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) 260627-U

NOS. 4-26-0627, 4-26-0628 cons.

FILED
October 8, 2026
Carla Bender
4th District Appellate
Court, IL

IN THE APPELLATE COURT

OF ILLINOIS

FOURTH DISTRICT

In re C.G. and E.G., Minors,	)	Appeal from the
	)	Circuit Court of
(The People of the State of Illinois,	)	McLean County
Petitioner-Appellee,	)	Nos. 26JA1
v.	)	26JA2
Kristen G.,	)	
Respondent-Appellant).	)	Honorable
	)	John Brian Goldrick,
	)	Judge Presiding.

JUSTICE DOHERTY delivered the judgment of the court.
Justices DeArmond and Harris concurred in the judgment.

ORDER

¶ 1 *Held*: The circuit court's fitness and best-interest findings at the dispositional hearing were not against the manifest weight of the evidence, and the adjudication of wardship was not an abuse of discretion.

¶ 2 In 2026, the State filed a petition for adjudication of wardship pertaining to respondent Kristen G.'s minor children: C.G. (born in 2013) and E.G. (born in 2011). At the dispositional hearing, the circuit court found that she was unfit and that temporary removal of the children from her home was in their best interest, and it adjudicated the children wards of the court and granted temporary custody to the Illinois Department of Children and Family Services (DCFS). Respondent argues on appeal that the State's findings at the dispositional hearing were against the manifest weight of the evidence and that the court's resulting adjudication of wardship was an abuse of discretion. We disagree and affirm.

¶ 3 I. BACKGROUND

¶ 4 A. Petition for Adjudication of Wardship

¶ 5 On January 9, 2026, the State filed a petition for adjudication of wardship pertaining to two of respondent's children: C.G. (No. 26-JA-1) and E.G. (No. 26-JA-2). Paragraph 4B of the petition alleged that the children were neglected pursuant to section 2-3(1)(b) of the Juvenile Court Act of 1987 (Juvenile Court Act) (705 ILCS 405/2-3(1)(b) (West 2024)) in that

> "[t]he minors, who are under the age of 18 years, are living in an environment injurious to their welfare if in the care of respondent mother in that DCFS investigator found such deplorable conditions that the home is uninhabitable. Said conditions included, but are not limited to, mounds of trash, no walking paths through the trash, dog and cat urine and feces, and soiled clothing and bedding. This creates a risk of harm to the minors."

The petition alleged other bases for neglect as well, but because those bases were dismissed by stipulation, we need not recount their specifics here.

¶ 6 B. Shelter-Care Hearing

¶ 7 On January 12, the circuit court conducted a shelter-care hearing with respondent present. The court ultimately found probable cause for the petition's allegations and placed the children with their paternal aunt and uncle.

¶ 8 C. Adjudicatory Hearing and Stipulation

¶ 9 On March 24, the circuit court reconvened proceedings for the adjudicatory hearing. Respondent stipulated to paragraph 4B of the petition, which alleged neglect due to an environment injurious to the welfare of the children and described the uninhabitable conditions of the home. The remaining allegations were dismissed by agreement.

¶ 10 The State set forth a factual basis, and respondent's counsel stipulated that the State had evidence and witnesses to support it. The circuit court then accepted the stipulation as to the factual basis and found that it was knowingly and voluntarily made. The court admonished respondent to comply with the DCFS service plan and correct the conditions that brought the children into care and set the proceeding for a dispositional hearing.

¶ 11 D. Dispositional Hearing

¶ 12 At the May 20 dispositional hearing, the circuit court received the dispositional report without objection. The report showed some, albeit imperfect, progress with the service plan. In relevant part, the report indicated that respondent had left her prior employment and now earns $850 per week with a food delivery company. Her counsel argued that the change in employment would result in her being more available. She completed the initial mental health and substance abuse assessments. She was participating in parenting education and was visiting her children. Furthermore, she had cleaned her home and eliminated its safety hazards.

¶ 13 However, the report also elaborated on the extent of the problem, indicating that the children were sometimes left alone for days with little to no food and that they lived separately from respondent on a different floor of the house. Respondent had previously been diagnosed with attention-deficit/hyperactivity disorder, depression, anxiety, and narcolepsy, the last of which could cause her to sleep for days at a time. She had reported feeling like she was " 'losing her mind,' " hearing or seeing things, and experiencing a loss of control. Furthermore, she twice tested positive for methamphetamines in February and had a track record of missing drug tests, therapy appointments, substance abuse treatment sessions, and Family Treatment Court sessions. The report also indicated that respondent's older children were previously removed from her care due to substance abuse issues, and four of them were ultimately adopted.

¶ 14 Separately, the report indicated that the children were enjoying their current placement with their paternal aunt and uncle, through which they had been able to receive appropriate medical care and education.

¶ 15 After hearing the evidence and arguments, the circuit court then found that respondent was unfit, that it was appropriate to make the children wards of the court, and that it was in their best interest to place them with DCFS. It reasoned that while the children were relatively older, the condition of the home "didn't get that way overnight, and there's something underlying the reasons why we find ourselves—or found ourself in that position." The court emphasized respondent's need to attend substance abuse treatment and therapy, take medication, complete parenting classes, and continue visitation. The court then set a permanency goal of returning the children home in 12 months.

¶ 16 This appeal followed.

¶ 17 II. ANALYSIS

¶ 18 Respondent challenges the finding of unfitness and the best-interest determination at the dispositional stage. Specifically, she contends that she made progress in improving the conditions of the home and in complying with the service plan. As a result, she argues that the circuit court's findings were against the manifest weight of the evidence and that the adjudication of wardship was an abuse of discretion.

¶ 19 The Juvenile Court Act sets forth the procedure the circuit court must follow in determining "whether a minor should be removed from his or her parents' custody and made a ward of the court." *In re A.P.*, 2012 IL 113875, ¶ 18. An adjudication of wardship is not necessarily a permanent removal of the children from the home, as it is not a termination of parental rights under section 2-29 (705 ILCS 405/2-29 (West 2024)). Nevertheless, we acknowledge that "[a]

proceeding for adjudication of wardship 'represents a significant intrusion into the sanctity of the family which should not be undertaken lightly.' " *In re Arthur H.*, 212 Ill. 2d 441, 463 (2004) (quoting *In re Harpman*, 134 Ill. App. 3d 393, 396-97 (1985)).

¶ 20 At the adjudicatory stage, a circuit court determines only whether the minor is abused, neglected, or dependent. 705 ILCS 405/2-18(1) (West 2024). Respondent stipulated to the children's neglect and does not appeal that finding here.

¶ 21 At the dispositional stage, the circuit court determines whether the child should become a ward of the court and, if so, the proper disposition for the minor. *Id.* §§ 2-22(1), 2-27(1); *In re A.R.*, 2025 IL App (4th) 250668, ¶ 60. The court's decisions at a dispositional hearing "will be reversed *** if the findings of fact are against the manifest weight of the evidence." *In re J.W.*, 386 Ill. App. 3d 847, 856 (2008). "A finding is against the manifest weight of the evidence where a review of the record clearly demonstrates that the result opposite to that reached by the trial court was the proper result." *In re April C.*, 326 Ill. App. 3d 245, 257 (2001) (citing *In re T.B.*, 215 Ill. App. 3d 1059, 1062 (1991)). We acknowledge that because "a trial court is in a superior position to assess the credibility of witnesses and weigh the evidence, a reviewing court will not overturn the trial court's findings merely because the reviewing court may have reached a different conclusion." *Id.*

¶ 22 Regarding the wardship determination, the circuit court is to consider the best interest of the child and the public. 705 ILCS 405/2-22(1) (West 2024); *J.W.*, 386 Ill. App. 3d at 856. In making this determination, the court may consider " 'the *totality of the circumstances* surrounding the child's life.' " (Emphasis in original.) *In re M.D.*, 2022 IL App (4th) 210288, ¶ 64 (quoting *In re D.S.*, 2018 IL App (3d) 170319, ¶ 15). "All evidence helpful in determining these questions, including oral and written reports, may be admitted and may be relied upon to the extent

of its probative value, even though not competent for the purposes of the adjudicatory hearing." 705 ILCS 405/2-22(1) (West 2024).

¶ 23 Here, the record includes evidence supporting the circuit court's wardship determination. While respondent's home may have been in a better condition by the time of the dispositional hearing, the record does not indicate that she had received adequate treatment for her underlying mental health and substance abuse issues. As such, the improved conditions of the children's living environment at respondent's home was highly precarious. In comparison, the record showed that the children's needs were being met via placement with their paternal aunt. At the very least, respondent's home is an unknown quantity until she receives treatment, which is a sufficient basis to affirm the best-interest finding. See *In re M.H.*, 2015 IL App (4th) 150397, ¶ 33 (affirming the best-interest finding during the termination proceeding because "the foster parent already has established a relationship with [the minor children], and whereas respondent is, in a manner of speaking, an unknown quantity as a parent, the foster parent is a known quantity.").

¶ 24 After finding that wardship is in the child's best interest, the circuit court next decides the appropriate disposition. Similar to the wardship determination, the court considers the health, safety, and best interest of the minor and the public, and, again, it may consider a broad range of evidence in doing so. 705 ILCS 405/2-22(1) (West 2024). If the court considers removing the child from the parent's custody, it must also consider whether the parent is unfit, unable, or unwilling, for reasons other than financial circumstances alone, to care for, protect, train, or discipline the minor. *Id.* § 2-27(1). Respondent suggests, without citation to authority, that the bases for unfitness are limited by the allegations in the petition to which she stipulated, *i.e.*, the conditions of the home. The implication is that respondent's failure to seek treatment for her mental health and substance abuse issues is an invalid basis for finding unfitness at the dispositional stage.

¶ 25 However, caselaw supports the proposition that, like the best-interest finding, the basis for finding unfitness can extend beyond the allegations in the petition for adjudication of wardship. See, *e.g.*, *A.R.*, 2025 IL App (4th) 250668, ¶¶ 69-70 (reasoning in the fitness portion that " '[t]he court may consider evidence of parental deficiencies in the child's environment beyond those alleged in the petition' " and affirming the finding of unfitness based in part on respondent's mental health episodes despite the allegations in the petition for adjudication of wardship being based only on the child's injuries and the respondent's convictions); *M.D.*, 2022 IL App (4th) 210288, ¶ 65 (reasoning in the fitness portion of the analysis that "[t]he court may consider evidence of parental deficiencies in the child's environment beyond those alleged in the petition").

¶ 26 For avoidance of doubt, we also note that the reasons cited by the circuit court for the finding of unfitness (*i.e.*, mental health, substance abuse, medication compliance, parenting class completion, and visitation) were related to the conditions of the home. Specifically, the court found that the home "didn't get that way overnight, and there's something underlying the reasons why we find ourselves—or found ourself in that position." The court continued: "I think we need to be in substance abuse treatment to address that issue." This connection had previously been made throughout the proceedings: the court expressed it at the shelter-care hearing, and the dispositional report substantiated it. Specifically, the report, which was considered by the court without objection, indicated that respondent's narcolepsy can cause her to sleep for days at a time; her history of drinking has led to incarceration; her depressive episodes contribute to the neglect; and her mental health has caused her to feel out of control. Nevertheless, respondent failed to fully comply with her service plan, including by failing to attend therapy or substance abuse treatment. She has also tested positive for methamphetamines twice in February and failed to appear for drug tests since March.

¶ 27 There were certainly portions of the report that demonstrated respondent's progress, including completion of mental health and substance abuse assessments, ongoing improvement of the home's cleanliness and safety, ongoing supervised visitation, and participation in parenting education. These are hopeful harbingers for respondent to achieve a successful outcome in this case. However, the standard of proof at the dispositional hearing is a preponderance of the evidence. *In re Lakita B.*, 297 Ill. App. 3d 985, 994 (1998). Given this relatively low threshold and the evidence supporting the court's findings, we cannot conclude that they were against the manifest weight of the evidence. See *In re Custody of H.J.*, 2021 IL App (4th) 200401, ¶¶ 23-24 (reasoning that, in a case with evidence pointing in both directions, the appellate court would affirm because of the highly deferential manifest weight standard of review).

¶ 28 Accordingly, we cannot conclude that the circuit court's order making the children wards of the court and granting temporary custody of the children to DCFS was an abuse of discretion.

¶ 29 III. CONCLUSION

¶ 30 For the reasons stated, we affirm the circuit court's judgment.

¶ 31 Affirmed.