

NOTICE

This Order was filed under Supreme Court Rule 23 and is not precedent except in the limited circumstances allowed under Rule 23(e)(1).

2026 IL App (4th) 260568-U

NO. 4-26-0568

IN THE APPELLATE COURT

OF ILLINOIS

FOURTH DISTRICT

FILED

September 16, 2026

Carla Bender

4th District Appellate
Court, IL

<i>In re</i> T.E., a Minor	)	Appeal from the
	)	Circuit Court of
(The People of the State of Illinois,	)	Winnebago County
Petitioner-Appellee,	)	No. 24JA363
v.	)	
Amaujonique A.,	)	Honorable
Respondent-Appellant).	)	Erin B. Buhl,
	)	Judge Presiding.

JUSTICE KNECHT delivered the judgment of the court.
Presiding Justice Steigmann and Justice Zenoff concurred in the judgment.

ORDER

¶ 1 *Held:* Appellate counsel’s motion to withdraw is granted; the trial court’s order terminating respondent’s parental rights is not against the manifest weight of the evidence.

¶ 2 In January 2026, the State petitioned for the termination of parental rights against respondent, Amaujonique A., the mother of T.E. (born in August 2022). In May 2026, the trial court granted the petition and terminated respondent’s parental rights.

¶ 3 On appeal, appellate counsel filed a motion to withdraw under *Anders v. California*, 386 U.S. 738 (1967), and *In re Alexa J.*, 345 Ill. App. 3d 985 (2003), arguing respondent’s appeal presents no meritorious issues for review. We agree, grant the motion, and affirm the trial court’s judgment.

¶ 4 I. BACKGROUND

¶ 5 On October 22, 2024, the State filed a petition alleging T.E. was a neglected

minor under section 2-3(b), (d) of the Juvenile Court Act of 1987 (705 ILCS 405/2-3(b), (d) (West 2024)) as his environment was injurious to his welfare and he was left without supervision for an unreasonable period of time. Specifically, the State alleged (1) T.E.'s sibling suffered abusive head trauma, causing a brain bleed, (2) T.E. was diagnosed with failure to thrive, (3) T.E. was left alone in a pack and play in an excessively hot home with a strong smell of gas, and (4) T.E. was left without supervision for an unreasonable period of time. Respondent waived her right to a shelter care hearing on the petition. T.E. was placed in the temporary custody and guardianship of the Illinois Department of Children and Family Services (DCFS). At the adjudicatory hearing, respondent stipulated T.E. was neglected and his environment was injurious to his welfare in that he was diagnosed with failure to thrive, placing him at risk of harm. In exchange for respondent's admission, the remaining neglect charges were dismissed.

¶ 6 In January 2026, the State petitioned to terminate respondent's parental rights to T.E. The State alleged respondent was an unfit parent in that she failed to (1) maintain a reasonable degree of interest, concern, or responsibility as to T.E.'s welfare (750 ILCS 50/1(D)(b) (West 2024)) (count I); (2) protect T.E. from conditions in the environment injurious to his welfare (*id.* § (D)(g)) (count II); (3) make reasonable efforts toward the return of T.E. during the nine-month period of April 12, 2025, to January 12, 2026 (*id.* § (D)(m)(i)) (count III); and (4) make reasonable progress toward the return of T.E. during the same nine-month period (*id.* § (D)(m)(ii)) (count IV).

¶ 7 A. Fitness Hearing

¶ 8 In March 2026, the trial court held a hearing on respondent's fitness to parent T.E. At the hearing, the State called Sherry Ramos, a child welfare supervisor with DCFS, to testify. Since October 2024, after T.E.'s brother was brought unresponsive to a hospital, Ramos had

been the supervisor on T.E.'s case.

¶ 9 Regarding respondent's interaction with DCFS, Ramos testified she and the caseworkers attempted to contact respondent at least once each month with phone calls, text messages, e-mails, visits, and appointments. At the beginning of the case, respondent "was fairly responsive for any type of meeting," but as the case progressed, "there's been really just feedback via text or phone call." In August 2025, respondent stopped attending meetings. Respondent stated she did not want to meet with DCFS.

¶ 10 Ramos testified respondent was asked to complete substance-abuse treatment, parenting classes, parenting coaching, individual therapy, and domestic-violence-victim services. Respondent was told she needed to complete services. Regarding substance-abuse treatment, respondent completed the assessment for the Project Safe intensive outpatient program in November 2024 and successfully completed that program in January 2025. A second substance-abuse assessment was referred after respondent either missed a toxicology screen or tested positive for tetrahydrocannabinol (THC). Respondent did not complete the second assessment. She did not complete any further substance-abuse treatment.

¶ 11 Regarding individual counseling, Ramos testified, due to the trauma experienced from T.E.'s sibling's death, respondent was referred for a mental-health assessment with Believe in the Children in November 2024. After completing the assessment, respondent engaged in virtual counseling. Initially, respondent was to attend weekly sessions. Respondent later had sessions twice each month. As the case progressed, "it just kind of trickled off." Respondent missed random appointments and was unsuccessfully discharged from Believe in the Children.

¶ 12 Ramos testified there were concerns with respondent's knowledge of how to care for her children. Because of the "continued positive drops," respondent was not referred to

parenting classes. In January 2025, she was referred for parenting coaching through the early childhood program with Mary Trotter. Initially, Trotter attended at least two visits each month. By July 2025, Trotter coached at visits once each month. Trotter was concerned respondent struggled with receiving feedback. Trotter was also concerned respondent had “developmentally higher expectations of the child than the child would be capable of meeting.” Respondent did not successfully complete parenting coaching, as she was not consistent with appointments.

¶ 13 As to visits with T.E., respondent began visits in November 2024. Visits were once a week for three hours. Visits occurred at the DCFS office. At these visits, respondent’s engagement with T.E. was superficial. Ramos testified to “screen time or *** one little toy, not a lot of getting on the ground and playing with [her] kid.” Respondent expected her two-year-old son to sit still, which is something he was not developmentally able to do. Respondent stopped regularly visiting in September 2025.

¶ 14 Ramos testified respondent was referred for domestic-violence services at Remedies in June 2025. The referral was prompted by respondent’s report of domestic violence by romantic partners. Respondent did not engage in domestic-violence services. Respondent reported some difficulty with scheduling services, stating someone at Remedies did not know the reason for respondent’s call. When the caseworker attempted to give respondent guidance, respondent said “she wasn’t going to deal with it and that the worker could figure it out.” Respondent was not at the point where unsupervised visitation with T.E. could be given. She was inconsistent in visiting T.E., wrote no letters, and provided no toys or gifts. Other than the first substance-abuse assessment, respondent completed no services. She would not meet with DCFS.

¶ 15 On cross-examination, Ramos testified respondent was 20 years old. Respondent expressed having difficulty with transportation. DCFS responded by providing bus passes and

transportation to service providers. Ramos received positive feedback from the counselor during respondent's first substance-abuse treatment. Ramos was unaware of drug issues other than the use of marijuana before respondent began treatment. In the "few times" Ramos met with respondent, she had no concerns about respondent's being under the influence. There were no reported suspicions of respondent's being under the influence during any of the visits.

¶ 16 As to parenting classes, Ramos testified respondent had not yet been referred, as she had not progressed during the parenting coaching sessions. The next step would have been a referral, but respondent had positive drops. The agency that provided the parenting classes had a requirement entering participants be sober from any drug for 60 days. Respondent had been employed during the case.

¶ 17 In addition to Ramos's testimony, the State asked the trial court to take judicial notice of documents and filings in the case. The court took the issue under consideration.

¶ 18 At the best-interests hearing, before hearing evidence, the trial court found the State proved by clear and convincing evidence counts I, II, and, and IV of its termination petition. Before stating its decision, the court summarized the evidence presented at the fitness hearing. The court observed T.E.'s younger sibling was brought to the emergency room with significant bruising on the face and body. Due to concerns of a brain bleed and abusive head trauma, the younger sibling was placed on a ventilator and airlifted to the children's hospital in Chicago. The younger sibling died as a result of injuries inflicted by respondent's then-boyfriend, Zashawntray P. When respondent arrived at the hospital, she provided no information regarding T.E. or his location. After hospital staff, based on medical records, concluded there was a second child, T.E, a DCFS investigator spoke to respondent, who reported T.E. was with her friend, Trinity Green. The investigator went to Green's home; T.E. was not present. Green

showed the investigator text messages from respondent admitting she misled police. The investigator and police went to respondent's apartment. After police broke down the door, T.E. was found alone in a pack and play. The apartment had a strong odor of gas, and the temperature was over 80 degrees. T.E. appeared dirty, dehydrated, and drenched in sweat and had labored breathing. He was later diagnosed with failure to thrive, child neglect, dehydration, and chronic severe malnutrition. Respondent admitted knowing T.E. was alone in the apartment. She also admitted she left both children with Zashawntray despite knowing he had no patience with the children and would throw them in the pack and play when they cried.

¶ 19 The trial court found respondent failed to act protectively and T.E., as a result, was placed at a significant risk of death. The court further found respondent failed to maintain a reasonable degree of interest, concern, or responsibility toward T.E. and failed to make reasonable progress toward T.E.'s return from April 12, 2025, to January 12, 2026. The court emphasized respondent's failure to complete necessary services and consistently attend visits. The court noted respondent completed a substance-abuse assessment in November 2024 and engaged in outpatient treatment. During that treatment, respondent's drug screens were negative, and she successfully completed that treatment. While in continuing care, in March 2025, respondent failed to attend testing and later tested positive for THC. This was a pattern that continued and worsened. Despite being asked to complete a second substance-abuse assessment, respondent did not do so.

¶ 20 B. Best-Interests Hearing

¶ 21 The State called one witness, DCFS child welfare specialist Katrina Boykins, to testify. Except from April to September 2025, when she was on medical leave, Boykins was the caseworker for T.E. According to Boykins, T.E. was placed with his maternal grandmother at the

beginning of the case. After T.E.'s sibling died, the grandmother had difficulty coping, and T.E. was placed with a "godmother." While Boykins was on medical leave, T.E. was returned to his grandmother's home. In that home, T.E. also resided with his niece. The grandmother provided for T.E.'s needs. T.E. loved her. When T.E. entered care, he was not speaking. At the time of her testimony, T.E. was speaking, laughing and smiling. T.E. also loved respondent. When Boykins has shown up at visits, T.E. would object, saying, " 'No. You don't realize I'm with mama? No, I'm not coming.' " For fun, T.E. loves his tablet. T.E.'s grandmother allows him to explore his interests. They show each other affection.

¶ 22 Boykins testified the grandmother wanted to provide permanency for T.E. She was sad "that the parental skills that are needed aren't being shown, but she doesn't want her grandson placed anywhere else." T.E. was stable in his grandmother's home. He continued to have "moments where he will have that crying, where you won't even know he's crying because he's silent with it." DCFS was monitoring that issue to see what referrals may need to be made. DCFS had referred T.E. for early child development services.

¶ 23 According to Boykins, DCFS opined it was in T.E.'s best interests to terminate respondent's parental rights. Respondent loved T.E., but she lacked an understanding of what it takes to care for T.E.

¶ 24 On cross-examination, Boykins testified the grandmother would allow T.E. to have a relationship with respondent in the future. T.E. was attending preschool and daycare. T.E. showed affection to respondent. He was excited to see her. While the grandmother would allow contact with respondent, at that time, the grandmother was "hurt that her daughter has not put forth the effort—and these are [the grandmother's] words—that her daughter has not put forth the effort to have her son back in her care." Boykins believed if respondent developed parental

skills, the grandmother would not allow respondent to take care of T.E. The grandmother would, at that point, allow respondent to visit and be with T.E. at family gatherings. When Boykins and the grandmother discussed adoption versus guardianship, the grandmother always chose adoption.

¶ 25 By written order, in May 2026, the trial court found it was in the best interests of T.E. to terminate respondent's parental rights. The court observed T.E. was "very loved" and "in a very stable, consistent, steady home with his grandmother." The court noted no concerns from anyone regarding the care T.E. was receiving while in his grandmother's home, and T.E. appeared to have "come out of his shell." The court further observed T.E. knew and loved respondent and shared a strong bond with her. The court concluded, however, "There's more to parenting than just love."

¶ 26 This appeal followed.

¶ 27 II. ANALYSIS

¶ 28 In July 2026, respondent's appointed counsel filed a motion for leave to withdraw as counsel. Counsel asserts she reviewed the record and found no meritorious issues of procedure or substance can be raised on appeal. Respondent did not file a response. We agree with counsel.

¶ 29 A. Standard of Review

¶ 1 When seeking to terminate parental rights, the State must show both the parent is unfit and termination of parental rights is in the child's best interests. *In re D.F.*, 201 Ill. 2d 476, 494-95 (2002). The burden of proof differs for each factor. To prove a parent unfit, the State must do so by clear and convincing evidence. *Id.* In contrast, the State need only prove termination is in the child's best interest by a preponderance of the evidence. *In re Ta. T.*, 2021 IL App (4th) 200658, ¶ 64. The standard of review for both a fitness and best interest finding is

the same; we will not reverse a trial court's finding on either unless the finding is against the manifest weight of the evidence. See *id.* ¶¶ 48, 65; *In re Dal. D.*, 2017 IL App (4th) 160893, ¶ 53. A finding is against the manifest weight of the evidence when “the correctness of the opposite conclusion is clearly evident.” *In re T.A.*, 359 Ill. App. 3d 953, 960 (2005).

¶ 30 B. Unfitness Finding

¶ 31 A parent will be found unfit if the State proves by clear and convincing evidence any one ground listed in section 1(D) of the Adoption Act (750 ILCS 50/1(D) (West 2024)).

In re A.L., 409 Ill. App. 3d 492, 500-01 (2011). In this case, the trial court found respondent unfit on three grounds, including failure to make reasonable progress toward T.E.'s return during the nine-month period of April 12, 2025, to January 12, 2026 (750 ILCS 50/1(D)(m)(ii) (West 2024)).

¶ 32 There is no issue of merit concerning the trial court's finding respondent was an unfit parent for failing to make reasonable progress toward T.E.'s return during the specified nine-month period. Whether one's progress is reasonable is an objective standard, where the court determines whether “the progress being made by a parent to comply with directives given for the return of the child is sufficiently demonstrable and of such a quality that the court, in the *near future*, will be able to order the child returned to parental custody.” (Emphasis in original and internal quotation marks omitted.) *In re F.P.*, 2014 IL App (4th) 140360, ¶ 88. In that nine-month period, respondent completed no services. Respondent stopped attending meetings as of August 2025 and told DCFS she no longer wanted meetings. Respondent only inconsistently attended visits. Respondent had not successfully completed parenting coaching sessions, and her use of THC prevented her from attending parenting classes. Despite the devastating impact domestic violence had on her life, respondent refused treatment. Respondent made no progress

toward T.E.’s return, much less progress sufficient to have T.E. returned to her care in the near future. See *id.*

¶ 33 As we have found no meritorious issue as to the trial court’s finding of unreasonable progress and proof of only one ground is necessary to uphold a finding of unfitness (see *In re Donald A.G.*, 221 Ill. 2d 234, 244 (2006)), we need not review the trial court’s findings as to the other grounds of unfitness.

¶ 34 C. Best-Interests Finding

¶ 35 After a parent has been found to be unfit, the trial court’s attention turns to the question of whether terminating parental rights is in the child’s best interests. In considering a child’s best interests, the court must consider several statutory factors “in the context of the child’s age and developmental needs.” 705 ILCS 405/1-3(4.05) (West 2024). These factors include the following:

“(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 Daphnie E., 368 Ill. App. 3d 1052, 1072 (2006).

See also 705 ILCS 405/1-3(4.05) (West 2024).

¶ 36 There is no meritorious issue regarding the trial court's best-interests finding. T.E. blossomed in the care of his grandmother, growing from a quiet two-year-old to a child who was speaking, laughing, and smiling. His grandmother provided for his needs, and T.E. loved her. The grandmother offered T.E. permanency through adoption. As the correctness of the opposite finding is not clearly evident, the court's finding termination of respondent's parental rights was in T.E.'s best interests is not against the manifest weight of the evidence. See *T.A.*, 359 Ill. App. 3d at 960.

III. CONCLUSION

¶ 38 We agree with appellate counsel this appeal presents no issue of merit. We grant counsel's motion to withdraw and affirm the trial court's judgment.

¶ 39 Affirmed.