Judicial Council *of* California

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 25-163
For business meeting on October 24, 2025

Title
Equal Access Fund: Distribution of Funds for CARE Act Legal Representation

Rules, Forms, Standards, or Statutes Affected
None

Recommended by
State Bar Legal Services Trust Fund Commission
Amin Al-Sarraf, Cochair
Erica Connolly, Cochair

Report Type
Action Required

Effective Date
October 24, 2025

Date of Report
October 3, 2025

Contact
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Executive Summary

The Legal Services Trust Fund Commission recommends approving the distribution of $17,404,000 to the Legal Services Trust Fund Commission of the State Bar of California for the implementation of the Community Assistance, Recovery, and Empowerment (CARE) Act as authorized by the Budget Act of 2025. The commission will distribute these funds as grants to qualified legal services projects and public defender offices to provide legal counsel for representation in CARE Act proceedings, and training and technical assistance to these legal providers and to the State Bar of California for administration of this program.

Recommendation

The Legal Services Trust Fund Commission recommends that the Judicial Council, effective October 24, 2025, approve the distribution of $17,404,000 to the Legal Services Trust Fund Commission of the State Bar of California for the implementation of the Community Assistance, Recovery, and Empowerment (CARE) Act (Umberg; Stats. 2022, ch. 319) (Link A), as authorized by the Budget Act of 2025 (Stats. 2025, ch. 4) (Link B).

Relevant Previous Council Action

On September 20, 2024, the Judicial Council approved allocation of $18,761,000 to the Legal Services Trust Fund Commission to distribute to qualified legal services projects and support centers for planning efforts related to the CARE Act (Link C).

Analysis/Rationale

The Budget Act of 2025 provides that by December 1, 2025, the Judicial Council is to distribute funds for CARE Act legal representation to the commission, which will distribute:

- $15,750,000 through the Legal Services Trust Fund Commission of the State Bar of California as grants to qualified legal services projects to provide legal counsel under Welfare and Institutions Code section 5976(c) for representation in CARE Act proceedings or to public defender offices or public defender services shared with another county or organization providing public defender services to the county in the event that no qualified legal services program is available to provide representation;
- $788,000[1] as grants to qualified support centers or other entities that have expertise in providing legal training and technical assistance to legal aid providers or public defenders related to the implementation of the CARE Act; and
- $866,000 to the State Bar of California for administration of this program.

The commission must use a formula to determine grant amounts to award to qualified legal services projects in the counties identified in Welfare and Institutions Code section 5970.5(a) and (b). Any funds not awarded to legal services providers in each county will be allocated to that county's public defender office or public defender services shared with another county or organization providing public defender services to the county to provide CARE Act services.

Qualified legal services projects, support centers, public defender offices, and public defender services shared with another county or organization providing public defender services to the county that receive these funds are required to comply with data collection and reporting requirements specified in the Budget Act. The commission will use the data reporting framework that was developed in consultation with the Judicial Council to ensure consistent and comparable data reporting. The commission is responsible for (1) collecting outcome data from each county's public defender office or public defender services shared with another county or organization providing public defender services to the county, qualified legal services projects, and support centers; and (2) providing the Judicial Council an annual report that includes funding allocations, annual expenditures, and program outcomes by service area and service provider (Attachment A). The commission will coordinate with the Judicial Council to ensure that the

[1] The Budget Act of 2025 provides that if any of these funds remain after grants are awarded, on order of the Department of Finance, up to $275,000 shall be transferred to the State Public Defender to provide legal training and technical assistance to legal aid providers or public defenders related to the implementation of the CARE Act.

data collection and reports comply with the Judicial Council's CARE Act reporting requirements.

Policy implications

The distribution of these funds helps implement Goal I of the Judicial Council's strategic plan—Access, Fairness, Diversity, and Inclusion—by increasing representation for low-income persons.

Comments

Public comments were not solicited for this proposal because the recommendations are within the Judicial Council's purview to approve without circulation.

Alternatives considered

No alternatives were considered because the funding is allocated as directed by the Budget Act of 2025.

Fiscal and Operational Impacts

The recommendations contained in this report will have no direct fiscal effect on the courts. Judicial Council staff will work with the staff of the Legal Services Trust Fund Commission to oversee administration of the funds, data collection, and reporting. Staff will also provide support to the commission to facilitate administration of the funds.

Attachments and Links

1. Attachment A: State Bar of California, *Community Assistance, Recovery, and Empowerment (CARE) Act Annual Report, Reporting Period: August 1, 2023–June 30, 2024*
2. Link A: Community Assistance, Recovery, and Empowerment (CARE) Court Program (Umberg; Stats. 2022, ch. 319), *leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB1338*
3. Link B: Budget Act of 2025 (Stats. 2025, ch. 4), *leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202520260SB101*
4. Link C: *Equal Access Fund: Distribution of Funds for CARE Act Legal Representation* (Aug. 23, 2024), *jcc.legistar.com/View.ashx?M=F&ID=13262019&GUID=50629546-D75B-41FD-83FA-95A4AFDA6255*

The State Bar *of California*

Community Assistance, Recovery, and Empowerment (CARE) Act Annual Report

Reporting Period: August 1, 2023–June 30, 2024

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EXECUTIVE SUMMARY

Governor Newsom signed the Community Assistance, Recovery, and Empowerment (CARE) Act on September 14, 2022.[1] It created a new court program where adults with qualifying, severe mental health issues can access behavioral health care, stabilization medication, housing, and other community services. The program launched on October 1, 2023, in seven counties (cohort one) and on December 1, 2023, in Los Angeles County. It must launch in all remaining counties (cohort two) by December 1, 2024.[2]

Courts must appoint qualified legal services projects (QLSPs) to represent those who are the subject of a CARE Act petition (respondents). Where no QLSP has agreed to represent respondents, the Court must appoint a public defender instead.[3] The Legal Services Trust Fund Commission (LSTFC) funds QLSPs and public defender offices to provide those services. It also funds qualified support centers and other entities to provide legal training and technical assistance to implement the CARE Act.[4]

This report covers nine months of CARE Act services, from October 1, 2023, to June 30, 2024.[5] During the nine-month reporting period, the funding recipients:

- Opened 506 cases to represent respondents and closed 182 cases.
- Spent over 25,600 hours—over 1,400 hours in-court—representing respondents.
- Advocated in 897 hearings or appearances and 487 negotiations.[6]
- Represented 181 respondents who were unhoused at the start of their CARE Act case.
- Represented 341 respondents whose family member filed their CARE Act petition.
- Pursued 45 legal outcomes in the areas of public benefits, housing assistance, and social services.

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[1] Welfare and Institutions Code §§ 5970–87.

[2] Welfare and Institutions Code § 5970.5. The program launched October 1, 2023, in Glenn, Orange, Riverside, San Diego, San Francisco, Stanislaus, and Tuolumne counties. Los Angeles County is part of cohort two but launched its program one year early.

[3] Welfare and Institutions Code § 5977.

[4] See footnote seven, *infra*, for information about the Budget Act of 2023. QLSP and support center status is a requirement to receive some state and federal funding to provide or support civil legal aid to indigent Californians. Nonprofit organizations and nonprofit law school clinics must reapply for QLSP and support center status every year. They are then subject to monitoring by the State Bar of California. For more information, see Business and Professions Code sections 6210–6228.

[5] Funding recipients could, however, report their start-up costs retroactive to August 1, 2023.

[6] See footnote 18, *infra*, for how counsel to respondents report their CARE Act appearances.

- Held 11 live trainings with 762 participants, created five on-demand trainings, organized two convenings with 69 attendees, and provided 29 instances of technical assistance.

Overall, the eight counties that began implementing the CARE Act in 2023 focused on building their capacity to represent respondents in this new court program for California.

DISTRIBUTION OF FUNDS AND EXPENDITURES

The Budget Act of 2023 (Budget Act) provided the funding for these services between October 1, 2023, and June 30, 2024. It provided $20,400,000 for QLSPs and public defender offices to represent respondents and up to $1,020,000 for support centers and other qualifying entities (other entities) to provide legal training and technical assistance to implement the CARE Act. Any funds remaining from the amount for support centers and other entities went to represent respondents. The Budget Act also provided $1,432,000 to the LSTFC and State Bar to administer CARE Act funds and reporting.[7]

Table 1. Distribution of 2023–2024 CARE Act Funds[8]

Entity type	Amount	% of funds
Public defender office	$20,413,055	95%
QLSP	$752,095	4%
Other entity	$254,850	1%
Total	**$21,420,000**	**100%**

As of July 2024, the funding recipients had reported spending over $3.1 million between August 1, 2023, and June 30, 2024.[9]

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[7] The Budget Act, as amended, is available at leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB104 (accessed on October 24, 2024).

[8] The formula to determine an amount available for each county was:

1. (Step 1) Allocate the funds by general population: Divide each county's population by the total population of all participating counties. Multiply the resulting percentage by the total funding for QLSPs and public defenders. This yielded an initial amount for each county.
2. (Step 2) Set a funding floor: If step 1 provides less than $60,000 to a county, raise its allocation to $60,000 and adjust the remaining counties' allocations proportionally.
3. (Step 3) Adjust for the relative cost of providing counsel: Except for counties where the allocation is $60,000 pursuant to step 2, apply a cost-of-counsel factor. This calculation was based on the average combined salary/wage for public defender attorneys and paralegals in each county.

[9] Those reporting may spend their 2023–2024 funds through December 31, 2024. Services and expenditures data are subject to corrections in future reports.

Table 2. Expenditures by County (August 1, 2023–June 30, 2024)

County	Expenditures
Glenn	$6,354
Los Angeles	$321,611
Orange	$1,124,544
Riverside	$337,284
San Diego	$486,127
San Francisco[10]	$598,770
Stanislaus	$94,500
Tuolumne	$1,139
Statewide (OSPD)	$167,528
Total	**$3,137,857**

DATA COLLECTION

All recipients of CARE Act funds report quarterly on expenditures and services. For those providing legal representation, this includes reporting on new, ongoing, and closed representation of respondents. Reporting included, e.g.:

- Respondent demographics;
- Petitioner status;
- Legal outcomes;
- Legal resolutions;
- CARE Act workload, such as hours and hearings or appearances; and
- Economic benefits (i.e., confirmed payments to and costs saved for) clients.

Support centers and other entities providing legal training and/or technical assistance to counsel for respondents reported quantitative data about trainings, convenings, research, and other support for QLSPs, public defenders, courts, county behavioral health agencies, and others. Funding recipients also submitted a final evaluation about the effectiveness of their services and service delivery successes and challenges, among other topics. QLSPs and public

[10] The expenditures for the City and County of San Francisco are from three entities: Justice & Diversity Center of the Bar Association of San Francisco (JDC), Legal Assistance to the Elderly (LAE), and the San Francisco Public Defender's Office. San Francisco is the only county where QLSPs received awards to represent CARE Act respondents in state fiscal year 2023–2024.

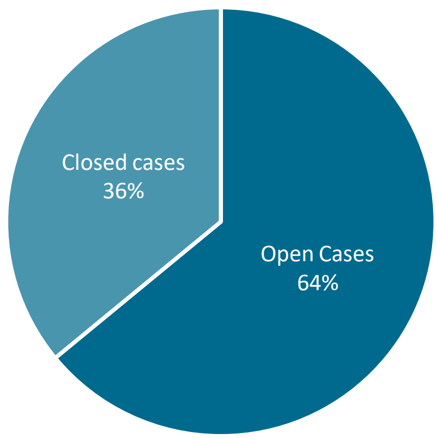
defender offices could report “unknown” and provide a narrative response where data was unavailable (e.g., about a client’s legal outcomes).

OPEN AND CLOSED CASES

QLSPs and public defender offices opened 506 cases during the reporting period. Of those, 182—36 percent—had closed by June 30, 2024.

Figure 1. Percent of Open and Closed Cases

N=506



CLOSED CASES: LEGAL OUTCOMES AND RESOLUTIONS

Legal Outcomes

QLSPs and public defender offices report legal outcomes when they close a case. They reported only 45 legal outcomes in their first seven to nine months. This may reflect how cases closed before reaching a CARE plan or agreement—see Table 4, below, for how cases resolved. It also reflects that connecting respondents to services can take several months. As a result, most cases were still open on June 30.

At the time of reporting, the legal outcomes options reflected a list of supports that the CARE Act permits for CARE plans. This statutory list refers to specific funding sources (e.g., “Access to housing resources Through the No Place Like Home Program”).[11] Where information about a support’s funding source was unavailable, QLSPs and public defender offices could report “program/funding source unknown” in the following categories:

- Access to behavioral health services;

[11] Welfare and Institutions Code § 5982.

- Access to housing resources; and
- Access to social services; and
- Other.

These program/funding source unknown options were the most common outcomes that recipients reported. QLSPs and public defender offices have noted that it is unlikely they will be able to report the exact funding sources for their clients' CARE Act services and supports—even those for which they negotiate. County behavioral health agencies, however, might be in a better position to identify that information. To address this, the State Bar plans to generally move away from outcomes reporting that requires knowledge of each service's or support's exact funding stream.

Nearly half—49 percent—of the legal outcomes reported involved access to behavioral health services. The remaining outcomes involved access to housing resources or social services. QLSPs and public defender offices reported known funding sources for 38 percent of the legal outcomes.

Table 3. Legal Outcomes (Closed Cases)[12]

Legal outcomes	Count	%
Increased access to housing resources or social services	23	51%
Increased access to behavioral health services	22	49%
Total	**45**	**100%**

Economic Benefits

Funding recipients have the option to report economic benefits for cases that resulted in a calculable award (e.g., public benefit payment) and/or identifiable savings to the client. They may report only confirmed benefits. QLSPs and public defender offices reported no economic benefits for closed cases during the reporting period.

Legal Resolutions

QLSPs and public defender offices closed 182 cases during the reporting period. Common reasons included the client lacked a qualifying severe mental illness or enrolled or was likely to

[12] Adhering to the DHCS De-Identification Guidelines, this report suppresses categories with fewer than 11 data points when necessary to protect the privacy of individuals. Where possible, it combines those categories into broader ones, such as in Table 3. Where the report is unable helpfully to combine categories, it redacts that data. The State Bar has provided the necessary disaggregated data—e.g., about legal outcomes—to other agencies as required by law.

enroll in behavioral health treatment outside the CARE Act process. Additional reasons included the respondent was unwilling to engage and/or difficulty to find.

Table 4. Legal Resolutions

Legal resolution for dismissed cases	Count	%
Client enrolled/likely to enroll in behavioral health treatment	34	19%
Client without a qualifying severe mental illness	34	19%
Client unlikely to benefit from CARE plan/agreement	14	8%
Client already stabilized in on-going voluntary treatment, failure to satisfy Welfare & Institutions Code 5972(d), or less restrictive option(s) available	12	7%
Case dismissed for any other reason (e.g., inability to find client or client substituted their own counsel)	88	48%
Total	**182**	**100%**

NEW CASES: PETITIONER STATUS AND RESPONDENT DEMOGRAPHICS

QLSPs and public defender offices reported on who filed the CARE Act petition for each respondent. They also reported their respondents' demographics.

Petitioner Status

The CARE Act identifies who may file a petition.[13] Family members filed over two-thirds of petitions. Behavioral health agencies, behavioral health providers, and first responders each accounted for six to nine percent of the filings. In 19 cases, respondents filed petitions on behalf of themselves. Respondents' counsel reported zero petitions from adult protective services, public charities, tribal courts, and tribal health agencies.

[13] Welfare and Institutions Code § 5974.

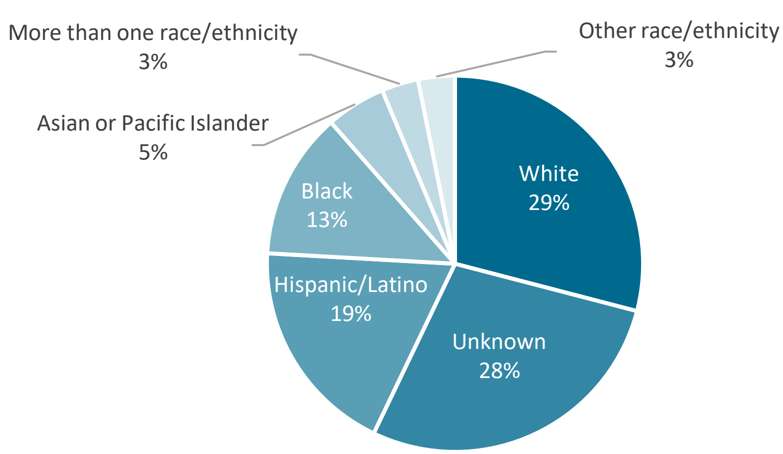
Table 5. Petitioner Types

Petitioner	Petitions filed	% of petitions
Family member	341	67%
Behavioral health agency	43	9%
First responder	38	8%
Behavioral health provider	32	6%
Respondent	19	4%
Public guardian or conservator	17	3%
Other (e.g., hospital or roommate)	16	3%
Total	**506**	**100%**

Respondent Race/Ethnicity

The respondent identified their race/ethnicity in 72 percent of the cases that QLSPs and public defender offices reported. During the reporting period, 29 percent of respondents identified as white, 19 percent as Hispanic/Latino, 13 percent as Black, and five as percent Asian or Pacific Islander. By comparison, about seventy percent of California's population identifies as white, 40 percent as Hispanic/Latino, seven percent as Black, and 17 percent as Asian.[14]

Figure 2. Respondent Race/Ethnicity
N=506



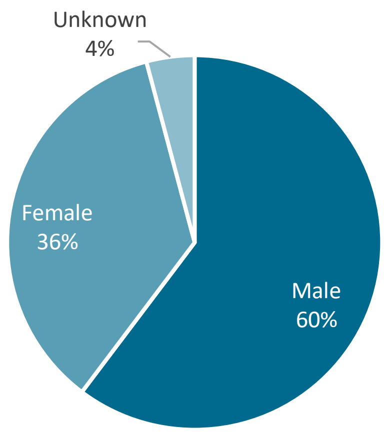
[14] United States Census Bureau, "QuickFacts," available at www.census.gov/quickfacts/fact/table/CA/PST045223 (accessed on October 24, 2024). The U.S. Census Bureau uses different race/ethnic categories than does the State Bar and allows for overlap in the category of "Race and Hispanic Origin." As a result, these Census Bureau percentages sum to more than 100 percent.

Respondent Gender Identity

Although half of Californians are female, 60 percent of CARE Act respondents identified as male and 36 percent identified as female.

Figure 3. Respondent Gender Identity

N=506



Respondent Age

Respondents must be adults. QLSPs and public defender offices reported that in 437 (86 percent of) cases the respondent was a non-senior adult (18 to 59 years old) and in 69 (14 percent of) cases they were a senior (60+ years old).

Respondent Disability Statuses

Funding recipients report on disability statuses beyond those that qualify the respondent for the CARE Act process.[15] For the 506 cases they opened, QLSPs and public defender offices reported an additional mental disability in 103 instances and limited data about other disabilities.

[15] Welfare and Institutions Code section 5972(b) provides, e.g., that respondents be "currently experiencing a serious mental disorder, as defined in paragraph (2) of subdivision (b) of Section 5600.3 and has a diagnosis identified in the disorder class: schizophrenia spectrum and other psychotic disorders, as defined in the most current version of the Diagnostic and Statistical Manual of Mental Disorders."

Table 6. Respondent Disability Statuses

Disability status	Count[16]	% of disability statuses
Unknown disability status	341	67%
Mental disability	103	20%
No additional disability	54	11%
Other disability[17]	13	3%

Respondent Veteran and Limited English Proficiency (LEP) Statuses

QLSPs and public defender offices reported that the respondent's veteran status was unknown in 52 percent of cases. Where they were able to identify that status, nearly all respondents were non-veterans. Similarly, where they were able to identify the client's LEP status (in 341 cases), nearly all respondents were non-LEP.

Respondent Housing Status

QLSPs and public defender offices reported that 36 percent of respondents were unhoused, 27 percent were in permanent housing, and 20 percent had an unknown housing status. The remaining categories—institutional, temporary, and other housing—accounted for 18 percent of the housing statuses.

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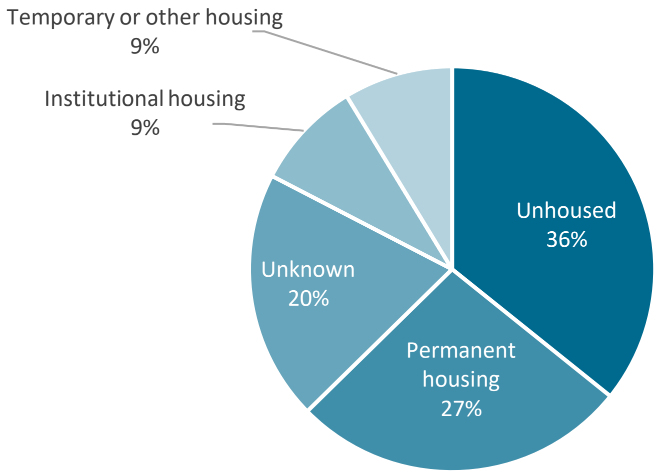
[16] The total reported number of disability statuses was 511. Funding recipients could report multiple disabilities per respondent.

[17] This category combines data about developmental, hearing, mobility, speech, visual, and other disabilities that are separate from those qualifying the respondent for CARE Act proceedings.

Figure 4. Respondent Housing Status

N=506



CARE ACT WORKLOAD

QLSPs and public defender offices spent over 25,600 hours representing respondents in CARE Act cases. Of that amount, over 1,400 hours were in court. Additionally, QLSPs and public defender offices attended 897 hearings or appearances and 487 negotiations.[18] They counted only hearings or appearances and negotiations to represent respondents in CARE Act proceedings and matters related to CARE agreements and plans.

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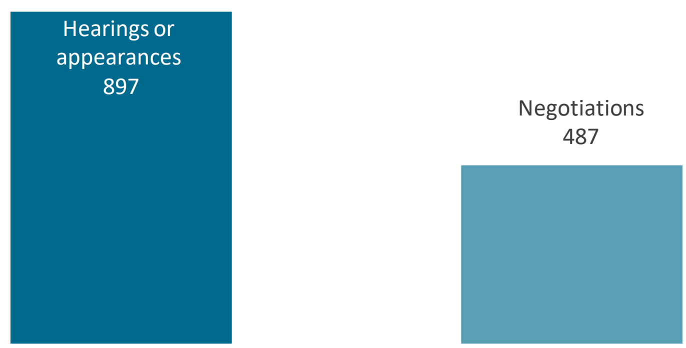
[18] CARE Act hearings or appearances may include, but are not limited to:

- Initial appearances;
- Hearings on the merits;
- Case management hearings;
- Progress hearings (for CARE agreements);
- Clinical evaluation hearings;
- CARE plan review hearings;
- Status review hearings (for CARE plans);
- One-year status hearings; and
- Graduation hearings.

A hearing begins when one or more parties or counsel appear and oral arguments, presentations relevant to the proceedings, witness testimony, and/or documents or tangible objects are submitted to the court (i.e., "first evidence"). Respondent's counsel may also report continuance proceedings in which they appeared to provide representation in CARE Act proceedings, matters related to CARE agreements, and CARE plans.

Figure 5. Hearings or Appearances and Negotiations
N=1,384



TRAINING AND TECHNICAL ASSISTANCE

The Office of the State Public Defender (OSPD) provided legal training and technical assistance to implement the CARE Act. During the reporting period, OSPD:

- Conducted 11 live trainings with 762 participants—268 from QLSP and public defender offices.
- Created five on-demand trainings with 108 views at the time of reporting.
- Held two convenings, with 69 participants—43 from QLSP and public defender offices.
- Provided 29 instances of individual technical assistance.

FACTORS IMPACTING SERVICES

QLSPs and public defender offices measured the success of their representation in part by how often they helped connect CARE Act respondents with crucial services such as health care, housing, and case management. This often involved interacting extensively with county behavioral health agencies, the courts, and others. Progress was sometimes incremental as CARE Act cases can be complex and respondents hesitant to engage.

Locating respondents at the start of cases was especially challenging due to their at-times unstable housing or other limited resources (e.g., technology and transportation). Compounding this challenge was that many respondents were skeptical of the CARE Act process. Finally, recruiting staff (e.g., due to geography) was an initial challenge for some offices.

As a new court program, informational resources were somewhat limited. QLSPs and public defender offices noted that OSPD's webinars and practice guides—specifically on health interventions and related legal frameworks—were particularly helpful. In-person convenings also provided opportunities for QLSPs and public defender offices to network with each other and share effective strategies to implement their CARE Act roles.

CONCLUSION

The QLSPs and public defender offices serving Glenn, Los Angeles, Orange, Riverside, San Diego, San Francisco, Stanislaus, and Tuolumne Counties worked to build the necessary infrastructure to implement the CARE Act. They overcame various implementation challenges to deliver meaningful legal support to individuals with complex needs. The best practices and data from these first eight counties to implement the CARE Act will be invaluable to those launching after June 30, 2024.

APPENDICES

Appendix A: Awards and Funding Amounts

Table 7. Awards and Funding Amounts for 2023-2024 Funding Recipients

Organization name	Type	County(ies)	2023–2024 expenditures[19]	2023–2024 funding
Glenn County Public Defender Office	Public Defender	Glenn	$6,354	$60,000
Justice & Diversity Center of the Bar Association of San Francisco	QLSP	San Francisco	$230,520	$370,401
Law Offices of the Los Angeles County Public Defender	Public Defender	Los Angeles	$321,611	$10,541,281
Law Offices of the Public Defender, County of Riverside	Public Defender	Riverside	$337,284	$2,584,957
Legal Assistance to the Elderly	QLSP	San Francisco	$339,638	$381,694
Office of the Public Defender, County of Orange	Public Defender	Orange	$1,124,544	$2,960,554
Office of the Public Defender, County of San Diego	Public Defender	San Diego	$486,127	$3,253,752
Office of the Public Defender, County of Stanislaus	Public Defender	Stanislaus	$94,500	$427,746
Office of the Public Defender, County of Tuolumne	Public Defender	Tuolumne	$1,139	$60,000
Office of the State Public Defender	Other Entity	Statewide	$167,528	$254,850
San Francisco Public Defender's Office	Public Defender	San Francisco	$28,612	$524,765
Total			**$3,137,857**	**$21,420,000**

[19] See footnote nine, *supra*.

Appendix B: Office of the State Public Defender (OSPD) Services

Table 8. Total Number of OSPD Trainings[20]

# of live trainings	# of participants from QLSP and PD offices	# of participants not from QLSP and PD offices	# of on-demand trainings	# of on demand trainings views
11	268	494	5	108

Table 9. Total Number of OSPD Convenings

# of convenings	# of participants from QLSP and PD offices	# of participants not from QLSP and PD offices
2	43	26

Table 10. Total Number of OSPD Technical Assistance (TA)

Research for QLSP and PD offices	Brief TA to QLSP and PD offices	In-depth TA to QLSP and PD offices	TA to non-QLSPs and public defenders
4	6	16	3

[20] These trainings were in the following areas of law, among others: disability rights, health and long-term care, and housing.