

IN RE INVOLUNTARY COMMITMENT OF L.

Submitted on Briefs April 19, 2023

Decided May 4, 2023

Panel: STANFILL, C.J., and MEAD, HORTON, CONNORS, LAWRENCE, and DOUGLAS, JJ.

MEMORANDUM OF DECISION

L. appeals from a judgment of the Superior Court (York County, *Mulhern, J.*) affirming an order of the District Court (Biddeford, *Martemucci, J.*) committing L. to involuntary hospitalization for a period of not more than sixty days. *See* 34-B M.R.S. § 3864 (2023).

At the time of this appeal, L. had completed the sixty-day commitment and was no longer involuntarily hospitalized. *See* 34-B M.R.S. § 3864(7). This appeal could therefore be considered moot. However, we have repeatedly recognized that involuntary hospitalization commitments can come within the three exceptions to the mootness doctrine: (1) collateral consequences, (2) public interest, and (3) capable of repetition but escaping appellate review. *See In re Involuntary Commitment of M.*, 2020 ME 99, ¶ 10, 237 A.3d 190 (collateral consequences); *In re Walter R.*, 2004 ME 77, ¶¶ 9-11, 850 A.2d 346 (collateral consequences and public interest); *In re Marcial O.*, 1999 ME 64, ¶¶ 8-13, 728 A.2d 158 (capable of repetition but escaping appellate review). L.'s appeal comes within these exceptions, and we therefore reach the merits of L.'s appeal.

Contrary to L.'s assertions, there is competent evidence in the record to support the court's finding that her mental illness posed a likelihood of serious harm, including testimony taken from her treating medical practitioner and the

independent medical examiner regarding events that occurred as recently as the day before the hearing. *See In re Involuntary Commitment of M.*, 2020 ME 99, ¶ 10, 237 A.3d 190.

The entry is:

Judgment affirmed.

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Kurt C. Peterson, Esq., McKee Law, LLC, P.A., Augusta, for appellant L.

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York County Superior Court docket number AP-2022-12  
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