

IN THE COURT OF APPEALS OF THE  
STATE OF OREGON

In the Matter of A. M. D. B.,  
a Child.

DEPARTMENT OF HUMAN SERVICES,  
*Petitioner-Respondent,*

*v.*

F. D. B.,  
*Appellant.*

Josephine County Circuit Court  
16JU09066; A165304 (Control)

In the Matter of S. R. N. B.,  
a Child.

DEPARTMENT OF HUMAN SERVICES,  
*Petitioner-Respondent,*

*v.*

F. D. B.,  
*Appellant.*

Josephine County Circuit Court  
16JU09067; A165305

Pat Wolke, Judge.

Submitted November 7, 2017.

Shannon Storey, Chief Defender, Juvenile Appellate Section, and Tiffany Keast, Deputy Public Defender, Office of Public Defense Services, filed the brief for appellant.

Ellen F. Rosenblum, Attorney General, Benjamin Gutman, Solicitor General, and Christopher A. Purdue, Assistant Attorney General, filed the brief for respondent.

Before Egan, Presiding Judge, and DeHoog, Judge, and Aoyagi, Judge.

PER CURIAM

Remanded for entry of judgments omitting requirement that father is to undergo a psychological evaluation; otherwise affirmed.

**PER CURIAM**

In this consolidated juvenile dependency case, father appeals judgments of the juvenile court asserting jurisdiction over his two children. Father raises eight assignments of error, the first seven of which we reject without discussion. In his eighth assignment of error, father contends that the juvenile court erred in ordering him to undergo a psychological evaluation. He asserts that the evaluation requirement does not bear a rational relationship to the bases for jurisdiction. The Department of Human Services, acknowledging that it did not allege that father had psychological problems that contributed to the bases for jurisdiction and that it did not request a psychological evaluation, concedes that the juvenile court erred by imposing that requirement. We agree and accept the concession. See *Dept. of Human Services v. B. W.*, 249 Or App 123, 128, 275 P3d 989 (2012) (there must be a rational relationship between the requirement to undergo a psychological evaluation and the basis for juvenile court jurisdiction).

Remanded for entry of judgments omitting requirement that father is to undergo a psychological evaluation; otherwise affirmed.