



Judicial Council of California

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Subject Details (With Text)

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Title: Rules and Forms | Additional CARE Act Legislation (Action Required)

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|-----------|------|------------------|--------|--------|
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Title

Rules and Forms | Additional CARE Act Legislation (Action Required)

Summary

To implement recently enacted legislation amending the Community Assistance, Recovery, and Empowerment (CARE) Act in Senate Bills 42 (Stats. 2024, ch. 640), 1323 (Stats. 2024, ch. 646), and 1400 (Stats. 2024, ch. 647), the Probate and Mental Health Advisory Committee recommends amending three rules of court, adopting one form, approving two forms, revising three forms, adopting one standard of judicial administration, and renaming a title in the standards of judicial administration. The committee also recommends revisions to certain forms in response to feedback from members of the public regarding the forms' readability and ease of use.

Recommendation

The Probate and Mental Health Advisory Committee recommends that the Judicial Council, effective July 1, 2025:

1. Amend California Rules of Court, rule 7.2210 to conform with SB 42's changes regarding instances where a CARE Act respondent has other court cases and communications between the CARE Act court and a referring court.
2. Amend rule 7.2221 to include form CARE-102, which is recommended for adoption in this proposal, as a petition option for licensed behavioral health professionals.
3. Amend rule 7.2235 to clarify that the respondent has the right to waive personal service or accept notice by other means.
4. Adopt *Petition to Begin CARE Act Proceedings by Licensed Behavioral Health Professional Only* (form CARE-102) as an alternate mandatory form, which provides an alternative petition option to *Petition to Begin CARE Act Proceedings* (form CARE-100) that is filled out by licensed behavioral health professionals.
5. Approve *Notice of Hearing or Continuance* (form CARE-118) as an optional form to satisfy the court's obligation to provide ongoing notice of a hearing or a continuance to specific petitioners and *Notice of Dismissal* (form CARE-119) as an optional form to satisfy the court's obligation to provide ongoing notice of dismissal to specific petitioners.
6. Revise *Information for Petitioners--About the CARE Act* (form

CARE-050-INFO) and *Information for Respondents--About the CARE Act* (form CARE-060-INFO) to update information regarding the rights of the petitioner and the respondent.

7. Revise *Petition to Begin CARE Act Proceedings* (form CARE-100) to incorporate statutory updates, including the acceptance of particular documentary evidence in support of statements regarding the respondent's CARE Act eligibility, and to improve readability and ease of use in response to user testing feedback.
8. Rename title 7 of the California Standards of Judicial Administration to include mental health proceedings, and adopt standard 7.20 to provide guidelines related to the unique roles of the court and judicial officers in CARE Act proceedings.