

NOTICE

Decision filed 09/22/26. 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) 260445-U

NO. 5-26-0445

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).

<i>In re</i> PAISLEIGH N., a Minor	)	Appeal from the
	)	Circuit Court of
(The People of the State of Illinois,	)	Macon County.
	)	
Petitioner-Appellee,	)	
	)	
v.	)	No. 24-JA-78
	)	
Makayla S.,	)	Honorable
	)	Phoebe S. Bowers,
Respondent-Appellant).	)	Judge, presiding.

JUSTICE SHOLAR delivered the judgment of the court.
Justices Hackett and Clarke concurred in the judgment.

ORDER

¶ 1 *Held:* The trial court's judgment terminating Mother's parental rights was not against the manifest weight of the evidence where the State met its burden of proving that she was unfit to parent and that termination was in the best interests of the minor. Therefore, the judgment of the trial court is affirmed

¶ 2 The respondent, Makayla S. (Mother), appeals from the May 14, 2026, order of the Macon County trial court terminating her parental rights over Paisleigh N., the minor. On appeal, Mother challenges both the finding of parental unfitness and the determination that it was in the minor's best interests to terminate her parental rights. For the following reasons, we affirm.

¶ 3

I. BACKGROUND

¶ 4

A. Adjudication of Neglect and Initial Proceedings

¶ 5 On May 17, 2024, the State filed a petition that alleged the minor, aged four years, was neglected in that her environment was injurious to her welfare in that there was domestic violence in the home. 705 ILCS 405/2-3(1)(b) (West 2022). Further, the minor was abused in that a parent, immediate family member, or any person responsible for the minor's welfare, or any person who was in the same family or household as the minor, or any individual residing in the same home as the minor, or a paramour of the minor's parent created a substantial risk of physical injury to the minor by other than accidental means which would be likely to cause death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function, in that there was domestic violence in the home. *Id.* § 2-3(2)(ii).

¶ 6 The Illinois Department of Children and Family Services (DCFS) filed a shelter care report the same day. The report noted that the minor was taken into protective custody on May 15, 2024, due to a report of Tylor N. (Father) punching Mother in the face and breaking a window while the minor was in the home. Father was arrested for domestic battery and Mother was given resources to obtain an order of protection against Father. The report also included Mother's history of DCFS involvement, including indicated findings for medical neglect and environmental neglect. After a shelter care hearing, the trial court found probable cause for the filing of the petition and ordered DCFS to have temporary custody of the minor.

¶ 7 On October 22, 2024, the trial court held an adjudicatory hearing¹ and entered an order finding the minor to be in an environment that is injurious to her welfare and that she was in

¹The record does not contain a transcript for the adjudicatory hearing.

substantial risk of being physically abused due to domestic violence and a prior intact case that was closed in February 2024. *Id.* § 2-3(1)(b), (2)(ii).

¶ 8 DCFS filed a dispositional report on November 1, 2024. The report included that Mother was recommended to engage in the following services: individual therapy, domestic violence victim services, parenting coaching services, substance abuse assessment/treatment, random toxicology screens, involvement in the minor's needs, and a referral for specialty services for the Indian Child Welfare Act (ICWA) support. Mother was specifically referred to Dove for domestic violence services and Webster Cantrell Youth Advocacy (WCYA) for parenting classes. Mother completed the initial assessment for parenting with WCYA and attended four out of nine scheduled appointments in September and October. Mother completed four one-on-one domestic violence sessions with Dove, and three sessions for "DV 101" before stopping her attendance in October 2024. Mother did obtain an order of protection against Father, but it was reported that she still attempted to contact him with "harassing and demanding messages."

¶ 9 Mother completed an updated assessment at Heritage Behavioral Health Center (Heritage) and was recommended to attend group and individual counseling, as well as medication management for her depression. She failed to show for services, and Heritage planned to unsuccessfully discharge her. Mother was then recommended to complete counseling through WYCA, but again was "closed out of services" due to lack of attendance.

¶ 10 DCFS also received reports that Mother moved out of Father's house, then moved in with a new boyfriend, Isaiah Wichert, who was a registered sex offender. When confronted, Mother was not "honest and forthcoming about her involvement with different men and relationships." Mother was pregnant and due in April 2025.

¶ 11 Mother lived with her father in Decatur and was referred for housing services. Mother completed seven drug tests, one of which was positive for alcohol and one of which was positive for tetrahydrocannabinol (THC), but the rest were negative. Mother had supervised visitation twice a week for two hours each time. Visits were reported to be going well, and Mother missed four visits due to illness.

¶ 12 The trial court held a dispositional hearing on November 14, 2024.² The court entered a dispositional order the same day, finding it was consistent with the health, welfare, and safety of the minor and in her best interest to be made a ward of the court. Further, Mother was unfit to care for, protect, train, educate, supervise, or discipline the minor. The court based its findings on the dispositional report.

¶ 13 The court appointed special advocate (CASA) filed a permanency report on February 10, 2025. The report noted concerns about the minor being in her fourth placement since the origination of the case, but she seemed to be doing well in her new placement. Mother was living with her father and was not seeking her own housing. Mother missed or cancelled a meeting with the housing worker. She was engaged in some services, but had attendance issues with parenting, drug drops, and her visitation. Mother's parenting was improving, but the service provider did have concerns about accountability for her choices.

¶ 14 DCFS filed a permanency review report on February 18, 2025. The report included that Mother's attendance at her parenting courses had improved and she was considered "satisfactory" due to her improvements. Mother still needed to improve her "accountability in relation to her own choices and actions that have resulted in [DCFS] involvement." Mother and the minor demonstrated a strong attachment and bond during supervised visits. Mother was not engaged in

²The record does not contain a transcript for the dispositional hearing.

mental health services, and DCFS noted that she “needs to acknowledge the role she played in this case, resulting in her daughter being removed from her care, and she needs to demonstrate a full understanding of being more protective of herself and her daughter, before consideration will be made to return [the minor] to her care.” Mother tested negative for all substances after July 2024, when she became pregnant. However, Mother failed to attend further drug testing and was rated unsatisfactory on this service.

¶ 15 As to domestic violence, Mother initially engaged in the service but then stopped attending. She completed 5 out of 26 lessons and overall, her attendance was not consistent and Mother lacked “understanding of why that service [was] recommended, in spite of the domestic violence that led to [the minor] being placed in care.” She was rated unsatisfactory on this service. Due to missed visits for illness without a doctor’s note, Mother’s visitation was reduced to once a week in January 2025. The visits were supervised and reported to be going well.

¶ 16 A permanency review hearing was held on February 26, 2025.³ The trial court found that the permanency goal was return home within 12 months. Further, Mother made reasonable efforts toward returning the minor home, but did not make reasonable and substantial progress toward returning the minor home.

¶ 17 The CASA filed a permanency review report on August 11, 2025. The report noted that there were concerns with Mother’s attendance in her services, including her drug drops, parenting classes, counseling, and visitation. Mother did not interact with the minor in a recent visit with the minor after having another child.

¶ 18 DCFS filed a permanency review report on August 14, 2025. In April 2025, Mother was assessed as unsatisfactory for her parenting class due to lack of attendance, including classes that

³The record does not contain a transcript for the permanency review hearing.

were offered virtually and declining in home and transportation services. Mother had not yet completed her mental health assessment and would be discharged from WCYA if she did not engage with the agency soon. Mother also failed to appear at her drug screenings. Mother completed 11 out of 23 lessons for domestic violence. She was offered to complete the service over the phone due to issues with her in person attendance, but she declined. Mother gave birth on April 17, 2025. She reported that she lived in her mother and stepfather's residence by herself but did not report any form of income. Her family helped pay her monthly expenses. No home visit had been conducted. As to visitation, Mother attended five visits from February to August 2025. Mother's visits were placed on hold for inconsistent attendance and she was required to confirm visits 24 hours in advance.

¶ 19 A permanency review hearing was held August 27, 2025.⁴ The trial court entered a permanency order filed the same day, finding that the goal remained return home within 12 months and noted that Mother was "backsliding the last few months." The order found that Mother made reasonable efforts toward returning the minor home, but did not make reasonable and substantial progress toward returning the minor home.

¶ 20 On November 17, 2025, DCFS filed a permanency review report. The report stated that Mother needed to reengage in her services. For parenting, Mother missed two appointments and was rated as unsatisfactory due to "lack of attendance and communication concerns." Mother had transportation barriers, so the service provider offered to travel to Mother's home to complete services and complete the sessions virtually. Mother did not attend, and DCFS noted that Mother "portrays herself as a wonderful mother and takes no accountability and she continues to have missed visits." Mother was not engaged in mental health services. She failed to attend all but one

⁴The record does not contain a transcript for the permanency review hearing.

of her drug drops, which tested positive for THC. Mother completed 15 of 23 classes for domestic violence. Mother still lived in her mother's house and it was deemed appropriate for visits, so long as the minor did not have access to the upstairs, as it needed to be cleaned. Mother attended three visits with the minor from October to the time of the report. The supervised visits now occurred at Mother's home.

¶ 21 The CASA filed a report on November 18, 2025. The report noted that the minor was in her fifth placement, but was adjusting well. The report also noted that Mother's lack of attendance for visits impacted the minor's well-being. The CASA stated that there were concerns with Mother's lack of transportation and employment, her positive drug test, her unsatisfactory rating in parenting services, and inconsistent engagement in domestic violence and visitation services.

¶ 22 On December 1, 2025, the State filed a motion seeking a finding of unfitness and permanent termination of the parental rights of Mother. The motion alleged that Mother was unfit under the Adoption Act (750 ILCS 50/1 *et seq.* (West 2024)) due to (1) a failure to maintain a reasonable degree of interest, concern, or responsibility as to the welfare of the minor (*id.* § 1(D)(b)); (2) a failure to make reasonable efforts to correct the conditions that were the basis for the minors' removal during any nine-month periods following the adjudication of neglect (*id.* § 1(D)(m)(i)); and (3) a failure to make reasonable progress toward the return of the minors during the two nine-month periods following the adjudication of neglect, being October 22, 2024, to July 22, 2025, and February 21, 2025, to November 21, 2025 (*id.* § 1(D)(m)(ii)). On the same date, the trial court entered a permanency order changing the permanency goal to substitute care pending court determination of parental rights, and finding that Mother had made neither reasonable efforts nor reasonable and substantial progress toward the return of the minor.

¶ 24 The matter proceeded to a fitness hearing on April 2, 2026.⁵ The State called Heather Smith, a DCFS case manager who was assigned as the caseworker for the minor. Smith stated that Mother's original services included mental health, personal stability, substance abuse, domestic violence, parenting and visitation. For mental health, Mother initially completed an assessment at Heritage and started medication as a result in late May 2024. She was also recommended to engage in group and individual therapy. Mother was unsuccessfully discharged from Heritage in October 2024 for lack of attendance. Mother was then referred to WCYA for mental health services, but she "did not follow through." Smith made two more referrals to WCYA due to lack of engagement. Mother reengaged in mental health services in March 2025 and attended two sessions before her appointments were extended due to the birth of her child. She was later discharged in August 2025 and then informed WCYA that she was not interested in engaging in services.

¶ 25 Smith testified that Mother was referred for parenting classes in June 2024 and completed a class titled the Nurturing Parenting Program in January 2025. Mother was then recommended a second class, titled Protective Factors, but she was unsuccessfully discharged from the class in July 2025. Mother had transportation issues, so DCFS offered transportation assistance and virtual classes to aid her in attending the class. Despite the offers, Mother only attended two sessions between April and July 2025 before being discharged for her attendance. DCFS made another referral in September 2025 for parenting, Mother completed the assessment on September 23, 2025, but she was again unsuccessfully discharged on February 4, 2026.

⁵The hearing also included testimony for Father's involvement in this case. Because he is not a party on appeal, the facts will be limited to testimony and evidence for Mother only.

¶ 26 Smith testified that Mother was referred to Dove for domestic violence services and began “DV-101” in October 2024. Mother filed her certificate of completion for DV-101 on December 3, 2025. Mother completed her substance abuse assessment in May 2024 and no services were recommended, but she did have to complete drug drops based on her self-reported usage of THC. Mother completed 10 out of 22 drug screens overall. She tested negative for eight and positive for THC for two.

¶ 27 When the case opened, Mother had instability in housing and finances, so she received a referral for housing services. She was never rated satisfactory for housing and stability. Smith testified that one of the issues was “the relationship status that she has chosen through the case as well. She was in a relationship with a sex offender at one point. That was concerning as stability for the household overall.” Mother was evicted in December 2024 and worked with the housing advocate for a referral, but informed the advocate that she no longer wanted that service. Mother moved into her mother’s home, but did not obtain employment or financial stability. Mother was a caretaker for her father in Macon County. Her housing location contributed to transportation issues due to the case being in Decatur, Illinois.

¶ 28 For visitation, Smith testified that in 2024, Mother was offered 55 visits and attended 43. In 2025, she was offered 50 visits, and she attended 13. Due to missed visits, Mother had five reengagement meetings since the case opened. Smith stated that a reengagement meeting occurs when a parent misses two visits in a row, visits are put on hold until the meeting occurs with DCFS, the visitation supervisor, and the parent to discuss “what will be different moving forward with the case and *** what obstacles are there for that visit to happen.” Mother cancelled several visits for illness, but did not provide a legitimate doctor’s note for the visits. Mother provided a few doctor’s notes, but “the dates were different than the dates of the visits” and some of the notes “were made

up.” Visits went well when Mother attended them. Smith testified that DCFS would not be able to return the minor to Mother’s care in the reasonably near future.

¶ 29 Upon cross-examination from Mother’s attorney, Smith testified that the case originated because of Father’s domestic violence against Mother, who later obtained an order of protection against Father. The order was in effect at the time of the hearing. Mother was married to a different individual, Ricky Dunn, and there were not any allegations of domestic violence against Dunn “on record.” Smith was unsure if Mother resided with Dunn. Smith visited Mother’s residence one time; the main floor was appropriate for a child, but the upstairs floor was not. Smith was waiting to do a follow-up on the residence, but Mother cancelled. As to Mother’s relationship with a sex offender, Mother denied any relationship, but Smith received reports of the relationship, pictures of them together on social media, and she personally observed Mother with the sex offender. When Mother completed the Nurturing Parenting Class, she was referred to Protective Factors because the agency was concerned with her relationships and the class addresses relationships and “securing safety factors for parenting—how to identify red flags in relationships.”

¶ 30 For mental health services, Heritage diagnosed Mother with “depression, anxiety, an eating disturbance, adjustment to trauma, impulsivity, hyperactivity, anger control, frustration tolerance, mania, and her personal problems.” Smith did not know if Mother took any medications for her mental health, as Heritage did not prescribe them to her due to Mother not attending an appointment.

¶ 31 Upon examination from the guardian *ad litem* (GAL), Smith testified that Mother previously lived in Decatur, but she moved to Macon. From that point, DCFS began offering transportation for her visits and other services. Upon examination from the court, Smith testified

that Mother never had a satisfactory service plan. The parties presented no further witnesses or evidence for Mother.

¶ 32 The State argued that it proved all elements of the petition. For failure to maintain a reasonable degree of interest, concern or responsibility as to the minor's welfare, Mother completed domestic violence services, but did not complete mental health, parenting, drug screens, and visitation. Mother only attended 13 of 50 offered visits within a year to see the minor. Mother also failed to make reasonable efforts to correct the conditions that led to the removal of the minor. Mother only completed the domestic violence service, as she was unsuccessfully discharged multiple times for mental health services, went "downhill as to attendance" for visitation, and did not complete parenting classes. Mother completed less than 50% of her drug screens. The State asserted that due to Mother's poor engagement in the case, they "would not be able to return [the minor] to [Mother] in the reasonably near future."

¶ 33 Mother's counsel argued that the case originated because of domestic violence with Mother as the victim. Mother later obtained an order of protection for herself and the minor to protect them from Father. Mother completed a domestic violence course and a parenting course. Mother did not engage in the protective parenting factors course because it would have been "reasonably duplicative to the things that one should be learning from domestic violence 101." Further, Mother's relationship with a sex offender was a rumor. Mother's counsel stated,

"[O]nce we look at what it is that [Mother] is doing with her relationships after completing the domestic violence services, I think what we're seeing is that they worked, that she is involved in a healthier relationship with somebody who is not, you know, an alleged domestic batterer or an alleged sex offender, and that is, you know, the central issue here. That has been dealt with."

¶ 34 For Mother’s ability to parent, visits went well and she completed one parenting class. Mother did not have substance abuse issues and self-reported her history of cannabis use. While Mother did not have “perfect attendance” with drug drops, only two were positive for low levels of THC and the rest were negative. Mother’s attendance for mental health services was impacted by transportation. While the agency did offer help with transportation or offered the service virtually, “there were points at which [Mother] would not have had the ability to engage with these services virtually.” Mother’s counsel asked the court to find that the State did not meet its burden of proving by clear and convincing evidence that Mother failed to show a reasonable degree of interest, concern, or responsibility, failed to make reasonable efforts, or failed to make reasonable progress during the two time periods.

¶ 35 The GAL argued that the most “alarming” aspect of Mother’s case was her lack of engagement in visitation, describing the 13 out of 50 visits as “shockingly inappropriate or minimal.” Mother also lacked engagement and was “sporadic” in services. The GAL stated that the State proved all the allegations by clear and convincing evidence.

¶ 36 The trial court stated as follows:

“As far as [Mother] goes, the only service she successfully completed is domestic violence services. She’s never had a satisfactory service plan. She only visited with her child [13] out of [50] times last year. She’s been consistently unsuccessfully discharged from mental health services and parenting classes. Overall, she’s attended less than half of her drug screens.”

The trial court found that the State proved all allegations in its petition, in that Mother (1) failed to maintain a reasonable degree of interest, concern, or responsibility as to the minor’s welfare; and (2) failed to make reasonable progress toward the turn of the minor to her during both alleged time

periods, being October 22, 2024, to July 22, 2025, and February 21, 2025, to November 21, 2025. The trial court set the matter for a hearing on best interest.

¶ 37 C. Best-Interest Hearing

¶ 38 DCFS filed a best-interest report on April 16, 2026, in advance of the hearing. The report stated that the minor was a “happy and intelligent child.” She was transitioning schools due to her recent move into the home of her paternal aunt and uncle. She was “very excited to be reunited with her family” and was able to “receive ongoing structure and thrives with routine.” She lived with her cousins as well. The minor’s aunt and uncle were willing to provide the minor ongoing support, and her family support included her grandmother as well. The minor was scheduled to engage in therapies to address her previous trauma, and her medical care was up to date. Since the unfitness hearing, Mother only visited with the minor twice and the visits were supervised.

¶ 39 DFCS noted that, “Due to the parent’s inability to make satisfactory progress toward the return home goal, and lack interest and consistent contact with [the minor] DCFS has been unable to move forward with reunification” since the minor was placed into care. DCFS recommended that Mother’s parental rights be terminated, as it was in the minor’s best interest.

¶ 40 The matter proceeded to a hearing on May 14, 2026. Mother did not attend the hearing but was represented by her attorney. The State called Heather Smith, a child welfare specialist for DCFS, to testify. Smith testified that she was the minor’s caseworker and the minor was placed with a relative and had been since April 10, 2026. The minor had a prior relationship with her paternal aunt and uncle before coming into care. The minor also had monthly visitation with her grandmother, who lives very close to her current placement. The minor also lived with her cousins. The minor had only been in this placement for a month, but Smith stated that she was doing “very

well” and had “calmed down” previously reported behaviors such as aggression. Her placement was willing to provide permanency as well.

¶ 41 On cross-examination from Mother’s counsel, Smith testified that the minor was moved from her last placement due to a special-needs child also residing there and they “just were not getting along.” Smith observed visits between Mother and the minor and stated that they went well and the two had a bond. On cross-examination from the GAL, Smith stated that the minor had a relationship with her cousins and remembered one of them from their prior relationship before she was brought into care. So far, there were no concerns with the minor’s placement and she appeared to be “very comfortable and at peace there. *** She’s just part of the family now.” Smith testified that the minor was the “happiest” she has seen her in a placement so far.

¶ 42 Upon examination from the court, Smith testified that the minor had six placements before this one but the placement moves “were not all her fault.” She was in kindergarten and was transitioning well to her new teacher and class. She was physically healthy and was referred for counseling. The minor showed her aunt and uncle affection and called them “mom and dad.” Upon examination from Father’s counsel, Smith noted that the minor’s aunt and uncle did not take the minor in for placement before this time because Father was living with them, and the minor could not reside with him. Father moved out and the minor’s placement then became an option.

¶ 43 The State argued that the biggest hurdle in this case was the length of the minor’s current placement. However, the minor did know her placement and remembered them as family. The minor was doing well and her aunt and uncle signed the permanency agreement. The State asked the court to find it in the minor’s best interest that Mother’s parental rights be terminated. Mother’s counsel argued that this could not be a stable placement yet because of how new the placement was and the minor’s previous issues in her six prior placements. It was premature to say the minor’s

placement was now “stabilized” given the history of this case. Further, there was a bond between Mother and the minor, and due to Mother’s other active DCFS cases, she would “continue to engage in services at some level” and would “work to restore herself to fitness.” Counsel asked the court to “essentially hold off” on termination, as it was premature.

¶ 44 The GAL stated that while the minor was in her seventh placement, that does not mean that this placement will not work out. Throughout the almost two-year life of this case, the parents “had more control over their situation” but remained unfit. The GAL asserted that the minor was happy and comfortable in her placement, she had a prior relationship with them as family members, and the placement was committed to permanency. The GAL stated that the minor would be safe and her placement could pursue adoption after six months. Further, as to the minor’s need for permanency and the risks attendant to being in substitute care, the case was nearly two years old and the minor was now in a placement where she appeared to be happy. Her reaction to this placement was “different than the other placements.” The GAL asserted that the State met its burden.

¶ 45 The trial court noted that this case was “unusual” because the minor had only been in her placement for a month, but it was a relative placement. The minor already knew her aunt, uncle, and oldest cousin. She had continued visitation with her grandmother throughout the case and now lived very close to her. The minor “calmed down” and there were no more aggression concerns, as her behaviors improved greatly. The minor had six prior placements, but this was the happiest she had been and showed her placement affection. The court noted, “It sounds like she’s a bright little girl who’s just had a troubled childhood.” Her aunt and uncle expressed the desire to adopt as well. The court found that it was in the minor’s best interest to terminate Mother’s rights, as the

minor was safe, placed with family, exhibited a sense of attachment, and would be able to have permanence, stability, and continuity in her placement.

¶ 46 The trial court entered a written order the same day, finding that Mother was unfit for (1) failure to maintain a reasonable degree of interest, concern, or responsibility as to the minor's welfare; (2) failure to make reasonable efforts to correct the conditions that were the basis for the removal of the minor; and (3) failure to make reasonable progress during the two alleged time periods. The trial court also found it in the minor's best interest to terminate Mother's parental rights. Mother filed a timely notice of appeal.

¶ 47 II. ANALYSIS

¶ 48 On appeal, Mother argues that the circuit court's findings that she was an unfit parent and that termination of her parental rights was in the minor's best interest were against the manifest weight of the evidence.

¶ 49 A. Unfitness Finding

¶ 50 A parent's right to raise his or her child is a fundamental right, which a court may not terminate without the parent's consent except as authorized by statute. *In re Gwynne P.*, 215 Ill. 2d 340, 354 (2005). A court's statutory authority to involuntarily terminate parental rights is governed by the Juvenile Court Act of 1987 (Juvenile Court Act) and the Adoption Act. *Id.* Pursuant to the Juvenile Court Act, the involuntary termination of parental rights requires a two-step process. *In re Donald A.G.*, 221 Ill. 2d 234, 244 (2006). First, the court must determine, by clear and convincing evidence, that the parent is an "unfit person" as defined by section 1(D) of the Adoption Act. *Id.*; 705 ILCS 405/2-29(2) (West 2024); 750 ILCS 50/1(D) (West 2024). If the court makes a finding of unfitness, it next considers whether termination of the parent's rights is

in the best interests of the child. *In re Donald A.G.*, 221 Ill. 2d at 244; 705 ILCS 405/2-29(2) (West 2024).

¶ 51 Here, the trial court based its unfit-person ruling on a lack of reasonable interest, concern, or responsibility (750 ILCS 50/1(D)(b) (West 2024)), failure to make reasonable efforts (*id.* § 1(D)(m)(i)), and failure to make reasonable progress (*id.* § 1(D)(m)(ii)). Section 1(D) of the Adoption Act sets forth numerous grounds under which a parent may be deemed unfit. However, only one properly proven ground is sufficient to enter a finding of unfitness. See *id.* § 1(D) (stating that the grounds of unfitness “are any one or more” of an enumerated list); see also *In re C.W.*, 199 Ill. 2d 198, 210 (2002). We begin our review with the failure to make reasonable progress, and find that the trial court properly found Mother unfit on this ground. Therefore, we need not address its finding of a lack of reasonable interest, concern, or responsibility, or failure to make reasonable efforts. 750 ILCS 50/1(D)(b), (D)(m)(i) (West 2024).

¶ 52 As applicable to the underlying case, the Adoption Act defines an “unfit person” as:

“D. ‘Unfit person’ means any person whom the court shall find to be unfit to have a child, without regard to the likelihood that the child will be placed for adoption. The grounds of unfitness are any one or more of the following ***:

* * *

(m) Failure by a parent *** (ii) to make reasonable progress toward the return of the child to the parent during any 9-month period following the adjudication of neglected or abused minor ***.” *Id.* § 1(D)(m)(ii).

¶ 53 Under the Adoption Act, “reasonable progress” is determined by an objective standard, which is based upon the amount of progress measured from the conditions existing at the time custody was revoked. *In re Za. G.*, 2023 IL App (5th) 220793, ¶ 47. The Adoption Act provides guidance for measuring reasonable progress as follows:

“If a service plan has been established *** to correct the conditions that were the basis for the removal of the child from the parent and if those services were available, then, for purposes of this Act, ‘failure to make reasonable progress toward the return of the child to

the parent' includes the parent's failure to substantially fulfill his or her obligations under the service plan ***." 750 ILCS 50/1(D)(m)(ii) (West 2024).

Under section 1(D)(m) of the Adoption Act, the benchmark for measuring reasonable progress "encompasses the parent's compliance with the service plans and court's directives in light of the condition that gave rise to the removal of the child and other conditions which later become known that would prevent the court from returning custody of the child to the parent." *In re D.T.*, 2017 IL App (3d) 170120, ¶ 17 (citing *In re C.N.*, 196 Ill. 2d 181, 216-17 (2001)).

¶ 54 In reviewing a court's findings that a parent is unfit and that terminating parental rights is in the best interest of the child, we do not retry the case; rather, we must determine if the findings are against the manifest weight of the evidence. *In re Za. G.*, 2023 IL App (5th) 220793, ¶ 31. The lower court's finding of unfitness is afforded great deference because that court was best positioned to view and evaluate the parties and their testimony. *Id.* Accordingly, on appeal, we will not reweigh the evidence or reassess the credibility of the witnesses. *Id.* A decision is contrary to the manifest weight of the evidence "if the opposite conclusion is apparent or when findings appear to be unreasonable, arbitrary, or not based on the evidence presented." *Id.*

¶ 55 On appeal, Mother argues that her progress during the two time periods (October 22, 2024, to July 22, 2025, and February 21, 2025, to November 21, 2025) was "reasonable and measurable." Mother started therapy in March 2025, but was discharged due to the birth of her child. She completed the Nurturing Families program in January 2025 for parenting. She completed her DV-101 class in December 2025. She moved into her mother's home and began caring for her father. Mother argues that even though she was "not able to complete all her services," some of them were completed, "especially those that deal directly with domestic violence," which was the reason

for the minor's removal. Within her argument, Mother acknowledges that she did not complete her service plan during the relevant time periods.⁶

¶ 56 The Adoption Act states that a failure to make reasonable progress includes the failure to substantially fulfill service plan requirements. 750 ILCS 50/1(D)(m)(ii) (West 2024). Mother had several services, including mental health, personal stability, drug drops, domestic violence, parenting, and visitation. The only service Mother fully completed was domestic violence. Mother completed one portion of her parenting class, but then did not complete the further class that was recommended to her. While transportation was an issue, DCFS provided multiple options for Mother to engage in this service, but she never did. Mother never completed mental health counseling even though DCFS provided three separate referrals with two different agencies for Mother to complete counseling. Mother missed 12 of her scheduled drug drops, and she never obtained stable employment throughout the case.

¶ 57 Additionally, Mother's visitation drastically declined throughout the life of the case. In 2024, Mother attended 43 of the 55 offered visits. In 2025, during which the second alleged time period occurred, Mother only attended 13 of the 50 offered visits. She missed so many visits that DCFS had to have five reengagement sessions for Mother to participate in the visits. Mother does not address her visitation as it pertains to reasonable progress, but it was a portion of her service plan, and she failed to complete this service during the relevant time period as well. The trial court noted specifically noted Mother's lack of visitation with the minor when considering her fitness, "especially not going to more visits with her child when offered." Overall, while Mother did

⁶The time periods alleged in the petition overlap. However, this is not an issue because the trial court found Mother to be unfit for both time periods, covering a total of 11 months.

complete her domestic violence service, she did not comply with her service plan in all other areas throughout the case.

¶ 58 Smith testified that DCFS would not be able to return the minor to Mother within the reasonably near future. See *In re D.T.*, 2017 IL App (3d) 170120, ¶ 17 (progress is reasonable when the court can conclude that the compliance “with directives given for the return of the minor is sufficiently demonstrable and of such a quality” that the minor may be returned to her “in the near future”). Thus, for all these reasons, we find that the trial court’s finding of unfitness on the basis of a lack of reasonable progress was not against the manifest weight of the evidence.

¶ 59 **B. Best-Interest Finding**

¶ 60 Once the court makes a finding of unfitness, “[t]he issue is no longer whether parental rights *can* be terminated; the issue is whether, in light of the child’s needs, parental rights *should* be terminated.” (Emphases in original.) *In re D.T.*, 212 Ill. 2d 347, 364 (2004). The parent’s interest in maintaining the parent-child relationship “must yield to the child’s interest in a stable, loving home life.” *Id.* At this stage of the termination hearing, the State bears the burden of proving by a preponderance of the evidence that termination of parental rights is in the child’s best interest. *In re J.B.*, 2019 IL App (4th) 190537, ¶ 31.

¶ 61 In making a best-interest determination, the court must consider several factors, within the context of the child’s age and developmental needs. 705 ILCS 405/1-3(4.05) (West 2024). The factors are as follows:

“ ‘(1) the child’s physical safety and welfare; (2) the development of the child’s identity; (3) the child’s familial, cultural[,] and religious background and ties; (4) the child’s sense of attachments, including love, security, familiarity, continuity of affection, and the least disruptive placement alternative; (5) the child’s wishes and long-term goals; (6) the child’s community ties; (7) the child’s need for permanence, including the need for stability and continuity of relationships with parent figures and siblings; (8) the uniqueness of every family and child; (9) the risks related to substitute care; and (10) the preferences of the

person available to care for the child.’ ” *In re J.B.*, 2019 IL App (4th) 190537, ¶ 32 (quoting *In re Daphnie E.*, 368 Ill. App. 3d 1052, 1072 (2006)).

¶ 62 As with the trial court’s findings at the unfitness stage, we afford the court great deference, as it is in a superior position to view the witnesses, assess their credibility, and weigh conflicting evidence. *Id.* ¶ 33. We will not reverse the trial court’s best-interest determination unless it is against the manifest weight of the evidence. *Id.*

¶ 63 On appeal, Mother argues that the trial court erred because all the factors “fall in favor of not terminating” her rights. Specifically, the “main fault” of the termination was “the extremely short amount of time [the minor] has been in her current placement and the rocky history that preceded it,” and “more time” was necessary to determine if the placement was the best fit for the minor. Overall, the minor lacked permanency throughout the life of the case and had a bond with Mother, thus her parental rights should not have been terminated.

¶ 64 While the minor was only placed with her aunt and uncle for approximately one month prior to the best-interest hearing, this fact must be considered alongside the other applicable factors for the minor’s best interest. The minor’s aunt and uncle were able to provide her with physical safety and welfare in their home, which Smith observed and testified to during the hearing. 705 ILCS 405/1-3(4.05)(a) (West 2024). While the minor had only lived in her placement for a month, she began calling her aunt and uncle “mom” and “dad,” showing the development of her identity within the family. *Id.* § 1-3(4.05)(b). The minor’s placement was a relative placement and she now lived closer to her grandmother, who she maintained visitation with throughout the case. *Id.* § 1-3(4.05)(c). The minor also resided with her cousins, and she had a prior relationship with the oldest cousin from before she was taken into care. Smith testified that the minor had already formed attachments with her aunt and uncle, and staying with her aunt and uncle would be the least disruptive placement for the minor. *Id.* § 1-3(4.05)(d). The minor was doing well in school and her

teacher did not express any concerns about her behavior, as previous teachers had in prior placements. *Id.* § 1-3(4.05)(f). The placement also met the minor’s need for permanence, including her “need for stability and continuity of relationships with parent figures, siblings, and other relatives.” *Id.* § 1-3(4.05)(g). The minor’s aunt and uncle were willing to provide permanency to the minor as well, even if adoption had not yet been discussed due to the length of the placement. *Id.* § 1-3(4.05)(j).

¶ 65 Despite the short length of the placement, the testimony presented at the best-interest hearing showed that the minor was happy, healthy, safe, and thriving with her aunt and uncle. The minor quickly developed a sense of identity within the family and Smith said the minor was the “happiest” she had ever seen her in a placement. Even though her aunt and uncle had not yet begun the adoption process due to the length of time, the lack of an adoptive goal does not weigh against termination. *In re Shru. R.*, 2014 IL App (4th) 140275, ¶ 26. While the trial court did not address each factor as described above, “a trial court need not articulate any specific rationale for its decision, and a reviewing court need not rely on any basis used by the trial court below in affirming its decision.” *In re Jaron Z.*, 348 Ill. App. 3d 239, 263 (2004). Additionally, there was no evidence contradicting or challenging the State’s assertions at the best-interest hearing. In conclusion, we find that the trial court’s best-interest determination, as well as its decision to terminate Mother’s parental rights over the minor, was not against the manifest weight of the evidence.

¶ 66 III. CONCLUSION

¶ 67 For the reasons stated, the trial court did not err in terminating Mother’s parental rights. The judgment of the circuit court is affirmed.

¶ 68 Affirmed.