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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT
DIVISION FOUR

ERNEST N., et al.,

Petitioners,

v.

THE SUPERIOR COURT OF SOLANO
COUNTY,

Respondent;

SOLANO COUNTY DEPARTMENT OF
HEALTH & SOCIAL SERVICES,

Real Party in Interest.

A136674

(Solano County
Super. Ct. Nos. J35256, J40686,
J40687)

In September 2012, the juvenile court found that returning Ernest and Stacey N.'s four minor children to the parents would be detrimental to them. It terminated reunification services for both parents and set a January 2013 permanency planning hearing date. (See Welf. & Inst. Code,¹ § 366.26.) Ernest and Stacey each petition for review of the order terminating reunification services and setting a permanency planning hearing date, seeking a stay of that hearing. (See § 387.)

In her petition, Stacey contends that the minors should have been returned to her care because there was insufficient evidence to support the juvenile court's finding of detriment. Both parents contend that reasonable services were not provided to them and that additional services should have been given. In his petition, Ernest challenges the

¹ All statutory references are to the Welfare and Institutions Code.

sufficiency of evidence supporting the juvenile court's order terminating his reunification services. Real party in interest Solano County Department of Health & Social Services opposes the petition. We deny the petition on the merits.

I. FACTS

A. Initial Dependency

Cody N. was born in September 2001 to appellant Ernest N. and his wife Stacey N. Cody's sister—Kendall N.—was born in December 2002. During 2003, Solano County authorities received two referrals that the minors were being neglected. Ernest was convicted of spousal abuse and imprisoned for four years. While incarcerated, Ernest participated in anger management, alcohol abuse and narcotics abuse classes.

Cody and Kendall lived with Stacey while Ernest was in prison. In December 2004, the minors were found to have had significant physical injuries for which Stacey offered an insufficient explanation. Cody and Kendall were detained and placed in foster care. In December 2004, a petition was filed asking that both minors be declared dependent children. (§ 300, subs. (a)-(b).) Cody and Kendall were placed in the custody of Ernest's mother. In February 2005, Stacey admitted that she had failed to protect the minors from injury. The juvenile dependency petition was sustained on failure to protect grounds. (§ 300, subd. (b).) In April 2005, the minors were returned to Stacey's custody, supported by family maintenance services.

In May 2005, Ernest was released early from prison. One condition of his parole was that he have no contact with Stacey for six months. In preparation for his anticipated reunion with Stacey at the expiration of that parole condition, Ernest completed anger management and parenting classes. He also maintained his sobriety and participated in spousal abuse classes.

In September 2005, after a six-month review hearing, the juvenile court found that Ernest had made progress toward alleviating the problems that caused Cody and Kendall to be dependent children. It continued family maintenance services for another six months. By the time of the 12-month review hearing, Ernest had been certified as an anger management facilitator and a domestic violence counselor. Stacey and Ernest were

not yet living together, but Cody and Kendall saw their father daily. In March 2006, the juvenile court terminated jurisdiction over Cody and Kendall.

B. Present Dependency

1. Petition Sustained

A second daughter—Erin N.—was born to Stacey and Ernest in October 2006. In 2009, Ernest lost his job and began using drugs again. In January 2011, Stacey’s mother saw Ernest punch Cody in the head. In February 2011, Stacey gave birth to another son, Nathan N. Later that month, the department received various reports that Ernest was using drugs, had threatened his mother, had choked four-year-old Erin, and had evicted Stacey and one-week-old Nathan from the family home overnight.

A social worker interviewed Cody and Kendall at school. Initially, Cody was reluctant to report about family matters, expressing a concern that he might be removed from his home. He also discouraged Kendall from making negative reports. Later, Cody stated that his earlier denials were lies. He and Kendall both reported physical abuse, domestic violence, and substance abuse. Erin was also interviewed—she reported that Ernest had choked her neck a few days before Nathan was born. When the social worker confronted Stacey and Ernest at their home about these reports, they denied any violence had occurred. Ernest admitted that he used methamphetamine. The minors were detained by Vallejo police. When Cody was placed in a foster home the next day, he immediately inquired if the foster parents used “sticks or belts.”

That month, the department filed a petition seeking to have all four minors declared dependents of the juvenile court. The new petition alleged inter alia domestic violence committed in the children’s presence, Ernest’s substance abuse and his physical abuse of Cody. (§ 300, subds. (b), (c), (j).) The minors’ detention was approved on March 4, 2011. A week later, Ernest tested positive for drugs. Cody—who had originally been placed with his sisters—was moved to a different foster home because of his aggressive behavior toward them.

At the April 2011 contested jurisdiction and disposition hearing, both parents denied the allegations of domestic violence and physical abuse. Ernest admitted three

instances of use of illegal drugs during a three-year period since his release from prison. At the conclusion of the hearing, the juvenile court adjudged the minors to be dependent children, based on findings of domestic violence, substance abuse, physical abuse, and sibling abuse.² (§ 300, subds. (b), (j).) Family reunification services were ordered for both parents.

2. *Interim Events*

The minors had several placements in the first few months—foster care, the home of a maternal aunt and uncle, then their paternal grandmother. Cody, Kendall and Erin were placed with their paternal grandmother for a short time, but were removed after it was alleged that their grandmother used corporal punishment. Nathan remained with his aunt and uncle.³

A series of visitation problems arose at a visitation center. In May 2011, Ernest “freaked out” when the visitation therapist told him that his children—not he and his wife—were the clients whose confidentiality would be protected. He yelled at the therapist, saying that she was going to lie to him. Stacey appeared “small and frozen” during this incident.

In June 2011, when Cody behaved poorly at a visitation, Ernest responded angrily by yelling at him. He accused Cody of lying when the child reported that police had been called about his father. Ernest ordered Cody out of the visitation room.

In July 2011, when Ernest learned that the placement of three of his children with his mother had ended, he yelled at the visitation staff for failing to protect them. He threatened to sue the staff because his children had been abused. Ernest told a staff member to “shut the fuck up” and threatened her with a clenched fist.

In July 2011, in an interim review, the department asked that visitation between the minors and their parents remain supervised until the parents demonstrated consistent,

² In April 2012, we affirmed the juvenile court’s jurisdictional order. (*In re Kendall N.* (Apr. 27, 2012, A132098) [nonpub. opn.])

³ In November 2011, the aunt and uncle were granted de facto parent status for Nathan.

effective parenting skills and engaged more fully in reunification services. It reported that Ernest and Stacey had not missed any of their twice weekly visits, but had difficulty setting limits, dividing their attention among the children and responding to anger from the minors. Stacey was focused on her youngest child; Cody and Kendall accused the parents of abuse suffered and domestic violence observed in their home; and Ernest responded angrily to Cody's stated desire to leave visitation area. The report acknowledged that the parents were making progress with their issues, but Ernest's continued anger issues and Stacey's inability to be proactive prompted the social worker to opine that the children continued to be at risk for abuse. The juvenile court ordered that its previous order for supervised visitation remain in effect.

In August 2011, another visitation problem occurred. Upset at the visitation therapist, Kendall punched and kicked her several times. This prompted the therapist to end the visitation session just as Ernest and Stacey arrived. Ernest was hostile to the staff because of the cancellation and failed to acknowledge Kendall's behavioral issues until the children had left. He threatened to sue the agency and gestured that he would shoot himself in the head. He also said that if he had been treated by the staff as Kendall was, he would "beat the shit out of" the staff. After this fourth incident at a visitation center, visitation was moved to the child welfare office.

3. Six-month Review

In August 2011, Cody was placed in a foster home separate from the home in which Kendall and Erin lived. Nathan remained with his aunt and uncle, where he was doing well. In late September 2011, Kendall and Erin were moved to another foster home. Cody told the social worker several times that he did not want to return to Ernest and Stacey's home. By this time, the children had been moved to multiple placements, often because of Cody's behavioral issues. Both Cody and Kendall displayed aggressive behavior; Erin was easily led into negative behavior by her older siblings.

During a September 2011 visit, Kendall became upset when she learned that she and Erin were moving to a new foster home. Ernest and Stacey talked with her and comforted her, prompting the girl to calm down. At a visit with the social worker,

Kendall was concerned that Ernest might continue growing marijuana in the family home. She and Erin reported that their father had pictures of naked women, including Stacey, which the girls had seen. Cody met with the social worker that month, reporting that his parents had changed, were nicer, and now listened to him. He trusted Ernest and Stacey more.

In October 2011, the social worker learned that Kendall reported that Ernest had threatened to kill her if she told anyone about what went on in the family home. The next day, a previously planned unsupervised visit took place to celebrate Erin's birthday. Afterward, Kendall complained that Ernest and Stacey were too strict. She also told the social worker that month that her parents' moods changed—nice one day, not nice the next. Kendall's caregiver reported that the child had to be watched carefully because she had been caught hitting, tripping and taking things from Erin. After telephone visits with Ernest and Stacey, both girls were agitated and had a hard time settling down to sleep.

In October 2011, the department continued to recommend that the minors remain in foster care and that the parents receive additional reunification services. It acknowledged Ernest and Stacey's participation in services, but noted that participation and completion was not necessarily sufficient. The department noted that the parents had been able to comply with a case plan in the past without preventing recurring abuse and neglect. The social worker expressed concern about Ernest and Stacey's ability to handle the emotional and behavioral issues posed by four children who had proven difficult to place together in foster care because of behavioral issues.

In advance of the six-month review hearing, the department recommended that Ernest and Stacey be given an additional six months of reunification services. The juvenile court ordered continued reunification services at the conclusion of the November 2011 hearing. It gave the social worker discretion to return only Cody and Kendall to their parents. In so doing, it found that Ernest and Stacey had made adequate progress toward alleviating or mitigating the cause requiring removal of the minors. The parents were ordered not to discuss the court case with the minors, but soon after the hearing, Kendall spoke of her plans to return to her parents' home without Erin.

4. Twelve-month Review

Over the next few months, discouraging reports about the adequacy of the minors' care during unsupervised visits with Ernest and Stacey were received. In November 2011, the parents failed to change Nathan's diapers properly and fed him food that prompted an allergic reaction. He suffered diarrhea and vomiting after visits. Erin suffered a burn on one family visit and returned from another visit with an unexplained bruise and red marks. Kendall and Erin rode in their parents' car without being in car seats. At one overnight visit, Kendall stayed up until 4:00 a.m. Cody and Ernest engaged in air gun play with rubber bullets that left welts on their bodies, prompting a ban on such play during visitation.

There was also evidence that Ernest and Stacey made improper disclosures to the minors and questioned the disclosures that the minors made to the social worker and to their caregivers. For example, the parents asked Kendall if she wanted to live with them or the foster mother. Kendall and Erin were told that they were going to return to their parents' home, making them unpredictable and disruptive, defensive and angry when they returned to their foster home. Ernest complained that the foster mother was not complying with the reunification plan when she objected to repeated telephone calls; Kendall repeated his complaint to the foster mother. Erin twice reported that her parents said that the social worker twisted their words. Kendall accused the social worker of lying. Cody did not trust his social worker, either. Erin and Kendall reported that they were not supposed to tell the foster mother anything. Stacey admitted that she and Ernest told the girls that they did not have to talk with their foster mother about their visits, only the social worker. Erin reported that her parents had told her to behave badly with the foster mother so she would be returned to them. The girls returned from an overnight visit upset because they learned that Nathan's caregiver hoped to adopt him. Ernest and Stacey denied talking to them about this court matter.

The children also displayed emotional difficulties. Cody displayed a disrespect of women and at school, was verbally aggressive and bullying. His schoolwork was suffering since unsupervised visitation began. His therapist opined that the child's anger

and love of weapons were products of Ernest's influence. Kendall and Erin—whose behavior had improved during their time in their foster home—began to slip back into an earlier pattern of misconduct. Kendall admitted that she and Cody were always fighting. She had an ongoing problem with bedwetting. Her therapist reported that the minor seemed angry. Erin was both verbally abusive and physically violent toward the foster mother after visitation. The five-year-old began acting in a sexualized manner.

A interim review hearing was set for January 2012 to discuss the possible return of Cody and Kendall to the parents. Before the hearing, the department recommended leaving all four children in their out-of-home placements, continuing reunification services, and confirming the 12-month review hearing that had been set for April 2012. It reported Ernest's inability to control his anger and stress, despite his case plan work. A hearing was held, but the juvenile court did not take any action on the recommendations.

In the winter and spring of 2012, both Ernest and Stacey were unemployed. Ernest failed to complete his outpatient drug treatment program. He relapsed into violence and drugs, and began to suspect that Stacey was interested in other men. Cody was suspended from school twice after being verbally abusive and fighting others. Kendall and Erin suffered from anxiety and nightmares.

In April 2012, in advance of the 12-month review, the department again recommended continued out-of-home placement for the minors, continued reunification services to Ernest and Stacey, and the setting of a permanency planning hearing. It concluded that the minors' behavioral symptoms were associated with exposure to domestic violence. The department acknowledged that Ernest and Stacey had made significant efforts to address their issues, but concluded that returning the minors to them would be premature until the parents demonstrated ongoing behavioral changes consistent with the skills learned in their case plan.

In April and May 2012, a contested 12-month review hearing was conducted.⁴ Ernest and Stacey told the juvenile court that the father planned to move out of their

⁴ The parties have not provided us with a reporter's transcript of this hearing.

house and the mother intended to seek a restraining order against him. They hoped that the children could be placed with Stacey if Ernest was out of the home. The parties agreed that Ernest would move out of the family home and Stacey would seek a stay-away order. A July 2012 review hearing was planned to assess the possibility of returning the children to the family home. Visitation was to be supervised, although unsupervised visitation with Stacey was permitted in the department's discretion.⁵ Reunification services were continued. If the minors were returned to Stacey, the department planned to recommend six months of family maintenance services.

5. Eighteen-month Review

In fact, Ernest did not want to move out of the family home. The deed to the house was in his name and he insisted—loudly, in the hearing of extended family members—that Stacey would be the one to move out. Soon, Stacey told the social worker that she preferred to move out of the family home, in part because she did not believe that she could maintain the house alone. The department offered her shelter referrals. Stacey wanted a referral to a specific Vacaville housing program, but the social worker warned the mother that she was unlikely to meet its requirements.⁶ Stacey planned to move to the Vacaville housing and was dismayed when her plans did not bear fruit. Stacey said that she was unable to find work because of the efforts required to complete her reunification plan.

In a July 2012 interim report, the department advised the juvenile court that except for a few days apart, Ernest and Stacey continued to live together in the family home. The mother did not obtain a stay-away order, partly because she did not want to preclude her from having any contact with Ernest, particularly before the minors were returned to her. Stacey had contacted domestic violence officials about getting a limited stay-away order, but denied the need for any assistance, saying it had been years since she experienced any domestic violence.

⁵ Visitation remained supervised.

⁶ In the juvenile court, Stacey testified that the social worker told her that she would qualify for this housing. The social worker denied saying this.

Stacey had not complied with her case plan during this period. Ernest had stopped participating in most services. He had either failed to comply or had not documented his compliance. He was defiant and disrespectful to social workers during repeated visits. Both parents stated that they had done all they had been asked to do, and asked to have the minors returned to them.

Meanwhile, the children were improving. Kendall and Erin had been placed together in the same foster home since September 2011. The elder three children were adjusting to their placements. Cody and Kendall were doing better at school. Kendall was less angry and aggressive. Her bedwetting had decreased. She was in therapy. Erin was working on anger management and household rule compliance. Still, the children continued to have behavioral difficulties immediately before and after visitation.

As Stacey had not demonstrated a willingness to address the issues that led to removal of the minors, the department did not recommend returning the minors to her care in its July 2012 interim report. A month later, the department recommended that reunification services be terminated and that a permanency planning hearing date be set. (§ 366.26.) Stacey sought a contested hearing on the placement issue.

In September 2012, the juvenile court conducted a contested 18-month review hearing. The social worker testified that Ernest encouraged the minors to violate visitation rules. He had failed to participate in services offered to him. Stacey participated in her reunification services, but did not implement the knowledge she had acquired to make real change in her life. She had not demonstrated that she could protect herself or the minors from Ernest, as evidenced in part by her plan to co-parent the children with him.⁷

The social worker explained that Stacey had suffered physical abuse at Ernest's hand in the past. Although there was no evidence of recent physical violence, the social

⁷ Stacey's brother—who was Nathan's de facto parent—also expressed concern about her ability to protect the minors from Ernest even if the parents separated. He testified that Stacey had allowed Ernest access to her despite a prior restraining order barring such contact.

worker remained concerned about the potential for domestic violence. The social worker opined that returning the minors to the family home would expose them to substantial risk of detriment from domestic violence. In her view, domestic violence was not limited to physical abuse; it included emotional abuse, intimidation, isolation and financial control of a partner. For example, Ernest spoke to Stacey in a manner suggesting that she was unable to care for herself alone. He argued with her in public and made inappropriate demands on her. His interactions with the social worker and visitation staff were demeaning and intimidating. The minors exhibited symptoms—most notably, aggression toward each other and secrecy about family matters—consistent with exposure to domestic violence. A stay-away order would not be useful if Stacey was unwilling to keep Ernest away.

Stacey testified at the review hearing. She continued to live with Ernest, although her attorney told her that she needed to get a restraining order against Ernest. Stacey believed that the department would not return the minors to her unless she got one. She testified that the social worker and other county officials failed to assist her in obtaining a restraining order.⁸ She wanted an order barring Ernest from the children, but not from her. She did not believe that she needed protection from domestic violence, as the last incident of physical violence was 10 years earlier.⁹ She continued to challenge the truth of the domestic violence findings that formed the basis of the dependencies. She did not believe that Ernest posed any danger to the minors.

Stacey testified that she would do whatever was necessary to protect her children, but she was unwilling to end her relationship with Ernest. She would abide by any limits the juvenile court put on Ernest's visitation with the minors, but admitted that if the dependency ended, she intended that she and Ernest would raise their children together.

⁸ On rebuttal, the social worker testified about the assistance that she offered Stacey with the application for the restraining order.

⁹ Counsel for the department noted that at the time of detention, when Cody was nine years old, he had reported seeing Ernest abuse Stacey. A nine-year-old could not have reported events that occurred 10 years earlier, the department's counsel argued.

Stacey testified that she had completed her case plan requirements. Both parents asked to have the children returned to Stacey's care, with additional services.

By the time of the 18-month hearing, Cody's foster mother had not indicated an interest in his guardianship or adoption. Nathan's de facto parents expressed a willingness to provide a home for Nathan and for Cody, in order to keep them in the family. The maternal uncle was concerned about Cody's fixation with weapons and violence toward women, particularly in light of the history of domestic violence in the family. He believed that Cody's behavior was improving and becoming less aggressive.

At the conclusion of the hearing, the juvenile court expressed its concern that despite the provision of many months of services, the family was in the same place that it was at the beginning of the reunification period. As Ernest and Stacey continued to deny there was a domestic violence problem, they were unable to make the changes necessary to make their home safe for their children. It found that the department had provided reasonable services for 18 months; that Ernest and Stacey's progress had been minimal and substantial, respectively, in meeting the requirements of their case plans; and that returning the minors to their home would create a substantial risk of detriment to them. It terminated Ernest and Stacey's reunification services and set a January 8, 2013 permanency planning hearing date. (§ 366.26.)

Ernest and Stacey filed timely notices of intent to file writ petitions challenging these rulings. On October 29, 2012, each filed a petition for extraordinary writ relief. They challenge the juvenile court's finding that the department provided them with reasonable services, as well as the finding of detriment. Ernest and Stacey ask us to order the juvenile court to vacate its orders confirming the continued removal of the minors, setting a permanency planning hearing date and terminating their reunification services. We issued an order to show cause. The department opposes the petitions.

II. DISCUSSION

A. Detriment

First, Stacey contends that the juvenile court erred when it concluded that return of the minors to her care would be detrimental to them. She challenges the sufficiency of

evidence supporting this finding, arguing that the social worker's opinion that domestic violence was an ongoing issue was insufficient as a matter of law.

At the conclusion of the 18-month review hearing, the juvenile court must set a date for a permanency planning hearing or return the child to a parent. (*Ingrid E. v. Superior Court* (1999) 75 Cal.App.4th 751, 753-755, 759; see *Constance K. v. Superior Court* (1998) 61 Cal.App.4th 689, 704.) If the juvenile court does not return the child, it must find by a preponderance of evidence that such a return would create a substantial risk of detriment to the child's safety, protection, physical or emotional well-being. The department bears the burden of proving detriment at the juvenile court hearing. (§ 366.22, subd. (a); see *In re Brequia Y.* (1997) 57 Cal.App.4th 1060, 1067.) In the matter before us, the juvenile court found that the minors had witnessed and had been the victims of domestic violence. It found that returning the minors to Stacey would create a risk of detriment.

On appeal, we review the record to determine if it contains substantial evidence of detriment. (*Angela S. v. Superior Court* (1995) 36 Cal.App.4th 758, 763.) When making this assessment, we may not reweigh the evidence or make credibility determinations. We resolve all conflicting evidence in favor of the juvenile court's finding, if possible. If more than one inference can be raised by the evidence before the juvenile court, we have no power to substitute our own inference for that of the juvenile court. (See *Sheila S. v. Superior Court* (2000) 84 Cal.App.4th 872, 880-881; *In re Joshua H.* (1993) 13 Cal.App.4th 1718, 1728; *In re Richard H.* (1991) 234 Cal.App.3d 1351, 1363.)

In her petition, Stacey contends that she completed all elements of her case plan and successfully applied the tools she acquired during the reunification period. She suggests that the juvenile court had no evidence of violence having occurred in her home, because there was no direct evidence of any *physical* violence between herself and Ernest during the reunification period. In essence, she argues that the juvenile court required her to protect her children against an evil that did not exist.

Stacey argues that the only evidence before the juvenile court was the testimony of the social worker about two incidents in which Ernest appeared to the social worker to

speak to Stacey and others in an angry, intimidating and demeaning manner. The record reveals more evidence of detriment than the cited incidents. Even if we were to assume *arguendo* that the challenged evidence did not support detriment, the record before us contains other evidence from which the juvenile court could make such a finding.

The minors exhibited numerous behavioral problems—particularly after visits with their parents—that were indicative of having lived amidst domestic violence. Stacey did not recognize that domestic violence could take a form other than physical. While stating that she was willing to protect the minors from Ernest, Stacey refused to admit that any violence had occurred or that he posed any risk to them. Her brother expressed his concern about the ongoing impact of domestic violence on Cody. There was ample evidence that Stacey was unwilling to make the changes that were necessary to allow her to protect the minors, despite her completion of the specific elements of her reunification plan. On the evidence before us, the juvenile court properly found that the minors would be at substantial risk of detriment if returned to her home. (See, e.g., *Angela S. v. Superior Court, supra*, 36 Cal.App.4th at p. 763.)

B. Reasonable Services

1. Stacey's Contentions

Both Ernest and Stacey challenge the sufficiency of evidence supporting the juvenile court's finding that the department offered them reasonable services. Faced with such a challenge, our standard of review is well settled. We must view the entire record in the light most favorable to the finding, indulging in all legitimate and reasonable inferences to uphold it. If substantial evidence supports the finding, we cannot disturb the juvenile court's judgment. (*In re Precious J.* (1996) 42 Cal.App.4th 1463, 1472; *In re Misako R.* (1991) 2 Cal.App.4th 538, 545.) When two or more reasonable inferences can be drawn from the facts, we have no authority to substitute our deduction for that made by the juvenile court. (*In re Misako R., supra*, 2 Cal.App.4th at p. 545; *In re Geoffrey G.* (1979) 98 Cal.App.3d 412, 420.) We have no power to reweigh the evidence—only to determine if there is sufficient evidence to support the juvenile court's finding. (*In re Jacqueline G.* (1985) 165 Cal.App.3d 582, 585; see *In re Heather P.* (1988) 203

Cal.App.3d 1214, 1226-1227, disapproved on another point in *In re Richard S.* (1991) 54 Cal.3d 857, 866, fn. 5.) We must uphold the juvenile court's findings unless no rational fact finder could reach the same conclusion. (*In re Athena P.* (2002) 103 Cal.App.4th 617, 629.)

First, Stacey argues that the evidence was undisputed that she complied with all elements of her case plan at the six-month stage, as if that was all that was required of her. The juvenile court found that Stacey had made substantial progress on the elements of her reunification plan, but also found that nothing had changed since the time of the first dependency proceeding. The juvenile court sought more than rote compliance from Stacey—it looked for evidence that she realized that changes had to be made in her home in order to protect her children. The evidence—including her own testimony—demonstrates that she was unable or unwilling to make those changes.

Next, Stacey argues that the social worker failed to provide her with adequate housing assistance. There was conflicting evidence on this point. The juvenile court impliedly resolved that conflict against Stacey. On appeal, we cannot reweigh the evidence, but must only determine if there is any evidence to support the juvenile court's finding. (See *In re Jacqueline G.*, *supra*, 165 Cal.App.3d at p. 585.)

Third, Stacey contends that the social worker did not assist her in obtaining a restraining order. The evidence on this issue was also conflicting. The record demonstrates that Stacey was unwilling to obtain a restraining order to keep Ernest away from both herself and her children, because she did not recognize the danger of domestic violence in the family home. The juvenile court found the evidence offered by the department to be more persuasive than that Stacey offered. We have no power to accept Stacey's invitation to reweigh the evidence. (See *In re Jacqueline G.*, *supra*, 165 Cal.App.3d at p. 585.)

Finally, Stacey faults the social worker for failing to maintain reasonable contact with her after the May 2012 agreement that Ernest would move out of the family home and Stacey would obtain a restraining order. Again, the record does not support this claim. The record shows that the social worker made extra efforts after May 2012, even

scheduling an interim review hearing in the summer of 2012 because the September 2012, 18-month review hearing was coming up and because Ernest's anticipated departure from the family home would change the family dynamics.

2. *Ernest's Contentions*

Ernest also contends that reasonable services were not provided to him, but he fails to offer any argument in support of this claim. As the petitioner, Ernest had the burden of proving this claim. As he failed to attempt to carry this burden, we could deny this aspect of his petition for this procedural reason alone. (See *Joyce G. v. Superior Court* (1995) 38 Cal.App.4th 1501, 1506, 1512; see also *In re Diamond H.* (2000) 82 Cal.App.4th 1127, 1137, disapproved on other grounds in *Renee J. v. Superior Court* (2001) 26 Cal.4th 735, 748, fn. 6.) If we considered the issue on the merits, we would find ample evidence to support the juvenile court's finding that Ernest was offered reasonable services. Thus, substantial evidence supports the juvenile court's finding that the department offered reasonable services to both Ernest and Stacey.¹⁰

C. *Evidence Supporting Termination of Reunification Services*

In his petition, Ernest challenges the sufficiency of evidence supporting the order terminating his reunification services. He argues that he complied with all requirements of his case plan. By contrast, the juvenile court found that his compliance had been minimal. On appeal, we must view the record in the light most favorable to the juvenile court's finding, making all reasonable inferences that support it. If substantial evidence supports this finding, the juvenile court's judgment stands. (*In re Precious J.*, *supra*, 42 Cal.App.4th at p. 1472; *In re Misako R.*, *supra*, 2 Cal.App.4th at p. 545.) Substantial evidence supports the juvenile court's implied finding that Ernest had all but abandoned any attempt to participate in his reunification services. Thus, the juvenile court had sufficient evidence to support its order terminating Ernest's reunification services.

¹⁰ As we find that Ernest and Stacey's reunification services were properly terminated, we necessarily reject their contention that additional reunification services should have been provided.

The petitions for writs of mandate are denied on the merits. (§ 366.26, subd. (l); Cal. Rules of Court, rule 8.452(h); *In re Julie S.* (1996) 48 Cal.App.4th 988, 990-991.) Our decision is final immediately, in the interests of justice.

Reardon, J.

We concur:

Ruvolo, P.J.

Baskin, J.*

* Judge of the Contra Costa Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.