



# County of Monterey

**Item No.**

## Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

**Legistar File Number: A 24-539**

**December 03, 2024**

**Introduced:** 11/8/2024

**Current Status:** Criminal Justice - Consent

**Version:** 1

**Matter Type:** BoS Agreement

- a. Authorize the Public Defender or Chief Assistant Public Defender to accept the \$136,258 Community Assistance, Recovery, and Empowerment Grant “CARE Court (CARE)” from the State Bar of California (“State Bar”) to provide mental health services, substance use disorder services, and represent respondents in CARE Act proceedings; and
- b. Authorize the Public Defender or Chief Assistant Public Defender to execute the Grant Agreement with The State Bar of California for a total Grant amount of \$136,258 for the grant period retroactively from October 1, 2024 through January 1, 2026.

### RECOMMENDATION

It is recommended that the Board of Supervisors:

- a. Authorize the Public Defender or Chief Assistant Public Defender to accept the \$136,258 Community Assistance, Recovery, and Empowerment Grant “CARE Court (CARE)” from the State Bar of California (“State Bar”) to provide mental health services, substance use disorder services, and represent respondents in CARE Act proceedings; and
- b. Authorize the Public Defender or Chief Assistant Public Defender to execute the Grant Agreement with The State Bar of California for a total Grant amount of \$136,258 for the grant period retroactively from October 1, 2024 through January 1, 2026.

### SUMMARY

In 2022, Senate Bill 1338 was enacted, creating the Community Assistance, Recovery, and Empowerment (CARE) Court Program (Welfare and Institutions Code sections 5970-5987), as amended in 2023 by Senate Bill No. 35. In 2024, Assembly Bill No. 107 was enacted, allocating \$16,750,000 (“CARE Court Fund”) to be distributed by the Judicial Council of California through the State Bar via grant awards to qualified legal services projects and unawarded funds, if any, to Public Defenders to provide legal counsel pursuant to subdivision (c) of Section 5976 of the Welfare and Institutions Code for representation in CARE Act proceedings, matters related to CARE agreements, and CARE plans by December 1, 2024. The County of Monterey Public Defender was awarded \$136,258 to begin the implementation of CARE Court on October 1, 2024 through January 1, 2026.

### DISCUSSION

CARE Act is designed to provide vital community-based behavioral health services to Californians suffering from untreated mental health and substance use disorders. The CARE Act represents a proactive intervention strategy aimed at addressing severe impairments and significantly reducing the occurrence of unnecessary psychiatric hospitalizations, incarcerations, and civil conservatorships under the Lanterman-Petris-Short (LPS) Act.

Under the CARE Act, authorized individuals, including family members, mental health professionals, and other concerned advocates can petition a civil court to establish either a voluntary CARE agreement or a court-ordered CARE plan tailored to the individual's specific needs. These plans are comprehensive, potentially encompassing essential services such as mental health treatment, housing solutions, and vocational training, all aimed at promoting recovery and reintegration into the community.

To further the goals of the CARE Act, legislation requires the establishment of specialized CARE Courts in every California county. This court system has a targeted focus on delivering crucial mental health and substance use disorder services to those at high risk of homelessness or incarceration. By implementing this unique system, we aim to bridge the gap between individuals in need and the immediate services that can profoundly improve their lives.

To ensure the success of the CARE Act, the Public Defender Office will allocate \$136,258 awarded from California State Bar funds to build a dedicated multidisciplinary team responsible for managing CARE Court cases. This team will include a part-time attorney who will provide essential legal advocacy and representation; social worker interns who will assist with case management and resource connection; and part-time peer mentors with experience to offer crucial support, encouragement, and guidance. This multi-faceted approach is vital for delivering the comprehensive support necessary to achieve positive outcomes for participants in the CARE Court system.

The legal counsel representing respondents will be instrumental throughout this process, with a focus on two main objectives: facilitating effective treatment and advocating for their clients' needs. Legal representatives will work collaboratively with county officials, mental health service providers, and supportive family members to create an environment that enhances the efficacy of treatment plans. Through this collaborative effort, we can empower those struggling with mental health and substance use disorders to reclaim their lives, achieve lasting recovery, and contribute positively to their communities.

This work supports the County of Monterey Public Defender's Office vision and mission.

#### OTHER AGENCY INVOLVEMENT

County Counsel, Risk Management, and the Auditor-Controller have reviewed this Agreement as to legal form, insurance requirements, and fiscal provisions respectively.

#### FINANCING

As the grant award occurred after the adoption of the Fiscal Year's 2024-2025 Budget, the associated revenue and expenditures are not included in the Department's current year's operational budget. The Department will evaluate the need to increase Revenue and Appropriations at mid-year and will work with the Budget Committee, if necessary.

#### BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This recommendation meets three of the Board's strategic initiatives by improving health and quality of life through County supported policies, programs, and services as well as promoting access to equitable opportunities for healthy environments in collaboration with communities. Additionally, this creates a safe environment for people to achieve their potential and communities to thrive and grow by reducing violent crimes as well as crimes in general. Lastly, this recommendation promotes an organization that practices efficient and effective resource management and is recognized for

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responsiveness, strong customer orientation, accountability, and transparency.

Mark a check to the related Board of Supervisors Strategic Initiatives

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared By: Becky Avila, Management Analyst II x3048

Approved By: Susan E. Chapman, Public Defender, x5806

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*Susan Chapman*

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Attachments:

Board Report

CARE Court Funds Agreement