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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FOUR

In re Andrew R., a Person Coming Under the Juvenile Court Law.	B271023 (Los Angeles County Super. Ct. No. XK02029)
LOS ANGELES COUNTY DEPARTMENT OF CHILDREN AND FAMILY SERVICES, Plaintiff, v. ANDREW R., Appellant.	

APPEAL from an order of the Superior Court of Los Angeles County, Nichelle L. Blackwell, Judge. Affirmed.

Megan Turkat-Schirn, under appointment by the Court of Appeal, for Appellant.

Appellant Andrew R. was adjudged a dependent minor when he was eight years old and became a "nonminor dependent" after his eighteenth birthday. (See Welf. & Inst. Code, § 11400, subd. (v).)[1] As a nonminor dependent within the meaning of section 11400, subdivision (v), Andrew received extended foster care services and financial support from the Los Angeles County Department of Children and Family Services (DCFS).

The juvenile court terminated its jurisdiction over Andrew after finding that he did not wish to remain subject to dependency jurisdiction and was not participating in his transitional independent living case plan (case plan) by attending school, working at a legitimate job, or participating in a program or activity designed to promote or remove barriers to employment. (§§ 391, subd. (c)(1); 11403, subd. (b).)

Andrew appeals from the order terminating jurisdiction. He contends the court erred in finding that he did not want to remain a dependent. He further contends that his efforts toward enrolling in school and working weekends at a job where he was paid "under the table" were sufficient to meet the eligibility criteria in section 11403, subdivision (b) and constituted adequate participation in his case plan. We conclude that substantial evidence supported the court's finding that Andrew did not want to remain subject to dependency jurisdiction and that the court did not abuse its discretion in terminating jurisdiction on that basis. We accordingly need not and do not reach Andrew's contentions regarding the contours of section 11403, subdivision (b) or the adequacy of his participation in his case plan.

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[1] All further statutory references are to the Welfare and Institutions Code unless otherwise indicated.

FACTUAL AND PROCEDURAL BACKGROUND

Andrew and his four siblings became dependents of the juvenile court in November 2004, when he was eight years old. Andrew's parents failed to reunify with the children, who were placed in permanent out-of-home care the following year. Over the next 10 years, Andrew cycled through approximately 16 placements and "a roster of caretakers."

Andrew turned 18 and "aged out" of traditional foster care in August 2014, while he was detained at juvenile hall. Upon his release from juvenile hall in September 2014, Andrew indicated an interest in remaining a dependent of the juvenile court and receiving extended foster care services. Continued dependency jurisdiction and services, including financial support, are authorized for former foster youths up to age 21 under the California Fostering Connections to Success Act (the Act; also known as Assembly Bill (AB) 12). To meet the Act's eligibility requirements, Andrew signed a transitional independent living plan (TILP), in which he agreed to attend and work toward completing high school while living in a group home in Rialto. (§ 11403, subds. (a) & (b).) The juvenile court approved Andrew's TILP and case plan in October 2014, declared him a nonnminor dependent, and set a six-month review hearing for April 16, 2015. The court later continued the hearing to June 4, 2015.

DCFS filed an interim review report on June 4, 2015. It noted that Andrew "continues to struggle with substance abuse and problems in the school setting," and was suspended from school in May for being under the influence of marijuana. DCFS opined that Andrew could make better progress toward self-sufficiency if he "would agree to receive appropriate intervention that addresses his mental health and substance abuse," but noted

he had only "minimally engaged" with the "array of services and interventions" DCFS provided him. DCFS also emphasized that it needed "Andrew's compliance in participation with the services offered if DCFS is going to be of any assistance before he ages out of the system or finds himself in a situation where DCFS is unable to find any placement for [him] due to his behaviors."

DCFS also provided the court with a copy of Andrew's quarterly report from the group home, dated June 3, 2015. According to that report, Andrew had amassed "26 significant incidents" at the group home, most of which stemmed from his marijuana use and refusal to attend school. The report further stated that Andrew demonstrated an "inability or unwillingness to engage in the therapeutic process and exam[ine] the issues that are problematic in his life," and lacked "initiative or motivation in following the current program to plan for his future." "Although he verbalizes otherwise, his actions indicate his contentment with remaining in an unsatisfying present." The report additionally stated that Andrew had been suspended from school twice and failed all of his classes.

Andrew nevertheless told DCFS that he wanted to finish high school in Rialto and find a part-time job working with animals, and wanted to continue receiving extended foster care services under AB 12. DCFS accordingly recommended that Andrew continue to receive services.

The court accepted the recommendation. It issued an order finding that Andrew's progress toward his case plan goals was "satisfactory" and approved his continued receipt of services. The court set Andrew's next review hearing for December 7, 2015.

In late June 2015, Andrew's group home alerted DCFS that Andrew had been caught smoking marijuana, concealing a pocket

knife in his pants, and punching a hole in the wall. In early July, the group home further reported that Andrew "broke the hallway ceiling light fixture, hallway bathroom mirror, kicked in the facility office door, and damaged the door frame."

Andrew's social worker, probation officer, therapist, and a group home staff member met with Andrew in late July to discuss his needs and concerns. At that meeting, Andrew denied that he used any drugs and became angry when he was accused of smoking marijuana. Andrew stated that he "was willing to do what is necessary to meet his [TILP] goals, follow the group home rules, and comply with his Probation terms." He also stated that he wanted to remain in the group home and continue to attend his current high school as he worked toward his ultimate goal of becoming a veterinarian. Andrew claimed that he was more motivated to succeed in school than he had been previously, but refused tutoring services. It was agreed that Andrew would be assigned a new educational rights holder, Dr. Anissa McNeil, Ed.D., whom the court formally appointed on July 20, 2015.

Less than a week later, the group home issued a seven-day notice to remove Andrew, based upon his continual use of marijuana and the June and July incidents of property damage. The group home manager indicated that he would allow Andrew to stay in the home until a new placement could be found.

Andrew, who remained at the group home, started classes at a new high school in early August. He earned high marks for a few weeks. By September 17, 2015, however, Andrew's grades had slipped to four Ds and a C. His teachers also reported that he was making very little progress in his online credit recovery program.

On October 7, 2015, DCFS notified the court that Andrew had run away from the group home. According to DCFS's report, Andrew left the group home with permission to spend the weekend visiting his adult siblings in Pacoima on September 18, 2015. Andrew called the group home on September 20, 2015 to report that he did not want to be picked up. Andrew called again on September 21 to tell the group home that he was "'in the [V]alley with family'" and did not want to be picked up. The group home reported that Andrew was "talking funny as if he was under the influence." Andrew called his social worker on September 22 to tell her that he was going to stay in the San FernandoValley because the group home was kicking him out. The social worker told Andrew to call the group home immediately to notify the staff that he would be returning. Andrew agreed to call the group home but refused to tell the social worker where he was or whom he was with.

Andrew did not call the group home. Instead, he called his social worker on September 24 to tell her that he planned to stay in the Valley with his girlfriend. Andrew refused to disclose the girlfriend's name or address. According to the report, he stated, "I don't need to give any of that information to you. No one here wants to work with social workers and they are not going to get involved with anything." The social worker reminded Andrew about his TILP and obligation to inform DCFS of his whereabouts and any change in address. Andrew told her that he would not provide his girlfriend's address or contact information. He also told her that he would not be returning to the group home, because "No one there helps me. I have to do everything on my own. No one is giving me anything and now I have to get it on my own. I've been doing everything myself and I'm tired of it."

Andrew stated that he intended to finish high school in the Valley and planned to get a job so he could pay rent to his girlfriend's father. He reiterated that he did not "want the Department or the Court to know where I am living. I just want to finish school and get a job. I have to find a way to provide for my family and get things on my own."

Andrew agreed to meet the social worker at a fast food restaurant. Andrew refused to provide her with his address despite being reminded again about his obligation to do so. He reported that his girlfriend and her family would allow him to stay in their home as long as he worked and attended school. To that end, Andrew reported, he had obtained a job at his girlfriend's father's freight shipping business and "looked into" attending school in Reseda.

"In terms of his long term plan, Andrew stated, There is a reason why I am where I am at this point. I have to do things on my own and do things my way so that I can provide for myself and show everyone that I can do what it takes to be an adult. I don't want to give anyone my address because I don't want social workers bugging my girlfriend or her father. If the court closes my case because of this, then let them close it. I still want to graduate from high school and get a job. I have to do this on my own. . . . [R]ight now, I gotta take care of things on my own."

On October 2, 2015, Andrew's social worker emailed him a referral for a jobs program serving current and former foster youth. Andrew replied, "wat is thiss shit lol [*sic*]." When the social worker responded that the purpose of her email was to provide him with resources and employment opportunities, he told her that he already "works 'two days a week' and receives $215."

Andrew's educational rights co-holder, Dr. McNeil, arranged to meet with him on October 14. Dr. McNeil called Andrew as she was driving to the meeting. He told her he would not be coming and hung up on her. Dr. McNeil called again to offer to help Andrew obtain his transcripts, but Andrew told her he was busy and hung up the phone. Dr. McNeil later provided Andrew with detailed instructions on how to withdraw from his high school in Rialto and offered to meet with him at a charter school in Reseda in mid-November so that he could enroll in school there. No such meeting had occurred by the time DCFS prepared its status report for the December 7, 2015 hearing.

Andrew did meet with his social worker on October 22, 2015. She brought him all of his belongings from the group home, as well as a binder of documents pertinent to this case. According to DCFS's December 7 status report, "Andrew did not allow this CSW [case social worker] to enter the home that he is living in and stated that his girlfriend's family did not want to allow the CSW into their home. Andrew reported that he works part time on the weekends approximately 8 hours per day for a moving company. He gets paid under the table and did not disclose the amount that he is paid. Andrew is not enrolled in school and stated, I didn't want to meet with Dr. McNeil[] when she came. I was busy . . . . Andrew then asked why this CSW was asking so many questions and refused to provide any other information to this CSW. Andrew stated, 'I don't want to answer anything else. I have to go. CSW Penez informed Andrew that she needed to provide the Court with information and reminded him again of the requirements to keep his case open. Andrew then stated, I only want my case open because I want money for school. That's it. I don't need anything else.' CSW Penez stated

that Andrew is eligible to apply for financial aid if he enrolls in college due to his foster care status. However, he needed to complete his high school credits and obtain his diploma. Andrew stated that he plans on going back to school and would contact Dr. McNeil[] himself. Again, Andrew stated that he was done talking with this CSW and wanted to leave because he had already obtained all of his belongings from this CSW. Andrew stated that this was all he needed from the CSW and the Department at this time."

DCFS recommended that the court terminate jurisdiction over Andrew. It summarized, "time and time again, Andrew continues to refuse to accept services or communicate his whereabouts to the Department, cancels appointments set with services providers, is not attending school, and continues to live in an unapproved placement with his girlfriend and her family." "[H]e has expressed that he wants to live his life 'in his own way." DCFS also opined that Andrew was not meeting any of the statutory requirements to receive financial support set forth in section 11403, subdivision (b). Specifically, Andrew had not been attending school since he left the group home in September (§ 11403, subd. (b)(1) ["completing secondary education or a program leading to an equivalent credential"]), was working fewer than 80 hours per month and could not provide proof of employment because he was paid under the table (*id.*, subd. (b)(4) ["employed at least 80 hours per month"]), and was not "participating in a program or activity designed to promote, or remove barriers to employment." (*Id.*, subd. (b)(3).) DCFS also noted that Andrew was not residing in an approved placement, since he refused to inform DCFS where he lived or allow the agency to inspect the home. (See § 11402.)

DCFS filed a last-minute information reiterating its recommendation on December 7, 2015. In that document, DCFS reported that Andrew's CSW met with him on November 25. The CSW gave Andrew a copy of the status report recommending that jurisdiction be terminated. She also explained to him the process required to get his residence approved by DCFS. Andrew gave the CSW his full address, but "was not willing to go over the [assessment form] and was not willing for this CSW to neither inspect the apartment nor allow her to enter the home." DCFS reported that Andrew also was reluctant to sign an agreement to receive extended foster care services, a form called the SOC 162. He told the CSW, "I already signed this. I didn't know you had to sign this every six months. I don't want to sign anything that's not true." "Eventually, Andrew signed the SOC 162 and stated, 'I don't give a fuck about anything else but getting into school. I don't need anything else. I didn't tell you about where I was living because the people I'm living with didn't want to talk with you. But here's my apartment number. You just have to come when they're all awake and after we clean the house. No one is helping me with anything. I told you that I could only meet for a short time because I have things to do. I don't care if the court closes my case because my attorney will ask to keep it open. I'll call everyone I have to.' CSW Penez explained to Andrew that he has to adhere to the [SOC 162] and complete his TILP goals, which he has not complied with for the past three months. Andrew then stated, Stop talking about the past. This is bullshit. Just get me my school withdrawal form and that's it. That's all I need from you." Andrew ultimately became "irate and angry" and ended the interview, "stating that he was not interested in speaking with the CSW anymore at this time."

For reasons unclear from the record, Andrew did not attend the hearing on December 7. His attorney objected to DCFS's termination recommendation on his behalf, however, and the court set the matter for a contested hearing on December 11.

On the day of the contested hearing, DCFS filed a last minute information on which it checked the "Change in Recommendation" box. It reported to the court, "The Department is in agreement with minor's attorney to give [Andrew] 30 days to begin/enroll in school and assess his current living situation for a [supervised independent living placement]." Andrew's counsel also informed the court that DCFS "is willing to agree to stipulated testimony, if the court is inclined to go forward, that Andrew will accept the Department's assistance and will be cooperative." The court was unwilling to allow such a stipulation, however, since it had "nothing from Andrew, other than the report showing he will not cooperate," and Andrew was not present in court to proffer any testimony because he reportedly was at work. The court further remarked, "At some point he has to make himself available, and he was extremely rude and extremely disrespectful to this social worker, and that's not what AB 12 was set up for. It was set up to help kids that want help, not to allow kids to abuse their social workers and talk to them this way. I'm disappointed in this behavior he's exhibited. . . . He doesn't want to be in this system, and it's been made clear, and I have no other evidence here today that is even going to be presented to show me, because he's not here."

Andrew's counsel referred the court to one of her intended exhibits, DCFS's June 4, 2015 interim review report. The portion of the report counsel cited attributed Andrew's "difficulty" to his "multiple losses through parental abandonment and multiple

placement changes" and indicated that "[a]s of the writing of this report, Andrew wants to receive AB12 Extended Foster Care services." The court asked Andrew's counsel if that report was relevant, since six months had elapsed since it was written and "[w]e're reviewing this every six months, right?" Andrew's counsel contended the report was relevant, because "it describes what is going on with Andrew." She also urged the court to take Andrew's background into account. She argued, "[w]e can't expect these young people to be perfect." The court agreed with that point, stating, "I don't expect them to be perfect, I just expect them to cooperate with the social worker and get the help. He doesn't even want the help."

The court told Andrew's counsel it would continue the matter until 1:30 p.m. to take Dr. McNeil's testimony and allow Andrew an opportunity to get to the courthouse. The court stated, "I would like to meet him too because all I have is what I have in this report." Andrew's counsel asked the court to continue the matter further, to January, and referred the court to the last-minute information in which DCFS represented it would agree to a 30-day continuance. The court stated, "I'm objecting to the continuance. I have a right to object to the continuance to clog up my calendar. . . . I want to get these things done."

At 1:30 p.m., Andrew's counsel reported that Andrew was still at work and could not make it to court. DCFS introduced its October 7 runaway report, December 7 status review report, and December 7 last-minute information into evidence. The court granted Andrew's counsel's motion to exclude certain witness statements documented in the runaway report and status review report, and admitted the remainder of the documents into evidence. DCFS's counsel reminded the court about the more

recent last-minute information, in which DCFS changed its recommendation and indicated its willingness to continue the matter for 30 days. Yet DCFS's counsel seemingly reverted to the previous recommendation, stating, "So what I want to say about this is I really want the court to know he is not in compliance with the non-minor dependent statute. The department's original recommendation took that into account, recommending terminating jurisdiction. The court's concern regarding him not being in compliance with AB 12 and permitted to have his case remain open as a legal matter remains valid. So no further evidence."

Dr. McNeil testified as Andrew's sole witness. She testified that she has learned from her interactions with Andrew that "he does not deal with conflict well." She further testified that Andrew "need[s] a lot of information and assistance to understand how to navigate education so he can obtain his high school diploma." Nevertheless, he recently demonstrated "seeking behavior" by identifying a charter school that he wanted to attend and speaking to the registrar there. Due to the school's holiday schedule, the first available appointment for Andrew to take the placement exam was January 12, 2016. Dr. McNeil opined that Andrew would be able to achieve his goal of graduating from high school "with the proper support." She further opined that it would be a "problem" if jurisdiction over Andrew were terminated because "then the need to survive will outweigh education."

Andrew's counsel introduced and the court admitted four exhibits: the June 4, 2015 interim review report; a December 10 letter from the charter school confirming Andrew's January appointment; an email Dr. McNeil sent to DCFS that same day

informing the agency of Andrew's charter school appointment; and the December 11 last-minute information filed by DCFS.

DCFS waived its opening argument and reserved rebuttal. During her argument, Andrew's counsel contended that Andrew was "asking for help" despite his actions and statements that he wanted to do things on his own. She further argued that Andrew satisfied the requirements of section 11403, subdivision (b) by making an appointment at the school and working for his girlfriend's father.

When Andrew's counsel concluded her argument, the court informed the parties that it did not "need to hear from the Department" before making its ruling. The court found that Andrew was not "in compliance with the letter or even the spirit of the non-minor dependent AB 12 statute." It explained, "Andrew has not met the eligibility or definition of non-minor dependant [*sic*] for this review period in that he is not attending school. There's no evidence that he is legitimately working. This court will not sanction working, quote, 'under the table,' as an appropriate qualification in satisfaction of the condition that the child must be employed at least 80 hours per month. . . . There is no evidence to demonstrate that he's attending a program or participating in any activity that will promote or remove a barrier to the employment."

The court "commend[ed]" Andrew for setting up an appointment with the charter school, but found that "even in him doing this, it's consistent with his own words where he states that he doesn't need the Department and he doesn't need anyone to help him because he's going to do this on his own. And this is set forth in the last-minute information on December 7th, 2015." It continued, "He said no one was helping him with anything. He

stated that 'I don't give a f-u-c-k about anything else but getting into to school. I don't need anything else. I didn't tell you about where I was living because the people I'm living with didn't want to talk to you.' So he is not even compliant with allowing the social worker to investigate and evaluate the home where he lives. Andrew also stated - - this is poignant, that he doesn't care if his case is closed. He doesn't care. He wants to do the - - everything on his own. It looks like he's trying to do that on his own. Now, that's a barrier and that's difficult and it's going to be very hard for him to complete all this. But he can't accept the benefits of the AB 12 statute, . . . and at the same time not accept the responsibilities of compliance, and right now he's not doing that."

The court continued, "I think that he's acted rude towards the folks that are making an effort to help him. And it just does not appear Andrew wants to meet the eligibility of AB 12 status, and he doesn't want folks in his life. And part of AB 12 status required these individuals to provide him with reasonable services and be in his life. But it does not appear here from the evidence before me today that I have admitted that Andrew wants these folks in his life. [¶] . . . [¶] At his point he's no longer in compliance so the court will adopt the Department's recommendation to terminate jurisdiction over Andrew. And he is always free to ask for this court to re-appoint him and allow him to re-enter once he demonstrates his consistent participation in the program. So at this point the court's order is to terminate jurisdiction." The court denied Andrew's counsel's request to stay the order.

Andrew timely appealed.

DISCUSSION

I. Legal Framework

"Before 2008, youths in the foster care system aged out of the system when they turned 18, leading to an epidemic of emancipated youths without the skills and resources to become productive members of society. [Citation.] In 2008, the federal government enacted the Fostering Connections to Success and Increasing Adoptions Act (the Federal Act), which allowed youths in foster care to continue receiving assistance payments after they turned 18. [Citation.] The Federal Act requires that states implementing its programs provide assistance and support in developing a personalized transition plan for all youths before they age out of foster care. [Citation.]" (*In re K.L.* (2012) 210 Cal.App.4th 632, 637.)

"Effective January 1, 2012, California enacted the Act, which extended the California foster care program to age 21 in accordance with the provisions of the Federal Act. [Citation.]" (*In re K.L.*, *supra,* at p. 637.) Before the effective date of the Act, "a juvenile court could continue jurisdiction over a nonminor only if it found that a county welfare department had not provided adequate services and that 'termination of jurisdiction would be harmful to the best interests of the child.' (Former § 391, subd. (c), as added by Stats. 2000, ch. 911, § 3, pp. 6739-6740; see *In re Holly H.* (2002) 104 Cal.App.4th 1324, 1331. [Citations.])" (*In re Aaron S.* (2015) 235 Cal.App.4th 507, 516 (*Aaron S.*).) After the enactment of the Act, however, "section 391 requires the juvenile court to continue dependency over nonminor dependents unless either (1) the nonminor does not wish to remain subject to dependency jurisdiction or (2) the nonminor is 'not participating in a reasonable and appropriate transitional independent living

case plan.' (§ 391, subd. (c)(1)(A), (c)(1)(B).)" (*Aaron S.*, *supra*, 235 Cal.App.4th at p. 516.)

A nonminor dependent is defined as "a foster child . . . who is a current dependent child or ward of the juvenile court . . . who satisfies all of the following criteria: [¶] (1) He or she has attained 18 years of age while under an order of foster care placement by the juvenile court, and is . . . not more than 21 years of age on or after January 1, 2014 . . . . [¶] (2) He or she is in foster care under the placement and care responsibility of the county welfare department . . . . [¶] (3) He or she has a transitional independent living case plan . . . as described in section 11403." (§ 11400, subd. (v).)[2]

Section 11403, subdivision (a), authorizes "nonminor dependents of the juvenile court who satisfy the conditions of subdivision (b)" to receive financial support consistent with their case plans. The conditions of subdivision (b) include meeting one or more of the following criteria: "(1) The nonminor is completing

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[2] "To be '*in foster care*' within the meaning of the statute, a nonminor must be placed in one of one of the following: [¶] (1) An approved or licensed home (of a relative, nonrelative extended family member, resource family, or nonrelated legal guardian), or an 'exclusive-use home' (§ 11402, subds. (a), (b)(1) & (2), (c), (e), (f)); [¶] (2) A 'licensed group home,' 'out-of-state group home,' or transitional housing (§ 11402, subds. (d), (g), (h)); or [¶] (3) 'An approved supervised independent living setting for nonminor dependents, as defined in subdivision (w) of Section 11400' (§ 11402, subd. (i))." (*In re A.A.* (2016) 243 Cal.App.4th 765, 774.) Although it does not appear that Andrew's residence with his girlfriend's family constituted such a placement, that issue is not before us. We accordingly assume for purposes of this appeal that Andrew was a nonminor dependent within the meaning of section 11400, subdivision (v).

secondary education or a program leading to an equivalent credential. [¶] (2) The nonminor is enrolled in an institution which provides postsecondary or vocational education. [¶] (3) The nonminor is participating in a program or activity designed to promote, or remove barriers to employment. [¶] (4) The nonminor is employed at least 80 hours per month. [¶] (5) The nonminor is incapable of doing any of the activities described in subparagaphs (1) to (4), inclusive, due to a medical condition . . . ." (§ 11403, subd. (b).)

"Section 11403 does not define a nonminor dependent; rather, it requires that an individual, who already satisfies the criteria to be defined as a nonminor dependent, meet one of five listed conditions to qualify for financial support." (*In re K.L.*, *supra*, 210 Cal.App.4th at p. 639.) However, a nonminor who does not satisfy at least one of the five criteria listed in section 11403, subdivision (b) is "not participating in a reasonable and appropriate transitional independent living case plan," and the court may terminate jurisdiction over him or her under section 391, subdivision (c)(1)(B). (*Aaron S.*, *supra*, 235 Cal.App.4th at p. 516; see also *In re Nadia G.* (2013) 216 Cal.App.4th 1110, 1119-1120.) The only other basis on which a court may terminate jurisdiction over a nonminor dependent is by finding that he or she "does not wish to remain subject to dependency jurisdiction." (§ 391, subd. (c)(1)(A).) "Even if the court terminates dependency jurisdiction, it retains 'general jurisdiction over the nonminor to allow for the filing of a petition to resume dependency jurisdiction under subdivision (e) of Section 388 until the nonminor attains 21 years of age.' (§ 391, subd. (d)(2).)" (*Aaron S., supra*, 235 Cal.App.4th at pp. 516-517.)

Prior to the enactment of the Act, the standard for terminating jurisdiction over nonminors "was whether termination was in the best interest of the dependent, i.e., whether there was an existing or foreseeable risk of harm to the dependent if jurisdiction were terminated." (*In re Shannon M.* (2013) 221 Cal.App.4th 282, 293.) This standard "continues to govern the determination whether to terminate dependency jurisdiction for nonminors who do not fall within section 11400(v)"—i.e., those who are not "nonminor dependents" within the meaning of that statute. (*Id.* at p. 300.) In such cases, we review the juvenile court's decision to terminate jurisdiction for an abuse of discretion. (*Id.* at p. 289.)

Appellate courts also have applied the deferential abuse of discretion standard of review to cases involving nonminor dependents who satisfy the criteria in section 11400, subdivision (v). (See *In re Nadia G.*, *supra*, 216 Cal.App.4th at p. 1119; *Aaron S.*, *supra*, 235 Cal.App.4th at p. 517.) This standard is appropriate for the ultimate question whether jurisdiction over a nonminor dependent properly was terminated. Although section 391, subdivision (c)(1) requires a court to continue jurisdiction unless it makes specific findings, it does not mandate that a court terminate jurisdiction if those findings are made. Instead, it leaves to the court's discretion whether termination is appropriate. (See *Aaron S.*, *supra*, 235 Cal.App.4th at p. 519.) We review the factual findings the court made to inform its decision for substantial evidence. (See *In re A.J.* (2013) 214 Cal.App.4th 525, 535 & fn. 7; cf. *In re K.P.* (2012) 203 Cal.App.4th 614, 621-622.) We review any legal determinations, such as statutory interpretations, de novo. (*In re R.G.* (2015) 240 Cal.App.4th 1090, 1097.)

II. Analysis

The juvenile court terminated jurisdiction over Andrew after finding both that he did not want to remain subject to jurisdiction (§ 391, subd. (c)(1)(A)) and that he was not participating in his case plan (§ 391, subd. (c)(1)(B)). Andrew challenges the ruling on both grounds.[3] In light of the disjunctive nature of the statute, we need only consider the first.

The record contained substantial evidence from which the court reasonably could conclude Andrew no longer wished to remain subject to the court's jurisdiction. He consistently "only minimally engaged" with the "array of services and interventions" DCFS provided. Andrew's words and acts in the months preceding the December review hearing further demonstrated his desire to "do everything on [his] own" and in his way. Andrew told his social worker that he wanted "to find a way to provide for my family and get things on [his] own." He refused to tell DCFS his whereabouts and was uncooperative when his social worker and others reached out to him in attempts to provide him with assistance. Andrew rejected his social worker's employment referral out of hand, with vulgarity. He cancelled meetings with Dr. McNeil and hung up on her phone calls. Most explicitly, he dismissed his social worker's efforts to get him into compliance with his TILP as "bullshit" and told her, "I don't need anything else. . . . I don't care if the court closes my case."

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[3] DCFS did not file a brief responding to these arguments. Instead, it filed a letter indicating that it was "not the proper respondent" because it "submitted a report on the date of the final court hearing indicating it agreed with Andrew's trial attorney that Andrew should receive an additional 30 days to enroll in school and to have his residence assessed."

Andrew contends that the court "failed to look at all the evidence in context" and accordingly misinterpreted the musings "of a depressed teenager." He specifically points to the June 3, 2015 group home report, which described his level of "emotional functioning" as lower than that of his peers and noted that he was sensitive to criticism and often became defensive when confronted about his behavior. Nothing in the record suggests that the court ignored or was unfamiliar with those portions of the record. To the contrary, the court expressly stated that it "look[s] at them as a whole and I look at him as not wanting to comply with any conditions of the TILP and the [supervised independent living placement] because he wants to do it on his own."

We recognize that Andrew's emotional challenges likely played a role in his interactions with DCFS and his receptiveness to the agency's services. However, it is not our role at this juncture to reweigh the juvenile court's assessment of that evidence and other, countervailing evidence in the record. "A substantial evidence inquiry examines the record in the light most favorable to the judgment and upholds it if the record contains reasonable, credible evidence of solid value upon which a reasonable trier of fact could have relied in reaching the conclusion in question. Once such evidence is found, the substantial evidence test is satisfied. [Citation.] Even when there is a significant amount of countervailing evidence, the testimony of a single witness that satisfies the standard is sufficient to uphold the finding." (*People v. Barnwell* (2007) 41 Cal.4th 1038, 1052.) The pertinent inquiry is whether substantial evidence supports the finding, not whether a contrary finding might have been made. (See *In re Dakota H.* (2005) 132

Cal.App.4th 212, 228.) Thus, we conclude that substantial evidence in the record supports the court's findings, notwithstanding an isolated, unsupported assertion in the December 7 report that "Andrew would like to remain under DCFS supervision as a Non-Minor Dependent until the age of 21."

The court properly found that Andrew no longer wished to remain subject to dependency jurisdiction. This finding permitted the court to terminate jurisdiction under section 391, subdivision (c)(1)(A). The court did not abuse its discretion in doing so. Andrew repeatedly refused to take advantage of services offered to him. His "continued participation in the juvenile dependency system cannot reasonably be expected to prevent any future harm when [he] has effectively rejected nearly all offers of assistance from the department." (*In re Holly H.* (2002) 104 Cal.App.4th 1324, 1337.) "Now that [he] has reached the age of majority and has acquired the rights and responsibilities that come with adulthood, the court . . . should not[ ] force [him] to accept its services." (*Ibid.*) Should Andrew change his mind before he turns 21, he may file a petition to resume dependency jurisdiction under section 388, subdivision (e). (§ 391, subd. (d)(2).)

DISPOSITION

The judgment of the juvenile court is affirmed.

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS

COLLINS, J.

We concur:

EPSTEIN, P. J.

MANELLA, J.