Judicial Council *of* California

520 Capitol Mall, Suite 600 · Sacramento, California 95814-4717
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PATRICIA GUERRERO
Chief Justice of California
Chair of the Judicial Council

MILLICENT TIDWELL
Acting Administrative Director

September 20, 2023

Hon. Gavin Newsom
Governor of California
1021 O Street, Suite 9000
Sacramento, California 95814

Subject: Senate Bill 717 (Stern)—Request for Veto

Dear Governor Newsom:

The Judicial Council respectfully requests your veto on Senate Bill 717, which requires the court to notify an individual of their ongoing need for mental health services if the individual has been found incompetent to stand trial (IST) and is not receiving court directed services and requires the court to provide the individual with other specified information.

The Judicial Council believes that the bill creates an inappropriate role for courts by requiring courts to notify individuals about their need for mental health treatment. Specifically the council is concerned that (1) it is inappropriate for courts to notify the individual that they "need" mental health services as courts are not diagnosticians, (2) requiring courts to provide a list of "available community based organizations" could give the appearance of courts endorsing certain programs which is inappropriate, and (3) the courts do not necessarily have the other required information, such as the name and contact information of the behavioral health professional that was providing services to them while incarcerated. However, the council believes that requiring courts to simply notify an individual of their *potential* need for mental health services is an appropriate role for courts and would not place an undue burden on them.

The council had requested that the bill be amended to limit the role of courts to notify an individual of their *potential* need for mental health services if the individual has been found incompetent to stand trial and to delete the other requirements on courts for the reasons summarized above but those amendments were not accepted.

For these reasons, the Judicial Council respectfully request your veto on SB 717.

Should you have any questions or require additional information, please contact our office at 916-323-3121.

Sincerely,

Cory T. Jasperson
Director
Governmental Affairs

CTJ/SR/lmm
cc: Hon. Henry Stern, Member of the Senate, 27th District
Ms. Jessica Devencenzi, Deputy Legislative Secretary, Office of the Governor
Ms. Millicent Tidwell, Acting Administrative Director, Judicial Council of California
Ms. Shelley Curran, Chief Policy & Research Officer, Judicial Council of California

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PATRICIA GUERRERO
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MILLICENT TIDWELL
Acting Administrative Director

September 12, 2023

Hon. Henry Stern
Member of the Assembly, 27th District
1021 O Street, Suite 7710
Sacramento, California 95814

Subject: Senate Bill 717 (Stern), as amended September 1, 2023—Oppose unless amended.
Location: Assembly Third Reading

Dear Senator Stern:

The Judicial Council regretfully has adopted an oppose unless amended position on Senate Bill 717, which requires the court to notify an individual of their ongoing need for mental health services if the individual has been found incompetent to stand trial (IST) and is not receiving court directed services and requires the court to provide the individual with other specified information. The council respectfully requests that the bill be amended to limit the role of courts to notify an individual of their *potential* need for mental health services if the individual has been found incompetent to stand trial and delete the other requirements on courts.

The Judicial Council believes that the bill as currently in print creates an inappropriate role for courts by requiring courts to notify individuals about their need for mental health treatment. Specifically the council is concerned that (1) it is inappropriate for courts to notify the individual that they "need" mental health services as courts are not diagnosticians, (2) requiring courts to provide a list of "available community based organizations" could give the appearance of courts endorsing certain programs which is inappropriate, and (3) the courts do not necessarily have the other required information, such as the name and contact information of the behavioral health professional that was providing services to them while incarcerated. However, the council believes that requiring courts to simply notify an individual of their *potential* need for mental health services is an appropriate role for courts and would not place an undue burden on them.

For these reasons, the Judicial Council regretfully opposes SB 717, unless amended.

Should you have any questions or require additional information, please contact me at 916-323-3121.

Sincerely,

Cory T. Jasperson
Director
Governmental Affairs

CTJ/SR/lmm
cc: Mr. John Drebinger, Senior Advocate, California Council of Community Behavioral Health Agencies
Ms. Jessica Devencenzi, Deputy Legislative Secretary, Office of the Governor
Ms. Millicent Tidwell, Acting Administrative Director, Judicial Council of California
Ms. Shelley Curran, Chief Policy & Research Officer, Judicial Council of California