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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA**

**SECOND APPELLATE DISTRICT**

**DIVISION FIVE**

In re A.F., A Person Coming Under  
the Juvenile Court Law.

LOS ANGELES COUNTY  
DEPARTMENT OF CHILDREN  
AND FAMILY SERVICES,

Plaintiff and Respondent,

v.

MIGUEL F.,

Defendant and Appellant.

B297495

(Los Angeles County  
Super. Ct. No. 19CCJP00502A)

APPEAL from orders of the Superior Court of Los Angeles  
County. Martha A. Matthews, Judge. Affirmed.

Jamie A. Moran, under appointment by the Court of  
Appeal, for Defendant and Appellant.

Amy Z. Tobin, under appointment by the Court of Appeal,  
for Minor and Respondent.

No response by Plaintiff and Respondent Los Angeles  
County Department of Children and Family Services.

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Father appeals from the juvenile court's dispositional order removing his two-year-old son from parental custody. His sole argument on appeal is that the juvenile court lacked the statutory authority to appoint multiple persons as coholders of son's educational rights. Counsel for the minor argues that father does not have standing to raise this argument. We agree and affirm.

### ***FACTUAL AND PROCEDURAL BACKGROUND***

In January 2019, the Department of Children and Family Services filed a petition alleging that son was at risk of neglect because of father's and mother's substance abuse. Mother pled no contest. At the jurisdictional and dispositional hearing, the juvenile court sustained the allegations of neglect, and removed son from his parents' custody. At the request of minor's counsel, the court appointed son's caregivers (paternal aunt and uncle) as coholders of son's educational rights with mother. The court "limited" father's right to make educational decisions for son. Father timely appealed.

### ***DISCUSSION***

Father's assignment of error is based in part on his incorrect assumption that the juvenile court appointed the child's caregivers as coholders of the child's educational rights "along with mother and father." Father argues that Welfare and Institutions Code section 361 does not allow the juvenile court to appoint multiple persons to make educational decisions for a dependent child. In support, father relies on the statute's use of the singular term "adult" when the statute authorizes the court to appoint "a responsible adult" to make educational decisions for the child.<sup>1</sup>

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<sup>1</sup> Welfare and Institutions Code section 361, subdivision (a)(1) provides: "In all cases in which a minor is adjudged a

The Department of Children and Family Services has taken no position in the appeal, but the minor child asserts in his appellate brief that father does not have standing to make this argument. We first observe that father states that the juvenile court appointed him *and* mother as coholders of the minor's educational rights with the caregivers. Father's assertion overlooks the language of the operative April 4, 2019, dispositional order that appoints only mother and the two caregivers as educational decision makers. On that date father's educational rights were expressly limited by the court. We agree that, absent additional contentions about how the court's order affects father's interest, father lacks standing to argue the pure legal contention that *mother's* educational decisionmaking authority should not have been split with the caregivers.

"The United States Supreme Court 'has always required that a litigant have "standing" to challenge the action sought to be adjudicated in the lawsuit. . . .' [Citation.] At a minimum, standing means a party must ' "show that he personally has suffered some actual or threatened injury as a result of the

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dependent child of the court on the ground that the minor is a person described by Section 300, the court may limit the control to be exercised over the dependent child by any parent . . . and shall by its order clearly and specifically set forth all those limitations. Any limitation on the right of the parent . . . to make educational or developmental services decisions for the child shall be specifically addressed in the court order. The limitations may not exceed those necessary to protect the child. If the court specifically limits the right of the parent . . . to make educational or developmental services decisions for the child, or, for the nonminor dependent . . . the court shall at the same time appoint *a responsible adult* to make educational or developmental services decisions for the child . . . ." (Italics added.)

putatively illegal conduct of the defendant,” . . .’ [Citation.]” (*In re Tania S.* (1992) 5 Cal.App.4th 728, 736.)

Father has not demonstrated that he suffered any direct injury from the juvenile court’s order appointing the caregivers as coholders with mother of the child’s educational rights. He opens the legal discussion in his brief with the contention that the “juvenile court abused its discretion in limiting father’s control over the educational rights” of his daughter. But his substantive argument says nothing about how the trial court erred in limiting his educational or developmental rights. Instead, father presents to us a de novo standard of review with his argument that the word “adult” in section 361 precludes the juvenile court from vesting educational and developmental rights in more than one non-parent. This may be true but it is beside the point. If father does not have standing to assert the error we go no further. In his respondent’s brief the minor child devotes considerable space to the standing issue. Father did not file a reply brief. Leaving aside whether father has impliedly conceded the point, we conclude father has no standing, and we do not reach the merits of his section 361 statutory interpretation argument about the meaning of “adult.”

### ***DISPOSITION***

The April 4, 2019 dispositional order is affirmed.

RUBIN, P. J.

WE CONCUR:

MOOR, J.

KIM, J.