

# Community Assistance, Recovery and Empowerment: The CARE Act / CARE Court

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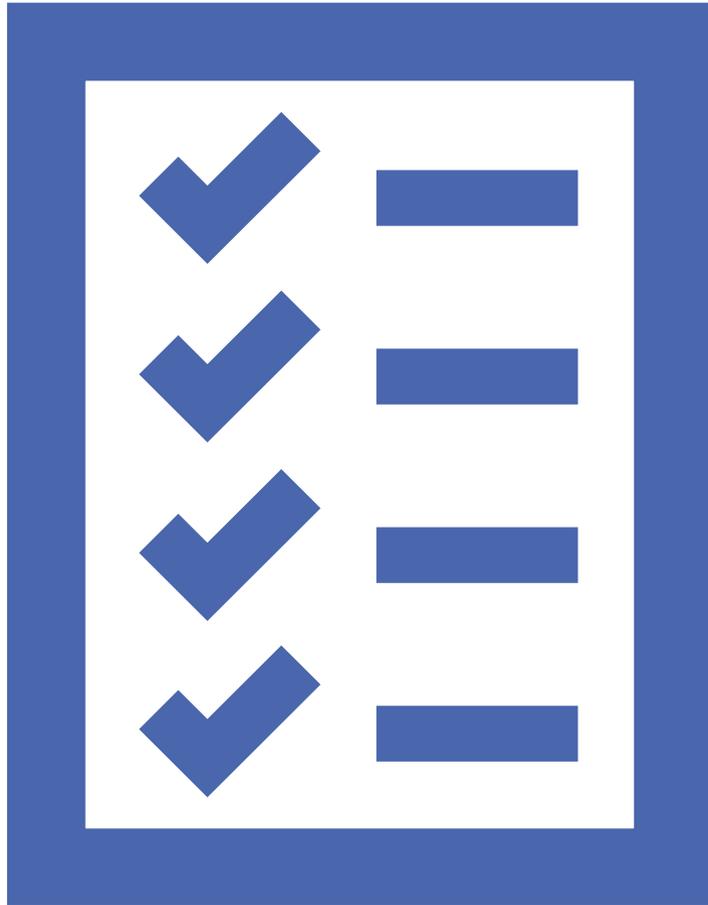
Implementation Update  
September 10, 2025



ALAMEDA COUNTY  
CARE ACT COURT

# Presentation Overview

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1. CARE Act Background
2. CARE Act Court Implementation
3. CARE Act Learnings
4. Questions and Discussion

# CARE Act Background

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# The CARE Act

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- The CARE Act is a legislation that authorizes CARE Act Court
  - A new civil court process to engage a targeted group of people in community-based treatment to avoid unnecessary crisis, hospitalization, homelessness, and incarceration.
- Alameda County and partners began planning for CARE Act Court in October 2023.
- Alameda County began accepting CARE Act Court petitions in late November 2024.

# Who is eligible for CARE court?

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**5972.** An individual shall qualify for the CARE process only if all of the following criteria are met:

- a) The person is 18 years of age or older.
- b) The person is currently experiencing a severe mental illness...and has a diagnosis identified in the disorder class: schizophrenia spectrum and other psychotic disorders, including substance induced psychosis.
- c) The person is not clinically stabilized in on-going voluntary treatment.
- d) At least one of the following is true:
  - (1) The person is unlikely to survive safely in the community without supervision and the person's condition is substantially deteriorating, *and/or*
  - (2) The person is in need of services and supports in order to prevent a relapse or deterioration that would be likely to result in grave disability or serious harm to the person or others, as defined in Section 5150.
- e) Participation in a CARE plan or CARE agreement would be the least restrictive alternative necessary to ensure the person's recovery and stability.
- f) It is likely that the person will benefit from participation in a CARE plan or CARE agreement

## Penal Code Revisions

The CARE Act amends the penal code and allows for judges to refer someone who is determined to be incompetent to stand trial and *ineligible for diversion* over to CARE court.

SB1400 further clarifies that a judge must hold a hearing to determine if a person is eligible for diversion, outpatient services, or CARE before dismissing the case.

## Health Insurance Code Revisions

The CARE Act requires that health insurance plans pay for the evaluation to determine CARE court eligibility and establish the CARE plan. It also requires that health plans pay for the services included in a CARE plan.

# Who can file a CARE Court petition?

**5974.** The following adult persons may file a petition to initiate the CARE process:

- A person with whom the respondent resides.
- A spouse, parent, sibling, child, or grandparent or other individual who stands in loco parentis to the respondent.
- The hospital where a person is receiving treatment, including psychiatric hospitalization.
- The agency that has provided within the past 30 days or who is currently providing behavioral health services to the respondent or in whose institution the respondent resides.
- A licensed behavioral health professional who has supervised the treatment or been treating the respondent for a mental illness within the past 30 days.
- The county behavioral health agency of the county in which the respondent resides or is found.
- *A first responder, including a peace officer, firefighter, paramedic, emergency medical technician, mobile crisis response worker, or homeless outreach worker, who has had repeated interactions with the respondent*
- *The public guardian or adult protective services*
- *California Indian health services program or California tribal behavioral health department*
- *The judge of a tribal court that is located in California, or their designee.*
- *The respondent.*

SB42 establishes **ongoing noticing rights** for a petitioner

SB42 also adds a provision about the required documentation for the petition.

Originally, the petition required either a signed declaration from a licensed behavioral health professional or evidence of 2- 5250s, one of which was in the last 60 days.

SB42 amends the petition requirements so that a petitioner can **sign a declaration that they have personal knowledge of the involuntary detentions** in lieu of documentation from the facility.

# CARE Act Court Roles & Responsibilities

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- Partners meet multiple times per week to coordinate petitions, outreach and engagement, service planning and coordination.
- Partners meet monthly to review overall implementation and make any adjustments to the program and approach.

Courts -  
Judicial

Courts - Self  
Help Center

AC Behavioral  
Health  
Department

AC Public  
Defender

County  
Counsel

Bay Area  
Community  
Services (BACS)

Housing and  
Homelessness

# CARE Act Court Implementation

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# CARE Act Program

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CARE Act petition filed with the Superior Court

Support is available at the Self-Help Center.

The judge reviews all petitions to determine if the petition meets “prima facie” standard.

Judge orders ACBH to complete a CARE Act Assessment and appoints a public defender.

ACBH conducts investigation and submits court-ordered report within 30 days.

CARE Act proceedings commence.

CARE eligibility is determined.

CARE agreement or plan is negotiated.

Individual may participate in the CARE Act program for up to 12 months.

# Behavioral Health Bridge Housing

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- Interim Housing/Emergency Shelter: 160-178 beds
- Hotel/Motel Vouchers: 15 people/per month
- Tier 4 Licensed Facility Beds: 40 beds across 3 facilities
- Forensic Peer Respite: 6 beds
- Rental Assistance: 55 vouchers

*\*The BHBH program requires that people enrolled in CARE Court are prioritized, but any individual who meets eligibility criteria with a significant behavioral health condition who is experiencing homelessness may access BHBH resources.*

# Who's Filing CARE petitions?

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<b>CARE Petitioners</b>	<b>Total</b>
<b>First Responders (Including Outreach Workers)</b>	<b>33</b>
<b>Alameda County Behavioral Health - Majority from a hospital or crisis episode</b>	<b>27</b>
<b>Family Member</b>	<b>25</b>
<b>State Hospital or Prison</b>	<b>13</b>
<b>Other</b>	<b>9</b>

# Who's Filing CARE petitions?

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*We get to know a client and we have a psych nurse practitioner who can sign CARE 101 forms, and we have done five that we turned into the Hayward Hall of Justice. We hear back almost immediately from the Court and then work closely with BACS. I know Judge Bean and Kellie now, so the process has been great...I have also come into court and been there as the petitioner.*

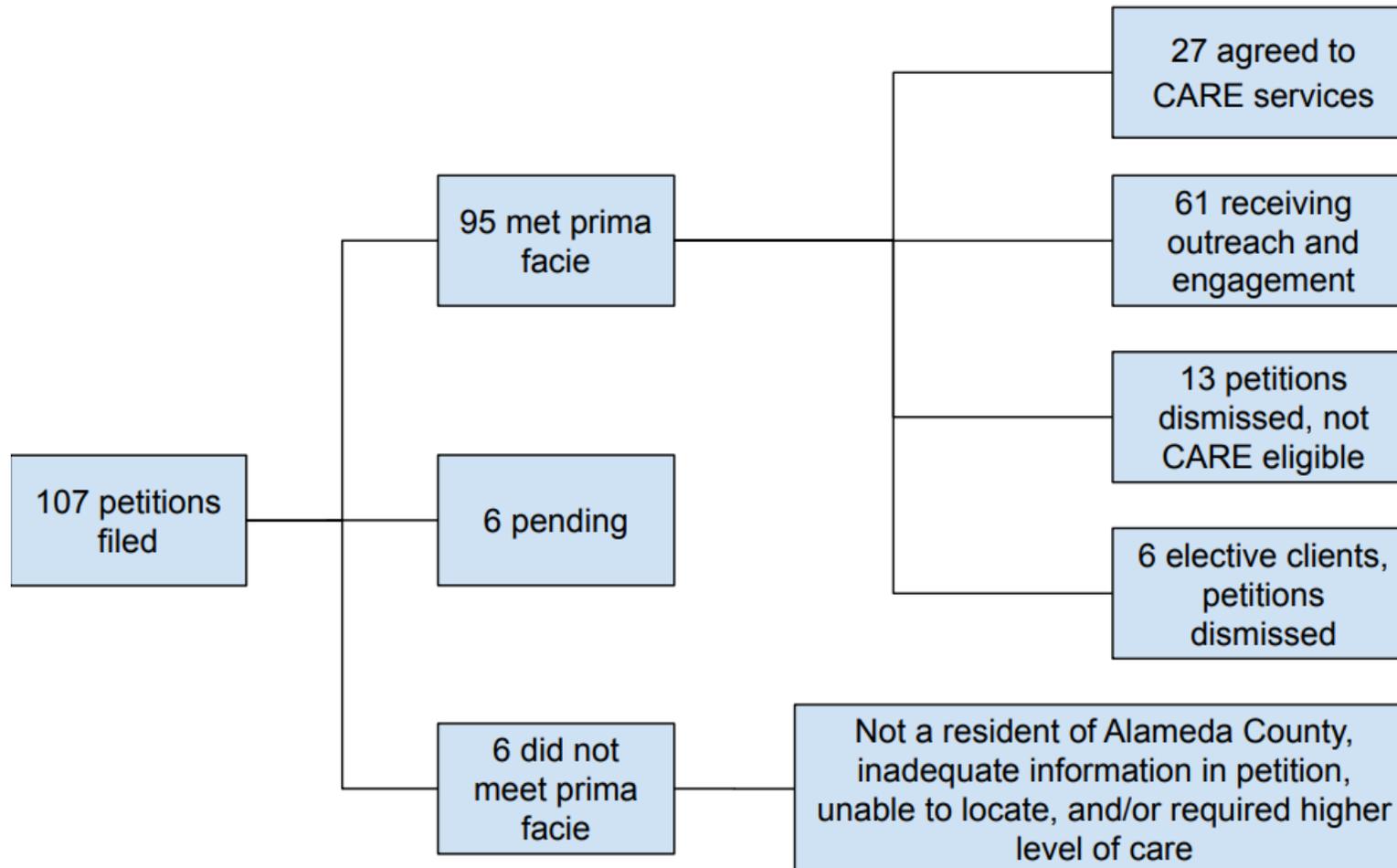
- Alternative Response Unit, City of San Leandro

*We got training and learned about CARE [Act] Court and then had people in the back of our mind. The first petition we filed was December 20. I am very happy with how that turned out. Someone has been living outside for over a decade and people thought he was out of options and now he is getting CARE. I am working with someone who was a community advocate who is happy or him.*

- MACRO Team, City of Oakland

# CARE Act Petitions through July 7, 2025

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Reflects data through July 7, 2025

# What are the demographic characteristics of people w/ CARE petitions filed?

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<b>Race/Ethnicity</b>	<b>N</b>	<b>%</b>
<b>Black or African American</b>	<b>51</b>	<b>48%</b>
<b>White</b>	<b>26</b>	<b>24%</b>
<b>Hispanic</b>	<b>12</b>	<b>11%</b>
<b>Other or Unknown</b>	<b>18</b>	<b>17%</b>
<b>Gender</b>		
<b>Male</b>	<b>69</b>	<b>64%</b>
<b>Female</b>	<b>37</b>	<b>35%</b>
<b>Unknown</b>	<b>1</b>	<b>&lt;1%</b>

- **A majority of CARE Respondents are adults between the ages of 25-59, while there are a smaller number of transitional age youth and older adults in the program.**

# CARE Act Participant Case Study

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One CARE participant is a middle aged, African- American man. He was a good student growing up and came from a tightknit family. He started presenting with symptoms of schizophrenia around the age of 19, dropped out of college, and developed alcoholism.

Over the years, his symptoms worsened, and he became increasingly more aggressive with his family, causing his family to file a restraining order against him.

Client was homeless when his family petitioned for Care Act Court. The CARE outreach team engaged with the individual, and he agreed to participate in FSP Services.

Since participating in CARE Act Court, he has moved into BHBH interim housing, is regularly attending groups, and has started meeting with a psychiatric provider.

# CARE Act Participant Case Study

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Another CARE participant is a middle aged, African-American woman. She had been cycling through the inpatient system for years and had been in and out of homelessness. Client has a diagnosis of schizophrenia and a co-occurring intellectual/developmental disability.

This individual has a history of refusing psychiatric medication and leaving service locations to return to the park. When Care Act Court received the petition for this individual, she was sleeping outside and was unable to take care of herself to the point of refusing to shelter herself in the rain.

Since joining the CARE Act Court, she has agreed to accept medical treatment to address some urgent health issues and has been compliant with taking psychiatric medication. She is now living in a permanent supportive housing placement and has an IHSS worker to support her, in addition to the CARE FSP.

# CARE Act Participant Case Study

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A third CARE participant is a middle aged, African-American female. She has been part of the system since she was a youth and has had multiple interactions with first responders and/or the crisis system, including a recent stay at the state hospital.

She was referred to Care Act Court while she was in the County detention facility.

The CARE outreach team began in-reach at the jail and saw her 1-2x/week to begin to build rapport. When client was in jail, she was withdrawn and spent most of her time isolating from others.

Client was released to Care Act Court and went straight from Santa Rita Jail to a Crisis Residential Treatment (CRT) program. At the CRT, she began taking medication and participating in groups. From the CRT, she went to a BHBH interim housing placement and has the goal of working on going back to community college and seeing her children again.

# Ongoing Projects

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- Data analysis and reporting with Quality Improvement and Data Analytics Division
- Building out push notification system to help locate people in CARE Act Court
- Working through the process for justice-involved individuals who are referred to mental health diversion or Behavioral Health Court and have also been petitioned to CARE Court.

# CARE Act Learnings

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# Lessons Learned

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1. Engaging respondents in CARE requires intensive outreach efforts over a period of time.
2. Engaging in CARE is a huge transition for clients, especially if it includes exiting homelessness.
  - a. The program and partners have an ongoing dialogue about the “right” level of engagement and activity to support recovery without overwhelming the individual with too many demands.
3. The court process may be stressful for some, and the team works to ensure that the court atmosphere is therapeutic and collaborative in supporting the respondent and their needs and preferences.

One individual came to their CARE hearing with a backpack of tools, and he had some difficulty getting through security with the tools. Judge Bean and the Public Defender learned of the commotion and quickly went out to the lobby to try to “settle things down.” The client was willing to give the tools to the judge, who safeguarded them for the client so that he could come into his hearing. After his case was heard, the judge stepped away to get him back his tools and then called the next case upon her return.

# Lessons Learned

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4. Providing training, working collaboratively with partners, and allowing flexibility in petition filing and court processes has resulted in many successful petitions.
5. Alameda County's CARE program has grown very rapidly, which has placed stress on a new program. Partners continue to work together to address issues related to capacity, budget, workload, and collaboration that are imperative to the program's ongoing success.

# CARE Act Court Site Visits

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- California Health and Human Services (CalHHS) reached out to request a site visit to Alameda County’s CARE program.
- CalHHS Site Visit took place 4/17/25
- In attendance were:
  - Kimberly Johnson, CalHHS Secretary
  - Corrin Buchanan, CalHHS Under Secretary
  - Stephanie Welch, Deputy Secretary Behavioral Health
  - Representatives from the California Judicial Council
  - Representative from the State Bar Association
  - Consultants from Desert Vista (CalHHS) and Health Management Associates (DHCS)
- The Attorney General also reached out to request a site visit to Alameda County’s CARE program

## **Site Visit Agenda**

1. Observe pre-CARE Court “huddle” and CARE Court proceedings
2. Visit the BHBH Interim Housing program at the Washington Inn
3. Engage in discussion with the CARE Court partners (ACBH, PD, Courts, and BACS).
4. Engage with petition partners from John George, Herrick, Oakland’s MACRO team, the crisis team through AC Fire, Villa Fairmont MHRC, and other FSP teams.

## **Specific Areas of Interest**

1. Collaboration between partners
2. Variety of petition partners
3. ACBH’s commitment to filing petitions

# Questions and Discussion

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Thank You