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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIFTH APPELLATE DISTRICT**

CHRISTINA M.

Petitioner,

v.

THE SUPERIOR COURT OF STANISLAUS
COUNTY,

Respondent;

STANISLAUS COUNTY COMMUNITY
SERVICES AGENCY,

Real Party in Interest.

F070101

(Super. Ct. No. 516611)

OPINION

THE COURT*

ORIGINAL PROCEEDINGS; petition for extraordinary writ review. Ann Q.
Ameral, Judge.

Christina M., in pro. per., for Petitioner.

No appearance for Respondent.

No appearance for Real Party in Interest.

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* Before Poochigian, Acting P.J., Franson, J. and Peña, J.

Christina M. (mother), who is a self-represented litigant, seeks an extraordinary writ (Cal. Rules of Court, rule 8.452) from the juvenile court's order terminating reunification services and setting a Welfare and Institutions Code section 366.26¹ hearing as to her seven-year-old son, R.B. She admits she did not completely comply with the juvenile court's orders and asks for more time to reunify with her son. She does not contend, however, that the juvenile court erred in making its setting order. On review, we conclude mother's petition is inadequate and will dismiss her petition.

PROCEDURAL AND FACTUAL HISTORY

Mother has a history of child neglect and drug abuse that eventually led to her arrest and R.B.'s detention in March 2013. In April 2013, the juvenile court exercised its dependency jurisdiction over the child (§ 300, subd. (b)), removed him from parental custody, and ordered reunification services.

During the first 14 months of services, mother appeared to make good progress in her services. In particular, she completed substance abuse treatment, individual counseling, and parenting classes. Unfortunately, she relapsed in June 2014 and tested positive for methamphetamine.

At a review hearing in August 2014, following 18 months of services, the juvenile court found mother made minimal progress toward alleviating the causes that necessitated R.B.'s out-of-home placement and there was no substantial likelihood that the child could safely be returned to parental physical custody within another six months. Accordingly, the court terminated reunification services and set a hearing pursuant to section 366.26 to select and implement a permanent plan for the child.

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

DISCUSSION

The purpose of a writ proceeding such as this is to facilitate review of a juvenile court's order setting a section 366.26 hearing to select and implement a permanent plan for a dependent child. (Cal. Rules of Court, rule 8.450(a).) A court's decision is presumed correct. (*Denham v. Superior Court* (1970) 2 Cal.3d 557, 564.) It is up to a petitioner to raise specific issues and substantively address them. (§ 366.26, subd. (I).) This court will not independently review the record for possible error. (*In re Sade C.* (1996) 13 Cal.4th 952, 994.)

As mentioned earlier, mother does not contend the juvenile court erred in making its setting order. In fact, she admits she did not comply with the court's orders. However, she claims she is no longer using drugs and asks for another chance to parent the child.

A parent's failure to participate regularly and make substantive progress in court-ordered treatment is prima facie evidence that return of the child to the parent's custody would be detrimental. (§ 366.21, subd. (f).) In addition, the court may not continue reunification efforts after 12 months of services unless, among other things, the parent has made significant progress in resolving the problems that led to the child's removal. (§ 366.21, subd. (g)(1).)

Under the circumstances of this case, the juvenile court was compelled to terminate services.

As to mother's current efforts to be drug free, her remedy is not to make that argument to this court. Our role is only to review the evidence that was before the superior court at the time of the August 2014 review hearing. Instead, if mother can show her circumstances have so changed since then that it would be in the child's best interests that the court change its order, she may wish to consider petitioning the superior court under section 388 to modify its order before the section 366.26 hearing.

DISPOSITION

The petition for extraordinary writ is dismissed. This opinion is immediately final as to this court.