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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FIVE

In re V.T., a Person Coming Under the
Juvenile Court Law.

B267750
(Los Angeles County
Super. Ct. No. DK12222)

LOS ANGELES COUNTY
DEPARTMENT OF CHILDREN AND
FAMILY SERVICES,

Plaintiff and Respondent,

v.

E.G.,

Defendant and Appellant.

APPEAL from an order of the Superior Court of Los Angeles County, Philip L. Soto, Judge. Affirmed in part and reversed in part with instructions.

Taylor Buck Law and Toni Taylor Buck, under appointment by the Court of Appeal, for Defendant and Appellant.

Mary C. Wickham, County Counsel, R. Keith Davis, Acting Assistant County Counsel, Jessica S. Mitchell, Deputy County Counsel, for Plaintiff and Respondent.

Ronnie J. Cheung, counsel for Minor.

E.G., the mother of the child, V.T., appeals from a dependency dispositional order. The mother contends the juvenile court improperly *orally* found jurisdiction was present under Welfare and Institutions Code¹ section 300, subdivisions (c) through (j). In fact, no allegations pursuant to section 300, subdivisions (c) through (j) are present in the first amended dependency petition. The sole allegations in the first amended dependency petition allege jurisdiction exists only under section 300, subdivisions (a) and (b). Further, the August 12, 2015 minute order states that jurisdiction was present only under section 300, subdivisions (a) and (b). The parties have stipulated to a limited reversal of and modification to the oral jurisdictional order. The modification of the oral jurisdictional order will indicate the juvenile court found jurisdiction only under section 300, subdivisions (a) and (b).

We accept the parties' stipulation. The parties agree the juvenile court accidentally misspoke in referencing section 300, subdivisions (c) through (j). We concur in their assessment in this regard. Our ability to accept a stipulated reversal in the dependency context is discussed in the case of *In re Rashad H.* (2000) 78 Cal.App.4th 376, 379-382. The present case involves reversible error—the inadvertent reference to section 300, subdivisions (c) through (j) when making the oral jurisdictional order. And this occurred in the context of the first amended dependency petition which makes no reference to section 300, subdivisions (c) through (j). Under these circumstances, the dispositional order would be reversed and modified. (*In re Isabella F.* (2014) 226 Cal.App.4th 128, 136; *In re Drake M.* (2012) 211 Cal.App.4th 754, 762; *In re C.C.* (2009) 172 Cal.App.4th 1481, 1491.) Thus, a stipulated modification to the order under review advances those interests identified in Code of Civil Procedure section 128, subdivision (a)(8). (*In re Rashad H., supra*, 78 Cal.App.4th at pp. 379-382; see *Union Bank of California v. Braille Inst. of America, Inc.* (2001) 92 Cal.App.4th 1324, 1329-1330.) We need not discuss whether Code of Civil Procedure section 128, subdivision

¹ Future statutory references, unless otherwise noted, are to the Welfare and Institutions Code.

(a)(8) even applies to this case because we are not reversing or vacating a duly authorized judgment.

Upon remittitur issuance, the oral pronouncement of the jurisdictional order finding jurisdiction under section 300, subdivisions (c) through (j) is reversed. The orders under review are otherwise affirmed.

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TURNER, P. J.

We concur:

KRIEGLER, J.

KUMAR, J. *

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