



Board Agenda Item 55

DATE: June 30, 2026

TO: Board of Supervisors

SUBMITTED BY: Antoinette Taillac, Public Defender

SUBJECT: Salary Resolution Amendment, Retroactive California Assistance, Recovery and Empowerment Court Grant Application and Agreement

RECOMMENDED ACTION(S):

- 1. Retroactively approve and authorize the Public Defender's previous submittal of a grant application to the State Bar of California, and establishment of California Assistance, Recovery and Empowerment Court (CARE) funding, for the period July 1, 2025, through June 30, 2028 (\$399,028);**
- 2. Approve Amendment to the Salary Resolution adding one (1) Defense Attorney I/II/III/IV position, one (1) Paralegal position, and one (1) Defense Social Worker I/II/III position, to the Public Defender's Org 2880, effective August 3, 2026, as reflected in Appendix "G";**
- 3. Retroactively ratify the Public Defender's execution of the retroactive Grant Award Agreement for funding of the CARE court, for the period July 1, 2025, through June 30, 2028 (\$399,028); and**
- 4. Approve Amendment to the Salary Resolution deleting two (2) Defense Attorney IV positions, one (1) Defense Attorney III position, one (1) Paralegal I position, one (1) Defense Social Worker III position, and one (1) Defense Investigator II position from the Public Defender's Org 2880, effective August 3, 2026, as reflected in Appendix "G".**

There is no increase in Net County Cost (NCC) associated with the recommended actions. The first recommended action requests your Board's approval of a retroactive grant application and agreement with the State Bar of California for the Fiscal Year 2025-28 CARE Court Grant Program. The grant provides State funding to support services designed to assist individuals with untreated severe mental illness who are at risk of further deterioration without intervention in Fresno County. To meet the State's application deadline, the CARE Court grant application was submitted contingent upon your Board's subsequent approval. The second recommended action adds grant-funded positions to support CARE Court operations and ensure the Public Defender's Office has the staffing resources necessary to fulfill its responsibilities for legal representation, client advocacy, and case management services under the CARE Court program. The third recommended action requests your Board ratify the Public Defender's execution of the CARE Court grant agreement, ensuring continued access to grant funding and program support. The fourth recommended action deletes positions funded through the Public Defense Pilot Program (PDPP). Funding allocated to support the program has been fully expended, and no additional funding sources have been secured to sustain operations. Consequently, the pilot program has concluded, and the Department is taking the necessary steps to discontinue program activities and eliminate positions that were established solely to support grant-funded services. Currently the Paralegal, Social Worker III, and the Defense Investigator II are filled positions. Staff will be transitioned into grant-funded positions to support program operations and maximize available grant funding. Additionally, the Defense Investigator currently funded through the grant will be reassigned to fill a vacant Defense Investigator position, ensuring continuity of services while maintaining appropriate staffing levels.

This item is countywide.

ALTERNATIVE ACTION(S):

If your Board does not approve the recommended actions, the Department will be required to return the CARE Court program funding for FY 2025-28 out of their FY 2026-27 allocated NCC and will not be funded for FY 2026-27. The loss of this grant will result in increased caseloads for current Public Defender staff to absorb the CARE Court population as this is a mandated program. However, if your Board does not approve the recommended actions, the Department will have to absorb these costs within their NCC allocation.

RETROACTIVE AGREEMENT:

Although the funding agreement was received in January 2026, the agreement is retroactive to July 1, 2025. Additional time was necessary to assess program implementation requirements, evaluate staffing needs, develop appropriate position classifications and funding allocations, and coordinate with County departments involved in the budget, personnel, and approval processes. These efforts were required to ensure the program was implemented effectively and that the recommended staffing and budget actions aligned with County policies and operational needs.

FISCAL IMPACT:

There is no increase in NCC associated with these actions. The maximum cost associated with the recommended application/revenue agreement is \$399,028. Sufficient appropriations and estimated revenues are included in the Department's Org 2880 FY 2025-26 Adopted Budget and will be included in future budget requests. There is no match requirement for the receipt of funds.

DISCUSSION:

During the 2021-22 Legislative Session, Senate Bill 1338 was enacted, establishing the CARE Court Program (Welfare and Institutions Code sections 5970-5987). Subsequent amendments under Senate Bill 35 (2023) provided technical and clarifying revisions to the original legislation. The CARE Court program was created to connect individuals experiencing untreated severe mental illness with court-supervised treatment, housing, and supportive services through a collaborative, multidisciplinary approach.

Since implementation, the Public Defender's Office has experienced increased workload demands associated with CARE Court proceedings, including legal representation of respondents, case preparation, court appearances, coordination with behavioral health providers and community partners, participation in multidisciplinary team meetings, and ongoing review of treatment and support plans. These responsibilities require dedicated legal and support staff to ensure effective representation and compliance with statutory requirements.

To support the continued implementation of the CARE Court program, the Public Defender's Office is requesting the addition of one (1) Defense Attorney I/II/III/IV position, one (1) Paralegal position, and one (1) Defense Social Worker I/II/III position to Org 2880, effective August 3, 2026, as reflected in Appendix "G". The Defense Attorney I/II/III/IV will provide legal representation and advocacy throughout the CARE Court process, ensuring respondents' rights are protected and proposed treatment plans are appropriately evaluated. The Paralegal will assist with case management activities, including document preparation, records review, court filings, and coordination with partner agencies. The Defense Social Worker I/II/III will provide assessments, case support, treatment and housing referrals, and coordination of services designed to improve participant outcomes and engagement.

CARE Court program funding has been identified to support these positions for the next three fiscal years, providing stability and continuity of services throughout the grant period. To date, CARE Act funding has supported staffing and program implementation activities, including personnel costs, administrative support, planning efforts, interagency coordination, technology needs, and program-related supplies. Remaining

grant funds will support ongoing personnel costs, staff training, program infrastructure, and performance evaluation activities as the County continues to expand and refine CARE Court operations.

Approval of the recommended positions will allow the Public Defender's Office to effectively manage current and anticipated CARE Court caseloads, maintain compliance with State mandates, and support the County's efforts to connect eligible individuals with treatment, housing, and other supportive services.

Should CARE Act funding be discontinued or otherwise become unavailable, the grant-funded positions will be deleted.

With respect to the recommended deletion of positions, the PDPP was established through California's Budget Act of 2021 (Senate Bill 129) and administered by the Board of State and Community Corrections to provide grant funding to counties for indigent defense services. Funding was allocated to counties based on adult population and was intended to assist with workload associated with specific post-conviction and resentencing matters, including Penal Code sections 1170.95, 1170(d)(1), 1473.7, and 3051.

The County of Fresno was awarded \$1,204,165 under the program. The original grant term extended from March 1, 2022, through March 1, 2025, and was subsequently extended through December 31, 2026, or until available funds were exhausted.

The Public Defender's Office has fully expended the grant funds awarded under the PDPP. As a result, the pilot program has concluded, and funding is no longer available to support the positions established under the grant. Consistent with the provisions approved by your Board in the original grant acceptance agenda item, all positions added for the duration of the pilot program will be deleted, as reflected in Appendix "G." Existing staff will be transitioned into grant-funded positions to support program operations and maximize available grant funding.

REFERENCE MATERIAL:

BAI #48, August 19, 2025

BAI #11, April 5, 2022

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - FY 25-28 CARE Court Funds Agreement
Salary Resolution Amendment - Appendix "G"

CAO ANALYST:

Sevag Tateosian