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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION ONE

In re T.G. et al., Persons
Coming Under the Juvenile
Court Law.

B279387
(Los Angeles County
Super. Ct. No. DK17989)

LOS ANGELES COUNTY
DEPARTMENT OF
CHILDREN AND FAMILY
SERVICES,

Plaintiff and Respondent,

v.

CHRISTIAN G.,

Defendant and Appellant.

APPEAL from an order of the Superior Court of
Los Angeles County. Julie Fox Blackshaw, Judge. Affirmed.

Daniel G. Rooney, under appointment by the Court of Appeal, for Defendant and Appellant.

Mary C. Wickham, County Counsel, R. Keith Davis, Assistant County Counsel, and Julia Roberson, Deputy County Counsel, for Plaintiff and Respondent.

In this juvenile dependency case, defendant and appellant Christian G. (Father) appeals the juvenile court's October 28, 2016 order requiring Father to attend parenting classes and individual therapy. Father argues substantial evidence does not support the juvenile court's order. We disagree and affirm.

BACKGROUND

1. The Family

Father has three teenage daughters, T.G. (17 years old), Z.G. (15 years old), and H.G. (13 years old). He and their mother (Mother) are in the midst of a divorce. They do not live together or speak with each other very often. Their two older daughters have mental health issues, including suicidal ideation. The oldest daughter, T.G., also has been diagnosed with bipolar disorder. And Z.G. has been diagnosed with depression. At the time this case began, both T.G. and Z.G. were seeing therapists and psychologists, although not regularly. The children also did not attend school regularly.

For much of the time relevant to this matter, Mother was homeless and she and the children either stayed at motels, in a car, or at T.G.'s boyfriend's apartment. At other times, the children stayed with Father, although sometimes he was unable to have them stay with him.

2. May 2016 Incident

The family has been referred to the Los Angeles County Department of Children and Family Services (Department) many times, including twice during the pendency of this case. With respect to this case, the Department received a referral on May 3, 2016, stating Z.G. had not been attending her therapy sessions or taking her prescribed medication regularly. In addition, it was reported the oldest daughter, T.G., had expressed suicidal ideations, cut herself, and posted on Facebook plans to commit suicide. At the time, the children had been staying with Father and, that day, T.G. was alone with her younger sisters while Father was at work. T.G.'s therapist contacted law enforcement, who brought T.G. to the hospital. Mother was aware of T.G.'s suicidal ideations, but it was unclear whether Father was.

A Department social worker interviewed T.G. at the hospital. T.G. admitted to a prior suicide attempt and hospitalization as well as to cutting herself. She stated she has an " 'alter ego' that tells her to hurt herself and do things." She said she wanted help. She was not taking prescribed medication at the time. She also stated she had not attended school for about one week while she had been staying with Father. It was not clear why she did not attend school while with Father. T.G. also reported she did not have a relationship with Father and that they did not talk much. She attributed this to her belief that Father did not listen to her feelings.

Following the May 2016 referral, the Department social worker also interviewed Mother. Mother stated she did not have a home at the time, but was sleeping at T.G.'s boyfriend's home and staying at maternal grandmother's home during the day. Mother explained the children were at Father's home when T.G.

was taken to the hospital, and they were not under her care at the time. Mother said T.G. no longer wanted to stay with Father because T.G. did not like the way Father was talking about Mother. Mother reported both T.G. and Z.G. were seeing a therapist and Mother had not given Z.G. her prescribed medication because she wanted to get a second opinion first.

The Department social worker also interviewed Z.G. and H.G. in early May 2016. Z.G. believed home was with Father, where “it is calm and [there is] no drama.” She also admitted to suicidal thoughts in the past, but had never acted on them. H.G. also believed home was with Father “because he does have a place.” H.G. admitted to suicidal thoughts in the past and had cut herself two times. Neither child liked school or had friends.

T.G.’s therapist reported her only concern was T.G.’s mental health and the fact that she did not come to therapy regularly. Mother had told the therapist she did not have money for gas so the children could not get to their therapy sessions. The therapist counseled against detaining the children from Mother because she believed the children would suffer emotionally and potentially harm themselves physically if separated from Mother. She also advised against the children staying with Father. T.G. had told the therapist that Father taught her how to cut herself, although T.G. later denied that.

3. June 2016 Incident

In early June 2016, the Department received a report that T.G. considered committing suicide at school and had been taken to the hospital. Mother told the Department social worker that students were bullying T.G. because T.G. had reported being sexually assaulted at the school by another student. As a result, Mother said T.G. threatened to kill herself at school. The police

were investigating the allegations of sexual assault. T.G. was taken to the hospital for observation and released 24 hours later. Mother said T.G. was doing well.

After the June incident, a Department social worker spoke with the therapist, who stated that, since the early May referral to the Department, both T.G. and Z.G. had been attending their therapy sessions. The therapist reported, however, that both T.G. and Z.G. had been missing their psychiatric appointments.

In mid-June, the social worker met with each of the three daughters. T.G. explained why she had cut herself earlier in the year—she said a fellow student had raped her at school. She had only recently reported the incident and then classmates began teasing her. She was embarrassed and thought about suicide. T.G. reported Mother had found a job and was working a lot, which made it difficult for T.G. to get to her psychiatric appointment. She also denied that Father had taught her how to cut herself. However, T.G. stated Father was verbally abusive toward both her and Mother. She said Father told her suicide was for cowards, which made her feel bad. Z.G.'s report to the social worker was similar. She said Mother had found work, which was for the best but also made it difficult for Z.G. to get to her psychiatric appointments. She said if she had a way to get to them she would go to her appointments. H.G. also explained Mother had found a job and, therefore, had less time to be with the children. H.G. said she was not seeing a therapist and had no suicidal thoughts recently. Z.G. and H.G. both reported Father did not discipline them at all, while Mother talks to them about the problem or situation.

On June 15, 2016, the social worker spoke with Father. At that time, Father was renting a room and could not have his

daughters stay with him. He said he would work on finding an apartment. He spoke about the May 2016 incident, when T.G. was home alone with the two younger children. He said everything was fine when he left for work that day, but later Z.G. called him, saying T.G. was in the hospital. Father explained that T.G. had been living with him for three to four months because she did not want to stay with Mother. When T.G. started dating her boyfriend, however, Father told her she could not both live with him and date her boyfriend. Father disapproved of T.G.'s boyfriend because he was over the age of 18. At that point, T.G. decided to live with Mother.

Father did not know why he and T.G. had a difficult relationship, but said they had grown apart recently. He did not know why T.G. wanted to commit suicide or hurt herself. He said he tried to talk to her, but she did not return his calls. He believed Mother may have influenced T.G. Father denied physical discipline of his daughters. Instead, he said he takes away their privileges. He claimed Mother did not discipline the children. He said there are no consequences for their actions and, therefore, they (and especially T.G.) do what they want to do. Father said he only wanted the best for his children.

4. Section 300 Petition

On June 22, 2016, the Department filed a petition under Welfare and Institutions Code section 300, subdivisions (a) and (j)¹ on behalf of the three daughters. The petition alleged both parents neglected the two older daughters by failing to ensure they attended their therapy sessions regularly and by failing to

¹ Subsequent undesignated statutory references are to the Welfare and Institutions Code.

take them to their psychiatric appointments. With respect to the youngest daughter, the petition alleged the parents neglected H.G. by failing to obtain mental health services for her. The petition alleged the parents' neglect put the children at risk of serious physical harm. At the detention hearing held the same day, the juvenile court found a prima facie case existed showing each child was a person described by section 300, subdivisions (a) and (j). The court ordered the children released to the parents.

5. Adjudication and Disposition

In early August 2016, a Department social worker spoke with each member of the family. Mother and the three children agreed T.G. and Z.G. had mental health issues, Mother was unable to bring them to their therapy or psychiatric appointments because of her work schedule, and Father was unable to assist because he did not live nearby. They also agreed Z.G. did not like her prior therapist and, therefore, refused to go to any therapy sessions. T.G. stated her therapist now came to her grandmother's house. Everyone agreed the youngest child, H.G., had no mental health issues.

Father denied knowing his two older daughters had mental health needs. He said, because he does not live nearby and is not the primary caregiver, he did not know about their needs. Father blamed Mother for not attending to their needs and for not providing sufficient structure or boundaries in the home. He said, since separating from Mother, his contact with his daughters had been minimal. He tried to have weekly phone contact and monthly face-to-face contact with them. T.G. reported, however, that she told Father about her diagnosis and mental health needs, but she believed he did not care about her. She said she did not have a good relationship with Father and

that she “‘can never do anything right.’ ” She noted that Father did not like her boyfriend and that caused friction in their relationship. Mother also said Father was aware of the children’s “issues” but she did not feel he supported her or their needs.

The Department reported the two younger children, Z.G. and H.G., were living with Father and wanted to continue living with him. T.G. was living with Mother because she did not get along with Father, who continued to disapprove of her various boyfriends. At the time, Mother was homeless, so she, T.G., and T.G.’s current boyfriend would sleep in Mother’s car or at motels. Father indicated he would like to have T.G. live with him, but only if the Department guaranteed she would remain stable. He explained it would be difficult for him to manage all three children because they are not used to following rules.

In an August 22, 2016 report to the court, the Department reported T.G. continued to receive mental health services, but remained inconsistent with attendance, and Mother still had failed to schedule a psychiatric appointment for T.G. In addition, although Z.G. had earlier refused therapy, she was willing to try again with a different therapist. The Department stated Father knew about T.G.’s hospitalizations and maintained constant phone contact with the children, yet he “did little to attempt to assist and exercise parental control to ensure his child received the mental health assistance needed.”

In an October 27, 2016 last minute information for the court, the Department noted Father was evicted from his home and, therefore, Z.G. and H.G., who had been living with Father, had moved in with their maternal grandmother. T.G. was also living there. The Department reported all three children wanted to live with Father, who “gives them attention and cares for

them.” The Department also stated the children refused to go to school.

The adjudication and disposition hearing was held October 28, 2016. At the hearing, the juvenile court sustained the petition with respect to the older two daughters (i.e., counts (b)(1), (b)(2), (j)(1), and (j)(2)), but dismissed both counts with respect to the youngest daughter (i.e., counts (b)(3) and (j)(3)). The court addressed Father, stating that although Father saw his three daughters less frequently than Mother did, he still had parental responsibilities. The court found Father not only was aware of T.G.’s mental health needs and failed to attend to them but also failed to take care of Z.G. The juvenile court ordered the children placed with the parents and, relevant here, ordered Father to participate in family counseling, parenting classes, and individual counseling to address case issues.

Father appealed the juvenile court’s October 28, 2016 order.

DISCUSSION

1. Applicable Law

Section 362, subdivision (a) states that, when a child is a dependent of the court under section 300, the juvenile court “may make any and all reasonable orders for the care, supervision, custody, conduct, maintenance, and support of the child.” When a parent retains custody of the child, the parent “shall be required to participate in child welfare services or services provided by an appropriate agency designated by the court.” (§ 362, subd. (c).) Finally, when ordering a parent to participate in such services, the services ordered “shall be designed to eliminate those conditions that led to the court’s finding that the child is a person described by Section 300.” (§ 362, subd. (d).)

Within this statutory framework, the juvenile court has “wide latitude in making orders for the well-being of the child.” (*In re Briana V.* (2015) 236 Cal.App.4th 297, 311.) In its dispositional order, the juvenile court may address problems that are not described in the section 300 petition. (*Ibid.*) “The juvenile court has broad discretion to determine what would best serve and protect the child’s interest and to fashion a dispositional order in accordance with this discretion. [Citations.] The court’s determination in this regard will not be reversed absent a clear abuse of discretion.” (*In re Jose M.* (1988) 206 Cal.App.3d 1098, 1103–1104; *In re Briana V.*, *supra*, 236 Cal.App.4th at p. 311.)

“The appropriate test for abuse of discretion is whether the trial court exceeded the bounds of reason. When two or more inferences can reasonably be deduced from the facts, the reviewing court has no authority to substitute its decision for that of the trial court.’” (*In re Stephanie M.* (1994) 7 Cal.4th 295, 318–319.) If substantial evidence supports the determination, the order is not an abuse of discretion. (*In re Jasmon O.* (1994) 8 Cal.4th 398, 415–416.) In determining whether substantial evidence supports the factual findings, “all intendments are in favor of the judgment and [we] must accept as true the evidence which tends to establish the correctness of the findings as made, taking into account as well all inferences which might reasonably have been drawn by the trial court.” (*Crogan v. Metz* (1956) 47 Cal.2d 398, 403–404.) “‘[W]e review the record to determine whether there is any substantial evidence to support the juvenile court’s conclusions, and we resolve all conflicts and make all reasonable inferences from the evidence to uphold the court’s orders, if possible.’” (*In re Christopher R.* (2014) 225 Cal.App.4th

1210, 1216.) “ ‘However, substantial evidence is not synonymous with *any* evidence. [Citations.] A decision supported by a mere scintilla of evidence need not be affirmed on appeal. [Citation.] Furthermore, “[w]hile substantial evidence may consist of inferences, such inferences must be ‘a product of logic and reason’ and ‘must rest on the evidence’ [citation]; *inferences that are the result of mere speculation or conjecture cannot support a finding* [citations].” [Citation.] “The ultimate test is whether it is reasonable for a trier of fact to make the ruling in question in light of the whole record.” ’ ” (*In re David M.* (2005) 134 Cal.App.4th 822, 828.)

2. The juvenile court did not abuse its discretion.

Father challenges the juvenile court’s October 28, 2016 order requiring him to participate in both parenting classes and individual therapy. Father claims “transportation issues” led to the filing of the section 300 petition and the parents’ offending conduct was their failure to ensure T.G. and Z.G. attended their therapy and psychiatric appointments. He then argues the juvenile court erred because the court-ordered parenting classes and individual therapy are not designed to eliminate the transportation issues that led to the filing of this case.

Father frames the issue too narrowly. Although lack of transportation certainly contributed to the filing of the section 300 petition, other issues were at play as well.² Most notably,

² Father appears to recognize this by conceding the juvenile court properly ordered him to attend family counseling. Father claims “family oriented therapy is directly related to a resolution of the discordance among the members of this family.” In other words, the juvenile court was correct to make orders addressing

Father all but admitted he needed help parenting his three daughters, two of whom have mental health issues. Father told a Department social worker he would like to have T.G. stay with him but only if the Department could guarantee she would remain stable. He also said he did not understand why T.G. would want to hurt herself and it would be difficult for him to manage all three of his daughters because they were not used to following rules. There was also evidence Father was verbally abusive toward both T.G. and her mother. And it was undisputed the children often were absent from school, including when they stayed with Father. Finally, although Father insisted he did not know of his children's mental health issues, T.G. said she had told him of her diagnosis and mental health needs and, similarly, Mother said Father was aware of the children's mental health issues. Both T.G. and Mother believed Father was unsupportive and did not care about the children's needs. In light of this record, we conclude substantial evidence supports the juvenile court's order requiring Father to attend parenting classes and individual therapy. The court did not abuse its discretion.

Father disputes the Department's position that the evidence demonstrates Father was dismissive of his children's mental health needs. Instead, Father argues the evidence merely shows he and T.G. were "not strongly bonded." Although it might be true Father and T.G. were "not strongly bonded," that neither rules out a finding that he was also dismissive of his children's needs nor requires us to reverse the juvenile court's order. As stated above, "[w]hen two or more inferences can reasonably be deduced from the facts, the reviewing court has no authority to

more than just the parents' difficulty in transporting their children to therapy and psychiatric appointments.

substitute its decision for that of the trial court.’ ” (*In re Stephanie M.*, *supra*, 7 Cal.4th at p. 319.)

In re Jasmin C. (2003) 106 Cal.App.4th 177, on which Father relies, does not require reversal. There, the parent was nonoffending and “nothing in the record supported the order” requiring the parent to attend parenting classes. (*Id.* at p. 181.) In contrast, here, the juvenile court sustained the section 300 neglect allegations against Father—a finding Father has not challenged—and, as noted above, substantial evidence supports the court’s order requiring Father to attend parenting classes and individual therapy. The remaining cases on which Father relies also do not require reversal.

In light of the whole record, we conclude it was reasonable for the juvenile court to order Father to participate in parenting classes and individual therapy. (*In re David M.*, *supra*, 134 Cal.App.4th at p. 828.)

DISPOSITION

The October 28, 2016 order is affirmed.

NOT TO BE PUBLISHED.

LUI, J.

We concur:

CHANEY, Acting P. J.

JOHNSON, J.