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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

In re D.R. et al., Persons Coming Under the
Juvenile Court Law.

ORANGE COUNTY SOCIAL SERVICES
AGENCY,

Plaintiff and Respondent,

v.

ROBERT R.,

Defendant and Appellant.

G045641

(Super. Ct. Nos. DP017375,
DP017376 & DP017377)

OPINION

Appeal from an order of the Superior Court of Orange County, Gary G. Bischoff, Temporary Judge. (Pursuant to Cal. Const., art. VI, § 21.) Affirmed.

Diana W. Prince, under appointment by the Court of Appeal, for Defendant and Appellant.

Nicholas S. Chrisos, County Counsel, Karen L. Christensen and Jeannie Su, Deputy County Counsel, for Plaintiff and Respondent.

* * *

Robert R. (father) appeals from the juvenile court's order continuing dependency jurisdiction over his three sons. (Welf. & Inst. Code, § 364; all further statutory references are to this code unless otherwise noted.) Father contends the juvenile court erred in continuing jurisdiction because he resolved the domestic violence issue that prompted the initial assumption of jurisdiction. Substantial evidence supports the juvenile court's finding that jurisdictional conditions still existed, and were likely to exist if the court terminated jurisdiction. Accordingly, we affirm the court's order.

I

FACTUAL AND PROCEDURAL BACKGROUND

The Orange County Social Services Agency (SSA) filed a petition in October 2010 (§ 300, subd. (b)), alleging D.R. (born February 2002), B.R. (November 2004), and J.R. (May 2008) had suffered, or were at substantial risk of suffering serious physical harm or illness resulting from the failure or inability of their parents to supervise or protect them. Specifically, the petition alleged on August 19, 2010, mother inflicted lacerations on father's arm and torso when she assaulted him with a kitchen knife in the children's presence. The petition alleged the parents had a history of verbal and physical altercations.

Mother denied stabbing father, claiming she used the knife to “cut the lock off the” garage door after father secured it to prevent her from leaving. She managed to leave the house, and when she returned she learned father had claimed she stabbed him. Mother denied a history of domestic violence. She explained veteran's authorities had diagnosed father with Post Traumatic Stress Disorder (PTSD) resulting from his service in Iraq, but he recently stopped taking his medication, and was under a lot of stress. Mother's statement concerning the knife differed from her statement to investigating police officers that she “never picked up a knife.”

A social worker reported father had refused to allow interviews with the children or provide the name of D.R.'s therapist, making it difficult to assess the

children's welfare. During one unannounced home visit, father ordered the children into the house and the social worker felt threatened by the family's aggressive and "very large German [Shepherd]," which father held on a leash. Father yelled, "'Get the fuck off my property, I'm not going to do shit.'" Father also informed the social worker he was recording their conversations, even though the worker had advised this was not permissible. Father claimed deputies threatened to shoot the dog, recited various constitutional provisions, and complained his children had been traumatized by SSA's earlier intervention with the family.¹

Father refused to identify the school the older boys currently were attending. D.R.'s previous school reported D.R., who received special education

¹ This was SSA's second petition involving the family. In August 2008, SSA took the children into protective custody after father had an altercation with neighbors. SSA alleged father exposed the children to harm by failing to cooperate with deputy sheriffs, ignoring their orders to place his hands on his head and walk toward them, and instead directing mother not to allow the deputies to enter the residence. The petition alleged father ordered mother to lock the children in the master bedroom and failed to advise deputies the children were in the room as officers searched the residence for other suspects. Father failed to inform deputies of the location of his handgun, which he placed under the mattress in the same bedroom his children occupied. Deputies found ammunition, knives, and marijuana pipes within reach of the children, exposed electrical wires and sockets, and moldy food throughout the home. SSA alleged the unkempt residence jeopardized the children's safety, and the parents' substance abuse impaired their ability to protect the children.

The parents immediately remedied the safety problems in the home and complied with all of SSA's directives. In advance of the jurisdictional hearing, SSA recommended a CRISP (conditional release to intensive services program) release to mother. The juvenile court dismissed the petition at the jurisdictional hearing, finding that while father's conduct placed the children at risk, there was insufficient evidence the children were at risk in the future. The court concluded the parents did not have substance abuse problems, and the home did not pose a substantial future risk of harm because SSA subsequently inspected the home and found it clean and safe. The court noted the parents' full compliance with the services offered by SSA, including parenting classes, drug testing, and drug rehabilitation therapy. Minors appealed, and we affirmed the juvenile court's order dismissing the petition. (*In re D.R.* (June 23, 2009, G041577 [nonpub. opn.]).

services, had not shown up for the new school year, nor had his school received a request to transfer his file to a different school. School officials reported the family struggled financially the previous year, and at one point they were homeless. The social worker speculated father might have an underlying mental illness.

SSA met with the parents and maternal grandmother. Father confirmed he intended to move with the children to Michigan, despite mother's objections, because he would be closer to relatives who would provide more support. Father opposed SSA supervision, explaining the previous intervention had traumatized the children, who feared talking with the social workers. Mother believed the children would be devastated if separated from father. SSA elected to leave the children in father's custody with supervision.

At the initial hearing, which father did not attend, the juvenile court ordered father to bring the children to court on the next court date, and directed SSA immediately to provide services to the family. The court subsequently ordered monitored visits for mother after the criminal court modified its protective order that had prohibited her from contacting the children.

Father telephoned the social worker to schedule an interview, asked that his veteran affairs case worker also participate, and requested service referrals for him and the children. Father denied a diagnosis of PTSD, stating he had suffered a traumatic brain injury (TBI), but he refused to allow the social worker to confirm the diagnosis and any recommended treatment. He denied having any weapons in the home, and claimed law enforcement officers who reported seeing shotgun casings on his property were "dirty." Father explained he did not enroll his children in school because after the stabbing incident he decided to move his family to Michigan.

Father asserted mother "hit him 'from day one' of their relationship." He also stated the recent marital strife resulted from mother allowing the maternal grandmother to live in the home. Father did not get along with the maternal

grandparents. He claimed the maternal grandmother cluttered the home and subjected the family to eviction because it violated the family's housing agreement with federal authorities. Father also claimed the maternal grandfather made threatening phone calls to father.

About a week after his interview, father called to authorize the social worker to contact his veteran's case worker. Father also reported he had initiated the process to get additional services and counseling for the boys.

D.R. stated he would like to remain in father's care and have visits with his mother. B.R. did not wish to visit with mother "because of what she did" to father.

The social worker recommended sustaining the petition and ordering an Evidence Code section 730 evaluation for father "for dispositional purposes." The social worker noted significant conflict seemed to follow father, as documented in numerous police reports, and he "at times presents with inappropriate [and paranoid] responses to stressful situations or authority." The worker stated it would be "prudent to continue the current matter . . . for the purpose of obtaining medical/psychological information and evaluations from the VA" to "evaluate if there is any risk presented to the children by being cared for by father."

In an addendum report, the social worker summarized his conversation with the school psychologist at D.R.'s current school. The psychologist believed D.R. had problems focusing in school and other learning issues, but the parents declined to have him assessed for treatment. The parents also questioned why D.R. had been moved into a special day class, where he appeared to be thriving.

Father's veteran's agency worker could not provide the social worker with information about father's brain injury because she had not received father's authorization to release the information. Father did not respond to the social worker's e-mails, and the social worker learned the children did not attend therapy after the initial intake session.

Visitation monitors reported mother “engage[d] the children appropriately” during visits and the children seemed happy to see her. A batterer’s program offered to waive the enrollment fee and provide mother with a sliding scale rate based on her income, but mother stated she could not afford it.

In a second addendum report, the social worker described the circumstances of a visit to father’s residence in late November. Father eventually opened the door after a lengthy delay, stating he had been in the bathroom. He refused to let the social worker speak to the children alone, and claimed the worker had concocted allegations against him and desired to remove the children from his custody. Father stated he knew his “rights” and did not wish to answer questions about services.

The social worker still had not received father’s Veterans’ Administration (VA) records. The in home parenting coach said she had made several unsuccessful attempts to contact father. The social worker made another unannounced visit at the end of December. Father answered the door with a video camera, refused to turn the camera off, and accused the social worker of lying about various matters. Father became visibly agitated and his hands were shaking. He asked if the social worker told sheriff’s deputies he had firearms in the home.

The social worker reported father had not cooperated in providing his mental health records, and had not participated in any of the recommended services, and concluded father was paranoid and aggressive.

The juvenile court denied SSA’s request to order father to allow the social worker to speak privately with the children. The court also denied the request for an Evidence Code section 730 evaluation over father’s objection because “not all parties agree.”

Father later filed a request to remove the assigned social worker, and objected to specified information contained in the social services reports, primarily

hearsay statements from mother and the children and information from the prior dependency. The court denied the motion to remove the social worker.

During this time period, SSA terminated a program referral for mother because she failed to enroll. Mother informed the social worker she had a new telephone number, and the worker advised mother it was important to provide the worker with any changes of information. The social worker agreed to submit a new referral for counseling.

In early March 2011, the parents pleaded no contest to the allegations of the petition. The court ordered custody of the children to remain vested with father under SSA's supervision, and directed the parents to continue with individual counseling, in home parenting, and counseling for the children.²

A new social worker received the case after the jurisdiction hearing. In her initial report prepared for the case plan review, the social worker summarized her interview with the parenting coach, who reported the family had "actively participated in the treatment plan" and "working with this family was a positive and enjoyable experience." Mother, however, had difficulty controlling her children. The visitation supervisor complained mother did not implement behavior management techniques during her visits with the children, who were unduly and disruptive. The social worker, who observed a visit, suggested parenting classes and parent-child interactive therapy (PCIT). Mother agreed PCIT might improve her relationship with the children. The social worker also suggested mother obtain governmental financial assistance, food stamps, job training, and medical support.

² Father appealed from the March 8, 2011, dispositional judgment. His lawyer filed a brief stating no arguable issues could be found (*In re Sade C.* (1996) 13 Cal.4th 952, 994), and we dismissed the appeal (*In re Phoenix H.* (2009) 47 Cal.4th 835).

The social worker visited father's home to conduct an unannounced visit. Father cooperated in the visit. He provided his new phone number, described the children's busy schedules, and complained the children's homework was not completed when they visited mother. He reported he and the children participated in weekly therapy. D.R. also had seen a psychiatrist for attention deficit hyperactivity (ADHD), and father was amenable to medication if recommended. Father briefly described his military-related injury, and stated he might receive a job offer in Michigan within the next four months. Father believed the children would benefit from expanding paternal family ties and termination of physical contact with mother.

The therapist indicated the children were "slowly transitioning into the therapeutic process but have not yet progressed with full engagement." Father had demonstrated parenting skills during counseling sessions, and asked for services to expand his skills.

In her first addendum report for the case plan review, the social worker reported she and father discussed PCIT providers and transportation challenges he and the children faced since they relied on public transportation. Father expressed concern PCIT services could disrupt his plan to return to Michigan. Father and the children continued to receive counseling services, and D.R. was on a waiting list for a medication assessment for ADHD. Father appeared "consistent with treatment, and he work[ed] with the children to establish goals and boundaries to enhance his parenting skills."

At the May 6, 2011 case plan review hearing, the parties submitted on the social services reports. The juvenile court approved the proposed case plan to incorporate PCIT into the current therapy. The court also found that personal empowerment program (PEP) for father was "appropriate due to the history of domestic violence." The court directed SSA to supply an approved monitor for mother's visits, and scheduled the six-month review for June 8, 2011.

In her initial report prepared for the six-month review, the social worker noted father had filed a petition to dissolve the couple's marriage. She reported the children continued to reside with father in a three-bedroom home in a quiet neighborhood. He remained unemployed and received support through the VA and other public sources. The children regularly attended school. The family's therapist reported D.R. needed to develop coping skills to control his impulsiveness. When stressed, he exhibited aggression. D.R. had received authorization for ADHD medication, but father had "not yet committed to this." B.R. responded to older sibling D.R.'s "physical impulsiveness with matched combativeness," and "therapeutic services . . . in place for [D.R. were] implemented in a manner that lends behavioral modification activities for" B.R. and J.R. as well.

According to the therapist, father "presents as committed to the children's well-being, and demonstrates the positive parenting skills taught in sessions." There was "'no demonstrated cause for concern' regarding the family's interactions and risk or evidence of child maltreatment." The children appeared "relaxed and comfortable in the father's presence" and the therapist had no concerns regarding termination of dependency. The social worker classified father's progress under the case plan as "substantial."

The social worker described mother's progress as minimal. Mother demonstrated a lack of "engagement with the . . . case plan." She did not follow up on selecting counseling services, and acted passively during visits, failing to implement appropriate behavior management and parenting techniques. Mother pleaded guilty to various assault charges and had been placed on informal probation. She failed to provide verification she had enrolled in a 52-week batterer's program and additional parent education classes.

The social worker recommended termination of dependency proceedings with exit orders. The social worker noted the previous social worker reported delay in

“engagement in services and . . . resistan[ce] to SSA involvement, with particular regard to the father,” but the current social worker’s “experiences have been notably different, in that father has cooperated with regard to service engagement, communication, receptiveness to direction, and demonstration of adequate parenting skills.”

Minor’s counsel requested a contested hearing based on the social worker’s recommendation. The social worker filed addendum reports in early June and early July repeating her recommendation for termination of dependency proceedings. The social worker reiterated father had cooperated and demonstrated compliance with the case plan, showed consistent commitment to the children’s needs, and she found “no specific cause indicating continuing supervision is merited to ensure the children’s safety and welfare” under the father’s care.

Mother had made some progress towards her case plan goals, but she was frequently ineffective in dealing with her children’s verbal and physical altercations. Mother had filed a child custody and visitation application in the family law case seeking physical custody of the boys, with weekly visitation for father. The social worker believed mother’s twice-weekly contact with the boys undermined their safety and welfare and mother’s “presentation in [family court] reflect[ed] a lack of accountability regarding the children’s dependency as evidenced by mother’s clear efforts to seek custody and control of the children outside of dependency proceedings.” The social worker recommended reducing mother’s visits, and added that “continued supervision [of visits] is necessary and merited to facilitate the children’s safe contact” with mother. The social worker suggested a professional monitoring service.

In late July, mother phoned to report concerns the children were not safe with father, and complained she had received hostile text messages from him. She also claimed the children expressed fear and worry about moving to Michigan.

The social worker noted professional visitation services charged fees of up to \$100 an hour, and asked father if he knew anyone who might assist in monitoring

mother's visitation. Father "shared that concerns of personal liability, fear of personal safety, and discomfort with Court-ordered identification as the visitation supervisor are collective barriers to identifying someone to assist" with visits.

Also in late July, father called the social worker to say he was suspending visits with mother because the children "continue to return home with bruises and marks" and he believed the visitation center and mother were not actively ensuring the children's safety. Father acknowledged D.R. had expressed fear he would no longer be able to see mother if the dependency case was closed. The social worker "reassured the child that he would continue to have contact with the mother" even if they relocated.

At the hearing commencing August 4, 2011, the social worker testified she thought the parents could collaborate to make decisions concerning the children's educational and medical needs, but admitted she had not observed them doing so since receiving the case, and the parents had been unable to agree on a visitation monitor: "It gives me cause to ponder the feasibility of their ability to work together, in the sense that at this point in the case, I would expect both parents would be more cooperative with the visitation arrangements and it is a cause for concern in light of that resistance."

The social worker noted the domestic violence history between the parents, acknowledged the parents had no direct contact during the case, and conceded they maintained civility only by using the social worker as an intermediary. The social worker stated she would have preferred to set up conjoint counseling for the parents to evaluate their ability to interact before terminating the dependency. She could not explain why she had not made efforts to observe the parents interact in exchanging the children, which mother's restraining order permitted. The worker also noted mother could not afford to pay a monitor for visits.

Father testified he planned to seek sole legal and physical custody, explaining he and mother did not see "eye to eye" on the children's health and educational needs. He had been proactive with the children's emotional issues, while

mother had not been involved. He described how J.R. tried to stab the dogs when they fought and B.R. collected venomous insects to take to mother. He spoke to his son about the dangers, and advised the therapists and social worker about the problem.

Father acknowledged he communicated only sporadically via text messaging with mother, and had sent only one text in the previous two months, telling her to “get her stuff.” Mother’s return messages were not responsive to his messages. Father was concerned violence could occur again if he and mother were around each other.

Father planned to have the restraining order modified to preclude mother from physically contacting him and the children. He wanted a no contact order because mother failed to interact with D.R., and he believed mother needed therapy. Father acknowledged mother had been the primary parent for D.R. until age five because he had been in the Marines from 1999 until 2007.

Father admitted he planned to leave the state (“I have to”) with the children in the near future. It would be up to mother to come visit the children in Michigan, and he was unwilling to have the children visit mother in a therapeutic context. He wanted mother to “see a psychiatrist” and address her “issues . . . before she gets involved with *my children . . .*” (Italics added.) He sometimes “consider[ed] them only [his] children” because they had “been with [him] for over a year. I’ve done everything for them. . . . It’s kind of hard not to feel like they’re not my sole children.”

Mother testified she had not been invited to attend D.R.’s special education planning meetings. She seldom communicated with father, but she did initiate and respond to text messages. Father’s messages usually contained “[h]urtful things.” She enjoyed her visits with the children and they were happy to see her. Mother stated she took care of the children even after father returned from the Marines.

The social worker testified again following the parents’ testimony. Based on her courtroom observations, she changed her recommendation and now believed the

juvenile court should retain jurisdiction. She was “concerned that the parental interaction suggests that there is ongoing issues underlying the domestic violence and that further services are merited in order to support this family” She was also concerned because father recently had cancelled two of mother’s scheduled visits and she believed father did not promptly inform her about B.R.’s continued collection of venomous creatures, and he failed to inform her that J.R. stabbed at the dogs. She now believed she had done a “disservice to th[e] family” by making her original recommendation without directly observing them collaborate on medical and educational decisions, and thought domestic violence would recur if the court withdrew supervision.

The juvenile court concluded it was “at some pains to try to figure out what’s different today than existed at the time” it assumed jurisdiction. The court stated the parents “have, to this day, not engaged in a civil communication dealing with the welfare of the children.” The court remarked D.R. expressed concern and fear about losing a relationship with mother, yet father “denies, under oath, that this child desires any relationship with” her. The court noted father cancelled “the last couple of visits” and “very little has been done to rectify the original problem here.”

The court observed that in determining whether to terminate jurisdiction the court had to assess the conditions likely to exist if the court terminated jurisdiction. The court observed that father had “stated categorically on the witness stand, under oath, that it’s his intent to, basically, shut the mother out of these children’s lives.” The court continued, “if I were to make the order that [father’s] counsel suggests, which is to have an exit order with visitation, the chances that that’s going to occur without further incidences are really pretty — pretty slim,” noting that even with supervision “the parents have not been communicating appropriately, and that’s with us looking.”

The court predicted “[o]nce we stop looking and remove the supervision, these folks will, actually, have to communicate with each other and set up things for visitation, drop off and all the other things that have to occur, and if I’m going to do that,

then I have to have some belief that to do so would maintain the safety of these children, and I'm, pretty much, aware that those communications that would occur are likely to occur in the presence of the children, to the extent that there are exchanges. [¶] The court needs to [ensure] that the family is in a much better position than it is currently." The court stated it should have had the parents in conjoint counseling to assist them in communicating with each other in the best interest of the children.

The court also wanted "the record to reflect that the father — while I've been talking about how — the need to communicate between the parents, father has been vigorously shaking his head, negating the comments of the court regarding these very issues." The court remarked the children were "suffering severely, in terms of emotional disorders," noting "violence towards animals" and the "collecting of dangerous insects," which had not been appropriately addressed. The court stated the family "needs additional supervision and additional services before the court can close this matter with any kind of assurance whatsoever that these conditions won't reoccur once the court terminates its jurisdiction" The court noted mother's failure to participate in her court-ordered treatment constituted a basis to continue supervision.

The juvenile court found the jurisdictional conditions still existed, and were likely to continue without supervision, and declared the children remained dependents of the court. The court ordered the social worker to direct both parents to engage in individual and conjoint counseling with the children's current therapist in order to "bring [the parents] to a point where they can communicate in an appropriate fashion to deal with their children." The court also directed father to provide notice to mother of all medical appointments and educational activities in a timely fashion. The court ordered the social worker to provide a proposed service plan, which it would consider at another scheduled hearing.

II

DISCUSSION

Substantial Evidence Supports the Juvenile Court's Finding Jurisdictional Conditions Still Existed, or Were Likely to Exist If Supervision Was Withdrawn

Father challenges the sufficiency of the evidence to support the juvenile court's decision to continue jurisdiction. He contends he satisfactorily resolved the domestic violence issues establishing the basis for jurisdiction, and any visitation and communication issues between the parents are "properly addressed by the family court which not only has the resources and tools to do so, but will do so without the use of further public resources."

Section 364 provides that after the juvenile court makes an order placing a child under its supervision under section 300,³ the court shall schedule a hearing within six months if the child is not removed from the physical custody of a parent. (§ 364, subd. (a).) At the hearing, after considering the evidence, "the court shall determine whether continued supervision is necessary. The court shall terminate its jurisdiction unless the social worker or his or her department establishes by a preponderance of evidence that the conditions still exist which would justify initial assumption of jurisdiction under Section 300, or that those conditions are likely to exist if supervision is withdrawn. Failure of the parent or guardian to participate regularly in any court ordered

³ Section 300 provides, in relevant part, "Any child who comes within any of the following descriptions is within the jurisdiction of the juvenile court which may adjudge that person to be a dependent child of the court: [¶] . . . [¶] (b) The 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 willful or negligent failure of the parent or guardian to provide the child with adequate food, clothing, shelter, or medical treatment, 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."

treatment program shall constitute prima facie evidence that the conditions which justified initial assumption of jurisdiction still exist and that continued supervision is necessary.” (§ 364, subd. (c).)

We review the juvenile court’s findings pursuant to section 364 under the substantial evidence test. (*In re N.S.* (2002) 97 Cal.App.4th 167, 172.) “In reviewing the sufficiency of the evidence on appeal, we look to the entire record for substantial evidence to support the findings of the juvenile court.” (*Ibid.*) “Evidence sufficient to support the court’s finding must be reasonable in nature, credible, and of solid value; it must actually be substantial proof of the essentials that the law requires in a particular case.” (*Ibid.*)

Here, the domestic violence issues prompting the initial assumption of jurisdiction remained unresolved. By itself, the undisputed evidence that mother failed to participate regularly in the court-ordered treatment program supported the court’s decision to continue jurisdiction.

But even if viewed only through the prism of father’s participation and progress, the result is the same. Although father complied with service plan requirements and impressed the current social worker and providers he had addressed the problems leading to the dependency, it was clear following the August 2011 review hearing that serious problems remained that negatively affected the children, as the current social worker came to realize.

The evidence showed father continued to harbor anger and hostility toward mother, and admitted he did not want his children to see her. Mother testified without contradiction she raised the children while father served in the Marine Corps, and continued to share an emotional bond with them. Although the children were happy to see her when she visited them, father minimized her role in the children’s lives. He opposed her visits, even in a therapeutic setting. He claimed only he could meet the children’s educational and therapeutic needs, and complained mother was not involved.

But he failed to inform mother of the children's medical and educational appointments so she could stay involved with their development.

Father intended to seek an order barring physical contact between mother and the children, even though D.R. expressed concern and fear about not seeing his mother. Father recently cancelled two of mother's scheduled visits, and announced he "ha[d] to" leave California with "*my children*" (italics added), and it would be up to mother to find the means to visit the children in Michigan. Significantly, mother could not afford to pay for a monitor and other services in California. It is unclear how mother would be able to obtain funding for visits if the case was relegated to the family court, as father desired.

The hostility brewing between the parents during the marriage eventually erupted into serious violence and led to this dependency petition. Because the parents had no direct contact with each other during the case, SSA could not assess whether they had the ability to avoid further violence and cooperate for the benefit of their children. The social worker testified concerning the necessity for collaboration on decisions addressing the children's needs, but father had been unable to set aside his hostility to do so. There had been no conjoint counseling to assess or to address the parents' ability to interact. The parents communicated sporadically, and only via text messaging. Most recently, father simply directed mother to "get her stuff." Mother claimed, without contradiction, father sent "hurtful" text messages. Even father testified he was concerned violence could occur again if he and mother interacted, as they would have to do if the court terminated jurisdiction with an exit order for mother's visitation. After assessing the parents' testimony and behavior in court, the social worker believed domestic violence would recur if the court withdrew its supervision and therefore the juvenile court should retain jurisdiction.

Based on our review of the record, substantial evidence supports the juvenile court's findings conditions still existed justifying the initial assumption of

jurisdiction, those conditions were likely to exist if supervision was withdrawn, and continued supervision was necessary. Finding no basis to overturn the juvenile court's order, we affirm.

III

DISPOSITION

The juvenile court's August 9, 2011 order continuing supervision pursuant to section 364 is affirmed.

ARONSON, J.

WE CONCUR:

O'LEARY, P. J.

FYBEL, J.