



NEVADA COUNTY CALIFORNIA

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PUBLIC DEFENDER

NEVADA COUNTY BOARD OF SUPERVISORS

Board Agenda Memo

MEETING DATE: November 12, 2024

TO: Board of Supervisors

FROM: **Keri Klein, Public Defender**

SUBJECT: Resolution approving the acceptance of funding for the Public Defender to Represent Respondents in CARE Court (SB1338, Welfare and Institutions Code Sections 5970-5987, SB 35, AB 107) and authorizing the Public Defender to sign the agreement on behalf of the County of Nevada.

RECOMMENDATION: Approve the attached Resolution.

FUNDING: The term of funding is October 1, 2024 through January 1, 2026. The Public Defender's Office would receive \$60,000 in grant funding from the State of California as administered by the State Bar of California. The funds are provided solely for use in the mandatory representation of respondents in CARE Court. No General Fund dollars are required.

BACKGROUND: The Community Assistance, Recovery and Empowerment (CARE) court is a new framework set forth by the state.

The Governor has indicated that it is:

1. Designed to help people with mental health and substance use disorders obtain the support and care they need.
2. It is aimed at helping those who are suffering from untreated mental health and substance use disorders leading to homelessness and incarceration.

It is aimed at those with schizophrenia spectrum and other psychotic disorders, who may also have substance use challenges. CARE Court is initiated by the filing of a petition. That petition can be filed by family, county, community-based organizations, behavioral health providers, or first responders. A CARE plan can be ordered for up to 12 months. People who chose not to participate are not forced to do so. Indeed, CARE court participation by the respondent is entirely voluntary. Should they choose not to participate a respondent can be evaluated for alternatives that already exist, like Assisted Outpatient Treatment (Laura's Law) and/or Conservatorship. All counties are required to participate in CARE Court. And all counties must make provision for counsel for the respondent. Qualified Legal Service Organizations were given the opportunity to

apply for the grant funding for Nevada County and provide counsel for the Respondents. None applied. As such, the Nevada County Public Defender's Office is required to provide counsel for the respondent. Therefore, the Nevada County Public Defender's Office is eligible to receive the funding from the State Bar of California in order to represent the respondents. That funding is in the amount of \$60,000 and requires extensive reporting.

Approved by: Keri Klein, Public Defender