

1 [Accept and Expend Grant - Retroactive - San Francisco Public Defender's Office - CARE  
2 Court Fund - \$524,765]

3 **Resolution retroactively authorizing the San Francisco Public Defender's Office to**  
4 **accept and expend a grant in the amount of \$524,765, pursuant to Senate Bill No. 101**  
5 **(SB 101), allocating \$20,400,000 (Community Assistance, Recovery, and Empowerment**  
6 **(CARE) Court Fund), as amended in 2023 by Senate Bill No. 104 (SB 104), to be**  
7 **distributed by the Judicial Council of California through the State Bar via grant awards**  
8 **to qualified legal services providers and public defender offices to provide**  
9 **representation in CARE Act proceedings, matters related to CARE agreements, and**  
10 **CARE plans for the period of August 1, 2023, through June 30, 2024.**

11  
12 WHEREAS, The Administrative Code requires City departments to obtain Board of  
13 Supervisors' approval to accept or expend any grant funds (Section 10.170 et seq.); and

14 WHEREAS, The State Bar of California grant funds to the San Francisco Public  
15 Defender's Office requires documentation of the Board's approval of their specific grant funds;  
16 and

17 WHEREAS, The San Francisco Public Defender's Office desired to participate in the  
18 CARE Court Program, funded through Senate Bill 1338 ("S.B. 1338"), which was enacted,  
19 creating the Community Assistance, Recovery, and Empowerment Court (CARE Court) and  
20 administered by the State Bar of California, and was awarded \$524,765; and

21 WHEREAS, This CARE Court Program is concurrent with Senate Bill 1338 ("S.B.  
22 1338"), which was enacted, creating the Community Assistance, Recovery, and  
23 Empowerment Court (CARE Court); and

24 WHEREAS, The San Francisco Public Defender's Office is steadfastly committed to its  
25 mission of fiercely defending its indigent clients at the highest level, confronting state-

1 sponsored violence, and advocating for community power, and on top of defending individual  
2 clients in criminal legal matters, it also represents clients with mental health disabilities in civil  
3 commitment proceedings in psychiatric units of hospitals, facing conservatorship in civil court  
4 and other civil commitment proceedings in criminal court through the Public Defender's Mental  
5 Health Unit; and

6 WHEREAS, The Public Defender's Mental Health Unit (MHU) is uniquely situated to  
7 represent CARE court participants, as it represents thousands of clients in existing civil  
8 commitment proceedings and implementing similar court-ordered treatment programs  
9 (Assisted Outpatient Treatment (AOT), Housing Conservatorships, community-based  
10 conservatorship programs) and will therefore already know many potential CARE Court  
11 participants; and

12 WHEREAS, The CARE Court legislation authorizes petitions for individuals who are  
13 already represented by the Public Defender's Office in other proceedings; and

14 WHEREAS, The State Bar funding allocation will help provide adequate staffing to the  
15 unit by supporting one attorney and one paralegal; and

16 WHEREAS, Any interest earned on the grant funds must go to the funded activities;  
17 and

18 WHEREAS, The grant does not require an amendment to the Annual Salary Ordinance  
19 (ASO) Amendment; and

20 WHEREAS, The Public Defender's Office proposes to maximize use of available grant  
21 funds on program expenditures by not including indirect costs in the grant budget; now,  
22 therefore, be it

23 RESOLVED, That should the Public Defender's Office receive more than the awarded  
24 amount of \$524,765 that the Board of Supervisors hereby approve the acceptance and  
25 expenditure by the Public Defender's Office of the additional money; and, be it

1           FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the San  
2   Francisco Public Defender’s Office to retroactively accept and expend \$524,765 in grant funds  
3   from the State Bar of California, to comply with Senate Bill No. 101 (“S.B. 101”) mandate to  
4   use these funds to support CARE Court representation; and, be it

5           FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of  
6   indirect costs in the grant budget; and, be it

7           FURTHER RESOLVED, That the San Francisco Public Defender’s Office be  
8   authorized on behalf of the Board of Supervisors to sign the Grant Agreement with the State  
9   Bar of California, including any extensions or amendments thereof; and, be it

10          FURTHER RESOLVED, That the grant funds received hereunder shall not be used  
11   to supplant expenditures controlled by this body; and, be it

12          FURTHER RESOLVED, That the San Francisco Public Defender’s Office agrees to  
13   abide by the terms and conditions of the Grant Agreement as set forth by the State Bar of  
14   California.

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1 Recommended:  
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4 \_\_\_\_\_/s/\_\_\_\_\_

5 Manohar Raju  
6 Public Defender

Approved: \_\_\_\_\_/s/\_\_\_\_\_  
London N. Breed  
Mayor

Approved: \_\_\_\_\_/s/\_\_\_\_\_  
Ben Rosenfield  
Controller

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