

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).

2026 IL App (4th) 260467-U

NO. 4-26-0467

IN THE APPELLATE COURT

OF ILLINOIS

FOURTH DISTRICT

FILED

September 18, 2026

Carla Bender

4th District Appellate
Court, IL

<i>In re</i> H.H.-O., a Minor	)	Appeal from the
	)	Circuit Court of
(The People of the State of Illinois,	)	McLean County
Petitioner-Appellee,	)	No. 25JA96
v.	)	
La Kesha H.,	)	Honorable
Respondent-Appellant).	)	John Brian Goldrick,
	)	Judge Presiding.

JUSTICE DeARMOND delivered the judgment of the court.
Justices Zenoff and Grischow concurred in the judgment.

ORDER

¶ 1 *Held:* The appellate court affirmed, finding the trial court’s dispositional determination was not against the manifest weight of the evidence.

¶ 2 In November 2025, the State filed a petition for adjudication of wardship, alleging H.H.-O. (born in December 2008), the minor child of respondent mother, La Kesha H., was neglected and dependent because her environment was injurious to her welfare and she was without medical care necessary for her well-being through no fault of La Kesha (705 ILCS 405/2-3(1)(b), 2-4(1)(c) (West 2024)). In April 2026, the trial court made H.H.-O. a ward of the court and placed her custody with the Illinois Department of Children and Family Services (DCFS), finding La Kesha was unable to care for, protect, train, educate, supervise, or discipline her. La Kesha appealed.

¶ 3

I. BACKGROUND

¶ 4 On November 18, 2025, the State filed a petition alleging H.H.-O. was neglected pursuant to section 2-3(1)(b) of the Juvenile Court Act of 1987 (Act) (705 ILCS 405/2-3(1)(b) (West 2024)) because La Kesha had “unresolved issues of domestic violence and/or anger management,” and H.H.-O. had “unresolved issues of mental health,” which placed H.H.-O. at risk of harm. The petition also alleged H.H.-O. was dependent pursuant to section 2-4(1)(c) of the Act (705 ILCS 405/2-3(1)(b) (West 2024)) because she was not receiving medical or remedial care necessary to her well-being, through no fault of La Kesha, in that her “behaviors are beyond [La Kesha’s] control, respondent father is incarcerated, and [H.H.-O.] is a danger to herself and others.” H.H.-O.’s father is not involved in this appeal.

¶ 5 According to the shelter care report, on November 14, 2025, La Kesha threatened to commit suicide after received an indicated letter for child abuse from DCFS. La Kesha placed a firearm in her mouth and threatened to shoot herself in front of H.H.-O. When law enforcement arrived, La Kesha denied officers entry into her residence, refused to show footage from cameras in her home, and did not provide the cell phone with which video of the incident was purportedly recorded. The trial court placed H.H.-O.’s temporary custody with DCFS.

¶ 6 A. Adjudicatory Hearing

¶ 7 On February 19, 2026, the trial court conducted an adjudicatory hearing, during which La Kesha admitted to the petition’s dependency allegation, and the State dismissed the neglect allegations. The court gave the requisite admonishments, and the State provided the following factual basis:

“[H.H.-O.] and [La Kesha] have a history of altercations *** and DCFS involvement. Most recently, law enforcement had to take protective custody of [H.H.-O.] due to an inability to confirm the safety of [H.H.-O.] after she called

law enforcement telling them that [La Kesha] was making suicidal statements and actions in front of her. DCFS investigators describe the family dynamic between [La Kesha] and [H.H.-O.] to be combative, chaotic, toxic and hostile. [H.H.-O.] has expressed not wanting to live with [La Kesha] due to the situation, and the family has had frequent interventions *** in the past.”

The court accepted La Kesha’s admission as knowingly and voluntarily made, and it adjudicated H.H.-O. a dependent minor.

¶ 8 B. Family Service Plan and Integrated Assessment

¶ 9 On March 6, 2026, DCFS filed a family service plan and an integrated assessment. According to the service plan, there were “ongoing reports” of La Kesha hitting H.H.-O. One such incident occurred in September 2025, when H.H.-O. could not find her house key, and La Kesha responded by yelling at her and striking her “with a closed fist on each side of her head and also on the back of her neck.” La Kesha and H.H.-O. had a “very dysfunctional and unhealthy” relationship, and both showed physical aggression toward each other. The service plan asserted La Kesha did not demonstrate effective parenting approaches or appropriate disciplinary practices, show empathy to H.H.-O., or “appear to have an understanding of how her behavior impacts [H.H.-O.]” La Kesha insisted H.H.-O. “fabricated” the events resulting in H.H.-O.’s removal from her care. The service plan recommended, *inter alia*, that La Kesha cooperate with DCFS, openly and honestly participate in an integrated assessment, and engage in family therapy with H.H.-O. when H.H.-O.’s therapist determined it would be appropriate.

¶ 10 The integrated assessment asserted La Kesha “was guarded and refused to answer interview questions,” which impacted the quality of the interview. H.H.-O. had been placed in the temporary custody of DCFS from April 29, 2022, through August 12, 2022, as the result of a

“No Fault Dependency due to [H.H.-O.’s] behavioral issues.” During an altercation in November 2023, law enforcement were called to La Kesha’s home, where they observed La Kesha punching H.H.-O. while someone else was holding H.H.-O. La Kesha was arrested for domestic battery as a result of the altercation.

¶ 11 During the integrated assessment interview, La Kesha refused to talk about her family of origin, substance abuse history, mental health history, or current mental health status. She “presented as hostile, guarded, and intermittently verbally reactive,” and she “repeatedly challeng[ed] the relevance of questions and limit[ed] the interview to topics she preferred.” The integrated assessment’s prognosis observed the following regarding La Kesha’s understanding of the situation:

“[La Kesha] has not demonstrated accountability or insight regarding the circumstances that resulted in [H.H.-O.] entering care. Her continued externalization of blame limits her ability to recognize risk factors, identify her role in family functioning, and implement meaningful change. Without acceptance of concerns and a willingness to engage in corrective interventions, progress is expected to be minimal and inconsistent.

[La Kesha’s] conflict-driven communication style and disciplinary approach appear to escalate, rather than de-escalate, interactions with [H.H.-O.] This pattern increases the likelihood of repeated power struggles, emotional dysregulation, and strained parent-child attachment. In addition, there are concerns that [La Kesha] may have untreated or inadequately managed mental health needs, which may further impair emotional regulation, judgment, and consistency in parenting. If these factors remain unaddressed *** [H.H.-O.] is at

increased risk of ongoing emotional harm and continued inability to safely return home ***.”

It was recommended that La Kesha complete a mental health assessment and engage in individual therapy, family therapy, and parenting education.

¶ 12 C. Dispositional Hearing

¶ 13 On March 19, 2026, the trial court conducted a dispositional hearing. La Kesha testified that, in addition to H.H.-O., she had four other adult children and seven grandchildren, and she provided care for her grandchildren “regularly.” She testified she had been employed with State Farm for five years, had lived in her current residence for three years, participated in the integrated assessment interview, and remained in contact with her caseworker. La Kesha believed her relationship with H.H.-O. was “typical” for a mother-daughter relationship, “considering [H.H.-O.’s] mental health issues.” La Kesha testified she and H.H.-O. were often “joined at the hip” and “do everything and go everywhere together.” However, when H.H.-O. experienced manic episodes, their relationship was “more rocky and tumultuous.” La Kesha believed she was “aware and well-versed” in H.H.-O.’s needs, and she insisted that “none of [H.H.-O.’s] needs have been met” since H.H.-O. was removed from her care.

¶ 14 La Kesha testified H.H.-O. previously did not want to return home because “she was in one of those modes.” However, La Kesha insisted, “All of that has changed.” After the adjudicatory hearing, H.H.-O. called La Kesha “multiple times a day.” Based on their recent conversations, La Kesha believed H.H.-O. wanted to return to her care. However, La Kesha testified she could not guarantee there would be no more incidents if H.H.-O. returned to her care, saying:

“[H.H.-O.] has mental health issues. When she hears no to things she wants to do,

that causes *** her to run out [of] the house and she'll go call the police, and she'll say my mom did this to me or my mom did that to me. So I can't sit here and 100 percent and 1,000 percent tell you yes, there's never going to be a call to 911 again, I can't tell you that. I would be being dishonest.

Again, [H.H.-O.] has issues, so yes, the police may have to come out again. It's her [the] majority of time when she can't have her way running out [of] the house and going somewhere and calling the police, so I can't tell you that."

¶ 15 La Kesha believed she was a fit parent, stating, "I've been fit *** the entire time. I've never been unfit. I've never done anything to cause [H.H.-O.] any type of harm or anything." She testified, "I have never been abusive or neglectful to any child that has been in my presence, in my home, in my care ever." La Kesha asked the trial court to find her able, fit, and willing, and to return H.H.-O. to her custody.

¶ 16 On cross-examination, La Kesha acknowledged that she did not answer all the questions included in the integrated assessment. La Kesha testified she was "[p]ossibly" willing to engage in the recommended services. During examination by the trial court, La Kesha reiterated she would "possibly" undergo a recommended assessment, "depending on what it is." La Kesha was willing to complete a mental health assessment, individual counseling, and family therapy, but she asserted, "I don't feel like I need parenting classes."

¶ 17 After La Kesha's testimony concluded, the trial court observed that H.H.-O. previously indicated she "wished not to testify in the presence of her mother, wished not to return to her mother or even communicate with her. That's changed, apparently, within the last three to four weeks. And that is significant in this Court's eyes in determining ultimately what's best for [H.H.-O.]" The court reserved judgment and continued the hearing.

¶ 18 When the hearing was reconvened, the trial court asserted it had interviewed H.H.-O. via Zoom, with the guardian *ad litem* (GAL) and H.H.-O.’s counselor present. After the interview, H.H.-O. submitted a handwritten letter to the court, in which she clarified that she continued to need “a family setting” and a “parent family sibling setting.” The letter stated, “[S]adly mom can’t provied [sic] that for me at the moment.” The court summarized its conversation with H.H.-O. for the parties. In pertinent part, H.H.-O. repeatedly stated she did not want to return to La Kesha’s care because she did not feel safe. H.H.-O. said she would like to be placed in a foster home or group home. H.H.-O. was open to the possibility of visits with La Kesha, but “if visits did occur, she wanted someone to be present with her.” The court found H.H.-O. was “very well-composed” during the interview, and it believed she was being “honest and direct.”

¶ 19 The GAL proffered that he spoke with H.H.-O.’s counselor, who monitored H.H.-O.’s conversations with La Kesha. The counselor described their interaction as “horrible,” saying La Kesha was “deflective” and she “put [H.H.-O.] down, which had a negative impact on [H.H.-O.’s] emotional health.” La Kesha was “abrasive” and “complained about caseworkers and foster homes.” The counselor found La Kesha’s behavior “alarming.” The GAL recommended the trial court find La Kesha unfit, saying, “Although her words may say that she’s willing to parent, her actions and attitude demonstrate an unwillingness to raise anything more than—to raise [H.H.-O.] only if she’s submissive and an unquestioning compliant child.”

¶ 20 The trial court found it was in H.H.-O.’s best interests to make her a ward of the court and place her guardianship with DCFS. The court emphasized H.H.-O.’s age, asserting, “[H.H.-O.] is 17. She’s going to be 18 at the end of this year, and the Court places a significant amount of weight on the wishes of the minor, especially in these circumstances.” The court

found La Kesha unable to care for, protect, train, or discipline H.H.-O. “based upon the allegation that was admitted to and the circumstances that we find ourselves in at this time with the minor not wanting to return to her mother.”

¶ 21 This appeal followed.

¶ 22 II. ANALYSIS

¶ 23 On appeal, La Kesha argues the trial court’s inability finding was against the manifest weight of the evidence. We disagree.

¶ 24 A. Standard of Review

¶ 25 The Act provides the two-step process trial courts follow when determining whether to make a minor a ward of the court. See *In re A.P.*, 2012 IL 113875, ¶ 18; 705 ILCS 405/2-18(1), 2-22(1) (West 2024). During the first step, the court conducts an adjudicatory hearing to identify whether the minor is abused, neglected, or dependent. See 705 ILCS 405/2-18(1) (West 2024). If so, the court must then conduct a dispositional hearing to decide whether it is in the best interests of the minor to be made a ward of the court. See 705 ILCS 405/2-22(1) (West 2024). When making its determination, the court will consider “whether the parents *** are unfit or are unable, for some reason other than financial circumstances alone, to care for, protect, train or discipline the minor or are unwilling to do so,” as well as whether “the health, safety, and best interest of the minor will be jeopardized if the minor remains in the custody of the minor’s parents.” 705 ILCS 405/2-27(1) (West 2024).

¶ 26 “The paramount consideration in proceedings under the Act is the best interests of the child.” *In re J.T.*, 2024 IL App (1st) 232041, ¶ 67. The trial court is best positioned to determine a child’s best interests, and we afford such decisions “broad discretion and great deference.” *In re E.S.*, 324 Ill. App. 3d 661, 667 (2001). “[A] dispositional order entered in a

proceeding under the [Act] is a matter committed to the sound discretion of the court.” *In re Beatriz S.*, 267 Ill. App. 3d 496, 500 (1994). We will not reverse a trial court’s wardship determination unless “the factual findings are against the manifest weight of the evidence.” *In re Kamesha J.*, 364 Ill. App. 3d 785, 795 (2006). “A decision is against the manifest weight of the evidence when the opposite conclusion is clearly apparent.” *In re Ta. T.*, 2021 IL App (4th) 200658, ¶ 48.

¶ 27 B. Wardship and Inability Determinations

¶ 28 The trial court did not err in making H.H.-O. a ward of the court and finding La Kesha unable to care for, protect, train, or discipline her. “[T]he wardship determination is based on the best interest to the child when considering the totality of the circumstances surrounding the child’s life.” *In re D.S.*, 2018 IL App (3d) 170319, ¶ 15; see 705 ILCS 405/2-22(1) (West 2024). The trial court must review “the parent’s past conduct in the then-existing circumstances.” *In re Adoption of Syck*, 138 Ill. 2d 255, 276 (1990). La Kesha and H.H.-O. have a long, conflict-filled relationship. Both have been physically aggressive toward each other in the past, and law enforcement has needed to intervene on multiple occasions. La Kesha testified she “never [did] anything to cause [H.H.-O.] any type of harm or anything,” and she was “never *** abusive or neglectful” to H.H.-O. The record contradicts those claims. In November 2023, La Kesha was arrested for domestic battery after law enforcement witnessed her punching H.H.-O. In September 2025, La Kesha struck H.H.-O. “with a closed fist on each side of her head and also on the back of her neck.” The service plan cited “ongoing reports” of La Kesha hitting H.H.-O.

¶ 29 La Kesha’s testimony suggests she places the vast majority—if not all—of the blame for her current situation at H.H.-O.’s feet. La Kesha insisted H.H.-O. was at fault the

