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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT  
(San Joaquin)**

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In re A.W. et al., Persons Coming Under the  
Juvenile Court Law.

C074730

(Super. Ct. Nos. J06047, J06056)

SAN JOAQUIN COUNTY HUMAN  
SERVICES AGENCY,

Plaintiff and Respondent,

v.

FREDRICK W.,

Defendant and Appellant.

Father Fredrick W. appeals the juvenile court's orders terminating his reunification services. He contends there was insufficient evidence to support the findings that reasonable services were provided to him in light of his mental illness. We shall affirm the juvenile court's order.

## **FACTUAL AND PROCEDURAL BACKGROUND**

In July 2012, the juvenile court detained A.W., then 12 months old. Approximately one week later, the juvenile court also detained her newborn brother, Aaron W. In October, the juvenile court sustained the Welfare and Institutions Code section 300 petitions,<sup>1</sup> finding the children had suffered or were at risk of suffering serious physical harm as mother was not meeting their health and developmental needs, and father had failed to protect the children. Mother is developmentally disabled and father is a diagnosed schizophrenic. The juvenile court authorized a psychological assessment of both parents in order to tailor reunification services to meet their needs.

In December 2012, father told the social worker he was not ready for the children to come home. Father also acknowledged he was not capable of parenting the minors. He was looking for possible “roommates” to help him care for his children. Father was participating in services. He had completed parenting education, but felt he could benefit from further services such as parenting coaching and personal counseling. Father was referred to counseling services and parental coaching at Parent Child Interactive Therapy (PCIT).

Despite having completed parenting education, father continued to have difficulty engaging the children during visits. Initially, the children visited with father together, but the visits were later separated due to father’s inability to adequately supervise both children. Father also continued to have difficulty meeting the children’s basic needs during visits. He acknowledged he felt overwhelmed when attempting to parent the minors. The social worker had concerns, but noted father was making positive progress.

By May 2013, father had moved into a one-bedroom apartment with his ex-girlfriend. Father was provided a psychological evaluation with Gary Cavanaugh,

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<sup>1</sup> Undesignated statutory references are to the Welfare and Institutions Code.

M.D., individual counseling, and parenting education. Dr. Cavanaugh noted father had intermittent auditory hallucinations during the interview. He diagnosed father with a schizotypal personality disorder. Cavanaugh recommended father be provided a modified parenting learning experience that was practically based and individualized. He also suggested antipsychotic medication for father.

Father completed a parenting class and achieved a 90 percent on his final examination. However, father continued to struggle putting what he had learned to use in his visits. Father did not enroll in PCIT services. PCIT staff indicated they felt the coaching was more productive if the children were over two years old, which neither of these children was. PCIT also did not encourage use of their services unless the children were about to be placed with the parents. PCIT is the only parent coaching service utilized by San Joaquin County Human Services Agency (the Agency).

Based on the social worker's observations, father did not appear able to put what he had learned in parenting class into practice. Father had difficulty handling both children during visits. Although the social worker tried to provide parent coaching during visits to help father meet their needs, he did not improve even with one-on-one coaching. Father did not interact with the children during visits, but rather talked with the visit supervisor about inappropriate topics such as girlfriends and parties. He did not appropriately read cues from A.W. and did not follow through when the supervisor warned him of a dangerous situation. He usually just watched A.W. play without interacting with her. Each visit father had to be instructed on how to soothe Aaron, he did not hold Aaron in a comforting way, and did not make eye contact with or talk to Aaron. Father had to be directed to feed Aaron, and how much formula to use. After spilling the formula, father cleaned up the table, changing pad, and his hands while Aaron cried, waiting to be fed. Even after being prompted to feed Aaron before cleaning up, he insisted on finishing the cleaning. Father was unable to follow specific coaching and

unable to recall from one visit to the next how to meet Aaron's needs. Even with direct parenting tips and coaching, he struggled to follow through and did not seem to understand what to do. The social worker did not believe father would benefit from further parent coaching, because of his lack of follow through with directions, his apparent inability to understand directions, and his inability to retain information about caring for the children from one visit to the next.

Father began counseling, but after completing half of the sessions, the therapist terminated him from therapy because she felt father was not progressing toward his therapeutic goals. He was also presenting with mental health issues, as he was no longer taking his medication. The therapist also noted father was not able to comprehend therapy and would get "stuck in certain topics," some of which the therapist felt were inappropriate. The social worker did not refer father to another therapist because she was busy and the referral "slipped through."

Following a contested hearing, the juvenile court found the Agency had provided reasonable services to father and terminated his reunification services. As to mother, the juvenile court found reasonable services had not been provided and ordered an additional six months of services.

## **DISCUSSION**

Father contends there is not substantial evidence supporting the juvenile court's findings and orders terminating his reunification services. Specifically, he claims that despite the recommendations of the psychological evaluator, the Agency did not provide father with the recommended services or the programs father requested assistance in obtaining. We disagree.

The purpose of reunification services is to eliminate the conditions that led to removal of the minor from parental custody in order to permit the return of the minor to

the parent. (*In re Joanna Y.* (1992) 8 Cal.App.4th 433, 438.) At the six-month review hearing, “[i]f the child is not returned to his or her parent . . . , the court shall determine whether reasonable services that were designed to aid the parent . . . in overcoming the problems that led to the initial removal and the continued custody of the child have been provided or offered to the parent . . . .” (§ 366.21, subd. (e), 8th par.) To provide reasonable services, the department must identify the problems that led to the loss of custody, design services to remedy the problems, maintain reasonable contact with the parent, and make reasonable efforts to assist the parent when compliance has proved difficult. (*In re Alvin R.* (2003) 108 Cal.App.4th 962, 972-973.) The question is not whether more or better services could have been provided, but “whether the services were reasonable under the circumstances.” (*In re Misako R.* (1991) 2 Cal.App.4th 538, 547.)

“When a finding that reunification services were adequate is challenged on appeal, we review it for substantial evidence. [Citation.] ‘ “In juvenile cases, as in other areas of the law, the power of an appellate court asked to assess the sufficiency of the evidence begins and ends with a determination as to whether or not there is any substantial evidence, whether or not contradicted, which will support the conclusion of the trier of fact.” ’ [Citation.] Even if there is no substantial conflict in the evidence, we must nevertheless draw all legitimate inferences in support of the findings of the juvenile court.” (*In re Alvin R., supra*, 108 Cal.App.4th at p. 971.)

Here, the problems that led to the initial removal were mother’s failure to meet the children’s needs and father’s failure to protect the children from mother’s conduct. Father’s failure to protect the children arose from his mental health issues, lack of stable housing, and self-admitted inability to parent the minors.

Father was provided a psychological evaluation to assess his needs and tailor a reunification plan for him. The evaluation recommended father take psychotropic medication and receive individualized parent coaching.

Father was referred to therapy. He started counseling, but was terminated halfway into his scheduled sessions. The therapist felt he was not progressing toward his therapeutic goals, did not comprehend therapy, and would get “stuck” in inappropriate topics. In addition, father was not consistent with taking his psychotropic medications. Father was not referred to another therapist.

Father was provided and completed parenting education. But, even after completing the course, he acknowledged he could not parent the minors and felt overwhelmed trying to do so. During visits, he had difficulty engaging the children and meeting their basic needs, and failed to adequately supervise them. Dr. Cavanaugh recommended additional parental coaching. Father was not able to enroll in those services, because the coaching service utilized by the Agency would not work with children under two years old. However, the social worker provided one-on-one coaching during visits. Father was unable to follow specific coaching, had to be directed how to feed and comfort Aaron, did not read cues from A.W., and did not heed warnings of the social worker of a dangerous situation in the visit. Even with direct parenting tips and coaching, father had trouble understanding and following through with suggestions and retaining information from one visit to the next. Based on her experience working with father, the social worker did not think father would benefit from further parent coaching.

Father’s inability to retain parenting skills and coaching information, inability to comprehend therapeutic concepts, and inconsistency with taking his psychotropic medication, provide substantial evidence to support the juvenile court’s findings that the Agency provided reasonable reunification services and the orders terminating reunification services to father.

**DISPOSITION**

The orders of the juvenile court terminating father's reunification services are affirmed.

\_\_\_\_\_ BUTZ \_\_\_\_\_, J.

We concur:

\_\_\_\_\_ NICHOLSON \_\_\_\_\_, Acting P. J.

\_\_\_\_\_ HULL \_\_\_\_\_, J.