

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) 260501-U
NOS. 4-26-0501, 4-26-0502, 4-26-0503 cons.

IN THE APPELLATE COURT

OF ILLINOIS

FOURTH DISTRICT

FILED

September 22, 2026
Carla Bender
4th District Appellate
Court, IL

<i>In re</i> K.W., A.W., and B.C., Minors	)	Appeal from the
	)	Circuit Court of
(The People of the State of Illinois,	)	McLean County
Petitioner-Appellee,	)	Nos. 23JA67
v.	)	23JA68
Porscha C.,	)	24JA67
Respondent-Appellant).	)	
	)	Honorable
	)	John Brian Goldrick,
	)	Judge Presiding.

JUSTICE LANNERD delivered the judgment of the court.
Presiding Justice Steigmann and Justice Cavanagh concurred in the judgment.

ORDER

¶ 1 *Held:* The appellate court affirmed the trial court’s judgment terminating respondent’s parental rights, finding the court’s fitness determination was not against the manifest weight of the evidence.

¶ 2 In September and November 2025, the State filed petitions to terminate the parental rights of respondent, Porscha C., to her minor children, K.W. (born in April 2019), A.W. (born in July 2012), and B.C. (born in August 2024). Following the fitness and best interest hearings, the trial court granted the State’s petitions and terminated respondent’s parental rights. (The court also terminated the parental rights of the children’s fathers, who are not parties to this appeal.) Respondent appeals, arguing the court’s fitness determination was against the manifest weight of the evidence. We affirm.

¶ 3 I. BACKGROUND

¶ 4 On June 30, 2023, the State filed petitions to adjudicate K.W. and A.W. neglected under section 2-3(1)(b) of the Juvenile Court Act of 1987 (Juvenile Court Act) (705 ILCS 405/2-3(1)(b) (West 2022)), alleging they resided in an environment injurious to their welfare because K.W. was hospitalized after ingesting cannabis and cocaine that were accessible in respondent's residence. The petition also alleged respondent had unresolved substance abuse issues. On August 9, 2024, the State filed a petition to adjudicate B.C. neglected under section 2-3(1)(b) of the Juvenile Court Act (*id.*), alleging B.C. was newly born, B.C. resided in an environment injurious to his welfare, and respondent had not attained fitness in the case involving K.W. and A.W. The trial court subsequently adjudicated the children neglected, found respondent unfit, made the children wards of the court, and placed guardianship and custody of the children with the Illinois Department of Children and Family Services (DCFS).

¶ 5 In September and November 2025, the State filed petitions to terminate respondent's parental rights to all three children, alleging respondent was unfit for (1) failure to make reasonable efforts to correct the conditions that were the basis for the removal of the children during a nine-month period after the adjudication of neglect (750 ILCS 50/1(D)(m)(i) (West 2024)) and (2) failure to make reasonable progress toward the return of the children to her care during a nine-month period after the adjudication of neglect (*id.* § (D)(m)(ii)). The State alleged a nine-month period of November 20, 2024, to August 20, 2025.

¶ 6 On December 10, 2025, the trial court held a fitness hearing. Alissa Baertsch testified she had supervised the cases at various times since their inceptions. Baertsch testified K.W. and A.W. originally came into care after K.W. was taken to the hospital exhibiting seizure-like activity, and respondent reported K.W. might have consumed "an edible." K.W. tested positive for marijuana and cocaine, as did respondent. Baertsch testified about the development of service

plans, one of which was admitted into evidence without objection. Respondent's goals under the service plans included addressing (1) cooperation, (2) housing, (3) employment, (4) mental health, (5) substance abuse, (6) domestic violence, and (7) parenting.

¶ 7 Baertsch testified that, before November 2024, respondent did not have regular contact with her caseworker or consistently complete drug screens. Respondent had been unsuccessfully discharged from counseling and had started but not yet completed domestic violence treatment. However, respondent had completed a parenting class and substance abuse treatment. In August 2024, respondent gave birth to B.C., who was taken into DCFS custody.

¶ 8 According to Baertsch, respondent's cooperation regressed during the nine-month period. A police report was filed in March 2025, which indicated respondent was staying with a new boyfriend when the boyfriend's ex-girlfriend broke into the house. During the investigation, respondent told an officer she was trying to "sober up" and had a hangover. Despite respondent's completion of domestic violence treatment at the time, she failed to inform her caseworker that she had a new boyfriend. While respondent maintained consistent communication with her caseworker, she failed to attend monthly visits with the caseworker in June and August 2025, and she did not attend a child and family team meeting in July 2025.

¶ 9 Baertsch also testified about respondent's housing and employment situations. Respondent lived with a friend until March 2025, and Baertsch did have any safety concerns about that residence. However, after March 2025, respondent's housing was unstable. During the nine-month period, respondent initially reported temporary employment but did not provide verification. After May 8, 2025, she was employed.

¶ 10 Despite the service plan requirement, Baertsch testified respondent was inconsistent with drug screens during the nine-month period. An exhibit showed respondent

missed numerous drug screens, including a complete failure to complete any drug screens in the final month of the nine-month period. When respondent completed drug screens, her tetrahydrocannabinol (THC) levels were very high. Despite being requested to do so, respondent also failed to submit receipts showing legal purchases of THC products. Although respondent claimed to have reduced or stopped her use of marijuana, she continued to test positive for it. In August 2025, respondent was referred for a substance abuse reassessment and tested positive for THC and alcohol during the assessment. Respondent attended mental health counseling from February 5, 2025, to May 28, 2025, but stopped attending after that time period.

¶ 11 Baertsch testified respondent started consistently canceling visits with the children in April 2025, and visits became very inconsistent after that time. Respondent had not progressed in a manner under which it was appropriate to offer unsupervised visitation. A visitation summary showed respondent canceled some visits for various reasons, and she missed visits from April 16, 2025, through May 12, 2025, because she was in Alabama visiting her father, who was ill.

¶ 12 Overall, Baertsch stated there continued to be concerns about respondent's lack of stable and consistent housing, substance use, and judgment based on continued relationships with unsafe individuals. Baertsch testified that, based on respondent's lack of attendance and involvement with her children, she was concerned respondent prioritized her relationships and other people over her children.

¶ 13 While respondent did not testify at the fitness hearing, respondent's testimony from a May 14, 2025, hearing was admitted into evidence. During that hearing, respondent admitted she failed to inform caseworkers of her new relationship. However, respondent asserted that relationship ended on March 21, 2025. She denied consuming alcohol before the incident described in the police report or telling the police she had a hangover.

¶ 14 At the May 14, 2025, hearing, respondent testified she missed visits with the children because she went to Alabama after the death of an aunt and the hospitalization of her father. She stated she notified her caseworker by text the night before she left. Respondent told the caseworker that she would be in Alabama for two weeks but actually stayed a week longer. She thought she contacted the agency to let them know she was going to stay longer. Respondent testified she inquired if there was somewhere she could go in Alabama to do drug screens while she was there.

¶ 15 According to respondent's testimony from the May 14, 2025, hearing, she did not provide receipts for her purchases of THC products because her roommate purchased the marijuana she used. Respondent maintained she stopped using marijuana and noted she probably had not appeared for testing after March 2025 because she was working or out of town. Respondent explained she quit working when she went to Alabama but started a new job when she returned. She admitted she had "[n]ot recently" provided proof of her new employment.

¶ 16 The trial court found the State had proved respondent unfit by clear and convincing evidence based on respondent's failure to (1) make reasonable efforts to correct the conditions that were the basis for the removal of the children during a nine-month period after the adjudication of neglect and (2) make reasonable progress toward the return of the children to her care during a nine-month period after the adjudication of neglect. The court noted the regression in respondent's progress, her failure to complete tasks or treatment under the service plan, her missed visits with the children, her unstable housing, her inconsistent employment, her failure to disclose relationships, and her substance abuse.

¶ 17 In April 2026, the trial court held the best-interest hearing. The children's foster mother testified the children were all placed in her home, were well cared for, and were doing well.

The children were bonded to their foster mother, and she wanted to adopt all three children. The foster mother acknowledged respondent shared a bond with the children and testified she intended to maintain appropriate contact between the children and their biological family if adoption occurred.

¶ 18 The trial court found it was in the best interest of the children to terminate respondent's parental rights. Accordingly, the court entered an order terminating her parental rights and changing the permanency goal to adoption.

¶ 19 This appeal followed.

¶ 20 II. ANALYSIS

¶ 21 On appeal, respondent argues the trial court's fitness determination was against the manifest weight of the evidence.

¶ 22 Under section 2-29(2) of the Juvenile Court Act (705 ILCS 405/2-29(2) (West 2024)), the involuntary termination of parental rights is a two-step process. First, the State must prove by clear and convincing evidence the parent is "unfit," as defined in the Adoption Act. *In re Donald A.G.*, 221 Ill. 2d 234, 244 (2006). If the State proves unfitness, it then must prove by a preponderance of the evidence that termination of parental rights is in the best interest of the children. *In re D.T.*, 212 Ill. 2d 347, 363-66 (2004).

¶ 23 A determination of parental unfitness involves factual findings and credibility determinations that the trial court is in the best position to make because its "opportunity to view and evaluate the parties *** is superior." (Internal quotation marks omitted.) *In re M.I.*, 2016 IL 120232, ¶ 21. A trial court's finding of parental unfitness will not be reversed unless it is against the manifest weight of the evidence. *In re N.G.*, 2018 IL 121939, ¶ 29. A decision is against the manifest weight of the evidence only when the opposite conclusion is clearly apparent. *Id.* "As the

grounds for unfitness are independent, the trial court’s judgment may be affirmed if the evidence supports the finding of unfitness on any one of the alleged statutory grounds.” *In re H.D.*, 343 Ill. App. 3d 483, 493 (2003).

¶ 24 One of the bases the trial court utilized for finding respondent unfit was her failure to make reasonable progress toward the return of the children during any nine-month period following the adjudication of neglect. See 750 ILCS 50/1(D)(m)(ii) (West 2024). Illinois courts have defined “reasonable progress” as “demonstrable movement toward the goal of reunification.” (Internal quotation marks omitted.) *In re Reiny S.*, 374 Ill. App. 3d 1036, 1046 (2007). This court has explained reasonable progress exists when a trial court “can conclude that *** the court, in the *near future*, will be able to order the child returned to parental custody.” (Emphasis in original.) *In re L.L.S.*, 218 Ill. App. 3d 444, 461 (1991). “ ‘Reasonable progress’ is measured by an objective standard.” *In re A.R.*, 2023 IL App (1st) 220700, ¶ 70.

¶ 25 Here, there was sufficient evidence respondent failed to make reasonable progress toward reunification during the nine-month period at issue. Although respondent had initially made some progress, it deteriorated. Respondent missed visits with the caseworker and the children. She admitted to using marijuana during the time period, missed numerous drugs screens, and tested positive for THC and alcohol. Respondent did not have stable housing and had not consistently verified her employment. She failed to complete all required services and admitted she had failed to disclose a relationship with a new boyfriend.

¶ 26 Given respondent’s overall lack of progress and the evidence she continued to abuse substances and had unstable housing, the State established respondent could not progress to a return of the children in the near future. Accordingly, the trial court’s determination respondent failed to make reasonable progress toward the return of the children was not against the manifest

weight of the evidence.

¶ 27 “A parent’s rights may be terminated if even a single alleged ground for unfitness is supported by clear and convincing evidence.” *In re Gwynne P.*, 215 Ill. 2d 340, 349 (2005). Accordingly, we need not, and do not, address the trial court’s alternate finding respondent failed to make reasonable efforts to correct the conditions that were the basis for the removal of the children during a nine-month period after the adjudication of neglect.

¶ 28 We note respondent does not argue the trial court erred in its ultimate determination that it was in the best interest of the children to terminate her parental rights. Thus, we need not address that matter. However, we nevertheless note the facts do not demonstrate the court should have reached the opposite result in its findings. Accordingly, the court’s determination was not against the manifest weight of the evidence. See *In re T.A.*, 359 Ill. App. 3d 953, 961 (2005) (“We will not disturb a court’s finding that termination is in the children’s best interest unless it was against the manifest weight of the evidence.”).

¶ 29 III. CONCLUSION

¶ 30 For the reasons stated, we affirm the trial court’s judgment.

¶ 31 Affirmed.