

JUDICIAL REFERRAL FOR MENTAL HEALTH EVALUATION SERVICES

Generally speaking, the judicial system utilizes four broad ranges of psychological assessments including: Mental Health Screening, Diagnostic Assessment, Informal Forensic Evaluations, and Formal Forensic Evaluations. It is important for the judicial system to clarify which kind of assessment is being requested in order for mental health agencies to appropriately respond to the needs of the Court. The following definitions are offered to aid in clarifying the nature of these four distinct assessment types.

Mental Health Screenings

Mental health screenings are utilized to aid the Court in determining at a cursory level whether significant mental illness is present which could impact the client's ability to interact with the judicial system and to provide preliminary intervention recommendations. Mental health screenings are conducted by the Mental Health Liaison and generally constitute a brief psychosocial history, a mental status examination, and a review of court documents. Typically, mental health screenings result in a brief one to two page report summarizing the primary concerns identified. Typically, the mental health screening will also provide recommendations if additional services are indicated

For the Fairfield County Court system, there is no cost to the client or the Court for this mental health screening. Mental health screenings are funded through the Fairfield County ADAMH Board through a grant with the Ohio Department of Mental Health. Mental health screenings are typically the primary method for accessing the Municipal Court Diversion Program, forensic case management services, and for clarifying the need for more aggressive services through other agencies.

Diagnostic Assessments

Diagnostic assessments are conducted by any agency certified by the Ohio Department of Mental Health. Diagnostic assessment sessions are a precursor to any treatment service that is provided. Diagnostic assessments typically do not include formal written reports or formal recommendations for entities outside of the specific treatment provider. Diagnostic assessments always include a complete psychosocial history, a review of the presenting complaint, and typically the acquisition of collateral materials. A diagnostic assessment usually results in the development of a diagnosis and a treatment plan which is utilized internally within the treatment provider agency. Typically, the Court does not specifically request diagnostic assessments to be completed, but rather diagnostic assessments are completed as a component of ongoing treatment services.

Diagnostic assessments are usually paid for by the identified client, Medicaid, insurance, or other reimbursement systems. In almost no case is the Court responsible for this service.

Informal Forensic Evaluation

Informal forensic evaluations are conducted at the request of the Court for the purpose of clarifying issues relating to mitigating factors in a case, potential treatment options, or to clarify other specific legal concerns that do not specifically relate to competency or sanity. The primary purpose of informal forensic evaluations is to clarify specific questions that the Court has raised and are most effective when the Court or other referral sources ask very specific questions. A wide range of assessment techniques can be utilized to answer these questions including traditional assessment tools such as psychosocial histories, mental status examinations, projective testing, objective testing, intelligence testing, achievement testing, client observation, as well as other data-capturing technique. The role of informal forensic evaluations is to apply special knowledge relating to the science of psychology to specific questions germane to the court system.

Typically, informal forensic evaluations are paid for by the defendant unless otherwise specified in the court entry. There are times, however, when the Court will choose to pay for the evaluation, particularly when the client is indigent. Informal forensic evaluations result in an in-depth formal written report that is distributed to the Court and other entities ordered to receive the evaluation by the Court. If expert testimony regarding the evaluation is required, the financially responsible party will be required to pay an hourly fee for the court testimony.

Formal Forensic Evaluations

Formal forensic evaluations are conducted to address specific legal questions defined statutorily; including issues such as competency to stand trial, not guilty by reason of insanity, sexual predator, or treatment in lieu of conviction. Formal forensic evaluations must be conducted by persons who are certified to perform this service as defined the Ohio statute. Statutorily, sanity and competency evaluations must be completed within 30 days of the referral unless a specific waiver from the statutory expectations is provided.

Typically, the Court is responsible for payment for formal forensic evaluations.

If you would like additional information regarding the nature of evaluations typically conducted for the court or need clarification of any of these issues, please do not hesitate to contact Dr. Scott Craft or Dr. Bradley Hedges at 624 East Main Street, Lancaster, Ohio (740) 687-0042.

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