



## JUDICIAL COUNCIL OF CALIFORNIA

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*Director, Governmental Affairs*

May 24, 2018

Hon. Ricardo Lara, Chair  
Senate Appropriations Committee  
State Capitol, Room 2206 Sacramento,  
California 95814

Subject: SB 1045 (Wiener), as amended May 1, 2018– Fiscal Impact Statement

Dear Senator Lara:

SB 1045, among other things, would authorize Los Angeles and San Francisco counties to establish a new conservatorship scheme for certain individuals who are chronically homeless and incapable of providing for their own health and well-being due to a serious mental illness and substance use disorder, as specified. The authority for this bill would sunset on January 1, 2024.

### *Fiscal Impacts*

We anticipate this bill would have workload costs for the courts in Los Angeles and San Francisco counties that range between \$146,000 and \$734,000. The primary cost driver for this bill is its expansion of the types of individuals who can be conserved, which would lead to an increase in conservatorships allowed under the state's existing mental health civil commitment system, typically referred to as the Lanterman-Petris-Short (LPS) Act. Comprehensive data on the population this bill intends to address is incomplete. We utilized data by the Department of

Health Care Services, which summarize the number and types of LPS conservatorship (*temporary and “permanent” or 1-year*) cases that occurred in these counties in 2015-16.<sup>1</sup> Based on a review of this data, it is reasonable to assume that this bill could lead to an increase in LPS conservatorships of between 5% and 15% above what the courts in these counties currently process. This would equate to an increase of approximately 60 to 175 LPS conservatorship case filings in these counties.<sup>2</sup> The increase in additional LPS conservatorship case filings in these counties would carry costs of approximately \$146,000 to \$734,000 to support court workload to handle these additional cases.

Please contact Mark Neuburger if you have questions about the information contained in this letter at [mark.neuburger@jud.ca.gov](mailto:mark.neuburger@jud.ca.gov) or 916-323-3121.

Sincerely,

*Mailed on May 24, 2018*

Cory T. Jaspersen  
 Director, Governmental Affairs

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<sup>1</sup> Department of Health Care Services, “California Involuntary Detentions Data Report Fiscal Year (FY) 2015-16,” Mental Health and Substance Use Disorder Services Division, [http://www.dhcs.ca.gov/services/MH/Documents/FMORB/FY15-16\\_Involuntary\\_Detentions\\_Report.pdf](http://www.dhcs.ca.gov/services/MH/Documents/FMORB/FY15-16_Involuntary_Detentions_Report.pdf) (as of May 22, 2018).

<sup>2</sup> This table provides a summary of the Department of Health Care Services data and our calculation methodology:

County	Workload Category	LPS Conservatorships	5% Increm. Increase	15% Increm. Increase	Avg. Hearing Time		Avg. Case Processing Time	Low Range*	High Range*
Los Angeles	Hearing	739	37	111	60	180	n/a	\$31,169	\$280,519
	Case Processing				n/a		627	\$61,709	\$185,128
San Francisco	Hearing	424	21	64	60	180	n/a	\$17,690	\$161,741
	Case Processing				n/a		627	\$35,024	\$106,740

Totals \$145,593 \$734,129

\*Currently, one minute of court hearing time costs \$14.04, which includes all judge, clerk, and court room OE&E costs. Additionally, one minute of staff time associated with case processing costs \$2.66 and includes salary, benefit and court security costs.

Hon. Ricardo Lara

May 24, 2018

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cc: Members, Senate Appropriations Committee  
Hon. Scott Wiener, Member of the Senate  
Mr. Shaun Naidu, Consultant, Senate Appropriations Committee  
Ms. Stella Choe, Counsel, Senate Public Safety Committee  
Mr. Matt Osterli, Consultant, Senate Republican Caucus  
Mr. Daniel Seeman, Deputy Legislative Secretary, Office of the Governor  
Ms. Rebecca Kirk, Budget Analyst, Department of Finance  
Mr. Martin Hoshino, Administrative Director, Judicial Council of California