

NOTICE
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2026 IL App (5th) 250996-U

NO. 5-25-0996

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> ANGELO Y., a Minor)	Appeal from the
)	Circuit Court of
(The People of the State of Illinois,)	Champaign County.
)	
Petitioner-Appellee,)	
)	
v.)	No. 25-JA-60
)	
)	
Alethia Y.,)	Honorable
)	Robert E. Jacobson,
Respondent-Appellant).)	Judge, presiding.

JUSTICE HACKETT delivered the judgment of the court.
Justices McHaney and Bollinger concurred in the judgment.

ORDER

¶ 1 *Held:* The adjudicatory order that found the minor to be neglected and the subsequent dispositional order that found the respondent to be unfit and unable to parent the minor are affirmed because the circuit court’s findings were not against the manifest weight of the evidence.

¶ 2 The respondent, Alethia Y. (Mother), appeals the circuit court of Champaign County’s November 6, 2025, adjudicatory order and the December 3, 2025, dispositional order. On appeal, Mother challenges the circuit court’s findings that her minor child, Angelo Y., was neglected and that Mother was unfit and unable to care for him. For the following reasons, we affirm.

¶ 3

I. BACKGROUND

¶ 4 This case began on July 7, 2025, with the filing of a petition for adjudication of abuse, neglect, or dependency, concerning Mother’s biological child, Angelo, who was born in December 2023. The petition alleged the minor was 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 all three counts in that the minor was in an environment that is injurious to his welfare. Count I alleged that the minor was neglected because when he resides with Mother and McKinley P.¹ (Father), said environment exposes the minor to the risk of domestic violence. Count II alleged that the minor was neglected because Mother had failed to correct the conditions which had resulted in a prior adjudication of parental unfitness concerning the minor’s siblings in Champaign County cases 2024-JA-73 and 2024-JA-74.² Count III alleged that the minor was neglected because when he resides with Mother and Father, said environment exposes the minor to substance abuse. The minor was taken into protective custody on July 6, 2025.

¶ 5 On July 8, 2025, the Department of Children and Family Services (DCFS) filed a shelter care report that had been prepared by child protection specialist Tatiana Marshbanks. The report alleged that on June 28, 2025, the minor was transported to the hospital in an ambulance, accompanied by Mother. Mother told the reporter that she and the minor were at the home of one of Father’s relatives when Mother and Father got into an altercation. Father went outside with the minor, who was in a car seat. Father took the car seat and “flung” it. The minor was not completely buckled into the car seat, so he fell onto the pavement and struck his head on the ground. A subsequent report was received on July 2, 2025, which alleged there was an argument “amongst

¹McKinley P. is Angelo’s father. He is not a party on appeal.

²Champaign County case No. 2024-JA-73 was filed on behalf of Julissa, and No. 2024-JA-74 was filed on behalf of Alyssa, against Mother and Jerry J., as father, due to concerns of inadequate supervision.

individuals” which resulted in Father throwing the minor “approximately 5-6 feet across the room while he was in a baby carrier.” On July 6, 2025, DCFS made contact with Mother and the minor. Mother reported that the minor had sustained an injury but was unsure of its extent. As to the June 28, 2025, incident in which the minor was “flung,” Mother stated it was a misunderstanding and that the minor had been “securely strapped in and did not fall” out of the car seat. Mother stated that she was not present for the June 28, 2025, incident and further denied any altercation between herself and Father.

¶ 6 The report also detailed ongoing concerns beyond the two incidents. Matthew Teehan, the caseworker for Mother’s other children, Julissa and Alyssa, reported prior domestic violence concerns between Mother and Father, allegations of drug use and drug dealing in the home, unsafe home conditions, and DCFS’s lack of contact with the minor for several months. Further, Mother’s two older children were already in care, and Mother had not completed recommended services, had missed numerous drug screens, and had multiple positive screens for alcohol and opioids.

¶ 7 DCFS concluded that the minor was at risk because of the repeated allegations of domestic violence and Mother’s failure to make progress in services in 2024-JA-73 and 2024-JA-74. DCFS therefore recommended that the court find probable cause that there was an immediate and urgent need to place the minor in DCFS’s temporary custody, and recommended supervised visitation for Mother and Father.

¶ 8 On July 8, 2025, the circuit court held a shelter care hearing. Mother and Father were present with their attorneys.³ The parties stipulated to the admission of the shelter care report. The court found probable cause that the minor was neglected based on the facts set forth in the report. The parties stipulated, in lieu of testimony, that if Marshbanks were called to testify, her testimony

³The record of proceedings does not include the transcript of the shelter care hearing.

would be consistent with the shelter care report. The parties stipulated to the admission of the Champaign Police Department (CPD) Report 2025-10749 and email correspondence from a Glendale Heights police officer, and further stipulated that Marshbanks relied on those documents in her investigation and in preparing the shelter care report. Finally, the parties also stipulated to the court taking judicial notice of Champaign County cases 2024-JA-73 and 2024-JA-74.

¶ 9 A temporary custody and admonition order was filed on the same day. The circuit court found probable cause to believe the minor was neglected. The circuit court ordered the minor into the temporary custody of the guardianship administrator of DCFS, with authorization to place the minor.

¶ 10 On September 25, 2025, the circuit court held the adjudicatory hearing. Mother appeared with counsel, while Father was absent but represented by his attorney. The State requested that the court take judicial notice of Champaign County cases 2024-JA-73 and 2024-JA-74, and specifically the dispositional order entered on February 13, 2025. The request was granted. The dispositional order, amongst other things, ordered both Mother and Father “to refrain completely from mood or mind altering substances, including alcohol, cannabis, and controlled substance, and to submit to testing for those substances by DCFS.”

¶ 11 The first witness to testify for the State was Officer Jordan Faust. Officer Faust testified that he was employed with the CPD, and on April 4, 2025, he was dispatched to a reported domestic violence incident involving Mother. Officer Faust spoke with a man at the scene, McKenzie Phillips, who reported he was Mother’s brother. Phillips reported that Mother was involved in a domestic violence incident with a male, a prior boyfriend, who was no longer present at the scene. Officer Faust observed that Mother showed signs of intoxication, stating, “Her eyes were very heavy. She talked with a slur. Her mouth and words appeared very heavy. And she had

an odor of an alcohol-based beverage emitting from her person.” Faust stated, “There was some confusion with officers on scene whether or not that was her brother or her cousin or her boyfriend and if they shared that child.”

¶ 12 Next, Marshbanks testified on behalf of the State. Marshbanks testified that she is employed as a child protection investigator with DCFS. She was assigned to the minor’s case on June 30, 2025, following a report that the minor had been “thrown” on June 28, 2025. Marshbanks stated that she made multiple unsuccessful attempts to contact Mother following the report. Marshbanks was able to speak with Mother by telephone on July 7, 2025. During that call, Mother denied that the minor was thrown. She also reported that she was not in contact with Father and that her vehicle had broken down, leaving her stranded in Chicago.

¶ 13 Marshbanks further testified that Mother was uncooperative with a requested drug screening. Mother stated she could not do the drug screening because she had to complete a training she was conducting for her employment; however, she did not provide verification of any such training. Marshbanks also testified that she spoke with Mother on July 8, 2025, at the shelter care hearing, advising her to maintain contact with her caseworker and to make progress on her service plan related to Julissa and Alyssa. Mother responded that she had not received a service plan in those cases and was instructed to contact the DCFS supervisor regarding that issue.

¶ 14 Sam Mosley next testified for the State. Mosley stated that he was a DCFS investigator and that he received a report on July 3, 2025, concerning an incident in which the minor was allegedly thrown from a car while in his car seat. Mosley testified that he went to Mother’s residence to discuss the incident. Although no one answered the door when he knocked, he later observed Mother as he returned to his vehicle, and she agreed to speak with him about the events of June 28, 2025. Mother denied that any such incident occurred.

¶ 15 Mother subsequently stated to Mosley that she had been at a convenience store and had left the minor in the care of family members. Mother was unable to provide contact information for those family members. In response to the minor's reported injury, Mother stated that she left the store and went to the hospital, where Mother's sister had taken the minor. Mother indicated that she was aware the minor had been injured but did not know how the injury occurred. Mosley testified that, upon observation of the minor, "[h]e appeared to be fine."

¶ 16 A male was present in Mother's home at the time of Mosley's conversation with her. Mother stated he was her cousin. Mosley was unable to speak with the male, who had left when the police arrived, after they had been called by Mosley's supervisor. As for why Mother was in the Chicago-Robbins area, she first said she had a job interview. However, she then stated that she was getting her car repaired or picking up a car that had been repaired.

¶ 17 On cross-examination, Mosley testified that the initial report was that the minor was thrown from a car while in his car seat; however, he later understood the minor was thrown while seated in his car seat, not in a car. Mosley testified that Mother reported that the minor did have injuries, but she was unsure of the exact circumstances that led to the injuries. Mosley stated that Mother denied the minor was ever thrown in his car seat, and that it was a misunderstanding. Mother further stated that the minor was taken to the hospital to be examined. Mosley stated that his supervisor had authorized protective custody, and he accordingly took the minor into protective custody. The court recessed after Mosley's testimony.

¶ 18 The adjudicatory hearing resumed on November 6, 2025. Aryan Kiani, a CPD patrol officer, testified that he was dispatched to a store on the evening of April 4, 2025, for a report of a domestic dispute. Upon arrival, Officer Kiani spoke with Mother, who initially stated that nothing had occurred, but later stated that she had been involved in a verbal altercation. Mother initially

stated she did not know the person involved in the altercation, but later stated the person was a former boyfriend, Russell Holmes. Mother stated that she was in a store when Holmes showed up, and they got into a verbal altercation because he was upset that she had a child with another man. The verbal altercation led to Holmes shoving Mother and leaving the scene.

¶ 19 Officer Kiani stated that they could not locate Holmes. Officer Kiani observed mud on Mother's pants, and the ground was wet at the time, which corroborated that she had been shoved. Officer Kiani stated that Mother appeared "fairly inebriated," and he heard Mother state to another officer that she was getting married the following day and "was going to meet up with Russell [Holmes] to have intercourse before she got married." Officer Kiani stated that he saw Mother with "a male probably around similar age to her and a small child." Officer Kiani stated that he felt the child would have been in danger had Mother driven her car home. Mother stated that the child was hers and was 15 months old. Officer Kiani did not recognize the male who was at the scene as present in the courtroom.

¶ 20 Nik Cook, a CPD officer, testified next. Officer Cook testified that he responded to the same store as Officer Kiani on April 4, 2025. Upon arrival, Officer Cook spoke with a third party who advised that they had witnessed a male push a female to the ground and then leave the scene. Officer Cook stated he did not remember the female's name and did not recognize her in court. Officer Cook stated that he drove the woman and a child home due to the woman failing a standard field sobriety test and being too impaired to drive. Officer Cook stated that the female advised that the child was hers, and Officer Cook believed she was the same female who had been battered.

¶ 21 Next, Mother testified on her own behalf. Mother confirmed that she was the female that Officer Cook drove home on April 4, 2025. Mother stated that on April 4, 2025, she was pushed by a former partner, Holmes, due to Holmes becoming upset that Mother had a child with Father.

Mother stated that at the time of the incident with Holmes, the minor was waiting in her vehicle with Phillips, whom she reported was the minor's uncle.

¶ 22 Mother stated that, upon arriving at the store, she waited briefly in the parking lot with the minor and Phillips to be picked up. She then left the parking lot and walked to a liquor store, where she purchased wine. Mother further stated that she was not intoxicated when she drove to the convenience store. Mother stated that she intended to "go hang out with some friends." Mother later stated that her friend lived in Urbana and she intended to use a ride-share company or taxi to travel to Urbana.

¶ 23 Approximately 30 minutes after arrival at the store, Mother met Holmes at the liquor store. Mother stated that she drank "some wine" during this time. Mother stated that she and Holmes may have walked around for one to two hours, and she believed that they walked to a taco truck and sat by some benches. Mother stated that at this time Holmes became angry with her due to having a child with Father, and proceeded to push her. After the altercation, Mother returned to her vehicle and discovered that Phillips and the minor were still waiting. Mother stated that the only information she told the officers at the scene was that she had an altercation with her former partner.

¶ 24 Next, Mother testified regarding the June 28, 2025, incident. Mother stated that she had been in Lombard for a week of job training. Father and the minor had been with Mother at the hotel where the training was held. During the last day of training, on a Friday, Father took the minor to Trevel Phillips' home to visit the minor's paternal family. Father and the minor stayed at the relative's home that night, while Mother stayed at the hotel. The next day, Saturday, Mother went to the home to pick up the minor. Mother testified that when she arrived at the home, she was told the minor was "tossed in a car seat" and that she wanted her son removed from the home

where he was staying. Later, Mother testified that she was told someone had dropped the car seat, but not that it had been thrown. She stated that the minor did not appear injured but that she took him to the hospital as a precaution. Mother testified that she had no reason to believe that the minor's car seat was intentionally dropped.

¶ 25 The next witness to testify was Mathew Teehan, a caseworker with the Center for Youth and Family Solutions. Teehan testified that he had been the caseworker for Julissa and Alyssa since their cases were opened in September 2024. Teehan asserted that he believed Mother had been recommended for a substance abuse evaluation, random drug screenings, individual mental health counseling, domestic violence victim services, and parenting classes. Teehan testified that as of July 7, 2025, Mother had completed drug screenings but failed to complete any other services. Teehan attested that while he does not recall whether he reviewed Mother's service plan with her "item by item," he stated that they discussed the service plan near the start of the case.

¶ 26 Regarding substance abuse services, Mother completed her substance abuse evaluation at Rosecrance on June 18, 2025, and was recommended for further services, but due to her employment schedule, she was unable to attend any of the classes provided. Mother was later referred to Carle Addiction and Recovery, but Teehan asserted "they just didn't really have any options for [Mother]." Teehan stated that Mother contacted Carle Addiction and Recovery independently regarding services. Teehan testified Mother had completed drug screenings "with some degree of regularity," prior to February 21, 2025, with some positive tests. Teehan spoke to Mother regarding the results, and she gave him a valid prescription for codeine that she was taking for dental reasons. The tests were also positive for alcohol. Mother stated that she was unaware that consuming alcohol was prohibited.

¶ 27 Teehan asserted that Mother did not inform him of any incidents involving the police. Teehan stated that he never explicitly told Mother that she needed to inform him of any police contacts.

¶ 28 Teehan testified that from February 21, 2025, to May 25, 2025, Mother was not in contact with the agency. Teehan stated that the agency attempted to contact Mother through weekly in-person visits:

“I made a weekly in-person drop-ins. I’m pretty sure they were weekly. I can’t say certainly that they were every single week during that period, but I certainly made an attempt weekly. One of those attempts being the weekly drop-ins going to her house unannounced and knocking on the door, waiting 15 minutes, giving her a call. Also numerous contact attempts over text and call.”

¶ 29 Teehan further asserted that a diligent search was performed. Teehan stated that Mother gave varying explanations for her break in contact with the agency, stating, “There was no real concrete reason that I got for why she was out of contact. *** She said she was in Chicago, but didn’t really specify beyond that.” Teehan testified that in June 2025, he learned the minor was no longer living with Mother but was living with Father. Teehan stated that he met with the minor in Chicago after protective custody was authorized and then brought the minor back to a foster home in Champaign.

¶ 30 As to Julissa and Alyssa, Teehan stated that as of early July 2025, he was not close to returning the minors to Mother’s care. Teehan stated that one of the minors “adamantly refuses any contact with [Mother]” and that Mother did not have contact with the agency from February to May 2025. Teehan stated that Mother did not make him aware of any issue with the minor,

stating that she no longer lived with the minor or Father, but “she wasn’t exactly clear on why, but it was something to do with not wanting to jeopardize *** his father having the rights to see him.”

¶ 31 Teehan stated that he had concerns regarding the minor while in Mother’s care. Teehan stated he “had an understanding that the water had been shut off in the home. And when I went in there, *** [the minor’s play pen] was not in compliance with safe-sleep standards, including that one of the corners was indent—I don’t know like, but it was dilapidated, basically.” Teehan further stated that his concerns did not dissipate when the water was turned on in Mother’s home and the minor was given a new play pen. Teehan stated that his concerns were influenced by the concerns of Julissa and Alyssa for the minor’s safety.

¶ 32 At the end of the evidence, the State argued that all three counts of the petition had been proven by a preponderance of the evidence. Regarding the minor being neglected, the State argued the dispositional reports from 2024-JA-73 and 2024-JA-74 were admitted into evidence and showed that Mother had failed to correct the conditions that led to the removal of Julissa and Alyssa, and therefore count II had been proven. Regarding counts I and III, the State argued that Mother’s testimony of the events of April 4, 2025, “was very fluid. It changed constantly.” The State noted that Mother’s story of what happened on April 4, 2025, was “constantly changing.” The State argued that Mother should have informed her caseworker of her “ex-boyfriend that she just randomly runs into and then hangs out with for a couple hours, drinks with for a couple hours, and they end up getting into an altercation where the police have to be called is something that a parent should probably tell their caseworker.” This is especially true when her recommended services were domestic violence and substance abuse. The State argued that the night of April 4, 2025, not only involved domestic violence, but also alcohol abuse, noting that Officer Cook testified that Mother had failed a field sobriety test. The State noted that the April 4, 2025, incident

was during the time when Mother was not in contact with caseworker Teehan in her open DCFS cases. The State highlighted “the testimony of unbiased witnesses.” The State argued that Mother’s testimony was not credible.

¶ 33 Mother’s counsel argued that, as for count I, the only instance of domestic violence presented at the hearing was one in which the minor was not present. As for Mother not informing her caseworker, Teehan, of her police interaction, Teehan had stated that it was not until two months after the police interaction that Mother became aware that she was not supposed to be drinking alcohol. As to count III regarding substance abuse, counsel argued that there was no indication that Mother was unable to parent the minor or in any way exposed the minor to substance abuse. Mother’s counsel argued that the minor was not intended to still be in the parking lot with Phillips on April 4, 2025, and it was never Mother’s plan for the minor to be present while she was partaking in alcohol. Further, Mother never drove while intoxicated, but rather “gladly accepted a ride home” from an officer. As to count II, regarding Mother’s failure to correct the conditions that led to the removal of her other two minor children, counsel argued that throughout the entire first six months of the open case, there was never an issue regarding the minor aside from a concern of a “dinged up” play pen and water turned off for a period of time. Mother argued that for the minor to be neglected due to a failure to correct the conditions of a prior finding of parental unfitness, “there has to be something other than well, we didn’t take protective custody of him when we took protective custody of the other girls, but now we’re gonna take it because now she hasn’t finished her services for the older girls, so now he’s neglected because she’s unfit.” Mother’s counsel concluded by noting that the minor was taken into protective custody due to an incident in which he was dropped in his car seat, and that, upon learning of the incident, Mother took him to the hospital.

¶ 34 The guardian *ad litem* (GAL) argued that Mother exposed the minor to domestic violence and substance abuse as “mother is intoxicated out in public. Her actions resulted in police being called to the location. So now you have police cars, police officers, uniforms all around the car and in the parking lot, and [the minor] is there the whole time.” And therefore, count I and III had been proven by the State. The GAL further argued that in Mother’s prior DCFS cases, she was referred for substance abuse services and the dispositional order stated that she was to refrain from all “mind altering substances,” which would include alcohol. Further, Mother failed to stay in contact with the agency, in violation of the dispositional order. The GAL argued this showed count II had also been proven by the State.

¶ 35 The court concluded that the State had not met its burden as to count I but had proven counts II and III. The court concluded that while there was an act of domestic violence on April 4, 2025, the minor was not present for the incident. As for the incident on June 28, 2025, the court found that the evidence was insufficient to meet the burden of proof regarding domestic violence with the minor as the victim. As for counts II and III, the court noted the allegations were intertwined. Mother’s counsel argued that the minor remained in Mother’s care after his sisters were taken into care; however, the circuit court found the circumstances had changed since that determination. The circuit court found that the minor was exposed to substance abuse on April 4, 2025. Additionally, the court noted that it did not find Mother’s testimony credible. Regarding Mother’s credibility, the court stated:

“Her version of what happened changed from when she spoke with the police. It changed at points when she was testifying. And she initially testified that she had maybe a sip of wine. And then it turned into a cup of wine. That the person she was with, she just ran in—she just ran into him. And that he didn’t drink with her, but then he did drink with her, but that was maybe just a sip. And then that was also maybe turned into a cup of wine. And she—well, and that’s completely contradicted by law enforcement who observed her with slurred speech, unable to complete the field sobriety test, or just a need to only complete the first part because it just established very clearly.”

¶ 36 The court noted that Mother was aware that she was not in a condition to drive, and Mother's claim that she did not know that she was prohibited from alcohol consumption was not a defense as she "should have known better." The court found that the minor was exposed to substance abuse as he ended up riding home in the police car with Mother after her intoxication.

¶ 37 On November 6, 2025, an adjudicatory order was filed. The order found that the minor was abused or neglected as he was in an environment that was injurious to the welfare of the minor as defined by section 2-3(1)(b) of the Juvenile Court Act (705 ILCS 405/2-3(1)(b) (West 2024)). The order stated that in 2024-JA-73 and 2024-JA-74, Mother was unable to be reached by DCFS for a period of more than three months (from February 21, 2025, through May 25, 2025). Further, Mother had failed to engage in services and correct the conditions that led to the removal of her other children. The order stated this failure to correct conditions was demonstrated on April 4, 2025, when CPD Officers observed Mother intoxicated with the minor present. The order noted the lack of credibility in Mother's testimony and that Mother should have been aware that she was required to abstain from alcohol. The order concluded that "[t]he incident on April 4, 2025, exposed the minor to Respondent mother's substance abuse, as well as further establishing that Respondent mother had failed to correct the conditions that led to the findings of unfitness and inability in [c]ases 2024-JA-73 and 2024-JA-74."

¶ 38 On November 26, 2025, a dispositional report was filed. The report noted that Mother lived alone in a three-bedroom house, worked at a bank, and had some college education. As for visitation, the report noted that Mother was having weekly supervised visits with the minor. The report later stated that the visits were taking place twice weekly. At visits, Mother participated, acted appropriately, provided food and drinks, and changed the minor's diaper. During the duration of Mother's other open DCFS cases, she had attended therapy on-and-off, including domestic

violence victim therapy. Mother was scheduled to begin parenting classes in mid-December. Mother's drug screenings since November 6, 2025, were all either negative or pending. Mother had not been recommended for additional substance abuse services. The report recommended that DCFS be granted custody of the minor with supervised visits between Mother and the minor to continue, and Mother to participate in recommended treatment.

¶ 39 As for the minor, the report stated that he appeared happy and safe in his foster home, had a positive relationship with his foster parents, and had regular visits with his siblings. The report stated that the foster parents had concerns regarding the minor's refusal to eat vegetables, but noted that the minor ate small amounts of vegetables during his visits with Mother.

¶ 40 The Center for Youth and Family Solutions counseling progress report was filed the same day. The report noted that Mother had mixed attendance for counseling and had been making progress towards managing emotions and healthier relationships. The report stated that it was recommended that Mother continue therapy, specifically focusing on areas of improvement within her interpersonal relationships.

¶ 41 A dispositional hearing was held on December 3, 2025. The State sought to admit two police reports into evidence. The first report was a Robbins police report from June 28, 2025, and the second was a Glendale Heights police report from July 5, 2025. The court admitted both into evidence without objection.

¶ 42 The State argued that the minor should be made a ward of the court, that custody and guardianship be placed with DCFS, and that the court find Mother and Father unfit and unable to exercise custody of or parent the minor. The State acknowledged Mother's enrollment in a domestic violence program and parenting classes. The State raised concerns that Mother was previously recommended for substance abuse services, and approximately three and a half months

later, was no longer recommended for services. The State argued that Mother is unfit and unable at this time to exercise custody as her services had not yet begun.

¶ 43 Mother testified on her own behalf and stated corrections to the dispositional report filed on November 26, 2025. She stated that she did not decline to participate in the domestic violence program but that the class times offered conflicted with her work schedule at the bank. Mother further stated that, since July 30, 2025, all of her drug screenings had been negative and that she had only two failures to appear, which she attributed to visitation with the minor extending beyond the allotted time. Mother also expressed concerns regarding the minor's health, citing diaper rashes and other issues related to the care of the minor's skin. She additionally stated that she had not been notified of the minor's hospitalizations.

¶ 44 Mother argued that she should be found willing and able to exercise custody of the minor. Mother stated that she had made every visit and every drug screening, was participating in counseling, and had made efforts to engage in services. Mother further argued that she was able to exercise custody as she was employed and has a stable residence, has maintained abstinence for five months from substances, and has not had any police encounters. Further, the visits had gone well, and Mother had acted appropriately with the minor. Mother argued that if the court determines that she was unfit or unable, it was still in the minor's best interests that she maintain custody and guardianship, as the minor had not been thriving in his foster placement, citing that the minor had been hospitalized four times in the last five months.

¶ 45 The GAL recommended that the minor be made a ward of the court and that Mother be found unfit and unable to exercise custody of the minor. The GAL stated that Mother was willing to parent the minor, but despite these efforts, she was unfit and unable to parent the minor. Regarding the minor's foster placement, the GAL noted, "[the foster parents] have been doing

exactly what they've been asked to do and I have no concern about [the minor's] care at this time, so that's clearly a placement issue anyway.”

¶ 46 In making its decision, the court considered the dispositional report, the evidence and stipulations from prior hearings, the recommendations of counsel, and the relevant best-interest factors. The court found Mother to be unfit and unable to exercise care of the minor, and that it was in the minor's best interest that guardianship be placed with DCFS. The court acknowledged that Mother had taken positive steps and was making “some progress in counseling,” but the court stated that “a lot more progress needs to be made.” The court found that while Mother was willing to parent the minor, she was unfit and unable. Further, the court found that it was in the best interests of the minor and the public that custody be removed from Mother and Father and placed with DCFS.

¶ 47 On December 3, 2025, a dispositional order was filed finding that it was in the best interest of the minor that he be made a ward of the court and adjudicated neglected. The order further stated that Mother and Father were both found unfit and unable to parent the minor. The order stated that Mother had

“demonstrated significant deficits in her parenting skills and judgment, including exposing her child to her substance abuse and being in a relationship that exposes her child to domestic violence[.] Respondent mother needs to engage in services to successfully address the above-named issues, as well as engage in and complete any other services to which she is referred, so that she can safely parent her child[.]”

The order concluded that it was in the best interest of the minor and the public that custody and guardianship be removed from Mother and Father and placed with DCFS. Mother timely appealed.

¶ 48

II. ANALYSIS

¶ 49

A. Adjudicatory Stage

¶ 50 The Juvenile Court Act (705 ILCS 405/1-1 *et seq.* (West 2024)) provides a step-by-step process to be used in determining whether a child should be removed from his or her parents and made a ward of the court. *In re Arthur H.*, 212 Ill. 2d 441, 462 (2004). The first step in the process is the State filing a petition for wardship. *Id.* Then, a temporary custody hearing is conducted at which the court must

“determine whether there is probable cause to believe that the child is neglected, whether there is an immediate and urgent necessity to remove the child from the home and whether reasonable efforts have been made to prevent the removal of the child or that no efforts reasonably can be made to prevent or eliminate the necessity of removal.” *Id.*

If probable cause is found, the child is placed in temporary custody, and the process continues. *Id.*

¶ 51 The second step of the process, the adjudicatory hearing, requires the court to determine whether the child was the subject of abuse, neglect, or dependence. *Id.* “Section 2-3(1)(b) of the Act (705 ILCS 405/2-3(1)(b) (West 2000)) defines a ‘neglected minor’ to include ‘any minor under 18 years of age whose environment is injurious to his or her welfare.’ ” *Id.* The general definition of “neglect” is the “ ‘failure to exercise the care that circumstances justly demand.’ ” *Id.* at 463 (quoting *In re N.B.*, 191 Ill. 2d 338, 346 (2000), quoting *People ex rel. Wallace v. Labrenz*, 411 Ill. 618, 624 (1952)). “Neglect” is not limited or fixed to this definition. By necessity, “neglect” is fluid and includes both willful and unintentional disregard of duty. *Id.* Similarly, “injurious environment” does not have a fixed definition, but has been interpreted to include “ ‘the breach of a parent’s duty to ensure a “safe and nurturing shelter” for his or her children.’ ” *Id.* (quoting *In re N.B.*, 191 Ill. 2d at 346, quoting *In re M.K.*, 271 Ill. App. 3d 820, 826 (1995)).

¶ 52 “At the adjudicatory hearing, ‘the court shall first consider only the question whether the minor is abused, neglected or dependent.’ ” *In re A.P.*, 2012 IL 113875, ¶ 19 (quoting 705 ILCS 405/2-18(1) (West 2010)). “The legislature has stated that the purpose of an adjudicatory hearing is ‘to determine whether the allegations of a petition *** that a minor under 18 years of age is *** neglected *** are supported by a preponderance of the evidence.’ ” *In re Arthur H.*, 212 Ill. 2d at 465 (quoting 705 ILCS 405/1-3(1) (West 2000)). “The plain language of this provision instructs the circuit court to focus solely upon whether the child has been neglected.” *Id.* “The legislature made no mention in this provision that during the adjudicatory stage of the proceedings the circuit court is also to determine who may be responsible for the child’s neglect, and to assess the proportion of the blame with respect to such individuals.” *Id.*

¶ 53 “[C]ases involving allegations of neglect and adjudication of wardship are *sui generis*, and must be decided on the basis of their unique circumstances.” *Id.* at 463. It is the State’s burden to prove allegations of neglect by a preponderance of the evidence, meaning the State must prove the allegations are more probably true than not. *Id.* at 463-64. Neglect and injurious environment findings are fact-driven. *Id.* On review, a finding of neglect will not be reversed unless it is against the manifest weight of the evidence. *Id.* at 464. “A finding is against the manifest weight of the evidence only if the opposite conclusion is clearly evident.” *Id.* This court will not disturb the circuit court’s findings unless the record clearly demonstrates that the court should have reached the opposite result or that the court’s determination is unreasonable, arbitrary, and not based on evidence. *In re D.W.*, 386 Ill. App. 3d 124, 139 (2008). If the State fails to prove the allegations of abuse, neglect, or dependence by a preponderance of the evidence, the petition must be dismissed. *In re Arthur H.*, 212 Ill. 2d at 464.

¶ 54 On appeal, Mother argues that the circuit court’s findings of neglect as alleged in counts II and III were against the manifest weight of the evidence. “Only a single ground for neglect need be proven, and thus when the circuit court has found a minor neglected on several grounds, we may affirm if any of the circuit court’s bases of neglect may be upheld.” *In re Faith B.*, 216 Ill. 2d 1, 14 (2005). Further, “the only question to be resolved at an adjudicatory hearing is whether or not a child is neglected, and not whether every parent is neglectful.” *In re Arthur H.*, 212 Ill. 2d at 467. Mother’s brief argues that DCFS did not see fit to remove the minor for a period of time after the removal of Julissa and Alyssa. Mother does not dispute that she failed to complete all of the services assigned to her in her two prior Champaign County cases. Further, Teehan, the caseworker assigned to Julissa and Alyssa’s cases, testified that as of July 2025, Mother had not completed any services related to those cases and had only completed some of her drug screenings. Teehan further testified that as of July 2025, he was not close to returning Julissa and Alyssa to Mother’s care. Mother’s failure to complete services in her prior DCFS cases alone is sufficient to affirm the circuit court’s finding that the minor was neglected.

¶ 55 B. Dispositional Stage

¶ 56 If a finding of abuse, neglect, or dependence is made, the matter proceeds to the third step, at which point the circuit court must hold a dispositional hearing. 705 ILCS 405/2-21(2) (West 2024). At the dispositional hearing, the circuit court must first determine whether the minor is to be made a ward of the court. *In re C.L.*, 384 Ill. App. 3d 689, 693 (2008). The determination of whether to make the minor a ward of the court “is based on the best interest to the child when considering the totality of the circumstances surrounding the child’s life.” *In re D.S.*, 2018 IL App (3d) 170319, ¶ 15.

¶ 57 After determining a minor should be a ward of the court, the circuit court then considers “the need for guardianship and whether a parent is dispositionally unfit.” *In re C.L.*, 384 Ill. App. 3d at 693. “When ruling on parental unfitness, a court is not to consider the child’s ‘best interests.’ ” *In re Latifah P.*, 315 Ill. App. 3d 1122, 1128 (2000) (citing *In re Adoption of Syck*, 138 Ill. 2d 255, 276 (1990)). “ [I]t is the parent’s past conduct in the then-existing circumstances that is under scrutiny.’ ” *Id.* (quoting *In re Adoption of Syck*, 138 Ill. 2d at 276). “[T]he term ‘unfit’ in the section relating to removing custody and guardianship from a parent following a finding of neglect differs in meaning from the unfitness required to be found for termination of parental rights for purposes of appointing a guardian with consent to adopt.” *In re T.B.*, 215 Ill. App. 3d 1059, 1061 (1991).

¶ 58 The circuit court’s findings regarding wardship and fitness at the dispositional hearing stage are given great deference because it has the best opportunity to view and evaluate the parties and their testimony. *In re Daphnie E.*, 368 Ill. App. 3d 1052, 1064 (2006); *In re T.B.*, 215 Ill. App. 3d at 1061. 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 circuit court’s findings merely because the reviewing court may have reached a different decision. *In re Lakita B.*, 297 Ill. App. 3d 985, 994 (1998). A circuit court’s determination of wardship or fitness will be reversed “only if the factual findings are against the manifest weight of the evidence.” *In re Kamesha J.*, 364 Ill. App. 3d 785, 795 (2006). A finding is against the manifest weight of the evidence only if the opposite conclusion is clearly apparent. *In re C.N.*, 196 Ill. 2d 181, 208 (2001).

¶ 59 “The purpose of a dispositional hearing is not to terminate parental rights.” *In re April C.*, 326 Ill. App. 3d 225, 237 (2001). Rather,

“a dispositional hearing serves the purpose of allowing the circuit court to decide what further actions are in the best interests of a minor, and the hearing and ruling on whether to make a minor a ward of the court gives the parents ‘fair notice of what they must do to retain their rights to their child’ in the face of any future termination proceedings.” *Id.*

¶ 60 As to Mother’s dispositional finding of unfitness, her brief urges this court to reconsider and reweigh the evidence that was presented to the circuit court. Mother notes that she was attending therapy, “making good progress toward achieving her goals,” and was employed. Mother’s brief further stated that there was no evidence that showed the minor to be “undernourished, mistreated—at least not while in [Mother’s] custody—or otherwise neglected.” However, Mother fails to address the negative factors from the dispositional report and the circuit court’s dispositional order, which indicated that the respondent had demonstrated significant deficits in her parenting skills and judgment, including exposing the minor to substance abuse. It is not our role as a reviewing court to reweigh the evidence. See *Best v. Best*, 223 Ill. 2d 342, 350-51 (2006). Based on the totality of the circumstances, we find that a result opposite to that reached by the circuit court as to Mother’s fitness is not clearly apparent, and the result reached by the circuit court was supported by the evidence.

¶ 61 Finally, the circuit court’s determination that it was in the minor’s best interests to be made a ward of the court and to be placed in DCFS custody was not against the manifest weight of the evidence. Although the court acknowledged the progress Mother had made, it also identified ongoing concerns regarding substance abuse and domestic violence. The dispositional order noted that Mother had “demonstrated significant deficits in her parenting skills and judgment, including exposing her child to her substance abuse and being in a relationship that exposes her child to domestic violence.” The court further found that substantially more progress was required.

Additionally, the GAL reported no concerns with the minor's placement, noting that the foster parents were meeting all expectations. In light of these findings, and considering the minor's best interests, the court properly adjudicated the minor neglected, made him a ward of the court, and placed custody and guardianship with DCFS.

¶ 62

III. CONCLUSION

¶ 63 For the foregoing reasons, we affirm the November 6, 2025, and December 3, 2025, orders of the circuit court of Champaign County.

¶ 64 Affirmed.