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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
SIXTH APPELLATE DISTRICT

In re N.M., a Person Coming Under the  
Juvenile Court Law.

H041021  
(Santa Clara County  
Super. Ct. No. 1-13-JD22255)

SANTA CLARA COUNTY  
DEPARTMENT OF FAMILY AND  
CHILDREN'S SERVICES,

Plaintiff and Respondent,

v.

J.R.,

Defendant and Respondent;

N.M.,

Appellant.

Appellant N.M. (the child) appeals from the juvenile court's March 2014 order granting respondent J.R. (the mother) reunification services. The child contends that the court abused its discretion in finding that, despite the fact that the mother met the requirements for a bypass of reunification services under Welfare and Institutions Code section 361.5, subdivisions (b)(10), (b)(11), and (b)(13),<sup>1</sup> it was in the child's best interest

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

for the mother to receive reunification services. In October 2014, while this matter was pending on appeal, the juvenile court terminated reunification services and set a section 366.26 hearing for January 2015.

We asked the parties to submit briefs addressing the apparent mootness of this appeal. The child concedes that the appeal is moot, but she urges us to nevertheless resolve the issue she raises in her appeal because, she asserts, her appeal raises an “important issue” that would otherwise “evade review.”

The sole issue raised in this appeal is whether the juvenile court abused its discretion in finding that reunification was in the child’s best interest. (*In re William B.* (2008) 163 Cal.App.4th 1220, 1229 [abuse of discretion standard of review] (*William B.*)) “The court shall not order reunification for a parent or guardian described in paragraph . . . (10), (11), . . . [or] (13) . . . of subdivision (b) unless the court finds, by clear and convincing evidence, that reunification is in the best interest of the child.” (§ 361.5, subd. (c).) The juvenile court’s exercise of its discretion is necessarily driven by the facts of the particular case. “To determine whether reunification is in the child’s best interest, the court considers the parent’s current efforts, fitness, and history; the seriousness of the problem that led to the dependency; the strength of the parent-child and caretaker-child bonds; and the child’s need for stability and continuity. [Citation.] A best interest finding requires a likelihood reunification services will succeed; in other words, ‘some “reasonable basis to conclude” that reunification is possible . . . .’” (*In re Allison J.* (2010) 190 Cal.App.4th 1106, 1116.)

We do not discount the importance to the parties of the issue raised in this appeal. However, this issue is a fact-specific one that has not evaded appellate review. Indeed, the parties rely on published cases addressing precisely this issue. (*In re G.L.* (2014) 222 Cal.App.4th 1153 [no abuse of discretion in granting reunification services under section 361.5, subdivision (c)]; *William B.*, *supra*, 163 Cal.App.4th at p. 1229 [abuse of discretion to grant reunification services under section 361.5, subdivision (c)].) Of

course these published cases too are fact-specific, but that is true of nearly all cases. The legal standards applicable to this case are well understood, and we would not advance them by deciding this moot case.

The appeal is dismissed.

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Mihara, J.

WE CONCUR:

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Bamattre-Manoukian, Acting P. J.

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Grover, J.