



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

APPEALS DIVISION

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DAWYN R. HARRISON
Acting County Counsel

April 22, 2022

Supreme Court of California
Earl Warren Building
350 McAllister Street
San Francisco, California 94102

**Re: In re D.P., a Person Coming Under the Juvenile
Court Law.
Supreme Court Case No. S267429
2d Juvenile Case No. B301135
LASC Case No. 19CCJP00973**

Honorable Chief Justice and Associate Justices:

This letter is in response to the Supreme Court's April 21, 2022 request that the parties submit, on or before April 26, 2022, copies of any and all orders of the juvenile court terminating jurisdiction in this matter, dismissing the dependency petition in this matter, and/or otherwise finally disposing of this matter.

As indicated in the attached Declaration of William D. Thetford, I reviewed the Superior Court docket for the underlying juvenile dependency case through our office's access to the Los Angeles Superior Court Portal. The last minute order filed with respect to minor D.P. is included in the appellate record at pages 483-484 of the clerk's transcript, and dated September 20, 2019. A copy of that minute order is being filed herewith. Also included in the appellate record at page 482 of the clerk's transcript is a minute order regarding minor Britney P., which indicates that the juvenile court dismissed the juvenile dependency petition as it pertained to Britney P. on

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September 20, 2019. A copy of that minute order is also being filed herewith.

On September 20, 2019, the juvenile court sustained count b-1 of the juvenile dependency petition, as amended with respect to minor D.P. (2CT 483-484.) The juvenile court then ordered a disposition pursuant to California Welfare and Institutions Code¹ section 360, subdivision (b), which provides as follows:

If the court finds that the child is a person described by Section 300, it may, without adjudicating the child a dependent child of the court, order that services be provided to keep the family together and place the child and the child's parent or guardian under the supervision of the social worker for a time period consistent with Section 301.

Section 301 regards voluntary family reunification programs and voluntary family maintenance programs. (§ 301, subd. (c).) The time period for voluntary maintenance services is governed by section 16506. (§ 301, subd. (a).) Section 16506 provides that voluntary maintenance services "shall be limited to six months, and may be extended in periods of six-month increments. . . ."

When a juvenile court orders informal services pursuant to section 360, subdivision (b), the court has no authority to take any further role in overseeing the services or the family unless the matter is brought back before the court pursuant to section 360, subdivision (c), which did not occur here. (*In re Adam D.* (2010) 183 Cal.App.4th 1250, 1260.)

Therefore, when the juvenile court orders informal services pursuant to section 360, subdivision (b), there is no juvenile court

¹ All statutory references are to this code unless otherwise indicated.

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jurisdiction to later terminate. If the family successfully completes the plan of informal services within the six-month period and the agency does not file a petition pursuant to section 360, subdivision (c), the agency's authority to supervise the family and the juvenile court's jurisdiction end.

Very truly yours,

DAWYN R. HARRISON
Acting County Counsel

By *William D. Thetford*
WILLIAM D. THETFORD
Principal Deputy County
Counsel
Appeals Division

WDT:am

Attachments

Declaration Of William D. Thetford

I, William D. Thetford, hereby declare:


1. I am an attorney at law duly licensed to practice before this Court and an employee of the Office of the County Counsel for the County of Los Angeles. In such capacity, I represent the Los Angeles County Department of Children and Family Services (DCFS), in *In re D.P.*, a Person Coming Under the Juvenile Court Law — S267429.

2. On April 21, 2022, I accessed the juvenile court's docket for juvenile dependency case number 19CCJP00973B regarding minor D.P. through our office's access to the Los Angeles Superior Court Portal. The docket does not contain any minute orders subsequent to the minute order dated September 20, 2019.

3. I obtained copies of the minute orders dated September 20, 2019, regarding minors D.P. and Britney P. that accompany the attached letter through my office's access to the LASC Portal.

I declare under penalty of perjury that the foregoing is true and correct.

Executed April 22, 2022, at Los Angeles, California.



WILLIAM D. THETFORD

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
Juvenile Dependency/Adoption Division
CC405

19CCJP00973A
IN THE MATTER OF:
Phoung, Britney

September 20, 2019
8:30 AM

Honorable Craig S. Barnes, Judge

Kim Mcguire, Judicial Assistant

Cynthia Bicad (#13100) , Court Reporter

NATURE OF PROCEEDINGS: Adjudication Hearing

The minor subject to the following orders is: Britney Phoung

Date of birth: 11/25/2013

The matter is called for hearing.

The following parties are present for the aforementioned proceeding:

DCFS, Petitioner
Ying Ying Guo, Mother
Twain Phoung, Father
Tim McTighe, Deputy County Counsel
Landon Villavaso, Attorney for Mother
John Kim appearing for Springsong Cooper,
Children's Law Center 3 for Minor
Sesilya Saraydarian, LADL2 for Father

Mintao Huang, Mandarin Certified Court Interpreter, Certification number 301783, is deemed sworn and interprets for Mother. Interpreter's badge has been verified by the Court and the oath is on file.

The trial resumes from 8/20/19 for the Court's ruling.

The Court makes his findings.

Petition dismissed with prejudice. Reason: Insufficient evidence.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
Juvenile Dependency/Adoption Division
CC405

19CCJP00973B
IN THE MATTER OF:
Phoung, Dalton

September 20, 2019
8:30 AM

Honorable Craig S. Barnes, Judge

Kim Mcguire, Judicial Assistant

Cynthia Bicad (#13100) , Court Reporter

NATURE OF PROCEEDINGS: Adjudication Hearing

The minor subject to the following orders is: Dalton Phoung

Date of birth: 12/6/2018

The matter is called for hearing.

The following parties are present for the aforementioned proceeding:

DCFS, Petitioner
Ying Ying Guo, Mother
Twain Phoung, Father
Tim McTighe, Deputy County Counsel
Landon Villavaso, Attorney
John Kim appearing for Springsong Cooper,
Children's Law Center 3 for Minor
Sesilya Saraydarian, LADL2 for Father

Mintao Huang, Mandarin Certified Court Interpreter, Certification number 301783, is deemed sworn and interprets for Mother. Interpreter's badge has been verified by the Court and the oath is on file.

The trial resumes from 8/20/19 for the Court's ruling.

The Court makes his findings.

The petition is sustained per the Adjudication of the Allegations as to Ying Ying Guo.
B1 is sustained as amended.
All other counts are dismissed.

The petition is sustained per the Adjudication of the Allegations as to Twain Phoung.
B1 is sustained as amended.
All other counts are dismissed.

Pursuant to Welfare & Institutions Code § 827 and Cal. Rules of Court, rule 5.552: All records and information obtained shall be used only in connection with a related case, if any, and shall not be disseminated or used for any other purpose.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
Juvenile Dependency/Adoption Division
CC405

19CCJP00973B
IN THE MATTER OF:
Phoung, Dalton

September 20, 2019
8:30 AM

2/13/2019 - W&I 300(a) - Physical Harm - Counts-1-2
2/13/2019 - W&I 300(b) - Failure to Protect - Counts-1-3
2/13/2019 - W&I 300(j) - Abuse of Sibling - Counts-1-3

B1 is sustained as amended.
All other counts are dismissed.,
B1 is sustained as amended.
All other counts are dismissed.

Pursuant to §360(b) of the Welfare and Institutions Code, minor is a person described under §300 of the Welfare and Institutions Code, and minor and or parent(s) or guardian(s) are placed under Department of Children and Family Services supervision for a period consistent with §301 of the Welfare and Institutions Code.

Minor remains released to parents under the supervision of Department of Children and Family Services.

Declaration Of Service

STATE OF CALIFORNIA, County of Los Angeles:

ARLENE MEZA states: I am employed in the County of Los Angeles, State of California, over the age of eighteen years and not a party to the within action. My business address is 648 Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012.

On April 22, 2022, I served the attached **LETTER BRIEF IN THE MATTER OF D.P., SUPREME COURT CASE NO. S267429, 2d JUVENILE NO. B301135, LASC NO. 19CCJP00973**, to the persons and/or representative of the court as addressed below.

BY TRUEFILING. I served via TrueFiling, and no error was reported, a copy of the document(s) identified above:

Landon Villavaso, Esq.

landon@lvlaw.org

office@lvlaw.info

(Counsel for Appellant Mother, Y.G.)

Megan Turkat-Schirn, Esq.

schirn@sbcglobal.net

(Counsel for Appellant Father,
T.P.)

Springsong Cooper, Esq.

Petra Alexander, Esq.

Children's Law Center 3

coopers@clcla.org

appeals3@clcla.org

(Trial Counsel for Minor)

Honorable Craig S. Barnes

Dept. 405

c/o Clerk of the Superior Court

Edelman Children's Court

JuvJOAppeals@lacourt.org

California Appellate Project

capdocs@lacap.com

Court of Appeal

[Service through TrueFiling]

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 22, 2022, at Los Angeles, California.



ARLENE MEZA

STATE OF CALIFORNIA
Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
Supreme Court of California

Case Name: **IN RE
D.P.**

Case Number: **S267429**

Lower Court Case Number: **B301135**

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: **wthetford@counsel.lacounty.gov**
3. I served by email a copy of the following document(s) indicated below:

Title(s) of papers e-served:

Filing Type	Document Title
LETTER	S267429_LB_DCFS

Service Recipients:

Person Served	Email Address	Type	Date / Time
Landon Villavaso Law Office of Landon C. Villavaso 213753	landon@lvlaw.org	e-Serve	4/22/2022 4:28:05 PM
John Kim Children's Law Center 298957	appeals3@clcla.org	e-Serve	4/22/2022 4:28:05 PM
Megan Turkat-Schirn Attorney at Law 169044	schirn@sbcglobal.net	e-Serve	4/22/2022 4:28:05 PM
Landon Villavaso Attorney at Law	office@lvlaw.info	e-Serve	4/22/2022 4:28:05 PM
William Thetford Office of the County Counsel 133022	wthetford@counsel.lacounty.gov	e-Serve	4/22/2022 4:28:05 PM
Springsong Cooper	coopers@clcla.org	e-Serve	4/22/2022 4:28:05 PM
Honorable Craig S. Barnes	JuvJoAppeals@lacourt.org	e-Serve	4/22/2022 4:28:05 PM
California Appellate Project	capdocs@lacap.com	e-Serve	4/22/2022 4:28:05 PM

This proof of service was automatically created, submitted and signed on my behalf through my agreements with TrueFiling and its contents are true to the best of my information, knowledge, and belief.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

4/22/2022

Date

/s/Arlene Meza

Signature

Thetford, William (133022)

Last Name, First Name (PNum)

Los Angeles County Counsel Appellate group

Law Firm