



Mental Health Courts in Sonoma County

The Sonoma County Superior Court offers a variety of resources specifically targeted at treating people with mental illness.

This pamphlet is intended to give a broad overview of mental health courts in Sonoma County. If you have questions, please contact your attorney or the mental health resources listed on the back of this pamphlet.

Incompetent to Stand Trial (IST)

Incompetent to Stand Trial (IST) proceedings are governed by Penal Code sections 1367-1370.01. In CA, the phrase “IST” generally means that due to a mental illness, a person charged with a crime cannot understand the legal proceedings against them or that they are not able to rationally assist their attorney with their defense. An IST finding suspends criminal proceedings, and the person is usually placed in a treatment program, which may include placement in a state hospital, MHD, or CARE Court.

Assertive Community Treatment (ACT)

ACT is a type of treatment that allows people with mental illness to be treated in the community, rather than jail or a locked facility. It provides individuals with assistance obtaining housing, medications, and wrap around services such as anger management, parenting classes, drug treatment, and specialized therapy. In Sonoma Co., ACT is utilized in FACT Court and Mental Health Diversion Court.

Mental Health Diversion (MHD)

Mental Health Diversion (MHD) is governed by Penal Code §1001.36. MHD is for individuals charged with felonies or misdemeanors, who have a qualifying mental health diagnosis, and who meet the eligibility and suitability criteria set by the Legislature. If MHD is granted, a treatment plan is approved by the court and the proceedings are “postponed” while the person receives treatment in the community. The court utilizes grant funds to provide Assertive Community Treatment (ACT). That may include medication and wrap around services (e.g. anger management, specialized therapy, housing, care managers, therapists, and accountability measures such as drug testing). The case and record of arrest is dismissed upon successful completion of the program. Program length is typically 12-24 months.

Murphy Conservatorship

Murphy Conservatorships are a specialized type of conservatorship for individuals facing felony charges involving violence or great bodily harm, and who have been deemed incompetent to stand trial (IST). This type of conservatorship allows the county conservator to mandate placement and psychiatric treatment. See W&I § 5008 (h)(1)(B) and PC §(c)(2).

Lanterman Petris Short (LPS) Act

The LPS Act is governed by Welfare and Institutions Code §5350–5372 (W&I). In 1972, the LPS Act reformed California's system related to involuntary civil commitments. Under the LPS Act, an individual who is found to be "gravely disabled" is placed under conservatorship where they receive treatment and care typically in a board & care, skilled nursing facility, or a locked facility. The legal definition of gravely disabled is a person who cannot provide their own food, clothing, shelter, personal safety, or necessary medical care due to mental illness. Typically, LPS conservatorships are reviewed once per year to determine whether a person continues to be gravely disabled or if they are ready to return to life in the community.

VALOR Court & Military Diversion (MD) Court

Military Diversion (MD) is governed by Penal Code (PC) §1001.80. Typically, MD is reserved for people with minor criminal records. Upon successful completion of MD, the case is dismissed. Valor Court (VC) is governed by PC §1170.9 and is for people who are on felony probation. Upon completion of VC, probation may be terminated early, fines/fees may be forgiven, and/or the case may be reduced to a misdemeanor. Most services are provided by the Veteran's Administration including medication, wrap around services (e.g.: anger management, drug treatment). Program length is usually up to 24 months.

FACT Court

FORENSIC ASSERTIVE COMMUNITY TREATMENT

FACT court is for individuals with serious mental illness who are on formal probation. FACT is a collaborative court between the Court, District Attorney, Public Defender, Behavioral Health, and Probation. FACT is a highly structured program for individuals who require a higher level of care than probation services alone. Program length is typically up to 24 months.

CARE Court

Community, Assistance, Recovery & Empowerment Act

CARE Court is available to individuals who are 18 years or older and who have a diagnosis in the schizophrenia or bipolar class of disorders. CARE is a completely voluntary program and reserved for individuals who are unlikely to survive in the community without services and support to prevent relapse or psychosocial deterioration. Program length is typically 12 months. Please see the Court's website for more information: <https://sonoma.courts.ca.gov/care-court>

For questions about mental health treatment, please consider:

Sonoma County Court website: <https://sonoma.courts.ca.gov/divisions/mental-health-court>

Sonoma County Behavioral Health Access Line (24/7): 707-565-6900 or 800-870-8786

NAMI's National Information Helpline: (800) 950-NAMI or text "NAMI" to 741-741