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DISTRICT III

April 16, 2019

To:

Hon. Carrie A. Schneider
Circuit Court Judge
320 S. Walnut St.
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You are hereby notified that the Court has entered the following opinion and order:

2018AP267-NM

Outagamie County v. A. R. N. (L. C. No. 2017ME137)

Before Hruz, J.¹

Summary disposition orders may not be cited in any court of this state as precedent or authority, except for the limited purposes specified in WIS. STAT. RULE 809.23(3).

Counsel for A.R.N. has filed a no-merit report concluding there is no arguable basis for challenging orders committing A.R.N. for mental health treatment pursuant to WIS. STAT. ch. 51 and authorizing involuntary medication and treatment. A.R.N. was advised of his right to

¹ This appeal is decided by one judge pursuant to WIS. STAT. § 752.31(2) (2017-18). All references to the Wisconsin Statutes are to the 2017-18 version unless otherwise noted.

respond to the report and has not responded. Upon an independent review of the record as mandated by WIS. STAT. RULE 809.32, this court concludes there is no arguable merit to any issue that could be raised on appeal.

A.R.N., then fifteen years old, was detained at an Appleton hospital pursuant to WIS. STAT. § 51.15, based on a law enforcement officer's "Statement of Emergency Detention" reciting that A.R.N. had made statements to his mother about intending to harm himself. Counsel was appointed for A.R.N., and a probable cause hearing was timely held. At that hearing, A.R.N. stipulated there was probable cause to believe he was a proper subject for involuntary commitment pursuant to WIS. STAT. § 51.20. The parties entered into "a 90-day hold open settlement agreement," under which A.R.N. agreed to comply with specified treatment and conditions, including an agreement to "[r]efrain from acts, attempts or threats of harm to self or others." A.R.N. violated the settlement agreement when he attempted suicide two months later.

The circuit court appointed two examiners pursuant to WIS. STAT. § 51.20(9), and both submitted their reports more than forty-eight hours before the final hearing. *See* § 51.20(9) and (10)(b). A final hearing was timely held pursuant to § 51.20(7)(c). At that hearing, A.R.N. did not contest the need for an involuntary medication order and stipulated to the grounds for commitment, but he argued such commitment should be on an outpatient basis. A community support specialist familiar with A.R.N.'s case testified that, based on his history, A.R.N. was at a "fairly high risk" to harm himself, especially given his dual diagnosis of substance abuse issues and mental health issues. After considering the testimony and the examiners' reports, both of which recommended commitment in a locked inpatient facility, the court entered an order committing A.R.N. to a locked inpatient facility for six months. The court also ordered involuntary medication and treatment during A.R.N.'s commitment period.

The no-merit report addresses whether WIS. STAT. ch. 51 time limits and procedures were observed, and whether there was sufficient evidence to support both the commitment order and the order for involuntary medication and treatment. Upon reviewing the record, we agree with counsel's description, analysis, and conclusion that any challenge to the orders would lack arguable merit.

The court's independent review of the record discloses no other potential issues for appeal.

Therefore,

IT IS ORDERED that the orders are summarily affirmed. *See* WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that attorney Leonard D. Kachinsky is relieved of further representing A.R.N. in this matter. *See* WIS. STAT. RULE 809.32(3).

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Sheila T. Reiff
Clerk of Court of Appeals