



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

Dom Zanger
District No. 1

Kollin Kosmicki
District No. 2

Mindy Sotelo
District No. 3
Vice-Chair

Angela Curro
District No. 4
Chair

Bea Gonzales
District No. 5

Item Number: 1.7

MEETING DATE: 11/12/2024

DEPARTMENT: COUNTY COUNSEL

AGENDA ITEM PREPARER: Barbara Thompson

DEPT HEAD/DIRECTOR: David Prentice

SUBJECT:

COUNTY COUNSEL - D. PRENTICE

Adopt Resolution authorizing County Counsel David Prentice to execute the Agreement for the Community Assistance, Recovery and Empowerment (CARE) Act, also known as CARE Court, for FY 2024-2025, in an amount not to exceed \$37,500.00, for the purposes of enhancing public defender services to implement CARE Court, and Approve Budget Adjustment receiving new revenue from the State ("State Aid") to be appropriated in in the account for public defender services, in the amount of \$37,500.00. (4/5 vote required)

SBC FILE NUMBER: 160

RESOLUTION NO.: 2024-134

AGENDA SECTION:

CONSENT AGENDA

BACKGROUND/SUMMARY:

This contract is retroactive to July 1, 2024, but the County just received the draft written contract in October 2024, too late to be added to the last meeting.

CARE Court is a framework to deliver mental health and substance use disorder services to the most severely impaired Californians who too often languish without the treatment they desperately need, and is explained further below.

San Benito County is considered a "Cohort 2" county, and will implement CARE Court by January 1, 2025. CARE Court is a non-criminal court process that mandates treatment as a preventive measure before resorting to LPS conservatorship.

San Benito County will be receiving \$37,500 for the purposes of enhancing Public Defender Services to implement CARE Court. The County has not received these funds yet, or the agreement which will be required to receive these funds. However, this item is brought forth at this time so that the San Benito Defenders is able to begin work with the Superior Court, to get ready for the start of the CARE Court program.

Senate Bill (SB) 1338 (Chapter 319, Statutes of 2022) established the Community Assistance, Recovery, and Empowerment (CARE) Act, which provides community-based behavioral health services and supports to Californians living with untreated schizophrenia spectrum or other psychotic disorders through a new civil court process. CARE is intended to serve as an upstream intervention for the most severely impaired Californians to prevent avoidable psychiatric hospitalizations, incarceration, and Lanterman- Petris-Short Mental Health Conservatorship. CARE connects a person in crisis with a court-ordered care plan for up to 12 months, with the possibility to extend for an additional 12 months. The CARE Process will provide earlier action, support, and accountability for both CARE clients, and the local governments responsible for providing behavioral health services to these individuals.

The Public Defender's Office, through San Benito Defenders, will be responsible for representing clients in CARE Court.

RESOLUTION OR ORDINANCE NEEDED FOR THIS ITEM:

Yes

CONTRACT NEEDED FOR THIS ITEM:

No

RFP AND BID HISTORY:

N/A

LAST CONTRACT AMOUNT OR N/A:

N/A

CONTRACT HISTORY (Describe all amendments and previous contracts):

N/A

STRATEGIC PLAN GOALS: 1. Operational Development & Excellence

Yes

STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth

No

STRATEGIC PLAN GOALS: 3. Technology

No

STRATEGIC PLAN GOALS: 4. Community Engagement

No

STRATEGIC PLAN GOALS: 5. Health & Safe Community

Yes

BUDGETED:

No

BUDGET ADJUSTMENT NEEDED:

Yes

SOURCE OF FUNDING:

Non-general Fund

UNFUNDED MANDATE:

No

SBC BUDGET LINE ITEM NUMBER:

Public Defender Budget

CURRENT FY COST:

\$37,500.00

STAFF RECOMMENDATION:

Adopt Resolution authorizing County Counsel David Prentice to execute the Agreement for the Community Assistance, Recovery and Empowerment (CARE) Act, also known as CARE Court, for FY 2024-2025, in an amount not to exceed \$37,500.00, for the purposes of enhancing public defender services to implement CARE Court, and Approve Budget Adjustment receiving new revenue from the State, in the amount of \$37,500.00. (4/5 vote required)

ATTACHMENTS:

[Bd Resolution Care Court updated for Nov. 12 agenda](#)
[Care Court Budget Adjustment](#)
[Care Court Unsigned Agreement](#)