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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION TWO

In re M.G., a Person Coming Under the
Juvenile Court Law.

SAN FRANCISCO HUMAN SERVICES
AGENCY,

Plaintiff and Respondent,

v.

Danielle G.,

Defendant and Appellant.

A142524

(San Francisco County
Super. Ct. No. JD123366)

INTRODUCTION

Petitioner Danielle G. (mother) appeals from the juvenile court's orders summarily denying her Welfare and Institutions Code section 388¹ petition and terminating her parental rights to her son M.G. On December 24, 2012, a relative reported that 20-month-old M.G. had been left at home alone. Police responded to the unlocked apartment and found M.G. alone in his crib, covered in feces, in urine-soaked clothing and bedding. M.G. had been left alone for at least six hours, and possibly as long as a day. The smell of rancid urine was very strong throughout the apartment. The police could find no food in the home. They did, however, find pipes, a scale, and a locked safe

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

in the living room. M.G. was placed in foster care. Mother was offered reunification services, including visitation, substance abuse assessment and treatment, and mental health assessment and treatment. In January 2014, after finding mother had failed to make sufficient progress on her reunification plan, the juvenile court terminated reunification services and set the matter for a section 366.26 permanency planning hearing. Mother filed a section 388 petition requesting six more months of services. The juvenile court denied the petition without a hearing. At the section 366.26 hearing, the court terminated mother's parental rights and ordered a permanent plan of adoption for M.G.

On appeal, mother contends she was entitled to a hearing on her section 388 petition because she adequately alleged changed circumstances and benefit to the child. She contends the trial court erred in terminating her parental rights because (1) she should have received six more months of services pursuant to her section 388 petition, and even if there was no error in denying the petition, (2) she established the statutory exception to the preference for adoption based on the benefit to M.G. of maintaining the parent-child relationship.

Finding no error, we will affirm.

FACTUAL AND PROCEDURAL BACKGROUND

M.G. was living with mother when he was detained on December 24, 2012. The petition filed pursuant to section 300, subdivision (b), alleged that M.G. was at risk of harm because mother would leave him in the care of family and acquaintances without provisions or indicating when she would return; mother had a substance abuse problem for which she required assessment and treatment; mother might have a mental health issue requiring assessment and treatment; and mother and father's relationship was characterized by violence.² The court ordered M.G. detained and placed in foster care, and ordered supervised visitation for mother.

² The petition contained other allegations related to M.G.'s father, who participated in the proceedings in the juvenile court. Father is not a party to this appeal,

The San Francisco Human Services Agency's (the Agency) disposition report filed in February 2013 stated that M.G. had been moved from foster care to a "very stable and nurturing" placement with a maternal cousin in Sacramento and was reportedly adjusting very well. His pediatrician diagnosed macrocephaly and expressed concern about his development. The doctor had previously recommended a skull series of x-rays because of M.G.'s large head, but mother did not have this done. M.G. showed severe signs of trauma and was referred for trauma therapy.

Mother was maintaining contact with the Agency social worker. She attended one meeting at Homeless Prenatal Program, but she missed other appointments there. She submitted to one drug test that was negative for substances, but had missed all other weekly scheduled tests since late December. She had not begun mental health services. Mother missed the first visit with M.G. due to arriving over one hour late. She attended subsequent visits. M.G. responded "minimally to the mother and her attempts to engage him."

There had been 11 previous referrals on the family, all of which described concerns similar to those that resulted in M.G.'s detention, but all of which were dismissed. Mother had been referred to services in the past but had failed to follow through. Both mother and father experienced abuse and neglect in their families of origin. Family members described "ongoing serious domestic violence between the parents as well as physical, verbal and emotional abuse of [M.G.] by the mother."

The Agency recommended that mother complete a substance abuse treatment program including counseling, submit to at least weekly random drug testing, receive a mental health assessment, participate in therapy, complete a domestic violence program, and attend visits with M.G. The report noted that both parents clearly loved M.G., wanted to parent him, and were willing to participate in services.

however, so we only address allegations pertaining to him to the extent they have bearing on mother's appeal.

The Agency's report for the six-month status review, filed in October 2013, recommended that mother's reunification services be terminated and the matter set for a permanency planning hearing pursuant to section 366.26. M.G. was thriving in his placement, had made significant developmental progress, and had benefitted from speech and trauma therapy. He was talking more, seemed more relaxed, and was not hoarding food or objects as much as when he first arrived. The caretakers treated him as one of their own children and wanted to adopt him.

Mother had housing and was living with a new boyfriend, but was unemployed and her public assistance had been discontinued. She had been arrested twice in the prior six months. She had made no effort at participating in a substance abuse program or a domestic violence program. She started drug testing in March 2013, but missed several tests that month and the next, and had not tested since April 12, 2013. Mother started individual therapy in June 2013, but missed several appointments and had not attended a therapy session since the middle of August 2013. Mother had been attending visits with M.G., and was appropriate with him, but she often came late. She fell asleep at one visit while M.G. was awake.

In December 2013, counsel for the Agency and the minor expressed concern about mother's insobriety and frequent tardiness for visits with M.G., who was driven from Sacramento to San Francisco to see her. The parties stipulated and the court ordered that visitation be suspended until mother could demonstrate three weeks of clean drug tests.

In January 2014, at the contested six-month hearing, the social worker assigned to the case testified that the last contact he had with mother was at the December 2013 hearing. He also testified that mother had not completed any drug testing in order to regain visitation. The social worker affirmed that mother had complied with some aspects of her case plan, including signing consent forms, maintaining housing, and participating in some therapy and some drug testing. At supervised therapeutic visits with M.G., mother acted appropriately, exhibited parenting skills, and expressed love and affection for M.G. She brought toys, food, and activities for him, and was able to soothe and redirect him, and to set limits. She became better attuned to his needs over time.

The court found that mother's progress was "moderate," but that there was no substantial likelihood of M.G.'s return to her within the next six months. The court terminated services, set the matter for a section 366.26 hearing, and reminded mother that she needed to provide evidence of three clean drug tests before visits would resume.

In its report for the section 366.26 hearing filed in May 2014, the Agency recommended adoption and that parental rights be terminated. The report noted that M.G. was healthy, making excellent progress developmentally, and doing well emotionally. Mother had not visited M.G. at all in 2014. The court set a trial date in July.

On June 20, 2014, mother filed a section 388 request to reinstate reunification services for an additional six months. Mother stated that she had been unable to participate in reunification services earlier because of her father's illness and the death of a friend. She was in recovery for her addiction, had been drug testing for approximately two months, and was scheduled to enter a residential treatment program on June 23, 2014. She had a recent very positive visit with M.G. and a second visit was scheduled. Reinstating services would promote M.G.'s best interests because, now that mother was sober and "able to actively engage in services," M.G. "would benefit from continuing and strengthening his relationship with his mother."

On June 23, 2014, the court denied the section 388 request because it did not state new evidence or a change of circumstances.

At the contested section 366.26 hearing on July 9, 2014, the social worker testified that mother had had two supervised visits in 2014, one on May 29 and the other on June 26. The May visit was scheduled after mother tested clean three times. On the day of the visit, she was 20 minutes late and tested positive for opiates, amphetamines and THC. The second visit was in Sacramento; the Agency arranged transportation for mother. Mother testified regarding the positive steps she was taking, the challenges she had faced, and her relationship with M.G.

The court terminated mother's parental rights after finding that the beneficial relationship exception did not apply, and ordered a permanent plan of adoption.

Mother filed a timely notice of appeal.

DISCUSSION

A. *The Section 388 Petition.*

Mother contends the juvenile court erred in summarily denying her section 388 petition without granting a hearing. She argues that she established a prima facie case of both changed circumstances and that it was in M.G.'s best interests to reinstate her reunification services for an additional six months.

Section 388 provides, in pertinent part: “(a)(1) Any parent or other person having an interest in a child who is a dependent child of the juvenile court . . . may, upon grounds of change of circumstance or new evidence, petition the court . . . for a hearing to change, modify, or set aside any order of court previously made [¶] (d) If it appears that the best interests of the child . . . may be promoted by the proposed change of order, . . . the court shall order that a hearing be held”

“A juvenile court order may be changed, modified or set aside under section 388 if the petitioner establishes by a preponderance of the evidence that (1) new evidence or changed circumstances exist and (2) the proposed change would promote the best interests of the child. [Citation.] A parent need only make a prima facie showing of these elements to trigger the right to a hearing on a section 388 petition and the petition should be liberally construed in favor of granting a hearing to consider the parent’s request. [Citation.]” (*In re Zachary G.* (1999) 77 Cal.App.4th 799, 806.) “Thus, if the petition presents *any* evidence that a hearing would promote the best interests of the child, the court must order the hearing. [Citation.] The court may deny the application *ex parte* only if the petition fails to state a change of circumstance or new evidence that even *might* require a change of order or termination of jurisdiction. [Citations.]” (*In re Angel B.* (2002) 97 Cal.App.4th 454, 461 (*Angel B.*).

“A ‘prima facie’ showing refers to those facts which will sustain a favorable decision if the evidence submitted in support of the allegations by the petitioner is credited. [Citation.]” (*In re Edward H.* (1996) 43 Cal.App.4th 584, 593.) In considering whether a section 388 petition makes a prima facie showing, the juvenile court considers

the facts alleged in the petition “as well as the facts established as without dispute by the court’s own file.” (*Angel B., supra*, 97 Cal.App.4th at p. 461.) “We review the juvenile court’s summary denial of a section 388 petition for abuse of discretion.” (*In re Anthony W.* (2001) 87 Cal.App.4th 246, 250.)³

The facts alleged in mother’s petition are set forth in a declaration from mother. According to mother, she had been drug testing for approximately two months, was not using illegal substances, and was in recovery for her addiction. She would be entering a residential treatment program in the next week. She had a “wonderful” visit with M.G., who was “very excited” to see her. She brought him gifts and they played together. She had another visit scheduled with him in a week. Mother explained that during the reunification period, she was battling her addiction and depression, her father became ill with diabetes, and she lost a close friend. “I have now found new stability and have turned a corner. I am learning how to take care of myself and be healthy both for me and my son.”

Even liberally construing the allegations, mother’s petition does not state the kind of change in circumstances that justifies a section 388 hearing. Mother’s two months of drug testing, being in recovery, and her plan to enter a residential treatment program are certainly commendable, but they establish no more than being on the road to making progress or steps in the right direction. The petition presents no evidence that a change of the court’s order would promote M.G.’s best interests, and thus does not meet the section 388 pleading requirements for a hearing. (See *In re Jeremy W.* (1992) 3 Cal.App.4th 1407, 1414.)

³ Mother contends that the summary denial of a section 388 petition should be reviewed de novo, and that a violation of procedural due process is subject to de novo review. As to the latter contention, there is no dispute. (See, e.g., *In re Lesly G.* (2008) 162 Cal.App.4th 904, 915; *Angel B., supra*, 97 Cal.App.4th at p. 460.) As to the former, the question of whether a petition stated a prima facie case sufficient to require a hearing, de novo review *may* be appropriate. However, we need not resolve this question because under either standard, the juvenile court here did not err.

Mother cites *In re Jeremy W.*, which reversed the juvenile court's summary denial of a section 388 petition and remanded for a hearing. In *Jeremy W.*, the appellate court found an abuse of discretion in denying a hearing. The court noted that, at the time reunification services were terminated, mother had "complied with the reunification plan," which included substance abuse testing and treatment, therapy, parenting education, and visitation (which was unsupervised), and "was markedly improved." A bonding study showed that Jeremy was strongly bonded to the mother. A court-appointed psychologist found it substantially probable that Jeremy soon could be returned to mother's care. The only stated basis for terminating reunification services was mother's lack of stable living accommodations. The declarations supporting mother's section 388 petition stated that mother had had her own apartment for several months, she was continuing her substance abuse recovery efforts, she was continuing therapy at her own expense, and she had continued visitation and contact with Jeremy even though he had been placed with her sister in Texas. Finally, the maternal grandmother affirmed that mother still had a strong bond with Jeremy; Jeremy had confided in her that he was only living with his aunt and uncle temporarily until he could return to his real mother. (3 Cal.App.4th at pp. 1415-1416.) The appellate court found "a strong prima facie showing of a favorable change in the single negative factor" on which the order terminating reunification services was based. (*Id.* at p. 1416.) The summary denial without a hearing was not supported by the record. (*Ibid.*)

By contrast, here, at the time reunification services were terminated, mother had not complied with case plan requirements to seek substance abuse testing and treatment, attend therapy sessions, and complete a domestic violence program, and had not visited with M.G. since the court instituted a requirement that she test clean for three weeks as a prerequisite. In terminating reunification services, the juvenile court found a substantial risk of detriment to M.G. based on "the continuing need by the parents to address the issues that brought . . . this matter before the court, and the continuing struggles with substance abuse and mental health issues."

Moreover, the evidence supporting the petition regarding mother's efforts to deal with her drug abuse problems showed that any progress was in its very earliest stages. Mother reported having a recent visit with M.G., but she did not mention that the visit took place on May 29, 2014, and that mother was 20 minutes late. This was the first visit mother had with M.G. in 2014, the first visit since the court instituted the drug-testing requirement in December 2013. The record also indicates that mother drug tested that day, May 29, 2014, and that the test results were positive for opiates, amphetamines and THC. Thus, although mother tested clean for three weeks in order to have the visit on May 29, she did not maintain that sobriety through the filing of the petition less than a month later. In addition, there was no evidence of any progress by mother on the other issues that led to the court's dependency jurisdiction. The petition contained no allegations that mother was seeking help for mental health, parenting, or domestic violence issues.

We conclude that mother did not make a prima facie showing of changed circumstances sufficient to trigger the right to a hearing on her petition. Even setting aside the positive drug test on May 29, 2014, and taking the petition solely at face value and liberally interpreted, the juvenile court could properly find that mother had just begun to address her problems and thus her circumstances were only starting to change, not that they had changed. (See *In re Casey D.* (1999) 70 Cal.App.4th 38, 49 (*Casey D.*) [to be entitled to a hearing on a section 388 petition, parent must show the circumstances had changed, not that they were merely changing]; *Angel B.*, *supra*, 97 Cal.App.4th at p. 463 [summary denial of section 388 petition affirmed where no evidence mother was ready to assume custody of the minor; mother's period of sobriety was very brief compared to years of drug addiction]; *In re Anthony W.*, *supra*, 87 Cal.App.4th at p. 251, fn. 4 [summary denial of section 388 petition affirmed where "mother made no showing she could demonstrate at a hearing that she had overcome the problems which led to the dependency jurisdiction"].)

Nor did mother's petition establish a prima facie showing that M.G.'s best interests might be promoted by the proposed change. (*Angel B.*, *supra*, 97 Cal.App.4th at

p. 463; *Casey D.*, *supra*, 70 Cal.App.4th at p. 48.) After the reunification period has ended, the focus of dependency proceedings “ ‘shifts to the needs of the child for permanency and stability’ [citation]” (*In re Stephanie M.* (1994) 7 Cal.4th 295, 317.) Therefore, at this stage of the proceedings, “there is a rebuttable presumption that continued foster care is in the best interests of the child. [Citation.]” (*Ibid.*) “[S]uch presumption obviously applies with even greater strength when the permanent plan is adoption rather than foster care.” (*Angel B.*, *supra*, 97 Cal.App.4th at p. 464.) “To rebut that presumption, a parent must make some factual showing that the best interests of the child would be served by modification.” (*Id.* at p. 465.)

Here, mother made no showing that reinstating services and delaying permanency and stability for M.G. might be in his best interests. At the time the petition was filed, M.G. was three years old and had been with his current caretakers for approximately 16 months. According to the Agency’s six-month report, M.G. was “in a very stable, loving, and nurturing family placement where he has received appropriate evaluation and services. The minor has made significant progress and development since being removed. He has benefitted from trauma and speech therapy over the past ten months and has made significant improvements. The caretakers have taken [M.G.] in as one of their own children and would like to adopt him. They have given him stability, respect, and warmth in their home.” In her petition, mother alleged a bond with M.G., but in the previous six months, she had only seen the child once. Mother alleged that she was “learning how to take care of [her]self,” but had not yet begun to address a number of serious issues identified in her case plan. “A petition which alleges merely changing circumstances and would mean delaying the selection of a permanent home for a child to see if a parent, who has repeatedly failed to reunify with the child, might be able to reunify at some future point, does not promote stability for the child or the child’s best interests.” (*Casey D.*, *supra*, 70 Cal.App.4th at p. 47.) The juvenile court did not err in denying mother’s section 388 petition without a hearing.

B. *The Beneficial Parental Relationship Exception to Termination of Parental Rights.*

Mother contends the juvenile court erred when it failed to find that she had established the beneficial parental relationship exception to adoption.

At a section 366.26 hearing, the juvenile court must select and implement a permanent plan for the dependent child. Where there is no probability of reunification with a parent, the preferred permanent plan is adoption. (*In re K.P.* (2012) 203 Cal.App.4th 614, 620.) “If the court determines . . . by a clear and convincing standard, that it is likely the child will be adopted,⁴ the court shall terminate parental rights and order the child placed for adoption.” (§ 366.26, subd. (c)(1).)

Section 366.26, subdivision (c)(1)(B) sets forth exceptions to the preference for adoption if the court finds a “compelling reason” that termination of parental rights would be detrimental to the child. The exception at issue in this case applies if termination would be detrimental to the child because “[t]he parents have maintained regular visitation and contact with the child and the child would benefit from continuing the relationship” (the beneficial parental relationship exception). (§ 366.26, subd. (c)(1)(B)(i).) It is the parent’s burden to show the applicability of a statutory exception to adoption. (*In re Fernando M.* (2006) 138 Cal.App.4th 529, 534.)

The beneficial parental relationship exception “applies only where the court finds regular visits and contact have continued or developed a significant, positive, emotional attachment from child to parent.” (*In re Autumn H.* (1994) 27 Cal.App.4th 567, 575.) “No matter how loving and frequent the contact, and notwithstanding the existence of an ‘emotional bond’ with the child, ‘the parents must show that they occupy “a parental role” in the child’s life.’ [Citations.] The relationship that gives rise to this exception to the statutory preference for adoption ‘characteristically aris[es] from day-to-day interaction, companionship and shared experiences. Day-to-day contact is not necessarily required, although it is typical in a parent-child relationship.’ [Citation.] Moreover,

⁴ There is no contention that M.G. was not adoptable within the meaning of section 366.26, subdivision (c)(1).

‘[b]ecause a section 366.26 hearing occurs only after the court has repeatedly found the parent unable to meet the child’s needs, it is only in an extraordinary case that preservation of the parent’s rights will prevail over the Legislature’s preference for adoptive placement.’ [Citation.]” (*In re K.P.*, *supra*, 203 Cal.App.4th at p. 621.)

“The factors to be considered when looking for whether a relationship is important and beneficial are: (1) the age of the child, (2) the portion of the child’s life spent in the parent’s custody, (3) the positive or negative effect of interaction between the parent and the child, and (4) the child’s particular needs. [Citation.] While the exact nature of the kind of parent/child relationship which must exist to trigger the application of the statutory exception to terminating parental rights is not defined in the statute, the relationship must be such that the child would suffer detriment from its termination. [Citation.]” (*Angel B.*, *supra*, 97 Cal.App.4th at p. 467, fn. omitted.)

California courts are divided as to the correct standard of review of an order denying the applicability of an exception to termination of parental rights. Most courts have reviewed such an order for substantial evidence. (See, e.g., *In re Autumn H.*, *supra*, 27 Cal.App.4th at p. 576; *Casey D.*, *supra*, 70 Cal.App.4th at pp. 52-53 & fn. 4.) The abuse of discretion standard has also been applied. (See, e.g., *In re Jasmine D.* (2000) 78 Cal.App.4th 1339, 1351.)

Still other cases have blended these approaches based on the view that the beneficial parental relationship exception involves making two determinations, a factual one and a discretionary one. The first, whether a beneficial parental relationship exists, is a factual determination properly reviewed for substantial evidence. The second, whether that relationship constitutes “a compelling reason for determining that termination would be detrimental to the child” (§ 366.26, subd. (c)(1)(B)), requires the juvenile court to “determine the importance of the relationship in terms of the detrimental impact that its severance can be expected to have on the child and to weigh that against the benefit to the child of adoption,” and is appropriately reviewed for abuse of discretion. (*In re K.P.*, *supra*, 203 Cal.App.4th at p. 622; *In re Bailey J.* (2010) 189 Cal.App.4th 1308, 1314-1315.) We will apply this hybrid standard. However, even if we applied the substantial

evidence standard to the issue of whether termination would be detrimental to the child, our conclusion would be the same.

The juvenile court found “no evidence” that termination of parental rights would be harmful for M.G. Whether termination of parental rights would be detrimental is the issue when considering the applicability of the beneficial parental relationship exception. (See § 366.26, subd. (c)(1).) The trial court made no explicit findings regarding the beneficial parental relationship exception itself in this case, i.e., whether mother had maintained regular visitation and contact with M.G., and M.G. would benefit from continuing the parental relationship. However, the parties argue the question of the existence of a beneficial parental relationship, and we will address the issue as bearing on the ultimate question of whether the trial court erred in determining that termination of parental rights would not be detrimental to M.G.

The Beneficial Parental Relationship Exception

Maintaining regular visitation and contact with the child is the “threshold prong required for the benefit exception to apply.” (See *In re Zeth S.* (2003) 31 Cal.4th 396, 412, fn. 9.) In arguing that she met this requirement, mother contends that she visited regularly⁵ “until the court put a hold on the visits.” Mother further states, “[o]nce she had completed the required drug testing, [mother] resumed visits with the minor.” We find this a mischaracterization of the record. The “hold” mother refers to is the court’s December 2013 order that mother demonstrate sobriety before visiting with M.G. Mother’s failure to visit M.G. for six months once the court required clean drug tests was attributable only to mother. As for having “completed the required drug testing,” mother provided clean tests in order to visit M.G. on May 29, 2014, but she also tested positive for opiates, amphetamines and THC on that same day. On this record, we find little to support mother’s argument that she maintained regular visitation. (*In re Zeth S., supra*, 31 Cal.4th at p. 412, fn. 9 [claim that benefit exception applied “could hardly be deemed

⁵ In its November 2013 report for the six-month review hearing, the Agency acknowledged that mother had been fully participating in the weekly visits, although she frequently arrived late and fell asleep during one visit.

a potentially meritorious claim” where mother had not visited her child “for significant portions of the months preceding the hearing”].)

Mother also has not carried her burden of demonstrating a significant parental relationship with M.G. The parent must do more than show “ ‘frequent and loving contact,’ ” an “emotional bond with the child,” or pleasant visits, and instead must show that “he or she occupies a ‘parental role’ in the child’s life.” (*In re Derek W.* (1999) 73 Cal.App.4th 823, 827.) Here, the evidence showed that the relationship between mother and M.G. involved love and affection, and that at visits mother was able to soothe M.G. and to set limits with him. However, mother has not established that the relationship resembled the “consistent, daily nurturing that marks a parental relationship” (*ibid.*) or that M.G. was strongly bonded to mother as his parent.

Whether Termination of Parental Rights Would Be Detrimental

The trial court’s express finding that terminating parental rights would not be detrimental to M.G. is amply supported, particularly in light of the minimal showing of a beneficial parental relationship. M.G. was removed from mother when he was 20 months old. At the time of the section 366.26 hearing, M.G. was three years old and had lived almost as long with his current care providers as with mother. He has now lived well over half of his life in his foster home. Although the evidence showed that mother’s visits with M.G. were positive, that she expressed love and affection for him, and that M.G. called her “mommy,” and would say, “ ‘I love you, mommy,’ ” by the time of the hearing, mother had only visited M.G. twice in the previous six months, a long time in the life of a three-year-old child, and mother had never progressed beyond supervised visitation. There was no evidence in the record, other than mother’s stated belief, “that termination of the parent-child relationship would be detrimental to [M.G.] or that the relationship conferred benefits to [M.G.] more significant than the permanency and stability offered by adoption.” (See *In re K.P.*, *supra*, 203 Cal.App.4th at pp. 622-623.)

The evidence also showed that when M.G. was placed with his current care providers, he showed significant signs of trauma and developmental delays as a result of abuse and neglect. In the care of his maternal relatives, M.G. was thriving. His speech

had improved, and he was no longer hoarding food or other objects. He was more relaxed, and appeared to feel more comfortable around people and less stressed by noise. His foster family was “warm and loving with [him], and treat[ed] him as their son.” The juvenile court found that, “[h]e is in a very stable, wonderful situation where this family just seems to be absolutely crazy about this little boy. He’s brought a lot of joy to their family and they have given him a lot of stability. ¶ . . . There’s some really bad things that happened here to this child. ¶ So we should all be very thankful that he is in a wonderful situation.” The juvenile court did not abuse its discretion in concluding that any detrimental impact to M.G. from severance of the parent-child relationship was outweighed by the benefits to him of adoption and thus, the beneficial parental relationship exception did not apply. (See *In re K.P.*, *supra*, 203 Cal.App.4th at p. 622.) Further, substantial evidence also supports the juvenile court’s findings.

DISPOSITION

The orders of the court are affirmed.

Miller, J.

We concur:

Kline, P.J.

Richman, J.