IN THE SUPREME COURT OF THE STATE OF CALIFORNIA

In re A.G., a Person Coming Under the Juvenile Court Law.	S271809
MICHAEL G., Petitioner, v. THE SUPERIOR COURT OF ORANGE COUNTY, Respondent; ORANGE COUNTY SOCIAL SERVICES AGENCY, et al., Real Party in Interest.	Court of Appeal No. G060407 Orange County Superior Court No. 19DP1381

FATHER'S ANSWER TO AMICUS CURIAE BRIEF FILED ON BEHALF OF CALIFORNIA STATE ASSOCIATION OF COUNTIES

After the Published Decision of the Court of Appeal
Fourth Appellate District, Division Three Filed October 6, 2021

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INTRODUCTION

Pursuant to California Rules of Court, rule 8.520(f), Michael G. (Father) respectfully submits this Answer Brief to the Amicus Curiae Brief filed on behalf of the California State Association of Counties (CSAC). In this Answer, Father will respond only to those points addressing the legal issues on review which require clarification and/or elucidation. To the extent any points made in the Amicus Brief filed by CSAC[1] are not

[1] Amicus Briefs have been filed by California Dependency Trial Counsel

addressed herein, the failure to respond should not be considered a concession of those points.

ARGUMENT

I. CONCERN FOR FOSTER CARE DRIFT DOES NOT JUSTIFY DENYING FAMILIES DUE PROCESS AND FUNDAMENTAL FAIRNESS AT THE 18-MONTH REVIEW.

CSAC opposes extending reunification efforts for families who have been denied reasonable services in the 18-month review period unless the parents come within the narrow subset in Welfare and Institutions Code[2] section 366.22, subdivision (b), or present extraordinary circumstances. (CSAC, p. 18.) CSAC's argument is difficult to reconcile given that "[e]xtraordinary circumstances exist when 'inadequate services' are offered by the child welfare agency or 'an external force over which [the parent has] no control' prevented the parent from completing a case plan." (*In re D.N.* (2020) 56 Cal.App.5th 741, 762.) Nevertheless, CSAC claims its interpretation of the statutory scheme is sensibly based on preventing

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(CDTC) and Children's Law Center of California, Dependency Legal Services and Children's Legal Services of San Diego (CLC). As those Amicus Briefs make arguments consistent with the legal arguments made by Father, Father will not present an Answer to those briefs and, instead, joins in and adopts as his own the arguments presented in those Amicus Briefs.

[2] All further statutory references are to the Welfare and Institutions Code unless otherwise specified.

"foster care drift[3]" or "limbo[4]" as well as on decades of research showing that a line must be drawn at 18 months. (CSAC, p. 13, 18-19.) While research on the potential harm from foster care drift is sound, CSAC's conclusions are unfounded.

CSAC argues that because "[l]onger periods of time in foster care are associated with greater risk for remaining in foster care instead of achieving permanency," extending reunification efforts for families who were denied reasonable services in the 18-month review period will prolong foster care and result in poor outcomes for children. (CSAC, p. 15-16, citing Ringeisen, et al., *Risk of long-term foster care placement, supra*, at p. 5.) However, the research is not as supportive as CSAC suggests.

None of the research cited by CSAC suggests that extending reunification services for families who were denied reasonable services in the 18-month review period increases the risk that children will end up in foster care drift. Nor do they encourage terminating reunification services for such families. Logically, concern for foster care drift should militate in favor of extending reunification services beyond the 18-month review, as

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[3] Foster care drift refers to "the plight of children who drift[] aimlessly in foster care without a case plan for their permanent care." (Ringeisen, et al., *Risk of long-term foster care placement among children involved with the child welfare system*, (2013), p. 1, <https://www.acf.hhs.gov/sites/default/files/documents/opre/nscaw_ltfc_research_brief_19_revised_for_acf_9_12_13_edit_clean.pdf> [as of July 21, 2022].)

[4] Although "[t]here is no question the Legislature, by adopting section 366.22, intended to hasten the development and implementation of a permanent plan for children who previously spent endless years in foster care limbo, … section 366.22 was not designed to torpedo family preservation." (*In re Elizabeth R.* (1995) 35 Cal.App.4th 1774, 1795–1796.) Accordingly, and because CSAC primarily addresses foster care drift, Father will focus on the same.

doing so effectuates the preferred permanent plan of reunification and reduces the risk of an uncertain placement. And even if efforts to reunify should fail, extending family reunification services for a limited period does not increase the risk that children will remain in foster care without a plan for permanent care. At the end of an extended period, a child who is placed in concurrent planning[5] with a prospective legal guardian or adoptive parent would remain with the caregiver in a permanent plan. As for a child who is not in a prospective adoptive home, risk of foster care drift would be no greater than before the extended period. Affording that child's family a fair opportunity at reunification still justifies the delay. (See CLC, pp. 27-29, [explaining child's interest in a fair chance at reunifying with parents].) Had the court instead terminated services for that child, the child would sooner face an uncertain permanent plan at the section 366.26 hearing. Given those options, extending reunification efforts with the provision of reasonable services is the more sensible choice.

CSAC additionally claims that concern for foster care drift explains why the Legislature chose to enforce the provision of reasonable services for only the narrow subset of parents in section 366.22, subdivision (b). (CSAC, p. 13; referencing *J.C. v. Superior Court* (Aug. 23, 2017, S243357) Statement Respecting Denial of Review By Liu, J. [2017 Cal. Lexis 6576, at p. 8].) CSAC explains this limited subset is justified because "continuing

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[5] In 1998, California implemented legislation to expedite legal permanency for children. The "Concurrent Planning Law," was *designed to reduce foster care drift* and eliminate barriers to relative adoptions. Concurrent planning involves placing children in an approved/licensed home/family with the intention of adopting that child, if reunification efforts are unsuccessful. (Orange County Social Services Agency CFS Operations Manual, Concurrent Planning, pp. 1-2, <https://www.ssa.ocgov.com/sites/ssa/files/import/data/files/41637.pdf> [as of July 20, 2022], emphasis added.)

services and maintaining a minor in foster care for longer than 18 months correlates with …'foster care drift' or 'limbo,' to the detriment of dependent youth." (CSAC, p.13.) As explained above, continuing reunification efforts for families aggrieved by the denial of reasonable services does not increase the risk of foster care drift. And, as noted above, even with foster care limbo in mind, "section 366.22 was not designed to torpedo family preservation." (*In re Elizabeth R.*, *supra*, 35 Cal.App.4th at p.1795–1796.) Further, if preventing foster care drift was truly what the Legislature had in mind, it makes no sense for the Legislature to have less concern for children whose parents come within section 366.22, subdivision (b). What does make sense, however, is that this subset reflects the Legislature's acknowledgement that parents who have encountered barriers to reasonable services deserve a full and fair chance at reunification. No less deserving is a parent who was denied reasonable services by the social services agency.

Based on the foregoing, concern for foster care drift is not a valid basis for denying relief to the majority of families who have been deprived of reasonable services in the 18-month review period. CSAC argues that decades of research shows that a line must be drawn at 18 months. (CSAC, p. 19.) However, the 18-month review is not a mere demarcation line. The 18-month review is "a critical juncture in dependency proceedings" where critical decisions concerning parental rights are made. (*In re J.E.* (2016) 3 Cal.App.5th 557, 563-564.) This Court has recognized that the 18–month review "is generally a party's final opportunity to litigate the issue of parental fitness as it relates to any subsequent termination of parental rights, or to seek the child's return to the parent's custody." (*In re Matthew C.* (1993) 6 Cal.4th 386, 392.) As previously discussed, the provision of reasonable services is vital to the court's ability to accurately assess and

make those critical decisions (*Cynthia D. v. Superior Court* (1993) 5 Cal.4th 242, 256; *In re M.F.* (2019) 32 Cal.App.5th 1, 18-19), and ensures the statutory scheme comports with due process. (*In re Marilyn H.* (1993) 5 Cal.4th 295, 307-308.)

The research cited by CSAC no doubt urges the child welfare system to reduce the risk that children end up in prolonged foster care without a plan for permanent care. However, terminating reunification services at the 18-month review on families who were denied reasonable services in the preceding review period does not advance this objective. Because reunification is the preferred permanent plan, the research promotes interpreting the statutory scheme to ensure fairness and accuracy in the critical decisions made at the 18-month review, as doing so best protects the interest that children and their parents share in ensuring their parent-child relationship is not erroneously abridged. (*In re A.R.* (2021) 11 Cal.5th 234, 249.) To that end, the statutory scheme must ensure that every family, not just a select few, is provided reasonable services in the period preceding the 18-month review.

II. THE UNDERLYING FACTS DEMONSTRATE HOW SECTION 352 INADEQUATELY ENSURES DUE PROCESS AND FUNDAMENTAL FAIRNESS AT THE 18-MONTH REVIEW.

CSAC aligns with SSA in arguing that section 352 provides the only relief for families deprived of reasonable services in the 18-month review period, and is only available in extraordinary circumstances. (CSAC, p. 22.) As noted above, a denial of reasonable services is itself an extraordinary circumstance. (*In re D.N., supra,* 56 Cal.App.5th at p. 762.)

Both CSAC and SSA argue that families who were denied reasonable services in the 18-month review period must bear the burden of

proving additional factors to warrant relief. (CSAC, p. 23, citing factors.) As Father previously explained, these additional, non-statutory factors are unfairly more onerous than what section 352 actually requires[6]. (Father's Opening Brief, p. 60; Father's Reply, p. 20.) They are also nebulous and highly subjective.

CSAC nevertheless argues that the underlying facts of this case demonstrate why an analysis involving these factors is appropriate, and claims that the juvenile court conducted exactly the type of individualized assessment courts should make when deciding whether to extend services pursuant to section 352. (CSAC, p. 24.) Ironically, however, the present case illustrates exactly how this subjective assessment can deprive families of due process and fundamental fairness at the critical 18-month review.

The juvenile court did not appropriately assess section 352. Other than question the existence of extraordinary circumstances during Father's argument (RT147), the court never mentioned section 352. Instead, the court focused on case law interpreting section 366.22, subdivision (b). (RT168-169) and then erroneously applied the factors in subdivisions (b)(1)-(3) even though Father was not within the qualifying subset. On those inapplicable grounds, the court concluded that additional services would not be in A.G.'s best interest as there was not a substantial probability that A.G. would be reunified with Father in an extended period. (RT169.) Notably, the statutory language in section 352 neither requires a finding of best interest nor a substantial probability of return.

Notwithstanding this misapplication of the law, the court's findings were belied by the record. Father did not fail to consistently and regularly

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[6] Section 352 permits continuances on a showing of good cause "provided that a continuance would not be contrary to the interest of the minor." (§ 352, subd. (a)(1) and (2).)

contact or visit A.G. as the court determined. Rather, Father met with A.G. on her terms and to the extent she was willing. Throughout most of the case, A.G. only wanted phone calls with her father, which by all accounts were consistent and regular. (2CT400, 408; RT67, 99, 102.) On March 31, 2021, A.G. said calls with Father had gone well and she was open to having video calls with him. (2CT408, 411; RT67, 118.) She, however, wanted to wait on in-person contact until Father received psychological help and medication. (2CT408, 411; RT67, 90.) Remarkably, Senior Social Worker Reyes (SSW Reyes) did not tell A.G. that Father completed counseling. (RT90, 117.) Nor did he refer Father for psychiatric medication. When asked at the 18-month review hearing to explain his omission, he answered, "Lack of time. I'm sorry." (RT108.)

Father meanwhile persistently asked what more he could do to have more time with A.G. (2CT343-344, 400.) Eventually, on May 18, 2021, A.G. said she was open to seeing her father in person. (2CT441.) Over the course of the case, family time proved to be meaningful. Although scheduling was measured, it was not irregular or inconsistent as the court erroneously found.

The juvenile court also wrongly determined that Father had no intention of participating in psychological, psychiatric or medication services. (RT166.) Although earlier in the case, Father denied needing help, refused to participate in services (1CT98, 130, 219, 257.), and refused to undergo a psychological evaluation (1CT219, 257, 263.), in the 12- and 18-month review periods Father did what was asked of him. His case plan required participation in general counseling, parenting education, and cooperation with a court-ordered psychological evaluation and compliance with its recommendation. (1CT116-117.) Father completed the parenting

program (2CT407), participated in counseling (2CT351), and completed the psychological evaluation. (2CT384.)

Although Father told his evaluator that he disagreed needing psychiatric monitoring and medication (2CT392), he did not refuse the help. (*In re K.C.* (2012) 212 Cal.App.4th 323, 331 ["A person may not want to undergo treatment, but that does not mean he will refuse to do so when the treatment is offered"].) Father, actually, had no option to refuse since these services were never offered to him. (RT108.)

At the Twelve-Month Review, SSA noted Father made efforts to meet his objective to "[c]omply with medical or psychological treatment." (2CT343-344, 354.) The juvenile court received Father's psychological evaluation and made 12-month review findings that determined that Father "(1) consistently and regularly contacted and visited the child; (2) made significant progress in resolving the problems that led to the child's removal from the home, and (3) demonstrated the capacity and ability to complete the objectives of their case plan and to provide for the child's safety, protection, physical and emotional well-being, and special needs." (2CT378, 384; RT166-167.).)

In the 18-month review period, Father progressed in and completed counseling (2CT 4, 350, 406.) and, as noted above, saw his relationship with A.G improve. Given Father's consistent engagement in services, the juvenile court was wrong to conclude that Father had no intention of participating in psychological, psychiatric or medication services.

The most egregious errors in the case occurred at the 18-month review hearing. SSW Reyes testified that A.G. and Father could not be safely reunified because SSW Reyes believed that pursuant to Father's psychological evaluation, Father "still need[ed] help psychologically, with psychological counseling and medication." (RT71-72, 91, 113.) However,

SSW Reyes admitted he never referred Father to a psychiatrist or re-referred him for additional counseling. (RT91-92.) In fact, SSW Reyes never spoke with Father about his evaluation because SSW Reyes had not seen it until the day of his testimony. (RT108-109, 111-112.) On this record, the juvenile court agreed with SSW Reyes that A.G. could not be safely reunified with Father and terminated reunification services. (2CT462; RT168-169.)

Because decisions on section 352 are reviewed for abuse of discretion (*In re J.E.*, *supra*, 3 Cal.App.5th at p. 567.), the juvenile court's factually deficient findings were never reviewed for substantial evidence. After determining Father was not within the subset of parents defined in section 366.22, subdivision (b), the Court of Appeal agreed that the factors in subdivision (b)(1) were inapplicable and declined to address Father's factual arguments on the factors. (*Michael G. v. Superior Court* (2021) 69 Cal.App.5th 1133, fn. 4.) However, when the Court of Appeal affirmed the juvenile court's refusal to extend reunification efforts it premised its decision on the same factors it initially declined to address. Ultimately, under the minimal abuse of discretion standard of review, the Court of Appeal found that the juvenile court could reasonably conclude A.G.'s interests were best served by moving forward with the case. (*Id.* at p. 1145.).

As repeatedly noted by Father, a showing of best interests is not statutorily required by section 352. Rather, the statute requires that continuances not be contrary to the child's interests. Even if a showing of best interests were required, Father agrees with CLC that it should be presumptively in a child's best interest for the family to receive reasonable reunification services. (CLC, p. 20.) At any rate, on the record below, an extension of reunification efforts would not have been contrary to A.G.'s

interests. At the outset of the case, A.G. wanted her father to get help for his mental health issues to be "normal," and said she would return to him if he got better and became safe to be around. (1CT77-78, 98-99.) A.G.'s relationship with Father was clearly important to her as she named him among the persons whom love her and are important in her life. (1CT94.) She declined phone calls with Mother so she could focus primarily on saving her relationship with Father. (2CT343.) A.G. said she missed her Father's "normal side," which made her sad. (1CT142.) She told a social worker that she wished to have more time to participate with Father in reunification services. (2CT356-357.) As noted above, A.G. said phone calls with Father had gone well and she went from refusing in person contact to wanting FaceTime calls (2CT408, 411) and eventually in-person visits with her father. (2CT441.)

Given A.G.'s hope that her father receive help from services and return to "normal," continuing reunification efforts would not have been contrary to her interests. There was no need to rush to permanency. A.G. was living with caregivers who were willing to be her legal guardians (CSAC, p. 24; Father's Opening Brief, p. 35.) so there was no risk that A.G. would languish in foster care drift and suffer "ramifications" affecting her mental health, educational outcomes and housing stability. (CSAC, p. 23-24.) No evidence indicated A.G., at fifteen years of age, either expressed a desire to end efforts to reunify with her father, or lacked the ability to articulate such feelings.

The confluence of errors in this case demonstrates that an individualized assessment of section 352 involving non-statutory factors is too discretionary to safeguard the important liberty interests at stake at the 18-month review. To recap, the social worker who failed to provide Father with reasonable services in the critical 18-month review period cited

Father's failure to participate in those inaccessible services as the basis for recommending against reunification. The juvenile court adopted the social worker's recommendation and terminated reunification services based on inapplicable factors that were unsupported by the record. The Court of Appeal declined to review the court's factual findings for substantial evidence but used those findings to conclude that the court's denial of a section 352 continuance was not an abuse of discretion.

The present case demonstrates that section 352, as interpreted by CSAC and SSA, cannot adequately ensure due process and fundamental fairness for families who were denied reasonable services at the 18-month review. As previously noted, "[i]t is fundamentally unfair to terminate either a parent's or a child's familial relationship if the parent and/or child has not had an adequate opportunity to prepare and present the best possible case for continuation of reunification services and/or reunification." (*Judith P. v. Superior Court* (2002) 102 Cal.App.4th 535, 557-558.) In light of what happened in this case, and for all of the reasons presented by Father, CLC and CDTC, families who have been denied reasonable services in the 18-month review period deserve a guarantee of extended reunification services, not a remedy that is discretionary.

III. A FEDERAL FUNDING INCENTIVE IS NOT A REASON TO DENY FAMILIES A MEANINGFUL REMEDY FROM THE DENIAL OF REASONABLE SERVICES.

CSAC devotes an entire section of its brief to explain how Title IV-E funding incentivizes social services agencies to provide reasonable services. For clarity, Father does not argue that agencies will have *no* incentive to provide reasonable services without enforcement of the reasonable services requirement at the 18-month review. (CSAC, p. 25.)

Rather, Father meant to point out that failure to enforce the reasonable services requirement "'*could* ... tend to create an incentive for supervising agencies to avoid their statutory obligations to provide services by simply 'waiting things out' through delay." (*In re M.S.* (2019) 41 Cal.App.5th 568, 596, emphasis added.) While admittedly broadly worded (Father's Reply, p. 23, fn. 9), this quoted language merely acknowledges this probable concern as an additional reason to enforce the reasonable services requirement at the 18-month review with a meaningful remedy.

The fact of the matter is that the threat of losing Title IV-E funding has not prevented individual social workers from depriving families of reasonable services. This case is proof of that. Other cases are as well. (See, *In re Victoria M.* (1989) 207 Cal. App. 3d 1317; *Robin V. v. Superior Ct.* (1995) 33 Cal. App. 4th 1158; *In re Monica C.* (1995) 31 Cal. App. 4th 296; *In re Precious J.* (1996) 42 Cal. App. 4th 1463; *Mark N. v. Superior Court* (1998) 60 Cal. App. 4th 996; *In re Maria S.* (2000) 82 Cal. App. 4th 1032; *In re Alvin R.* (2003) 108 Cal. App. 4th 962; *David B. v. Superior Court* (2004) 123 Cal. App. 4th 768; *Amanda H. v. Superior Court* (2008) 166 Cal. App. 4th 1340; *In re P.C.* (2008) 165 Cal. App. 4th 98; *Christopher D. v. Superior Court* (2012) 210 Cal. App. 4th 60; *In re K.C.* (2012) 212 Cal. App. 4th 323; *In re Taylor J.* (2014) 223 Cal. App. 4th 1446; *Patricia W. v. Superior Court* (2016) 244 Cal. App. 4th 397; *In re J.E.* (2016) 3 Cal. App. 5th 557; *In re A.G.* (2017) 12 Cal. App. 5th 994; *In re T.W.-1* (2017) 9 Cal. App. 5th 339; *T.J. v. Superior Court* (2018) 21 Cal. App. 5th 1229.) The fact that social workers fail to provide reasonable services even with Title IV-E's funding incentive is proof that the statutory scheme must more meaningfully ensure the provision of reasonable services at the 18-month review.

There is no dispute that California prioritizes the provision of reasonable services throughout the reunification period. As CSAC notes, California was an early adopter of mandating social services agencies provide reasonable efforts "*at every stage of the dependency proceeding*." (CSAC, p. 27, emphasis added.) CSAC also recognizes that "California's … statutes recognize the importance of the agency making reasonable efforts *throughout the time a child is in placement*, acknowledging that such vigilance is necessary to prevent the foster care limbo Congress was so concerned about." (Id., emphasis added.) In light of the foregoing, Father agrees that the Legislature's failure to unambiguously guarantee a remedy for all families deprived of reasonable services in the 18-month review period is indeed "striking," which is why it should not be presumed that the Legislature meant for the provision of reasonable services in the 18-month review period to be a hollow right. (*In re A.R.*, *supra*, 11 Cal.5th at p. 248, ["Legislature could not have intended to create a 'hollow right'"].)

CSAC's emphasis on funding detracts from what is truly at issue. Families who have been denied reasonable services have no need for a funding penalty when their family relationships are stake at the 18-month review. A loss of Title IV-E funding provides no solace to families who have had their reunification services terminated and are facing the possibility of the termination of parental rights. (*In re D.N.*, *supra*, 56 Cal.App.5th at p., 743 ["terminating reunification services to a parent is significant; it is often the prelude to termination of parental rights"].) A guaranteed extension of reunification efforts to remediate a denial of reasonable services may provide an additional incentive for social workers to comply with their statutory duties. That there already exists a funding incentive is not a valid reason to deny families deprived of reasonable services of this meaningful and equitable remedy.

CONCLUSION

Without clarity on the Legislature's intent, CSAC can only surmise what the Legislature had in mind when it removed the reasonable services prerequisite finding from the 18-month review and reinstated it later for only the narrow subset of parents in section 366.22, subdivision (b). CSAC implies that the Legislature's failure to directly address the question presented somehow indicates its approval of the current state of the law. (CSAC, p. 21.) However, it is unlikely that the Legislature intended to deprive families of due process and fundamental fairness at the 18-month review, or contemplated the absurd scenario created by the contemporaneous amendment to section 366.26, subdivision (c)(2)(A). (Father's Reply, 16-17.) Moreover, the Legislature's inaction is not a definitive answer to the questions raised by the Honorable Justice Liu on the ambiguities in the statutory scheme.

Fortunately, there are certainties in the law that settle the question presented. What is certain is that families in dependency are entitled to fundamentally fair procedures that meet the requisites of due process (*Santosky v. Kramer* (1982) 455 U.S. 745, 753–754; *In re Emily D.* (2015) 234 Cal.App.4th 438, 445.); that the 18-month review represents a critical juncture where courts make decisions affecting protected liberty interests (*In re Matthew C.*, *supra*, 6 Cal.4th at p. 392.); that reasonable services are vital to the court's ability to accurately and fairly make those decisions (*Cynthia D. v. Superior Court*, *supra*, 5 Cal.4th at p. 256; *In re M.F.*, *supra*, 32 Cal.App.5th at pp. 18-19.), and are a component of due process in the statutory scheme (*Ibid.*); that while timeliness and finality are critically important as "a delay of months may seem like 'forever' to a young child'" (*In re A.R.* (2021) 11 Cal.5th 234, 248), so too is the interest shared by

parents and children alike in ensuring their relationships are not erroneously abridged. (*Id.,* at p. 249); that while cases are in reunification, family preservation is the first priority (*In re Precious J.* (1996) 42 Cal.App.4th 1463, 1472) and that "the Legislature did not intend[] a speedy resolution of the case to override all other concerns including 'the preservation of the family whenever possible' especially given the lengths to which the Legislature went to try to assure adequate reunification services were provided to the family." (*In re Daniel G., supra*, 25 Cal.App.4th at p. 1214; *Patricia W. v. Superior Court* (2016) 244 Cal.App.4th 397, 430; *In re Elizabeth R., supra*, 35 Cal.App.4th at 1794.)

"By examining the dependency scheme as a whole, we can better understand the consequences of a particular interpretation, avoid absurd or unreasonable results, and select the interpretation most consonant with the Legislature's overarching goals. [Citation]." (*Tonya M. v. Superior Court* (2007) 42 Cal.4th 836, 845.) Further, "when possible [this Court] should read a statute in a manner that avoids a potential for conflict with the federal Constitution." (*Adoption of Kelsey S.* (1992) 1 Cal.4th 816, 849, internal citation omitted.) Consistent with the foregoing and for the reasons explained in Father's prior briefs, the only sensible interpretation of the statutory scheme governing the 18-month review is one that guarantees that families deprived of reasonable services in the preceding review period receive an extended period with the services they were entitled.

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Dated: July 22, 2022

Respectfully submitted,

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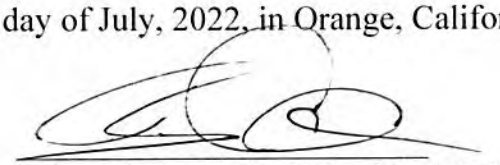
CERTIFICATE OF WORD COUNT

I, Brian Okamoto, hereby certify that pursuant to California Rule of Court, rule 8.520(c), the enclosed brief was produced using 13-point, Times New Roman type font and has approximately 5,354 words, including footnotes, based on the word count of Microsoft Word, the computer program used to prepare this brief.

Executed this 22nd day of July, 2022, in Orange, California.



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CERTIFICATE OF SERVICE

I Leticia Brito hereby declare: I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 341 The City Drive South, Suite 307, Orange, California. On July 22, 2022, I served a true and correct copy of the FATHER'S ANSWER TO AMICUS BRIEF by placing copies thereof in a fully pre-paid envelope sealed and addressed as follows, for collection and mailing with the United States Postal Service.

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4th District, Division 3
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Orange County Juvenile Court
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I declare under penalty of perjury that the foregoing is true and correct. Executed this 22nd day of July, 2022, at Orange, California.

Leticia Brito

Leticia Brito

STATE OF CALIFORNIA
Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
Supreme Court of California

Case Name: **G. (MICHAEL) v. S.C. ORANGE COUNTY SOCIAL SERVICES AGENCY**
Case Number: **S271809**
Lower Court Case Number: **G060407**

1. At the time of service I was at least 18 years of age and not a party to this legal action.

2. My email address used to e-serve: **Brian.Okamoto@pubdef.ocgov.com**

3. I served by email a copy of the following document(s) indicated below:

Title(s) of papers e-served:

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Date

/s/Leticia Brito

Signature

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