



Judicial Admissions Information

What is Judicial Admission (J.A.)?

- A judicial admission is a court order mandating that an individual with a developmental disability must comply with specific mental health treatments.
 - It may mandate the person to the hospital or specific outpatient treatments.
 - It must be the least restrictive intervention.

What are the criteria for a J.A.?

- 330.1515 Individual with intellectual disability; court order; criteria for admission.
 - *Sec. 515: A court may order appropriate outpatient treatment or admission into an appropriate treatment facility of an individual 18 years of age or older if the individual has been diagnosed as an individual with an intellectual disability and either of the following applies:*
 - *(a) The individual can be reasonably expected within the near future to intentionally or unintentionally seriously physically injure himself, herself, or another person, and has overtly acted in a manner substantially supportive of that expectation.*
 - *(b) The individual has been arrested and charged with an offense that was a result of the intellectual disability.*

Process to petition for J.A.:

1. Fill out the [PCM 224](#) and schedule two J.A. assessments with two different doctors (see number 6 below for doctor qualifications). Appointments should be on the same day or within a day of each other at maximum.
 - If it appears the individual won't comply with the assessments, the Court may order a peace officer to take the individual into protective custody and transport the individual immediately to a facility for assessment [MCL 330.1516(4)]. [PCM 215](#)
2. The treatment team should consult with the doctors regarding available community resources to address the consumer's needs for their comprehensive J.A. assessment, and provide any recommendations for outpatient-ordered services, if applicable.
3. Both doctors need to assess the individual then fill out and sign the [PCM215a](#), with a doctor filling out and signing page two, which is the report for an alternative treatment than hospitalization.
4. Turn in the completed [PCM224](#) and [PCM215a](#) to Probate court. PCM 215a shall be sent to the court immediately upon completion [MCL 330.1516(7)].



5. After examination, the individual shall be allowed to return home unless it appears to the court that he or she requires immediate admission to a facility. If the facility is not ordered to detain the individual, they must release the individual [MCL 330.1516(5)].
 - Within 12 hours after the individual is admitted to the facility, they must receive a copy of the petition, report, and written statement regarding their rights.
6. The petition shall be dismissed by the court unless one physician and one licensed psychologist or two physicians conclude, and that conclusion is stated in the report, that the individual meets the criteria for treatment [MCL 330.1516(8)].
7. If the petition is not dismissed, the court shall set a hearing within 7 days excluding Sundays or holidays [MCL 330.1517(2)(a)].

After the petition is submitted and does not meet criteria for dismissal:

- An attorney will be assigned to the individual to discuss with them their rights, which include:
 - An independent evaluation.
 - A jury trial.
 - The opportunity to defer the hearing.
 - The option to waive the hearing and stipulate to the order.

At the hearing:

- Both doctors should be present to testify, although only one may be called for testimony.
- If the court finds that the individual is found to meet the criteria for treatment, the court shall enter a finding to that effect, which could include [MCL 330.1518(2)(a – c)] [PCM 214a](#):
 - Order the individual to be admitted to a facility (#13 on order).
 - Order the individual to be admitted to a licensed hospital at the request of the individual or their family member, if private funds are to be utilized and the private facility complies with all the admission, continuing care, and discharge duties and requirements (#13 on order).
 - Order the individual to undergo an outpatient program for one year of care and treatment-specific services can be ordered (#14 on order).

After the order:

- CMH is responsible for overseeing the compliance of the order and reporting concerns to probate.



- A six-month review report must be submitted to probate and served to the consumer and interested parties with a blank petition for discharge form. Proof of service shall be submitted with the six-month review report to probate.
- The individual maintains the right to petition for discharge (MCL 330.1531). [PCM 220a](#)

What is the difference between a Judicial Admission and an Assisted Outpatient Treatment order?

Judicial Admission	AOT
Covered by chapter five of the Michigan Mental Health Code.	Covered by chapter four of the Michigan Mental Health Code.
It is used to support individuals with an intellectual disability diagnosis .	It is used to support individuals with a mental health diagnosis .
Two doctors must certify the petition and be present at the hearing.	One doctor must certify the petition and be present at the hearing (two for initial if petition includes hospitalization).
A doctor must fill out the alternative treatment report as part of the clinical certificate.	Any designated staff can fill out the alternative treatment report, it is separate from the clinical certificate.
The order lasts 365 days.	The order lasts 180 days, then 90 days, then 365 days.

Any questions regarding the J.A. process may be directed to the AOT Team at cbhjaot@wayne.edu.