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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION EIGHT

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

B248903

LOS ANGELES COUNTY  
DEPARTMENT OF CHILDREN AND  
FAMILY SERVICES,

(Los Angeles County  
Super. Ct. No. CK97688)

Plaintiff and Respondent,

v.

RHONDA S.,

Defendant and Appellant.

APPEAL from orders of the Superior Court of Los Angeles County. Marilyn K. Martinez, Judge. Affirmed.

Kate M. Chandler, under appointment by the Court of Appeal, for Defendant and Appellant.

John F. Krattli, County Counsel, James M. Owens, Assistant County Counsel, Stephen D. Watson, Deputy County Counsel, for Plaintiff and Respondent.

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Rhonda S. (mother) appeals from orders of the juvenile court asserting dependency jurisdiction over her two daughters, T.F. and T.J., and removing them from her custody. Mother contends insufficient evidence supported the jurisdiction and disposition orders. We affirm the orders.

### **FACTUAL AND PROCEDURAL BACKGROUND**

Mother and her two daughters, 13-year-old T.F. and 11-year-old T.J., came to the attention of the Los Angeles County Department of Children and Family Services (DCFS) in the instant case in November 2012, after mother was arrested at the children's school. Beginning in early November 2012, mother had a series of incidents with school personnel. According to mother and T.J., T.J. was being bullied at school. T.J. reported she was tripped, pushed, and humiliated.<sup>1</sup> Mother said boys spit on T.J. and she had come home with marks from physical bullying.

School records reported the following. On November 5, mother demanded the school investigate the bullying and provide resources so that she could homeschool the girls. A letter from the school principal to mother indicated mother raised her voice, refused to calm down, called the dean of students an "instigator," used profanity inside and outside the principal's office and on school grounds, and gave the principal the "middle finger" in the presence of the children, assistant principals, and other school staff. Mother also demanded a refund of money from a school fundraiser, called school staff "a bunch of 'dumb asses,'" and referred to the school as a " 'dumb ass school.'" The principal asked mother to leave. The letter reported mother became "irate," shouted, and was escorted off school grounds by school police. The letter prohibited mother from entering the school campus without the principal's authorization.

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<sup>1</sup> According to T.J., a teacher participated in humiliating her by asking why she and her sister were so often late to school even though they lived across the street from the school. T.J. also reported her teacher and class would clap when she made it to class on time.

School records further reported that on November 7, mother telephoned the school and called the staff “a bunch of animals.” On November 8, mother arrived on school grounds and wanted to take the girls to the school nurse. Mother told a campus aide to be sure to tell another school staff member that “she is a bitch.” When that staff member accompanied the children to the nurse, mother said: “I do not want that sick ass bitch walking with my kids.”

On November 9, the mother of another student reported mother had followed the child home. Mother told the girl: “[Y]ou have been bothering my daughter and she is just trying to show a little love.” The girl was afraid. Mother was reported to have followed the student almost to her house.

On November 26, mother called the school to request that school work be sent home. Mother planned to keep the girls home indefinitely. She also asked that they be allowed to participate in a school activity and that police supervise them. A school staff member told her the children could participate so long as they attended school. The staff member reported: “[Mother] became very angry and began to reference the ‘batman’ incident and stated that she understood why people do things like that. She then stated that people don’t understand what people may be going through in their personal lives. She began to curse and state that she would ‘spray’ the place [the school] and that I could take it as a terrorist threat and call the police. She concluded that she was willing to go to jail for her babies and hung up the phone.”<sup>2</sup> Later that day, mother called the same

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<sup>2</sup> According to a subsequent police report, mother said: “I’m fucking getting pissed! [The school] is fucking with my kids. You know that’s why they have incidences like Spiderman. . . . You know that’s why people go in places with masks like the batman incident. You don’t know what’s going on in people’s fucking lives. I will spray the place. . . . You can take it as a terrorist threat. Call the police. I will go to jail for my babies.” T.J. later told a social worker mother said, “*don’t* take this as a threat,” and that mother did not yell or say anything inappropriate during the call.

In July 2012, a masked gunman entered a Colorado movie theater showing a newly-released Batman movie. The gunman opened fire, killing several people and wounding numerous others. The incident was highly publicized.

school staff member and said: “My family and I are harmless. Thanks for calling the police and sending them to my house. I told you I wasn’t a threat, but [the school] can’t keep doing kids like this. I wish the district would show that much concern with my kids. Have a blessed day, no have a blessed week.”

The next day, school personnel summoned mother to the school. On November 29, when mother and the children arrived at the school, police were there to arrest her. Mother screamed during the arrest; she yelled that students needed to be careful not to bring their mothers to school because they would be arrested. Mother’s uncle picked the girls up from school and took them home. Police reported mother entered the police station cursing and yelling; she later made sexual allegations about a detective. A school principal told a DCFS social worker the children had been transferred to another school and would no longer be allowed on the middle school campus. Although the children had been enrolled in the school since September 2012, they had 19 to 20 absences, and were frequently late, despite living across the street from the school.

When DCFS interviewed mother in early December, mother denied threatening to hurt anyone or the school, and explained her arrest was the result of a conspiracy. Mother insisted she was only telling school personnel that bullying is a serious problem. She explained the “school needed to do something about it because people like the batman bully who shot up the theater are made when schools do not address the bullying problem.” She told the social worker she could not trust anyone at the school and was looking into homeschooling the children. She and the children were living with mother’s uncle. The family had briefly resided in Las Vegas, but they left when mother thought child protective services was “after her.” Mother denied having an open dependency case in Las Vegas, or neglecting the children, but said she felt someone was going to call child protective services about her and she was “paranoid and cannot trust anyone” because of a previous DCFS case.

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(<http://articles.latimes.com/2012/jul/20/nation/la-na-nn-dark-knight-shooting-20120720>.)  
The parties presume this is the incident to which mother was referring.

Mother was referring to a previous family reunification case. In January 2010, mother entered a supermarket at 2:00 a.m., with the children, and a dog. It was raining. T.J. was wearing only a t-shirt and pajama bottoms; T.F. was wearing only a t-shirt and underwear. Both girls had bare feet. Mother informed a police officer the dog told her she and the girls were in danger from mother's boyfriend, and mother tasted poison in the air. Mother said she generally took medication for depression, anxiety, and bi-polar disorder, but she was not taking the medication at that time. She had withdrawn the children from school to homeschool them. The children described violent incidents between mother and her partner. DCFS detained the girls. The case was closed in October 2010.

When, in 2012, the social worker asked mother about the past dependency case history, mother denied ever having any mental health issues. Mother also denied any history of substance abuse or domestic violence. The children were dressed and groomed appropriately and had no visible marks or bruises. They both told the social worker mother did not threaten anyone on the phone and was not rude to school personnel. The children said mother did not usually use corporal punishment, but had "whooped" them with a belt before, over their clothes. T.F. said it had not happened in a long time.

In late December, the social worker interviewed mother and the children again. The girls were dressed and groomed appropriately and had no visible marks or bruises. They reported things were fine, but they were not in school as mother was still looking into homeschooling them. They said mother had not threatened to hurt herself or anyone else, and had not yelled, cursed, or been rude to anyone. Mother agreed that the girls would be in school by January 2013. Mother had previously asked the social worker to bring Christmas gifts for the children. At the December interview, the social worker told mother it would not be possible. Mother grew agitated, stating: "The system don't care about my girls!" Mother then ended the interview. The social worker noted mother was upset and talking to herself as the social worker left.

In January 2013, an upfront assessment was completed. Mother admitted having suffered domestic violence in the past. She also told the assessor she was involuntarily hospitalized in 2010 because she believed people were breaking into her home and poisoning her food. She still believed the break-in and poisoning had happened. Mother admitted using cocaine in the past, and periodically using marijuana. The assessor described mother as having “schizophrenia, residual type, cannabis abuse, and generalized anxiety disorder.”

In late January 2013, the social worker tried to meet with mother. Mother said she did not have time. When the social worker asked if mother had enrolled the girls in school, mother said she did not want to tell the social worker because she did not trust her, or anyone else. Two days later, the social worker again called mother and asked to meet with her. She told mother she wanted to set up a team decision meeting. Mother refused, protesting that DCFS did not care about the children, and she had neither time nor money to go to the DCFS offices. When the social worker offered mother bus tokens, or a ride from a “human services assistant,” mother said: “I don’t trust anyone. I’m not about to get in anyone’s car. I’m not crazy.” Mother asked for gas cards. The social worker explained she could not give mother gas cards but would try to arrange other transportation. Mother insisted that the social worker could get gas cards, and asserted the worker simply did not want to do the necessary “research.” Mother refused to ask anyone else to drive her to the meeting.

The children’s doctor reported mother was rude, had hung up the phone on her, and she “goes on and on and does not care [to] listen to anyone.” The doctor expressed concern about the children’s well being because of mother’s behavior.

In early February 2013, DCFS executed a removal warrant for the children. Mother had to be handcuffed. She yelled and cursed at the social worker and police officers.<sup>3</sup> Mother’s uncle did not trust mother not to return to the home and felt it would

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<sup>3</sup> The social worker reported mother yelled: “You fucking did this? Amy is that you? How the fuck did you do this? [T.F.]! [T.F.]!” While in the police car, mother

be better for the girls to go to a foster home. The girls wanted to say goodbye to mother, but mother continued yelling. The social worker had to take the girls away.

DCFS detained the girls in foster care. Although mother had a positive visit with them in early February, mother later called the foster mother one morning at 4:30 a.m. Mother said DCFS had “kidnapped” the children, and she planned to go to Sacramento to report it. Mother asserted the children were not being taken care of, and demanded to know why they were not in school. Mother called another morning at 6:30 a.m. and asserted the children were not being fed or clothed properly. There were reports from the children’s doctor that mother repeatedly called the office. On one occasion, mother threateningly told the doctor she knew what kind of cars the doctor and her staff drove. The doctor informed the social worker mother “passed out her children’s pictures because she wanted the doctor and staff to know that her children were real. . . . [M]other reports that she will be going to Sacramento and has written a 100 page letter to report that her children were kidnapped illegally . . . .”

In mid-February, mother was placed on an involuntary psychiatric hold. Mother’s uncle reported mother had been acting strangely. Mother said she was hearing voices from the walls, electric wires, the school, and other places. Mother began going outside and sitting in her car at night, sometimes turning on the radio very loud, even at 2:00 a.m. Neighbors called the police. On February 21, mother went to the maternal grandmother’s house. The maternal grandmother thought mother was “out of it” and “spacey.” Mother left, but returned later that evening. Mother was “ranting” at her adult daughter, claiming there were fire trucks on the street and they were coming for the adult daughter. There were no fire trucks. The maternal great-grandmother said mother “came at [her] like she wanted to fight.” Mother’s adult daughter called the police. Mother was hospitalized in a psychiatric unit.

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“screamed out of the window at one of the officers, ‘Where the fuck are my girls going? Where the fuck are you taking me?’ Mother looked over at [the social worker] and stated, ‘You lying fucking bitch!’ [The social worker] handed over a copy of the removal warrant to mother who stated, ‘I don’t fucking want that!’ ”

A social worker visited mother in the hospital. Mother insisted she was not supposed to be there and “all of this is a hoax.” Mother denied ever being previously diagnosed with any mental health condition. She revealed that she was not taking the medication administered at the hospital. She told the social worker she put the medication in her cheek so hospital staff believed she had swallowed it; she showed the social worker the pills she had kept in her mouth. Mother said she brought her adult daughter to the hospital to get help, and denied that she attacked anyone. She admitted she had a “quick temper,” but denied having hallucinations. Mother explained that the 2010 dependency case occurred because she fell physically ill, and had no one to watch the children. She denied that the case was related to mental illness. She also continued to deny making any “terrorist threats.” Mother claimed she had only told school personnel: “ ‘God has a way of stopping everything. Someone’s gonna spray ‘em like roaches.’ ”

Mother was released from the hospital in early March. She left a message for the social worker stating she did not recall seeing the social worker in the hospital. Mother again claimed the hospitalization was a mix-up, and it was her adult daughter who was supposed to be hospitalized. The same day, mother informed a different social worker she had taken a letter with the social worker’s name on it to the police to report that the social worker had kidnapped her children. When mother complained about not having calls or visits with the children, the social worker attempted to explain that she had been trying to make arrangements for mother to visit the children, with the mother’s uncle monitoring the visits. Mother refused to have the maternal uncle monitor visits and would not let the social worker talk. The social worker eventually ended the call.

The maternal uncle reported mother was behaving erratically. He could not reason with her. Mother felt everyone was conspiring against her. The maternal grandmother reported that after mother was released from the hospital she went to the grandmother’s house and banged on the door. When the grandmother refused to let her in, mother “began walking up and down the street shouting things like, ‘My own family won’t let me in the house,’ ” and that her children had been kidnapped. The police eventually

came and made mother leave. The grandmother said she did not want the children placed with her—she lived with the maternal great-grandmother and mother’s adult daughter—because “there would be no peace” due to mother’s behavior.

At the jurisdiction hearing, the juvenile court sustained allegations that mother had a history of mental and emotional problems, including “current auditory hallucinations,” which rendered her unable to provide regular care of the children, and placed them at risk of physical harm. The court also sustained allegations that mother made terrorist threats to school personnel in the presence of the children, and mother physically disciplined the children by striking them with belts, all of which placed the children at risk of physical harm. The court declared the children dependents of the court, and found by clear and convincing evidence substantial danger existed to the children, and there were no reasonable means of protecting them without removing them from mother’s custody. At the hearing, mother interrupted the court and asked to address the court directly. When the court responded that mother had an attorney to speak for her, mother refused to wait or defer to her attorney. She was escorted out of the courtroom.<sup>4</sup>

This appeal followed.

## DISCUSSION

### I. Substantial Evidence Supported the Jurisdictional Findings

Mother contends the evidence was not sufficient to support dependency jurisdiction pursuant to Welfare and Institutions Code section 300, subdivision (b).<sup>5</sup> We disagree.

“We review the court’s jurisdictional and dispositional findings for substantial evidence. [Citations.] Evidence is ‘ “[s]ubstantial” ’ if it is ‘ “ ‘reasonable, credible, and of solid value.’ ” ’ [Citation.] We do not pass on the credibility of witnesses, attempt to

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<sup>4</sup> As mother was escorted out she protested that the court was “destroying a perfectly stable, loving home.” Mother insisted she was not paranoid or schizophrenic, and asserted the children were hurting and wanted to go home.

<sup>5</sup> All further statutory references are to the Welfare and Institutions Code.

resolve conflicts in the evidence or weigh the evidence. Instead, we draw all reasonable inferences in support of the findings, view the record in favor of the juvenile court's order and affirm the order even if other evidence supports a contrary finding. [Citations.] The appellant has the burden of showing there is no evidence of a sufficiently substantial nature to support the findings or order." (*In re T.W.* (2013) 214 Cal.App.4th 1154, 1161-1162.) " " " "The ultimate test is whether it is reasonable for a trier of fact to make the ruling in question in light of the whole record.' [Citation.]" [Citation.]" [Citation.]" (*In re V.M.* (2010) 191 Cal.App.4th 245, 252.)

Under section 300, subdivision (b), the court may assert jurisdiction over a child if "[t]he child has suffered, or there is a substantial risk that the child will suffer, serious physical harm or illness, as a result of the failure or inability of his or her parent or guardian to adequately supervise or protect the child, or the willful or negligent failure of the child's parent or guardian to adequately supervise or protect the child from the conduct of the custodian with whom the child has been left . . . or by the inability of the parent or guardian to provide regular care for the child due to the parent's or guardian's mental illness, developmental disability, or substance abuse."

"The three elements for jurisdiction under section 300, subdivision (b) are: " "(1) neglectful conduct by the parent in one of the specified forms; (2) causation; and (3) 'serious physical harm or illness' to the [child], or a 'substantial risk' of such harm or illness." ' [Citations.]" (*In re B.T.* (2011) 193 Cal.App.4th 685, 692.)

When mental illness is a factor in the parent's inability to provide regular care for the child, DCFS " 'has the burden of showing specifically how the minors have been or will be harmed and harm may not be presumed from the mere fact of mental illness of a parent.' [Citation.]" (*In re A.G.* (2013) 220 Cal.App.4th 675, 684.) DCFS met its burden in this case. Mother's conduct beginning in November 2012 and preceding the jurisdiction hearing demonstrated her inability to adequately supervise or protect the children. Although mother may have been legitimately distressed by bullying of T.J. and the school's inaction, her response was to behave aggressively with school personnel, to address school staff with profanity and yelling in the presence of her own children, to

follow another child home from school, and to threaten that she would commit a mass shooting.<sup>6</sup> Although mother's anger was not directed at her children, her threats to commit violence at the school they attended suggested a form of uncontrolled conduct and violent reasoning that also put her children at risk of harm.

In the weeks that passed after the children were detained and before the jurisdiction hearing, mother's mental state appeared to deteriorate. Mother could not effectively interact with DCFS social workers, the children's doctor, the foster mother, or her own family. She tried to report to police that DCFS had kidnapped her children. She was hearing voices. She apparently suffered a delusion or hallucination that fire trucks were at the maternal grandmother's house, ready to take away her adult daughter. She appeared to be close to attacking her grandmother. She was then involuntarily committed to a psychiatric unit, but she denied having any mental or emotional issues. She covertly avoided taking medication in the hospital, but admitted her deception to a social worker. She subsequently claimed to have no recollection of talking to the social worker while in the hospital. Irrespective of any formal diagnosis, mother's behavior demonstrated her inability to provide regular care and supervision for the girls. This was illustrated by mother's hallucinations, and the resulting involuntary hospitalization, which would have prevented her from supervising the children had they been in her care at that time. Mother's apparent physical aggression toward members of her own family suggested the children would also be at risk of harm from mother.

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<sup>6</sup> On appeal, mother insists she did not say she would spray the school with bullets. However, the school staff's report to DCFS, and the corresponding police report, indicated mother said she would "spray the school," she referred to the "batman incident," and said the staff could construe the remark as a "terrorist threat." One reasonable interpretation of these comments would be that mother was threatening serious violence. On appeal, we do not resolve conflicts in the evidence. Instead, we must draw all reasonable inferences in support of the juvenile court's findings. (*In re T.W.*, *supra*, 214 Cal.App.4th at pp. 1161-1162.)

Moreover, mother's behavior had already affected the children and her ability to effectively act in the role of parent. Mother's conduct at the children's school caused the school to ban her from school property, and eventually to also expel the children from the school. Mother did not want the children in a regular school because she did not "trust anyone." She subsequently refused to tell the social worker what her plans were for enrolling the girls in a new school or homeschooling them.<sup>7</sup> Once the children were detained, mother was unable to arrange regular visitation because she refused to have a family member monitor visits, and did not return calls from social workers. In at least one conversation with a social worker to discuss visits, mother could only focus on her claim that DCFS had kidnapped the children. Mother refused to involve her family members in any way to support her, such as requesting or receiving a ride from her uncle to a team decision meeting. Mother's family members were reluctant or unwilling to help care for the girls because of mother's behavior. Thus, mother's erratic and aggressive conduct alienated all sources of potential support she otherwise might have had.

Equally problematic was mother's complete refusal, or inability, to recognize that her behavior was in any way inappropriate. At most, mother admitted to having a "big mouth," or a "quick temper." She denied any mental or emotional issues. Indeed, mother attributed the 2010 events to a physical breakdown, not a mental disorder, despite her admissions in 2010 that she suffered from one or more psychiatric conditions and had stopped taking her medication, and that she was hospitalized pursuant to section 5150.<sup>8</sup>

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<sup>7</sup> There is no evidence mother had physically harmed the children. However, the children reported mother had in the past disciplined them by whipping them with a belt. The foster mother also reported the children seemed to be afraid of mother. When the foster mother combed their hair before they attended school, the girls said she must braid their hair the way mother braided it, before they visited mother, for fear that she would otherwise get mad.

<sup>8</sup> Section 5150 allows designated professionals to take into custody a person who, as a result of a mental disorder, is a danger to others or to himself or herself, for a 72-hour treatment and evaluation.

These factors distinguish this case from those in which courts have concluded the social services agency did not show a substantial risk of harm linked to the parent's mental illness, or mental or emotional instability. For example, *In re James R.* (2009) 176 Cal.App.4th 129 (*James R.*), involved a mother who was hospitalized after she consumed a large amount of ibuprofen and drank beer while caring for her children. The mother had a history of suicide attempts, but she denied intentionally trying to harm herself. (*Id.* at pp. 131-132.) The father shared parenting responsibilities with the mother. He denied the mother had a substance abuse problem. (*Id.* at p. 134.) The social worker was concerned the father might leave the children with the mother, and the mother might again drink or use drugs while caring for them. The juvenile court asserted jurisdiction over the children, sustaining allegations that mother's past psychiatric hospitalizations, past suicidal thoughts, attention deficit disorder, and her continued use of alcohol, rendered her incapable of providing regular care for the children. (*Id.* at p. 134.)

The Court of Appeal reversed the jurisdiction order for lack of sufficient evidence. The court explained that although the mother had a history of mental instability, she had not abused or neglected the children in the past. Any causal link between the mother's mental state and future harm to the children was speculative. There was no evidence the mother experienced suicidal thoughts after the children were born. There was no evidence the mother used illegal drugs, or that she was regularly intoxicated. In addition, there was undisputed evidence the father was able to protect and supervise the children. The parents also had the support of extended family members who assisted in caring for the children. The children were healthy and well cared for, and attended school or daycare while the father worked. The parents were meeting the children's medical and academic needs. (*James R.*, at pp. 136-137.)

Nearly every factor the *James R.* court identified as indicating the lack of substantial evidence in that case works against mother here. Mother not only had a history of mental illness, there was evidence she had neglected the children in 2010, when she took them out of the house, half dressed, in the rain, in the early hours of the

morning, because her dog told her they were in danger and she tasted poison in the air. While the court in *James R.* concluded there was less risk to the children because they attended school and daycare, here, mother's conduct caused the children to be expelled from school. Mother then kept the children at home instead of finding a new school and refused to disclose her plans for their education. Mother's mental instability seemed to worsen in the weeks between the detention and the jurisdiction hearing. Her adult daughter called the police after mother described fire trucks that were not there, and seemed close to attacking the maternal great-grandmother. Mother was involuntarily held in a hospital psychiatric unit. Unlike the parents in *James R.*, mother had no support from anyone, in part because she refused all family support. She had no one else to care for the children during periods of illness, physical or mental. She alienated the children's doctor by repeatedly calling the office and making threatening statements, so much so that the doctor alerted law enforcement.

In *James R.*, the social services agency had only unfounded perceptions of risk due to mother's past mental instability before her children were born. Here, mother's mental and emotional instability was very much present. It impaired her ability to interact with other adults on behalf of her children, and constituted actual evidence of substantial risk of physical harm to the children. Further, mother's mental instability had in the past led her to place the children at substantial risk of harm. In *James R.*, the mother began participating in services before the social services agency intervened, including attending outpatient rehabilitation classes, Alcoholics Anonymous meetings, individual counseling, and an online parenting course. (*James R.*, at p. 132.) In this case, mother steadfastly refused to acknowledge there were any problems. She denied past problems, even though she had previously admitted to suffering from mental illness. She refused to attend a team decision meeting because she would not ride a bus or ride in anyone else's car. She rejected medicine. Thus, the *James R.* court's reasoning is inapplicable here.

Likewise, in *In re Daisy H.* (2011) 192 Cal.App.4th 713, the reviewing court found a lack of substantial evidence to support jurisdiction based on the father's mental illness where the only evidence was mother's unsupported allegation that the father was "paranoid" and "hallucinatory." (*Id.* at p. 718.) No evidence linked the father's alleged mental disturbances to physical harm or risk of harm to the children. Here, however, mother has received past and current diagnoses of mental disorders. She has refused to take medication, and now denies she has any mental illness whatsoever. Her mental instability rendered her incapable of providing regular care for the children, as evidenced by her involuntary hospitalization, and her inability to re-enroll the children in school, secure information from their doctor, or even arrange visits for herself. Indeed, no formal diagnosis was necessary for the trial court to conclude mother's behavior put the children at risk of substantial harm in the past, and continued to put them at risk of substantial harm at the time of the jurisdiction hearing.

As mother points out, despite her behavior, the children were well groomed, had no visible marks or bruises, and showed no signs of neglect at the time they were detained. Yet "section 300 does not require that a child actually be abused or neglected before the juvenile court can assume jurisdiction." (*In re I.J.* (2013) 56 Cal.4th 766, 773.) " 'The purpose of dependency proceedings is to prevent risk, not ignore it.' [Citation.]" (*Jonathan L. v. Superior Court* (2008) 165 Cal.App.4th 1074, 1104.) Mother's behavior had in the past placed the children at substantial risk of harm, requiring intervention. Her current conduct was causing detriment to the children, and she refused to seek treatment, or even acknowledge there was a problem. She had no support, and refused support offered to her. There was substantial evidence to support a trial court finding that mother's mental and emotional condition created a substantial risk of harm to the children, within the meaning of section 300, subdivision (b).

We will affirm a jurisdictional order if any one of multiple findings is supported by substantial evidence. Even if one of the remaining allegations was unsupported by substantial evidence, we would not reverse the order asserting jurisdiction under section 300, subdivision (b). Thus we do not address the evidentiary support for the other

allegations sustained in the dependency petition. (*In re I.A.* (2011) 201 Cal.App.4th 1484, 1492.)

## **II. Substantial Evidence Supported the Juvenile Court's Dispositional Order**

Mother contends there was insufficient evidence to support the juvenile court's order removing the children from her custody. We find no error.

Under section 361, subdivision (c)(1), a dependent child may not be taken from the physical custody of the parents with whom the child resides at the time the petition was initiated unless the juvenile court finds, by clear and convincing evidence, "[t]here is or would be a substantial danger to the physical health, safety, protection, or physical or emotional well-being of the minor if the minor were returned home, and there are no reasonable means by which the minor's physical health can be protected without removing the minor from the minor's parent's . . . physical custody." (§ 361, subd. (c)(1).) "The jurisdictional findings are prima facie evidence that the child cannot safely remain in the home. (§ 361, subd. (c)(1).)" (*In re Cole C.* (2009) 174 Cal.App.4th 900, 917.) "The parent need not be dangerous and the minor need not have been actually harmed for removal to be appropriate. The focus of the statute is on averting harm to the child." [Citation.] The court may consider a parent's past conduct as well as present circumstances. [Citation.]" (*In re N.M.* (2011) 197 Cal.App.4th 159, 169-170.) We review a dispositional order removing a child from parental custody for substantial evidence. (*In re D.G.* (2012) 208 Cal.App.4th 1562, 1574.)

There was substantial evidence that the children could not safely remain in mother's custody. Mother continued to deny she had any mental or emotional problems that required treatment. She denied her conduct at the school was a problem, despite the fact that it resulted in the children being barred from the school. She said she intended to homeschool them, but either made no arrangements to do so, or simply refused to share her plans with the social worker, admitting she was too paranoid to do so. Prior to the detention, mother's response to DCFS intervention was to deny there were problems. Once the children were detained, mother's conduct grew more erratic. Her calls to the children's doctor were so frequent and aggressive the doctor reported them to the police.

Mother was unable to make arrangements for visits with the children because she could not calmly communicate with the foster mother or the services social worker. She indicated she would file a police report alleging DCFS had illegally kidnapped the children. She was hearing voices. She thought fire trucks were at her grandmother's house, waiting to take her adult daughter away. There were no fire trucks. She was subjected to an involuntary psychiatric hold after accosting her grandmother. Yet, she denied there was any legitimate basis for the hospitalization and insisted it was all a mix-up. She covertly avoided medication while hospitalized. She spoke to a social worker while hospitalized, but later called the social worker and indicated she had no recollection of seeing her or speaking with her in the hospital. She continued to refuse to involve any family members in her case and had no support from any other adult. DCFS was concerned mother might abscond with the children if allowed unmonitored visitation.

This was sufficient evidence to support the trial court's finding that removal from mother's custody was necessary to protect the children. (*In re Maria R.* (2010) 185 Cal.App.4th 48, 71, disapproved on another grounds by *In re I.J.*, *supra*, 56 Cal.4th at p. 781 [mother's refusal to cooperate with agency was evidence that removal was necessary].) Mother argues the court could have allowed the children to live with mother under "strict conditions." Yet, mother had already indicated, repeatedly, that she had no interest in cooperating with DCFS. Moreover, mother told the social worker she left Las Vegas when she suspected child services might investigate the family. She also admitted she did not trust her uncle, and did not want him to monitor visits, or otherwise be involved in the case. He was largely unwilling to be involved without mother's permission. Thus we find unrealistic mother's suggestion that the dependency court could have allowed the children to live with mother so long as she continued living in the uncle's home, and he reported problems to the department. The trial court properly determined there were no reasonable means to protect the children without removing them from her custody. (§ 361, subd. (c)(1).)

**DISPOSITION**

The dependency court orders are affirmed.

BIGELOW, P. J.

We concur:

RUBIN, J.

FLIER, J.