2026 IL App (1st) 251535-U

No. 1-25-1535

Order filed June 30, 2026

Third Division

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).

IN THE

APPELLATE COURT OF ILLINOIS

FIRST DISTRICT

IN THE INTEREST OF N.W., N.E., N.W., & N.E.,	)	Appeal from the Circuit Court of Cook County, Illinois
Minors-Respondents-Appellees,	)	Juvenile Justice and Child Protection Department, Child Protection Division
(The People of the State of Illinois,	)	
Petitioner-Appellee,	)	No. 24 JA 154-157
v.	)	
Amaka A.W.,	)	Honorable Lisa M. Taylor, Judge, Presiding.
Mother-Respondent-Appellant.)	)	

PRESIDING JUSTICE MARTIN delivered the judgment of the court.
Justices Rochford and Reyes concurred in the judgment.

ORDER

¶ 1 *Held*: We affirm the trial court's orders where the adjudicatory and dispositional findings were not against the manifest weight of the evidence.

¶ 2 Respondent, Amaka A.W. (Amaka)[1], is the mother of minor children Nar. W., Nair. W., Nao. E., and Nai. E. Following adjudicatory and dispositional hearings, the trial court found all

[1]Amaka is referenced throughout the record and briefs as Ms. A., Ms. A.W., Ms. W., or Amaka. A.W. We will refer to her as Amaka in this order, for clarity.

four minors neglected due to an injurious environment and abused due to substantial risk of physical injury. See 705 ILCS 405/2-3(1)(b); (2)(ii) (West 2024). The court found Amaka unable to parent the minors, adjudged them wards of the court, placed them in the custody of the Department of Children and Family Services (DCFS) guardianship administrator with the right of placement, and entered a permanency goal of return home in 12 months. Finding that DCFS had not made reasonable efforts in providing services to facilitate achievement of a return home goal, the court also granted the State's motion to remove DCFS agency Lawrence Hall (Lawrence Hall or agency) from the case, and ordered a new agency be assigned within 30 days.

¶ 3 Amaka argues that the court's dispositional finding that she was unable to parent her children was against the manifest weight of the evidence. She alleges the trial court's ruling was based entirely on its frustration with the caseworker and did not take the parent's abilities as caretakers into account. She asks that we reverse the trial court's findings. We affirm.[2]

¶ 4 I. BACKGROUND

¶ 5 Amaka is the biological mother of Nair. W., a six-year-old girl born in April 2020; Nar. W., a four-year-old boy born in December 2021; Nao. E., a 15-year-old girl born in November 2010; and Nai E., a 13-year-old girl born in October 2013. Phillip W. is the biological father of both Nair. W. and Nar. W., and is a stepfather to Nao. E. and Nai. E. He and Amaka were married at the time of the proceedings. He is not a party to this appeal.[3] Paul N. is the biological father of Nao. E. and Nai. E. He did not appear in the trial court and is likewise not a party to this appeal.

[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.

[3]Phillip appealed separately, *In re Nar. W. and Nair. W.*, No. 1-25-1369. His appointed attorney filed a motion seeking to withdraw as counsel pursuant to *Anders v. California*, 386 U.S. 738 (1967). On December 17, 2025, this Court granted the *Anders* motion and affirmed the trial court's judgment.

¶ 6 On February 22, 2024, the State filed petitions for adjudication of wardship and motions for temporary custody, alleging that each minor was neglected pursuant to the Juvenile Court Act (Act) due to an injurious environment and abused due to substantial risk of physical injury. 705 ILCS 405/2-3(1)(b); (2)(ii) (West 2024). Specifically, the State noted that Amaka and Phillip have one prior indicated report for substantial risk of physical injury/environment injurious to health and welfare by neglect. The State highlighted numerous domestic disputes between Amaka and Phillip; noted that Phillip has untreated mental health issues (bipolar affective disorder with psychotic symptoms) and a history of psychiatric hospitalizations; and explained that the parents are both refusing to cooperate with DCFS personnel and participate in services. As to Nao. E. and Nai. E., their petitions noted that Amaka refused "to disclose putative father's identity and whereabouts." The motion was supported by an affidavit from DCFS investigator Heather Gomez, who averred that law enforcement was called to the home multiple times due to domestic disturbances and the parents are historically uncooperative with child protection. Gomez reported that while the family was offered intact family services several times, they declined and refused to contact community resources. Following a hearing, the circuit court issued an order granting temporary custody of the minors to the DCFS Guardianship Administrator.

¶ 7 A. Adjudication Hearing

¶ 8 On February 19, 2025, the court held a virtual hearing on the State's petition for adjudication of wardship. The State called five witnesses—police officers A. Wagner, R. George, J. Slywka, and R. Burke, and DCFS investigator Gomez.

¶ 9 Officer Wagner was working as a patrol officer on December 5, 2023 when he received a domestic battery call around 9:25 p.m. He arrived at an apartment building on West Panorama Drive, where he observed Phillip in the hallway. Amaka, Amaka's mother (Rachel), and the four

children were inside the apartment. Amaka explained Phillip was irritated because she called the fire department earlier in the day for a microwave fire. Phillip stated they argued because Amaka had called his brother. Phillip called Amaka derogatory names and she responded by throwing his clothes on the ground and in the apartment hallway. Amaka stated Phillip threw a glass bottle or vase towards the bathroom, where it shattered on the floor. Phillip maintained Amaka had thrown the glass and had swung a piece of furniture in his direction. The argument became physical after Phillip pushed Amaka onto the ground and got on top of her. She bit him on the chest in self-defense and began scratching his face; she had minor swelling to her right wrist. According to Phillip, she pushed him onto the floor, got on top of him, and bit him. Amaka declined medical attention; Phillip accepted assistance. Officer Wagner learned Phillip had moved from the home in August and was homeless until November, when he moved back in. Officer Wagner did not arrest anyone as he could not decide who the aggressor was, but he did offer domestic violence resources. Amaka declined and Phillip ultimately left for the evening and slept in his vehicle. DCFS was notified.

¶ 10 Officer R. George was on patrol when he responded to a January 6, 2024 call of a man with a knife around 10 p.m. Upon entering the apartment building, Officer George spoke to Amaka who reported Phillip had yelled at her, threatened to choke her, and had threatened to call his mom to come hurt her. While a knife was present, it was never used or threatened to be used. The four children and Phillip were inside the apartment. Officer George offered Amaka domestic violence resources but she stated she did not need them. No one was arrested in relation to the incident.

¶ 11 Officer Slywka responded to the January 6, 2024 domestic incident. He was the first officer on scene and observed Amaka in the hallway outside the apartment. He removed the four children from the apartment and spoke with Phillip, who explained he had gotten into a verbal argument

with Amaka. He relayed Amaka was "degrading him" about his unemployment and finances. He went to grab a knife because his bedroom door was locked. He denied threatening anyone with the knife and stated he used it solely to enter the bedroom.

¶ 12 Officer Burke was on patrol on January 28, 2024, when he received a call to respond to a domestic battery. Amaka answered the apartment door and Phillip was in the bedroom; the children were present in the apartment. Phillip stated they had gotten into a verbal argument regarding using a shower cap on their daughter. The argument turned physical when Amaka scratched him on his face and chest. The children did not witness the argument. Officer Burke observed a scratch on Phillip's nose and chest. Amaka agreed they had argued over a shower cap, but stated the argument became physical when Phillip pushed her to the ground and got on top of her. She scratched Phillip to get him off. Amaka told Officer Burke that Phillip suffers from bipolar disorder and mood swings. Officer Burke spoke to Nao. E., who placed the 911 call after hearing arguing coming from her parents' bedroom. She could not say for certain, but believed the argument was physical. Neither Amaka nor Phillip accepted the offered domestic violence resources. No arrests were made but Officer Burke reported the incident to DCFS.

¶ 13 Gomez testified she was assigned to the family's case around approximately January 2024. She learned there was a prior indicated report against the parents in 2021 for substantial risk of physical injury and environment injurious to health and welfare by neglect. Gomez met with Nao. E., who was dismissive,. at her school on January 29, 2024. Nao. E. said she called the police at her mother's instruction and informed Gomez that she did not like Phillip because he was bipolar, did not take his medicine, and called everyone names. She stated she was not scared of Phillip because her mother was very strong. Gomez attempted to visit the apartment the same day, but no one answered the door. When Gomez later spoke to Amaka via telephone, she informed Amaka

that the family needed a home assessment and the three youngest children needed to be interviewed. Amaka was not cooperative and responded that she does not let people into her home. She stated it was Gomez's problem; not hers. Gomez tried to explain the DCFS investigative process two or three times over the phone. Amaka was dismissive and stated that if she met with Gomez it would not be at her home and she would let Gomez know if she decided to meet with her. Gomez attempted to discuss the January 28 police visit and Amaka stated she was surprised when they arrived. In response to Gomez's questioning, Amaka stated Phillip does not take medications and does not need to. Amaka told her to "get her facts straight" and that Gomez did not know about people's situations. She then disconnected the phone call.

¶ 14 Nai. E., who was "very rude" and "disrespectful," met with Gomez at school the next day. Nai. E. informed Gomez that she did not know anything about the police visit and that it is not her or anyone else's business; it is "grown folks' business." She stated she did not like Phillip because he calls people names.

¶ 15 Gomez spoke with Amaka again on February 1, 2024, and explained the need for a home visit and meetings with the parents and two youngest children. Amaka laughed and asked why she wanted to interview toddlers who cannot speak. She again stated she would not allow anyone into the home. Amaka ultimately agreed to meet Gomez in the hallway of the apartment building; they met later that same day for approximately an hour. Gomez spoke to Phillip, who did not share any information about the recent police visit, but admitted his wife had given him a scratch. Phillip maintained he and Amaka had a verbal argument only and denied having any mental health diagnoses or having been prescribed medicine. Phillip acknowledged he had previously been admitted to the hospital but did not remember why. Gomez explained the intact family services program but Phillip stated he would need to speak with his wife regarding that. Amaka also

maintained there was only a verbal argument and denied any physicality. She further denied any history of domestic violence and stated the history of police calls was not related to domestic violence. Gomez provided information regarding obtaining an order of protection and Amaka responded she would maybe apply next month. Amaka twice denied needing intact family services and stated that everything would be fine once Phillip left the house and she could get divorced. Amaka said she knew nothing of Phillip's medical history.

¶ 16 Gomez reviewed approximately 16 phone calls to the police and determined the majority of them were related to domestic violence, the rest to mental health. Between her first call to the parents and the time of the temporary custody hearing, she had still not been granted access to the children's pediatrician's information nor had she been allowed to view the apartment. Both parents continued to refuse to cooperate with intact family services. Both Amaka and Phillip were indicated due to the substantial evidence that a physical altercation took place, the history of domestic violence, the overall risk to the children, and the family's unwillingness to cooperate with services.

¶ 17 The State admitted Phillip's certified medical records from Madden Mental Health Center and Northwest Community Hospital and asked for a finding that the four minors were abused or neglected.

¶ 18 The court-appointed guardian *ad litem* (GAL) argued that both Nao. E. and Nai. E. "are adamant that they are not afraid of their parents." Accordingly, they requested findings consistent with their belief that they should not have been removed from their parents. As to Nair. W. and Nar. W., the GAL asked for a finding consistent with the State's argument.

¶ 19 Amaka's attorney highlighted the "cultural element" and noted Amaka "perhaps with some good reason" is suspect of government agencies and intervention. Counsel argued that the State

failed to meet their burden and noted that Amaka did not mean to put her children in jeopardy or at risk of injury, emphasizing that the children appear well cared for and well groomed. Phillip's attorney made a similar argument.

¶ 20 Following the hearing, the court found that the State had proven, by a preponderance of the evidence, that the four minors were abused (substantial risk/physical injury) and neglected (injurious environment) pursuant to section 2-3(1)(b) and section 2-3(2)(ii) of the Act (705 ILCS 405/2-3(1)(a); (2)(ii) (West 2024)), "based on the credible testimony of the four police officers and DCP Heather Gomez, and also based on the father's medical records which detailed the mother and Mr. [W.'s] history of domestic violence as well as the father's documented history of mental health issues." Over the parents' objection, the court ordered a Cook County Juvenile Court Clinic (CCJCC) parenting capacity assessment and scheduled a dispositional hearing for May 29, 2025.

¶ 21 B. CCJCC Assessment

¶ 22 The CCJCC assessment analyzed the protective factors, risk factors, and the parenting strengths and weaknesses of Amaka and Phillip. The assessment also considered recommendations to decrease risk factors and promote the protective factors if the children are returned home. Last, the evaluation analyzed the likelihood that Amaka and Phillip are able to adequately care for, parent, and protect the children if they are returned home and, in the alternative, what a safe expanded visitation plan would look like. The report noted that the case manager had "voiced concerns regarding the numerous incidents of domestic violence (approximately 10 police calls to residence) between the parents and noted that the parents seem to minimize these incidents, as well as downplay Mr. [W's] mental health struggles." When the CCJCC assessor attempted to question the parents, "the subjects were unwilling to discuss any of these police contacts with me when

asked and emphasized that they have 'moved on' from these incidents and expressed wanting to focus on their children returning home."

¶ 23 Regarding DCFS involvement, the assessor noted that the family's case was opened on a "(K) sequence," but she had only received records for two investigations.[4] The assessor noted that the parents consistently denied any concerns regarding violence; therefore, "many of these investigations may have been unfounded due to a lack of evidence." When questioned regarding her perspective on DCFS's involvement, Amaka answered that "she was unaware of why the children were removed from her care. She expressed frustration that DCFS and the Court were not listening to her side of the story and were relying on 'a paper versus our word.' " Amaka dismissed the concerns regarding intimate partner violence and stated "our kids were never in danger…or knew what was going on…" She stated there had "only been one incident of physical violence, and all of the other police contacts were made in order to seek psychiatric care" for Phillip. Overall, Amaka "denied any concerns regarding violence, substance use, or mental health concerns prior to their initial DCFS contact." Amaka informed the assessor that she "did not take any specific precautions to ensure the safety of the children *** because she did not fear for her safety during that time." Amaka was "unable to explain how the children may have been impacted during these incidents nor was she able to verbalize what she could have done differently at the time."

¶ 24 The assessor stated that the family's caseworker noted that "[r]egarding their overall progress, while they have successfully completed recommended services," she nonetheless "voice[d] concerns *** that the subjects still remain unaware and in 'denial' of why their children were removed from their care." Additionally, the assessor emphasized the family therapist's concern "that they were participating in treatment for the sake of documenting their compliance as

[4]The assessor explained that a "(K) sequence" suggests more than 10 contacts with DCFS.

opposed to addressing their risk factors." The therapist also stated they had made progress in the service.

¶ 25 Both parents described the children in positive terms and Amaka reported she has a strong and loving relationship with each of her children. The assessor noted that neither parent had difficulty discussing concerns regarding the children's previous placements; however, both parents were reluctant to discuss concerns related to their relationship dynamics and the events that led to the DCFS case. They "often replied with 'That's in the past, we've moved on' or 'I don't recall." As to Amaka's parenting ability, she was "unable to explain how her and Mr. [W.'s] behavior led to DCFS involvement and have impacted the children. Rather, Ms. [W.] noted *** the children were only impacted by being removed from their home." The assessor further emphasized that "[w]hile the subjects are adamant that no physical harm was caused to their children, they were unable to discuss the impact of emotional and psychological harm that may have been caused and how they plan to keep the children safe in the future." Amaka explained that she would remove the children from the home should Phillip again exhibit bizarre behavior or use substances, but "she was unable to explain why she did not remove the children from the home previously nor was she able to identify any warning signs that may contribute to an increase in violence." The assessor highlighted the parents' inability to "create a realistic safety plan for the children as they noted to me, they do not anticipate having disagreements in the future." "Both subjects refused to discuss incidents that led to DCFS involvement or the overall quality of their relationship prior to their children being removed from their care."

¶ 26 The report concluded that there were several protective factors—the parents' good relationship with the children overall, their stable income and housing; their completion of 95% of the services recommended, and the fact that none of the children present with any specialized needs

or concerns. However, the main risk factor for Amaka was found to be her inability to demonstrate a consistent ability to prioritize the safety and wellbeing of her children, despite the services rendered. Other risk factors include that (1) Amaka has failed to take necessary steps to protect her children (i.e., filing an order of protection, pressing charges, allowing Phillip to have contact despite violent events), and (2) she is unable to identify (a) how her behavior led to the removal of the children, (b) how Phillip's mental health and substance use concerns have impacted the children, and (c) how she planned to keep the children safe in the future. Instead, Amaka continued to emphasize the lack of physical harm to the children and remained unaware of and had little insight into the possibility of emotional and psychological harm. Additionally, despite the ample evidence of physical altercations in their past, both parents continually denied engaging in physical altercations. Last, the report found that the parents do not have an adequate social support outside of each other and Rachel.

¶ 27 The main parenting weaknesses identified were (1) the limited knowledge, understanding, and awareness regarding the intersection of intimate partner violence, substance abuse, and mental illness; and (2) their unwillingness to discuss the quality of their relationship prior to DCFS involvement, the nature of their disagreements and conflicts, and how they have resolved conflicts in the past. The assessor found these weaknesses made it difficult to thoroughly assess: the presence or absence of various risk factors; how responsive and engaged the parents were to treatment; and if the recommended services were sufficient to address their risk factors.

¶ 28 Continued individual therapy was recommended for Amaka, as well as domestic violence focused couples therapy. The assessor noted ongoing concerns that the parents "completed services to document compliance but have not demonstrated a commitment to addressing their risk factors. Their unwillingness to discuss these issues makes it difficult to thoroughly assess the presence or

absence of various risk factors and recommend appropriate services." The assessor noted that many of their risk factors have not been properly treated and there are several behaviors the parents need to consistently demonstrate in order for the children to return home. Accordingly, the report noted the parents' likelihood of making the gains necessary to achieve a goal of return home is low.

¶ 29 C. Dispositional Hearing

¶ 30 The State entered into evidence an integrated assessment (IA); an April 3, 2024 service plan; Amaka's parenting certificate of completion, a domestic violence series certificate for Amaka; various progress reports; a September 26, 2024 family therapy report; a Treatment Alternatives for Stronger Communities (TASC) Juvenile Court Assessment Program (JCAP) assessment for Phillip; several permanency planning hearing reports; a psychiatric assessment for Phillip, a marriage counseling progress report; and the report from the CCJCC assessment.

¶ 31 Lawrence Hall case manager Kim Gray testified she has been assigned to the minors' case since June 1, 2024. All four children are currently placed with their maternal grandmother, who is in the process of becoming licensed, and Gray visits the home twice a month. The home is safe and appropriate, with no signs of abuse, neglect, or corporal punishment. All the children are in a school program and have good attendance. Both Nair. W. and Nar. W. were approved for Individualized Education Program (IEP) services for developmental and speech therapy. These IEPs were not provided to the parties. Both Nao. E. and Nai. E. are in individual therapy at Lawrence Hall until May 2025, when they were discharged.

¶ 32 Amaka and Phillip are married and living together. Amaka was recommended several services when the case first came to DCFS: individual therapy; domestic violence services; parenting education/coaching, preferably Nurturing Parenting Program (NPP); family therapy;

child-parent psychotherapy; and marriage counseling. Amaka received a certificate of completion for a domestic violence program; Gray called to verify the program Amaka completed but never spoke to the provider regarding Amaka's progress. Likewise, Amaka received a certificate for completion of parenting classes, but Gray never received a written report about Amaka's progress. Amaka additionally completed marriage counseling, parent coaching, and family therapy. The same therapist oversaw all three services. Lawrence Hall had no concerns regarding any potential conflict of interest.

¶ 33 Phillip was recommended for the following services: domestic violence; individual therapy; substance abuse assessment; mental health assessment; and parenting classes. He completed a domestic violence perpetrator program and parenting classes, although Gray again only received a certificate of completion. Phillip additionally completed a short-term round of individual therapy. He was recommended for long-term individual therapy in August 2024 and received a referral in February 2025 but has yet to begin those sessions. Phillip completed the TASC JCAP assessment and was recommended for outpatient services through West Care, which he successfully completed. He had two negative urine drops in April but previously had a diluted drop that raised a concern. Gray did not speak to the TASC worker regarding the diluted drop. She was aware that Amaka had reported Phillip uses synthetic marijuana but was unaware whether the urine drops test for that substance. Phillip had two psychiatric evaluations completed; Gray has not received a report from the provider of the second evaluation.

¶ 34 Gray received the CCJCC report and reviewed it in detail. She provided Amaka's individual therapist with a copy of the report but neglected to ask the therapist to address the treatment goals outlined in the evaluation. Gray agreed the CCJCC report recommended couples therapy focused on domestic violence, for which the agency has not yet referred the parents. She

acknowledged that the report stated there was a low likelihood that the parents can currently safely maintain the children in the home and agreed that the clinic recommended increased supervised visitation if the parents engage and make progress in services. However, Gray testified that the agency is recommending a return home goal with an order of protection. Despite the report, the agency stated that services have been completed, the children have stated they are ready to go home, the children were not abused in any way, and the agency feels the children can go home safely with continued home monitoring.

¶ 35 Gray was questioned whether there is "a difference to the agency and you between checking the boxes that a service is complete and gaining some insight from the offered service," and she responded she was unable to answer. She admitted the court had made findings of abuse and neglect, which was in opposition to her testimony that the children had not been abused. Gray noted that the children "could have been impacted" but focused on the lack of physical abuse to the children and the fact that they "only heard things."

¶ 36 Amaka visits the children daily and Phillip visits them two or three times during the week and on the weekends. Gray had not visited the parents' home since October 2024 and did not know if their current home is safe. Gray had not visited the maternal grandmother's home in the last three months. She last observed Phillip with the children in January 2025. Contrary to her attributed comments in the CCJCC report, Gray did not find it concerning that the parents' only available support system is Rachel. Both older children have expressed they want to return home and state they have been more harmed by their time in foster care than living with their parents. Gray agreed that Amaka's therapist stated she views their relationship as positive and that Amaka has engaged with her.

¶ 37 The hearing continued on July 9, 2025, and Gray resumed her testimony.[5] The four children were still in placement with the maternal grandmother and Gray had last visited on July 6, 2025. Gray spoke with Amaka's therapist after the last hearing but did not ask what additional treatment goals the mother is addressing in therapy. Phillip had two negative drug screens in May and one in June. While Gray had spoken with Phillip's TASC worker regarding the outcome of his drug screens, she did not inquire if his drops were being tested for synthetic marijuana. Gray testified that the same therapist who completed the parent coaching, marriage therapy, and family therapy is now Phillip's individual therapist and the agency still does not believe there is a conflict of interest.

¶ 38 Gray testified that Amaka informed her in June 2025 that she and Phillip had separated by mutual agreement and intended to coparent. They had not filed for divorce but are not residing together. Amaka resides in a new apartment and Gray has visited it once; there was no evidence of a male living in the apartment and it appeared to be a safe environment. Gray did not discuss what coparenting might look like with the parents. Amaka has continued to make frequent visits with the children. Gray was unaware of how often the father had visited with the children since the last hearing but knew he had visited on July 4. Gray made a referral for domestic violence counseling after the last court date but the parents have not started the service yet.

¶ 39 Contrary to the recommendation in the CCJCC report, Lawrence Hall's recommendation was for the children to return home to Amaka. The agency was recommending that Phillip have unsupervised day visitation, despite Gray's admission that she had not observed any of the father's

[5]Amaka was not present at the Zoom hearing, with counsel notifying the court roughly 40 minutes into the hearing that Amaka was being transported in an ambulance to the emergency room for chest pains. Amaka's attorney requested a continuance, which the trial court denied, noting that the best interest of the children requires a resolution.

visits with the children in the last six months. Gray spoke with the two older children on July 6, and they reiterated their desire to return home to their mother.

¶ 40 On cross-examination, Gray stated she had not spoken with the children about their parents' separation. She asked the children's therapist to reach out to the children regarding the separation but that had not yet occurred. The agency has not staffed any additional services the parents might need to support coparenting. The agency was recommending return home to mother rather than father due to Amaka's completion of services, her participation in individual therapy, the apparent appropriateness of her new apartment, Amaka's therapist's recommendation to return the children, and the fact that the older children stated they wanted to return to their mother. In the event the children were not returned home, Lawrence Hall recommended Amaka have unsupervised day visits. As to Phillip, Gray testified that she believed an open visitation policy was still appropriate, even considering the parents' separation.

¶ 41 Counsel for Amaka made a proffer to the court that she had received the lease information for Amaka's new apartment and Amaka's name was not on the lease; instead, it was signed by Rachel because of Amaka's credit. Counsel further proffered that Amaka considers her separation from Phillip to be permanent and she intends to file for divorce.

¶ 42 In closing argument, the State noted (1) its concern that the agency was recommending return home against the recommendation of the CCJCC report, (2) it was not in agreement with any type of unsupervised visitation, as there is no clinical evidence suggesting such would be safe and appropriate for either parent, and (3) its concern that the separation may have been an effort to achieve a goal of return home sooner. The State noted the parents have made some progress, but not substantial progress, where they continued to lack an understanding of DCFS's involvement. The State requested Lawrence Hall be removed as the DCFS agency on the case,

noting significant concerns "they are not servicing the family in a way that can allow the children to be returned home."

¶ 43 The GAL argued in favor of return home for Nao. E. and Nai. E., but recommended the two younger children be adjudged wards of the court with Amaka allowed unsupervised visitation and Phillip allowed supervised visitation. The GAL agreed with the State that Lawrence Hall should be removed, since the agency was hindering the children's return home.

¶ 44 Counsel for Amaka argued the entire system has done a disservice to the family and inflicted trauma on the children. She maintained all four children should be returned to Amaka, noting that Amaka has completed every service recommended by the agency, has consistently been there for her children, takes care of their grooming, brings them food, and fights for their safety. Counsel highlighted that Amaka's therapist said that she had made enormous progress and is recommending return home. Counsel contended that Lawrence Hall should not be removed from the case.

¶ 45 Counsel for Phillip argued the agency had failed to do their job and pointed to various struggles Phillip faced in attempting to complete recommended services. She argued for return of the children to Amaka, with an unsupervised visitation schedule for Phillip, and strongly agreed that Lawrence Hall should be removed from the case.

¶ 46 DCFS argued that the request for return home to Amaka is premature, despite Lawrence Hall's recommendation, and would recommend wardship with findings that the parents are unable to care for the children. Regarding the State's request for agency removal, DCFS argued an oral motion is inappropriate and should be denied. They contended the agency has properly referred out services and noted agency removal can set a case back an average of six months, which is not in the best interests of the children or their parents.

¶ 47 The trial court entered written orders on July 9, 2025, adjudging the minors to be wards of the court, and finding Amaka and Phillip unable for some reason other than financial circumstances alone to care for, protect, train, or discipline the minors. The order noted that reasonable efforts were made to prevent or eliminate the need for removal of the minors from the home, but that appropriate services have been unsuccessful. In separate orders entered the same day, the trial court granted the State's motion to remove the agency, Lawrence Hall, for good cause shown and ordered DCFS to assign a new case management agency within thirty days. The court additionally entered a permanency order for the minors, (1) setting the goal of return home within 12 months, as it is "always in children's best interest to return home if they are able to do so," (2) noting the "mother has made some progress; Phillip [W.] has made some progress; Paul [N.] has made no progress," and (3) finding that DCFS has "not made reasonable efforts in providing services to facilitate achievement of the permanency goal."

¶ 48 II. ANALYSIS

¶ 49 Initially, we note that this appeal was accelerated pursuant to Supreme Court Rule 311(a) (eff. July 1, 2018). Pursuant to the rule, the appellate court must, except for good cause shown, issue its decision in an accelerated case within 150 days of the filing of the notice of appeal. Ill. S. Ct. R. 311(a)(5) (eff. July 1, 2018). Here, Amaka filed her notice of appeal on August 7, 2025. Thus, the record on appeal was due in this court on September 11, 2025, and our disposition was due on January 5, 2026. See Ill. S. Ct. R. 311(a)(4), (5) (eff. July 1, 2018). On August 14, 2025, this Court granted a motion to consolidate appeal No. 1-25-1535 with appeal No. 1-25-1369. After the attorney in 1-25-1369 filed a motion seeking to withdraw as counsel, this Court subsequently deconsolidated the two appeals. On November 21, 2025, Amaka's counsel filed a motion for extension of time to file the appellant brief. On December 15, 17, and 22, appellees' counsels filed

their first of three motions for extension of time to file the appellee brief. Thereafter, on February 23, 2026, the Public Guardian moved to withdraw as counsel for Nao. E. and Naim. E. The case became ready on April 21, 2026. We find these reasons to constitute good cause for this decision to issue after the timeframe mandated in Rule 311(a).

¶ 50 Amaka argues on appeal that the dispositional finding that she was unable to parent her children was against the manifest weight of the evidence, where the ruling was "based entirely on its frustration with the casework, not anything about the parents' abilities as caretakers." While Amaka's notice of appeal indicates she is appealing the findings from both the adjudication and dispositional hearings, she does not advance any substantive argument regarding the adjudication hearing. Further, the notice purports to appeal the order removing Lawrence Hall as the assigned agency utilized by DCFS to provide services, as well as the order denying the motions for reconsideration of this order, but no relevant argument is offered on appeal. Accordingly, Amaka has forfeited any challenge to the juvenile court's findings of abuse and neglect, as well as her challenge to the court's order removing Lawrence Hall as the agency on the case. Ill. S. Ct. R. 341 (h)(7) (eff. July 1, 2018) ("Points not argued are forfeited and shall not be raised."); *In re Rayshawn H.*, 2014 IL App (1st) 132178, ¶ 39.

¶ 51 The Office of the Public Guardian, which represents minors Nar. W. and Nair. W.; private-bar attorney for minors Nai. E. and Nao. E.; and the State argue that the court's dispositional findings were proper and supported by the manifest weight of the evidence.[6] Further, they contend that Amaka was unable to parent the minors where she had not made sufficient progress in her services.

[6]DCFS did not file a brief in this case.

¶ 52 "We begin by noting that the best interests of the child is the paramount consideration whenever a petition for adjudication of wardship or any proceeding is brought under the Juvenile Court Act." *In re K.G.*, 288 Ill. App. 3d 728, 734-35 (1997). "Illinois policy 'favors parents' superior right to the custody of their own children.' " *In re M.I. v. J.B.*, 2016 IL 1202322, ¶ 19. This is because our courts recognize that parental rights and responsibilities are of deep import and should not be terminated lightly. *In re C.P.*, 191 Ill. App. 3d 237, 244 (1989). The Act (705 ILCS 405/1-1 *et seq.* (West 2024)) sets forth a two-step process that courts use to decide if a minor child should be removed from their parents' custody and made a ward of the court. *In re Arthur H.*, 212 Ill. 2d 441, 462 (2004). Once the State has filed a petition for wardship and the minor is placed in temporary custody, the court must make a finding that the child is abused, neglected, or dependent before it conducts an adjudication of wardship. 705 ILCS 405/2-21 (West 2024). If the court determines that the minor is either abused, neglected, or dependent, it then conducts a dispositional hearing. *In re Faith B.*, 216 Ill. 2d 1, 14 (2005); *In re Jay H.*, 395 Ill. App. 3d 1063, 1068 (2009). At the hearing, the "court determines whether it is consistent with the health, safety and best interests of the minor and the public that the minor be made a ward of the court." *In re A.P.*, 2012 IL 113875, ¶ 21. Pursuant to section 2-7(1) of the Act, a trial court may commit a minor to DCFS wardship if the court finds that the parents are "unfit or are unable, for some reason other than financial circumstances alone, to care for, protect, train or discipline the minor or are unwilling to do so, and that the health, safety, and best interest of the minor will be jeopardized if the minor remains in the custody of his or her parents." 705 ILCS 405/2-27(1) (West 2018); *In re Ta. A.*, 384 Ill. App. 3d 303, 306-07 (2008).

¶ 53 Cases which "involv[e] allegations of neglect and adjudication of wardship are *sui generis*, and must be decided on the basis of their unique circumstances." *In re Arthur H.*, 212 Ill. 2d at

463. The movant has the burden of proving allegations of abuse, neglect, or dependency by a preponderance of the evidence. *In re Faith B.*, 216 Ill. 2d at 13. " 'Preponderance of the evidence is that amount of evidence that leads a trier of fact to find that the fact at issue is more probable than not.' " *In re Daniel G.*, 2021 IL App (1st) 210640, ¶ 58.

¶ 54 A trial court's dispositional order will not be reversed unless it is against the manifest weight of the evidence. *In re Daniel G.*, 2021 IL App (1st) 210640, ¶ 54. A finding is against the manifest weight of the evidence only if the opposite conclusion is clearly evident or if the finding itself is unreasonable, arbitrary, or not based on the evidence presented. *In re Marriage of Yabush*, 2021 IL App (1st) 201136, ¶ 28. It is well established that we defer to the trier of fact since " 'the trial court is in a superior position to assess the credibility of witnesses and weigh the evidence,' " *In re Julian K.*, 2012 IL App (1st) 112841, ¶ 66. We will not substitute our judgment for that of the fact finder. *In re Marriage of Anderson*, 409 Ill. App. 3d 191, 199 (2011).

¶ 55 As aforementioned, on February 19, 2025, the trial court adjudged the four minors to be abused (substantial risk/physical injury) and neglected (injurious environment) pursuant to section 2-3(1)(b) and section 2-3(2)(ii) of the Act. 705 ILCS 405/2-3(1)(b); (2)(ii) (West 2024). Having so found, the court moved to the second phase—the dispositional hearing.

¶ 56 We find the trial court's findings were supported by the evidence and that the dispositional order selected by the court was appropriate. At the dispositional hearing, evidence was presented that Amaka was still unable to address the issues that brought the case to DCFS and she repeatedly refused to acknowledge the emotional and psychological harm that can occur to children who are raised in family systems with domestic violence, choosing instead to focus on the lack of physical harm to the children. The CCJCC report explained that Amaka has been "unable to demonstrate a consistent ability to prioritize the safety and wellbeing of her children (not addressed with

services).” Specifically, Amaka refused to acknowledge “how her behavior led to the removal of the children, how Phillip’s mental health and substance use concerns have impacted the children, and she was unable to effectively describe how she planned to keep them safe in the future.” Instead, Amaka routinely stated she had “no idea” why her children were removed, that they were never abused or neglected, and the reason the children were removed had “nothing to do with” her.

¶ 57 While Amaka has consistently engaged in visitation and has completed most of her assigned services, the evidence supports that she has not made reasonable progress toward the goal of return home. Illinois courts have defined “reasonable progress” as “demonstrable movement toward the goal of reunification.” (Internal quotation marks omitted.) *In re D.D.*, 2022 IL App (4th) 220257, ¶ 38 (quoting *In re Reiny S.*, 374 Ill. App. 3d 1036, 1046 (2007)). The First District has explained that reasonable progress exists when the 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.) *Id*. (quoting *In re L.L.S.*, 218 Ill. App. 3d 444, 461 (1991)). “Reasonable progress” is measured by an objective standard. *Id*.

¶ 58 Clearly, Amaka loves her children and desires to care for them. And the trial court acknowledged that Amaka had made *some* progress by completing numerous services and engaging in visitation. However, the evidence established she had not made reasonable *progress* towards the children’s return home, because, despite her efforts, Amaka refused to acknowledge the reasons the case came before DCFS, failed to recognize the emotional and psychological harm her children may face from witnessing domestic violence, and the impact on the children of Phillip’s substance abuse and untreated mental health diagnoses. “There is a distinct difference between reasonable efforts and reasonable progress.” *In re A.R.*, 2023 IL App (1st) 220700. The

pertinent question is not whether Amaka has successfully completed the services assigned to her; it is whether her efforts in completing these services resulted in "reasonable progress" toward the return home of the minors. See *Id.*; *In re D.L.*, 2022 IL App (1st) 220222, ¶ 78-9 (J. Mikva, dissenting). As the family therapist encapsulated, there was "concer[n] that they were participating in treatment for the sake of documenting their compliance as opposed to addressing their risk factors." This was also a concern for the court, who asked Gray if there is "a difference to the agency and you between checking the boxes that a service is complete and gaining some insight from the offered service?"

¶ 59 As the IA stated, Amaka repeatedly "demonstrated significant avoidance" when asked to discuss the domestic violence in her relationship. The IA further stated Amaka's ability to acknowledge these issues is essential so that she can "address them in therapy and make substantial changes in her family dynamics in order to ensure the safety of her children."

¶ 60 The crux of Amaka's argument on appeal is that the dispositional finding was against the manifest weight of the evidence where the ruling was based entirely on its frustration with the caseworker and not the parents' abilities as caretakers. As detailed above, the evidence demonstrated it was not in the children's best interests to return home with Amaka. While it is true that the trial court addressed its frustration with Gray's verbose responses, it also explicitly stated, "[s]o I don't want anyone to infer, assume, or suspect that the Court is unable to be fair and impartial and base the credibility of the witness upon the testimony offered." Further, at the commencement of the hearing on July 9, 2025, the trial court assured Gray "that this Court has no bias, it's fair and impartial. I'm just going to remind you to answer the questions for me, Ms. Gray."

¶ 61 The paramount issue remains the best interests and welfare of the minor children.

Considering the evidence presented and the best interests of Nar. W., Nair. W., Nao. E., and Nai. E., we find the trial court's order adjudging the minors to be wards of the court and finding Amaka unable for some reason other than financial circumstances alone to care for, protect, train, or discipline the minors was not against the manifest weight of the evidence. The record unambiguously supports the court's finding that Amaka is unable to discharge her parental responsibilities as a result of her inability to address the issues that brought the case to DCFS and her failure to recognize the harm her children have been exposed to. While Lawrence Hall argued for the children to return home, the other parties (including DCFS) highlighted that Amaka needed further services, she had not made satisfactory progress in those services she had completed, and she had not yet been approved for unsupervised visitation.

¶ 62 As a final note, we cannot ignore the improper arguments presented in appellant's brief and reply brief. While we embrace creative writing and zealous advocacy, we caution attorneys to be more circumspect before supporting their conclusions with unwarranted opinions and storybook tales. Attorneys are to adhere to both the Illinois Supreme Court Rules and the Illinois Rules of Professional Conduct. See *Parkway Bank & Trust Co. v. Korzen*, 2013 IL App (1st) 130380, ¶ 87 (noting that zealous advocacy "must not deteriorate into zealotry").

¶ 63 III. CONCLUSION

¶ 64 Based on the foregoing reasons, we affirm the trial court's adjudicatory and dispositional orders.

¶ 65 Affirmed.