

SUPREME COURT OF ILLINOIS

People v. Holt

2014 IL 116989 (Ill. 2014) · No. 116989 · Decided December 29, 2014

SUMMARY

The Illinois Supreme Court held that defense counsel did not provide ineffective assistance by arguing that the defendant was unfit to stand trial when counsel reasonably believed that position was supported by the evidence, even though the defendant believed she was fit. The court affirmed the appellate court’s judgment.

CASE DETAILS

COURT	Supreme Court of Illinois
WRITING FOR THE COURT	Justice Karmeier; Chief Justice Garman; Justice Freeman; Justice Thomas; Justice Kilbride; Justice Burke; Justice Theis
JURISDICTION	Illinois
DECIDED	December 29, 2014
DOCKET	116989
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed from an appellate court judgment affirming the circuit court's determination that she was unfit to stand trial and ordering treatment to restore her fitness. The Illinois Supreme Court granted leave to appeal and reviewed defendant's ineffective-assistance claim under the public-interest exception to mootness.
STANDARD OF REVIEW	De novo review of the legal question whether counsel's conduct constituted ineffective assistance; mootness and application of the public-interest exception were also reviewed as legal questions.
PRECEDENTIAL VALUE	Published, precedential Illinois Supreme Court opinion
PARTIES	Mary M. Holt v. The People of the State of Illinois

TOPICS

- ineffective assistance
- criminal procedure
- right to counsel
- due process
- mootness

PRACTICE AREAS

criminal law

criminal procedure

constitutional law

ineffective assistance of counsel

competency and fitness to stand trial

appellate procedure

QUESTIONS PRESENTED

1. Whether defense counsel rendered ineffective assistance by failing to argue, contrary to counsel's assessment and the evidence, that Holt was fit to stand trial.
2. Whether the public-interest exception to mootness permitted review after Holt was restored to fitness during the appeal.
3. Whether the circumstances required application of the presumed-prejudice rule from *United States v. Cronin* and *People v. Hattery*.
4. Whether Holt was entitled to appointment of a guardian ad litem in addition to criminal defense counsel.

HOLDINGS

1. The public-interest exception to mootness applied because the issue was public in nature, required an authoritative determination to guide defense attorneys and trial judges, and was likely to recur.
2. When the evidence clearly indicates that a defendant is unfit to stand trial but the defendant contends that he or she is fit, defense counsel is not obligated to adopt the defendant's position and argue for a finding of fitness.
3. Counsel's failure to argue that Holt was fit did not constitute ineffective assistance, and the presumed-prejudice framework of *United States v. Cronin* and *People v. Hattery* did not apply.

KEY QUOTATIONS

"Where, as here, the evidence clearly indicates that defendant is unfit to stand trial, but a defendant contends that he or she is fit, defense counsel is not obligated to adopt the defendant's position and argue for a finding of fitness." (§ 56)

"In fact, in doing so, defense counsel would be violating his duty to the client and suborning a violation of due process." (§ 56)

FACTUAL BACKGROUND

Holt's conduct in court and in pro se filings led the State, defense counsel, and the circuit court to question her fitness to stand trial. A court-appointed clinical psychologist found that Holt had disordered thinking, limited understanding of the roles of courtroom participants, and was unable to understand the proceedings or assist in her defense. At the fitness proceedings, defense counsel accepted that Holt was unfit but argued that outpatient treatment, rather than inpatient treatment, should be attempted first. Holt argued that counsel should have advocated her own position that she was fit.

PROCEDURAL HISTORY

Holt was charged in Kendall County with resisting a peace officer and disorderly conduct, later entered and withdrew a guilty plea, and was subsequently charged with criminal trespass. The circuit court ordered a fitness

evaluation, and after a jury found that the State could not prove Holt fit to stand trial, the court ordered her placed in the custody of the Department of Human Services for treatment in a secure or inpatient setting. The appellate court affirmed, and Holt's fitness was restored while the appeal was pending. The Illinois Supreme Court affirmed the appellate judgment after applying the public-interest exception to mootness.

DISPOSITION

affirmed

CASES CITED

- 2013 IL App (2d) 120476
- Strickland v. Washington, 466 U.S. 668 (1984)
- United States v. Cronin, 466 U.S. 648, 659 (1984)
- People v. Hattery, 109 Ill. 2d 449, 461 (1985)
- People v. Harris, 18 Cal. Rptr. 2d 92, 98 (Cal. Ct. App. 1993)
- In re Charles H., 409 Ill. App. 3d 1047, 1051, 1053 (2011)
- People v. Murphy, 72 Ill. 2d 421, 432-33 (1978)
- People v. Easley, 192 Ill. 2d 307, 323 (2000)
- Cooper v. Oklahoma, 517 U.S. 348, 354 (1996)
- Riggins v. Nevada, 504 U.S. 127, 139-40 (1992) (Kennedy, J., concurring in the judgment)
- Pate v. Robinson, 383 U.S. 375, 384 (1966)
- In re Rita P., 2014 IL 115798, ¶ 36
- In re Shelby R., 2013 IL 114994, ¶ 16
- People v. Austin M., 2012 IL 111194, ¶ 86
- Bartlow v. Costigan, 2014 IL 115152, ¶ 52
- Vancura v. Katris, 238 Ill. 2d 352, 370 (2010)
- Herring v. New York, 422 U.S. 853, 862 (1975)
- People v. Russell, 385 Ill. App. 3d 468 (2008)