

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF AUTHORIZING THE) RESOLUTION NO. _____
APPLICATION OF ASSISTED OUTPATIENT)
TREATMENT (“LAURA’S LAW”) WITHIN THE)
COUNTY OF SANTA BARBARA, FOR AN)
INITIAL THREE-YEAR PERIOD, SUBJECT TO)
ANNUAL APPROPRIATIONS, AND TARGETED)
TO SERVE ABOUT 10 ADULTS ANNUALLY)

WHEREAS, in 2002 the State of California enacted the “Assisted Outpatient Demonstration Project Act of 2002,” also known as “Laura’s Law,” which is codified at California Welfare and Institutions Code Sections 5345 through 5349.5; and;

WHEREAS, Laura’s Law is only operative in counties in which the Board of Supervisors authorizes its operation and makes a finding that no voluntary mental health program serving adults, and no children’s mental health program, may be reduced as a result of implementing Laura’s Law; and

WHEREAS, the health and safety of some adults with mental illness may be improved by the availability of court intervention and assisted outpatient treatment under Laura’s Law; and

WHEREAS, Laura’s Law provides that a petition to the court, for an order that a person receive assisted outpatient treatment, may be filed with the court only under specified conditions, and with statutory safeguards for that person’s individual rights, including the right to counsel; and

WHEREAS, a court may order a person to obtain assisted outpatient treatment services only if the court finds, by clear and convincing evidence, that the facts establish that all nine required statutory criteria are met, including both that: 1) there has been a clinical determination that the person is unlikely to survive safely in the community without supervision; and 2) the person is in need of assisted outpatient treatment in order to prevent a relapse or deterioration that would be likely to result in grave disability or serious harm to that person, or to others; and

WHEREAS, funding for the costs for the first year of an initial three-year program, targeted to serve about 10 adults annually, is included within the Fiscal Year 2016-17 Recommended Budget in an amount not to exceed costs of \$755,496, which includes \$148,608 in anticipated Medi-Cal revenue; and

WHEREAS, among its requirements, the “County Budget Act” at California Government Code Section 29000 et seq. requires that each year the Board of Supervisors must adopt a balanced budget, where funding sources equal uses; and

WHEREAS, California Welfare and Institutions Code Section 5703 expressly limits the amount of funds that counties must appropriate for mental health services.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Santa Barbara that, through the county budget process, the Board of Supervisors authorizes the application of Laura's Law within the County of Santa Barbara, for an initial three-year period, subject to annual appropriations, and targeted to serve about ten adults annually.

IT IS FURTHER RESOLVED that the Board of Supervisors of the County of Santa Barbara finds that no voluntary mental health program serving adults, and no children's mental health program, may be reduced as a result of implementing Laura's Law.

PASSED AND ADOPTED this _____ day of June, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

PETER ADAM
Chair of the Board of Supervisors

ATTEST:

MONA H. MIYASATO,
Clerk of the Board of Supervisors

APPROVED AS TO ACCOUNTING FORM:

THEODORE A. FALLATI, C.P.A.,
Auditor-Controller

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI,
County Counsel
