

What is the CARE Act?



**CONSUMER CENTER FOR HEALTH
EDUCATION AND ADVOCACY**

A Program of the Legal Aid Society of San Diego

The Community Assistance, Recovery and Empowerment (CARE) Act is a new California law that created a court process for “petitioners” to request voluntary treatment and supportive services for “respondents” who have certain untreated severe mental illnesses, specifically schizophrenia or another psychotic disorder. If found eligible, CARE connects respondents with a court-ordered CARE plan or agreement for up to 12 months, with the possibility to extend for an additional 12 months. CARE respondents will be appointed a public defender to represent them through the process.

Who is eligible for the CARE Act?

To be eligible, a person must meet the following criteria:

- 18 years of age or older,
- Experiencing a severe mental illness and has a diagnosis of schizophrenia spectrum or other psychotic disorder,
- Severe and persistent symptoms, interfering with daily functioning,
- Is not stabilized with ongoing voluntary outpatient treatment,
- Participation in the CARE Act is the least restrictive alternative,
- Will benefit from participating in a CARE plan or CARE agreement,
- Is either unlikely to survive safely and is deteriorating or intervention is needed to prevent relapse or deterioration.

Who can file a petition (CARE-100) with the court?

A family member, roommate, first responder, licensed behavioral health professional, public guardian/conservator, director/designee of county behavioral health agency, adult protective services, California Indian health services program, or the respondent.
(see full list on CARE-100 form)

How can Legal Aid Society of San Diego (LASSD) help?

If you need help filling out the petition, please visit one of the four self-help centers around San Diego County. They cannot give you legal advice or represent you in court. Services are free and provided on a first come, first served basis. Please visit <https://www.lassd.org/walk-in-legal-clinics/> for locations and hours.

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