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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION ONE

In re J.W. et al., Persons Coming
Under the Juvenile Court Law.

SAN FRANCISCO HUMAN
SERVICES AGENCY,

Plaintiff and Respondent,

v.

J.W. et al.,

Defendants and Appellants.

A173048

(San Francisco City & County
Super. Ct. Nos. JD22-3317,
JD22-3317A)

J.W. (father) and B.H. (mother) appeal from the juvenile court's orders terminating their parental rights as to three-year-old K.W. and maintaining 11-year-old J.W.¹ in foster care with the goal of legal guardianship. The court further terminated visitation between J.W. and mother, finding it to be detrimental to J.W.'s physical or emotional well-being. On appeal, mother contends the trial violated her due process rights in failing to appoint a guardian ad litem resulting in a prejudicial visitation order between her and

¹ Because father and son share initials, we refer to minor as "J.W." and his father as "father."

J.W., while father challenges the court's finding the Indian Child Welfare Act (ICWA; 25 U.S.C. § 1901 et seq.) did not apply to the underlying proceeding.²

As to father's contention, the San Francisco Human Services Agency (Agency) concedes the record lacks proper documentation to support the court's ICWA finding and does not oppose remand for it to demonstrate compliance with ICWA requirements under *In re Dezi C.* (2024) 16 Cal.5th 1112 (*Dezi C.*).

We reject mother's challenge and accept the Agency's concession as to father's challenge. We therefore reverse the finding that ICWA does not apply as to J.W., conditionally reverse the order terminating parental rights as to K.W. and remand the matter to the juvenile court for the limited purpose of ensuring compliance with ICWA. In all other respects, we affirm.

BACKGROUND³

Responding to a referral that then eight-year-old J.W. and one-year-old K.W. were being exposed to domestic violence and were at risk of emotional and physical abuse, the Agency conducted a home visit. There, the social worker observed feces smeared on the walls of the apartment and caked onto the floors. She also observed J.W., who is nonverbal and Autistic, defecating in his bedroom and smearing feces around the home. Mother did not intervene to help, nor would she let the social worker help J.W. J.W. was not attending his special education classes because mother wanted to homeschool him. Minors were detained, and the Agency filed a Welfare and Institutions

² Each parent has joined in and adopted the arguments of the other.

³ We summarize only those facts relevant to resolving the issues on appeal.

Code section 300 petition⁴ alleging failure to protect and general neglect (§ 300, subd. (b)(1)), emotional damage (*id.*, subd. (c)), and no provision for support (*id.*, subd. (g)).

The juvenile court sustained the amended petition,⁵ and parents received 18 months of services. In advance of the combined 12- and 18-month review hearing, the Agency filed its report recommending termination of reunification services and setting a section 366.26 hearing. The court followed the Agency's recommendation and set the matter for a selection and implementation hearing. Additionally, the court ordered monthly supervised visitation for parents.

In advance of the selection and implementation hearing, the Agency filed its section 366.26 report recommending termination of parental rights to K.W. and maintaining J.W. in his current foster placement with the goal of legal guardianship. The Agency further recommended termination of visitation between mother and J.W. The report explained J.W. "is easily dysregulated," and when mother missed visits or "when the visits with [mother] did not go well," J.W. was negatively impacted. "[J.W.] starts screaming, throwing objects, running around the house, and this behavior is not healthy for his well-being. In the past, when [J.W.] was transported to the visits and [mother] was not there, [J.W.] was then driven back to his school and his behavior would be severely disruptive. This has placed significant burden on this child as he is unable to self-regulate. Staff who have transported [J.W.] to the visits with his mother report that [J.W.] would

⁴ All further statutory references are to the Welfare and Institutions Code unless otherwise indicated.

⁵ The petition was subsequently amended to strike the subdivision (c) and subdivision (g) allegations.

take his seat belt off and would try to reach for the driver's wheel. He would also try to get out of the car, throw objects at the driver, because the visit went bad or mom did not show up. This behavior is also transferred to his placement making it very difficult for the caregiver to be able to help him. Furthermore, this behavior places a significant barrier for attaining permanency for [J.W.]”

At the section 366.26 hearing, the court heard from the social worker. She explained both children were nonverbal and had been diagnosed with autism. As to J.W., from July to September, visitation with mother was inconsistent. Mother had complained about the visitation center and “having some difficulties with staff” and wanted the visits to occur in a park. However, after trying park visitation from September through October, the Agency concluded the visits “were not good. The weather . . . was sometimes 100 degrees in the summer. The place was overstimulating for poor [J.W.] [J.W.] start[ed] running around the park. [Mother] was not able to contain him. The assigned supervisor . . . had to carry [K.W.] It was not good at all. [¶] And then [mother] . . . ended the visits early on two occasions because she was overwhelmed with [J.W.’s] level of activity and level of dysregulation. He started screaming, running around, and trying to leave the park.” The Agency moved visitation back to the visitation center and decided “center staff would not be involved in greeting [mother].” Mother’s last visit was at the end of October 2024. January through March mother wanted to have visits restart in the park, but the Agency “said no. The cold—it was the opposite. The weather was cold, and it was raining.” Visitation remained scheduled at the center, but mother did not attend.

Counsel argued against a finding of detriment for continued visitation, stating “I realize that [J.W.’s] behavior apparently with everyone, including

the transportation person, has been problematic, but I think that there is value in having [J.W.] continue to visit with his mother, so I would ask that the Court not make a detriment finding as this is between [J.W.] and his mom.” J.W.’s counsel supported the Agency’s recommendation to terminate visits stating, “I support the agency’s request, the contention, that the visits between [J.W.] and his mother are detrimental, and I would ask the Court to make that finding this morning. There is evidence before the Court . . . the visits have not happened in a really long time. Mom’s failure to follow through on any visitation is clear. She didn’t appear today for the .26 hearing. [¶] In addition, there is also evidence before the Court that the visits were very difficult for [J.W.] and dysregulating. At this point we are past reunification. We are now looking to really . . . keep the placement stabilized for [J.W.] and move towards hopefully a more permanent plan of legal guardianship. [¶] And if Mom appears and cooperates and engages with the agency, maybe we could revisit, and Mom’s attorney could bring that back to court. . . .”

The court stated, “There is substantial evidence of detriment, and so I will be finding that [mother] is not entitled to any visits with [J.W.] The .26 report characterizes at length the emotional dysregulation and difficulty that [J.W.] experiences before, during, and after the visits with [mother], so I am finding that visits between [mother] and [J.W.] are detrimental.”

The court terminated parental rights as to K.W., maintained J.W.’s placement in foster care with the permanent goal of legal guardianship, and terminated visitation between mother and J.W.

DISCUSSION

Guardian Ad Litem

Over the course of the dependency proceedings, mother had several attorneys represent her.⁶ At beginning of the section 366.26 hearing held on April 2, 2025, mother's counsel informed the court mother "intended to raise an issue with respect to his representation of her."

Before addressing mother's *Marsden* motion, the court addressed mother's absence, stating she had been previously ordered "to appear in person or by Zoom with camera capability," and had been prohibited from appearing by phone. The court further explained, during the confidential hearing, that when mother had appeared by phone, "her audio made it

⁶ Attorney Amy Stoll was initially appointed to represent mother, and at the start of the contested jurisdiction/disposition hearing she expressed a breakdown in communication between her and mother and requested a guardian ad litem be appointed. The court held a confidential hearing and denied the request for appointment. Following the jurisdiction/disposition hearing, Stoll requested to be relieved as counsel, and the trial court granted the request and appointed Attorney Andrea Goodman. Goodman represented mother through the contested six-month review hearing. Following that hearing, she requested to be relieved as counsel, and the trial court granted the request and appointed Attorney Michael Mahoney. Before the combined 12- and 18-month review hearing, the trial court conducted a confidential hearing to address a *Marsden* motion made by mother and a *McKenzie* motion to be relieved as counsel made by mother's counsel. (*People v. Marsden* (1970) 2 Cal.3d 118; *People v. McKenzie* (1983) 34 Cal.3d 616, abrogated on another ground as stated in *People v. Crayton* (2002) 28 Cal.4th 346, 365.) The court denied both motions. Following the review hearing, Mahoney again requested to be relieved, and the trial court granted the motion and appointed Attorney Aleman Moore. Soon thereafter, it is unclear exactly when, the court appointed Attorney Dominick Franco, who represented mother throughout the remainder of the proceedings. From the court's comments, there was a hearing held on February 27, 2025, however, no transcripts or minute orders of that hearing appear in the record on appeal.

impossible to hear her and because she was not appearing in a quiet and private place.” Besides appearing in person or by Zoom, the court had also offered mother “the option of turning off the camera if she came to the courtroom. I offered her the opportunity to appear in Zoom in the anteroom just outside of the courtroom. . . . She has declined all of those options.” Despite the court’s order that she appear in person, mother had called the court that morning “to appear by phone,” and when the clerk “answered the call, she refused to identify herself, but it was clear from the sound in the background that the caller was calling from a very noisy and public place, and based on the caller’s refusal to identify themselves and the fact that the call was made in a public place, I declined to put that person through and to have that person appear at the hearing today.”

The court then turned to the *Marsden* motion. In light of mother’s absence, the court denied the motion as moot.

Counsel then informed the court, “I think I have some ethical concerns about continuing to represent [mother],” and asked the court for a closed and confidential hearing. After hearing from counsel, the court denied counsel’s *McKenzie* motion to be relieved as counsel and continued the section 366.26 hearing, ordering mother to appear.

At the continued April 21 hearing, mother again failed to appear. The court observed it and the parties “waited until nine o’clock because [mother’s counsel] informed the Court and counsel that [mother] would not be available by phone until nine a.m. The Court notes that it had previously ordered [mother] to appear in court in person or by Zoom given the numerous challenges the Court had hearing [mother] at previous court appearances when she appeared by phone and because at previous appearances she appeared in a public place—for example, on a bus—rather than in a quiet

and private place as it is required of these proceedings.” Nevertheless, the court had been inclined to allow mother to appear by phone given the nature of the proceedings, so the parties had “waited nearly 40 minutes for her to appear, and she had not appeared.” The clerk had also called mother, and the calls “went straight to voicemail.” The court therefore proceeded with the hearing.

Mother’s counsel then stated, “before we begin, I feel I have an ethical duty—although without going into too much detail because of confidentiality, I still maintain that my client is not able to understand the proceedings before the Court today nor has she been able to assist me in preparing for this hearing, so again, especially if this case goes up on appeal and for the record, I feel that I am ethically bound to make the statement I just made.”

The court replied, “The Court did try to conduct a hearing pursuant to the *In re Sara D.* case⁷ . . . , and Mother’s appearance by telephone made it difficult to engage with her and to make the required inquiry and required findings. [¶] It was my impression from that hearing that [mother] opposed the request for a guardian ad litem, and I find myself unable, based on the papers in this case, to make a determination that she is not able to assist counsel or that she is incompetent, so for those reasons the Court is proceeding.” The court proceeded to hear testimony from the social worker and father.⁸

⁷ *In re Sara D.* (2001) 87 Cal.App.4th 661.

⁸ During the social worker’s testimony, mother called the court and stated, “today is not a good day. Nobody asked me if today was going to be a good day for court. There are multiple reasons why I am not prepared, but my phone isn’t even charged.” The court informed mother she would be put on mute because “I am hearing a lot of background noise from you, including music, which is making it difficult for me to concentrate and difficult for my court reporter to transcribe the words that folks are saying.” However,

“In a dependency case, a parent who is mentally incompetent must appear by a guardian ad litem appointed by the court. (Code Civ. Proc., § 372; *In re Sara D.*, *supra*, 87 Cal.App.4th at p. 665.) . . . The effect of the guardian ad litem’s appointment is to transfer direction and control of the litigation from the parent to the guardian ad litem, who may waive the parent’s right to a contested hearing. [Citation.]

“Before appointing a guardian ad litem for a parent in a dependency proceeding, the juvenile court must hold an informal hearing at which the parent has an opportunity to be heard. (*In re Sara D.*, *supra*, 87 Cal.App.4th at p. 663.) The court or counsel should explain to the parent the purpose of the guardian ad litem and the grounds for believing that the parent is mentally incompetent. (*Id.* at p. 672.) If the parent consents to the appointment, the parent’s due process rights are satisfied. (*Id.* at p. 668.) A parent who does not consent must be given an opportunity to persuade the court that appointment of a guardian ad litem is not required, and the juvenile court should make an inquiry sufficient to satisfy itself that the parent is, or is not, competent. (*Id.* at p. 672.) If the court appoints a guardian ad litem without the parent’s consent, the record must contain substantial evidence of the parent’s incompetence.” (*In re James F.* (2008) 42 Cal.4th 901, 910–911 (*James F.*)). A party is incompetent in this context if a preponderance of the evidence shows that he or she is a person for whom a conservator could be appointed (Prob. Code, § 1801) or is unable to understand the nature of the proceedings or to assist counsel in protecting his or her interests (Pen. Code, § 1367). (See *James F.*, at p. 916.) However,

shortly after the court muted mother, the court stated, “I want the record to note that [mother] has terminated the call and hung up and is no longer in the Zoom room.”

a dependency court's failure to appoint a guardian ad litem does not require reversal unless it substantially prejudiced the person's interests, in that "a different result would have been probable had the error not occurred." (*In re A.C.* (2008) 166 Cal.App.4th 146, 157; *James F.*, at pp. 915–917; *In re Sara D.*, at p. 673 ["Reversal is not required if the violation of the appellant's due process rights was harmless beyond a reasonable doubt."].)

Preliminarily, we address the Agency's contention that the invited error doctrine applies.

"Under the doctrine of invited error, when a party by its own conduct induces the commission of error, it may not claim on appeal that the judgment be reversed because of that error." (*Mary M. v. City of Los Angeles* (1991) 54 Cal.3d 202, 212; *In re Jamie R.* (2001) 90 Cal.App.4th 766, 772 ["[T]he doctrine of invited error applies where a party, for tactical reasons, persuades the trial court to follow a particular procedure. The party is estopped from claiming that procedure was unlawful."]; *In re G.P.* (2014) 227 Cal.App.4th 1180, 1193 [invited error doctrine applied to dependency court ruling].) We are inclined to agree.

As we have stated, before appointment of a guardian ad litem, the court must hold an informal hearing at which the parent has an opportunity to be heard and where "[t]he court or counsel should explain to the parent the purpose of the guardian ad litem and the grounds for believing that the parent is mentally incompetent." (*James F.*, *supra*, 42 Cal.4th at p. 910, citing *In re Sara D.*, *supra*, 87 Cal.App.4th at p. 672.) If after the explanation, the parent does not consent, then the parent must be given an "opportunity to persuade the court that appointment of a guardian ad litem is not required, and the juvenile court should make an inquiry sufficient to

satisfy itself that the parent is, or is not, competent.” (*James F.*, at pp. 910–911.)

Here, the Agency notes the court *did* attempt to hold a hearing on April 2, 2025, but mother opposed and impeded the court’s ability to make any necessary findings to appoint a guardian ad litem by appearing by telephone—despite the court ordering her not to do so—in public areas which compromised confidentiality and made it impossible for the court to make any assessment. Indeed, at the confidential hearing, the court noted it had “tried to conduct a guardian ad litem hearing at previous callings of the case but that [mother’s] conduct made it impossible to do so, and she declined to consent to appointment of a guardian ad litem.” While mother contends, “[d]ue process was not satisfied merely because the court found it difficult to engage with mother via telephonic appearance,” it appears mother’s behavior went well beyond mere disagreement over the means by which mother should appear. Moreover, the court offered mother several other options to appear, including the “option of turning off the camera if she came to the courtroom. I offered her the opportunity to appear in Zoom in the anteroom just outside the courtroom in between the courtroom and the public place.” Mother declined all options.

Additionally, due to mother’s behavior the court was unable to make an inquiry as to her competency. The Agency points out mother “consistently and repeatedly denied any mental health issues for over two years, denied the need to engage in court-ordered individual therapy, refused to submit to a court-ordered psychological evaluation, and actively worked with her attorneys to remove the court-ordered components addressing her mental health status.” While mother argues a “person’s refusal to engage in mental health services and to deny mental health issues does not in itself indicate[]

whether or not a person suffers from mental health issues and is in need of mental health services,” mother does not offer any suggestion as to what the court could have done in the face of her continued refusal.

But irrespective of the bar of invited error, and even assuming *arguendo* the court erred in failing to inquire further or hold additional hearings, or to appoint a guardian ad litem, mother has not demonstrated prejudicial error. (See *James F.*, *supra*, 42 Cal.4th at p. 915.)

Mother asserts any error in failing to appoint a guardian ad litem “was not harmless error because it was probable that she would have had a more favorable outcome as to the issue of her visitation with [J.W.]”—an outcome she maintains was not supported by substantial evidence—“had the court ensured that her counsel was able to ascertain and articulate mother’s position on visitation.”

Mother does not explain, however, how the appointment of a guardian ad litem would probably have resulted in a more favorable outcome. She was at all times represented by counsel, and she does not contend she received ineffective assistance. In short, there is nothing in the record that suggests counsel took any action that contravened mother’s interests; indeed, counsel argued for continued visitation between mother and J.W.

Moreover, contrary to mother’s claim, abundant evidence supports the court’s order terminating visitation. Mother argues there was no substantial evidence of detriment to J.W. from continued visitation because his “behaviors were part of his severe autism diagnosis,” and they would not go away or be avoided by terminating mother’s visits; “[m]any things caused [J.W.] to have disruptive behaviors,” and that “does not mean that everything that upset [J.W.] should and could be avoided, including mother’s visits”; the concern of missed visits also applied to father and there “is no basis to treat

the parents differently”; and “less drastic options were available to avoid the impact of missed visits,” such as requiring 24-hour or same-day confirmation by mother before minor was transported.

However, the record reveals that mother consistently failed to “follow through on any visitation,” that when she missed and cancelled scheduled visits J.W. dysregulated, and even when mother did follow through, the visits did “not go well” and J.W. dysregulated afterwards. He would “start[] screaming, throwing objects, running around the house, and this behavior is not healthy for his well-being.” Indeed, when she last visited J.W. in October 2024, she ended the visit when J.W. had “an outburst.” Afterwards, J.W. “emotionally dysregulated.” That other things triggered J.W. to dysregulate does not change the fact that mother’s conduct in connection with visitation also consistently did so. Mother’s assertion that “less drastic” options than termination were available simply ignores that she “continuously confirmed visits only to cancel them the morning of” and she refused any and all alternative visitation suggestions made by the Agency (e.g., “Chuckie Cheese,” the public library, an indoor play facility, or returning to the visitation center).

In short, there is no merit whatsoever to mother’s assertion that the juvenile court’s order was not supported by substantial evidence. To the contrary, the court fulfilled exactly the charge before it once reunification services have been terminated—focusing on “ ‘the needs of the child for permanency and stability.’ ” (*In re Stephanie M.* (1994) 7 Cal.4th 295, 317.)

ICWA

Section 224.2 states that courts and county welfare departments “have an affirmative and continuing duty to inquire whether a child for whom a petition under Section 300, 601, or 602 may be or has been filed, is or may be

an Indian child.” (§ 224.2, subd. (a).) This duty to inquire begins when a county is first contacted regarding a child and extends to when a child is placed in temporary custody of a county welfare department and the first hearing on a petition in a proceeding that could result in a child being placed with someone other than a parent or Indian custodian. (*Id.*, subds. (b)–(c).) Inquiry includes, but is not limited to, asking a child’s extended family members whether the child is or may be an Indian child. (*Id.*, subd. (b)(1)–(2).)

If there is “reason to know” a child involved in a proceeding is an Indian child, “the party seeking foster care placement with someone other than a parent or Indian custodian shall provide notice in accordance with Section 224.3.” (§ 224.2, subd. (f).) There is reason to know a child is an Indian child if, among other things, a person having an interest in the child informs the court that the child is an Indian child. (*Id.*, subd. (d)(1).)

When a court or social worker has “reason to believe” a child is an Indian child but cannot determine there is reason to know the child is an Indian child, the court or social worker must make “further inquiry.” (§ 224.2, subd. (e).) A court or social worker has reason to believe a child is an Indian child when information suggests the child or his or her parent is a member or citizen or may be eligible for membership or citizenship in an Indian tribe. (*Id.*, subd. (e)(1).) “Further inquiry” includes, but is not limited to, interviewing extended family members,⁹ contacting the Bureau of Indian

⁹ “‘Extended family member’” is defined as having the “same meaning as defined by the law or custom of the Indian child’s tribe or, in the absence of such law or custom, shall be a person who has reached 18 years of age and who is the Indian child’s grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or stepparent.” (§ 224.1, subd. (c).)

Affairs and the State Department of Social Services for assistance in identifying the names and contact information of relevant tribes, and contacting tribes “that may reasonably be expected to have information regarding the child’s membership, citizenship status, or eligibility.” (*Id.*, subd. (e)(2)(A)–(C).)

If there is reason to know a child is an Indian child but the evidence is not sufficient to determine conclusively whether the child is or is not an Indian child, the court must document that due diligence was used to identify and work with the relevant tribes to verify the child’s status or eligibility. (§ 224.2, subd. (g).) “If the court makes a finding that proper and adequate further inquiry and due diligence as required in this section have been conducted and there is no reason to know whether the child is an Indian child, the court may make a finding that” ICWA does not apply. (*Id.*, subd. (i)(2).)

“The juvenile court’s factual finding that ICWA does not apply is ‘subject to reversal based on sufficiency of the evidence.’” (*Dezi C.*, *supra*, 16 Cal.5th at p. 1134.) An inadequate inquiry “requires conditional reversal of the juvenile court’s order terminating parental rights with directions to the agency to conduct an adequate inquiry, supported by record documentation.” (*Id.* at p. 1125.)

In this case, father indicated he had Blackfoot¹⁰ and Choctaw ancestry “through his grandmother, [K.J.] of Mississippi.” He reported K.J. is

¹⁰ “[T]here is frequently confusion between the Blackfeet tribe, which is federally recognized, and the related Blackfoot tribe, which is found in Canada and thus is not entitled to [ICWA] notice of dependency proceedings.” (*In re L.S.* (2014) 230 Cal.App.4th 1183, 1198.) Regardless, “[w]hen Blackfoot heritage is claimed, part of the Agency’s duty of inquiry is to clarify whether the parent is actually claiming Blackfoot or Blackfeet heritage so that it can discharge its additional duty to notice the relevant tribes.” (*Ibid.*) The

deceased and to “his knowledge no one in the family was registered with the tribes.” The Agency had father complete “family tree information.” Mother, in turn, indicated her “great grandmother was Blackfoot Indian” but that she was not aware of any Native American ancestry on her father’s side.

The Agency sent letters and e-mails to the Jena and Mississippi Bands of Choctaw Indians. The Agency also called a tribal worker with the Blackfeet Tribe of Montana, who informed the social worker that “unless the parents of the children are half Blackfeet the children are not eligible for enrollment.” In its December 2024 addendum report, the Agency reported it had received a response from the Mississippi Band of Choctaw Indians stating the parents, the minors, and paternal grandparents were not enrolled members. The Agency therefore recommended the juvenile court find ICWA does not apply.

At the contested 12-and 18-month combined hearing, the trial court reviewed the report and inquired if there were any other “tribes that were noticed that we are waiting for any outstanding response.” The social worker responded, “No. Not that I am aware of,” and the court stated, “In light of that the Court will go ahead and find that ICWA does not apply in this case.”

Father contends the juvenile court’s finding ICWA did not apply was not supported by substantial evidence because there was no documentation as to the Agency’s inquiries to extended family members regarding Native American ancestry, there was no information “detailing the inquiry . . . sent” to the tribes the parents identified, and “no inquiry or notice made of the Choctaw Nation of Oklahoma,” which father contends is the “largest of the

Agency acknowledges this distinction and states it “understood father’s reference of ‘Blackfoot’ ancestry to mean the Blackfeet Nation, whose reservation is located in northwest Montana.”

three federally recognized Choctaw tribes.” The Agency concedes, and we agree, the record is insufficient to support the court’s conclusion ICWA does not apply.

Accordingly, we reverse the finding that ICWA does not apply as to J.W. and conditionally reverse the order terminating parental rights as to K.W., and remand to the juvenile court to ensure compliance with ICWA. (See *Dezi C.*, *supra*, 16 Cal.5th at p. 1137.)

DISPOSITION

The juvenile court’s order terminating parental rights as to K.W. is conditionally reversed and the court’s finding that ICWA does not apply as to J.W. is reversed. The case is remanded to the juvenile court with directions to order the Agency’s compliance with ICWA. If the juvenile court finds the minors are not Indian children, the order terminating parental rights shall be reinstated. If the juvenile court finds the minors are Indian children, it must proceed in conformity with all provisions of ICWA. (See 25 U.S.C. § 1912(a); §§ 224.2, subd. (i)(1), 224.3, 224.4.) In all other respects, the juvenile court’s orders are affirmed.

Banke, J.

We concur:

Humes, P.J.

Langhorne Wilson, J.

A173048, In re J.W.