



Legislation Text

File #: 2022-0836, **Version:** 1

To: Board of Supervisors

Department or Agency Name(s): County Counsel, Human Services

Staff Name and Phone Number: Robert Pittman, County Counsel, 707-565-2421, Angela Struckman, Human Services, 707-565-5800

Vote Requirement: 4/5th

Supervisorial District(s): Countywide

Title:

Memorandum of Understanding for Public Conservator LPS Services

Recommended Action:

Authorize the Human Services Department to execute an MOU with Mendocino County allowing for the appointment of the Sonoma County Public Conservator on Mendocino County Case SCULK-LPSQ-2013-1665 and establishing a mutual aid Public Conservator relationship with Mendocino County. (4/5th Vote Required)

Executive Summary:

Sonoma County Public Conservator is statutorily required, under the Welfare and Institutions Code, to serve as the conservator for individuals who because of their mental illness are gravely disabled and unable to provide for their basic needs of food, clothing, or shelter. Through the initiation of a LPS conservatorship petition, the Public Conservator can secure housing and mental health services for these vulnerable clients. The LPS conservatorship is granted for a one-year term that is capable of being renewed annually if the client continues to be gravely disabled. These cases are confidential and highly sensitive, and occasionally conflicts arise in the representation of these matters. The Mendocino County Public Conservator has indicated a conflict with a specific conservatorship matter, SCUK-PPSQ-2013-1665, and is seeking assistance from the Sonoma County Public Conservator to fulfill the statutory obligations.

Discussion:

Mendocino County Public Conservator is responsible for initiating and re-establishing LPS conservatorship proceedings for individuals who are gravely disabled and due to mental illness are unable to provide for their food, clothing, or shelter. The Public Conservator works with the county mental health department to provide the necessary and appropriate treatment for conserved individuals. Mendocino County is seeking an MOU allowing the Sonoma County Public Conservator to serve as the Public Conservator for a matter in which the Mendocino County Public Conservator has indicated a conflict.

Per the terms of the MOU, the cost to Sonoma County will be minimal. Mendocino County Counsel will provide the legal services, including the filing and serving of legal petitions and representation in Mendocino County Court proceedings. Mendocino County will also ensure the Sonoma County Public Conservator will be able to attend any court proceedings virtually. Mendocino County Mental Health will be responsible for finding and ensuring the payment of all costs associated with the conservatorship. Other than fees that may be awarded by the Court, there will be no additional compensation to the Sonoma County Public Conservator.

This MOU will also establish the framework for a working mutual aid relationship which, should the Sonoma County Public Conservator have a conflict on a particular matter in the future, will allow the Mendocino County Public Conservator to assist in similar manner, allowing for the completion of the statutory obligations under the Welfare and Institutions Code.

Strategic Plan:

N/A

Prior Board Actions:

None.

FISCAL SUMMARY

Expenditures	FY 22-23 Adopted	FY 23-24 Projected	FY 25-26 Projected
Budgeted Expenses	0	0	0
Additional Appropriation Requested	0	0	0
Total Expenditures	0	0	0
Funding Sources			
General Fund/WA GF	0	0	0
State/Federal	0	0	0
Fees/Other	0	0	0
Use of Fund Balance	0	0	0
Contingencies	0	0	0
Total Sources	0	0	0

Narrative Explanation of Fiscal Impacts:

None.

Staffing Impacts:			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

None.

Attachments:

Memorandum of Understanding for LPS Services

Related Items “On File” with the Clerk of the Board:

None.