

1 OFFICE OF THE COUNTY COUNSEL
2 ALISON A. BARRATT-GREEN, County Counsel (#148360)
3 Scott A. McLeran, Deputy County Counsel (#256263)
4 Eric Rood Administration Center
5 950 Maidu Avenue, Suite 240
6 Nevada City, CA 95959-8617
7 Telephone: (530) 265-1319
8 Facsimile: (530) 265-9840

9 Attorneys for Petitioner NEVADA COUNTY DEPARTMENT OF
10 BEHAVIORAL HEALTH

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **COUNTY OF NEVADA**

13 REBECCA SLADE, Interim Director of
14 Behavioral Health, County of Nevada,

15 Petitioner,

16 vs.

17 NNNNN,

18 Respondent.

Case No. LL-000

**PETITION FOR AN ORDER
AUTHORIZING ASSISTED
OUTPATIENT TREATMENT**

[Welfare and Institutions Code
§§ 5345–5349.5]

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20 Petitioner, DIRECTOR OF THE NEVADA COUNTY DEPARTMENT OF
21 BEHAVIORAL HEALTH, alleges as follows:

22 1. Petitioner is the duly appointed and qualified Director of the Nevada County
23 Department of Behavioral Health, State of California, whose physical and mailing address is
24 500 Crown Point Circle, Suite 120, Grass Valley, California 95945. The Department provides
25 mental health services to those eligible for such services under California laws and
26 regulations, including policies of the State Department of Mental Health. The State
27 Department of Mental Health knows that the Nevada County Board of Supervisors has
28

1 authorized implementation of Laura’s Law [Welfare and Institutions Code Sections 5345–
2 5349.5, hereafter cited as “W&I Code”], and has been provided documentation on the
3 procedures and policies of implementation. The Director has investigated Respondent
4 NNNNN’s mental health condition and has concluded that Respondent qualifies for, and will
5 benefit from, assisted outpatient treatment (“AOT”) under Laura’s Law.

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7 2. Petitioner is informed and believes that the person who is the subject of the
8 Petition [hereafter referred to as “RESPONDENT”] is a person who is presently residing in,
9 or located in, Nevada County, California.

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11 3. The criteria listed in W&I Code Section 5346(a)(1)–(9) set forth below are
12 applicable to Respondent and are met by facts alleged below, by facts established in the
13 Exhibits to this Petition, by facts established in court testimony, and other relevant and
14 admissible evidence in this matter.

15 (a)(1) Respondent is 18 years of age or older.

16 (a)(2) Respondent is suffering from a mental illness, as defined in W&I Code Section
17 5600.3(b)(2) and (3).

18 (a)(3) Respondent is unlikely to survive safely in the community without supervision,
19 and this has been clinically determined.

20 (a)(4) Respondent has a history of lack of compliance with treatment of his or her
21 mental illness, in that: Respondent’s mental illness has, at least twice within the last 36
22 months, been a substantial factor in necessitating hospitalization, or receipt of services in a
23 mental health unit of a state or local correctional facility, not including any period of
24 hospitalization or incarceration immediately preceding this Petition.

25 (a)(5) Respondent has been offered an opportunity to participate in a treatment plan
26 that includes, but is not limited to, all of the services described in W&I Code Section 5348,
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1 and Respondent continues to fail to engage in treatment, as is more specifically set forth in
2 Exhibit A and B (“Proposed Treatment Plan”).

3 (a)(6) Respondent’s condition is substantially deteriorating.

4 (a)(7) Respondent’s participation in the assisted outpatient treatment plan (Exhibit B)
5 is the least restrictive placement necessary to ensure his or her recovery and stability.

6 (a)(8) Respondent is in need of assisted outpatient treatment in order to prevent a
7 relapse or deterioration that would be likely to result in grave disability or serious harm to
8 himself or herself, or to others, as defined in W&I Code Section 5150.

9 (a)(9) It is likely that Respondent will benefit from AOT if it continues for a period
10 not to exceed 180 days.

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12 4. An examination of Respondent by a licensed mental health therapist has been
13 completed or attempted within ten (10) days of the filing of this Petition.

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15 5. The Proposed Treatment Plan (attached as Exhibit B) consists of services
16 required under W&I Code Section 5348, and such services are presently available from the
17 Nevada County Department of Behavioral Health.

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19 6. The Proposed Treatment Plan (Exhibit B) is the most appropriate and feasible
20 alternative involving the least restrictive placement of Respondent.

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22 7. If the Treatment Plan, as prayed for, is ordered by the Court, AOT services will
23 be provided by Petitioner’s Department through an AOT Team under the direction of a Team
24 Director at an intensive level, and will include a personal service coordinator (“PSC”) to
25 ensure that Respondent’s treatment does not lapse.

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1 8. Under W&I Code Section 5346(d)(4)(A)–(I), Respondent is entitled to notice
2 of this hearing and notice of other listed rights, and, accordingly, Petitioner alleges that
3 service and delivery of the Petition will include a copy of the “Notice of Hearing,” which is
4 attached as Exhibit C to this Petition.

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6 9. Respondent has either designated that notice of this proceeding be given to
7 those persons shown below, or Petitioner includes them here as relatives or close friends:

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9 A.

10
11 **WHEREFORE**, Petitioner prays that the Court:

12 1. Find that Respondent meets all the criteria in W&I Code Section 5346(a), and
13 is otherwise eligible for AOT services under Laura’s Law, and that all elements of the Petition
14 required by Laura’s Law are met; and,

15 2. Find that the Treatment Plan proposed in Exhibit B be adopted with or without
16 modification by the Court, and that such services are available for the duration of the Plan,
17 and that the Court-approved Plan will be delivered to Respondent; and,

18 3. Find that the Treatment Plan has been offered to Respondent by Petitioner on a
19 voluntary basis and Respondent has failed to engage in, or has refused such treatment; and,

20 4. Order that Respondent engage in AOT for a period of 180 days as called for in
21 the Treatment Plan; and,

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1 5. Order that the Petitioner comply with W&I Code Section 5346(h) in requiring
2 the AOT Team Director to report to the Court within sixty (60) days about Respondent's
3 continuing eligibility for AOT services.

4 Dated: _____ Respectfully submitted,
5 OFFICE OF THE COUNTY COUNSEL
6 ALISON A. BARRATT-GREEN, County Counsel

7 By: _____
8 SCOTT A. McLERAN, Deputy County Counsel
9 Attorneys for Nevada County
10 Dept. of Behavioral Health

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