

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

December 16, 2025

FROM

THOMAS W. SONE, Public Defender

SUBJECT

2025 - 2028 Community Assistance, Recovery, and Empowerment Court Funds Revenue Agreement with the State Bar of California

RECOMMENDATION(S)

1. Approve Draft 2025 - 2028 Community Assistance, Recovery, and Empowerment Court Funds **Revenue Agreement No. 25-1064** with the State Bar of California to provide legal representation to adults with severe mental health illness in court proceedings, pursuant to Welfare and Institutions Code section 5976, subsection (c), in the amount of \$247,652, for the services period effective July 1, 2025, through June 30, 2028.
2. Authorize the Public Defender to electronically execute the agreement in Recommendation No. 1, and any subsequent non-substantive amendments, on behalf of the County, subject to review by County Counsel.
3. Direct the Public Defender to transmit the agreement and any subsequent non-substantive amendments to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: Thomas W. Sone, Public Defender, 382-3950)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Create, Maintain and Grow Jobs and Economic Value in the County.

Operate in a Fiscally-Responsible and Business-Like Manner.

Provide for the Safety, Health and Social Service Needs of County Residents.

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). The grant award, in the amount of \$247,652, funds Year One of a three-year period (Services Period) that commenced on July 1, 2025, and ends June 30, 2028, of the Public Defender's (Department) Community Assistance, Recovery, and Empowerment (CARE) Program (Program). The grant award, administered by the State Bar of California (State Bar), will fund salaries and benefits for staff performing legal services in the amount of \$185,778 and services and supplies in the amount of \$61,874. The grant does not have a local match requirement.

The Program budget (491-2755) has adequate appropriation and revenue for the 2025-26 program requirements. Adequate appropriations will be included in future recommended budgets.

BACKGROUND INFORMATION

**2025 - 2028 Community Assistance, Recovery, and Empowerment
Court Funds Revenue Agreement with the State Bar of California
December 16, 2025**

California Assembly Bill 102 Budget Act of 2025 (AB 102) appropriated \$15,750,000 for qualified legal services providers to implement the CARE Act, which provides access to mental health and substance disorder services, behavioral health care, housing and other community services to persons with serious mental disorders. This vulnerable population requires legal counsel for representation in CARE Act proceedings, to ensure their due process rights are protected.

Qualified legal services providers include county public defender offices and non-profit legal support entities. The Legal Aid Society of San Bernardino (LASSB) is a qualified legal services provider and was selected to provide legal representation to CARE Act respondents in San Bernardino County CARE Courts. Where LASSB cannot provide CARE Act respondents conflict-free legal representation, the superior court will appoint the Department to represent respondents.

AB 102 established the Services Period, from July 1, 2025, through June 30, 2028. However, because funding is allocated on an annual basis, the first Annual Funding Period started on July 1, 2025, and ends on January 1, 2027. The State Bar's Legal Services Trust Fund Commission allocated \$247,652 to fund the Department's CARE Program for Year One of the Services Period. When appointed, existing Department staff will represent respondents in CARE Court proceedings. The Department will prepare quarterly expenditure and outcome reports as required by the CARE Act funds revenue agreement.

On November 18, 2025, Public Defender received the Draft Agreement from the State Bar. The Agreement is in Draft form because the State Bar requires electronic approval and execution through its online portal. This retroactive item is being presented at this time, as this is the first Board of Supervisors (Board) meeting date available following the required operational, administrative, and legal reviews. Although this is a retroactive item, the funds being recommended for approval in the Recommendation are effective for 2025-26. Approval by the Board at this time will not impact services. Funding for Year Two and Year Three requires statutory approval. Should the State Legislature authorize funding for Year Two and Year Three, the Department will return to the Board for approval to accept the funds.

Should State Funding become unavailable, the funds revenue agreement will automatically terminate, and the Department will suspend the Program.

On November 5, 2024 (Item No. 31), the Board of Supervisor (Board) approved CARE Court Funds Revenue Agreement No. 24-1048 with the State Bar of California in the amount of \$227,164 to fund the Program from December 1, 2024 through June 30, 2025. The Department launched the Program on December 1, 2024 and will continue to represent clients in CARE Act proceedings.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Bonnie Uphold, Supervising Deputy County Counsel, 387-5487) on November 24, 2025; Finance (Celia McDonald, Administrative Analyst, 387-4286) on December 1, 2025; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-3076) on December 1, 2025.

**2025 - 2028 Community Assistance, Recovery, and Empowerment
Court Funds Revenue Agreement with the State Bar of California
December 16, 2025**

Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Curt Hagman Seconded: Jesse Armendarez
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Curt Hagman, Joe Baca, Jr.
Absent: Dawn Rowe

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: December 16, 2025



cc: Public Defender - Lovelace w/agree for sign
Contractor - c/o Public Defender w/agree
File - w/agree

CCM 12/19/2025