NOTICE
Decision filed 11/04/26. The text of this decision may be changed or corrected prior to the filing of a Petition for Rehearing or the disposition of the same.

2026 IL App (5th) 260566-U

NO. 5-26-0566

IN THE

APPELLATE COURT OF ILLINOIS

FIFTH DISTRICT

NOTICE
This order was filed under Supreme Court Rule 23 and is not precedent except in the limited circumstances allowed under Rule 23(e)(1).

In re AVIONNA R., a Minor	)	Appeal from the
	)	Circuit Court of
(The People of the State of Illinois,	)	Saline County.
	)	
Petitioner-Appellee,	)	
	)	No. 22-JA-8
v.	)	
	)	
Shandi P.,	)	Honorable
	)	Amanda Byassee Gott,
Respondent-Appellant).	)	Judge, presiding.

JUSTICE BOLLINGER delivered the judgment of the court.
Justices Sholar and Clarke concurred in the judgment.

ORDER

¶ 1 *Held*: The circuit court's determination changing the minor's permanency goal from return home to guardianship was not against the manifest weight of the evidence where the minor was afraid to return home and continued to have trauma responses surrounding visits with respondent after several years in care. The judgment of the circuit court is affirmed.

¶ 2 Respondent, Shandi P. (Mother), appeals from the June 3, 2026, order of the Saline County circuit court discharging the Illinois Department of Children and Family Services (DCFS) as the guardian of her minor child and closing the case, arguing that the circuit court's decision to change the goal from return home to guardianship was against the manifest weight of the evidence. For the following reasons, we affirm the circuit court's judgment.

¶ 3 I. BACKGROUND

¶ 4 On March 30, 2022, the State filed a petition for adjudication of wardship, alleging the minor, Avionna R. (born in 2017), was neglected due to an injurious environment and lack of proper or necessary support for her wellbeing. See 705 ILCS 405/2-3(1)(a), (b) (West 2020). Specifically, the State alleged that DCFS investigators learned that Mother had left the minor and her older sister, Aizlin P.[1] (born in 2015), in the care of their grandmother, Linda P., who reportedly had been using methamphetamine and other intoxicating substances while caring for the minors.[2] Linda P. did not have running water, electricity, or adequate food for the minors. The minor's father, Roy "Austin" R. (Father), was incarcerated at the time.[3]

¶ 5 When DCFS arrived at the residence, an investigator observed the minors "to be filthy with dirty clothing, no adequate shoes or socks, matted hair and severe dental health issues, including black and rotting teeth." The minors informed the investigator that they did not bathe regularly and had to consume raw food. The minor's grandfather, Charles "Eddie" P., did not allow the investigator to enter the home to view it. According to Eddie P., the minor, at some point, left in a vehicle with an "individual reported to be a sex offender."

¶ 6 The State's petition further alleged that Mother had a prior criminal history for violent offenses, as well as methamphetamine-related charges pending in Saline County. Mother admitted to DCFS that she had consumed methamphetamine within the last few days and that she had not lived with the minors in over a year. Linda P. also had a history of substance abuse issues and was placed on probation for methamphetamine-related offenses in 2021. The minors reported that they had not seen Mother in a long time, and they had been living with their grandparents. The minors

[1]Aizlin P. is not a party to this appeal.

[2]Mother admitted that she left the minors in Linda P.'s care, but she did not clarify whether she had signed over legal guardianship of them to her.

[3]The record reveals that Father was in and out of prison during the course of these proceedings.

reported seeing needles in the home and in Eddie P.'s arm. They also reported witnessing domestic violence in the home, including Eddie P. striking Linda P., causing her nose to bleed.

¶ 7 Finally, the petition alleged that Linda P. had been previously indicated for neglecting the minor and her sister. Although Linda P. participated in services, she failed to correct the conditions that led to DCFS involvement. She and Mother continued to place the minors at risk of harm and were unable to safely care for them.

¶ 8 A shelter care hearing proceeded on March 31, 2022, with the State and guardian *ad litem* (GAL) present. Following the hearing, the circuit court found there was reason to believe the minor was abused or neglected, and it granted temporary custody of her to DCFS. Mother was served with the petition, and she appeared in court the next month.

¶ 9 An adjudicatory hearing was held on May 17, 2022. The State, GAL, and counsel for Mother, Father, and Linda P., respectively, were present. Mother and Father stipulated to paragraph 3(A)(2) of the State's petition, which provided, as relevant here, that the minor was neglected due to an injurious environment in that her parent or legal guardian had substance abuse and domestic violence issues. Following the hearing, the court entered a written order of adjudication finding the minor was abused or neglected based on the stipulation.

¶ 10 A dispositional hearing proceeded on June 28, 2022. The State, GAL, a caseworker, and counsel for Mother, Father, and Linda P. were present. In response to questioning from the circuit court, the State explained that the minor's grandmother, Linda P., was represented in this case because it was initially unclear whether she had formal guardianship of the minor. After an investigation was completed, however, it was revealed that Mother and Father still had guardianship of the minor. The court dismissed Linda P. as a party, but it allowed her to be present if she wished. Father stipulated to the minor being made a ward of the court.

¶ 11 Following the hearing, the court entered a dispositional order finding it was in the minor's best interests to be placed in the custody of DCFS. Mother and Father were ordered to participate and comply with any recommended services.

¶ 12 On July 28, 2022, an integrated assessment was filed. The assessment noted, *inter alia*, that Mother was homeless, did not have a phone number, and had not been in contact with the permanency worker. While Mother participated in weekly supervised visits with the minor, she had not engaged in any treatment and would terminate "conversations with child welfare staff when services [were] discussed." The assessment recommended that Mother eliminate substance abuse, obtain stable and safe housing, and incorporate safe and effective parenting practices, among other things. Finally, the assessment noted that the prognosis for Mother to reunify with the minor within 5 to 12 months was poor.

¶ 13 The same day, a family service plan was filed. The plan noted the permanency goal was to return home within 12 months and contained recommended services for Mother, addressing mental health, substance abuse, parenting education, and stable housing and income.

¶ 14 On November 22, 2022, a permanency report was filed. Mother was rated unsatisfactory in all services. Her progress toward the current goal of a return home within 12 months was rated unsatisfactory. Moreover, the minor was experiencing multiple reactions to the trauma she had experienced, including expressing a desire to harm her foster parents' infant son, resisting anyone touching her, and refusing to touch her own body, even for hygiene purposes, resulting in rashes on her skin. The minor also lacked proper impulse control for her age and would hit, throw tantrums, and scream if she did not immediately get what she wanted. These issues were being addressed in individual trauma counseling through Arrowleaf. The agency also made a referral for intensive placement stabilization (IPS) services, and an IPS worker was assigned to her.

¶ 15 A permanency hearing was held on November 29, 2022. The State's proposed permanency order indicated a goal of return home in 12 months, and asked the circuit court to find that Mother had not made reasonable efforts or substantial progress and that placement of the minor outside the home continued to be necessary. Mother stipulated to the proposed order and indicated she would continue working on her services. The court entered the State's proposed order after the hearing.

¶ 16 On April 25, 2023, a permanency report was filed, indicating Mother had made satisfactory progress and reasonable efforts toward returning the minor home within 12 months. She was rated satisfactory on all services. Mother successfully completed substance abuse services at Egyptian Health Department and was described as an " 'exemplary client,' " who was committed to using the removal of her children as a motivator for change, rather than a barrier to progress. Mother was diagnosed with anxiety and major depressive disorder, and she attended weekly mental health appointments. She successfully graduated from parenting education and had secured a home and employment.

¶ 17 The report further noted that the minor's medical, dental, educational, and mental health needs were being met. Her severe dental decay had been addressed across four procedures. The minor was changed from traditional to specialized care, and she was on a waitlist for additional trauma therapy. Mother received supervised visits with the minor in her home and had not missed a single visit.

¶ 18 Due to the trauma the minor had experienced, she expressed a desire to harm her foster parents' infant son and attempted to touch the infant's genitals, leading to her being placed with a relative caregiver. The minor explained that her maternal grandfather, Eddie P., had "touched her genitals 'all the time.' " The minor was still resistant to anyone touching her body, even to help

her bathe properly or assist after she used the toilet. These reactions were being addressed with specialized care. A counselor indicated that most of the minor's behaviors stemmed from a need to "regain control over her body and her world after being sexually abused for an extended amount of time." The minor disclosed that Eddie P. "would insert his fingers into her genitals and say it was 'an accident.' " She did not believe it was an accident and stated that it " 'hurt real bad.' " The recommended permanency goal remained return home within 12 months.

¶ 19 A permanency hearing was held later that day. The State's proposed permanency order recommended a goal of return home within 12 months, and requested a finding that Mother had made reasonable efforts, and reasonable and substantial progress, toward returning the minor home. Placement outside the home continued to be necessary and appropriate. The State further requested that the agency be found to have made reasonable efforts and that custody and guardianship remain with DCFS. The GAL stated that Mother's report was "very good" but noted that she had a methamphetamine Class 1 delivery case pending in Saline County. The GAL was otherwise in agreement with the proposed order. The circuit court commended Mother for "turning [her] life around" but noted it would be a very difficult transition for the minor given her traumatic history. The court then entered the proposed permanency order.

¶ 20 Family service plans were filed on June 13 and September 11, 2023. Both reports noted that Mother was engaged in services and had made good progress. However, the latter report noted that Mother denied the minor's allegation of sexual abuse against Eddie P., and believed the minor was " 'confused.' " Moreover, while the case was progressing toward reunification, Mother subsequently indicated that the minor could not visit her home, where she allegedly lived with a paramour. This was a major concern since that is where the minor would be returned home.

¶ 21 Additionally, the minor experienced "great harm" while in the care of her grandparents, while Mother was away using drugs. Thus, it was "absolutely critical" that the minor's experiences were validated and taken seriously, rather than denied or minimized. Finally, the plan stated that the case could not move forward until Mother could "demonstrate the ability to maintain stable housing, and a willingness to address her own biases which prevent[ed] her from believing the multiple, detailed, and sincere disclosures of sexual abuse made by her children."

¶ 22 On September 18, 2023, a permanency report was filed stating that Mother had made reasonable efforts, but not satisfactory progress, toward the goal of returning home within 12 months. Mother began receiving unsupervised visitation in June 2023 and appeared to be satisfactory on all tasks in her service plan. However, she missed an entire weekend of in-person visitation with the minor's older sister in September 2023, informing the foster parents that her paramour (Mr. Wiseman[4]) "would not allow the girls to come over for visits anymore." Additionally, Wiseman reported that Mother sometimes disappeared for days at a time and stayed with Father at Eddie P.'s residence. Wiseman denied concerns that Mother was using methamphetamine again but indicated that he found a glass methamphetamine pipe in one of her purses. Mother claimed that Father put the pipe in her purse "to get her in trouble with Mr. Wiseman." The report noted the minor expressed fear that she would have to see or live with Eddie P. " 'after going home to mommy.' "

¶ 23 While the minor's behavior had improved since being placed with the relative caregiver, she urinated on herself after a visit with Mother. According to the caregiver, the minor began to exhibit behavioral regression in the form of tantrums, sleep refusal, and screaming, following that

[4]At a permanency hearing in September 2023, Mother claimed she was never in a relationship with Wiseman. The record also revealed that Mother, at some point, was employed by Scott Wiseman, but it is unclear if this is the same Wiseman mentioned in the permanency report.

visit with Mother. Mother was rated satisfactory on substance abuse and mental health, but she was rated unsatisfactory on parenting education and stable housing and income. Finally, the report stated that the case could not move forward until Mother could "demonstrate the ability to maintain stable housing" and accept the minor's allegations of sexual abuse against Eddie P.

¶ 24 A permanency hearing was held on September 26, 2023. The circuit court noted it was concerned that Mother did not acknowledge or believe the minor's allegations of sexual abuse against Eddie P., especially given there was an indicated finding against him for the minor and her sister in May of 2023. Following the hearing, the court entered a permanency order, finding that Mother had not made reasonable efforts or substantial progress toward returning the minor home. The court noted that while Mother had completed parenting services, recent events indicated that she was not applying what she had learned. Consequently, new services were recommended. The court also noted that Mother's housing situation was in question and that she refused to believe the minor and her sister's sexual abuse allegations against Eddie P. Finally, the court indicated the permanency goal of return home within 12 months had not been achieved because recent events showed that Mother was not able to take care of the minor and her sister, both of whom expressed concerns/fears of returning home to Mother.

¶ 25 On December 11, 2023, a status report was filed by Caritas Family Solutions (a nonprofit agency that works with DCFS). Since the last permanency hearing, Mother had maintained employment at a gas station, but she had not yet obtained suitable housing. She missed one drug test, but she attended all other random tests, including a hair follicle test that revealed she had used cannabis in the 90 days preceding the test. Mother continued to engage in family therapy and attend scheduled parent-child visitation. The remaining barriers to reunification and permanency were

that Mother did not have suitable housing and continued "to minimize and deny the sexual abuse that her children have endured."

¶ 26 The report further stated that during one of Mother's visits, she "casually" changed her feminine hygiene products in front of the minor, something the agency informed her was inappropriate given what the minor had experienced. Following that visit, the minor "began to suddenly state that she and mommy are going to go live with 'Grandpa Eddie.' " When the casework team mentioned Eddie P., Mother "said sarcastically, 'Here we go again!' " and used "a mocking tone to imitate the Supervisor's question." Mother would not believe that the minor and her sister were sexually abused by Eddie P. without proof and hearing it directly from them. The report stated that Mother spent significant amounts of time at Eddie P.'s residence and her "continued refusal to acknowledge the abuse her children have endured puts them at serious risk of further victimization and cannot be ignored by the Agency." Finally, the report indicated the minor was stable in her placement with the relative caregiver, who was willing to adopt if reunification was unsuccessful.

¶ 27 Another permanency hearing was held on December 19, 2023. The circuit court initially observed that Mother still would not acknowledge that Eddie P. sexually abused the minor and her sister. Mother's counsel stated that Mother believed the minors were abused, but did not believe the abuse was inflicted by Eddie P.

¶ 28 Reighan Coley, the caseworker, clarified that the agency never made a claim that Mother did not believe the sexual abuse occurred; rather, she did not believe the indicated allegations were true with respect to Eddie P. Coley noted that Mother provided conflicting information regarding her contact with Eddie P., causing concerns about whether she could protect the minor from him in the future. Moreover, Coley testified there was no question that Eddie P. was the perpetrator, as

the minor and her sister "have made multiple very graphic disclosures" regarding him. According to Coley, there were allegations that the minors also suffered abuse by a second perpetrator; however, there was not enough evidence for the investigator to indicate that person.

¶ 29 Following the hearing, the circuit court entered a permanency order finding that Mother had made reasonable efforts, but not reasonable and substantial progress, toward returning the minor home. The court noted that "Mother continue[d] to deny that her children were sexually abused and [she] remain[ed] in contact with the alleged perp." The permanency goal remained return home within 12 months.

¶ 30 On March 7, 2024, a permanency report was filed indicating that Mother had made reasonable efforts, but not satisfactory progress, toward returning the minor home. Once again, the primary barrier to reunification was Mother's refusal to believe the minor's sexual abuse allegations against Eddie P. At a child and family team meeting, Mother "presented as defensive and unwilling to listen." Linda P. was also present at the meeting, and DCFS found her presence to be an "inciting factor." Mother was rated satisfactory in all services, except for parenting education. This was due to Mother's lack of understanding the minor's trauma over the past six months and her unwillingness to make changes based on recommendations from the providers.

¶ 31 On April 16, 2024, a new family service plan was filed. Mother was employed and living in a trailer in Eldorado, Illinois, and she was in the process of making repairs to pass a home safety check. Additionally, Mother was engaged in services, but she continued to deny that the minor and her sister had been sexually abused by Eddie P. Mother had to complete the following prior to reunification: (1) make adequate repairs to her home so that it would pass a home safety check; (2) participate in family therapy with the minor; (3) obtain a non-offending caregiver assessment for parents of children who had experienced sexual abuse; (4) follow court orders regarding sexual

abuse discussions; and (5) acknowledge that Eddie P. was an indicated sexual abuse perpetrator who sexually abused her children.

¶ 32 A permanency hearing was held on April 16, 2024. The State's proposed permanency order requested a return home goal of 12 months and recommended new services for Mother. Additionally, Mother's engagement had increased in recent months, but she continued to deny the minor and her sister's sexual abuse allegations against Eddie P. The order requested a finding that Mother had made reasonable efforts, but not substantial progress, toward returning the minor home. Mother stipulated to the proposed order. The court entered a permanency order the same day with those findings.

¶ 33 On June 21, 2024, a nonoffender assessment from the Behavioral Science Institute was filed detailing some of the minor's allegations of sexual abuse by Eddie P. The assessment noted that the minor had a history of concerning behaviors related to sexual abuse. In one instance, the minor tried to touch a baby's genitals, then, when told this was inappropriate, she stated, " 'Grandpa Eddie puts his hands down my pants all the time.' " In another instance, the minor "placed her finger in her anus." According to the reporter, both Eddie and Linda P. had been present during supervised visits with the minor. As to the sexual abuse allegations, Mother claimed the minor's paternal grandfather committed the abuse, not Eddie P.

¶ 34 On July 16, 2024, a permanency report was filed. At a child and family team meeting the previous month, Mother again claimed that the minor and her sister had been sexually abused by their paternal grandfather, not by Eddie P. Regardless, Mother claimed that she no longer had contact with Eddie P. and would not allow him to be around the minor if she returned home. The report indicated the goal was still return home within 12 months, and that Mother had made reasonable efforts, but not satisfactory progress, toward that goal.

¶ 35 On July 17, 2024, a Court Appointed Special Advocates (CASA) report was filed. The report noted, among other things, that the minor was well bonded with her foster parent and was improving with respect to some of her behavioral issues. The report detailed a May 2024 visit with Mother and Linda P., after which the minor began developing some problems. Specifically, she began having accidents, both urinating and defecating, and she started masturbating. "She told her caregiver that she might as well touch herself, because Eddie [was] going to touch her when she [went] home." CASA had "major concerns" about Mother's ability to keep the minor and her sister safe since she had "never acknowledged the reality of her children being sexually molested by their maternal grandfather."

¶ 36 A permanency hearing was held on July 30, 2024. Kelsie Arp, the supervisor from Caritas Family Solutions, testified that given the length of time the minor had been in care, the agency "might be pursuing other arrangements rather than return home, such as guardianship." Arp further testified that the main barrier to reunification was the minor's fear of returning home and Mother's dishonesty concerning her contact with Eddie P. Mother complied with every recommendation from the agency, but she continued to deny that the minor and her sister had been abused by Eddie P. The circuit court entered a permanency order that day, indicating the goal remained return home within 12 months, and finding Mother had made reasonable efforts, but not substantial progress, toward that goal. The order stated that the minor was afraid to return home, that Mother showed her a picture of Eddie P., and that Mother still did not believe he sexually abused her.

¶ 37 On October 2, 2024, a family service plan was filed containing largely the same information already mentioned above. Thereafter, a CASA report was filed noting the minor continued to have bowel and bladder problems following most visits with Mother. Mother still refused to acknowledge that the minor had been sexually abused by Eddie P.

¶ 38 On October 22, 2024, a permanency report was filed noting the minor had "consistently urinated on herself after visits with [Mother]." The minor gave her caseworker a list of things that she wanted to discuss with Mother, including " '[Mother] believing what grandpa Eddie did,' " and " 'the needles [Mother] would put in her arms.' " The minor continued to display sexualized behavior, such as masturbating, since "Eddie [was] going to touch her when she [got] home." In another instance, the minor became distraught while changing out of her leotard back into her clothes, stating, " 'its harder to touch me down my pants and take my pants off' " in the leotard. An addendum to the report was filed the next month, describing a recent visitation with Mother, during which the minor stated that she was not afraid to return home. However, the minor appeared tense and uncomfortable. The addendum further noted that Mother had visited Eddie P.'s home recently.

¶ 39 A permanency hearing was held on November 19, 2024. Amanda Queen, the caseworker, testified that the minor was having traumatic responses to increased visits with Mother. She was "urinating on herself after almost every single visit." These responses had not changed with additional therapy. Notwithstanding, the minor indicated that she wanted to return home to Mother. Queen further testified that the agency had been discussing changing the return home goal since the minor was "still really struggling." Mother was not in agreement with changing the goal to guardianship.

¶ 40 Kelsie Arp, the case supervisor, testified that guardianship would benefit the minor because she wanted to have a relationship with Mother but did not feel safe. Based on the minor's reaction to increased visits with Mother, Arp opined there was nothing that Mother could do to get the minor back. Following the hearing, the circuit court entered a permanency order finding that

Mother had made reasonable efforts, but not reasonable and substantial progress, toward reunification. The goal remained return home.

¶ 41 On February 4, 2025, a permanency report was filed changing the recommended goal from return home to guardianship. The report noted that Mother now believed Eddie P. was the perpetrator of the minor and her sister's sexual abuse, but she still maintained a relationship with him. The minor was scared that Mother would not be able to protect her if she returned home, and trauma responses were still occurring after two years in care. The minor's foster parent was willing to move forward with subsidized guardianship, and expressed a desire for the minor to maintain a relationship with Mother and her sister. Two days later, a CASA report was filed recommending the minor remain in her current placement and that the permanency goal be changed to subsidized guardianship.

¶ 42 A permanency hearing was held on February 18, 2025. Amanda Queen, the caseworker, testified that the agency was requesting the goal be changed from return home to guardianship due to the minor's trauma responses to increased visitation with Mother. Queen explained that the agency had "implemented different things to try to help" the minor with her trauma, but she was "just not in a place to feel safe returning home at this time." Although Mother believed Eddie P. was the perpetrator of the minor's sexual abuse, she was still in contact with him.

¶ 43 On cross-examination, Queen testified that Mother completed her parenting classes with Project 12 Ways. Queen and Project 12 Ways both believed Mother's parenting was adequate and appropriate. Still, the minor became anxious when talking about returning home and continued to urinate on herself after visits with Mother. Moreover, the minor had been in care for almost three years yet was still struggling. The GAL testified that the guardianship goal was in the minor's best

interests. Mother objected to the goal change, arguing it was undisputed she had completed all her recommended services and that the goal should still be to return home.

¶ 44 After reviewing the relevant statute, the circuit court found that it was in the minor's best interests that the permanency goal be changed to guardianship. The court entered a permanency order the same day, finding that Mother had made reasonable efforts, but not substantial progress, toward returning the minor home, and changed the permanency goal to guardianship.

¶ 45 On May 6, 2025, a family service plan was filed noting the permanency goal was changed to guardianship. The same day, a permanency report was filed noting that a phone call was held between Mother and the caseworker the previous month. Mother expressed her desire to have the goal changed to return home, but she ultimately hung up the phone, terminating the conversation early. A week later, a CASA report was filed stating the minor was still having "adjustment and processing problems before and after visits" with Mother.

¶ 46 A permanency hearing was held on May 27, 2025.[5] The State's proposed permanency order requested a goal of guardianship and asked the circuit court to find that Mother had made reasonable efforts, but not reasonable and substantial progress, toward returning the minor home. The GAL agreed with the proposed order, while Mother objected to it.

¶ 47 Kelsie Arp, the agency supervisor, testified that Mother had not yet completed individual trauma counseling, but this was due to a payment issue on the part of the agency. Amanda Queen, the caseworker, testified that the minor was afraid to return home and wanted to remain in her current placement. Queen stated, "Even last week [the minor] said that she is happy that it is only once a month for visits and has expressed that she feels safer with her foster parent and wants to stay there." When the minor had increased visits with Mother, she "would urinate on herself after

[5]The matter was continued from May 20, 2025, to accommodate Mother's new counsel.

visits" and have more behavioral and emotional outbursts. Consequently, the agency scaled back visitations.

¶ 48 The circuit court found that Mother had made reasonable efforts and substantial progress toward returning the minor home. Notwithstanding, it was in the minor's best interests to change the goal to guardianship because she continued to be traumatized and was not in a state to return home. The court entered a permanency order the same day.

¶ 49 On August 7, 2025, a permanency report was filed noting the case had passed legal screening for guardianship earlier that year. About a week later, a CASA report was filed noting the minor had one monthly visit with Mother and that the "amount of time spent in adjusting prior to and after visits ha[d] lessened, but still exist[ed]." Mother often used "money, candy, and gifts, in the form of bribes when with the [minor]."

¶ 50 A permanency hearing was held on August 19, 2025. The State's proposed permanency order requested the goal remain guardianship, and the GAL supported that goal. The minor was in a relative placement with her maternal uncle's ex-wife, whom the minor referred to as "Aunt Stacy."

¶ 51 Mother testified that she had completed all of her services and was currently in trauma counseling at the Stress and Trauma Treatment Center, where she was diagnosed with adjustment disorder, anxiety, and depression. She was also volunteering with Saline County Outreach. Mother wanted the minor to return home. While it was not entirely clear, Mother stated that she believed the minor about the sexual abuse allegations against Eddie P., but she was not there so she did not know whether he actually did anything.

¶ 52 The circuit court found that it was in the minor's best interests for the goal to remain guardianship. The court entered a permanency order the same day, finding the appropriate goal

remained subsidized guardianship. Mother had made reasonable efforts, but not reasonable and substantial progress, toward returning the minor home. The minor continued to have mental and behavioral issues "as a result of the abuse that occurred in Mother's care." Moreover, the minor was fearful of Mother and continued to regress after contact with her.

¶ 53 On October 21, 2025, a family service plan was filed. The next month, a permanency report was filed noting the minor had shown significant improvement since being placed with her aunt. However, she still "consistently urinated on herself and [was] very emotional after visits" with Mother. Also that month, a CASA report was filed noting the minor was excelling in school since being placed in an individualized education program (IEP), receiving all A's in the first quarter of the school year. Her counseling sessions were also going well. The minor had one monthly visit with Mother, and she had an accident following her most recent visit.

¶ 54 A permanency hearing was held on December 2, 2025. Kelsie Arp, the agency supervisor, testified that the minor was "adamant" that she did not want to return home. Following the hearing, the circuit court entered a permanency order finding the appropriate goal remained subsidized guardianship, and that Mother had made reasonable efforts, but not reasonable and substantial progress, toward returning the minor home. The order again noted the minor was fearful of Mother and continued to struggle and regress after contact with her.

¶ 55 On February 25, 2026, a permanency report was filed. Mother was rated satisfactory on all recommended services, except for parenting education. While Mother had successfully graduated from parenting education, she had not consistently demonstrated an understanding of the minor's trauma. The report detailed the minor's improvement since being placed with her aunt. Since the minor's visits with Mother had decreased, she rarely had accidents after the visits.

¶ 56 The next month, a CASA report was filed further detailing the minor's success since being placed with her aunt. The minor still struggled before and after visits with Mother, but CASA believed "the closer guardianship reality comes, the harder these visits become."

¶ 57 A final permanency hearing was held on March 10, 2026. Following the hearing, the circuit court entered a permanency order finding that the appropriate permanency goal was still subsidized guardianship, and that Mother had made reasonable efforts, but not reasonable and substantial progress, toward returning the minor home. The minor continued to have mental and behavioral issues due to the abuse that occurred in Mother's care, and she continued to regress following contact with Mother.

¶ 58 On June 3, 2026, DCFS successfully petitioned the circuit court to be discharged as guardian of the minor. The court appointed the minor's aunt, Stacy P., as her guardian, and closed the case. This appeal followed.

¶ 59 II. ANALYSIS

¶ 60 On appeal, Mother argues that the circuit court's determination changing the minor's permanency goal from return home to guardianship was against the manifest weight of the evidence. We disagree. A circuit court's determination of a permanency goal will not be disturbed on appeal unless it was against the manifest weight of the evidence. *In re S.E.*, 319 Ill. App. 3d 937, 942 (2001). A determination is contrary to the manifest weight of the evidence only when the opposite conclusion is clearly evident. *In re Faith B.*, 359 Ill. App. 3d 571, 573 (2005).

¶ 61 Section 2-28 of the Juvenile Court Act of 1987 (Juvenile Court Act) requires the circuit court to set a permanency goal that is in the minor's best interests. *In re S.E.*, 319 Ill. App. 3d at 942; 705 ILCS 405/2-28(2.4) (West 2020). In determining that goal, the court must consult with the minor, in an age-appropriate manner, regarding the proposed permanency plan, and its

determination must include the following: (1) the age of the minor; (2) the available options for permanence; (3) the minor's current placement and the family's intent regarding subsidized guardianship and adoption; (4) the emotional, physical, and mental status or condition of the minor; (5) the types of services previously offered and whether they were successful, and, if not successful, the reasons the services failed; (6) the availability of services currently needed and whether the services exist; (7) the status of any siblings of the minor; and (8) if the minor is not currently in a placement likely to achieve permanency, whether there is an identified and willing potential permanent caregiver for the minor, and, if so, that person's intent regarding guardianship and adoption. 705 ILCS 405/2-28(2.4)(A)-(H) (West 2020). The court must also consider (1) the permanency goal set forth in the service plan, (2) the appropriateness of the services contained in the plan and whether those services have been provided, (3) whether reasonable efforts have been made by all parties to the plan to achieve the goal, and (4) whether the plan and goal have been achieved. *Id.* § 2-28(2.4).

¶ 62 Moreover, this court has previously held that granting custody and transferring guardianship to a caregiver by way of a permanency order is "a statutory disposition alternate to a termination of parental rights." *In re Robert H.*, 353 Ill. App. 3d 316, 320-21 (2004). Unlike a termination proceeding, closing a case in this manner "does not require a finding of parental unfitness and does not extinguish a parent's rights to [his or her] child." *In re K.W.*, 2026 IL App (1st) 251913, ¶ 64. Indeed, section 1-3(8) of the Juvenile Court Act makes guardianship "subject to residual parental rights and responsibilities." 705 ILCS 405/1-3(8) (West 2020). These "residual parental rights and responsibilities" remain "with the parent after the transfer of legal custody or guardianship," and include, among other things, "the right to reasonable visitation ***, the right to consent to adoption, the right to determine the minor's religious affiliation, and the

responsibility for the minor's support." *Id.* § 1-3(13). A guardian's authority is "expressly exercised subject to th[e]se residual rights [citation], and the parent may seek to enforce visitation or reopen the case and reinstate wardship if it is in the minor's best interest." *In re K.W.*, 2026 IL App (1st) 251913, ¶ 64. Termination, by contrast, severs the parent-child relationship "practically and legally." *Id.* ¶ 63.

¶ 63 Prior to changing the goal to guardianship, the circuit court must consider the following: (1) whether the agency has discussed adoption and guardianship with the caregiver and what preference, if any, the caregiver has as to the permanency goal; (2) whether the agency has discussed adoption with the minor, in an age-appropriate manner, and what preference, if any, he or she has toward the permanency goal; (3) whether the minor is of sufficient age to remember his or her parents and if the minor values this familial identity; (4) whether the minor is placed with a relative, and whether the minor is placed in a relative home as defined in section 4d of the Children and Family Services Act (20 ILCS 505/4d (West 2020)) or in a certified relative caregiver home as defined in section 2.36 of the Child Care Act of 1969 (225 ILCS 10/2.36 (West 2020)); and (5) whether the parents have been informed about guardianship and adoption, and, if appropriate, what preferences, if any, they have as to that permanency goal. 705 ILCS 405/2-28(2.3)(C)(i)-(v) (West 2020).

¶ 64 After reviewing the record before us, we cannot say the lower court's determination changing the minor's permanency goal from return home to guardianship was against the manifest weight of the evidence. As set forth at length above, the circuit court considered the relevant statutory factors, then determined that subsidized guardianship was in the minor's best interests. In doing so, the court stated,

> "[A]s I look at all the things that I'm supposed to consider I just don't see any better option at this point in time or any other option that is in the best interests of the minor *** outside

> of setting the goal to be guardianship for the [minor] to have some sense of permanency and for [this case] to at some point be able to close with parents still having their parental rights intact. You know, the hope is certainly that this all gets better at some point, but do we want to remain in juvenile court for the next three years, five years? I don't know what the end *** date is."

¶ 65 The court emphasized that the minor continued to have traumatic responses, preventing the case from moving forward. The minor was in care for several years, yet she continued to have traumatic responses, such as urinating on herself, before and after visits with Mother. These reactions worsened with increased visitation and eventually improved once visits were reduced. Additionally, the reactions were a direct result of the severe abuse the minor suffered in the care of her grandparents, while Mother was away doing drugs. Mother denied the minor's sexual abuse allegations against Eddie P. for a number of years, despite plenty of evidence supporting those allegations. If Mother had accepted the allegations sooner, perhaps the minor would have been in a place where she was able to return home. What is more, Mother continued to have contact with Eddie P., even after she finally believed he was the perpetrator of the alleged abuse.

¶ 66 Likewise, the minor was "adamant" that she did not want to return home. She was afraid that Mother would not be able to protect her at home. The caseworker testified the minor was "happy" that visits with Mother had been reduced to once a month, and she indicated that the minor felt "safer with her foster parent and want[ed] to stay there." The minor was in a relative placement with her "Aunt Stacy," who was willing to proceed with guardianship and allow the minor to maintain a relationship with her sister and Mother. The minor's aunt was even willing to adopt, if reunification ultimately proved to be unsuccessful. Moreover, the minor had shown significant improvement since being placed with her aunt. She was excelling in school, having received all A's in the first quarter of the year. The minor's counseling sessions were also going well.

¶ 67 Given the minor's fear of returning home and regressions surrounding visits with Mother, we conclude that the circuit court's determination that changing the permanency goal to guardianship served the child's best interests was not against the manifest weight of the evidence. Mother, nonetheless, argues that the lower court failed to give her compliance with services the proper weight. We disagree.

¶ 68 The record shows that the court repeatedly commended Mother for completing her services and turning her life around. Notwithstanding, the court made clear that it had to make a decision that was in the best interests of the minor. See *In re S.E.*, 319 Ill. App. 3d at 944 (in determining an appropriate permanency goal, the circuit court "is obligated to consider the children's best interest"). As the State has correctly observed, great deference is given to the lower court's best-interest finding because it sits in a superior position to observe the witnesses and judge their credibility. *In re C.P.*, 2019 IL App (4th) 190420, ¶ 71. And, although Mother completed all her recommended services, there was still a question of whether she had successfully implemented what she had learned. For example, we cannot disagree with the circuit court's implicit finding that Mother's continued contact with Eddie P., even though he sexually abused her daughter, is troubling. Moreover, it was undisputed that the minor regressed with increased visitation; thus, we fail to see how returning the minor home to Mother would be in her best interests. Accordingly, we agree with the circuit court's guardianship determination as the determination was not arbitrary, unreasonable, or not based on the evidence. See *Cadle Properties of Illinois, Inc. v. Fortune Investments, LLC*, 2021 IL App (1st) 200556, ¶ 23 (noting that a decision is against the manifest weight of the evidence only when the opposite conclusion is apparent or when the circuit court's findings appear to be unreasonable, arbitrary, and not based on the evidence).

¶ 69 III. CONCLUSION

¶ 70 For the foregoing reasons, we affirm the circuit court's judgment.

¶ 71 Affirmed.