

SUPREME COURT OF MINNESOTA

In re Civil Commitment of Lonergan

811 N.W.2d 635 (Minn. 2012) · Decided April 11, 2012

SUMMARY

The Minnesota Supreme Court held that patients indeterminately committed as sexually dangerous persons or persons with a sexual psychopathic personality may not use Minn. R. Civ. P. 60.02 to seek transfer or discharge, because the Minnesota Commitment and Treatment Act provides the exclusive procedures for that relief. However, the court rejected a blanket prohibition on Rule 60.02 motions and held that a narrow category of nontransfer, nondischarge claims may proceed if they do not conflict with the Act or frustrate rehabilitation or public safety. The court reversed in part and remanded the consolidated cases for further consideration of the claims raised by Lonergan and Kunshier.

CASE DETAILS

COURT	Supreme Court of Minnesota
WRITING FOR THE COURT	Paul H. Anderson
JURISDICTION	Minnesota
DECIDED	April 11, 2012
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Consolidated appeal from the Minnesota Court of Appeals' affirmance of the denial of Rule 60.02 motions filed by two patients indeterminately civilly committed as sexually dangerous persons or persons with sexual psychopathic personalities.
STANDARD OF REVIEW	Statutory interpretation is reviewed de novo.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Peter Gerard Lonergan, Robert Archie Kunshier v. Dakota County

TOPICS

civil procedure statutory interpretation appellate procedure health law constitutional law

PRACTICE AREAS

civil procedure civil commitment statutory interpretation mental health law appellate procedure

QUESTIONS PRESENTED

1. Whether the Minnesota Commitment and Treatment Act conflicts with or is inconsistent with Minn. R. Civ. P. 60.02 such that an individual indeterminately committed as a sexually dangerous person or person with a sexual psychopathic personality may not invoke Rule 60.02.
2. Whether Rule 60.02 may be used to seek a transfer or discharge from an indeterminate civil commitment.
3. Whether Rule 60.02 remains available for narrow nontransfer, nondischarge claims that do not conflict with the Commitment Act or frustrate rehabilitation or public safety.

HOLDINGS

1. A patient indeterminately committed as a sexually dangerous person or person with a sexual psychopathic personality may not use Minn. R. Civ. P. 60.02 to seek a transfer or discharge because the Commitment Act provides the exclusive procedures for that relief.
2. A blanket prohibition on Rule 60.02 motions by patients indeterminately committed as sexually dangerous persons or persons with sexual psychopathic personalities is improper.
3. The cases must be remanded to the Minnesota Court of Appeals to determine what, if any, nontransfer and nondischarge claims the patients raised.

KEY QUOTATIONS

“Based on the foregoing analysis, we conclude that a blanket prohibition on use of Rule 60.02 motions by any patient who is indeterminately civilly committed is improper.” (643)

“Nevertheless, when a patient committed as an SDP or SPP seeks to vacate a commitment under Rule 60.02 in place of seeking a transfer or discharge under the Commitment Act’s procedures, we conclude that Rule 60.02 is unavailable.” (643)

FACTUAL BACKGROUND

Lonergan was indeterminately committed to the Minnesota Sex Offender Program as a sexually dangerous person in 2009 and sought Rule 60.02 relief based largely on alleged inadequacy of treatment and related constitutional and statutory claims. Kunshier, committed in 1994 as a sexual psychopathic personality, sought Rule 60.02 relief based on alleged improper offender-level classification, inability to obtain release, treatment-related issues, an executive order, and ineffective assistance of counsel. Both patients sought review of the lower courts’ conclusion that the Commitment Act displaced Rule 60.02.

PROCEDURAL HISTORY

Lonergan and Kunshier separately filed pro se motions under Minn. R. Civ. P. 60.02 in Dakota County District Court seeking relief from their indeterminate civil commitment judgments. The district courts denied both motions, and the Minnesota Court of Appeals affirmed, holding that Rule 60.02 could not be used to seek relief from an indeterminate commitment order. The Minnesota Supreme Court granted review, consolidated the appeals, reversed in part, and remanded to the court of appeals.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Remand both cases to the Minnesota Court of Appeals to determine what, if any, nontransfer and nondischarge claims Lonergan and Kunshier raise under Rule 60.02.

CASES CITED

- In re Civil Commitment of Lonergan, 792 N.W.2d 473, 474, 476-77 (Minn. App. 2011)
- In re Civil Commitment of Kunshier, 2011 WL 500070, at *2 (Minn. App. Feb. 15, 2011)
- Hince v. O'Keefe, 632 N.W.2d 577, 582 (Minn. 2001)
- Thunderbird Motel Corp. v. County of Hennepin, 289 Minn. 289, 242, 188 N.W.2d 569, 571 (1971)
- Guillaume & Associates v. Don-John Co., 336 N.W.2d 262, 263-64 (Minn. 1983)
- Tischendorf v. Tischendorf, 321 N.W.2d 405, 409 n.2 (Minn. 1982)
- In re Brainerd National Bank, 383 N.W.2d 284, 286 (Minn. 1986)
- Ryan Contracting, Inc. v. JAG Investments, Inc., 634 N.W.2d 176, 186 n.11 (Minn. 2001)
- Mavco, Inc. v. Eggink, 739 N.W.2d 148 (Minn. 2007)
- K.B.C. v. County of Itasca, 308 N.W.2d 495, 497-98 (Minn. 1981)
- In re Civil Commitment of Johnson, 800 N.W.2d 134, 147 (Minn. 2011)
- In re Linehan, 594 N.W.2d 867, 872 (Minn. 1999)