



## Supreme Court of Illinois

April 3, 2017

### **SUPREME COURT APPROVES NEW RULE REGARDING JURY TRIALS IN INVOLUNTARY ADMISSION PROCEEDINGS, STANDARDIZED MENTAL HEALTH ORDERS**

Chief Justice Lloyd A. Karmeier and the Illinois Supreme Court announced today the approval of Supreme Court Rule 293, which requires trial courts to commence a jury trial if requested by a respondent in an involuntary admission proceeding under the Mental Health and Developmental Disabilities Code within 30 days of the request. The new rule is effective immediately. The Court also approved four standardized mental health orders and a uniform Illinois State Police order related to such proceedings.

Supreme Court Rule 293 is available on the Court website at <http://www.illinoiscourts.gov/SupremeCourt/Rules/default.asp>

Rule 293, proposed by the 24-member Special Supreme Court Advisory Committee for Justice and Mental Health Planning, was adopted to clarify the time limitation which a trial court has to convene a jury in a mental health involuntary commitment hearing and to make that time requirement mandatory. The Committee obtained input in deciding the appropriate timeframe from the circuit courts through a survey prepared by the Administrative Office of the Illinois Courts and distributed through the Conference of Chief Judges.

“Jury trial requirements in involuntary admission proceedings under the Mental Health and Developmental Disabilities Code have been the source of considerable confusion and debate,” Chief Justice Karmeier said. “The problems were underscored by the litigation which led to the Supreme Court’s disposition in *In re James W.*, 2014 IL 114483. Because of the serious rights at stake, the Court asked its Special Advisory Committee for Justice and Mental Health Planning to study the matter and recommend solutions. We also asked the Committee to examine a related issue posed by *In re Rita P.*, 2014 IL 115798: compliance with the statutory requirement that all final orders under the Code be in writing and accompanied by a statement on the record of a trial court's findings of fact and conclusions of law.”

“The Court is grateful for the effort and insight which the members of the Committee brought to this task and are pleased to implement its recommendations. The Court is confident that the new rule will provide much needed guidance to the courts and officials charged with enforcing the orders and, in so doing, ensure full and proper protection of the fundamental liberty interests of citizens facing involuntary admission or treatment for mental health issues.”

**MORE**

## **SC Approves New Rule 293 Standardized Mental Health Orders Add One**

The adoption of standardized and uniform orders throughout the entire state will assist judges who routinely hear mental health cases to make clear, concise and complete findings of fact on the record. It also provides guidelines to judges who may lack experience in these types of cases.

The new orders are available on the Court website at  
[http://www.illinoiscourts.gov/Administrative/Forms/Mental Health Orders/mental health.asp](http://www.illinoiscourts.gov/Administrative/Forms/Mental_Health_Orders/mental_health.asp)

"Our Committee spent considerable time in study and consultation with judges and others knowledgeable in this area of law throughout the state to develop this new rule and the uniform orders for mental health proceedings," said Justice Kathryn Zenoff, Chair of the Special Supreme Court Advisory Committee. "We were especially aware of the importance of the fundamental liberty interests in these types of proceedings. We recognized the need to assure clarity and completeness by judges in making the necessary findings and in adherence to specific deadlines when jury trials were requested."

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