



## THE LOST LEGAL PATHWAY TO MENTAL HEALTH CARE

### A reader's guide to the white paper

#### The Mental Health Crisis

California's mental health system continues to struggle to serve people with severe mental illness who are unable to voluntarily accept care. Families, outreach workers, clinicians, and first responders often report that long-term treatment is difficult to access outside of the criminal justice system.

As a result, vulnerable individuals cycle between the streets, jails, and emergency departments without stabilization and without a comprehensive evaluation or lasting treatment plan. Financial and emotional strains are placed on all the systems affected by this cycle, including families, first responders, hospitals, and local governments.

#### A Legal Pathway that Already Exists

Since 1967, California law has included a pathway to court-ordered mental health evaluations. Welfare & Institutions Code Section 5150, which allows for an involuntary hold for an assessment (5150 hold), was never meant to be the only way to access care.

The unused option is from Section 5200. The 5200 process allows *any individual* to apply for a court-ordered mental health evaluation (not just an assessment), when a person is believed to be gravely disabled or a mental health disorder has caused them to become a danger to themselves or others. Grave disability means a mental health or severe substance use disorder has caused someone to be unable to manage their basic needs.

#### Research Shows This Option Is Not Currently Available

Public Records Act requests were sent to all 58 California counties asking for copies of each county's 5200 processes. While 46 responses were received, no county reported having an active, functional process for Section 5200 petitions.

Some counties described the provision as obsolete or redundant because of access to 5150 holds, so they do not use it. The recently enacted CARE Act does not mention 5150 holds, but includes a direct reference to using the 5200 process. This suggests that the state expects this pathway to be available.

#### Why The Difference Between Assessment and Evaluation Matters

A 5150 hold only requires an assessment by an appointed assessor, but a 5200 court-order requires an evaluation by a mental health professional. While a 5150 hold can sometimes lead to an evaluation, it is not required under the law, and unintended barriers can block that path when 5150 holds are the only point of access.

### 5150 Assessment:

- Can be completed quickly, often in a busy emergency setting
- Focuses on immediate safety and stabilization
- Frequently results in rapid release and re-admission from hospitals
- May not involve a trained mental health professional

### 5200 Evaluation:

- Requires multi-disciplinary professional analysis
- Examines broader clinical and functional needs
- Designed to inform longer-term treatment planning and potential court involvement

## How This Affects Systems

The gap between state law and county practices eliminates access to the court-ordered evaluation pathway. This reduces access to evaluations and the opportunity for judicial oversight for individuals with severe mental health challenges. When access to evaluations are limited, responsibility and costs shift to higher-cost crisis systems like emergency departments, first responders, and jails.

## What The Full White Paper Covers

*The Lost Legal Pathway to Mental Health Care* provides a detailed legal and operational analysis of Section 5200, including:

- The statutory structure of Sections 5200 through 5213
- Historical context and what legislators intended when the law was written
- Due process considerations
- The distinction between assessments and evaluations under the LPS Act
- County interpretations and reported practices
- The use of mandatory language in the Code and its implications

This white paper does not advocate for new laws. Instead, it examines how an existing legal pathway has been interpreted, implemented, or left unused over time, and what this means for access to evaluation, treatment, and judicial oversight.

## About Quarter Turn Strategies

Quarter Turn Strategies is a consulting firm focused on emergency response, EMS, mental health systems, and coordination between these agencies. We work with public agencies, policymakers, and frontline systems to analyze complex legal and operational frameworks. Our goal is to identify practical opportunities to improve access, continuity, and outcomes within existing law and available funding.

Use this QR code to access the white paper,  
[\*The Lost Legal Pathway to Mental Health Care.\*](#)

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