

WISCONSIN SUPREME COURT

Sheboygan County v. N.A.L.

Sheboygan County, 2026 WI 16 (Wis. 2026) · No. 2024AP1195 · Decided May 19, 2026

SUMMARY

The Wisconsin Supreme Court held that constitutional due process does not require a circuit court to conduct a colloquy before accepting a stipulation to orders for involuntary commitment and medication under Wisconsin Statutes chapter 51. The court affirmed the court of appeals' decision and did not address whether the respondent's stipulation was otherwise knowing, intelligent, and voluntary. A concurrence questioned the lawfulness of stipulating to an involuntary commitment and emphasized the fundamental right to be free from physical restraint.

CASE DETAILS

COURT	Wisconsin Supreme Court
WRITING FOR THE COURT	Jill J. Karofsky, C.J.; Annette Kingsland Ziegler, J.; Rebecca Frank Dallet, J.; Brian K. Hagedorn, J.; Janet C. Protasiewicz, J.; Susan M. Crawford, J.; Rebecca Grassl Bradley, J.
JURISDICTION	Wisconsin Supreme Court
DECIDED	May 19, 2026
DOCKET	2024AP1195
DISPOSITION	affirmed
PROCEDURAL POSTURE	N.A.L. sought review of a Wisconsin Court of Appeals decision affirming Sheboygan County Circuit Court orders committing him for six months and authorizing involuntary medication and treatment. The Wisconsin Supreme Court granted review of whether due process required a colloquy before accepting his stipulation to those orders.
STANDARD OF REVIEW	Due process determinations and statutory interpretation are reviewed de novo.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	N.A.L. v. Sheboygan County

TOPICS

- procedural due process
- constitutional law
- health law
- appellate procedure
- standard of review

PRACTICE AREAS

constitutional law

mental health law

civil commitment

appellate procedure

QUESTIONS PRESENTED

1. Whether the Fourteenth Amendment's Due Process Clause requires a Wisconsin circuit court to conduct a colloquy before accepting an individual's stipulation to an involuntary commitment order under Wisconsin Statutes chapter 51.
2. Whether the absence of such a colloquy is itself a structural constitutional error requiring reversal.

HOLDINGS

1. The Fourteenth Amendment does not require a circuit court to conduct a colloquy before accepting an individual's stipulation to an order for commitment and involuntary medication in a chapter 51 proceeding.
2. The court did not decide whether N.A.L.'s stipulation was actually knowing, intelligent, and voluntary because N.A.L. did not otherwise challenge the validity of the stipulation.

KEY QUOTATIONS

“These cases demonstrate that the constitutional violation arises when a waiver of a fundamental right is not entered knowingly, intelligently, and voluntarily. The violation does not stem from the absence of the colloquy itself.” (¶16)

“Constitutional due process does not require that a court conduct a colloquy before accepting an individual’s stipulation to an order for commitment and involuntary medication in a ch. 51 commitment proceeding.” (¶21)

FACTUAL BACKGROUND

N.A.L. was emergently detained in November 2023 after reporting that he heard voices telling him to harm himself. At a final commitment hearing conducted by telephone, his attorney represented that N.A.L. was not contesting the County's request and was stipulating to commitment; N.A.L. expressed confusion about the meaning and consequences of the stipulation and repeatedly sought release. The circuit court relied on doctors' reports, found mental illness, dangerousness, and that N.A.L. was a proper subject for treatment, and entered six-month commitment and involuntary medication orders.

PROCEDURAL HISTORY

N.A.L. was emergently detained under Wisconsin Statutes section 51.15, and Sheboygan County initiated involuntary commitment proceedings under section 51.20. After a final hearing at which counsel represented that N.A.L. was stipulating to the County's request, the circuit court entered commitment and involuntary medication orders. The circuit court denied N.A.L.'s post-disposition motion challenging the absence of a colloquy, and the court of appeals affirmed. The Wisconsin Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Denson, 2011 WI 70, 335 Wis. 2d 681, 799 N.W.2d 831
- State v. Aufderhaar, 2005 WI 108, 283 Wis. 2d 336, 700 N.W.2d 4
- Langlade County v. D.J.W., 2020 WI 41, 391 Wis. 2d 231, 942 N.W.2d 277
- Addington v. Texas, 441 U.S. 418 (1979)
- Cleveland Board of Education v. Loudermill, 470 U.S. 532 (1985)
- Mullane v. Central Hanover Bank & Trust Co., 339 U.S. 306 (1950)
- State v. Klessig, 211 Wis. 2d 194, 564 N.W.2d 716 (1997)
- State v. Weed, 2003 WI 85, 263 Wis. 2d 434, 666 N.W.2d 485
- State v. Fugere, 2019 WI 33, 386 Wis. 2d 76, 924 N.W.2d 469
- State v. Bangert, 131 Wis. 2d 246, 389 N.W.2d 12 (1986)
- S.Y. v. Eau Claire County, 162 Wis. 2d 320, 469 N.W.2d 836 (1991)
- State v. Thiel, 2001 WI App 32, 241 Wis. 2d 465, 626 N.W.2d 26
- Vitek v. Jones, 445 U.S. 480 (1980)
- State v. Post, 197 Wis. 2d 279, 541 N.W.2d 115 (1995)
- State v. Schulpius, 2006 WI 1, 287 Wis. 2d 44, 707 N.W.2d 495
- State v. Rachel, 2002 WI 81, 254 Wis. 2d 215, 647 N.W.2d 762
- State v. Beyer, 2006 WI 2, 287 Wis. 2d 1, 707 N.W.2d 509
- Winnebago County v. Christopher S., 2016 WI 1, 366 Wis. 2d 1, 878 N.W.2d 109
- Porter v. State, 2018 WI 79, 382 Wis. 2d 697, 913 N.W.2d 842
- United States v. Josefik, 753 F.2d 585 (7th Cir. 1985)
- State ex rel. Kalal v. Circuit Court for Dane County, 2004 WI 58, 271 Wis. 2d 633, 681 N.W.2d 110
- State v. Beyer, 2021 WI 59, 397 Wis. 2d 616, 960 N.W.2d 408
- Outagamie County v. Melanie L., 2013 WI 67, 349 Wis. 2d 148, 833 N.W.2d 607
- State v. Grady, 2025 WI 22, 416 Wis. 2d 283, 21 N.W.3d 353
- Humphrey v. Cady, 405 U.S. 504 (1972)
- Sauk County v. S.A.M., 2022 WI 46, 402 Wis. 2d 379, 975 N.W.2d 162