

SUPREME COURT OF MONTANA

In the Matter of M.W.

2011 MT 306N · No. DA 11-0401 · Decided December 6, 2011

SUMMARY

The Montana Supreme Court reviewed a jury verdict ordering M.W. involuntarily committed to the Montana Mental Health Nursing Care Center for up to three months. M.W. argued that the evidence did not establish that his dementia rendered him substantially unable to provide for his basic needs. The court held that substantial credible evidence supported the verdict and affirmed the commitment order.

CASE DETAILS

|                       |                                                                                                                                                                                                          |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Supreme Court of Montana                                                                                                                                                                                 |
| WRITING FOR THE COURT | Justice Michael E. Wheat; Michael E. Wheat; Beth Baker; Brian Morris; James C. Nelson; Jim Rice                                                                                                          |
| JURISDICTION          | Montana                                                                                                                                                                                                  |
| DECIDED               | December 6, 2011                                                                                                                                                                                         |
| DOCKET                | DA 11-0401                                                                                                                                                                                               |
| DISPOSITION           | affirmed                                                                                                                                                                                                 |
| PROCEDURAL POSTURE    | M.W. appealed a jury verdict and resulting order committing him to the Montana Mental Health Nursing Care Center for a period not exceeding three months.                                                |
| STANDARD OF REVIEW    | The Court reviewed the jury verdict to determine whether it was supported by substantial credible evidence, defined as evidence that a reasonable mind might accept as adequate to support a conclusion. |
| PRECEDENTIAL VALUE    | nonprecedential                                                                                                                                                                                          |
| PARTIES               | M.W. v. State of Montana                                                                                                                                                                                 |

TOPICS

- health law
- appellate procedure
- standard of review
- civil procedure

PRACTICE AREAS

- health law
- civil commitment
- appellate procedure

## QUESTIONS PRESENTED

1. Whether substantial credible evidence supported the jury's finding that M.W., because of a mental disorder, was substantially unable to provide for his own basic needs of food, clothing, shelter, health, or safety.

## HOLDINGS

1. The jury's verdict was supported by substantial credible evidence showing that, because of his mental disorder, M.W. was substantially unable to provide for his own basic needs; therefore, the commitment order was affirmed.

## KEY QUOTATIONS

*“Substantial credible evidence is “evidence that a reasonable mind might accept as adequate to support a conclusion.”” (¶ 7)*

*“Relevant to this appeal, one of the criteria provides for commitment where “the respondent, because of a mental disorder, is substantially unable to provide for the respondent’s own basic needs of food, clothing, shelter, health, or safety.”” (¶ 8)*

## FACTUAL BACKGROUND

M.W. suffered a significant frontal-lobe brain injury and epilepsy, and his behavior had resulted in expulsion from numerous nursing homes and assisted-living facilities. His guardian and treatment providers testified that he could not live independently or care for his basic needs because of his mental disorder, including an inability to retain information and participate in outpatient treatment. Although M.W. testified that he could care for himself if he avoided alcohol and planned to obtain housing and food, the jury found that he required commitment.

## PROCEDURAL HISTORY

The State filed an involuntary commitment petition in the Thirteenth Judicial District Court in Yellowstone County. After a jury found that M.W. suffered from a mental disorder requiring commitment, the District Court ordered his commitment. The Montana Supreme Court reviewed whether substantial credible evidence supported the verdict and affirmed.

## DISPOSITION

affirmed

## CASES CITED

- Campbell v. Canty, 1998 MT 278, ¶¶ 17-18, 291 Mont. 398, 969 P.2d 268