

NOTICE

Decision filed 10/02/26. 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) 260399-U

NO. 5-26-0399

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> RILEY C., a Minor	)	Appeal from the
	)	Circuit Court of
(The People of the State of Illinois,	)	Clay County.
	)	
Petitioner-Appellee,	)	
	)	
v.	)	No. 23-JA-25
	)	
Neal D.,	)	Honorable
	)	Joel C. Powless,
Respondent-Appellant).	)	Judge, presiding.

JUSTICE SHOLAR delivered the judgment of the court.
Justices Barberis and Bollinger concurred in the judgment.

ORDER

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

¶ 2 The respondent, Neal D. (Father), appeals from the September 26, 2025, order of the Clay County circuit court terminating his parental rights over Riley C., his minor daughter. On appeal, Father challenges only the determination that it was in the minor's best interest to terminate his parental rights, and does not challenge the circuit court's unfitness finding. For the reasons explained below, we affirm.

¶ 3

I. BACKGROUND

¶ 4

A. Adjudication of Neglect and Initial Proceedings

¶ 5 On July 3, 2023, the State filed a petition for adjudication of wardship concerning the then-eight-year-old minor, naming Father and the minor's mother (Mother)¹ as her parents. The petition stated that the minor was neglected due to an environment injurious to her welfare. The State provided the following factual allegations: (1) that Mother was incarcerated, serving a sentence for possession of methamphetamine; (2) that Mother made arrangements for the minor to be cared for by her maternal relatives, but failed to complete any temporary guardianship documents; (3) that Mother had ongoing periods of homelessness and instability, and was unable to provide a safe, constant home for the minor; (4) that Mother had a history of physical altercations with family members and close acquaintances, including Father; (5) that Father removed the minor from the home of her maternal grandparents on June 9, 2023; (6) that Father had been involved in incidents of physical intimidation and abuse, including altercations with Mother; (7) that Father had had two other children removed from his care in 2022, and currently had criminal charges pending against him for two counts of endangering the life or health of a child; and (8) when the Illinois Department of Children and Family Services (DCFS) came to Father's home to check on the minor, the minor was not home, and Father told the investigator that he had lowered the minor from a second-story window to a third party. Regarding the pending charges against Father, the State added that he allegedly left his two other children under the age of six unattended at his home so that he could go shopping.

¹Mother is not a party to this appeal. We therefore only discuss her where relevant.

¶ 6 On July 7, 2023, the circuit court appointed counsel for both parents, and appointed Christopher Elliott to serve as the guardian *ad litem* (GAL) for the minor. The record on appeal indicates that Elliott appeared as the GAL at every subsequent court hearing in this matter.

¶ 7 The circuit court entered an order placing the minor in temporary shelter care, in the custody of DCFS, on August 18, 2023. DCFS filed an initial service plan with the circuit court on August 28, 2023. Father's services included substance abuse, domestic violence, mental health, stable housing and legal income, and parenting. Because there was a no contact order in place between Father and the minor, Father was not scheduled for any visitation.

¶ 8 According to an adjudication report filed by Caritas Family Solutions (Caritas) on September 6, 2023, Father was attending mental health counseling. However, he had not completed an integrated assessment, had not engaged in parenting classes or substance abuse services, and was unable to complete any drug tests in July of 2023 due to being incarcerated. Father's caseworker spoke with his probation officer on August 28, 2023, and the latter stated that she did not know Father's current address. She further stated that he told her he had been "sleeping on couches." Father reported being employed, but had not provided any income verification. Father was unsuccessfully discharged from domestic violence services due to repeated absences. Although he later re-engaged, a contact from the domestic violence program reported that due to Father's behavior and communications, he should address his substance abuse and mental health before re-enrolling in the program. Lastly, Father was still unable to visit with the minor due to his pending child endangerment charges.

¶ 9 The circuit court held an agreed adjudicatory and dispositional hearing on September 13, 2023. At the hearing, the parents stipulated to the allegations in the State's petition. The GAL informed the circuit court that the minor was placed with Mother's brother, and opined that entry

of the agreed adjudication order would be in the minor's best interest. On the same date, the court entered dispositional and adjudicatory orders finding the minor to be neglected due to an environment injurious to her welfare, adjudicating her a ward of the court, and finding both parents to be unable to care for her. The adjudicatory order also included a finding that the GAL's "personal contact with the minor and with the foster parents or caregivers of the minor has been excused," pursuant to section 2-17(8) of the Juvenile Court Act of 1987 (Juvenile Court Act). 705 ILCS 405/2-17(8) (West 2022). The circuit court also entered an order on visitation requiring DCFS to make at least one two-hour supervised visit available to Father each week.

¶ 10 Caritas filed an adjudication report on April 5, 2024, which stated that Father was arrested on September 28, 2023, for aggravated battery and use of a deadly weapon. Caritas had no contact with Father from November 21, 2023, to January 17, 2024. Father still had not completed an integrated assessment. In late January 2024 he reported to his caseworker that he had enrolled in parenting classes, but he did not know the provider's name and could not provide any further information. He attended mental health counseling, but did not have any appointments between September 20 and December 7, 2023. Father completed a substance abuse assessment on November 15, 2023, and was not recommended for further services. He was scheduled for 20 drug tests between September 15, 2023, and February 16, 2024. He completed three of those tests—two were positive for THC and the third was positive for PCP.

¶ 11 The report further stated that Father had not had stable, suitable housing throughout the history of the case. He was reported to be staying at various locations but did not have his own residence. He also refused to provide his caseworker with the general location where he was residing, so that the caseworker could assist him in obtaining services in that area. In late January 2024, Father reported that he had just started a job, but on February 13, 2024, he reported that he

was unemployed. After attempting to re-engage in domestic violence services, Father was again unsuccessfully discharged due to his inability to control his anger and his failure to follow the rules. He was allowed to try again in January of 2024, but he was discharged the following month for failing to take responsibility for his actions, violating the program's confidentiality rules, and repeatedly exhibiting paranoid behavior.

¶ 12 Despite the circuit court's September 2023 visitation order, Father was still not allowed visitation with the minor, nor was he allowed to visit his two other children.² In December of 2023, Caritas received a report that Father had plans to kidnap the minor and take her out of state. The following January, Father showed up at the minor's previous placement location, looking for her. A few days later, he reported to his caseworker that he was looking for her so that he could give her a present.

¶ 13 On July 29, 2024, the State filed a motion for termination of parental rights as to both parents. The State alleged that Father was an unfit parent on the grounds of (1) failure to make reasonable efforts to correct the conditions that led to the minor's removal during any nine-month period following the adjudication of neglect and (2) failure to make reasonable progress toward the return of the minor within nine months after the adjudication of neglect.

¶ 14 Caritas filed a permanency hearing report on September 30, 2024. Father's contact with Caritas was described as "on and off," and he had a tendency to avoid taking accountability and to shift blame onto others. He still had not completed an integrated assessment. While he had completed parenting, he was still not allowed contact with the minor per court order. He was unsuccessfully discharged from mental health services after not being consistent in attending

²On the State's motion, the circuit court vacated the visitation order on July 12, 2024, and restored discretion over visitation to DCFS.

appointments. Since the last report, he had been scheduled for four more drug tests. He completed two, one of which was positive for THC. The most recent test, from August 22, 2024, was negative. Father still did not have housing; he reported residing in a home in Fairfield, Illinois, on January 24, 2024, but could not provide an address. Further, he stated that he was not sure whether he was “allowed” in the home. Father still had not successfully engaged in domestic violence services, and a June 2024 assessment indicated that Father was a high risk for domestic violence.

¶ 15 On September 30, 2024, DCFS filed a service plan that was approved in July of the same year. Father was rated unsatisfactory on substance abuse due to his many missed drug tests. He was also rated unsatisfactory on domestic violence for being twice discharged from his program. He was unsatisfactory on mental health after being discharged from those services as well. After initially refusing to sign consent forms so that he could re-engage in mental health counseling, he had recently signed the necessary forms. He was unsatisfactory on housing and income, as he was quickly fired from the position he briefly had at the start of the year and refused to provide an address for where he was residing. He was also unsatisfactory on parenting, despite completing a parenting program on March 14, 2024. This was because DCFS was unaware of any lifestyle changes he had made since completing the course, and he was still under no contact orders as to all three of his children. Lastly, Father did not maintain contact with DCFS and often did not respond to messages. He also did not provide his caseworker with information about his whereabouts or what was going on in his life.

¶ 16 Also on September 30, 2024, a parenting capacity assessment for Father was filed with the circuit court, which discussed his ability to parent all three of his children. The assessor concluded that Father did not have an adequate understanding of his children’s needs or of his responsibilities as their father. His participation in his service plan was “very inconsistent,” which “heighten[ed]

the concern that he has made very little progress in this case.” The assessor opined that Father’s refusal to take responsibility for his actions and how they have affected his children indicated that his behavior would not change if the children were returned to his care. Father had been out of his children’s lives for a long time—and still had no contact with them pursuant to court order—and returning them to his care with no changes from Father “could be extremely damaging to their emotional and physical well-being.” The assessor also did not believe that Father presently possess[ed] the ability to parent his children safely and effectively.”

¶ 17 B. Fitness and Best-Interest Hearings

¶ 18 The circuit court entered a permanency order on October 4, 2024, finding that Father had not made substantial progress towards the return home of the minor and scheduling the matter for a termination hearing. The fitness hearing took place on August 18, 2025. At the hearing, both parents stipulated to unfitness based on a failure to make reasonable efforts to correct the conditions resulting in the minor’s removal during the nine-month period from January 4, 2024, through October 4, 2024.³ The parties also informed the circuit court of their agreement to visitation for both parents. Father would have a first visit with the minor within the following week, and subsequent visits would take place every other week, depending on the minor’s request. Visits would be supervised by Caritas and occur at their offices. On the hearing date, the circuit court entered an order finding the parents unfit pursuant to section 1(D)(m)(I) of the Adoption Act (750 ILCS 50/1(D)(m)(i) (West 2024)), and set the matter for a best-interest hearing.

¶ 19 On September 16, 2025, the Court Appointed Special Advocate (CASA) filed a report with the circuit court. It stated that the 10-year-old minor had been in her foster placement for 26 months and was doing well in that placement. She verbally expressed her wish to remain with her foster

³Mother later executed a surrender of her parental rights.

parents, and “firmly expressed” that she did not want to have visits with Father, although she wanted to visit with Mother and with her siblings. The minor was “very bright” and enjoyed school. CASA found the foster home to be safe and appropriate. CASA reported “no concerns” regarding the minor’s placement or wellbeing, and observed that her foster parents cared for her and were attentive to her needs. Father, on the other hand, had not made the necessary efforts and progress on his service plan, had a history of domestic violence, and lacked stable housing. Additionally, the minor’s therapist opined that visits with Father would have a negative impact on the minor.

¶ 20 On September 19, 2025, Caritas filed a best-interest report. After detailing Father’s unsatisfactory performance on his service plan throughout the case, Caritas reported that Father’s first visit with the minor had been scheduled for August 23, 2025. The minor had expressed to her caseworker that she wanted to visit with Father twice—once to tell him which belongings of hers she wanted him to bring, and once to collect the belongings. When she was informed that he may not have her belongings and that the purpose of the visit was to spend time with him, she said she did not want to visit Father. She maintained that position after the caseworker told her to think it over for a day. The caseworker informed the GAL of the minor’s statements.

¶ 21 The report also stated that the minor had been living in her current foster placement since November 2023. Her caseworker visited monthly and observed that the minor always appeared happy. She appeared to be bonded to her foster parents, and the foster parents were meeting all of her needs for safety and wellbeing. The minor was up to date on all medical appointments and was attending therapy. She did very well at school, and her teachers had positive remarks about her behavior and academic performance. The minor reported feeling safe and loved in the foster home and expressed a desire to remain there. Her foster parents were committed to providing the minor

with permanency through adoption. Caritas recommended changing the permanency goal to adoption.

¶ 22 The best-interest hearing took place on September 22, 2025. The circuit court began by noting that it had reviewed the reports from CASA and Caritas. The State first called Sonnie Parker, the Caritas placement caseworker who was assigned to the minor's case. She stated that she believed it was in the minor's best interest that she be adopted by her foster parents, and testified to her observations of the minor in her current placement, as documented in the Caritas report.

¶ 23 Parker stated that the foster parents provided for all of the minor's needs, and were financially able to support her. The minor had developed an identity with her foster family and called her foster parents "Mom" and "Dad." She was "very much" attached to and bonded with her foster parents, and felt safe and secure with them. The minor also had visits with the foster parents' extended family, and was always excited to tell Parker about those visits. She also got along well with the foster parents' biological children.

¶ 24 The minor was doing well in school, and received praise from her teachers. The minor went on family outings with her foster parents, and they kept her up to date on all medical and mental health appointments. The foster parents wanted to adopt her, and Parker opined that it would be in the minor's best interest that they do.

¶ 25 The GAL also questioned Parker and asked her why she had refrained from identifying the minor's foster parents by name. Parker explained that for safety reasons, Caritas did not want Father to know where the minor was placed. Father had a violent criminal history, and he had shown up to past placements looking for the minor. The foster mother also expressed concern for her own safety, and asked to remain anonymous. Parker also testified that the minor at no point

throughout the case indicated a wish to see Father. Furthermore, the minor told Parker, without prompting, that she wanted to be adopted and to change her last name. Parker explained to her what adoption would mean, including that Mother and Father would no longer be her parents. After listening to Parker's explanation, the minor confirmed her decision.

¶ 26 Next, Father's friend Nathan Knavel testified on behalf of Father. He testified that he had known Father for six or seven years, and had the opportunity to observe Father with the minor on multiple occasions when Father and the minor would visit Knavel and his son. Knavel stated that Father and the minor interacted in a very loving way. The minor was "super respectful" toward Father. She was kind and well-behaved, and she and Father never fought. If an issue arose, Father would "get to the bottom of it." The minor was always clean, well-kempt, and appropriately dressed for the weather. It was clear to Knavel how much Father loved the minor.

¶ 27 Knavel further stated that Father never "technically" lived with him (because it would violate the rules of Knavel's housing), but Knavel helped him out where he could. During the time that Knavel knew Father, he knew Father to be employed, including at present. He also currently had his own house. Knavel added that he had helped Father through the case and could see how much pain he was in and how all he wanted to do was to be there for his children.

¶ 28 Father testified that he had been with his current employer for about a year. He worked at least 40 hours a week and earned \$23 per hour. He identified photo exhibits of himself with the minor throughout her life and described the various activities he did with her, including family outings, spending time with her siblings, and teaching her to spell and count. He also stated that he had been trying to obtain full custody of the minor for years because of Mother's substance abuse issues.

¶ 29 Father further testified that he had been living in a house he rented since late November or early December of 2024 and was working hard to make improvements on the house so that Caritas would deem it safe and appropriate for the minor. This included painting, remodeling, fixing the foundation, and repairing holes in the walls. He identified photos showing the house before and after his improvements, including what would be the minor's room, where he had painted a mural for her. Father admitted that he had not told Parker his address.

¶ 30 Father stated that before the minor was removed, she had been living with Father full time while Mother was incarcerated, and they were staying with Father's brother. During this time, Father said the minor was not in school, but had her needs met, including food, shelter, clothes, a place to sleep, and activities to do. He also denied Parker's statement that he did not have the minor's belongings, saying that he kept everything for her.

¶ 31 Father testified that on the day the minor was removed, Father was worried because he was expecting it, as he had previously had his two younger children removed. He denied throwing the minor out of a second-story window, as DCFS reports stated, but said that he told her to hide in a closet when the police came. To prevent the officers from finding her, he told them that he had put up a ladder against the balcony, and the minor had climbed down.

¶ 32 Father also acknowledged the results of his psychological evaluation, but denied that he was paranoid, as the evaluation indicated. He also argued that the bond between himself and the minor had been affected by the fact that they had not seen each other for over two years, and he contended that Caritas never did anything to help him re-establish this bond. He described the events as being "cheated out of" two years with the minor. He loved his daughter and believed he was wrongfully kept from seeing her.

¶ 33 On cross-examination by the State, Father acknowledged that his parental rights to his other two children had been terminated. When questioned by the GAL, Father testified that he currently had pending charges for aggravated battery with a deadly weapon.

¶ 34 During argument, the GAL stated that he agreed with the State that the evidence and testimony was sufficient to terminate Father's parental rights and allow for adoption. He recommended that the circuit court grant an order to that effect.

¶ 35 The circuit court began by summarizing the testimony and exhibits it had heard and reviewed. The court noted that the minor was doing well in her placement and verbally expressed that she wanted to remain with her foster parents. CASA deemed the foster home safe and appropriate. The foster parents were attentive to the minor's needs. The minor was doing well in school and enjoyed visiting her siblings. She was well-spoken and friendly, and seemed well-adjusted and comfortable with her foster family. She had developed relationships with her foster siblings, and was able to visit with her biological siblings.

¶ 36 The circuit court also noted that the minor expressed that she did not want to visit Father. The minor's therapist believed that visits with Father would have a negative impact on her. The court summarized the contents of the CASA and Caritas reports, and noted their recommendations that it would be in the minor's best interest to be adopted by her foster parents. The court emphasized that the minor referred to her foster parents as her mom and dad, and the foster parents wanted to adopt her.

¶ 37 Lastly, the circuit court acknowledged Father's love for the minor, but noted that he also told her to hide from the police. He had also lost his parental rights over his other children, and admitted that he would not provide his caseworker with his address for 10 months.

¶ 38 The circuit court then stated that, after reviewing the evidence and testimony, applying the statutory best-interest factors, and assessing the credibility of the witnesses, it found that the State had met its burden of proving by a preponderance of the evidence that it was in the minor’s best interest to terminate Father’s parental rights. The court added that CASA, Caritas, and the GAL all agreed with the State’s position. A termination order was entered on September 26, 2025.

¶ 39 Father filed a motion to reconsider on October 22, 2025, arguing that the State failed to meet its burden of proof and the circuit court erred in applying the statutory best-interest factors. The circuit court held a hearing on April 10, 2026, at which it restated the findings it made at the best-interest hearing. The court found that nothing presented at the hearing on Father’s motion changed its decision, and denied the motion. This appeal followed.

¶ 40 II. ANALYSIS

¶ 41 On appeal, Father challenges only the circuit court’s best-interest finding. He argues that the circuit court’s finding was against the manifest weight of the evidence because the GAL failed to comply with section 2-17(8) of the Juvenile Court Act (705 ILCS 405/2-17(8) (West 2024)), which sets a minimum amount of in-person contact that the GAL must have with the minor and the minor’s current foster parents or caregivers. He further contends that his trial counsel provided ineffective assistance by failing to raise this argument before the circuit court.

¶ 42 Once a parent has been found unfit, “[t]he issue is no longer whether parental rights *can* be terminated; the issue is whether, in light of the child’s needs, parental rights *should* be terminated.” (Emphases in original.) *In re D.T.*, 212 Ill. 2d 347, 364 (2004). The parent’s interest in maintaining the parent-child relationship “must yield to the child’s interest in a stable, loving home life.” *In re D.T.*, 212 Ill. 2d at 364. At this stage of the termination hearing, the State bears the burden of

proving by a preponderance of the evidence that termination of parental rights is in the child's best interest. *In re J.B.*, 2019 IL App (4th) 190537, ¶ 31.

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

“ ‘(1) the child's physical safety and welfare; (2) the development of the child's identity; (3) the child's familial, cultural[,] and religious background and ties; (4) the child's sense of attachments, including love, security, familiarity, continuity of affection, and the least disruptive placement alternative; (5) the child's wishes and long-term goals; (6) the child's community ties; (7) the child's need for permanence, including the need for stability and continuity of relationships with parent figures and siblings; (8) the uniqueness of every family and child; (9) the risks related to substitute care; and (10) the preferences of the person available to care for the child.’ ” *In re J.B.*, 2019 IL App (4th) 190537, ¶ 32 (quoting *In re Daphnie E.*, 368 Ill. App. 3d 1052, 1072 (2006)).

¶ 44 As with the circuit court's findings at the unfitness stage, we afford the court great deference, as it is in a superior position to view the witnesses, assess their credibility, and weigh conflicting evidence. *In re J.B.*, 2019 IL App (4th) 190537, ¶ 33. We will not reverse the circuit court's best-interest determination unless it is against the manifest weight of the evidence. *In re J.B.*, 2019 IL App (4th) 190537, ¶ 33.

¶ 45 Section 2-17(8) of the Juvenile Court Act provides as follows:

“The guardian *ad litem* or an agent of the guardian *ad litem* shall have a minimum of one in-person contact with the minor and one contact with one of the current foster parents or caregivers prior to the adjudicatory hearing, and at least one additional in-person contact with the child and one contact with one of the current foster parents or caregivers after the adjudicatory hearing but prior to the first permanency hearing and one additional in-person contact with the child and one contact with one of the current foster parents or caregivers each subsequent year. For good cause shown, the judge may excuse face-to-face interviews required in this subsection.” 705 ILCS 405/1-3(4.05) (West 2024).

¶ 46 In support of his claim that the circuit court's decision was against the manifest weight of the evidence, Father argues that the GAL's recommendation was without sufficient basis because nothing in the record suggests that he ever met with the minor or the foster parents as required by

statute. Father adds that the remainder of the State’s evidence was “sparse, not corroborated by anybody familiar with the case, and inconsistent with the agency’s own reports.” In support, Father asserts that the GAL’s testimony and recommendations were not based on first-hand knowledge or observations, and his information came only through Parker. Father argues that Parker’s testimony was “often contradictory” because she stated that Father completed no services when her reports indicated otherwise, she could not identify the source of her information about Father’s violent criminal history, and she did not know the basis for the order of protection upon which DCFS based its decision not to allow Father visitation.

¶ 47 Father further contends that Knavel was the only witness who actually observed Father interacting with the minor, and he testified that Father took good care of her, loved her, and made sure to keep her in contact with her siblings. Father also states that he testified about the close bond he shared with the minor, until DCFS “refused him visits.”

¶ 48 As Father acknowledges in his appellant brief, he did not raise the GAL issue before the circuit court, either at the best-interest hearing or in his motion to reconsider. Arguments brought for the first time on appeal are forfeited. *In re J.B.*, 2014 IL App (1st) 140773, ¶ 40. Forfeiture, however, is a limitation on the parties, not the court, and we may review the issue where it “impacts the fundamental fairness of a proceeding and address it under the plain error rubric.” *In re J.B.*, 2014 IL App (1st) 140773, ¶ 40.

¶ 49 Father does not invoke the plain-error doctrine in asking us to review the forfeited issue. Instead, he contends that his attorney’s failure to raise it before the circuit court amounted to ineffective assistance of counsel. Even if we considered his ineffective assistance claim, we find that for the reasons explained below, there is no merit to the forfeited argument, as any objection to the GAL’s recommendation would have had no effect on the outcome of the case and, as such,

caused no prejudice to Father. See *In re M.D.*, 2022 IL App (4th) 210288, ¶¶ 92-93 (to meet the prejudice requirement for a claim of ineffective assistance of counsel, the appellant must show that a reasonable probability exists that, but for counsel's unprofessional errors, the result of the proceeding would have been different).

¶ 50 Before addressing the GAL argument, we state that we do not doubt Father's love for his daughter. However, a parent's desire to continue his parental role in the child's life is not a relevant factor at this stage. See *In re D.T.*, 212 Ill. 2d at 364. The appropriate measure of a minor's best interests is the list of statutory factors found in section 1-3(4.05) of the Juvenile Court Act (705 ILCS 405/1-3(4.05) (West 2024)). Similarly, whether Father truly completed no services, as Parker testified, would go toward establishing fitness, which we are not reviewing here. Father stipulated to the State's allegations of unfitness on the basis of lack of reasonable efforts, and he does not raise any issue relating to the circuit court's acceptance of that stipulation on appeal.

¶ 51 Furthermore, to the extent that Father means to challenge Parker's credibility, we afford significant deference to the circuit court's credibility determinations, as well as its weighing of any conflicting evidence. See *In re J.B.*, 2019 IL App (4th) 190537, ¶ 33. In delivering its ruling, the circuit court stated that it had factored in the credibility of the witnesses, and we find that it was not against the manifest weight of the evidence.

¶ 52 We also note that Knavel testified primarily to Father's love for the minor, and his desire to have her returned to him. As we noted above, this is not a relevant factor in the best-interest analysis. Knavel and Father both testified that Father made efforts to have the minor visit with her biological half-siblings. While commendable, Parker also testified that the foster parents facilitated visits with the minor's half-siblings as well, and therefore her connection with them would remain intact either way.

¶ 53 Turning to Father’s arguments regarding the GAL, we agree with the State that Father does not point to anything in the record showing that the GAL never met with the minor or the foster parents. Rather, he merely infers it from the record’s silence on whether any such contact occurred. What the record does show is that the GAL was involved in the case from the beginning, receiving information from the caseworker, appearing at every hearing, and taking part in the questioning and argument during the best-interest hearing. The only indication that the GAL did or did not satisfy the requirements of section 2-17(8) of the Juvenile Court Act is the adjudicatory order of September 13, 2023, which states that the GAL’s statutorily-required contact with the minor and foster parents/caregivers was excused. This was an agreed order that Father never challenged before the circuit court, and Father does not reference it on appeal.

¶ 54 The single case that Father cites in support of his position is the nonbinding, unpublished decision, *In re M.M.D.*, 2022 IL App (5th) 210400-U, where, as Father admits, we found that “the GAL’s failures did not diminish the value of his recommendation.” In that case, the respondent mother argued that the GAL failed to perform his statutory duties pursuant to section 2-17(8), as Father argues here. *In re M.M.D.*, 2022 IL App (5th) 210400-U, ¶ 103. The attorney acting as the GAL for the majority of the case was appointed after the adjudicatory hearings for two of the three minors, and during the hearing for the third. The GAL testified that he had met with the two older minors once and the foster families twice before the termination hearing; he was excused from the requirement to meet with the third minor because of the child’s young age. *In re M.M.D.*, 2022 IL App (5th) 210400-U, ¶ 104. At the termination hearing, the mother’s counsel objected to the GAL rendering an opinion because of his noncompliance with statutory requirements. The circuit court overruled the objection, stating that the GAL had met with the minors, apart from the baby. The

GAL then offered his recommendation that the mother's parental rights should be terminated. *In re M.M.D.*, 2022 IL App (5th) 210400-U, ¶ 74.

¶ 55 We found that the circuit court's decision to terminate the mother's parental rights was not against the manifest weight of the evidence. Writing about its best-interest determination, we stated that the circuit court had not relied solely on the GAL's opinion. Rather, it had considered evidence from two caseworkers who had visited the minors in their foster homes on numerous occasions, and from three foster parents, one from each of the minors' foster families. Thus, we determined that the circuit court had been presented with sufficient evidence to make its best-interest determination. *In re M.M.D.*, 2022 IL App (5th) 210400-U, ¶¶ 106-09.

¶ 56 Father argues that *In re M.D.D.* is distinguishable because here, the GAL *never* met with the minors or the foster parents, representing a greater failure to comply with the statutory requirements. Father also argues that in this case, there was far less other evidence for the circuit court to consider, as only Parker testified for the State. The foster parents did not testify, and the CASA who submitted a report to the court was appointed on June 27, 2025, late in the case. Lastly, Father notes that he and Knavel testified on his behalf, whereas the respondent in *In re M.D.D.* did not present evidence to challenge the State's case.

¶ 57 Our finding in *In re M.D.D.* that, even without considering the GAL's statements, there was sufficient evidence that termination was in the minors' best interests does not indicate the setting of any minimum level of evidentiary sufficiency. Furthermore, we disagree with Father's characterization of the State's best-interest evidence as either lacking or compellingly challenged by Father's evidence. Parker explained that the minor's foster parents did not appear and provide testimony because of their concerns for their safety, which were based not only on Father's violent history, but on his specific past acts of attempting to gain access to the minor at her foster

placement. Regarding the relative credibility of Parker's testimony, the Caritas and CASA reports, and the testimonies of Knavel and Father, we refer to our previous discussion of the circuit court's superior positioning to balance the evidence as the finder of fact, as well as the significant deference we give to its factual determinations. We similarly restate our review of the content and relevance of Knavel's testimony and Father's argument that he demonstrated his love for the minor.

¶ 58 On appeal, Father does not challenge any of the circuit court's findings as applied to any of the specific statutory best-interest factors. Nor does he argue that a majority of the factors weighs in his favor based on the evidence presented. Indeed, he does not address the statutory factors, apart from recognizing that the circuit court must consider them in its review. We therefore need not discuss the evidence at length, although we will provide a brief summary.

¶ 59 The uncontroverted testimony of Parker, based on her multiple observations of the minor in the foster home and further supported by the CASA report, was that the minor was thriving in her foster placement. She was bonded with her foster parents, felt love and affection from them, and was forming an identity with them, referring to them as her mom and dad. She got along well with her foster siblings, enjoyed visits with her foster parents' extended family, and had continued contact with her biological siblings. The minor appeared happy, safe, and well-adjusted, and was excelling in school. The foster parents provided a safe home, were financially able to provide for the minor and were meeting all of her needs, and wished to provide the minor with permanency through adoption. Importantly, the minor verbally expressed, unprompted, her desire to remain with her foster parents and be adopted by them. She maintained this position after Parker explained to her what adoption would mean for her. She further stated that she did not wish to see Father, and her therapist provided the clinical opinion that visits with Father would have a negative impact

on the minor. Based on the above, we find that there was substantial uncontroverted evidence presented at the best-interest hearing that supported the circuit court's decision, and thus its decision was not against the manifest weight of the evidence.

¶ 60

III. CONCLUSION

¶ 61 For the reasons stated, the circuit court did not err in terminating the respondent's parental rights. The judgment of the circuit court is affirmed.

¶ 62 Affirmed.