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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FIVE

In re K.W., a Person Coming Under  
the Juvenile Court Law.

B287365

(Los Angeles County  
Super. Ct. No. DK17553)

LOS ANGELES COUNTY  
DEPARTMENT OF CHILDREN  
AND FAMILY SERVICES,

Plaintiff and Respondent,

v.

K.W.,

Defendant and Appellant.

APPEAL from orders of the Superior Court of Los Angeles  
County, Marguerite D. Downing, Judge. Affirmed.

Christina Gabrielidis, under appointment by the Court of  
Appeal, for Defendant and Appellant.

Office of the County Counsel, Mary C. Wickham, County  
Counsel, R. Keith Davis, Assistant County Counsel, and David

Michael Miller, Deputy County Counsel, for Plaintiff and  
Respondent.

K.W. (Mother) appeals the juvenile court’s order terminating jurisdiction over her six-year-old son and awarding physical and legal custody of the child to his father, J.W. (Father)—with monitored visitation for Mother. The juvenile court assumed dependency jurisdiction over the minor, K.W.,<sup>1</sup> based on the court’s finding that Mother emotionally abused K.W. by making repeated, unsubstantiated allegations that Father sexually abused the child. Mother does not contest the aspect of the juvenile court’s order terminating dependency jurisdiction, but she charges the court should have awarded joint custody, or failing that, unmonitored visitation, given her bond with K.W. and her behavior during post-jurisdiction visits with him. We consider whether the juvenile court’s custody and visitation determinations were an abuse of the court’s discretion.

## I. BACKGROUND

### A. *The Juvenile Court Proceedings at Issue in the Prior Appeal*

A detailed account of the earlier juvenile court proceedings is set forth in this court’s prior opinion affirming the juvenile court’s jurisdiction findings and disposition order (*In re K.W.* (Mar. 19, 2018, B279849) [nonpub. opn.]). We summarize the pertinent events, drawing on our prior opinion.

Marriage dissolution proceedings were pending between Mother and Father when Mother reported Father sexually abused K.W. Mother stated K.W. told her he and Father “have

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<sup>1</sup> Mother and her son share the same initials. In the remainder of this opinion, we refer only to her son by the initials K.W.

secrets that he is not supposed to tell anyone about” and that “[Father] has threatened to kill him if he says anything.” A Los Angeles County Department of Children and Family Services (Department) social worker interviewed Mother and K.W. separately and observed K.W. “did not appear to be familiar with any of the sexual behaviors reported by mother,” did not disclose any “inappropriate conduct by father,” and did not “display any of the behavior described by mother.”

Mother’s report to the Department also triggered a report to the Pasadena Police Department (PPD), which conducted its own interviews of Mother and K.W. In her interview with the police, Mother said K.W. told her that he and Father “exercise” together and demonstrated the exercise by inserting his extended index finger into his opposite hand that was balled up into a clenched fist. Mother claimed K.W. said “when his dad does this exercise, his head gets big and explodes and stuff comes out.”

When the officers separately interviewed K.W. and asked if he exercised with Father, K.W. said yes and made the hand gesture Mother described. When asked, K.W. said he did not know what the gesture meant. K.W. denied he had ever seen Father’s penis and denied Father had ever touched his penis.

PPD personnel also took K.W. to a sexual assault treatment center for a forensic interview. K.W. did not disclose experiencing any inappropriate touching and said he was not worried about anyone hurting him. K.W. did, however, demonstrate the finger-and-fist hand gesture when discussing “exercise” done by his Father. K.W. said Father would “explode from his head” and rainbow-colored hot lava would come out.

Mother later provided the Department with video recordings in which she “repeatedly ask[ed] [K.W.] questions

indicating father is sexually abusive,” apparently with the intention K.W. would disclose being abused. The social worker found Mother’s video interrogation of K.W. inappropriate and believed the Department did not need to be involved with the family because there was no evidence K.W.’s behavior was due to sexual abuse. The Department closed Mother’s referral as “unfounded.”

Shortly after the Department closed the initial referral, it received another referral alleging Father sexually abused K.W. Mother had taken K.W. to a therapist, apparently to corroborate her suspicions of abuse, and the therapist reported what she learned from Mother to the Department. K.W.’s pediatrician also contacted the Department to ask if it had opened an investigation into the alleged sexual abuse. After speaking to a Department social worker, the pediatrician handed the phone to Mother, who stated K.W. had “remained consistent in his statements about [Father] putting his penis in him to his therapist” and emphasized the social worker was “supposed to investigate this issue.”

When the social worker informed Mother she and K.W. would need to be interviewed again, Mother stated K.W. “has been asked about the allegations many times today and he is beginning to shut down.” They agreed to delay K.W.’s subsequent interview “to avoid him feeling overwhelmed or shutting down for being asked of the same topic again.”

When K.W. and Mother arrived for that subsequent interview with the Department, Mother told the social worker K.W. was “ready to talk.” When the social worker greeted K.W., K.W. said, “You have to protect me, my dad’s a bad man. You have to protect me! My mom said you would protect me!” Mother

said she was concerned the previous referral had been closed and asked that K.W. undergo another forensic interview and a forensic physical exam, explaining K.W. had been making “additional disclosures including anal penetration and oral copulation.”

The social worker, accompanied by a supervisor, interviewed K.W. without Mother present. During the interview, K.W. “immediately and repeatedly” told the social workers they needed to protect him because Father was a “bad man.” K.W. also said Father “has something wrong with his brain.” When asked whether Mother had told him to make such statements, K.W. looked away and said, “No it was somebody else.”

After the interview, the social worker told K.W. there was a surprise in the playroom. K.W. closed his eyes, was taken into the playroom, opened his eyes, and saw Father. K.W. initially turned away and grabbed the leg of a Department psychologist who was observing, but smiled and ran into Father’s arms when Father said, “It’s me, [K.W.]” The psychologist and the social workers did not observe K.W. exhibiting trauma or fear when visiting with Father in the playroom.

In investigating this latest referral, the Department also contacted the PPD detective who previously investigated the sexual abuse allegations, as well as staff at K.W.’s preschool. The detective said he determined the allegations were unfounded because there was no evidence of abuse. K.W.’s pre-school teacher reported hearing K.W. say, “My mom told me my dad’s a bad guy, but he’s not.” School staff more generally reported Mother often made inappropriate statements and discussed things with K.W. that should only be discussed with adults.

Mother took K.W. to another therapist who interviewed K.W. twice. During those interviews, K.W. told the therapist Father made him do “bad exercises,” hit him on his back, and “threw [him] really hard.” When asked what the “bad exercises” were, K.W. demonstrated the finger-in-fist gesture and said Father showed him how to do it and they both did it “[a]ll the time.” When asked whether he wanted to go see Father soon, K.W. said, “No cause I don’t like his exercises.” The Department closed the second referral as unfounded.

The Department subsequently obtained a removal order to protect K.W. from emotional abuse based on Mother’s continued questioning of K.W. about sexual abuse, Mother’s suspected coaching of K.W., and Mother’s “apparent unaddressed mental issues.” The Department also filed a petition in juvenile court alleging K.W. was a child described by Welfare and Institutions Code section 300, subdivision (c).<sup>2</sup> The petition alleged Mother “emotionally abused the child by e[n]meshing the child in the ongoing custody dispute between [Mother] and [Father].” The petition further alleged “[M]other repeatedly made allegation[s] of sexual abuse of the child by [Father] and subjected [K.W.] to a forensic interview and multiple interviews by Law Enforcement and [the Department]” regarding Mother’s unsubstantiated allegations, which “places [K.W.] at substantial risk of suffering serious emotional damage . . . .”

The court set the matter for a jurisdictional hearing and the Department conducted additional interviews. The Department interviewed, among others, K.W.’s new therapist,

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<sup>2</sup> Undesignated statutory references that follow are to the Welfare and Institutions Code.

Dr. Adrienne Meier. Dr. Meier reported she saw no signs of sexual abuse and K.W. had not reported being abused by anyone. When Mother was interviewed, she stated K.W. was still telling her about new allegations of sexual abuse. Specifically, Mother said K.W. talked about a game that Father and his friends (including another police officer) would play: K.W. would stand naked on a step-stool, Father's friends would take turns pushing K.W. off, and whoever pushed K.W. off the stool would take K.W. to bed and lick him. When the investigating social worker questioned Mother as to whether she believed Father had actually engaged in such a game, Mother responded she was "just telling you what [K.W.] said" and added, "I have to believe my child."

In the interim, the juvenile court ordered visits with Mother should be monitored and admonished Mother "not to use mandated reporters as conduits for new child abuse allegations" and to "discuss directly with the [Department] social worker assigned to th[e] case" any child abuse. After Mother's first monitored visit, she emailed a Department social worker stating K.W. had informed her of further abuse during the visit and indicating the visit monitor could confirm Mother had not coached K.W. The social worker "consulted at length" with the monitor, who stated no such incident had occurred.

The court held the contested jurisdictional hearing in December 2016. Mother testified, among other things, that she believed Father continued to abuse K.W. after he was ordered detained, even though K.W. had not reported any abuse in the past month prior to the jurisdictional hearing. The juvenile court sustained the petition as alleged and set the matter for a



contested disposition hearing. In the interim, the Department continued to monitor the family.

In a January 2017 report, the Department recommended jurisdiction be terminated with a family law order granting Father sole legal and physical custody of K.W. with only monitored visitation for Mother once a month—based on Dr. Meier’s report of K.W.’s recent regression due to more frequent contacts with Mother. Prior to the disposition hearing, the juvenile court limited Mother’s monitored visits to once every other week.

The disposition hearing took place over four days in March and April 2017. Mother again testified, and she stated she believed that Father was sexually molesting K.W. based on things K.W. had told her. Mother also acknowledged she had an unauthorized visit with K.W. a couple of weeks prior to the hearing when she happened to encounter K.W. on her way home.

The investigating social worker testified she learned from Dr. Meier that there was a possible correlation between visits with Mother on the one hand, and K.W. “kind of decompensating over the last couple of months” on the other. The social worker believed Mother had not made significant progress in accepting services that would help address any mental health issues.

K.W.’s attorney, Father, and the Department all argued the juvenile court should terminate jurisdiction and grant sole custody of K.W. to Father. Mother argued that the case should remain open and that the court should consider more frequent visitation.

The juvenile court declared K.W. a dependent of the court under section 300, subdivision (c). The court declined to close the case with a custody order to Father because it believed such an

order was not in K.W.'s best interest. The court noted K.W. was completely bonded to Mother, the suspension of visits would be traumatic, and Father might deprive Mother of visits with K.W. without court supervision. The juvenile court ordered K.W. to remain with Father, Mother to participate in family reunification and family enhancement services, and Father to participate in family maintenance services. Mother was also ordered to undergo a psychiatric evaluation.

Mother appealed the juvenile court's jurisdiction findings and disposition order. We held substantial evidence supported the juvenile court's finding of dependency jurisdiction. We also held reversal of the disposition order was not warranted due to any procedural or substantive error.

*B. The Proceedings Directly at Issue in This Appeal*

The Department filed a status review report in October 2017 describing events that occurred in the months since the disposition hearing. K.W. had continued to live with Father (and his significant other and her two children). K.W. had adapted to his blended family and interacted appropriately with his stepsiblings. Father continued to demonstrate his capacity to properly care for K.W. and provide a safe and nurturing environment. K.W. had exhibited overall improvement in his behavior, and the Department had no concerns regarding K.W. in the care of his Father. K.W.'s kindergarten teacher reported K.W. was respectful and appropriate at school, and that Father was very involved and quite knowledgeable about K.W.'s needs.

The Department's status report also summarized the views of K.W.'s therapist, Dr. Meier, on K.W.'s then current condition. Dr. Meier told the Department K.W. was "doing a lot better" and

his behavior continued to improve.<sup>3</sup> Dr. Meier opined the visitation arrangement then in place—one hour of monitored visitation per week—was working well for K.W., although Dr. Meier noted she would meet with K.W. after Mother’s visits to minimize any negative effect of the visits on the child. As related in the Department’s report, Dr. Meier further opined she would “not recommend conjoint counseling for [K.W.] with either parent at this time as the child is not ready and would need more time in order to engage in meaningful therapeutic dialogue with either parent.”

The status report also discussed Mother’s progress since the last hearing. Mother’s therapist, licensed clinical social worker Diane Thorp (Thorp), reported Mother had been attending therapy since February 2017, was an active participant, was committed to K.W.’s wellbeing, and demonstrated commitment to reunifying with him. Thorp did not feel Mother posed a risk of harm to K.W. and believed (based solely on her interactions with Mother) that K.W. would benefit from reunification.

The therapeutic monitor overseeing Mother’s visits with K.W., Dr. Lloyd Davis, reported the visits were positive and productive, with no incidents and no major concerns. He believed Mother and K.W. had a strong bond, and he related that Mother was “appropriate” during the visits. Father, however, expressed

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<sup>3</sup> Dr. Meier explained she believed K.W. was less fixated on Mother, although he continued to be concerned about her wellbeing and would say things during visits that he believed would make Mother feel better (e.g., that he would leave his door unlocked so she could come visit him at nighttime).

some concern that Mother would engage in “extended goodbyes” at the end of visits with K.W., which in Father’s view, left K.W. anxious and worried about Mother’s wellbeing.

For purposes of its status report, the Department also asked Mother and Father to share their perceptions regarding the current status of the dependency case. Mother told Department personnel there was nothing wrong with her or her parenting abilities and the Department reported she “has continued to use statements that her son was ‘kidnapped’ by social services.” Father stated he believed the existing visitation arrangement was working for K.W. but Father maintained additional contact with Mother would place K.W. at risk of emotional harm. Father also emphasized Mother did not appear to take any responsibility for her false allegations and emotional abuse of K.W.

The Department recommended the court terminate jurisdiction with a family law order granting sole legal and physical custody of K.W. to Father, with monitored visits for mother for no more than one hour per week. In the Department’s view, Mother’s “continued fixation” with finding Father “culpable of abuse . . . continue[d] to place [K.W.] at risk of emotional harm if [Mother] was to have additional time with [K.W] or contact with [K.W.] outside of . . . controlled therapeutic setting visit sessions.”<sup>4</sup>

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<sup>4</sup> The Department’s report indicated Mother made “recent statements” to a psychiatric evaluator that demonstrated this continued fixation, but the report does not detail what the statements were.

When the parties initially appeared for a status review hearing, Mother asked the juvenile court to continue the matter for purposes of holding a contested evidentiary hearing. The juvenile court agreed, and it also ordered the Department to increase Mother's monitored visitation with K.W. from one to three hours per week.

The Department submitted a last minute information report for the juvenile court just prior to the day of the continued hearing. The report attached update letters from K.W.'s therapist (Dr. Meier) and Mother's therapist (Thorp).

Dr. Meier reported K.W. recently had become more guarded and less willing to discuss his feelings. She also indicated K.W. was once again fixated on topics related to Mother and was not willing to deviate from them. Dr. Meier further stated she recommended against conjoint counseling between K.W. and his parents "at this time," while allowing it "could be helpful in the future." The Department inferred, from Dr. Meier's letter, that "[K.W.] appears to have regressed in his progress during this brief period of increased visitation time with [Mother]."

Thorp indicated Mother had demonstrated significant growth while under her care. Thorp concluded Mother had transitioned from an insecure, anxious, and preoccupied personality attachment style to one that was secure; she opined Mother had gained the tools she needs to be a loving, caring, and dedicated mother; and Thorp "fully endorse[d Mother] being reunited with her son."

At the juvenile status review hearing, both Dr. Davis (the visitation monitor) and the case social worker testified. Dr. Davis testified Mother and K.W.'s visits were going well. He explained he observed K.W. use delay tactics toward the end of his visits

with Mother, but Mother would attempt to help K.W. end the visits. Dr. Davis did not believe additional contact with Mother would be harmful for K.W. and instead believed they should have more time together. When asked how much visitation would benefit K.W., Dr. Davis responded: “I feel that [K.W.] is safe with his mother without monitoring, and that some kind of a custody arrangement between the parties is really important for [K.W.’s] wellbeing, and that more time with his mother, that is something that, you know, an evaluator or someone who is qualified to make those decisions would be appropriate.” The Department’s case worker testified he believed K.W. was safe in Father’s home and that continued supervision of K.W. with Father was unnecessary.

Following the testimony, the juvenile court heard argument from counsel. Counsel for K.W. asked the court to terminate jurisdiction with a family law order giving Father sole legal and physical custody and giving Mother three hours of monitored visitation per week. Counsel for the Department concurred that jurisdiction should be terminated, but asked the court to reduce Mother’s visitation to one hour per week. Father’s attorney agreed with the Department’s recommendation. Mother’s attorney argued there was no basis for the Department’s recommendation but made no specific argument regarding the amount or frequency of visitation.

The juvenile court terminated jurisdiction, gave Father sole legal and physical custody of K.W., and ordered monitored visitation between K.W. and Mother should continue for three hours per week in a therapeutic setting. The court’s order was based on its finding that the conditions that justified the initial assumption of jurisdiction no longer existed and did not appear

likely to exist if supervision were withdrawn—because K.W. had remained in Father’s home without incident.

In further explaining the reasons for its ruling, the juvenile court acknowledged it had opted not to terminate jurisdiction at the earlier disposition hearing because it wanted to ensure visits between K.W. and Mother started as planned. The court stated, however, that it was never of the view that it would keep the case open forever to ensure Mother continued to receive the visitation ordered: “[The court] want[ed] to make sure that visitation was consistent and [the court] had hoped that visitation would be further liberalized.<sup>5</sup> [¶] So at this point, visitation in a therapeutic environment might not be necessary, that monitored visitation might not be necessary, but now we’re here, six months later, the Department has met their burden.” The juvenile court also found it significant that K.W.’s therapist believed it was premature to start conjoint counseling, which the court understood as “a sign . . . that it’s premature to give [Mother] unmonitored visitation, return this child home or even to liberalize [Mother’s] visitation so that it would be in a non[-]therapeutic environment.”

Shortly after the review hearing, the juvenile court signed the custody order awarding custody of K.W. to Father, with three hours of monitored visitation per week for Mother. The visitation

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<sup>5</sup> The transcript of the hearing includes a full stop after the word “liberalized,” as reproduced verbatim above. But in context, it is obvious the court’s remarks were intended as one continuous thought, i.e., “[the court] had hoped that visitation would be further liberalized so that at this point, visitation in a therapeutic environment might not be necessary, that monitored visitation might not be necessary, but now we’re here . . . .”

order attached to the custody order stated supervised (rather than unsupervised) visitation was required for reasons described on a further attachment, but that attachment was left blank (after the court marked out several pre-printed checkmarks in boxes indicating standard, form reasons).

## II. DISCUSSION

Mother contends the juvenile court abused its discretion by giving custody of K.W. to Father and, failing that contention, by restricting Mother to monitored visitation with K.W. in a therapeutic setting. We conclude both determinations made by the juvenile court were within the scope of its discretion.

As to custody, the record demonstrates Father (a non-offending parent) was caring for K.W. lovingly and appropriately, and the Department had no concerns for K.W.'s safety in Father's care. By some contrast, there was evidence at the time of the most recent status review hearing (e.g., Mother's statement that the Department "kidnapped" K.W. and a still-lingering focus on finding Father culpable of abuse) that the parenting classes and therapy sessions Mother completed had not fully succeeded in conforming her behavior to an appropriate parental, protective role for K.W.

With regard to visitation, the challenge Mother raises now is forfeited for failure to object in the juvenile court. The challenge is also meritless: the juvenile court's order for continued monitored visitation—for three hours per week rather than the one hour endorsed by Dr. Meier—was an appropriate exercise of discretion in light of the evidence suggesting even this small increase in visitation had triggered some regression in K.W.'s fixation on Mother.



A. *Standard of Review*

A juvenile court's orders regarding custody and visitation will not be disturbed on appeal absent an abuse of discretion. (*In re M.R.* (2017) 7 Cal.App.5th 886, 902; *In re Stephanie M.* (1994) 7 Cal.4th 295, 318 (*Stephanie M.*)) ““The appropriate test for abuse of discretion is whether the trial court exceeded the bounds of reason.”” (*Stephanie M., supra*, at pp. 318-319.)

B. *The Juvenile Court Did Not Abuse Its Discretion By Granting Father Legal and Physical Custody*

“When the juvenile court terminates its jurisdiction over a dependent child, section 362.4 authorizes it to make custody and visitation orders that will be transferred to an existing family court file and remain in effect until modified or terminated by the superior court.” (*In re Chantal S.* (1996) 13 Cal.4th 196, 203 (*Chantal S.*)) A juvenile court terminating dependency jurisdiction and making custody or visitation orders “does so as a court with ‘a special responsibility to the child as *parens patriae* and [it] must look to the totality of a child’s circumstances when making decisions regarding the child.’ [Citation.]” (*In re J.T.* (2014) 228 Cal.App.4th 953, 963.)

In making such orders, the juvenile court’s primary concern must be a determination of “what would best serve and protect the child’s interest.” (*In re Gabriel L.* (2009) 172 Cal.App.4th 644, 652; see also *Chantal S., supra*, 13 Cal.4th at p. 206; *In re Nicholas H.* (2003) 112 Cal.App.4th 251, 268 (*Nicholas H.*)) While family law courts often apply a statutory presumption favoring joint custody, the presumption does not apply in the dependency context. (*Chantal S., supra*, at p. 206 [“application of

a family-law-based joint custody presumption would be inconsistent with the purpose of juvenile court law”].) Rather, a “juvenile court has broad discretion to make custody orders when it terminates jurisdiction in a dependency case.” (*Nicholas H.*, *supra*, at p. 265, fn. 4.)

The evidence before the juvenile court fully justifies its discretionary decision to award custody of K.W. to Father. On one side of the ledger—Father’s treatment of K.W. and the child’s welfare while living with Father—the evidence was uniformly positive. K.W. had adapted well to living with Father, Father took an appropriate interest in the child’s schooling and development, and K.W.’s behavior had improved by all accounts. Further, the Department had visited K.W. at Father’s home and found K.W. happy and living in a safe and nurturing environment; that was consistent with investigation undertaken independently by K.W.’s attorney, who informed the juvenile court he had sent an investigator to see K.W. on multiple occasions and the investigator’s conclusions “align[ed] with [those of] the Department[ ].” On the other side of the ledger—Mother’s interactions with K.W.—the juvenile court declined to terminate jurisdiction at the initial disposition hearing to ensure Mother would continue to have visitation with K.W. That was not a problem in the ensuing months. But what had been problematic, even with Mother having completed the case plan the juvenile court ordered, were the statements she continued to make indicating that she had a “continued fixation” with finding Father culpable of abuse, that she believed there was nothing wrong with her parenting abilities, and that, as she saw it, K.W. had been “kidnapped” by social services. On this factual picture, the juvenile court’s custody order was not an abuse of discretion.

Mother maintains, though, that the juvenile court did not rely on any of these facts. Instead, Mother points to one remark the juvenile court made during the status review hearing as the sole basis of the court's ruling, namely, the remark that Dr. Meier's view of conjoint counseling as premature was "a sign to the court" that it was also premature to give Mother custody of K.W. or even unmonitored visitation. As Mother argues it, the recommendation against conjoint counseling was not probative because it was a recommendation that applied to conjoint counseling against either parent, not just Mother.

Mother's position on both points is unconvincing. First, Mother too narrowly understands the basis for the juvenile court's order. Though the court highlighted the conjoint counseling issue, the court likewise emphasized (1) "[t]here is no risk to [K.W.] remaining with his father" and (2) Mother still had monitored visitation in a therapeutic environment "for a number of reasons" even though she had made some progress while participating in services. Second, even if our review were confined to the juvenile court's remark about conjoint counseling (but see *In re Nicole H.* (2016) 244 Cal.App.4th 1150, 1159 [mere fact that judge does not state reasons on the record will not result in reversal]), there still would be no abuse of discretion. The basis for assuming jurisdiction over K.W. was Mother's emotional abuse; Father was not found at fault. Thus, although Dr. Meier believed conjoint counseling was premature for either parent, that opinion was relevant as an assessment of the child's emotional state not an apportionment of blame among the parents. In other words, if K.W. was not ready for conjoint counseling, that indicated K.W. was still feeling the effects of emotional abuse, and that finding of continued emotional fragility

weighed far more heavily in the custody calculus against the parent responsible for the abuse than it did against the non-offending parent.

*C. The Juvenile Court Did Not Abuse Its Discretion By Limiting Mother to Monitored Therapeutic Visitation*

The juvenile court has broad discretion to determine what best serves a child's interests and to fashion visitation orders. (*In re J.T.*, *supra*, 228 Cal.App.4th at p. 965; *In re Megan B.* (1991) 235 Cal.App.3d 942, 953.) Mother argues the juvenile court abused its discretion by restricting Mother to monitored therapeutic visitation because there was no apparent basis for the juvenile court to require monitored visitation.

Mother's argument fails for jurisprudential reasons and on the merits. As to the former ground, Mother's juvenile court attorney raised no proper objection to the visitation order. The appellate contention is therefore forfeited. (*In re S.B.* (2004) 32 Cal.4th 1287, 1293 [to preserve an issue for appeal, a party ordinarily must raise the objection in the trial court].) As to the latter ground, the juvenile court's visitation order was more liberal than that endorsed by Dr. Meier (three hours versus one hour), and there was evidence even that level of visitation had caused some regression in K.W.'s behavior. It was not an abuse of discretion for the juvenile court to refuse to further liberalize visitation, particularly when the order was subject to further modification in family court upon a proper showing.

In that vein, we add a further observation. Mother overstates matters when she says it is "extremely difficult" to obtain a modification of a juvenile court visitation or custody order in family court; she portrays the matter as a near

impossibility. But even in juvenile court, Mother's circumstances had begun changing (although not fast or great enough to establish the challenged juvenile court orders were an abuse of discretion). She complied with the case plan; her therapist assessed she had grown over the course of her sessions and had the tools to be a loving, caring, and dedicated mother; and the therapeutic monitor was quite bullish on Mother's prospects for visiting with K.W. without any need of a monitor. Mother's bond with K.W. is also undisputed in the Department reports. If Mother is able to demonstrate she better understands the emotional harm she caused and let go of any "continued fixation" on accusing Father of abuse, she will have a solid basis to assert some modification of at least the juvenile court's visitation order is warranted. (§ 302, subd. (d).)

DISPOSITION

The juvenile court's orders are affirmed.

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS

BAKER, Acting P. J.

We concur:

MOOR, J.

KIM, J.