specify category or categories above with X)

_____ further says that the facts supporting this

(Your name)
belief are as follows: _____
(Describe what you've seen or heard respondent do)

These facts being sufficient to indicate probable cause that the above-named person is a mentally ill person subject to hospitalization by Court order.

The name and address of patient's last physical or licensed clinical psychologist is _____
(Doctor, LCP name)

whose hospital residence address is: _____

The name and address of respondent's legal guardian or spouse is: _____

(Continued on reverse)

who resides at _____; and that the names and addresses of the competent adult next of kin of _____

(Respondent's name)

_____ who are residents of the County are as follows:

| NAME | AGE | KINSHIP | ADDRESS |
|------|-----|---------|---------|
| | | | |

That the following constitutes additional information which may be necessary for the purpose of determining respondent's County of residence:

Dated this _____ day of _____, 20 _____.

Sworn to before me and signed in my presence on the day and year above dated.

PROBATE JUDGE

DEPUTY CLERK

WAIVER

I, the undersigned affiant, hereby waive the issuing and service of Notice of the Hearing on the Affidavit and voluntarily enter my appearance herein.

Dated _____, 20 _____