2026 IL App (1st) 252497

No. 1-25-2497

Opinion filed August 24, 2026

Third Division

IN THE

APPELLATE COURT OF ILLINOIS

FIRST DISTRICT

In re V.O., a Minor-Appellee	)	Appeal from the
	)	Circuit Court of
(The People of the State of Illinois,	)	Cook County.
	)	
Petitioner-Appellee,	)	
	)	No. 25 JA 281
v.	)	
	)	
P.C.,	)	Honorable
	)	Demetrios G. Kottaras,
Respondent-Appellant).	)	Judge, presiding.

JUSTICE LAMPKIN delivered the judgment of the court, with opinion.
Justices Rochford and Reyes concurred in the judgment and opinion.

OPINION

¶ 1 After a hearing on the State's petition for adjudication of wardship, the trial court found that the child had been neglected by being subjected to an injurious environment and by lack of necessary care. After a dispositional hearing, the court found that the respondent mother was unable to parent the child and placed him in the guardianship of the Department of Children and Family Services (DCFS).

¶ 2 On appeal,[1] the mother argues that (1) the trial court should have dismissed the petition because the adjudication hearing did not commence within 90 days of the mother's appearance in court, and (2) the trial court's finding of neglect based on an injurious environment and lack of necessary care was against the manifest weight of the evidence.

¶ 3 For the reasons that follow, we affirm the judgment of the trial court.[2]

¶ 4 I. BACKGROUND

¶ 5 The mother is the parent of V.O., a minor, who was born in January 2020.

¶ 6 On April 10, 2025, the State filed a petition for adjudication of V.O.'s wardship and a motion for temporary custody. For the father, the petition listed Mr. O., deceased, and "All Whom It May Concern." The petition alleged that V.O. was abused and neglected due to the substantial risk of physical injury and an environment injurious to his welfare. Specifically, the petition alleged that the mother had a prior indicated report for death by neglect and inadequate supervision; three of her minor children died in a 2018 house fire when they were left home unattended; the mother admitted to using an illegal substance and on April 3, 2025, tested positive

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[1]This appeal is subject to expedited procedures under Illinois Supreme Court Rule 311(a) (eff. July 1, 2018). Paragraph (a)(5) of Rule 311 requires us to issue our decision within 150 days after the filing of the notice of appeal, except where good cause is shown. Ill. S. Ct. R. 311(a)(5) (eff. July 1, 2018). Here, the notice of appeal was filed on December 8, 2025. Consequently, we would have been required to issue our decision by May 7, 2026.

However, we extended the deadlines for respondent to file a supplement to the record and for the parties to file their briefs with this court. Specifically, a supplement to the record was allowed on February 2, 2026, and respondent sought and received three extensions of time to file the appellant's brief, which was filed on May 4, 2026. Thereafter, the petitioner sought and received three extensions of time to file the appellee's briefs. Specifically, the Office of the Cook County State's Attorney filed its brief on June 23, 2026, and the Office of the Cook County Public Guardian filed its brief on July 24, 2026. Thereafter, respondent filed her reply brief on July 31, 2026.

Under these circumstances, we find good cause for issuing our decision after the 150-day deadline contemplated by Rule 311(a)(5).

[2]In adherence with the requirements of Illinois Supreme Court Rule 352(a) (eff. July 1, 2018), this appeal has been resolved without oral argument upon the entry of a separate written order.

for cocaine, yet minimized her substance abuse issues; V.O. had a diagnosed seizure disorder and was autistic; and the mother indicated that V.O.'s putative father, Mr. O., was deceased but paternity had not been established.

¶ 7 An attached affidavit documenting DCFS's efforts revealed that, on April 5, 2025, a hotline call indicated that the mother, who was the sole provider for V.O., used crack cocaine at the family residence and in the presence of V.O. either every other day or on a daily basis. The hotline call also indicated that the mother recently consumed crack cocaine while lying in the bed with V.O. After the mother consumed the cocaine, she passed out for about 10 hours and V.O. was up and moving around the home with no supervision. During this incident, V.O. was not fed and was seen eating from the trash can in the home. The affidavit further stated that a drug toxicology screening conducted on the mother on April 5, 2025, returned a positive result for cocaine. The DCFS investigator noted that V.O. is autistic, nonverbal, and suffers from a severe seizure condition and that the mother's use of cocaine could impair her judgment and prevent her from providing proper care for V.O. in the event of a seizure episode.

¶ 8 The court appointed counsel for the mother and appointed the Cook County Public Guardian as attorney and guardian *ad litem* for V.O. Thereafter, the court took temporary custody of V.O.

¶ 9 On April 17, 2025, the court ordered that publication of service be issued to V.O.'s unknown father. At a July 5, 2025, status hearing on the State's efforts to perfect service on putative and unknown fathers, the State informed the court that no voluntary acknowledgement of paternity (VAP) existed for Mr. O., who was not listed on V.O.'s birth certificate and had died on June 17, 2019. The State asked the court for leave to publish to unknown father respondents, and no party objected. On July 7, 2025, the court again ordered that publication of service be issued to V.O.'s unknown father. On July 8, 2025, the State filed an affidavit for service of publication, stating that service by publication was required because V.O.'s unknown father could not be located. On the same date, the clerk of the circuit court issued a notice of publication to V.O.'s unknown father respondents and "all whom it may concern" that a petition was filed under the Juvenile Court Act of 1987 (Act) (705 ILCS 405/1-1 *et seq.* (West 2024)), that an adjudicatory hearing would be held on the petition on September 15, 2025, and that the court had the authority to take from the father the custody and guardianship of the minor, to terminate parental rights, and to appoint a guardian with power to consent to adoption.

¶ 10 On July 15, 2025, the mother moved to dismiss this matter under section 2-14(b) of the Act (*id.* § 2-14(b)), which provides that an adjudicatory hearing on a petition alleging that a minor is abused or neglected "shall be commenced within 90 days of the date of service of process upon the minor, parents, any guardian and any legal custodian." The mother argued that she had not waived the 90-day period and the court should have commenced the adjudicatory hearing by July 9, 2025, *i.e.*, within 90 days of the mother's appearance at the April 10, 2025, temporary custody hearing because V.O. did not have a legal father and the State's attempts to serve unknown fathers were improper. In response, the State argued that it had a duty to attempt to give notice to unknown fathers and Mr. O. was not on V.O.'s birth certificate and did not sign a VAP. The court denied the mother's motion to dismiss.

¶ 11 On September 15, 2025, the court admitted into the record the State's publication notice to unknown father respondents and, as no putative father had appeared in court, defaulted all unknown fathers.

¶ 12 In October 2025, the State moved to amend the petition to add factual allegations that the mother had stated that V.O. has not been vaccinated since he was two years old; after a January 2025 hotline investigation of medical neglect was deemed unfounded, an intact case[3] was opened in March 2025 to offer family preservation services; V.O. was diagnosed with a seizure disorder and Dravet syndrome (a rare, severe, and lifelong form of genetic epilepsy that begins in infancy or early childhood); and there was a concern that V.O. may be autistic. The mother argued that the court should deny the motion and dismiss the petition for failure to state a claim because the proposed amendments did not establish that she had breached her parental duty. The court allowed the State to amend the petition and denied the mother's motion to dismiss.

¶ 13 The adjudicatory hearing commenced on November 5, 2025, by videoconference and the parties stipulated to the following facts.

¶ 14 Assistant Commanding Fire Marshal Bradley Batka would testify that, on August 26, 2018, he was dispatched to a fire at a residence on South Sacramento Street in Chicago. When he arrived at about 4 a.m., there were no adults in the home and eventually the parents, the mother of V.O. and another woman, arrived at the address. Ten minors died in that fire.

¶ 15 DCFS investigator Nancy Rodriguez would testify that she was assigned to V.O.'s case based on allegations of a substantial risk of physical injury and welfare due to the mother using crack cocaine and neglecting V.O. In 2018, the mother lost three children in a fire, where seven other children also died. On April 5, 2025, Rodriguez met with the mother at her home and observed V.O., who laughed with his mother, was able to follow her verbal instructions, and did

[3]An intact case refers to a family service file where children remain living at home rather than being removed into State custody.

not have marks or bruises on his body. Rodriguez found working smoke detectors in the home, was shown V.O.'s epilepsy medication (which had been recently refilled), and believed that V.O. had access to every room in the home, which was clean and without any apparent child safety hazards or drug paraphernalia. The mother did not appear to be impaired and told Rodriguez that she (the mother) last used cocaine on Thursday, April 3, 2025, at a bar to celebrate a deceased cousin's birthday. The mother also said that she uses marijuana to sleep. The mother works at a homeless shelter, was engaged in intact services, and would soon start counseling.

¶ 16 DCFS intact family caseworker Tiona Watkins would testify that she worked with V.O.'s family from March 18, 2025, until the week of April 7, 2025. An intact case was opened after a hotline call was made against the mother for medical neglect because V.O. was missing medical appointments. Although the hotline call was deemed unfounded, intact services (*i.e.*, housing services, parenting services, and individual therapy) were provided for preventative purposes. Watkins visited the mother's home three or four times and did not observe her to be impaired by drugs, forgetful, or unfocused. The mother told Watkins that she used drugs after the death of three of her children in 2018. Watkins observed that the mother was able to meet V.O.'s needs as expressed non-verbally and V.O. was comfortable with her. However, after learning about the mother's admission of drug use, Watkins no longer agreed that the mother's home was safe.

¶ 17 The mother's work supervisor Jose Lopez would testify that he supervised her as a residential aide at a nonprofit homeless shelter in Chicago. As a mandated reporter, Lopez never made a hotline report regarding the mother. The mother's two drug tests while employed at the shelter were negative.

¶ 18 DCFS child protection investigator Ayleene Woodard would testify that she was assigned to this matter after an April 5, 2025, hotline call involving V.O.'s family. She noted three hotline calls involving the mother—the first in 2018 for death by neglect and inadequate supervision; the second in January 2025, which was deemed unfounded; and the third in April 2025. When Woodard spoke to the mother by phone on April 7, 2025, the mother said that she had used cocaine since 2018, had used it in December 2024, and used it on April 5, 2025. She also said that she drank alcohol when partying and smoked marijuana to help her sleep. Furthermore, she refused services through Lurie Children's Hospital because she believed it "was trying to use [V.O.] as a guinea pig." The mother also did not have a primary care physician for V.O., who had not received vaccines since he was two years old, because the mother said that he would get fevers whenever he received vaccines, which would then cause seizures.

¶ 19 The court also admitted into evidence, without any objection, V.O.'s medical records from Lurie Children's Hospital. The records indicate that V.O. had his first seizure in July 2020, when he was five months old. He was hospitalized for another seizure two months later in September 2020. In the notes from that hospitalization, the hospital staff noted a caregiver who was referred to as "dad" was present at 8 a.m. that morning when V.O. woke up and experienced the seizure. The records state that V.O. lived with his mom, dad, and extended family members. Further, V.O.'s parents reported that he received a vaccine the day prior to the seizure, and he had a seizure when he received his previous vaccination as well. The hospital staff noted that both parents were concerned about V.O. not meeting developmental milestones. V.O.'s discharge notes from this hospitalization stated that he required daily medication to prevent seizures. Upon discharge, the mother and a person identified in the records as “father” were given education regarding seizure disorders, including literature, an in-person explanation, video education, and demonstrations.

¶ 20 V.O. experienced another seizure less than a month later in September 2020, and upon discharge from the hospital the mother was informed that V.O. required medication twice per day to prevent seizures. V.O. was also scheduled to have a follow-up appointment with the neurology team. In September 2020, a neurology fellow at the hospital spoke with the mother regarding the genetic testing required to determine V.O.’s diagnosis, and the mother provided her and the father’s birth dates for that genetic testing. In March 2021, V.O.’s neurology team called the mother to ask how V.O. was doing, and the mother reported that he was seizure free between August 2020 to March 2021 but had a seizure in early March because he missed a few days of his seizure medication. By that time, V.O. was diagnosed with Dravet syndrome, and the neurology team recommended switching him to a medication more attuned with that diagnosis. The mother stated that she wanted to consider the side effects and do more research and would discuss it further at a telemedicine appointment scheduled for April 2021.

¶ 21 By October 2021, the mother reported that V.O. was having more frequent seizures including seizures where he would stop breathing. At that time, the mother reported that V.O. was delayed developmentally and she had contacted therapists but did not enroll him in early intervention therapies to address developmental concerns.

¶ 22 At a November 4, 2021, appointment at the Lurie Epilepsy Center, the mother confirmed with staff that she knew the importance of following up with the epilepsy team and ensuring V.O.’s seizures were controlled. However, beginning on November 30, 2021, the mother stopped attending V.O.’s neurology appointments consistently. On January 5, 2025, the mother took V.O.

to the hospital because she was contacted by DCFS and asked to have V.O. evaluated after a hotline call. On that date, the mother admitted she had not followed up with the neurology clinic in "several years." V.O.'s medical chart confirmed his last office visit to the neurology department was in November 2021. The mother also stated that V.O. had not taken his antiseizure medication for at least two years, but his seizures were controlled. The mother stated that she felt the seizure medications did not reduce seizures and made V.O. drowsy and less engaged. She also confirmed that V.O. did not have a pediatrician and explained that this was because she did not want V.O. to be vaccinated since he experienced adverse reactions whenever he received vaccines.

¶ 23 During V.O.'s January 2025 hospitalization, an occupational therapist evaluated him. The mother told the occupational therapist that V.O. was not enrolled in school and never received any developmental therapies. The occupational therapist noted that V.O. would benefit greatly from those services. Similarly, during a speech therapy evaluation, the evaluator recommended that V.O. would benefit from school-based speech therapy and outpatient services. Finally, the attending physician of the pediatric epilepsy department discussed with the mother the importance of following up with medical appointments and restarting antiseizure medication.

¶ 24 The mother attended a February 2025 follow-up appointment with the epilepsy center. However, she did not show up for a March 2025 outpatient pediatric appointment. When she attended a March 27, 2025, telemedicine appointment with the epilepsy center, she reported that V.O. had not taken his epilepsy medication for two weeks because she ran out of it.

¶ 25 During closing argument, the State asked for leave to amend the pleadings to conform the petition to the evidence. Specifically, the State sought to add an allegation of neglect based on lack of necessary care and withdraw the allegation of abuse due to a substantial risk of injury. The court granted the State's request for leave to amend over the mother's objection.

¶ 26 On November 5, 2025, the court entered an adjudication order, finding that V.O. was neglected based on an injurious environment and lack of necessary care. The court stated that the mother had been "self-medicating," and V.O. had special needs that were not being met where the mother was not keeping medical appointments and pursuing special education.

¶ 27 On November 13, 2025, the court conducted the dispositional hearing by videoconference. The court admitted the State's exhibits, including the June 23, 2025, integrated assessment, over the mother's objection. The integrated assessment stated, in part, that the mother was reported to use cocaine on a daily basis; she was the sole caretaker for five-year-old V.O.; the family was involved with intact services due to the mother missing several medical appointments for V.O.; there were concerns that the mother would pass out for 10 hours after using cocaine, leaving V.O. without supervision; the mother tested positive for cocaine on April 5, 2025; three of her children died in a fire after she left them unsupervised; and her current use of cocaine impaired her judgment and prevented her from providing proper care for V.O. in the event of a seizure episode.

¶ 28 Nichole Schwartz-Acevedo, the assigned DCFS caseworker, testified that V.O. is diagnosed with Dravet syndrome, severe autism, and global developmental delay. He is enrolled in special education at school and has been referred for autism services. He is taking an antiseizure medication, which controls his seizures. The last seizure he had was in July 2025, when it was very hot, as heat triggers his seizures.

¶ 29 Schwartz-Acevedo testified that the mother was recommended to engage in individual therapy, a parenting program, a psychiatric assessment, and substance abuse services. The mother completed parenting classes in September 2025 and a psychological assessment in August 2025, but those were the only services she completed. The mother began individual therapy in July 2025 but was unsuccessfully discharged in October 2025 for lack of engagement. The agency re-referred her for individual therapy in October 2025, but that provider had not been able to get in touch with her. The mother completed a Juvenile Court Assessment Program (JCAP) substance abuse assessment in July 2025, which recommended outpatient substance abuse treatment. The mother was referred for outpatient services but missed two intake appointments. In October 2025, the agency referred her to a different provider for outpatient services, but that provider could not get in contact with her. The outpatient JCAP dismissed the mother for lack of engagement in October 2025. Finally, the mother was referred for random urine drug testing but failed to appear for most of those tests. The mother knew that any test she failed to appear for was considered a positive result for drug use. The mother attended only 4 of the 17 random urine tests to which she was referred. She also tested positive for cocaine on her May 6, 2025, and July 9, 2025, tests. Regarding the mother's visitation with V.O., Schwartz-Acevedo testified that the mother participated in weekly supervised visits in the community.

¶ 30 After hearing argument, the court found that the mother was unable to care for V.O., adjudged him a ward of the court, and placed him in the custody of the DCFS guardianship administrator with the right to place the minor. The court set a permanency goal of return home within 12 months.

¶ 31 Following the dispositional ruling, the mother's attorney, Benjamin Ginzky, stated that he wanted to make a record regarding a brief colloquy he had with the judge after the adjudication hearing the previous week about the judge having earlier practiced medical malpractice litigation. The following discussion occurred.

> "MR. GINZKY [(RESPONDENT MOTHER'S ATTORNEY)]: *** And I made some kind of joke about getting a job in that field in response. ***
>
> THE COURT: What exactly are you referring to[? C]ould you be a little bit more specific as to what you are mentioning[?] I don't recall what I stated.
>
> MR. GINZKY: *** I believe the Court's words were something very close to[: 'Mr. Ginzky, f]or your information my first job out of law school was medical malpractice litigation at a law firm and I don't recall it.['] And I responded, ['O]h, great, well are they hiring[?'] and the Court said ['I]t was a good place to be[.'] [T]hat is my entire recollection of the exchange, [although] the parties are free to comment or dispute if their recollection is different.
>
> THE COURT: I am searching to see what the significance of it was. I believe you had made some sort of comment that the evidence or the information that was provided might have been somewhat communicated because it was medical type evidence, is that correct, Mr. Gin[z]ky?
>
> MR. GINZKY: Such that it was part of my trial argument. I just wanted *** the court colloquy to be on the record.
>
> * * *
>
> THE COURT: And what significance, if any, do you feel that may or may not have?
>
> MR. GINZKY: Well, judge, it might reflect on how the Court was resolving ambiguity in the evidence that you just suggested."

¶ 32 Thereafter, the mother timely appealed the court's denial of her motion to dismiss the petition for adjudication of wardship and the court's adjudication order finding V.O. neglected due to lack of necessary care and an injurious environment.

¶ 33 II. ANALYSIS

¶ 34 The Act provides a two-step process the trial court must use to decide whether a minor child should become a ward of the court. *In re A.P.*, 2012 IL 113875, ¶ 18. The first step of the process is the adjudicatory hearing, at which the court considers only whether the minor child is abused, neglected, or dependent. *Id.* ¶ 19; 705 ILCS 405/2-18(1) (West 2024). If the circuit court determines that the minor child is abused, neglected, or dependent at the adjudicatory hearing, then the court holds a dispositional hearing, in which the court determines whether it is consistent with the health, safety, and best interests of the minor child and the public for the minor child to be made a ward of the court. *A.P.*, 2012 IL 113875, ¶ 21; 705 ILCS 405/2-22 (West 2024). In any proceeding brought under the Act, including an adjudication of wardship, the paramount consideration is the best interest of the child. *A.P.*, 2012 IL 113875, ¶ 18.

¶ 35 A. Motion to Dismiss Petition

¶ 36 The mother argues that the trial court erred by denying her motion to dismiss the petition for adjudication of wardship because the adjudication hearing failed to commence within 90 days of her appearance in court. Specifically, she argues that the statutory 90-day period to commence the adjudicatory hearing began running on April 10, 2025, when she appeared in court at the temporary custody hearing date. According to the mother, the deadline to commence the adjudicatory hearing lapsed on July 9, 2025, so the court failed to comply with the Act when the adjudicatory hearing commenced on November 5, 2025. She contends that the State's attempts to serve V.O.'s unknown father did not toll the Act's 90-day period because she is V.O.'s only legal parent, the definition of a parent under the Act does not include putative or unknown fathers, and hypothesized putative and unknown fathers are not necessary parties and do not have any rights to notice of child neglect proceedings under the Act.

¶ 37 The State responds that the court properly denied the mother's motion to dismiss because the State was attempting to serve process on V.O.'s unknown father via publication and the unknown father had not yet been defaulted.

¶ 38 In interpreting a statute, our objective is to ascertain and give effect to the intent of the legislature. *Hernon v. E.W. Corrigan Construction Co.*, 149 Ill. 2d 190, 194 (1992). The most reliable indicator of legislative intent is the language of the statute. *People v. Bryant*, 128 Ill. 2d 448, 455 (1989). Statutory interpretation and other issues of law are reviewed *de novo*. *In re C.N.*, 196 Ill. 2d 181, 208 (2001).

¶ 39 The Act shall be liberally construed to carry out its purpose and policy, which includes securing for the minor the care and guidance that will serve the minor's safety and moral, emotional, mental, and physical welfare and the best interests of the community. 705 ILCS 405/1-2(1) (West 2024). The court may direct the course of all proceedings under the Act to promptly "ascertain the jurisdictional facts and fully gather information bearing upon the current condition and future welfare of persons subject to this Act." *Id.* § 1-2(2).

¶ 40 The parents of the minor who is the subject of proceedings under the Act have a statutory right to be present and participate in child protection proceedings arising under the Act. *Id.* § 1-5.

The Act defines a parent as

> "a father or mother of a child and includes any adoptive parent. It also includes a person (i) whose parentage is presumed or has been established under the law of this or another jurisdiction or (ii) who has registered with the Putative Father Registry in accordance with Section 12.1 of the Adoption Act [(750 ILCS 50/12.1)] and whose paternity has not been ruled out under the law of this or another jurisdiction. It does not include a parent whose rights in respect to the minor have been terminated in any manner provided by law. It does not include a person who has been or could be determined to be a parent under the *** Illinois Parentage Act of 2015, or similar parentage law in any other state, if that person has been convicted of or pled nolo contendere to a crime that resulted in the conception of the child under [specified sections of the Criminal Code of 2012 concerning sexual assault, sexual relations within families, and sexual abuse], or similar statute in another jurisdiction unless upon motion of any party, other than the offender, to the juvenile court proceedings the court finds it is in the child's best interest to deem the offender a parent for purposes of the juvenile court proceedings." *Id.* § 1-3(11).

¶ 41 The purpose of section 2-14 of the Act, which addresses the adjudicatory hearing, is to ensure that the State acts "in a just and speedy manner to determine the best interests of the minor." *Id.* § 2-14(a). Moreover, the "legislature recognizes that serious delay in the adjudication of abuse, neglect, or dependency cases can cause grave harm to the minor and the family and *** frustrates the *** best interests of the minor and the effort to establish permanent homes for children in need." *Id.* Our supreme court has concluded that the legislature intended a mandatory construction of section 2-14. *In re S.G.*, 175 Ill. 2d 471, 482 (1997).

¶ 42 Section 2-14 of the Act provides, in relevant part:

> "(b) *When a petition is filed* alleging that the minor is abused, neglected or dependent, *an adjudicatory hearing shall be commenced within 90 days of the date of service of process upon the minor, parents*, any guardian and any legal custodian, unless an earlier date is required pursuant to Section 2-13.1[, which pertains to the State's motion for early termination of reasonable efforts to reunify the minor and the parents]. Once commenced, subsequent delay in the proceedings may be allowed by the court when necessary to ensure a fair hearing.
>
> (c) Upon written motion of a party filed no later than 10 days prior to hearing, or upon the court's own motion and only for good cause shown, the Court may continue the hearing for a period not to exceed 30 days, and only if the continuance is consistent with the health, safety and best interests of the minor. When the court grants a continuance, it shall enter specific factual findings to support its order, including factual findings supporting the court's determination that the continuance is in the best interests of the minor. Only one such continuance shall be granted. A period of continuance for good cause as described in this Section shall temporarily suspend as to all parties, for the time of the delay, the period within which a hearing must be held. On the day of the expiration of the delay, the period shall continue at the point at which it was suspended.
>
> The term 'good cause' as applied in this Section shall be strictly construed and be in accordance with Supreme Court Rule 231(a) through (f). Neither stipulation by counsel nor the convenience of any party constitutes good cause. *If the adjudicatory hearing is not*

heard within the time limits required by subsection (b) or (c) *of this Section, upon motion by any party the petition shall be dismissed without prejudice.*

(d) The time limits of this Section may be waived only by consent of all parties and approval by the court." (Emphases added.) 705 ILCS 405/2-14 (West 2024).

Our supreme court concluded that, since section 2-14 begins to run on the date of the service of process, the date the default was entered against absent fathers who were served by publication was the starting point of the 90-day statutory time period. *S.G.*, 175 Ill. 2d at 483; see *In re V.Z.*, 287 Ill. App. 3d 552, 559 (1997) (recognizing *S.G.*'s holding and finding that the 90-day period began after the minor's father had been defaulted following service by publication); *In re Kh. M.*, 2023 IL App (1st) 230261, ¶ 38 (discussing *S.G.*'s holding in the context of a claim of ineffective assistance of counsel for waiving the statutory 90-day time period).

¶ 43 Here, the mother previously had indicated that Mr. O. was V.O.'s father and Mr. O. had signed a VAP. However, the State was unable to locate any such VAP, and Mr. O. was not listed as V.O.'s father on V.O.'s birth certificate. Furthermore, Mr. O. had died in June 2019. The circuit court ordered on April 17, 2025, and again on July 7, 2025, that publication of service be issued to V.O.'s unknown father. The notice of publication to V.O.'s unknown father and "all whom it may concern" was issued on July 8, 2025, stating that a petition was filed under the Act and an adjudicatory hearing would be held on the petition on September 15, 2025. Then, on September 15, 2025, the court defaulted V.O.'s unknown father for want of appearance or answer by publication. Thus, the 90-day period began running on September 15, 2025, as that was the date on which all parties had been served or defaulted. See *Kh. M.*, 2023 IL App (1st) 230261, ¶ 38.

Moreover, the November 5, 2025, adjudicatory hearing timely commenced 51 days after September 15, 2025.

¶ 44 We reject the mother's assertion that the court had no obligation to order that publication of service be issued to V.O.'s unknown father. A parent is entitled to notice of a petition filed under the Act because "[p]roviding effective service is a means of protecting an individual's right to due process by allowing for proper notification of interested individuals and an opportunity to be heard." *In re J.B.*, 2018 IL App (1st) 173096, ¶ 32 (citing *In re Dar. C.*, 2011 IL 111083, ¶ 61). "When a petition is filed, the clerk of the court shall issue a summons with a copy of the petition attached. The summons shall be directed to the minor's legal guardian or custodian and to each person named as a respondent in the petition ***." 705 ILCS 405/2-15(1) (West 2024). If service of the summons and petition is not made on any respondent within a reasonable time by leaving copies thereof with the respondent or at his usual place of abode with a resident of the age of 10 years or upwards, service may be made by certified mail. *Id.* §§ 2-15(5), 2-16(1). "The appearance of *** a respondent *** in any proceeding under this Act shall constitute a waiver of service of summons and submission to the jurisdiction of the court ***." *Id.* § 2-15(7).

¶ 45 If a respondent's usual place of abode is not known and cannot be ascertained after a diligent inquiry, the Act provides for service by publication in a newspaper of general circulation in the county where the action is pending. *Id.* § 2-16(2).

> "Notice by publication is not required in any case when the person alleged to have legal custody of the minor has been served with summons personally or by certified mail, *but the court may not enter any order or judgment against any person who cannot be served*

> *with process other than by publication unless notice by publication is given or unless that person appears*." (Emphasis added.) *Id.*

The Act also provides:

> "The court shall state for the record the manner in which the parties received service of process and shall note whether the return or returns of service, postal return receipt or receipts for notice by certified mail, or certificate or certificates of publication have been filed in the court record. The court shall enter any appropriate orders of default against any parent who has been properly served in any manner and fails to appear." *Id.* § 2-21(1).

¶ 46 Under the plain language of the Act, unless unknown or putative fathers are served "by publication, any order regarding the minors' adjudication or disposition could not be entered [against the unknown or putative fathers], and the court could not consider all parents in the same proceeding." *Kh. M.*, 2023 IL App (1st) 230261, ¶ 56. Accordingly, a court acts in the best interest of the minor by resolving issues concerning the service of any unknown father and entering any orders against all parents because the minor's need for permanence (which includes the child's need for stability and continuity of relationships with parent figures) would not be advanced without an order against the unknown father. *Id.* ¶ 57. The court directs the course of proceedings under the Act to promptly "ascertain the jurisdictional facts and fully *** gather information bearing upon the current condition and future welfare of persons subject to this Act." 705 ILCS 405/1-2(2) (West 2024). We conclude that the trial court's orders that achieved personal jurisdiction over V.O.'s unknown father by serving him by publication and then defaulting him comports with the Act's concerns for the just and speedy administration of justice and fundamental fairness of the proceedings. See *In re D.E.*, 314 Ill. App. 3d 764, 770-71 (2000) (holding that "a respondent's rightful claim of entitlement to substitution of the judge" tolled the running of the 90-day period to commence the adjudication hearing because "the legislature intended, not slavish adherence to an arbitrarily fixed period of time, but concern for the overall purpose of the [Act]"—*i.e.*, a just and speedy adjudication, allowing for a period of delay if necessary to ensure a fair hearing).

¶ 47 Contrary to the mother's assertions on appeal, the plain language of the Act does not limit the definition of a parent by excluding putative or unknown fathers. Moreover, the plain language of the Act does not limit service of process or notice by publication only to those whom the mother believes are "necessary parties." The mother supports her assertion that putative and unknown fathers do not have a right to notice and are not necessary parties for an adjudication of wardship by citing to several United States Supreme Court cases. See, *e.g.*, *Lehr v. Robertson*, 463 U.S. 248, 262-65 (1983) (no due process violation where State knew of the putative father's existence, whereabouts, and interest in the child but the putative father, who was not registered with the putative father registry, was not entitled under the statute to notice of adoption proceeding); *Caban v. Mohammed*, 441 U.S. 380, 393 (1979) (an unmarried father who has established a substantial relationship with the child and has admitted his paternity cannot constitutionally be afforded fewer procedural rights than the mother); *Quilloin v. Walcott*, 434 U.S. 246, 256 (1978) (treating unmarried fathers differently from married fathers did not violate equal protection if the unmarried fathers never showed significant responsibility toward the child); *Stanley v. Illinois*, 405 U.S. 645, 654-58 (1972) (statutory definition of a parent in a dependency proceeding that excluded all unmarried fathers without any inquiry into their fitness or parental role was unconstitutional). The mother contends these cases suggest that unmarried fathers who cannot make an evidentiary record of their stepping up to a parental role are not constitutionally entitled to any due process rights (such as notice) in proceedings about their children. However, even the mother concedes that these cases were decided before the Act was enacted.

¶ 48 The mother relies on *In re Rodney T.*, 352 Ill. App. 3d 496 (2004), to support her claim that "even if the completely notional 'unknown father' the State attempted to serve [by publication] was an actual person, he would not be a necessary party to the case, so the 90 days to commence an adjudication hearing prescribed by [section 2-14 of the Act] began running on" April 10, 2025, and lapsed on July 9, 2025. The mother argues that the State and trial court were not "entitled to delay a separated family's day in court because of a fictitious 'obligation' to conduct a fruitless search for an imaginary person."

¶ 49 The mother's reliance on *Rodney T.* is misplaced. In *Rodney T.*, the child was born in 1987, when his mother was married to a man named Gerald, and then the mother and Gerald had other children together. *Id.* at 497. DCFS took the children into custody in 1995, and the State's petition for adjudication of wardship named Gerald as the father of all of the children, including Rodney T. *Id.* In 1996, the court found that the mother and Gerald were unfit, declared the child a ward of the court, and placed him in several foster homes over the years. *Id.* The record was not clear about when the respondent father, Rodney S., began to be identified as Rodney T.'s father, but DCFS caseworkers testified that diligent yet unsuccessful searches for the respondent began in April 1999. *Id.* at 497-98. The mother died in December 2000. *Id.* at 497. In March 2002, the State petitioned for appointment of a guardian with the right to consent to adoption, naming the respondent (and " 'all whom it may concern' ") as the child's father and requesting that he be declared unfit. *Id.* at 497-98. The State averred that the respondent could not be located after diligent inquiry and served him notice by publication. *Id.* at 498. In April or May 2002, the respondent was located in prison, and the court appointed counsel to represent him. *Id.* After a hearing on the State's petition, the trial court in 2003 found that the respondent had deserted the child and failed to maintain a reasonable degree of interest, concern, or responsibility in the child's welfare. *Id.* at 499. Thereafter, the court determined that termination of the respondent's parental rights was in the child's best interests. *Id.* at 501.

¶ 50 The respondent raised a jurisdictional challenge on appeal, alleging that the trial court lacked jurisdiction to terminate his parental rights because he was not given notice of the adjudicatory hearing whereby the child was deemed neglected and declared a ward of the court. *Id.* This court rejected the respondent's jurisdictional challenge and found that he was not entitled to notice under the Act because "[he] did not fall within any of the categories of 'parent,' as defined by the [Act], *at the time of the adjudication proceedings*. Namely, he was not the presumed father, his paternity had never been established, and he had not registered with the Putative Father Registry." (Emphasis added.) *Id.* at 502.

¶ 51 Specifically, the court in *Rodney T.* analyzed the respondent's jurisdictional challenge on the basis of the trial court's subject-matter jurisdiction rather than the court's personal jurisdiction over the respondent. *Id.* at 501 (citing *In re Miracle C.*, 344 Ill. App. 3d 1046, 1054 (2003)). However, this court subsequently clarified that the failure to serve the parents of a minor in a proceeding under the Act does not deprive the court of subject-matter jurisdiction or the authority to render a particular disposition. *In re Nathan A.C.*, 385 Ill. App. 3d 1063, 1075 (2008). Instead, the failure to serve the minor's parents affects only the trial court's personal jurisdiction over the parents. *Id.* Furthermore, although the failure to serve the parents is error, personal jurisdiction can be forfeited if the party appears before the court without objecting to personal jurisdiction. *Id.* In both *Nathan A.C.*, 385 Ill. App. 3d at 1075-76, and *Rodney T.*, 352 Ill. App. 3d at 498, the fathers waived service and submitted to the jurisdiction of the court by appearing before the court at the hearings. We believe the proper analysis in *Rodney T.* would have addressed the respondent father's forfeiture of his challenge to the trial court's personal jurisdiction over him based on his waiver of service.

¶ 52 Nevertheless, to the extent *Rodney T.* remains valid law, it is distinguishable from the instant case. In *Rodney T., at the time of the adjudication proceedings*, Gerald, who was alive, was Rodney T.'s presumed father because he was married to the mother when Rodney T. was born and had other children with her. As a result, the respondent was the unknown father, did not fit any of the categories of a parent as defined by the Act, and, thus, was not entitled to notice. Here, in contrast, no one fit the category of being V.O.'s presumed father at the time of the adjudication proceedings. Mr. O., who died about seven months before V.O. was born, was not married to the mother. Although the mother had claimed that Mr. O. had signed a VAP, the State's investigation revealed no such VAP by Mr. O. and no evidence indicated that he was named as V.O.'s father on V.O.'s birth certificate. Moreover, the mother did not provide any further information concerning the identity of V.O.'s father. Under these circumstances, no presumption could be made concerning the identity of V.O.'s father. Accordingly, V.O.'s father was unknown, so the trial court had an obligation to act in V.O.'s best interest and order service of the notice of the adjudication proceeding on the unknown father by publication. See *Kh. M.*, 2023 IL App (1st) 230261, ¶¶ 56-57. Moreover, the mother did not object when the State asked the court for leave to publish to unknown fathers.

¶ 53 The mother's citation of provisions of the Illinois Parentage Act of 2015 (Parentage Act) (750 ILCS 46/101 *et seq.* (West 2024)), does not advance her argument that V.O.'s father was not entitled to notice because both the Parentage Act and the Act recognize that a father's relationship to a minor can be established by presumption, consent, or judicial determination. See *id.* § 201(b); 705 ILCS 405/1-3(11) (West 2024). Moreover, the mother's assertion that the record contains no evidence that a living individual may have had a father relationship with V.O. is not accurate. V.O.'s medical records indicate that medical or administrative staff referred to a man as V.O.'s dad or father. Moreover, this man was present the morning V.O. had a seizure in September 2020, was present during V.O.'s hospitalization for that seizure, and helped provide V.O.'s medical history to the hospital. Furthermore, the hospital staff gave this man demonstrations, education, and literature about seizure disorders before V.O. was discharged from the hospital. In addition, the mother gave the hospital this man's date of birth for genetic testing, and the hospital placed the order for genetic testing in this man's records and noted that they would coordinate with each parent to do their bloodwork for the test.

¶ 54 Finally, the mother cites *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 315-19 (1950), to support her assertion that courts have disdained as a kind of formality the exercise of notice by publication in a newspaper. However, contrary to the mother's assertion, *Mullane* supports statutory notice by publication in a newspaper for unknown persons who may have an interest in a legal proceeding. *Mullane* involved a proceeding by the trustee for judicial settlement of its accounts as trustee of a common trust fund. *Id.* at 307. The court held that, although statutory notice by newspaper publication setting forth the name and address of the trust company, name and date of the establishment of the common trust fund, and a list of all participating estates, trusts, or funds did not satisfy the requirements of due process of law for known present beneficiaries of a known place of residence, this same notice did satisfy due process for beneficiaries whose interests or whereabouts could not with due diligence be ascertained and for those whose interests were conjectural or future or did not in the due course of business come to the knowledge of the trustee. *Id.* at 317-18.

¶ 55 We conclude that the circuit court properly denied the mother's motion to dismiss based on timeliness. Based on the language of the Act and this court's precedent, the 90-day period to commence the adjudicatory hearing began running on the date that V.O.'s unknown father was defaulted, *i.e.*, September 15, 2025. The adjudicatory hearing commenced on November 5, 2025, which was 51 days after all parties were served or defaulted and well within the 90-day time period under the Act.

¶ 56 B. Finding of Neglect

¶ 57 The mother argues that the State failed to meet its burden to show that V.O. was neglected due to a substantial risk of harm because, despite her sporadic cocaine use, she never seemed impaired when an investigator visited her home and V.O.'s home environment was stable and benign. She also argues that the State failed to meet its burden to show that V.O. was neglected due to a lack of necessary care where V.O.'s epilepsy prescription was filled and the State presented a "cherry-picked" reading of V.O.'s voluminous hearsay medical records without any expert medical testimony to interpret the possible significance of any facts in the records. The mother contends that trial judges are not qualified doctors and cannot be expected to reliably translate the information contained in medical records into concrete medical conclusions. The mother also contends that the trial judge believed this issue was ameliorated because he had earlier in his career worked in medical malpractice litigation and made his determination that V.O. was neglected due to a lack of care based on the judge's private knowledge.

¶ 58 The State responds that the manifest weight of the evidence supports the circuit court's finding that V.O. was neglected due to his exposure to an environment injurious to his welfare and lack of necessary care.

¶ 59 The State has the burden to prove allegations of abuse, neglect, or dependence by a preponderance of the evidence, that is, that the allegations are "more probably true than not." *A.P.*, 2012 IL 113875, ¶ 17. This court will not reverse a finding of neglect unless it is against the manifest weight of the evidence where "the opposite conclusion is clearly evident" or "the finding itself is unreasonable, arbitrary, or not based on the evidence presented." *Best v. Best*, 223 Ill. 2d 342, 350 (2006). But see *In re Angela P.*, 2022 IL App (1st) 211092, ¶ 45 (reviewing adjudicatory findings based on a stipulated record *de novo*); *In re K.C.*, 2024 IL App (1st) 240430, ¶¶ 59-60 (questioning *de novo* review for a stipulated record because inferences drawn from the evidence in child protection cases will rarely be so straightforward so that deference to the trial court's experience, which often includes a history with the family and caseworkers, should not be abandoned). The court needs to make only one adjudication finding before proceeding to a dispositional hearing. *In re V.S.*, 2025 IL 129755, ¶ 52; *In re J.R.*, 2022 IL App (1st) 221109, ¶ 39. On review, where the trial court has entered multiple adjudication findings, this court needs to affirm only one adjudication ground to resolve the appeal. *In re D.S.*, 2025 IL App (1st) 241635, ¶ 41. This court reviews the trial court's judgment, not its reasoning, and can affirm on any basis found in the record. *In re Zoey L.*, 2021 IL App (1st) 210063, ¶ 34.

¶ 60 The Act provides that a minor is neglected where his "environment is injurious to the minor's welfare." 705 ILCS 405/2-3(1)(b) (West 2024). "Neglect" is defined as the failure to exercise the care that circumstances justly demand. *In re Arthur H.*, 212 Ill. 2d 441, 463 (2004). "However, this does not mean that the term 'neglect' is limited to a narrow definition; to the contrary, 'neglect,' by necessity, has a fluid meaning." *Id.* It encompasses both willful and unintentional disregard of parental duty and takes its context from specific circumstances. *Id.* Similarly, the term "injurious environment" is an amorphous concept that cannot be defined with particularity 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. *In re Davon H.*, 2015 IL App (1st) 150926, ¶ 51. Furthermore, reviewing courts have upheld a finding of neglect based on a lack of necessary care where the parent failed to follow up with a child's educational, mental health, and developmental needs. See *In re K.W.*, 2026 IL App (1st) 250872, ¶ 82. Cases involving allegations of neglect are *sui generis* and must be decided on their unique circumstances. *Arthur H.*, 212 Ill. 2d at 463. "This analytical principle underscores the fact-driven nature of neglect and injurious environment rulings." (Internal quotation marks omitted.) *Id.* When determining whether a child has been neglected, the focus is on the status of the child, not the relative responsibility of parents. *In re Z.L.*, 2021 IL 126931, ¶ 69. Courts do not need to wait until a child becomes a victim of physical or permanent emotional damage before findings of neglect or abuse may be upheld. *In re A.E.*, 2026 IL App (1st) 250918, ¶ 43.

¶ 61 Here, the mother admitted to using cocaine since 2018 and admitted to using cocaine as recently as April 3, 2025, two days before DCFS investigator Rodriguez visited her, and April 5, 2025, two days before her phone call with DCFS investigator Woodard. DCFS caseworker

Watkins did not believe the mother's home was safe based on her drug use. The mother tested positive for cocaine on April 5, 2025. Further, the evidence demonstrated that V.O. had special needs that were not being addressed, including his autism (nonverbal), developmental delay, and epilepsy disorder. The mother admitted that she had not vaccinated V.O. since he was two years old, that she did not have a primary care physician for him, and that she stopped taking him to his medical appointments at Lurie Children's Hospital because she thought the hospital was using him as a guinea pig for medical experiments. When V.O. was 10 months old, Lurie Children's Hospital recommended that he be enrolled in early intervention services and therapies to address his developmental issues. However, during V.O.'s occupational therapy evaluation in January 2025, the mother admitted that almost five-year-old V.O. never received any developmental therapies and was never enrolled in school.

¶ 62 This court has held that a child who does not receive appropriate medical evaluations or care is neglected due to lack of care and an injurious environment. See *In re Adam B.*, 2016 IL App (1st) 152037, ¶¶ 38-40; *In re Erin A.*, 2012 IL App (1st) 120050, ¶ 7; *In re Stephen K.*, 373 Ill. App. 3d 7, 20 (2007). There is no specific formula that a court must follow to find neglect due to inadequate medical care, as neglect does not have a "fixed and measured meaning and takes its content from the specific circumstances of each case." (Internal quotation marks omitted.) *In re Christina M.*, 333 Ill. App. 3d 1030, 1034 (2002). Neglect has a "fluid meaning" and encompasses both willful and unintentional disregard of parental duty. *Arthur H.*, 212 Ill. 2d at 463.

¶ 63 The ultimate question here is whether the circuit court's finding of neglect was against the manifest weight of the evidence, such that the "opposite conclusion is clearly evident." *Id.* at 464. We conclude that it was not. Reaching the "opposite conclusion" in this case would require finding that the mother did not regularly use cocaine—jeopardizing her ability to supervise and parent V.O.—and that she did not deny V.O. medical treatment, based in part on her belief that the hospital was using him as an experimental guinea pig. The evidence does not support either of these conclusions.

¶ 64 Nevertheless, the mother argues that this court should reverse the circuit court's neglect finding because she did not seem to be impaired by any drug use when investigator Rodriguez visited her home, she passed her workplace drug screens, and her boss never made a hotline call on her despite being a mandated reporter.

¶ 65 Regardless of whether the mother seemed to be impaired by her regular drug use when the investigator visited her at her home, the evidence established, in part by the mother's own admission, that she continued to regularly use cocaine and that her drug use first began some seven years prior, after the death of her other children in a 2018 fire where they were left unsupervised. Although isolated incidents of a parent's drug usage do not necessarily establish neglect on their own, "obviously an ongoing pattern of substance abuse can create an injurious environment." *In re Z.Z.*, 312 Ill. App. 3d 800, 805 (2000). A neglect/injurious environment finding does not require evidence about the effect of the drugs on the mother, that she used drugs in her children's presence, or that there was any negative impact on the children. See *In re K.F.*, 2023 IL App (1st) 220816, ¶¶ 64-70. The issue of the mother's drug use here cannot be minimized as sporadic because she missed several random drug tests and tested positive on others. Moreover, she failed to successfully engage in or complete services. Thus, even where the circuit court recognized the limited positive steps that the mother had taken to address her issues, the evidence supported the court's finding of neglect. The totality of the circumstances, including the mother's previous DCFS indicated report, her drug use, and her inattention to V.O.'s developmental and medical needs constituted a neglectful environment.

¶ 66 The mother also asserts that the trial judge improperly relied on his previous experience in medical malpractice litigation to interpret medical records in a manner for which he was not qualified. The record, however, does not support the mother's claims. First, the Act expressly authorizes the State to introduce medical records. 705 ILCS 405/2-18(4)(a) (West 2024). And facts contained within medical records can be understood without a doctor to explain them when the records are admitted "for simple reasons such as proving whether a diagnosis was made, or whether medical care took place on a certain day, or even if a particular recommendation was made as to treatment." *In re H.C.*, 2023 IL App (1st) 220881, ¶ 152. Although some medical records are beyond the understanding of a judge with no specialized medical training, other records are well within the understanding of a reasonable educated layperson. See *In re T.J.*, 2026 IL App (1st) 242406, ¶ 237 (Van Tine, P.J., dissenting). Here, the circuit court was able to view the properly admitted medical records alongside the other evidence to determine that a finding of neglect was warranted. The records demonstrated that V.O. suffered from a rare seizure disorder that required medication, was nonverbal, had level III autism, and was not receiving treatment and attending appointments related to his conditions. None of that required an expert to interpret. And the court's order reveals that it considered "all of the evidence, including stipulation[s] and medical records" to find that V.O. was neglected due to a lack of care and an injurious environment and had "several medical needs that were not met."

¶ 67 The mother refers to an "off-the-record colloquy" to support her contention that the trial judge essentially admitted to dealing with the evidence through private knowledge and improperly interpreted medical evidence despite not being a qualified doctor. But the record, as summarized above (*supra* ¶ 31), does not support this claim. At most, the mother's counsel's after-the-fact summation shows that he attempted to joke with the trial judge, who purportedly told counsel that he (the judge) used to work in medical malpractice litigation. Nothing in that exchange or in the record supports the conclusory assertion that the circuit court relied on its private knowledge to attempt to interpret medical records that it was unqualified to interpret. Nor is the mother's claim bolstered by her assertion that the trial judge "did not deny it." The circuit court permitted the mother's counsel to make a record and left it at that. The judge was not required to deny counsel's implication, to the extent any implication of impropriety even could have been gleaned from counsel's brief remark about his attempt to joke with the court and the judge's purported remark that he used to practice medical malpractice litigation. The mother points to nothing in the record to overcome the presumption that the trial judge was impartial, nor did the court make any comments to suggest otherwise. See *Eychaner v. Gross*, 202 Ill. 2d 228, 280 (2002) (trial judge is presumed to be impartial, and the burden of overcoming this presumption rests on the party making the charge of prejudice); *Kic v. Bianucci*, 2011 IL App (1st) 100622, ¶ 29 (not every comment or unguarded expression by a trial judge will support a claim of prejudice).

¶ 68 The record does not support the mother's claim that the circuit court improperly interpreted medical records based on private knowledge. Nor has she established that the circuit court's finding of neglect was against the manifest weight of the evidence. Accordingly, we conclude that the circuit court's adjudicatory finding of neglect was not against the manifest weight of the evidence.

¶ 69 III. CONCLUSION

¶ 70 For the foregoing reasons, we affirm the judgment of the circuit court.

¶ 71 Affirmed.

***In re V.O.*, 2026 IL App (1st) 252497**

Decision Under Review:	Appeal from the Circuit Court of Cook County, No. 25-JA-281; the Hon. Demetrios G. Kottaras, Judge, presiding.
Attorneys for Appellant:	Sharone R. Mitchell Jr., Public Defender, of Chicago (Samuel Hayman and Benjamin Ginzky, Assistant Public Defenders, of counsel), for appellant.
Attorneys for Appellee:	Eileen O'Neill Burke, State's Attorney, of Chicago (John E. Nowak, Gina DiVito, and Adam C. Motz, Assistant State's Attorneys, of counsel), for the People. Charles P. Golbert, Public Guardian, of Chicago (Kass A. Plain, Carrie Fung, and Juliane Johnson, of counsel), for other appellee.