



# Children's Law Center of Los Angeles

## *“DEPENDENCY LEGAL NEWS”*

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### NEW DEPENDENCY CASE LAW

#### **REASONABLE SERVICES; VISITATION ORDER**

***Kevin R. v. Superior Court*** - filed December 10, 2011 and ordered published January 6, 2011,  
Fourth Dist., Div. One

Docket No. D058003

<http://www.courtinfo.ca.gov/opinions/documents/B220976.DOC>

Three-month old child was detained from mother due to drug use and domestic violence. Father appeared and requested services, but could not visit child because he was on parole for a 1999 sex offense and his parole conditions prohibited contact with any child. Five months after detention, father got his parole conditions modified to permit monitored visitation, and started visiting child. County agency erroneously stopped father's visitation for two months, but reinstated visits shortly before the 366.21(e) hearing. Court terminated reunification services and set 366.26 hearing, on the grounds that reasonable services had been provided; further services were futile since father's parole officer was unwilling to liberalize his visitation; and there was no substantial probability that father could reunify by 12-month date. Father filed writ petition.

Writ denied. Juvenile court cannot order visitation that conflicts with parole conditions; father's proper remedy was to challenge his parole conditions through administrative hearing process. Services were not perfect, but reasonable under the circumstances, and court did not err in finding no substantial probability that father could reunify with child by 12-month date, even apart from the parole condition issue, since he had only had monitored visits for a few months, had only recently obtained stable housing, and had not completed parenting classes. (MM).