NOTICE
This order was filed under Supreme Court Rule 23 and may not be cited as precedent by any party except in the limited circumstances allowed under Rule 23(e)(1).

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NOS. 4-11-0571, 4-11-0574 cons.

IN THE APPELLATE COURT

OF ILLINOIS

FOURTH DISTRICT

In re: TIMOTHY L., a Person Found Subject to Involuntary Admission,	)	Appeal from Circuit Court of Sangamon County
THE PEOPLE OF THE STATE OF ILLINOIS, Petitioner-Appellee,	)	
v. (No. 4-11-0571)	)	No. 11MH520
TIMOTHY L., Respondent-Appellant.	)	
In re: TIMOTHY L., a Person Found Subject to Administration of Psychotropic Medication,	)	No. 11MH574
THE PEOPLE OF THE STATE OF ILLINOIS, Petitioner-Appellee,	)	
v. (No. 4-11-0574)	)	Honorable Steven H. Nardulli,
TIMOTHY L., Respondent-Appellant.	)	Judge Presiding.

JUSTICE APPLETON delivered the judgment of the court.
Justices Steigmann and Knecht concurred in the judgment.

ORDER

¶ 1 *Held:* Respondent's appeal is moot because it does not fall within one of the recognized exceptions to the mootness doctrine. Accordingly, we grant Legal Advocacy's motion to withdraw and dismiss respondent's appeal as moot.

¶ 2 These consolidated cases come to us on the motion of Legal Advocacy Service (Legal Advocacy), a division of the Illinois Guardianship and Advocacy Commission, to withdraw as counsel on appeal on the ground no meritorious issues can be raised in these cases. For the reasons that follow, we find the cases to be moot and dismiss this appeal.

¶ 3 On June 10, 2011, an employee from a social-service agency in Bloomington, Illinois, filed a petition for the involuntary admission of respondent, Timothy L., in the Sangamon County circuit court. The petition alleged respondent was mentally ill and because of that illness (1) was reasonably expected to engage in conduct placing himself or another in physical harm; (2) was unable to provide for his basic physical needs so as to guard himself from serious harm without the assistance of others; and (3) was in need of immediate hospitalization for the prevention of harm. Additionally, the petition stated respondent was spitting on and attempting to bite staff in the emergency room at St. Joseph Hospital in Bloomington. He was described as psychotic with grandiose delusions and paranoia, believing he had been poisoned. He had been released from the mental-health unit at Advocate BroMenn Medical Center in Normal, Illinois, the day before.

¶ 4 The parties convened for a hearing on June 17, 2011, but respondent moved to continue in order to hire private counsel. The trial court granted respondent's motion and continued the matter for two weeks.

¶ 5 On June 28, 2011, Dr. Stacey Horstman at McFarland Mental Health Center, filed a petition seeking authority to involuntarily administer psychotropic medications to respondent. According to the petition, while residing at McFarland, respondent had demonstrated threatening behavior and had refused his medication.

¶ 6 Both petitions were considered at a July 1, 2011, hearing, and thereafter, the trial court found respondent subject to involuntary admission under section 3-600 of the Mental Health and Developmental Disabilities Code (Mental Health Code) (405 ILCS 5/3-600 (West 2010)) and ordered hospitalization for a period not to exceed 90 days. The court also ordered that respondent receive involuntary treatment in the form of the administration of psychotropic medications for a

period not to exceed 90 days under section 2-107.1 of the Mental Health Code (405 ILCS 5/2-107.1 (West 2010)).

¶ 7 On July 1, 2011, respondent filed a notice to appeal both orders, and this court consolidated the appeals. The trial court appointed Legal Advocacy to represent respondent. On December 19, 2011, Legal Advocacy moved to withdraw as counsel under *Anders v. California*, 386 U.S. 738 (1967), on the ground no meritorious issues could be raised in these cases. The record shows service of the motion on respondent. On its own motion, this court granted respondent leave to file additional points and authorities by January 19, 2012, but respondent has not done so. After examining the record and executing our duties consistent with *Anders*, we grant Legal Advocacy's motion and dismiss respondent's appeal as moot.

¶ 8 The trial court entered the commitment and administration orders on July 1, 2011, and limited the enforceability of the orders to 90 days. The 90-day period has passed. As a result, these cases are moot.

¶ 9 However, an issue raised in an otherwise moot appeal may be reviewed when (1) addressing the issues involved is in the public interest, (2) the case is capable of repetition, yet evades review, or (3) the respondent will potentially suffer collateral consequences as a result of the trial court's judgment. *In re Alfred H.H.*, 233 Ill. 2d 345, 355-61 (2009).

¶ 10 The public-interest exception to the mootness doctrine allows a reviewing court to consider an otherwise moot case when (1) the question is of a public nature, (2) a need for an authoritative determination for the future guidance of public officials exists, and (3) the future recurrence of the question is likely. *Alfred H.H.*, 233 Ill. 2d at 355. A question presented on review is not of a public nature if the question is whether the evidence was sufficient to involuntarily

commit a respondent or administer treatment. *Alfred H.H.*, 233 Ill. 2d at 356-57.

¶ 11 Next, the capable-of-repetition-yet-evading-review exception applies when (1) the action is too short to be fully litigated before the underlying order expires, and (2) a reasonable expectation exists that the complaining party will be subject to an involuntary-commitment action again. *Alfred H.H.*, 233 Ill. 2d at 358. It is unlikely a resolution of a sufficiency-of-the-evidence issue would have any impact on future involuntary-commitment or treatment proceedings because the future proceedings are based on the current condition of respondent's mental illness and a new evaluation of the respondent's mental state and conduct. *Alfred H.H.*, 233 Ill. 2d at 359-60.

¶ 12 Last, the collateral-consequences exception applies when a respondent has suffered, or is threatened with, an actual injury traceable to the petitioner and will likely be redressed by a favorable judicial decision. *Alfred H.H.*, 233 Ill. 2d at 361. However, the collateral-consequences exception will not apply when a respondent has previously been involuntarily committed or treated with pyschotropic medications because any collateral consequences have already attached as a result of the prior commitments. *Alfred H.H.*, 233 Ill. 2d at 362-63.

¶ 13 Here, the only potential issues for review are whether the trial court's findings that respondent was a person subject to (1) involuntary admission or (2) involuntary administration of psychotropic medication were against the manifest weight of the evidence. Because the only potential issues for review are sufficiency-of-the-evidence challenges, neither the public-interest exception nor the capable-of-repetition-yet-evading-review exception applies.

¶ 14 Further, the collateral-consequences exception does not apply because respondent has been subject to "numerous" involuntary admissions and court-ordered medications, as stated in the treatment plan and psychiatric evaluation, respectively, filed on July 1, 2011. Therefore, the

collateral-consequences exception will not apply because collateral consequences have already attached as a result of respondent's prior involuntary commitments and administration-of-treatment orders.

¶ 15 For the reasons stated, we grant Legal Advocacy's motion to withdraw and dismiss respondent's consolidated appeals as moot.

¶ 16 Appeals dismissed.