NOTICE
Decision filed 11/02/26. 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) 260533-U

NOS. 5-26-0533, 5-26-0534, cons.

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 LIAM T., and TRISTAN R., Minors	)	Appeal from the
	)	Circuit Court of
(The People of the State of Illinois,	)	Edgar County.
	)	
Petitioner-Appellee,	)	Nos. 24-JA-20, 24-JA-21
v.	)	
	)	
Karlla T.,	)	Honorable
	)	Matthew L. Sullivan,
Respondent-Appellant).	)	Judge, presiding.

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

ORDER

¶ 1 *Held*: We affirm the orders of the trial court terminating respondent mother's parental rights as to one minor and returning custody and guardianship of the second minor to his father. The trial court's unfitness and best-interest findings as to the younger minor were not against the manifest weight of the evidence. The respondent mother's due process rights were not violated with the transfer of custody and guardianship of the older minor to his father.

¶ 2 In this consolidated appeal,[1] the respondent-mother, Karlla T. (Mother) appeals from the orders of the circuit court of Edgar County terminating her parental rights as to one minor, Liam T., and returning custody of the other minor, Tristan R., to his father. On appeal, Mother argues that the trial court's determination that she was an unfit parent as to Liam and that it was in his

[1]Mother filed separate appeals in each child's case. This court ordered the two appeals consolidated under the case number assigned to the younger child's case, case No. 05-26-0533.

best interest that her parental rights be terminated was against the manifest weight of the evidence. In addition, Mother argues that returning custody of Tristan to his father violated her due process rights by effectively terminating her parental rights without finding that she was an unfit parent to Tristan. For the following reasons, we affirm.

¶ 3 I. BACKGROUND

¶ 4 The record before us reveals the following facts and procedural history relevant to the resolution of Mother's appeal. Mother has two minor children: Tristan, born December 2010 and Liam, born June 2022. Tristan's biological father is Michael R. (Michael), and Liam's biological father is Richard T. (Richard). At all relevant times, Mother was married to Richard and both minors resided with Mother and Richard in Illinois. Mother's ex-husband Michael was living in Texas and had not been involved in Tristan's life. Neither father is a party to this appeal.

¶ 5 Mother has been involved with the Department of Children and Family Services (DCFS) since 2016 due to chronic concerns with her parenting in the areas of physical abuse, environmental neglect, and inadequate supervision. The most recent DCFS involvement commenced on October 21, 2024, when a hotline call reported that Mother had attempted to take her own life by taking 13-year-old Tristan's prescription ADHD medication and was being treated in a hospital in Indiana. On November 1, 2024, a second hotline call was made to DCFS, reporting that while Mother and Richard were under the influence of drugs, Mother attempted to poison Richard and two-year-old Liam with illicit substances, and locked them in the bathroom, while Tristan was inside the home. When emergency services arrived on the scene, they found Liam soaked in the shower, with ice cold water running on him. Liam was transported by ambulance to a hospital. Mother was arrested, and both minors were taken into protective custody.

¶ 6 On November 4, 2024, the State filed two petitions for temporary custody and for adjudication of wardship, alleging that both minors were abused, neglected or dependent based upon their exposure to an injurious environment (701 ILCS 405/2-3(b) (West 2024)). The petitions alleged that less than two weeks after her October 21, unsuccessful suicide attempt, on November 1, 2024, Mother had attempted to kill Liam by "lacing his food" with methamphetamines, Adderall, and Guanfacine, and locking him in the bathroom with Richard overnight, after Richard had also consumed methamphetamines. The petitions further alleged that on November 1, 2024, Mother tested positive for methamphetamines and amphetamines, and Richard tested positive for methamphetamines, amphetamines, cocaine, and THC. According to the petitions, Tristan had witnessed Richard using methamphetamines in the home, and Richard had previously failed to complete several drug tests requested by DCFS.

¶ 7 On November 4, 2024, the trial court held a shelter care hearing, at which DCFS child protection specialist Christina Graybeal testified, among other things, that as part of her investigation into the State's allegations, she interviewed Mother in the presence of a Sherriff's deputy. During this conversation, Mother admitted to Graybeal that she attempted to kill Liam and Richard on the morning of November 1, 2024. Mother told Graybeal that she had "crumbled" methamphetamine onto a powdered donut and fed it to Liam and had melted "some purple pills" into his juice and gave it to him to drink. Mother also said that she had injected drugs into Richard's neck with a syringe and helped him sit on the toilet after he became faint. Mother then left Liam with Richard inside the bathroom, closed the door, and "waited." Mother told Graybeal that she was trying to kill Liam because she had always wanted a girl and was jealous of the time that Richard spent with Liam. According to Graybeal, throughout this incident, Tristan was upstairs in his room on his computer.

¶ 8 At the shelter care hearing, Mother testified that her admissions to Graybeal were false. She claimed that she did not inject Richard with anything and did not give Liam any drugs; instead, Mother asserted that she had been drugged by Richard the night before. Mother claimed that she confessed to the police at the scene because she was suicidal and Richard had told her that if she acted "all crazy," the police would "help" her kill herself and shoot her. Mother acknowledged that she had previously been released from a mental hospital because of a suicide attempt. At the conclusion of the hearing, the trial court entered written orders granting DCFS temporary custody of the minors.

¶ 9 On December 3, 2024, the cause proceeded to an adjudicatory hearing. After the court was advised that Michael was Tristan's biological father, it instructed that Michael be "served and brought into this case." Relevant to this appeal, DCFS child protection specialist Graybeal then testified that when Liam was treated in the hospital on November 1, 2024, he tested positive for amphetamines, methamphetamines, nicotine, and a stimulant. Liam's medical records confirming these toxicological findings were admitted into evidence. Graybeal also confirmed that immediately after the incident, Mother and Richard tested positive for amphetamines and methamphetamines and that Richard tested positive for cocaine. In addition, Graybeal testified that when she spoke to Tristan, he told her that he spent a lot of time in his own room because Mother and Richard "fight a lot."

¶ 10 On December 26, 2024, the trial court entered orders of adjudication finding that the State had sufficiently proven its allegations regarding the minors' exposure to an injurious environment, noting that "Liam had meth in his system." The court adjudicated Tristan neglected, and Liam abused and neglected.

¶ 11 After the completion of an integrated assessment (IA), on January 23, 2025, DCFS filed a service plan that required Mother to complete a substance abuse assessment, submit to random drug screens, complete a psychiatric assessment, engage in individual therapy, and participate in parent education and parent coaching classes. On that same date, DCFS filed a dispositional hearing report, stating that Mother was in Edgar County jail serving a 180-day sentence for "AGG Battery/Ingest Toxic Substance," having negotiated a plea on charges stemming from the November 1, 2024, incident.

¶ 12 On January 24, 2025, the State filed a motion to terminate Mother's and Richard's parental rights to Liam. Relevant to this appeal, the motion alleged that Mother was unfit because (1) she had failed to maintain a reasonable degree of interest, concern, or responsibility as to Liam's welfare; (2) she had committed extreme cruelty to Liam by knowingly administering amphetamines and methamphetamines to him with the intent of causing his death or physical injury; (3) she had failed to protect Liam from conditions within his environment injurious to his welfare; and (4) she had been convicted of aggravated battery to Liam on December 17, 2024. See 750 ILCS 50/1(D)(b), (e), (g), (i) (West 2024).

¶ 13 On January 28, 2025, the trial court held a dispositional hearing. Michael appeared for the first time, having traveled from Texas to attend. Relevant to this appeal, at the hearing, DCFS child welfare specialist, Irma Martin, testified that DCFS had recommended that Michael engage in individual therapy, cooperate with a DCFS permanency worker, and visit with Tristan. Martin explained that because Michael lived in Texas, he had been unable to visit Tristan more than a few times, and those visits had been supervised by Tristan's placement. However, Michael and Tristan had been speaking on the phone and DCFS had no objection to visitation being over Zoom. When the trial court asked Martin why DCFS had recommended individual therapy for Michael, Martin

could not recall, but believed the recommendation was "[b]ased on things that were reported in the IA."[2] Upon the guardian *ad litem*'s inquiry as to whether an "interstate compact"[3] investigation had been undertaken as to Michael, Martin stated the process would begin as soon as DNA testing confirmed Michael's paternity.

¶ 14 On January 29, 2025, the trial court entered dispositional orders making both minors wards of the court.

¶ 15 On June 2, 2025, DCFS filed a second family service plan, which noted that Mother had been released from Edgar County jail and was currently serving 30 months' probation. The plan also noted that the paternity test confirmed that Michael was Tristan's father, and that the ICPC process had begun.

¶ 16 On July 21, 2025, DCFS filed a permanency report explaining the terms of Mother's plea agreement with the State arising from the November 1, 2024, incident. According to the report, mother had pleaded guilty and was convicted of "AGG Battery/Ingest Toxic Sub." and was sentenced to 180 days in jail eligible for day-to-day credit, with 47-days credit for time served. At the time the report was filed, Mother had completed her 43 days in Edgar County jail and was serving 30 months' probation.[4]

¶ 17 The permanency report further advised that Mother had been engaging in DCFS recommended services but needed to complete a psychological evaluation before DCFS would allow any visitation with the children. According to the report, Mother had completed a substance

[2]A review of the IA reveals that Michael reported that he was diagnosed with schizoaffective disorder in 2010 but that he was not prescribed any medication, and that he was currently experiencing panic attacks, which affected his functioning.

[3]"Interstate compact" refers to the Interstate Compact on Placement of Children Act (ICPC), which facilitates cooperation between states for the interstate placement of children. 45 ILCS 15/0.01 *et seq.* (West 2024).

[4]Mother was also initially charged with "Murder/Intent to Kill/Injure" but the murder charges were dropped as part of her plea agreement.

abuse assessment and was participating in substance abuse services. Mother had also submitted to five random drug tests, all of which were negative, save for one, on June 30, 2025, during which she tested positive for barbiturates. According to the permanency report, Mother had completed a mental health assessment through Lifelinks and was actively engaged in individual psychotherapy. She received psychiatric services through Sarah Busch Lincoln Hospital and there was no indication that she was not taking her prescribed medication.

¶ 18 Relevant to this appeal, the permanency report further advised that Michael had been cooperating with DCFS and communicating with Tristan. Michael had completed a mental health assessment in Texas and was not recommended any ongoing services. According to the report, Tristan had verbalized wanting to move to Texas to live with Michael and stated that he distrusted and hated Mother and never wished to return to her care.

¶ 19 With respect to Liam, the permanency report noted that upon being taken into protective custody, he had been placed in a foster home with fictive kin. Liam, who was now three years old, "present[ed] happy and with good temperament and appear[ed] to be bonded with his placement." According to the report, Liam exhibited "developmental delays in all areas," and had been tested for autism. However, no formal autism diagnosis had been made because Liam's physician believed that his delays were attributable to trauma. The report further noted that Liam had made substantial progress in development since coming into foster care.

¶ 20 On July 29, 2025, DCFS filed an addendum to its permanency report. According to the addendum, on June 21, 2025, Mother had been hospitalized following another suicide attempt, and had tested positive for, among other things, methamphetamine. The addendum further reported

that a month after this suicide attempt, on July 21, 2025, Mother had been arrested and charged with multiple felonies[5] and was presently being detained in Coles County jail.

¶ 21 On August 5, 2025, the cause proceeded to a permanency hearing, at which the court was advised that Mother was still in Coles County jail. To ensure Mother's presence, the court continued Liam's case. Because Michael had travelled from Texas to appear, the court adopted the recommendations of the permanency report and found that Michael had made reasonable efforts and substantial progress toward the return of Tristan home and continued the case for another permanency hearing in six months.

¶ 22 On September 2, 2025, the trial court held a permanency hearing in Liam's case. Mother was present in court, in custody. Richard did not appear, and the court was advised that he had moved to Indiana. DCFS child welfare specialist Martin testified that Mother's recent behavior reflected her continued mental health "instability." Specifically, Mother was incarcerated in Coles County jail on charges of arson and the victim in the case was Richard. In addition, Mother continued to deny her relapse even after "she tested positive for substances" upon being admitted to the hospital for her most recent suicide attempt. Martin testified that it was now DCFS's position that Mother had made "no efforts or progress" toward the return of Liam home. Martin explained that while Mother had participated in services prior to her incarceration in Coles County jail, she had been unable to engage in any services since then.

¶ 23 On September 3, 2025, the trial court entered a permanency order finding that Mother had failed to make reasonable efforts or progress and continued Liam's case for a hearing on the State's motion to terminate Mother's and Richard's parental rights.

[5]These included: "murder/strong prob to kill/injure," "[a]gg [a]rson/[k]nown people present," residential burglary, and false reporting of an offense.

¶ 24 On November 19, 2025, DCFS filed its third family service plan. Relevant to this appeal, the plan noted that the ICPC process had been completed and that Michael's home had been approved. According to the family service plan, Tristan would be moving to Texas to live with Michael in December.

¶ 25 On February 19, 2026, DCFS filed its second permanency report, which noted that Tristan had been placed in Michael's care in Texas. Tristan reported that he was happy and that his needs were being met and again stated that he hated and distrusted Mother and never wished to be returned to her care. The report further noted that Mother remained incarcerated in Coles County jail and that she had not made any progress toward completing her recommended services.

¶ 26 On February 24, 2026, the trial court held a termination hearing on the State's motion to terminate Mother's and Richard's parental rights to Liam. During the fitness portion of the hearing, in relevant part, DCFS child welfare specialist Martin testified that she had been assigned to Liam's case since its inception. Martin confirmed that both minors were taken into protective custody on November 1, 2024, after Mother put methamphetamines on Liam's donut and fed it to him and "other substances" into his drink. Martin confirmed that because of her actions, Mother pleaded guilty to "aggravated battery *** with ingesting of a substance" as to Liam.

¶ 27 Martin acknowledged that prior to July 2025 Mother was cooperative with DCFS. Mother completed parenting classes, obtained substance abuse and mental health assessments, and "was doing drops initially." Martin testified, however, that because of the severity of the allegations regarding the November 1, 2024, incident, Mother had not been allowed any visits at all. Martin explained that suspending visitation was a "critical decision" made at the "supervisory level," and that reinstatement of visits was conditioned upon Mother's completion of a psychological evaluation. Martin averred that a psychological evaluation was scheduled for September 2025 but

that Mother could not attend because she was arrested in July 2025 on the aggravated arson charges and was being held in Coles County jail. Martin testified that it was her understanding that since then, Mother had pleaded guilty to two counts of aggravated arson in Coles County and had been sentenced to 12 years and six months imprisonment in the Illinois Department of Corrections (IDOC). Martin explained that she had "a couple of conversations" with Mother regarding this incident, but that Mother's "story changed slightly" each time.

¶ 28 According to Martin, DCFS was primarily concerned with Mother's continued mental health instability, which was reflected in her recurrent suicide attempts and her incarceration.

¶ 29 Martin testified that Richard had moved to Indiana and that she had not spoken to him since September 2025. According to Martin, Richard had changed his telephone number and did not provide DCFS with a new one. He had also failed to complete any of the services recommended by DCFS.

¶ 30 Upon the guardian *ad litem*'s inquiry, Martin confirmed that Liam had not made any comments expressing a desire to see either Mother or Richard.

¶ 31 Following Martin's testimony, the parties stipulated that on February 18, 2026, Mother was convicted in Coles County in case No. 25-CF-374 and was sentenced to 12 years and six months imprisonment. Upon the State's request, the trial court also took judicial notice of DCFS's permanency reports. Mother offered no evidence as to her fitness.

¶ 32 In closing argument, the State focused on Mother's "cruelty to the minor." The State pointed out that Mother had pleaded guilty to and been convicted of aggravated battery to Liam, and that her "conviction and sentence [were] drawn out" in the permanency report filed on July 21, 2025. In addition, the State argued that while mother had completed some services, her

subsequent conviction in Coles County "wiped out" all the positive steps she had taken towards reunification.

¶ 33 In response, Mother's attorney conceded that Mother had voluntarily pleaded guilty to aggravated battery to Liam but asserted that the conviction "in and of itself did not necessarily amount to extreme cruelty."

¶ 34 At the close of the hearing, the trial court found that Mother and Richard were both unfit parents. The court's written termination order explicitly found that the State had proven by clear and convincing evidence that Mother was unfit pursuant to sections 1(D)(b), (e), (g), and (i) of the Adoption Act (750 ILCS 50/1(D) (West 2024)).

¶ 35 After making its unfitness finding, the court immediately proceeded to a best-interests hearing. Martin testified that Liam was presently in foster care with fictive kin.[6] The fictive kin had no other children in the home. Martin visited the home twice a month and reported that the foster parents were able to meet Liam's needs and developed "a really good bond" with him. Martin observed that Liam appeared "very content" in their care. According to Martin, Liam was "doing tremendous in his placement." He was attending preschool, working on potty training, and "talking a lot," which he had been unable to do when he came into care and "maybe knew a word or two."

¶ 36 Martin further testified that Liam was "moving mountains developmentally." Although Liam had initially been tested for autism, the pediatric specialist who evaluated him concluded that Liam was not on the autism spectrum, and that his delays were attributable to trauma. According to Martin, the foster parents ensured Liam's consistent attendance at his weekly developmental therapy sessions, even though these sessions were far away from their home, and

[6]The fictive kin was described as: "Liam's older brother's dad's wife's aunt."

Liam was now "getting up to where he need[ed] to be." Martin also stated that the foster parents expressed an interest in adopting Liam.

¶ 37 At the conclusion of the hearing, the trial court found that it was in Liam's best interest that Mother's and Richard's parental rights be terminated, and that DCFS be appointed guardian with the power to consent to adoption.

¶ 38 On February 25, 2026, the trial court entered its written order terminating Mother's parental rights to Liam. On that same date, the court also entered a permanency order in Tristan's case, which restored custody to Michael. The order found that Mother had not made reasonable efforts or progress in Tristan's case, and that Michael had made both. The permanency goal was noted as "return home [six] months aftercare."

¶ 39 On March 26, 2026, Mother filed a motion to reconsider. Therein, she argued that the trial court had erroneously terminated her parental rights to Liam because the State failed to prove her unfitness by clear and convincing evidence. Mother also argued that the trial court's permanency order granting custody to Micheal effectively and prematurely terminated her parental rights to Tristan in violation of her due process rights.

¶ 40 On May 28, 2026, DCFS filed another permanency report in Tristan's case, stating that the goal of return home had been achieved as to Michael. The report advised that since December 2025 Tristan had been residing in Michael's home in Texas with his younger half-brother and sister. Tristan was finishing ninth grade and was compliant with his psychiatric services and medications. According to the report, Michael had completed all recommended services as "the nonoffending parent," and had "safely maintained Tristan in his home and care for [a] successful completion of six months of aftercare." Accordingly, Michael was fit, willing, and able to assume

custody of Tristan. The report therefore recommended that guardianship be returned to Michael and that the court release its jurisdiction of the matter.

¶ 41 With respect to Mother, the permanency report noted that she was incarcerated, had a job in prison, was enrolled in college courses and women's groups, and was considered a low risk to reoffend. It was further reported that she was on a waitlist for additional services.

¶ 42 Following a hearing, on June 2, 2026, the trial court denied Mother's motion to reconsider. On June 3, 2026, the trial court closed Tristan's case with a discharge order and a permanency order restoring guardianship and custody to Michael. In the discharge order, the court noted that Tristan was 15 years old. In the permanency order, the court noted that Michael had "completed services and taken custody with aftercare completed" and that Mother had not made reasonable efforts or progress toward returning the minor home. Mother now appeals.

¶ 43 II. ANALYSIS

¶ 44 On appeal, Mother makes two contentions. She argues that the trial court erred in terminating her parental rights to Liam because the State failed to prove that she was an unfit parent and that it was in the minor's best interest that her rights be terminated. In addition, Mother argues that her due process rights were violated when the trial court entered permanency and discharge orders giving Michael custody and guardianship of Tristan because, in doing so, it effectively terminated her parental rights without explicitly finding that she was an unfit parent to Tristan. For the following reasons, we disagree.

¶ 45 A. Termination of Mother's Parental Rights to Liam

¶ 46 We begin by addressing the trial court's termination of Mother's parental rights to Liam. Termination of parental rights proceedings are governed by the Juvenile Court Act of 1987 (Juvenile Court Act) (705 ILCS 405/1-1 *et seq.* (West 2024)) and the Adoption Act (750 ILCS

50/0.01 *et seq.* (West 2024)). *In re D.T.*, 212 Ill. 2d 347, 352 (2004). A petition to terminate parental rights is filed under section 2-29 of the Juvenile Court Act (705 ILCS 405/2-29(2) (West 2024)), which delineates a two-step process to terminate parental rights involuntarily. *In re Baby Boy*, 2025 IL App (4th) 241427, ¶ 62. First, the State must prove, by clear and convincing evidence, that the parent is unfit under one or more of the grounds enumerated in section 1(D) of the Adoption Act (750 ILCS 50/1(D) (West 2024)). 705 ILCS 405/2-29(2), (4) (West 2024); *In re J.L.*, 236 Ill. 2d 329, 337 (2010). Second, if the court finds that the parent is unfit, the State must prove by a preponderance of the evidence that it is in the child's best interest to terminate parental rights. 705 ILCS 405/2-29(2) (West 2024); *In re A.R.*, 2023 IL App (1st) 220700, ¶ 77.

¶ 47 We review both the trial court's fitness and best interest determinations under a manifest weight of the evidence standard. *In re W.N.K.*, 2025 IL App (1st) 242008, ¶ 102; *In re C.N.*, 196 Ill. 2d 181, 208 (2001). In doing so, we recognize that the trial court is in the best position to observe the demeanor and conduct of the parties. *In re Daphnie E.*, 368 Ill. App. 3d 1052, 1064 (2006). We, therefore, give great deference to the trial court and will not reweigh the evidence or reassess the credibility of the witnesses. *In re M.A.*, 325 Ill. App. 3d 387, 391 (2001); *In re D.D.*, 2020 IL App (4th) 220257, ¶ 28; *In re E.S.*, 324 Ill. App. 661, 667 (2001). A trial court's determination is against the manifest weight of the evidence if the opposite conclusion is clearly evident or where the finding is unreasonable, arbitrary, or not based on the evidence. *In re M.J.*, 314 Ill. App. 3d 649, 655 (2000).

¶ 48 1. Parental Fitness

¶ 49 In the present case, the State alleged four grounds for Mother's unfitness, namely that she (1) failed to maintain a reasonable degree of interest, concern, or responsibility as to Liam's welfare; (2) committed extreme cruelty to Liam by knowingly administering amphetamines and

methamphetamines to him with the intent of causing his death or physical injury; (3) failed to protect Liam from conditions within his environment injurious to his welfare; and (4) was convicted of aggravated battery to Liam on December 17, 2024. See 750 ILCS 50/1(D)(b), (e), (g), (i) (West 2024).

¶ 50 Because "[o]nly one statutory ground is necessary to prove that a parent is unfit," and we find it dispositive, we begin by addressing the court's unfitness finding pursuant to section 1(D)(e) of the Adoption Act (*id*. § 1(D)(e)), being that Mother committed extreme cruelty to Liam. *In re Tr. A.*, 2020 IL App (2d) 200225, ¶ 43; see also *In re Nicholas C.*, 2017 IL App (1st) 162101, ¶ 20.

¶ 51 Pursuant to that subsection, a parent may be found unfit based on his or her "extreme or repeated cruelty to the child." 750 ILCS 50/1(D)(e) (West 2024). "Extreme cruelty" has been interpreted to encompass both "torturous or other extreme forms of physical abuse" and "acts of extreme or repeated mental or emotional cruelty." *In re Mi. S.*, 2016 IL App (3d) 160265, ¶¶ 25, 27. Because subsection (e) "is phrased in the disjunctive," our courts have held that a single act of extreme cruelty is sufficient for an unfitness finding. *In re J.B.*, 2014 IL App (1st) 140773, ¶ 55. "[W]hen a parent engages in extreme *** cruelty, [her] conduct at other times is largely irrelevant." *In re Hollis*, 135 Ill. App. 3d 585, 587 (1985). Moreover, in defining cruelty, "result[s] rather than intent are more important." *Id.* Accordingly, where it is evident that a parent intended to injure a child, the parent's awareness of the extent of the possible injury is irrelevant. *Id.*

¶ 52 In the present case, the State met its burden of proving by clear and convincing evidence that Mother subjected Liam to extreme cruelty. At the fitness portion of the termination hearing, Martin testified that the case came to DCFS's attention after Mother intentionally placed methamphetamines in two-year-old Liam's food and prescription medication into his juice. The permanency reports, which the court took judicial notice of, confirmed that because of this

incident, Mother pleaded guilty to aggravated battery to Liam. Mother offered no evidence to the contrary, and during closing argument, her attorney conceded that as a result of this incident, Mother had voluntarily pleaded guilty to aggravated battery to Liam. Under this record, we find nothing manifestly erroneous in the trial court's conclusion that Mother committed "extreme cruelty" on Liam. Mother's act was deliberate, directed at the toddler, and capable of grave physical harm, and falls squarely within the definition of an "extreme form of physical abuse." See *e.g.*, *In re J.B.*, 2014 IL App (1st) 140773, ¶ 55 (a single beating of an eight-year-old that broke the child's femur and pelvis was held to be extreme cruelty); *In re B.R.*, 282 Ill. App. 3d 665, 671 (1996) (the shaking of a fourteen-month-old, causing internal injuries was held to be extreme physical cruelty).

¶ 53 On appeal, Mother does not deny that she pleaded guilty to aggravated battery to Liam or that on November 1, 2024, Liam tested positive for methamphetamines. Nonetheless, she argues that the State failed to prove that she was an unfit parent pursuant to subsection (e) of the Adoption Act because "there were never any injuries nor death." Contrary to Mother's assertion, however, this is not a requirement under the statute. Nowhere in subsection (e) does the Adoption Act require that "extreme or repeated cruelty to a child" result in either injury or death. See 750 ILCS 50/1(D)(e) (West 2024). Nor does Mother cite to any authority for the opposite conclusion. See *Hollenbeck v. City of Tuscola*, 2017 IL App (4th) 160266, ¶¶ 27-28 (an argument unaccompanied by a citation to relevant legal authority is forfeited).

¶ 54 Moreover, Mother's assertion that Liam was not injured by having methamphetamines placed in his food is clearly bellied by the record. Both Martin's testimony and the permanency reports, of which the trial court took judicial notice, unequivocally establish that Liam's significant "developmental delays in all areas" were attributable to trauma stemming from this event.

¶ 55 Because we find that the trial court properly concluded that Mother was an unfit parent pursuant to section 1(D)(e) of the Adoption Act, we need not address Mother's related arguments regarding her unfitness pursuant to subsections (b), (g), and (i). See *In re Tiffany M.*, 353 Ill. App. 3d 883, 891 (2004) ("When parental rights are terminated based upon clear and convincing evidence of a single ground of unfitness, the reviewing court need not consider additional grounds for unfitness cited by the trial court."). We, therefore, next address the trial court's best-interests finding.

¶ 56 2. Liam's Best Interests

¶ 57 As noted above, once the trial court makes a finding of unfitness, "the focus shifts to the child" and the court must decide whether it is in the child's best interests that parental rights be terminated. *In re D.T.*, 212 Ill. 2d at 364; 705 ILCS 405/1-3(4.05) (West 2024). During this stage, the parent's interest in maintaining a relationship with the child "must yield to the child's interest in a stable, loving home life." *In re D.T.*, 212 Ill. 2d at 364. 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.

¶ 58 In deciding whether termination of parental rights is in a child's best interests, the trial court must consider the following statutory factors: (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 attachment; (5) the child's wishes; (6) the child's community ties; (7) the need for permanence and stability and the continuity of the child's relationships with parental figures, siblings, and other family members; (8) the uniqueness of each child and family; (9) the risks inherent in substitute care; and (10) the preferences of the individuals available to provide care. 705 ILCS 405/1-3(4.05) (West 2024). Although the trial

court must consider all applicable statutory factors, it is not required to refer to each individual factor in rendering its decision. *In re Tajannah O.*, 2014 IL App (1st) 133119, ¶ 19.

¶ 59 Additionally, the court may consider "the nature and length of the child's relationship with his present caretaker and the effect that a change in placement would have upon his emotional and psychological well-being". *In re Jaron Z.*, 348 Ill. App. 3d 239, 262-63 (2004). The court may also consider the likelihood of the child being adopted. *In re Za. G.*, 2023 IL App (4th) 220793, ¶ 54.

¶ 60 In the present case, Mother contends that the trial court's determination that it was in Liam's best interest to terminate her parental rights was against the manifest weight of the evidence because "this result separate[d] the minor child[ ] from [his] [M]other, when the Mother [wa]s willing and able to keep [him] or find placement for [him]."

¶ 61 Mother's argument is not supported by the record. Contrary to her present assertion, at the best-interest hearing Mother offered no evidence whatsoever regarding her willingness or ability to keep Liam or find a different placement for him. In fact, at the time of the hearing, Mother was serving a 12-and-a-half-year prison sentence, and had not seen Liam since November 1, 2024, when he was removed from her care. [7]

¶ 62 In contrast, the evidence offered by the State overwhelmingly supports the conclusion that it was in Liam's best interest that Mother's parental rights be terminated and that Liam continued to live with his foster family. At the hearing, DCFS child welfare specialist Martin testified that since he was taken into protective custody at age two, Liam had been placed with the same fictive kin foster family. According to Martin, the foster parents were meeting all of Liam's needs and

[7]According to the IDOC website, of which we may take judicial notice, Mother's projected parole date is October 21, 2031, and her projected discharge date is April 21, 2033. See *People v. Young*, 355 Ill. App. 3d 317, 321 n.1 (2005) (noting that courts may take judicial notice of information on the Illinois Department of Corrections (IDOC) website). As such, the earliest Mother would be able to take care of Liam is in five years. At this point, Liam will be nearly nine years old and will have resided with his foster family for most of his young life.

had a strong bond with him. Liam appeared happy and was making significant developmental progress in their care. In addition, while Liam spoke very little when he entered foster care, and was evaluated for autism, after his pediatric specialist determined that his delays were trauma related, with consistent developmental therapy provided for by the foster parents, Liam was "moving mountains" and improving rapidly. The foster parents were committed to Liam's progress and expressed interest in adopting him.

¶ 63 Under this record, we find that the State proved by a preponderance of the evidence that termination of Mother's parental rights was in Liam's best interest. The opposite conclusion is not clearly evident. As such, the trial court's termination of Mother's parental rights was not against the manifest weight of the evidence.

¶ 64 B. Due Process Violation in Tristan's Proceeding

¶ 65 On appeal, Mother also argues, albeit inartfully, that the trial court's permanency and discharge orders granting custody and guardianship of Tristan to Michael violated her due process rights because they effectively terminated her parental rights without finding that she was an unfit parent to Tristan.

¶ 66 Illinois Supreme Court Rule 341(h)(7) (eff. Oct. 1, 2020) requires the argument section of an appellant's brief to "contain the contentions of the appellant and the reasons therefor, with citation of the authorities *** relied on." As a reviewing court, we are "entitled to have the issues clearly defined and supported by pertinent authority and cohesive arguments." *U.S. Bank v. Lindsey*, 397 Ill. App. 3d 437, 459 (2009). We are "not merely a repository into which an appellant may 'dump the burden of argument and research,' nor is it the obligation of this court to act as an advocate or seek error in the record." *Id.* (quoting *Obert v. Saville*, 253 Ill. App. 3d 677, 682 (1993)); see Ill. S. Ct. R. 341(h)(7) (eff. July 1, 2008)). Additionally, we will not "research the

issues on the appellant's behalf." *Gakuba v. Kurtz*, 2015 IL App (2d) 140252, ¶ 19. "An issue not clearly defined and sufficiently presented fails to satisfy the requirements of [Rule 341(h)(7)]" and is forfeited. *Cwik v. Giannoulias*, 237 Ill. 2d 409, 423 (2010); see Ill. S. Ct. R. 341(h)(7) (eff. Oct. 1, 2020).

¶ 67 In the present case, Mother's entire argument is confined to the following four sentences interspersed throughout her brief. In the introductory paragraph Mother states that Tristan's "case was closed on June 2, 2026,[8] and guardianship was returned to *** Michael, essentially terminating [her] parental rights." In the issues section, Mother asks: "Did the [t]rial [c]ourt err in essentially terminating [Mother's] parental rights by closing her case and returning custody to the father, Michael?" In the statement of facts section, Mother again states: "[O]n June 2, 2026, in regards to Tristan, the trial court made a finding that custody was to be returned to the non-offending parent *** Michael *** and closed jurisdiction over the case essentially terminating [Mother's] parental rights." Finally, in the argument section of her brief Mother asserts: "To close her case involving Tristan *** is a violation of [her] Due Process rights."

¶ 68 Aside from these bare assertions, Mother cites to no authority whatsoever in support of her argument that her due process rights were violated. Nor does she cite any case law that would even remotely suggest that the trial court was required to hold a fitness hearing to determine whether she was an unfit parent to Tristan before it could grant custody and guardianship to Michael by way of permanency and discharge orders. Because Mother's argument is both undeveloped and unsupported by any authority, it violates the requirements of Rule 341(h)(7) and is forfeited. See Ill. Sup. Ct. R. 341(h)(7) (eff. Oct. 1, 2020); *People v. Macias*, 2015 IL App (1st) 132039, ¶ 88

[8]Mother cites to the date her motion to reconsider was denied.

("Contentions supported by some argument, but no authority do not meet the requirements of Supreme Court Rule 341(h)(7)" and are forfeited).

¶ 69 Forfeiture aside, Mother's argument lacks merit. Contrary to Mother's position, 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. This is so, because section 1-3(8) of the Juvenile Court Act which defines "guardianship" as "the duty and authority to act in the best interests of the minor" also makes guardianship "subject to residual parental rights and responsibilities." 705 ILCS 405/1-3(8) (West 2024). 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." 705 ILCS 405/1-3(13) (West 2024). A guardian's authority is "expressly exercised subject to th[e]se residual rights 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. Because the permanency and discharge orders here left Mother's residual rights intact, they were not the equivalent of termination, and her due process argument is unfounded.

¶ 70 III. CONCLUSION

¶ 71 For the foregoing reasons, we affirm the orders of the circuit court.

¶ 72 Affirmed.