

JUDGE ELINORE MARSH STORMER

209 S. High Street, Akron, Ohio 44308
Phone 330-643-2350 | Fax 330-643-2393 | www.summitohioprobate.com



Summit County New Day Court

In Ohio, Probate Courts hold hearings at hospitals in which patients can be civilly committed to the local ADM board if the patient meets certain criteria and has a serious mental illness. Outpatient commitment (OPC) is a form of civil commitment imposed by a civil procedure and does not require criminal activity or legal involvement. The New Day Court is designed to help people who have been hospitalized and “committed” engage in recovery and avoid being re-hospitalized.

For many years, the Summit County Probate Court has supported outpatient commitment following release from the hospital. After commitment is ordered, a patient is generally referred to Community Support Services for case management and treatment in the community. The emphasis of OPC is to provide care for the individual so that he or she may live successfully in a non-hospital setting or in a least restrictive environment. OPC is proven to reduce the likelihood of repeat hospitalizations and/or involvement in the criminal justice system.

An initial commitment is statutorily limited to 90 days, but can be extended for up to 2 years. If the treating psychiatrist believes the patient would benefit from continued outpatient commitment, he or she refers the case for a continuation hearing before a probate magistrate.

Outpatient commitment is designed to specifically focus on individuals with a severe mental illness as defined by Ohio Revised Code 5122.01 (B), who were likely to struggle to adhere to voluntary treatment or were unwilling to subscribe to treatment because of their belief that they are not mentally ill (agnosonomia).

Until 2016, once commitment took place and CSS became involved, the court engagement ceased, except for continued commitment hearings. However, in January, 2016, the Court adopted an **assisted** outpatient treatment model (AOT) with some similarities to specialized dockets long used in the criminal court system. This is the hallmark of the New Day Court.

New Day Court requires those civilly committed to appear regularly in court before Judge Elinore Marsh Stormer, the Probate judge. The court’s role is to motivate and encourage the individual to remain engaged with treatment and impress upon the individual that treatment adherence is expected and essential to avoiding re-hospitalization. During scheduled appearances, the participants speak with judge about how they are doing and can ask for help. Participants “graduate” when their commitment or extended commitment expires. The hope is that the court experience

helps the participant understand that a mental illness is a treatable condition which does not define the whole person.

New Day Court is not to be confused with “mental health court”, it is not an extension of the criminal court system nor can a criminal court order an individual to participate in NDC. New Day Court was not designed to be used as an alternative to probation or parole, in lieu of conviction or a diversion program. New Day Court participation does not require the commission of a crime and does not impose criminal sanctions or confinement in a jail or other correctional facilities for non-compliance.

Summit County New Day Court works with the Alcohol, Drug Addiction & Mental Health Board (ADM), community mental health treatment agencies, community-based providers, hospitals, law enforcements and consumer and family advocates.

Components of Assisted Outpatient Commitment

- Provides a less restrictive alternative to involuntary hospitalization.
- The treatment plan is tailored to the specific needs of the individual.
- Individuals are closely monitored by a multidisciplinary team of mental health professionals in the community.
- Reports on the individual’s condition and progress are reviewed monthly by the agencies Clinical Director and Chief Clinical Officer of the ADM Board.
- The treating psychiatrist can file an application for continued commitment with ADM for consideration.
- AOT is the combination of a court order and community-based mental health services.
- Regular progress appearances before the Court enhance the effectiveness of treatment and aid recovery.

New Day Court Outcomes:

Since the program began, 502 unique individuals have entered New Day Court. At the end of August, 2019, there were 93 people in the program about 18% of the total.

Overall, 53% graduated by completing their commitment to the satisfaction of their psychiatrists. 2.5% of the graduates were recommitted. No one has been recommitted more than once.

After commitment, 14% were re-hospitalized, however of this group, 26% never joined the New Day court program.