

Akron Municipal Court
Summit County, Ohio

AMC Rule No. 43.3. Specialized Dockets: Mental Health Court

(A) Establishment of the Akron Mental Health Court Program

- (1) Pursuant to Sup. R. 36.20 through 36.29, and by order of the Judges of The Akron Municipal Court, effective September 23, 2013, the rules and guidelines of The Akron Municipal Mental Health Court program, created in 2001 and formally adopted on January 2, 2012 are hereby modified.
- (2) The Akron Municipal Mental Health Court Program will provide effective supervision and enhanced treatment services to sixty (60) misdemeanor offenders in an effort to promote recovery in the areas of mental health and substance abuse.
- (3)
 - (a) The goal of The Akron Municipal Mental Health Court Program is to hold participants charged with a misdemeanor offense and also having a serious and persistent mental illness, accountable by providing immediate and appropriate mental health and substance abuse treatment. The Mental Health Court program will also focus on facilitating behavioral changes through the use of risk/needs assessments, referrals to appropriate community resources, and providing comprehensive case management and community supervision.
 - (b) Additional goals and objectives include: Screen up to 150 referrals per year for admission to the Mental Health Court Program, maintain a maximum participant level of 50 and an average of 35 participants in the program, reduce recidivism among active mental Health Court participants so that 75% of successful Mental Health Court graduates remain arrest and conviction free over the next three years , 30% of active clients linked to treatment shall decrease their illegal drugs and substances (This shall be monitored by self-report as well as random drug screens), and participants shall improve stability in the community – the team shall effectively link participants to permanent housing resources, benefits, and assist with employment readiness and placement.

(B) Placement and Screening for the Akron Municipal Court Program

- (1) Individuals being considered for The Mental Health Court Program must be adjudicated through the Akron Municipal Court. Offenders will be referred to the program either through Intervention in Lieu of Conviction, under R.C. 2951.041; or post-conviction of an eligible misdemeanor offense.
- (a) All individuals shall be screened by the CSS Summit Link program. The Summit Link program will review the arraignment docket each day, Monday-Friday. The screening form shall be placed in the court file for further review with a copy being given to the Mental Health Court Coordinator/Probation Officer.

(b) Offenders may also be referred from another Judge in the Akron Municipal Court, pre or post-adjudication, or on referral from a probation violation and/or early release from another Judge in the Akron Municipal Court.

(2) Legal Criteria:

(a) Post-Conviction offenders are Summit County residents, age 18 or older, and convicted of First degree misdemeanor (M-1), Second degree misdemeanor (M-2), Third degree misdemeanor (M-3) or multiple Fourth degree (M-4) offenses.

(b) Intervention in Lieu offenders are required to meet the statutory requirements set forth in R.C. 2951.041

(3) Clinical Criteria:

(a) Axis I diagnosis of Schizophrenia, Schizoaffective Disorder, or Bipolar Disorder; other Axis I diagnosis may be considered on a case-by-case basis.

(b) Ability to conform his/her behavior to the requirements of the court.

(c) Defendant must agree to participate in and cooperate with the program.

(d) Defendant acknowledges a willingness to take medication.

(e) Defendants must have the capacity to understand the requirements of Mental Health Court, the consequences for failure to follow those requirements and the ability to comply with terms of probation.

(f) Must not pose an unacceptable risk of harm to mental health court staff.

(e) Not compliant with treatment at time of arrest or before arrest

(4) Exclusionary Criteria

(a) Exclusionary criteria for those participants entering through Intervention in Lieu of Conviction are set forth in R.C. 2951.041.

(b) Exclusionary Criteria for post-conviction participants includes the following: 1) No Registered Sex Offenders; 2) No individual convicted of a sexually oriented offense; 3) Does not pose a significant risk of harm to any member of the Mental Health Court Team; 4) Those charged with crimes of violence will not be accepted without victim consent.

(C) Case Assignment

(1) All eligible Mental Health Court cases shall be transferred to the Mental Health Court Judge following a plea of guilty but prior to sentencing. Individuals found eligible and who voluntarily agree to enter the Mental Health Court Program will enter the plea before the Mental Health Court Judge. Case assignment for The Akron Municipal Court Judges will not be changed.

(2) The Mental Health Court Judge will be responsible to monitor compliance by utilizing appropriate rewards and sanctions to help modify offender behavior.

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- (3) In the event a participant is terminated from the program, the case shall remain with the Mental Health Court Judge. The Mental Health Court Judge will administer the re-imposition of the participant's sentence.

(D) Case Management

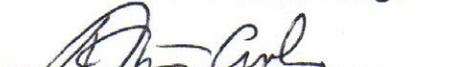
- (1) The Akron Mental Health Court program will provide Case Management services in the least restrictive manner that is consistent with offender compliance and public safety.
- (2) The Akron Mental Health Court Program will work closely with all of its community partners to provide the most intensive and comprehensive treatment to each offender entering the Mental Health Court Program.
- (3) All forms, program descriptions, handbooks and agreements shall be incorporated as part of the Akron Mental Health Court Program.

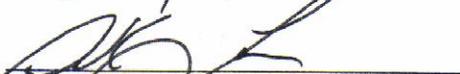
(E) Termination from The Mental Health Court Program

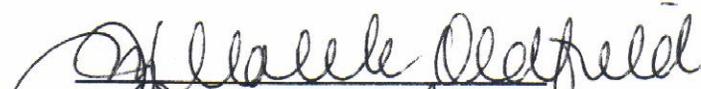
- (1) All individuals who are unsuccessfully terminated from the Akron Mental Health Court program are subject to have their entire original suspended sentence re-imposed.
- (2) Intervention In Lieu of Conviction (IILC) participants who are unsuccessfully terminated from the Akron Municipal Mental Health Court program are subject to a finding of guilt, and the imposition of sentence up to the maximum penalties permitted for each charge.
- (3) With input from the Mental Health Court Team, The Mental Health Court Judge may impose a sentence utilizing a combination of all resources available to the court including but not limited to jail, community service, house arrest, residential treatment, non-residential treatment, probation, fines, court costs, etc.

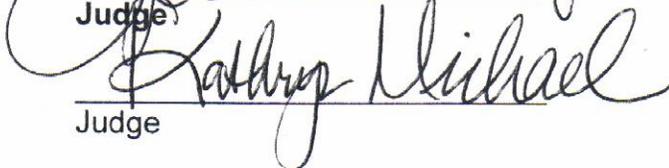
IT IS SO ORDERED,


Mental Health Court Judge


Judge *KATARINA LUK*


Judge


Judge


Judge

NOT AVAILABLE/ON LEAVE
Judge John E. Holcomb

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