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

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

STANISLAUS COUNTY COMMUNITY  
SERVICE AGENCY,

Plaintiff and Respondent,

v.

STEPHANIE M.,

Defendant and Appellant.

F070384

(Super. Ct. No. 517042)

**OPINION**

**THE COURT\***

APPEAL from a judgment of the Superior Court of Stanislaus County. Ann Q.  
Ameral, Judge.

Shaylah Padgett-Weibel, under appointment by the Court of Appeal, for  
Defendant and Appellant.

No appearance for Plaintiff and Respondent.

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\*Before Levy, Acting P.J., Detjen, J. and Peña, J.

Stephanie M. (mother) appealed from the juvenile court's dispositional order finding the minor was dependent, placing custody of the minor outside mother's home, and granting mother reunification services as to her daughter, Selena G., now one year old. After reviewing the juvenile court record, mother's court-appointed counsel informed this court she could find no arguable issues to raise on mother's behalf. We granted mother leave to personally file a letter setting forth a good cause showing that an arguable issue of reversible error exists. (*In re Phoenix H.* (2009) 47 Cal.4th 835, 844.)

Mother submitted a brief in which she identified issues she claims merit our review. We conclude mother has failed to make a good cause showing that any arguable issue of reversible error arose from the disposition hearing. (*In re Phoenix H., supra*, 47 Cal.4th at p. 844.) Consequently, we dismiss the appeal.

### **PROCEDURAL AND FACTUAL SUMMARY**

In June 2014, a petition was filed pursuant to Welfare and Institutions Code<sup>1</sup> section 300 alleging newborn Selena G. came under the provisions of dependency law. Selena was detained the following day. A first amended petition was filed on June 19, 2014, alleging mother abused and failed to protect Selena's older sibling, who was found unconscious by police with a serious burn on her face in November 2013 for which she was hospitalized. On December 7, 2013, mother was convicted of felony child cruelty in violation of Penal Code section 273a.

When Selena was born in May 2014, mother's two children, A.G. and V.G., were dependents of the court. They were just under two years old at the time of Selena's birth and almost one-and-a-half years old at the time of their dependency. Among the issues the parents confronted prior to Selena's birth were ongoing domestic abuse and alleged drug abuse. The social worker's report in June 2014 noted mother had been attending

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<sup>1</sup>Unless otherwise designated, statutory references are to the Welfare and Institutions Code.

parenting classes. Although mother was taking medication for a mental health issue, she had not addressed those mental health issues as called for in her case plan.

The amended petition filed on behalf of Selena was sustained on July 1, 2014. The disposition hearing for Selena was combined with a section 366.21, subdivision (e) hearing for Selena's siblings. The social worker's report prepared for the hearing in July 2014 noted mother was successfully dealing with substance abuse treatment, but still struggled with anger, had just begun a domestic violence program, and had just begun individual therapy. The report recommended that Selena be adjudged a dependent child of the juvenile court.

A contested hearing began on June 26 and concluded on September 17, 2014. Throughout the hearing, there was testimony concerning whether mother intentionally harmed A.G. and the different versions of the events mother told about A.G.'s injuries over time. Mother admitted causing A.G. mental and emotional harm. Although mother denied being physically abusive, she admitted she was on drugs when A.G. was injured.

The juvenile court found mother was inconsistent in her testimony concerning whether she intentionally harmed A.G. and that she intentionally burned A.G. With regard to the older children, the juvenile court found that mother had made fair progress on her case plan, especially in her progress toward controlling her substance abuse, but mother had not demonstrated an ability to protect the children. The court found reasonable services had been provided to both parents, terminated reunification services for the older children, and set the matter for a section 366.26 hearing.

Concerning Selena, the court found her placement out of the home was necessary and appropriate, and the agency had complied with mother's reunification plan. Mother's progress on the plan was fair. The court found a substantial likelihood that mother would reunify with Selena within six months and ordered continuing reunification services for both parents. As part of her reunification plan with Selena, the juvenile court ordered mother to receive couples or coparenting counseling.

Mother filed this appeal.

## DISCUSSION

Mother contends: (1) the juvenile court improperly relied on hearsay information from the agency's reports; (2) the agency failed to provide mother with adequate services; and (3) the agency was biased against mother even though she completed much of the programming required in her reunification plan.

We initially note that mother failed to raise any of these issues at the disposition hearing. Generally, issues not raised in the juvenile court are forfeited on appeal. (*People v. Trujillo* (2015) 60 Cal.4th 850, 856-858; *In re Jason J.* (2009) 175 Cal.App.4th 922, 932; see *Woodridge Escondido Property Owners Assn. v. Nielsen* (2005) 130 Cal.App.4th 559, 574.) Mother could have objected through her attorney concerning any of these issues, but she failed to do so. It would be unfair to the juvenile court and the adverse party for this court to consider issues that could have been presented to the juvenile court but were not. (*Menefee v. County of Fresno* (1985) 163 Cal.App.3d 1175, 1182.) Consequently, we consider mother's issues forfeited.

As to the merits of issues 2 and 3, we note there was substantial evidence before the juvenile court supporting its findings that mother was provided with adequate services. There was no evidence in the record to support mother's assertion that the agency was biased against her even though she completed many of her services. In reviewing the reasonableness of the services provided, we view the evidence in the light most favorable to the plaintiff. We must indulge all legitimate and reasonable inferences to uphold the juvenile court's ruling if there is substantial evidence to support it. When two or more inferences can be reasonably deduced from the facts, and either deduction is supported by substantial evidence, the reviewing court is without power to substitute its deductions for those reached by the juvenile court. (*In re Misako R.* (1991) 2 Cal.App.4th 538, 545.)

On the merits of issue 1, we note the California Supreme Court has created an additional exception to the hearsay rule, making admissible hearsay evidence in social study reports. (*In re Cindy L.* (1997) 17 Cal.4th 15, 22, 27-28; *In re Malinda S.* (1990) 51 Cal.3d 368, 376-378.) The primary social worker assigned to mother's case testified at the disposition hearing and any other social worker who worked on the case was identified in the agency's reports and subject to the juvenile court's subpoena authority.

We conclude mother has failed to show good cause that an arguable issue exists and dismiss the appeal.

### **DISPOSITION**

This appeal is dismissed.