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

**FOURTH APPELLATE DISTRICT**

**DIVISION TWO**

B.M.,

Petitioner,

v.

THE SUPERIOR COURT OF  
RIVERSIDE COUNTY,

Respondent;

RIVERSIDE COUNTY DEPARTMENT  
OF PUBLIC SOCIAL SERVICES,

Real Party in Interest.

E087114

(Super.Ct.No. SWJ1300837)

OPINION

ORIGINAL PROCEEDINGS; petition for extraordinary writ. Susanne S. Cho, Judge. Petition denied.

Keb-Ramirez Law, and Erica Keb Ramirez for Petitioner.

No appearance for Respondent.

Minh C. Tran, County Counsel, Jamila T. Purnell and Julie Jarvi, Deputy County Counsel, for Real Party in Interest.

Blanca M. (mother) petitions for extraordinary relief pursuant to rule 8.452 of the California Rules of Court. She seeks to set aside the orders of the Riverside County juvenile court terminating family reunification services as to her five youngest children and setting their cases for a Welfare and Institutions Code section 366.26 permanent plan selection.<sup>1</sup> She argues that (i) additional reunification services should have been provided to her, (ii) the services she received were not reasonable, and (iii) the juvenile court erred when it reduced her visits after terminating reunification efforts. We will deny the petition.

## **FACTUAL AND PROCEDURAL BACKGROUND<sup>2</sup>**

Mother has five minor children: eight-year-old twin sons (the twins), a seven-year-old son (the middle son), a five-year-old daughter (the middle daughter), and a two-year-old daughter (the youngest child), collectively referred to herein as “the children.” The children’s presumed father is William H. (father).

### *1. The Events Leading to the Filing of a Section 300 Juvenile Dependency Petition*

In May 2023, mother, father, and the children came to the attention of the Department after the Department received a referral alleging the twins had missed school for a few days and when one of the twins returned to class and reported that the middle

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<sup>1</sup> All statutory references are to the Welfare and Institutions Code unless otherwise noted. All references to rules are to the California Rules of Court.

<sup>2</sup> A detailed account of the events bringing the children to the attention of Riverside County Department of Public Social Services (the Department) and leading to the Department’s intervention and the section 300 petition are set forth in our opinion filed in mother’s appeal from the order removing the children from her case, *In re K.H. et al.* (Dec. 4, 2025, E084599) [nonpub. opn.] (*K.H.*).

son had hit him on the head with a crowbar, that mother had dropped a car jack on his foot, and that father had run over his foot with a car. The Department's responding social worker did not find bruises or marks on the twin's foot and he later denied mother dropped a car jack on him.

In August 2023, the Department received a secondary referral because the middle son had missed multiple days of school and had visible injuries on his face and arms when he returned to school and was evasive when asked about them. The Department's investigation revealed the twins and the middle son had missed a significant amount of school, that the children engaged in rough play that often resulted in bruises and injuries, and that the parents did not properly supervise them. Moreover, father's drug test performed for his probation officer was positive for methamphetamine. Father refused to test for the Department.

The investigation also revealed that mother had a lengthy history of referrals to the Department dating back to 2012, including assertion of juvenile court jurisdiction on two occasions, once in 2013 and again in 2017. In 2013, four of the children's older half-siblings (L.A., A.A., R.A., and A.M.), who ranged in age at that time from newborn to five years old were subjects of dependency proceedings and removed from home after a juvenile dependency petition was filed alleging that mother abused methamphetamine and neglected the half-siblings. The half-siblings were still placed out of the home when the twins were born in December 2014, but it appears the twins remained in mother's

custody. Reunification efforts with the half-siblings were successful and those children were returned home and their dependency cases were dismissed in November 2015.

The second of the prior juvenile dependency proceedings was initiated in April 2017 after the four older half-siblings, the twins (then two years old) and the middle son (then one year old) were detained from mother and father because of inappropriate corporal punishment of four-year-old half-sibling A.M. and allegations of neglect of the children and their half-siblings. Mother pled guilty to willful child cruelty and was sentenced to 48 months of formal probation. A juvenile dependency petition was sustained and family reunification services were provided to mother, father, and A.M.'s father (father A.) of half-siblings L.A., AA., and R.A.<sup>3</sup> Services to mother include substance abuse counseling at MFI Recovery Center (MFI).

That dependency resulted in termination of mother's rights to A.M., father A. taking sole legal and physical custody of L.A., A.A., and R.A., and mother taking sole legal and physical custody of the twins and the middle son.

## *2. The Commencement of the Current Juvenile Dependency Proceedings*

In January 2024, the juvenile court sustained a section 300 juvenile dependency petition filed by the Department and adjudged mother's five children dependents of the court. The court ordered the children removed from their father and family reunification services were not ordered as to him. It ordered the children to remain in mother's

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<sup>3</sup> The identity of A.M.'s father was apparently unknown.

physical custody with provision of family maintenance services by the Department. A section 364 family maintenance status review hearing was set for July 2024.

*3. The Six-Month Review of Family Maintenance Services Results in the Children's Detention, and Provision of Family Reunification Services*

At the time of the six-month family maintenance services review, mother and the children were living in a remote and isolated area of Desert Hot Springs, California, with limited access to public transportation and community support. In its July 2024 report prepared for the hearing, the Department stated efforts to provide counseling and parenting services for mother had been stymied by various factors including the closing of the office of the service providers, her difficulty in attending in-person sessions, and the lack of reliable internet access for reliable virtual appointments. Mother continued to work with her parent partner and a wraparound team that had assisted the family with repairing issues with the home that posed a safety risk to the children.

The Department concluded that mother was struggling with supervising the children who continued to sustain multiple injuries while in her care. She was not able to follow through with the children's services or fully participate in services for herself. To the extent mother had participated in services, she had not demonstrated that she had benefitted from them. The Department recommended continuing family maintenance services for an additional six months.

While the maintenance review hearing was pending, an investigator employed by the children's counsel visited the family's home. There was no food in the house, it was

infested with rodents, the children had bruises all over their bodies, and during the visit mother was biting the face of the youngest child whenever that child cried.

By the time of the September 4, 2024 hearing, the Department had amended its recommendation, asking for an order detaining the children. The juvenile court ordered the children to be relinquished to the Department's custody and that family reunification services be provided. The eight-year-old twins and the seven-year-old middle son were placed together with a maternal aunt; the six-year-old middle daughter and three-year old youngest child were placed together in a foster home in San Bernardino County.

Mother appealed the maintenance review orders and we affirmed the order detaining the children. (*K.H., supra*, E084599.)

#### *4. Reunification Services are Continued at the March 2025 Six-Month Status Review Hearing*

In February 2025, the Department prepared a report in anticipation of the March 2025 section 366.21, subdivision (e) six-month status review hearing.

The Department observed that, although mother appeared motivated to engage in reunification services at the beginning of the review period, she had not maintained those efforts. It reported difficulties in contacting mother, who had provided the Department with a plethora of message telephone numbers that seemed to change from week to week in addition to an email address, and that mother did not timely respond to efforts to contact her.

Mother claimed she had participated in services but when asked about them she told the social worker to contact her attorney.

Within a few weeks after the twins and the middle son were detained and placed with their maternal aunt, the maternal aunt requested the children be removed because she was having problems managing their behaviors. The twins were placed together with a foster family where they were thriving. The middle son was placed in a separate foster home but was removed in January 2023 because his behavioral problems were escalating, particularly suicidal and homicidal ideation, which included threats to other children in the home. Mother continued to live in Desert Hot Springs.

Weekly supervised visits with the middle daughter and the youngest child were scheduled for Mondays (apparently in the San Bernardino County child services offices) monitored by the Department via closed circuit television, and visits with the twins and with the middle son were scheduled on Sundays and were monitored by their respective caregivers. Mother was also provided with the caregivers' contact information to facilitate her communication with the children.

Mother often failed to call, or to attend visits with the children, or both, and those lapses caused the children significant distress exhibited by emotions ranging from sadness to fighting to bedwetting. The social worker contacted mother multiple times to urge her to confirm her attendance and to use reminders or personal calendar, but she had not done so. She did not start consistently visiting the children until shortly before the Department prepared its report for the six-month review hearing.

The report concluded that mother seemed to exhibit significant challenges with executive functioning, she struggled with making plans, solving problems, and adapting to new circumstances, and that her repeated failure to attend scheduled visits, her lack of communication and persistent absenteeism indicated a lack of reliability and commitment to establishing meaningful relationships with her children.

The Department's recommendations included a finding that the family had been provided reasonable services designed to overcome the problems that led to the children's initial removal and their continued custody, and orders continuing the children as dependents of the court with provision of family reunification services and authorization for increased and liberal visits.

On the day of review hearing, mother's counsel submitted a certificate of successful completion of a parenting program dated October 30, 2024, a letter dated January 28, 2025 from MFI stating that mother came to the MFI office to check on the status of her referral but there was no referral in the system, another letter from MFI dated March 3, 2025, confirming that mother enrolled in MFI's outpatient program on January 28, 2025, and a document showing that mother had a negative result for a drug test performed at "Banning Outpatient" on March 3, 2025.

At the hearing, mother submitted on the Department's recommendations. The juvenile court adopted the findings and orders recommended by the Department. It ordered the Department to continue to assist mother with transportation to visits with the children and ordered mother to stay in contact and communicate with the social worker

assigned to her case, and to provide information to that social worker rather than to refer the social worker to her attorney. The juvenile court also authorized psychotropic medications for the middle son.

*5. Reunification Services are Terminated at the September 2025 12-Month Review Hearing*

In a status review report dated August 26, 2025, the Department reported that, in March 2025 mother stopped participating in MFI's counseling in Banning, California, because her Medi-Cal insurance had been discontinued and she was homeless, but she had since reapplied and her insurance had been reinstated. Mother indicated that, after she lost her Medi-Cal insurance, her participation in services fell by the wayside because she was focused on resolving her transiency.

In May 2025, the Department referred mother to both the Bringing Families Homes (BFH) program and the Family Unification Program (FUP) for housing but consideration of the referrals was pending because the eligibility criteria for the programs required the children to be in mother's care.<sup>4</sup> Mother was not eligible for CalWORKs and Linkages services because she is undocumented.

By the time of the August 26, 2025 status review report, mother was living in a trailer with a friend in Desert Hot Springs. There was no address for the trailer and it had limited utilities. Mother said she was able to care for her needs by doing "side jobs," but did not provide any details about her employment. She had reenrolled in MFI's

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<sup>4</sup> The Department's reports occasionally mistakenly refer to FUP as "Family Reunification Program."

individual counseling and parenting education programs. She was scheduled for a MFI intake assessment, which would be followed by transition into a sober living facility where she was to participate in counseling and additional parenting components.

Mother continued to believe that she could appropriately meet the emotional, physical, and developmental needs of her children if she had stable housing.

All the children were demonstrating consistent progress and stability in their placements. The middle son continued to receive mental health services and prescription medications to treat a variety of problems such as irritability, aggression, cruelty toward others, inappropriate sexual behaviors, and expression of suicidal and homicidal thoughts.

With respect to mother's visits with the children, the Department noted that she demonstrated a "period of consistency in attending visits while she had access to reliable transportation," but there is no indication when or how long that period was. When that access was disrupted, the Department provided mother with bus passes, but mother did not attend some visits and did not notify the caretakers of her absence in advance. Her absences caused the children to suffer emotional distress. The Department had submitted an interdepartmental request to arrange for the middle daughter and the youngest child, who lived in San Bernardino County, to be transported to a location closer to the mother so that mother would not have to find rides to the Department's Banning office.

When mother visited, she was engaged with the children and it was evident that they enjoyed spending time with her.

The Department recommended termination of family reunification services because, even though mother had received multiple support interventions, she continued to demonstrate ongoing instability in areas critical to reunification, including housing, employment, and engagement in court ordered services.

At the September 4, 2025 review hearing, mother requested the matter be set for a contest. Her counsel represented that mother had been in touch with a social worker at FUP who advised mother that a housing referral needed to be made to that specific program and submitted to the attention of a person named Monica.

In an addendum to its 12-month report filed on October 8, 2025, the Department advised the court that it had submitted a secondary referral to FUP marked to the attention of Monica on September 12, 2025, but that mother was not eligible for that agency's services. Monica provided a list of affordable housing resources, and the Department connected mother with Miracles Sober Living Home, which provides transitional housing and housing support for its residents. The Department also submitted a secondary referral to Bringing Families Home (BFH).

When the contested hearing went forward on October 14, 2025, mother's counsel acknowledged that mother was still engaged in therapy and trying to get into the sober living facility, and that mother was "in a position where she's not able to get housing." Mother's counsel objected to the Department's recommendation to reduce mother's visits with the children to twice a month on the grounds it would not be in the children's best interests.

The juvenile court adopted the Department's recommended findings and orders, including that it complied with the case plan by making reasonable efforts to return the children to a safe home, that mother had failed to participate regularly and make substantive progress in the court ordered case plan, and that there was no substantial probability of returning the children to mother if given an additional six months of services. It set the matter for a section 366.26 hearing to select a permanent plan for each of the children.

## **DISCUSSION**

In her petition for an extraordinary writ, mother argues that reversal of the juvenile court's orders terminating her family reunification services and setting the section 366.26 hearing is called for because she did not receive reasonable reunification services and because there was a substantial probability that the children would have been returned to her by the 18-month review. Mother also argues that the juvenile court erred when it reduced her visitation with the children.

### *A. The Termination of Family Reunification Services*

Subdivision (a)(3)(A) of section 361.5 limits provision of family reunification services to 12 months if the child was age three or older when initially removed from the custody of their parent. Notwithstanding that presumptive limit, the juvenile court is authorized to extend services for period not to exceed 18 months after the date the child was originally removed from physical custody of the child's parent if it finds either (i) that reasonable services have not been provided to the parent, or (ii) that there is a

substantial probability that the child will be returned to the parent's physical custody within the extended time period. (§ 361.5, subd. (a)(3)(A).)

Unless the issue on appeal involves the interpretation and proper application of the dependency statutes, we review a question of whether the juvenile court should have extended reunification services for substantial evidence, viewing the record in the light most favorable to the juvenile court's findings. (*In re Damian L.* (2023) 90 Cal.App.5th 357, 372.)

#### 1. *The Reasonableness of Mother's Family Reunification Services*

Mother argues that the juvenile court erred in not ordering further family reunification services at the 12-month review hearing as authorized by section 361.5, subdivision (a)(3)(A) because the services she had received were not reasonable.

Where, as here, the juvenile court has ordered family reunification services, the Department must make a good faith effort to develop and implement a family reunification plan. (*In re T.G.* (2010) 188 Cal.App.4th 687, 697.) The record should reflect that the Department identified the problems leading to the loss of custody, offered services designed to remedy those problems that were appropriately based on a family's unique facts, maintained reasonable contact with the parents during the course of the service plan, and made reasonable efforts to assist the parents in areas where compliance proved difficult. (*Id.*, at pp. 696–697.) The reasonableness of services is not judged by whether they were the best that might be provided in an ideal world, but whether they

were reasonable in the circumstances. (*Id.*, at p. 697.) ““The applicable standard of review is sufficiency of the evidence.”” (*Ibid.*)

Mother claims the services provided to her were unreasonable in two respects: (i) the Department failed to assist her in obtaining different housing; and, (ii) it did not provide adequate transportation assistance for her to visit the children.

*(a) The Department’s Services with Respect to Housing*

Mother claims that she was not offered reasonable reunification services because the Department “failed to assist her in obtaining different housing,” that it did not assist her with any legitimate housing referrals and only offered her a list of housing resources after the 12-month review was set for a contested hearing. We disagree. The record contains substantial evidence that the Department assisted mother in efforts to obtain housing.

Mother had a home at least until the end of January 2025. She did not have housing in March 2025 after she stopped participating in MFI. She was not eligible for CalWORKs and Linkages services because she was undocumented and, though the Department had two referrals pending for housing through the BFH program and the FUP, mother would not be eligible to move in until the children were returned to her. In the meantime, mother was reenrolled in MFI and had an intake assessment appointment scheduled that would lead to transition into a sober living facility. In September 2025, after the Department submitted a secondary referral to FUP, it was discovered that mother was also not eligible for that service but the FUP provided a list of additional housing

resources and the Department was able to connect mother to a program that provides transitional housing and housing support for its residents.

*(b) The Department's Transportation Assistance Services*

Mother also complains the Department did not provide reasonable services because it did not pay for any of her travel other than giving her bus passes even though the children's placements were spread out over long distances and even though, according to mother, the juvenile court ordered it to provide another form of transportation assistance. She suggests she would have been able to attend more of the scheduled weekly visits had she been provided with some other form of transportation than public buses. We do not agree.

While there is no doubt that taking the bus to visits was very time consuming, there is nothing in the record to suggest that it was the form of transportation that caused mother to miss visits. In fact, in the first six months after the children were removed from her custody, mother often failed to visit and expressed an ongoing concern with not having adequate transportation in spite of having access to a support system willing to assist her with that problem including the children's godmother who had even contacted the Department several times "to beseech visitation with the children."

Mother also claims that, at the March 2025 six-month review hearing, the juvenile court "ordered the Department to assist [m]other with transportation to visits." She also suggests that the order required the Department to pay for an unspecified form of travel other than buses. Mother is mistaken.

The order made at the six-month review hearing in response to mother's request "for transportation to visits," directed the Department to "continue" to assist mother with transportation. The court explained to mother that the order did not necessarily mean that the Department would give her a lift, but that "[i]t might mean they give you a bus pass."

In short, the juvenile court's findings that the Department provided reasonable services to mother is amply supported by substantial evidence

## *2. The Failure to Extend Reunification Services*

Mother also argues that the juvenile court erred in not ordering further family reunification services at the 12-month review hearing as authorized by section 361.5, subdivision (a)(3)(A) because there was a substantial probability that the children could be returned to her custody by the 18-month review hearing. We disagree.

To find a substantial probability that the children would be returned to the parent's physical custody and safely maintained in the home before the expiration of the 18-month limit on services, the court is required to find: (i) that the parent has consistently and regularly contacted and visited with the child; (ii) that the parent has made significant progress in resolving problems that led to the child's removal from the home; (iii) the parent has demonstrated the capacity and ability both to complete the objectives of their treatment plan and to provide for the child's safety, protection, physical and emotional well-being, and special needs. (§ 366.21, subd. (g)(1).) The court did not err when it terminated mother's family reunification services because there is insufficient evidence in this case to support a finding that children could be returned to mother and safely

maintained in the home before the expiration of the 18-month limit on services on March 4, 2026.

Here, mother had not consistently visited and contacted the children.

Mother had made some progress in resolving issues that led to the children's removal but, as mother's counsel acknowledged at the 12-month review hearing, mother was still engaged in therapy and was "in a position where she's not able to get housing." She had reenrolled in MFI's counseling and parenting programs but was still waiting for her MFI intake assessment which would be followed by transitioning into a sober living facility where she was to participate in counseling and additional parenting components, with a focus on sobriety and sober living.

Although mother was trying to complete the objectives of her case plan, she had yet to demonstrate that she was able to do so. She appeared to have significant challenges with executive functioning such as making plans and solving problems. And, of concern is she had not demonstrated that she could provide for the safety, protection, physical and emotional well-being, and special needs of all five children. Although the records suggest that mother may have started having unsupervised visits with the middle daughter and the youngest child, visits with the twins and with the middle son continued to be supervised.

In addition, four of the children have special needs of varying degrees. Both twins were receiving weekly therapeutic services. The middle son suffers from multiple emotional problems, including aggression, mood instability, and irritability and has

diagnoses of attention deficit hyperactivity disorder, conduct disorder, disruptive mood dysregulation disorder, and autism spectrum disorder. The middle daughter was also receiving weekly therapeutic services. She was also severely behind academically.

B. *The Reduction of Mother's Visits*

Mother argues that the juvenile court erred when it reduced her visits from every week to twice a month when it terminated her family reunification services. She posits that the new visitation order will prevent her from establishing the beneficial parent-child relationship exception to termination of parental rights set forth in subdivision (c)(1)(B)(i) of section 366.26. To come within that beneficial relationship exception, parents must establish that they maintained regular visitation and contacts with the child and that the child would benefit from continuing the relationship. (§ 366.26, subd. (c)(1)(B)(i).)

In juvenile dependency proceedings, visitation orders are subject to an abuse of discretion standard of review. (*In re J.P.* (2019) 37 Cal.App.5th 1111, 1119.)

When the juvenile court terminates family reunification services and orders a section 366.26 permanent plan selection hearing, subdivision (h) of section 366.21 requires the juvenile court to permit the parent to visit the child pending the hearing unless it finds that visitation would be detrimental to the child. (§ 366.21, subd. (h).) It does not require, however, that the court maintain the same level of visitation provided during the reunification period.

In her effort to establish that it was error for the juvenile court to reduce her visits after terminating reunification services and setting a section 366.26 permanent plan selection hearing, mother points to subdivision (a) of section 362.1 (§ 362.1(a)). That subdivision requires the juvenile court to provide as-frequent-as-possible visitation between parent and child consistent with the child's well-being whenever it orders a child placed in foster care with provision of family reunification services. (§ 362.1(a).)

Mother's argument seems to be that, because section 362.1(a) requires as much visitation as possible to maintain the parent-child relationship during the reunification period and because the section 366.26 beneficial relationship exception requires parents to show they maintained regular visits and contact with the child, then it is an abuse of discretion to reduce visits after termination of reunification services absent a showing that continuing weekly visits would be detrimental to the children. We are not persuaded.

The purpose of family reunification services is to preserve the family whenever possible. (*Tracy J. v. Superior Court* (2012) 202 Cal.App.4th 1415, 1424.) The express purpose of section 362.1(a) is to be certain that frequent-as-possible visits between the parent or guardian and the child take place during the reunification period to maintain the family's ties while efforts are made to address the problems leading to the dependency proceeding and the child's removal from home. On the other hand, subdivision (h) of section 366.21 (§ 366.21(h)) applies only after reunification efforts were not successful and a hearing to select a permanent plan is pending. And, as noted *ante*, section 366.21(h) does not require the juvenile court to continue a previous visitation order.

Mother has not established and we do not find that the juvenile court's order authorizing mother to visit the children twice a month instead of every week will have a deleterious effect on any argument mother may have that the beneficial parent-child relationship exception to termination of parental rights applies in her case.

## **DISPOSITION**

The petition for extraordinary writ is denied.

NOT TO BE PUBLISHED IN OFFICIAL REPORTS

RAMIREZ

P. J.

We concur:

CODRINGTON  
J.

FIELDS  
J.