



The State Bar of California

**OPEN SESSION
AGENDA ITEM
MARCH 2024
LEGAL SERVICES TRUST FUND COMMISSION 4.5**

DATE: March 29, 2024

TO: Members, Legal Services Trust Fund Commission (LSTFC)

FROM: Members, LSTFC CARE Court Grants Committee

SUBJECT: Approve Delegation of Authority to Approve the 2024–2025 CARE Court Grants Request for Proposals and to Recommend Awards

EXECUTIVE SUMMARY

The Community Assistance, Recovery, and Empowerment (CARE) Act created a new court program (CARE Court) that launched in eight counties in 2023 and will launch in all remaining counties by December 2024.¹ The LSTFC administers funding to public defender offices, qualified legal services projects (QLSPs), support centers, and other entities participating in CARE Court this state fiscal year (July 1, 2023–June 30, 2024).² The LSTFC will need to administer similar funding for next fiscal year (July 1, 2024–June 30, 2025) soon after the Budget Act of 2024 (budget act) passes this spring or summer. To facilitate that timing, the CARE Court Grants Committee (Committee) seeks authority to approve a request for proposals (RFP) for 2024–2025 CARE Court funds and to recommend awards to the LSTFC. This memo describes—and Attachment A illustrates—how a 2024–2025 RFP may look pending additional input from stakeholders.

¹ Welfare and Institutions Code § 5970.5.

² See the Budget Act of 2023 at leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB104.

BACKGROUND

Governor Newsom signed the CARE Act on September 14, 2022.³ 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 October 1, 2023, in Glenn, Orange, Riverside, San Diego, San Francisco, Stanislaus, and Tuolumne Counties (cohort one). It launched December 1, 2023, in Los Angeles County. CARE Court must launch in all remaining counties (cohort two) by December 1, 2024.⁴

CARE Courts must appoint QLSPs to represent those who are the subject of a CARE Court petition (respondents). Where no QLSP has agreed to represent respondents, the court must appoint a public defender instead.⁵ Furthermore, the LSTFC must fund QLSPs to represent respondents “in CARE Act proceedings, matters related to CARE agreements and CARE plans.”⁶ The LSTFC must also fund support centers to provide related “training, support, and coordination.”⁷

The forthcoming budget act will provide the funding for these services starting on July 1, 2024. At least eight counties, however, will already have launched CARE Courts by that date. Releasing an RFP this spring would allow the LSTFC to determine 2024–2025 awards and funding for public defender offices by—or shortly after—June 30.

To estimate the funding that will be available, the example RFP use the Governor’s proposed amount of about \$51.7 million.⁸ The example RFP bases the process to

³ Welfare and Institutions Code §§ 5970–87.

⁴ Welfare and Institutions Code § 5970.5. Los Angeles County is part of cohort two but launched its CARE Court one year early—in December 2023. Other cohort two counties might launch before December 2024 as well. As of March 20, 2024, the State Bar is unaware of any cohort two counties—besides Los Angeles—that will launch before July 1, 2024. Staff recommends finalizing 2024–2025 awards by that date provided that grants must become final after the Budget Act of 2024 passes.

⁵ Welfare and Institutions Code § 5977.

⁶ Welfare and Institutions Code section 5981.5 requires the LSTFC to fund QLSPs “to provide legal counsel appointed pursuant to subdivision (c) of [Welfare and Institutions Code] Section 5976...” Section 5976(c) states that respondents have the right to “counsel at all stages of a proceeding...regardless of the ability to pay.”

⁷ *Ibid.* On September 13, 2023, the Governor signed Senate Bill 104 (SB 104). SB 104 expanded eligibility for these funds in 2023–2024 to “other entities that have expertise in providing legal training and technical assistance to legal aid providers or public defenders.”

⁸ In the spring of 2023, the Governor proposed “\$51.7 million in 2024–25...[to] support public defender and legal service organizations that will provide legal counsel to CARE participants.” This total may account for QLSP, public defender office, and support center/other entity services, as well as Judicial Council of California and State Bar costs. The Governor’s January 2024 proposal supports a similar funding level and is available at ebudget.ca.gov/2024-25/pdf/GovernorsBudget/0010/0250.pdf. The budget act, however, might provide less funding. Data is still emerging about the relevant funding needs in 2024–2025.

distribute 2024–2025 funds on that for 2023–2024 funds.⁹ Before making awards to QLSPs, for instance, the Committee would determine an amount of funding available to represent respondents in each county (see the section “Distributing Funds by County,” below, for more information). Additionally, any funding not awarded to QLSPs to serve a county would go to that county’s public defender office to represent respondents.

DISCUSSION

A spring RFP must be subject to the forthcoming budget act and any changes to the CARE Act. With that caveat, this memo describes how a 2024–2025 RFP could look pending additional input from the Judicial Council of California, California Department of Finance, and other stakeholders.

Like other LSTFC awards, 2024-2025 CARE Court grants would be final and without appeal. The example RFP describes the following timeline—with some dates pending—for making awards:

Table 1: 2024–2025 CARE Court Grant Timeline

Date(s)*	Activity
April 11, 2024	The Committee approves the RFP
April 12, 2024	The application releases
May 2024	Applications are due
June 7, 2024	The Committee recommends awards to the LSTFC
June 21, 2024	The LSTFC approves awards
June–July 2024	Applicants sign grant agreements
July 1, 2024	Grant period starts
July 1, 2024	Services start for Glenn, Los Angeles, Orange, Riverside, San Diego, San Francisco, Stanislaus, and Tuolumne Counties
On/before December 1, 2024	For all other counties, services start by the launch of that county’s CARE Court

*Some dates would be approximate to accommodate applicant, LSTFC, and staff availability and needs.

ELIGIBILITY TO APPLY

Subject to the budget act, the example RFP would restrict eligibility for a 2024–2025 CARE Court grant to QLSPs, support centers, and other entities that have the relevant expertise

⁹ See, e.g., the Budget Act of 2023.

(other entities).¹⁰ QLSPs and support centers would need to have received an Interest on Lawyers' Trust Accounts (IOLTA) grant for 2024.¹¹

GRANT PARAMETERS

1. 2024–2025 CARE Court awards must fund only the work that the budget act permits. For the current fiscal year, QLSPs must “provide legal counsel pursuant to subdivision (c) of Section 5976 of the Welfare and Institutions Code for representation in CARE Act proceedings, matters related to CARE agreements, and CARE plans.” Support centers and other entities must “provide legal training and technical assistance related to the implementation of the CARE Act.”¹²
2. These grants would not fund the wraparound services or supports (e.g., housing) that become part of respondents' CARE agreements or plans.¹³ Additionally, lobbying and legal services unrelated to CARE agreements and CARE plans (e.g., helping a client to apply for immigration status) may fall outside the scope of the budget act.
3. The LSTFC would determine an amount of funding that each county would receive. See the next section, “Distributing Funds by County,” for how the LSTFC may distribute funding for QLSPs and public defender offices in 2024–2025.

QLSPs would apply for some or all of each county's allocation. In doing so, they would specify the amount of the allocation they are seeking and number of clients they would be available to represent in that county. When evaluating QLSP applications, the Committee would compare this information to each county's available funding (see Table 2, below) and—if available—case estimates.

Support centers and other entities would have a separate allocation to serve some or all counties. The example RFP keeps the maximum amount that a support center or other

¹⁰ See, e.g., Welfare and Institutions Code § 5981.5 and SB 104.

¹¹ QLSP and support center status is a requirement to receive IOLTA, Equal Access Fund, and some other 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 and reporting to the LSTFC and State Bar. For more information, see Business and Professions Code sections 6210–6228.

¹² The Budget Act of 2023.

¹³ Welfare and Institutions Code section 5971 defines “CARE agreement” as “a voluntary settlement agreement...[that] includes the same elements as a CARE plan to support the respondent in accessing community-based services and supports.” A “CARE plan” is “an individualized, appropriate range of community-based services and supports, as set forth in this part, which include clinically appropriate behavioral health care and stabilization medications, housing, and other supportive services, as appropriate, pursuant to Section 5982.”

entity may request at \$500,000. There would be no minimum amount that QLSPs, support centers, and other entities may request.

4. Services must start—QLSPs, for example, must be ready to accept appointments—by July 1, 2024, for Glenn, Los Angeles, Orange, Riverside, San Diego, San Francisco, Stanislaus, and Tuolumne Counties.¹⁴ For all other counties, services must start by when that county launches CARE Court.¹⁵ Subject to the budget act, the grant period would end June 30, 2025.
5. CARE Courts may appoint QLSPs to represent non-indigent respondents. QLSPs would need to track their spending on services to non-indigent clients. Likewise, support centers would need to track their spending on activities other than legal training, legal technical assistance, or advocacy support without charge to QLSPs and/or other qualifying entities. This would be to calculate their qualified expenditures on their IOLTA application pursuant to Business and Professions Code sections 6213 and 6216.

DISTRIBUTING FUNDS BY COUNTY

The example RFP provides a preliminary estimate of \$47,564,000 for QLSPs and public defenders to represent respondents in 2024–2025.¹⁶ Additionally, it estimates the amount available in each county as follows:

1. **Allocate funds by general population:** Divide each county's population by the total population of all counties. Multiply the resulting percentage by the total estimated funding for QLSPs and public defenders. This yields an initial estimate for each county.
2. **Provide for minimum funding:** If step 1 provides fewer than \$60,000 to a county, raise its allocation by \$20,000—up to a maximum of \$60,000—and adjust the remaining counties' allocations proportionally.

¹⁴ Welfare and Institutions Code § 5970.5.

¹⁵ All other counties must launch by December 2024. Welfare and Institutions Code § 5970.5. They may, however, choose to launch earlier. Kern and San Mateo Counties, e.g., may start their CARE Courts before December 2024. As of March 20, 2024, the State Bar is unaware of any other cohort two counties—besides Los Angeles—that will have launched before July 1, 2024.

¹⁶ The final amount is pending the budget act. In the meantime, the Governor has proposed about \$51,700,000 to support this work in 2024–2025. Of that amount, staff estimates:

- At least 92 percent (e.g., \$47,564,000) to represent respondents;
- Up to four percent (e.g., \$2,068,000) to provide legal training and technical assistance; and
- Up to four percent (e.g., \$2,068,000) to cover Judicial Council and/or State Bar administrative costs.

The budget act, however, might provide less funding. Data is still emerging about the relevant funding needs in 2024–2025.

For this year's (i.e., 2023–2024) funding to represent respondents, the formula used a flat-rate funding floor of \$60,000. Allocations for two of the eight counties—Glenn and Tuolumne—were increased to that amount. The average amount per estimated case for all eight counties was \$5,811. Due to the flat-rate funding floor, Glenn County received the most per estimated case at \$10,000 per respondent.

For 2024–2025, over a dozen counties would fall under \$60,000 after step one, above. The Committee is still assessing whether the existing, one-size-fits-all approach of providing every county at least \$60,000 would allocate too much to the smallest jurisdictions. This approach would also treat relatively small counties like they will see the same number of petitions. That is unlikely to be true, however, given their different population sizes.

The updated approach in step two would instead give each county under last year's funding floor (\$60,000) its general population-based allocation plus a flat increase of \$20,000. This increase is tied to the most that any county received per estimated case for 2023–2024 (\$10,000 per respondent in Glenn County) for two cases. The increase alone corresponds to three to four cases when looking at the 2023–2024 average per estimated case for all eight counties (\$5,811 per respondent).

A preliminary estimate of \$47,564,000 would yield the allocations below.

Table 2: Estimated Funding to Represent Respondents in Each County

County	Estimated funding ¹⁷
Alameda	\$2,003,855
Alpine	\$21,865
Amador	\$60,000
Butte	\$255,459
Calaveras	\$60,000
Colusa	\$46,586
Contra Costa	\$1,411,468
Del Norte	\$50,889
El Dorado	\$232,948
Fresno	\$1,212,707
Glenn	\$54,983
Humboldt	\$162,954
Imperial	\$209,845
Inyo	\$42,689
Kern	\$1,078,558
Kings	\$170,866

¹⁷ All figures in this column are pending and subject to the budget act, which might pass in June 2024. The budget act might provide less funding. Data is still emerging about the relevant funding needs in 2024–2025.

County	Estimated funding ¹⁷
Lake	\$81,626
Lassen	\$49,455
Los Angeles	\$11,973,328
Madera	\$183,975
Marin	\$313,076
Mariposa	\$40,875
Mendocino	\$109,725
Merced	\$338,791
Modoc	\$30,418
Mono	\$36,118
Monterey	\$515,578
Napa	\$164,802
Nevada	\$123,974
Orange	\$3,840,094
Placer	\$493,350
Plumas	\$43,793
Riverside	\$2,928,502
Sacramento	\$1,909,560
San Benito	\$78,747
San Bernardino	\$2,614,075
San Diego	\$3,922,089
San Francisco	\$1,025,526
San Joaquin	\$934,790
San Luis Obispo	\$328,050
San Mateo	\$916,010
Santa Barbara	\$520,257
Santa Clara	\$2,309,041
Santa Cruz	\$315,061
Shasta	\$218,865
Sierra	\$23,513
Siskiyou	\$60,000
Solano	\$540,221
Sonoma	\$589,592
Stanislaus	\$669,867
Sutter	\$120,085
Tehama	\$79,306
Trinity	\$39,345
Tulare	\$572,460
Tuolumne	\$63,374
Ventura	\$1,016,161
Yolo	\$256,574
Yuba	\$98,281
Total	\$47,564,000

The example RFP estimates up to \$2,068,000 for support centers and other entities to provide legal training and technical assistance to implement the CARE Act. Any amount remaining would likely go to QLSPs and public defenders to represent respondents. The example RFP estimates \$2,068,000 for the Judicial Council and State Bar to administer the grants.

SCORING CRITERIA

A successful proposal would persuasively describe the applicant's ability to perform the proposed work. For QLSPs this includes, among other factors, the organization's experience:

- Serving adults “experiencing a severe mental illness, as defined in paragraph (2) of subdivision (b) of [Welfare and Institutions Code] 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.”¹⁸
- Representing clients in mental health cases such as LPS conservatorships or assisted outpatient treatment matters.
- Helping clients to access the types of community-based services and supports that Welfare and Institutions Code section 5982 describes. This includes behavioral health care, housing, and other services.
- Litigating and negotiating (e.g., with county behavioral health agencies).

It should be clear how all grant-funded activities would comply with the CARE Act and budget act. For consistency, the example RFP uses the same rubric as last year to guide deliberations (see Attachment A).

THE APPLICATION

A complete application would include the following:

1. **Project profile**
The project profile would include high-level information about the project such as its funding request, counties of focus, and abstract.
2. **Project description**
The project description would include information about the applicant's qualifications and deliverables. This includes the project's goals, activities, targets for representation,

¹⁸ Welfare and Institutions Code § 5972.

and strategies for outreach, accessibility, and evaluation. It would also ask about the applicant's qualifications and resources to perform the work safely and effectively.

3. Project budget

The budget would include information on how the applicant proposes to spend 2024–2025 CARE Court funds in each county for which they apply. Applicants would need to identify staff by their role (e.g., “Managing attorney”) and estimate the amount of time that these roles would spend on the project. The project staff, budget, and description should be consistent with one another.

4. Budget narrative

The budget narrative would include information about each line of the budget, noting whether the grant would directly pay for specific items or be allocated on a percentage or other basis.

5. Project assurances

Each applicant would have to acknowledge that:

1. It agrees that it will use any funds it receives from a 2024–2025 CARE Court grant only for the purposes stated in its application. Should the State Bar of California (State Bar) determine in its sole discretion that the applicant is unlikely to use all funds received for these purposes within the grant period, the applicant would return funds to the State Bar as directed by the State Bar.
2. It will not discriminate based on race, color, national origin, religion, gender, disability, age, marital or domestic partnership status, medical condition, or sexual orientation.
3. It will comply with quality control procedures adopted by the State Bar.
4. It will permit reasonable site visits and will present additional information deemed reasonably necessary to determine compliance with the terms of the grant.
5. It will comply with fiscal management and control procedures adopted by the State Bar.
6. It understands that any proposal submitted for a 2024–2025 CARE Court grant, and all documents submitted pursuant to issuance of 2024–2025 CARE Court funding, are public documents, and may be disclosed to any person.
7. It agrees it will file regular program and financial reports, as may be required by the State Bar, and cooperate with other data collection requests by the State Bar for this grant project.

8. The State Bar is permitted, in its sole discretion, to adjust Applicant's award at any time to reflect the actual amount of funding available for 2024–2025 CARE Court grants. Consequently, grantees will not be guaranteed any specific dollar amount in grant funds, or any grant funds at all, if funds received are insufficient or unavailable to the State Bar.

REPORTING REQUIREMENTS

To help compare data between funding periods, the example RFP recommends that 2024–2025 CARE Court funds generally use the same reporting requirements as 2023–2024 funds (see Attachment A). That framework is based on Equal Access Program reporting. CARE Court reporting remains subject to guidance from the Department of Finance, Judicial Council of California, and other agencies. As such, some requirements might become known to the State Bar at a later date.

CONCLUSION

The Committee anticipates that the LSTFC will need to administer 2024–2025 CARE Court funds shortly after the budget act passes. To facilitate awards by or as soon as possible after July 1, 2024, it recommends that the LSTFC delegate authority to approve the 2024–2025 RFP and to recommend awards. Attachment A illustrates how a 2024–2025 RFP could look pending additional input from stakeholders in the coming weeks.

RECOMMENDATION

Should the LSTFC concur with the Committee's proposal, passage of the following resolution is recommended:

RESOLVED, that the Legal Services Trust Fund Commission (LSTFC) delegates to the LSTFC CARE Court Grants Committee (Committee) authority to approve a request for proposals including award timeline, application topics, scoring rubric, and reporting requirements, for 2024–2025 CARE Court grants and to recommend awards to the LSTFC.

ATTACHMENT

- A. Example 2024–2025 CARE Court Grant RFP



The State Bar of California

Example 2024–2025 Community Assistance, Recovery, and Empowerment (CARE) Court Grant Request for Proposals

BACKGROUND

On September 14, 2022, Governor Newsom signed the Community Assistance, Recovery, and Empowerment (CARE) Act.¹ The CARE Act created a new court program (CARE Court) where adults with qualifying, severe mental health issues can access behavioral health care, stabilization medication, housing, and other community services. The program launched October 1, 2023, in Glenn, Orange, Riverside, San Diego, San Francisco, Stanislaus, and Tuolumne Counties (cohort one). It launched December 1, 2023, in Los Angeles County. CARE Court must launch in all remaining counties (cohort two) by December 1, 2024.²

CARE Courts must appoint qualified legal services projects (QLSPs) to represent those who are the subject of a CARE Court petition (respondents). Where no QLSP has agreed to represent respondents, the court must appoint a public defender instead.³ Furthermore, the Legal Services Trust Fund Commission (LSTFC) must fund QLSPs to represent respondents “in CARE Act proceedings, matters related to CARE agreements and CARE plans.”⁴ The LSTFC must also fund qualified support centers to provide related “training, support, and coordination.”⁵

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² Welfare and Institutions Code § 5970.5. Los Angeles County is part of cohort two but launched its CARE Court one year early—in December 2023. Other cohort two counties might launch before December 2024 as well. As of March 20, 2024, the State Bar is unaware of any cohort two counties—besides Los Angeles—that will launch before July 1, 2024. Staff recommends finalizing 2024–2025 awards by that date provided that grants must become final after the Budget Act of 2024 passes.

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⁵ *Ibid.* On September 13, 2023, the Governor signed Senate Bill 104 (SB 104). SB 104 expanded eligibility for these funds in 2023–2024 to “other entities that have expertise in providing legal training and technical assistance to legal aid providers or public defenders.”

The forthcoming Budget Act of 2024 (budget act) will provide the funding for these services starting on July 1, 2024. At least eight counties, however, will already have launched CARE Courts by that date. Releasing an RFP this spring allows the LSTFC to determine 2024–2025 awards and funding for public defender offices by—or shortly after—June 30.

To estimate the amount of funding that will be available, this RFP uses the Governor’s proposed amount of about \$51.7 million.⁶ This RFP anticipates that the budget act will provide for a process to distribute 2024–2025 funds similar to that for 2023–2024 funds.⁷ Before making awards to QLSPs, for instance, the LSTFC will determine an amount of funding available to represent respondents in each county (see the section “Distributing Funds by County,” below, for more information). Additionally, any funding not awarded to QLSPs to serve a county would go to that county’s public defender office to represent respondents.

The LSTFC CARE Court Grants Committee (committee) met on [date pending], to discuss and approve this RFP. **The RFP is subject to changes in the law including, but not limited to, the forthcoming budget act and any changes to the CARE Act.** 2024–2025 CARE Court grant applications are due on the State Bar of California’s grants portal, SmartSimple, by [due date pending], at 5:00 p.m. (PDT).

ELIGIBILITY TO APPLY

Subject to the budget act, eligibility for a 2024–2025 CARE Court grant is restricted to QLSPs, support centers, and other entities that have expertise in providing legal training and technical assistance to legal aid providers or public defenders (other entities).⁸ QLSPs and support

⁶ In the spring of 2023, the Governor proposed “\$51.7 million in 2024-25...[to] support public defender and legal service organizations that will provide legal counsel to CARE participants.” This total may account for QLSP, public defender office, and support center/other entity services, as well as Judicial Council of California and State Bar costs. The Governor’s January 2024 proposal supports a similar funding level and is available at ebudget.ca.gov/2024-25/pdf/GovernorsBudget/0010/0250.pdf. The budget act, however, might provide less funding. Data is still emerging about the relevant funding needs in 2024–2025.

⁷ The language of the Budget Act of 2023 is available at leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB104.

⁸ See, e.g., Welfare and Institutions Code § 5981.5 and SB 104.

centers must have received an Interest on Lawyers' Trust Accounts (IOLTA) grant from the LSTFC for 2024.⁹

GRANT PARAMETERS

1. The 2024–2025 CARE Court awards may fund only the work that the budget act permits. For the current fiscal year, QLSPs must “provide legal counsel pursuant to subdivision (c) of Section 5976 of the Welfare and Institutions Code for representation in CARE Act proceedings, matters related to CARE agreements, and CARE plans.” Support centers and other entities must “provide legal training and technical assistance related to the implementation of the CARE Act.”¹⁰
2. These grants are not to fund the wraparound services or supports (e.g., housing) that become part of respondents' CARE agreements or plans.¹¹ Additionally, lobbying and legal services unrelated to CARE agreements and CARE plans (e.g., helping a client to apply for immigration status) fall outside the scope of the budget act.
3. The budget act may require the LSTFC to determine an amount of funding that each county will receive. See the next section, “Distributing Funds by County,” for how the LSTFC would distribute funding for QLSPs and public defender offices in 2024–2025.

QLSPs may apply for some or all of each county's allocation. In doing so, they must specify the amount of the allocation they are seeking and number of clients they would be available to represent in that county. When evaluating QLSP applications, the committee will compare this information to each county's available funding and case estimates—see Table 1, below.

Support centers and other entities will have a separate allocation to serve some or all counties. The maximum amount that a support center or other entity may request is \$500,000. There is no minimum amount of funding that QLSPs, support centers, and other entities may request.

⁹ QLSP and support center status is a requirement to receive IOLTA, Equal Access Fund, and some other 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 and reporting to the LSTFC and State Bar of California. For more information, see Business and Professions Code sections 6210–6228.

¹⁰ The Budget Act of 2023.

¹¹ Welfare and Institutions Code section 5971 defines “CARE agreement” as “a voluntary settlement agreement...[that] includes the same elements as a CARE plan to support the respondent in accessing community-based services and supports.” A “CARE plan” is “an individualized, appropriate range of community-based services and supports, as set forth in this part, which include clinically appropriate behavioral health care and stabilization medications, housing, and other supportive services, as appropriate, pursuant to Section 5982.”

4. Services must start—QLSPs, for example, must be ready to accept appointments—by July 1, 2024, for Glenn, Los Angeles, Orange, Riverside, San Diego, San Francisco, Stanislaus, and Tuolumne Counties.¹² For all other counties, services must start by when that county launches CARE Court.¹³ Subject to the budget act, the grant period will end June 30, 2025.
5. CARE Courts may appoint QLSPs to represent non-indigent respondents. QLSP grantees must track their spending on services to non-indigent clients. Likewise, support centers must track their spending on activities other than legal training, legal technical assistance, or advocacy support without charge to QLSPs and/or other qualifying entities. This is to calculate their qualified expenditures on their annual IOLTA application pursuant to Business and Professions Code sections 6213 and 6216.

DISTRIBUTING FUNDS BY COUNTY

This RFP estimates \$47,564,000 for QLSPs and public defender offices to represent respondents in 2024–2025.¹⁴ The committee determined the estimated amount available in each county as follows:

1. **Allocate funds by general population:** Divide each county's population by the total population of all counties. Multiply the resulting percentage by the total estimated funding for QLSPs and public defender offices. This yields an initial estimate for each county.
2. **Provide for minimum funding:** If step 1 provides fewer than \$60,000 to a county, raise its allocation by \$20,000—up to a maximum of \$60,000—and adjust the remaining counties' allocations proportionally.

¹² Welfare and Institutions Code § 5970.5.

¹³ All other counties must launch by December 1, 2024. Welfare and Institutions Code § 5970.5. They may choose to launch earlier, however. Kern and San Mateo Counties, e.g., might start their CARE Courts before December 2024. As of March 20, 2024, the State Bar is unaware of any cohort two counties besides Los Angeles that will have launched before July 1, 2024.

¹⁴ The final amount is pending the budget act. In the meantime, the Governor has proposed about \$51,700,000 to support this work in 2024–2025. Of that amount, the LSTFC estimates:

- At least 92 percent (e.g., \$47,564,000) to represent respondents;
- Up to four percent (e.g., \$2,068,000) to provide legal training and technical assistance; and
- Up to four percent (e.g., \$2,068,000) to cover Judicial Council and State Bar administrative costs.

A total estimate of \$47,564,000 would yield the allocations below. **The budget act, however, might provide less funding. Data is still emerging about the relevant funding needs in 2024–2025.** The final column (“funding per estimated case”) provides context to help with application budgets. The Governor’s Office anticipates about [estimate pending] cases in 2024–2025:

Table 1: Estimated Funding to Represent Respondents in Each County

County	Estimated funding ¹⁵	Estimated cases ¹⁶	Funding per estimated case ¹⁷
Alameda	\$2,003,855		
Alpine	\$21,865		
Amador	\$60,000		
Butte	\$255,459		
Calaveras	\$60,000		
Colusa	\$46,586		
Contra Costa	\$1,411,468		
Del Norte	\$50,889		
El Dorado	\$232,948		
Fresno	\$1,212,707		
Glenn	\$54,983		
Humboldt	\$162,954		
Imperial	\$209,845		
Inyo	\$42,689		
Kern	\$1,078,558		
Kings	\$170,866		
Lake	\$81,626		
Lassen	\$49,455		
Los Angeles	\$11,973,328		
Madera	\$183,975		
Marin	\$313,076		
Mariposa	\$40,875		
Mendocino	\$109,725		
Merced	\$338,791		
Modoc	\$30,418		
Mono	\$36,118		
Monterey	\$515,578		

¹⁵ All figures in this column are pending and subject to the budget act, which might pass in late June 2024.

¹⁶ The Governor’s Office anticipates about [estimate pending] cases in 2024–2025. The estimate for each county is based on its share of the general population for all counties.

¹⁷ This column divides each county’s estimated funding allocation (column two) by its share of estimated cases in 2024–2025 (column three).

County	Estimated funding ¹⁵	Estimated cases ¹⁶	Funding per estimated case ¹⁷
Napa	\$164,802		
Nevada	\$123,974		
Orange	\$3,840,094		
Placer	\$493,350		
Plumas	\$43,793		
Riverside	\$2,928,502		
Sacramento	\$1,909,560		
San Benito	\$78,747		
San Bernardino	\$2,614,075		
San Diego	\$3,922,089		
San Francisco	\$1,025,526		
San Joaquin	\$934,790		
San Luis Obispo	\$328,050		
San Mateo	\$916,010		
Santa Barbara	\$520,257		
Santa Clara	\$2,309,041		
Santa Cruz	\$315,061		
Shasta	\$218,865		
Sierra	\$23,513		
Siskiyou	\$60,000		
Solano	\$540,221		
Sonoma	\$589,592		
Stanislaus	\$669,867		
Sutter	\$120,085		
Tehama	\$79,306		
Trinity	\$39,345		
Tulare	\$572,460		
Tuolumne	\$63,374		
Ventura	\$1,016,161		
Yolo	\$256,574		
Yuba	\$98,281		
Total	\$47,564,000		

This RFP estimates up to \$2,068,000 for support centers and other entities to provide legal training and technical assistance to implement the CARE Act. Any amount remaining from this allocation would go to QLSPs and public defender offices to represent respondents. The RFP estimates \$2,068,000 for the Judicial Council and State Bar to administer the grants.

SCORING CRITERIA

LSTFC award decisions are final and without appeal. A successful proposal will persuasively describe the applicant's ability to perform the proposed work. For QLSPs this includes, among other factors, the organization's experience:

- Serving adults “experiencing a severe mental illness, as defined in paragraph (2) of subdivision (b) of [Welfare and Institutions Code] 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.”¹⁸
- Representing clients in mental health cases such as LPS conservatorships or assisted outpatient treatment matters.
- Helping clients to access the types of community-based services and supports that Welfare and Institutions Code section 5982 describes. This includes behavioral health care, housing, and other services.
- Litigating and negotiating (e.g., with county behavioral health agencies).

Additionally, it should be clear how all grant-funded activities would comply with the CARE Act and budget act.

The committee has adopted the following rubric to guide its deliberations:

Category	Exceeds Expectation	Meets Expectation	Below Expectation	Not Addressed
Impact: The applicant describes how it will significantly and directly perform the role of QLSP or support center under the CARE Act and Budget Act.				
Qualifications: The applicant demonstrates that it has the qualifications (e.g., knowledge, experience, and relationships) that it needs to accomplish the proposal's goals.				
Number of check marks	X21-25 points	X11-20 points	X1-10 points	X0 points
Subtotal				

¹⁸ Welfare and Institutions Code § 5972.

Category	Exceeds Expectation	Meets Expectation	Below Expectation	Not Addressed
Administration: The applicant demonstrates that it has the organizational capacity (e.g., supervision structure and resources) that it needs to meet the proposal objectives.				
Evaluation: The applicant details how it will acquire and use data to measure the effectiveness of its services and meet reporting requirements.				
Number of check marks	X15 points	X10 points	X5 points	X0 points
Subtotal				
Total				

The rubric is a tool to guide committee and LSTFC discussion of proposals. A comparatively high score does not guarantee funding. The committee and LSTFC may still exercise discretion to make awards that best accomplish the statutory goals of this funding.

The following explanations refer to the rubric:

- **Not addressed:** A proposal that scores “not addressed” in a category/criterion fails to satisfy that criterion in a meaningful way or lacks the relevant nexus. A proposal might fail to satisfy a criterion in a meaningful way if it articulates only a vague intention to do so.
- **Below expectations:** A proposal that scores “below expectations” in a category/criterion addresses that criterion but is insufficiently competitive or persuasive to justify a score of “meets expectations.” For example, the proposal might lack sufficient detail, explanation, or basis in fact to demonstrate its contours or likelihood of success. Since such a proposal might still articulate a feasible project, this score confers some points.
- **Meets expectations:** A proposal that scores “meets expectations” in a category/criterion is competitive and persuasive with respect to that row of the rubric. To be competitive, the proposal will be sufficiently ambitious and/or compelling to merit the use of competitive funds. To be persuasive, the proposal will describe circumstances sufficiently probative of the applicant’s intention and ability to accomplish its stated objectives in that criterion.

- **Exceeds expectations:** A proposal that scores “exceeds expectations” in a category/criterion satisfies the standard for “meets expectations” while standing out as particularly compelling or impressive. A project might be especially compelling, for instance, because its strategies would be unusually impactful. Or the proposal might be exceptionally detailed, thorough, evidence-driven, or otherwise well-conceived and convincing.

GRANTMAKING TIMELINE

Table 2: 2024–2025 CARE Court Grant Timeline

Date(s)*	Activity
April 11, 2024	The committee approves the RFP
April 12, 2024	The application releases
May 2024	Applications are due
June 7, 2024	The committee recommends awards to the LSTFC
June 21, 2024	The LSTFC approves awards
June–July 2024	Applicants sign grant agreements
July 1, 2024	Grant period starts
July 1, 2024	Services start for Glenn, Los Angeles, Orange, Riverside, San Diego, San Francisco, Stanislaus, and Tuolumne Counties
On/before December 1, 2024	For all other counties, services start by the launch of that county’s CARE Court

*Some dates are approximate to accommodate applicant, LSTFC, and staff availability and needs.

THE APPLICATION

A complete 2024–2025 CARE Court application will include the components below. Please see the application instructions for detailed guidance.

1. Project profile

The project profile will include high-level information about the project such as its funding request, counties of focus, and abstract.

2. Project description

The project description will include information about the applicant’s qualifications and deliverables. This includes the project’s goals, activities, targets for representation, and strategies for outreach, accessibility, and evaluation. It will also ask about the applicant’s qualifications and resources to perform the work safely and effectively.

3. Project budget

The budget will include information on how the applicant proposes to spend 2024–2025 CARE Court funds in each county for which they apply. Applicants will need to identify staff by their role (e.g., “Managing attorney”) and estimate the amount of time that these roles would spend on the project. The project staff, budget, and description should be consistent with one another.

4. Budget narrative

The budget narrative will include information about each line of the budget, noting whether the grant will directly pay for specific items or be allocated on a percentage or other basis.

5. Project assurances

Each applicant will have to acknowledge that:

1. It agrees that it will use any funds it receives from a 2024–2025 CARE Court grant only for the purposes stated in its application. Should the State Bar of California (State Bar) determine in its sole discretion that the applicant is unlikely to use all funds received for these purposes within the grant period, the applicant will return funds to the State Bar as directed by the State Bar.
2. It will not discriminate based on race, color, national origin, religion, gender, disability, age, marital or domestic partnership status, medical condition, or sexual orientation.
3. It will comply with quality control procedures adopted by the State Bar.
4. It will permit reasonable site visits and will present additional information deemed reasonably necessary to determine compliance with the terms of the grant.
5. It will comply with fiscal management and control procedures adopted by the State Bar.
6. It understands that any proposal submitted for a 2024–2025 CARE Court grant, and all documents submitted pursuant to issuance of 2024–2025 CARE Court funding, are public documents, and may be disclosed to any person.
7. It agrees it will file regular program and financial reports, as may be required by the State Bar, and cooperate with other data collection requests by the State Bar for this grant project.
8. The State Bar is permitted, in its sole discretion, to adjust Applicant’s award at

any time to reflect the actual amount of funding available for 2024–2025 CARE Court grants. Consequently, grantees shall not be guaranteed any specific dollar amount in grant funds, or any grant funds at all, if funds received are insufficient or unavailable to the State Bar.

REPORTING REQUIREMENTS

Grantees must report quantitative and qualitative data describing their clients and activities. This data will include case outcomes tied to individual characteristics.

The 2024–2025 CARE Court grants may use the existing framework for Equal Access Program reporting except where necessary to meet other state requirements. Reporting requirements are subject to guidance from the Department of Finance and other agencies. As such, some requirements might become known to the State Bar at a later date.

QLSPs, public defenders, support centers, and other entities will report data through the State Bar's portal, SmartSimple.

1. Quarterly reports

All recipients of CARE Court funds must report quarterly on expenditures and services.

CARE Court grantees only: In addition to the quarterly expenditures required of all funding recipients, if awarded a CARE Court grant you must also report budget variances exceeding 10 percent of the approved grant budget to the State Bar as soon as possible. Variances exceeding 10 percent of the approved grant budget require an official budget revision request and State Bar or LSTFC approval.

QLSPs and public defenders only: For those providing legal representation, this includes reporting quarterly on new, ongoing, and/or closed representation of clients:

- A. Client demographics such as race/ethnicity, gender identity, age, disability status, veteran status, limited English Proficiency status, and housing status.
- B. Petitioner status (e.g., family member, first responder, etc.).
- C. Legal outcomes that are relevant to the CARE Act, including CARE plans and agreements (e.g., helped client to access behavioral health services through Medi-Cal).

- D. Legal resolutions that are relevant to the CARE Act, including CARE plans and agreements (e.g., client graduated from program after CARE plan).
- E. (To the extent possible) Economic benefits for cases that resulted in an award for or savings to the client.
- F. (Potentially) The time it takes to represent clients in CARE Court proceedings (i.e., in-court hours), the total time it takes to serve clients (e.g., to prepare for hearings, attend hearings, help client access services, and otherwise implement the CARE Act, including CARE plans and agreements), and similar information to gauge grantee and public defender office workloads and funding needs.
- G. Any other quarterly data necessary to comply with state reporting requirements.

Support centers and other entities providing legal trainings and/or technical assistance to counsel for respondents only: Must report quantitative data about trainings, convenings, research, and other support for QLSPs, public defenders, courts, county behavioral health agencies, and others.

2. A final evaluation

All recipients of CARE Court funds must submit a final evaluation about:

- A. Impact (i.e., how services affected the people served).
- B. Evaluations (the processes used to assess the effectiveness of services and the lessons learned about the services or the community).
- C. Legal service delivery successes and challenges.
- D. Publications (any publication or distribution plans for materials resulting from grant activities/this funding).
- E. Any other final evaluation data necessary to comply with state reporting requirements.

FOR QUESTIONS

For questions about the 2024–2025 CARE Court grants, please contact Helen Yu, Senior Program Analyst, at (213) 765-1074 or helen.yu@calbar.ca.gov.