INDIANA COURT OF APPEALS AFFIRMS COMMITMENT DESPITE IMPROPER REMOTE HEARING

The Indiana Court of Appeals (the "Court") affirmed the continuation of a patient's regular commitment, finding the trial court erred by conducting the review hearing remotely without sufficient good cause, but the error was harmless because the patient meaningfully participated and suffered no prejudice. The Court also affirmed the finding of grave disability, concluding the evidence linked the patient's schizophrenia, lack of insight and medication refusal to an inability to function independently. The Court however reversed the stimulant-use and cannabis-use findings and struck the related outpatient restrictions because they were unsupported by the record. *In re Civil Commitment of A.A.*, No. 26A-MH-342, 2026 WL 2718339 (Ind. Ct. App. Sept. 15, 2026).

BACKGROUND

A.A. suffered from schizophrenia and experienced hallucinations, delusions and paranoia when unmedicated. Although treatment improved his condition, he denied having a mental illness and believed he did not need medication.

After his initial 2024 commitment, A.A. transitioned to a group home. Between June and September 2025, providers filed four petitions for apprehension and return after A.A. repeatedly left the facility without his medication. His treatment provider documented poor judgment, lack of insight, medication-management difficulties and an inability to attend to his daily and psychological needs without structured support.

After transferring to Richmond State Hospital (the "Hospital"), A.A. requested review of his commitment and an in-person hearing. The trial court instead held the January 2026 review hearing remotely, citing transportation, staffing, scheduling and cost concerns, along with A.A.'s prior history of aggression. At the hearing, the trial court found A.A. gravely disabled and continued his regular commitment, while also finding he suffered from stimulant-use and cannabis-use disorders and imposing several conditions on any future outpatient treatment.

A.A. then appealed the continuation of his regular commitment, arguing the trial court improperly conducted his review hearing remotely and the evidence was insufficient to establish he was gravely disabled. He also challenged the trial court's findings regarding substance-use disorders and related conditions of his commitment.

ANALYSIS

The Court addressed three principal issues: whether the trial court had sufficient grounds to conduct A.A.'s review hearing remotely, whether the evidence supported the continuation of his commitment based on grave disability and whether the evidence supported the additional diagnoses and outpatient conditions imposed by the trial court.

A. Remote Commitment Hearings Require Case-Specific Good Cause

Under Interim Administrative Rule 14(C), testimonial proceedings generally must be conducted in person unless the parties agree otherwise or the court finds good cause. In involuntary civil commitment proceedings, the Indiana Supreme Court has emphasized the importance of in-person hearings because of the liberty interests at stake. A finding of good cause requires "particularized and specific factual support"—something specific to the circumstances of the case, parties, proceeding or court. *In re Civil Commitment of B.N.*, 199 N.E.3d 360, 365 (Ind. 2022).

Here, the Court held the trial court abused its discretion by finding good cause to conduct A.A.'s review hearing remotely. The Hospital cited transportation, staffing, scheduling and cost concerns, but the Court found these were routine issues common to commitment proceedings rather than case-specific circumstances. The Court likewise found A.A.'s prior history of aggression insufficient because the evidence was more than a year old and did not establish a current safety concern for the January 2026 hearing.

The error was nevertheless harmless. A.A. participated throughout the hearing, consulted privately with counsel, testified on his own behalf and was represented by counsel who cross-examined witnesses and made objections. The record also showed no technological problems impaired his participation.

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B. Grave Disability Requires a Demonstrated Link Between Mental Illness and Functional Impairment

For a review hearing concerning continuation of a civil commitment, Indiana Code § 12-26-2-5(e) requires the petitioner to prove by clear and convincing evidence the individual is mentally ill and either dangerous or gravely disabled and continued detention or commitment is appropriate. At the time of A.A.'s hearing, Indiana Code § 12-7-2-96 defined grave disability, in relevant part, to include a substantial impairment or obvious deterioration in judgment, reasoning or behavior resulting from mental illness that causes an inability to function independently. That definition was broadened effective July 1, 2026; see Hall Render's prior analysis of the change here. The Court affirmed the finding that A.A. was gravely disabled. Although denial of mental illness and refusal to take medication, standing alone, are insufficient to establish grave disability, the record showed A.A.'s refusal to take medication resulted in hallucinations, paranoia, delusions, impaired judgment and difficulty managing his daily and psychological needs. Providers testified that, without medication and structured support, A.A. would be unable to function independently in the community and manage his finances. The Court concluded this evidence established the required connection between A.A.'s mental illness and his inability to function independently.

C. Special Conditions Must be Supported by the Record and Related to Treatment or Protection

Indiana Code § 12-26-14-3 governs the conditions a court may impose when ordering an individual into an outpatient therapy program. Among other things, the statute permits a court to require compliance with "other conditions determined by the court." That authority is not unlimited, however. Indiana courts have explained special conditions must bear a reasonable relationship to the individual's treatment and protection and must be supported by the evidence in the particular case. *In re Civil Commitment of G.H.*, 216 N.E.3d 485, 490 (Ind. Ct. App. 2023).

Here, the Court reversed the trial court's findings that A.A. had stimulant-use disorder and cannabis-use disorder, as well as the related special condition prohibiting alcohol and non-prescribed drugs. The Hospital conceded the record contained no evidence establishing a history of substance abuse or alcohol-related problems and no provider had recommended the abstinence condition.

The Court emphasized special conditions imposed as part of a commitment must bear a reasonable relationship to the individual's treatment and protection. Because the record did not support the substance-use findings or establish a treatment or protective basis for the abstinence condition, the Court remanded with instructions to strike those findings and the special condition.

PRACTICAL TAKEAWAYS

- **Remote commitment hearings require case-specific good cause.** Courts cannot rely on routine administrative concerns—such as transportation, staffing, scheduling or cost—to justify conducting an involuntary commitment hearing remotely. Any finding of good cause should be supported by particularized facts tied to the individual case and the circumstances of the proceeding.
- **Grave disability requires a demonstrated connection between mental illness and functional impairment.** A diagnosis, lack of insight or refusal to take medication, standing alone, may not establish grave disability. The evidence should show how the individual's mental illness results in impaired judgment, reasoning or behavior that causes an inability to function independently.
- **Commitment findings and special conditions must be grounded in the record.** Even when a commitment is properly continued, unsupported diagnoses or outpatient restrictions may be reversed. Providers should ensure that each additional finding or condition is supported by evidence and bears a reasonable relationship to the individual's treatment or protection.

If you have questions or would like more information about this topic, please contact:

- Ryan McDonald at (317) 429-3671 or rmcdonald@hallrender.com;
- Kennedy Bunch at (317) 977-1420 or kbunch@hallrender.com; or
- Your primary Hall Render contact.

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