SUPREME COURT OF ILLINOIS

In re Lance H.

2014 IL 114899 · No. 114899 · Decided March 2, 2015

SUMMARY

The Illinois Supreme Court held that a circuit court did not err by failing to act on a respondent's oral statement during an involuntary-admission hearing that he wanted to become a voluntary patient. Because counsel did not make a motion for a continuance or otherwise seek relief, the court was not required to sua sponte continue the hearing to permit a formal request for voluntary admission.

CASE DETAILS

COURT	Supreme Court of Illinois
WRITING FOR THE COURT	Chief Justice Rita B. Garman; Justice Freeman; Justice Thomas; Justice Kilbride; Justice Karmeier; Justice Theis; Justice Burke
JURISDICTION	Illinois
DECIDED	March 2, 2015
DOCKET	114899
DISPOSITION	reversed
PROCEDURAL POSTURE	The State petitioned for leave to appeal from an appellate court judgment reversing a circuit court order of involuntary admission. The Illinois Supreme Court reversed the appellate court and affirmed the circuit court.
STANDARD OF REVIEW	Statutory interpretation is reviewed de novo. Mootness and the applicability of the public-interest exception were also addressed as jurisdictional questions.
PRECEDENTIAL VALUE	Published, precedential Illinois Supreme Court opinion
PARTIES	The People of the State of Illinois v. Lance H.

TOPICS

health law · statutory interpretation · plain meaning rule · mootness · appellate procedure

PRACTICE AREAS

mental health law · health law · appellate procedure · statutory interpretation

QUESTIONS PRESENTED

1. Whether the case, although moot because Lance H.'s 180-day commitment had ended, qualified for review under the public-interest exception to the mootness doctrine.
2. Whether section 3-801 of the Mental Health and Developmental Disabilities Code requires a circuit court to rule directly on a respondent's oral request for voluntary admission made during an involuntary-admission hearing.
3. Whether section 3-801 requires a circuit court to sua sponte continue an involuntary-admission proceeding so that the respondent may file a written application for voluntary admission.

HOLDINGS

1. The public-interest exception applies because the issue is of a public nature, requires authoritative guidance for courts and litigants, and is likely to recur.
2. Section 3-801 does not give the circuit court authority to grant or deny voluntary admission based on an in-court request made during an involuntary-admission hearing. Voluntary and involuntary admission are separate procedural tracks, and the facility director evaluates a request for voluntary admission.
3. The circuit court is not required to sua sponte continue an involuntary-admission proceeding when a respondent testifies that he wants voluntary admission but counsel makes no motion for a continuance.

KEY QUOTATIONS

> *"The Mental Health Code does not vest the circuit court with authority to rule for or against voluntary admission to a mental health facility, based on an in-court request for voluntary admission during a hearing for involuntary admission."* (¶ 40)

> *"The Mental Health Code similarly does not require the circuit court to sua sponte continue a proceeding for involuntary admission upon such a request."* (¶ 40)

> *"A circuit court may, in its discretion, grant a continuance to file an application for voluntary admission, upon a motion by respondent's counsel."* (¶ 40)

FACTUAL BACKGROUND

Lance H. had a long history of incarceration, institutionalization, and prior mental-health admissions. The State petitioned for his involuntary admission based on alleged dangerous conduct, inability to provide for his basic physical needs, and mental illness, and presented testimony concerning aggression, treatment noncompliance, and deterioration outside a structured facility. During the hearing, Lance testified that he wanted to become a voluntary patient, but his counsel made no motion for voluntary admission or for a continuance.

PROCEDURAL HISTORY

The Randolph County circuit court ordered Lance H. involuntarily admitted to Chester Mental Health Center for 180 days. Although he testified during the involuntary-admission hearing that he wanted to become a voluntary patient, neither he nor his counsel made a motion for voluntary admission or a continuance. The appellate court applied the public-interest exception to mootness, reversed, and held that the circuit court was required to

consider and rule on the request. The Illinois Supreme Court accepted review, held that the case fell within the public-interest exception, rejected the appellate court's interpretation, and affirmed the circuit court.

DISPOSITION

reversed

CASES CITED

- In re Commitment of Fields, 2014 IL 115542, ¶ 32
- In re James W., 2014 IL 114483, ¶¶ 18-19
- In re Alfred H.H., 233 Ill. 2d 345, 351, 355-56 (2009)
- In re Marriage of Peters-Farrell, 216 Ill. 2d 287, 292 (2005)
- In re Mary Ann P., 202 Ill. 2d 393, 402 (2002)
- In re Donrell S., 395 Ill. App. 3d 599, 602 (2009)
- In re Hays, 102 Ill. 2d 314, 319-20 (1984)
- In re James E., 207 Ill. 2d 105, 110-14 (2003)
- In re Robinson, 151 Ill. 2d 126, 130 (1992)
- In re Splett, 143 Ill. 2d 225, 230-36 (1991)
- In re Stephenson, 67 Ill. 2d 544, 554 (1977)
- In re Andrew B., 237 Ill. 2d 340, 354-55 (2010)
- Vitek v. Jones, 445 U.S. 480, 492 (1980)
- American Federation of State, County & Municipal Employees v. Department of Central Management Services, 173 Ill. 2d 299, 338 (1996)
- Valdovinos v. Luna-Manalac Medical Center, Ltd., 328 Ill. App. 3d 255, 272 (2002)

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