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IN THE
APPELLATE COURT OF ILLINOIS
SECOND DISTRICT

<i>In re</i> Diego R. and Alissa M., Minors)	Appeal from the Circuit Court of
)	Winnebago County.
)	
)	Nos. 08—JA—346
)	08—JA—347
)	
)	Honorable
(The People of the State of Illinois,)	Patrick L. Heaslip and
Petitioner-Appellee, v. Amy M.,)	Mary Linn Green,
Respondent-Appellant).)	Judges, Presiding.

PRESIDING JUSTICE JORGENSEN delivered the judgment of the court.
Justices Hudson and Birkett concurred in the judgment.

ORDER

Held: The trial court did not err in finding that respondent was an unfit parent to her two children. The evidence supported the trial court's finding that respondent failed to maintain a reasonable degree of interest, concern, or responsibility as to the children's welfare, where, although she fairly consistently visited the children and completed parenting classes, respondent failed to comply with the remainder of her service plan, including that she maintain contact with her caseworker, remain drug free and comply with drug testing, and complete substance abuse, mental health, and domestic violence counseling.

The trial court did not err in finding that it was in the children's best interests that respondent's parental rights be terminated, where the children had bonded and were generally doing well with the foster family (who wished to adopt them), where respondent resided with a paramour with whom she had domestic violence issues, where respondent had never completed counseling and had stopped taking her bipolar

and depression medications, and where respondent had never progressed to unsupervised visitations.

Respondent, Amy M., appeals from the trial court's judgment terminating her parental rights to her minor children, Diego R. and Alissa M. On appeal, respondent argues that the court erred in finding that she was unfit to parent Diego and Alissa and that terminating her parental rights was in the children's best interests. For the following reasons, we affirm.

I. BACKGROUND

Respondent, who resides in Rockford, is the biological mother of Diego R. (born February 8, 2003) and Alissa M. (June 22, 2000).¹

On August 26, 2008, the State filed neglect petitions, alleging, in two counts, that Diego R. and Alissa M. were neglected minors. At the time, Diego R. was five years old and Alissa M. was eight years old. In count I, the petition alleged that respondent left Diego without supervision for an unreasonable period without regard to his mental or physical health, safety, or welfare; specifically, respondent left Diego R. alone outside in the yard while she left the residence. As to Alissa M., the State alleged in count I that her environment was injurious to her welfare in that respondent left the minor's sibling, Diego R., alone outside in the yard while she left the residence. Count II alleged that the minors' environment was injurious to their welfare based upon respondent's substance abuse problem that prevented her from properly parenting the minors.

Respondent was present at the August 26, 2008, hearing and was arraigned on the neglect petitions. Also on that date, the State requested a shelter care hearing. Respondent waived her right

¹According to respondent, Augustino R. is Diego R.'s biological father and Rigoberto G. is Alissa M.'s biological father. Neither putative father ever appeared before the trial court or is a party to this appeal.

to such hearing. Pursuant to an agreement, temporary custody and guardianship of the minors was placed with the Illinois Department of Children and Family Services (DCFS) and general orders of compliance were entered.

On October 24, 2008, respondent waived her right to a hearing on the neglect petitions and stipulated to count II of the petitions (based on substance abuse). Also, pursuant to agreement, count I was dismissed. Adjudication and dispositional orders were entered, making the minors wards of the court and granting DCFS custody and guardianship with the discretion to place the children with a responsible relative or in traditional foster care. Also, the court ordered that visitation was to be at DCFS's and its contracting agency's discretion. As to respondent, the court ordered that she remain alcohol free and subject herself to random drug drops; it also included as a condition that the failure to complete a random drug drop would be interpreted as a positive drop. The court admonished respondent that she had nine months to make reasonable efforts to work with her caseworker, complete the services in her service plan, and work to cure the conditions that caused her children to be taken from her. The court also noted that, if respondent failed to comply, she could face a petition seeking to terminate her parental rights. Finally, the trial court admonished respondent that she must, in every additional nine-month period, continue to make reasonable efforts to comply with her service plan.

The first permanency review hearing was held on January 26, 2009. Katie Heisler, a case worker for Lutheran Social Services of Illinois, submitted a report to the court and testified. Addressing the drug testing, Heisler testified that respondent was instructed to complete three urine drops and that she tested positive for cocaine on one of the tests; however, the drops were requested when the case was first opened by DCFS and prior to the October 24, 2008, adjudication. Results

of a fourth urine drop were pending since the court report was written. Addressing visitation, Heisler testified that respondent initially missed three visits with her children. Thereafter, the caseworker required respondent to verify her attendance by calling at 9 a.m. before each visit. Respondent was having difficulty with her work schedule. After the visitation days were switched to Thursdays, when respondent was off of work, the attendance problems were alleviated. At the end of the hearing, the trial court denied respondent's request that DCFS have discretion to place the minors with respondent.

The second permanency review hearing occurred on April 28, 2009. Respondent did not attend this hearing. Heisler testified that she had no contact with respondent since February 27, 2009, and that respondent's most recent visitation occurred on February 28, 2009. Addressing services, Heisler testified that respondent had been referred for a substance abuse assessment at Rosecrance, domestic violence counseling at WAVE, and parenting classes through Catholic Charities, but had not completed any of them. As to drug testing, respondent failed to complete the three requested urine drops since the first permanency review hearing. Heisler also testified that Diego R. was age 5 and that he was "doing very well" in his traditional foster care placement in Dixon. He had no special needs and was developmentally on target. Similarly, Alissa M., who was eight years old, was "doing very well," was developmentally on target, and had no special needs. Also, her school attendance was very good. At the end of the hearing, the trial court found that DCFS had made reasonable efforts and that the parents had not. Further, the court found that it was in the minors' best interests that there be maintained a permanency goal of return home within 12 months.

The third permanency review hearing was held on October 27, 2009. Respondent did not attend this hearing. Preliminarily, the court granted respondent's counsel's previously filed motion to withdraw as counsel (requested on the bases that respondent had failed to appear in court and to keep in contact with counsel). Turning to the review, Heisler testified that Diego R., who was six years old, was in his foster care placement for about one year and had been doing very well there and in school. Similarly, Alissa M., who was age eight, was doing very well. Addressing respondent's visitations with the minors, Heisler testified that, although respondent had missed visits between February and mid-May 2009, she subsequently missed only one visit. Addressing services, Heisler stated that respondent completed a substance abuse screening in June 2009 and was placed on a waiting list for treatment at Rosecrance until she provided medical records, which she delayed in submitting. Respondent had begun the Project Safe Program, a drug treatment program at Rosecrance, in September 2009, but had missed multiple sessions and was on the verge of being discharged. In October 2009, respondent began parenting classes, which Heisler felt she should have (and could have) completed in April 2009. As to domestic violence counseling, Heisler testified that respondent failed to attend any sessions despite multiple referrals. As to respondent's drug drops, a DCFS report filed October 27, 2009, states that respondent failed to complete urine screenings on three dates (May 7, May 15, and May 27, 2009) and that the results of three other screenings were negative (June 16, June 30, and August 24, 2009). At the conclusion of the hearing, the trial court found that DCFS had made reasonable efforts and that respondent had not done so. The court also found that it was in the minors' best interests to maintain the permanency goal of return home within 12 months.

The fourth permanency review hearing was held on April 27, 2010. Respondent was in attendance and informed the court that she was unaware of the April 28, 2009, (second permanency review) court date, which she failed to attend. The court reappointed counsel to represent respondent. Cheri Wickert, a caseworker for Lutheran Social Services, testified that Diego R. had been in his foster care placement for about 1 1/2 years and was doing well there; however, he had some problems in school (a “possible IEP”² at the end of the school year). Alissa M., age nine, was doing well in her placement, but was also having school issues, including a “possible IEP.” Wickert had taken over the case in December 2009 and had not personally informed respondent of the April 28, 2009, and October 27, 2009, court dates that respondent failed to attend.

Addressing visitation, Wickert testified that respondent had been attending the weekly visits with her children. As to the drug drops, respondent was requested to complete six drops. Two tests were negative; two were positive for cannabis; one was positive for opiates; and one was not taken and, thus, deemed positive. Respondent had been attending individual counseling at Janet Wattles, but her attendance had been sporadic since January 28, 2010; also, her counselor, Mike White, had reported that respondent was not providing “full disclosure with him” as to her mental health issues, but she did not specify what White meant by his comment. Respondent was referred to the MISA³ program at Janet Wattles by White to primarily address her mental health issues, in addition to her substance abuse issues; she was participating for the past two weeks. Also, in January 2010, respondent began substance abuse treatment at Rosecrance, but was discharged in February 2010 due

²Presumably, individualized education program.

³MISA is a dual-diagnosis program run by Janet Wattles. The “MI” in “MISA” stands for mental illness, and the “SA” refers to substance abuse.

to lack of attendance. Respondent did complete parenting classes in December 2009. She attends individual counseling at Wickert's agency to address parenting issues. Respondent works one day per week at Dunkin' Donuts.

Wickert addressed respondent's need for mental health counseling, stating that respondent had reported "hallucinations, shadows, voices." Wickert testified that unsupervised visits would not be safe for the children. Respondent was taking medication for depression and bipolar disorder. There have been no issues during visitation. When asked how the children are doing, Wickert testified that they are doing "okay" but not thriving because their older sister, Marie Elena M-G. (not a party to this appeal), had recently been placed with them and this made them "a little anxious." Specifically, Alissa M. is having behavior issues, but Diego R. looks to his older sister as a "motherly type."

Wickert recommended that the goal be changed to substitute care pending a court determination of the termination of respondent's parental rights. She based her recommendation on respondent's lack of progress in services. The minors' foster parents were prepared to provide a permanent home for the children.

Respondent testified that she has been taking medication for four months and had been regularly attending mental health counseling sessions with White at Janet Wattles. She has also been attending drug abuse treatment through the MISA group at Janet Wattles. Addressing her positive test for opiates, respondent explained that she had a kidney infection and had a prescription for the drug and showed the prescription to her caseworker on the date of the hearing. Respondent felt that she had been open and honest with White, but was willing to discuss with him his belief that she was

not fully open. Respondent also stated that she was not having hallucinations, delusions, or problems with her mental health.

Addressing her failure to attend counseling at Rosecrance, respondent stated that she was working at Chrysler at the time and that her work schedule would not accommodate the sessions. She chose to work instead of attending the sessions because she felt it was the better choice for her children. Her new job at Dunkin' Donuts has flexible hours that enable her to attend counseling sessions. Respondent changed her employment to be able to participate in services and continue regular visitation with her children. Respondent stated that she visited her children once per week for two hours at her home. She cooks for the children, and they watch movies, talk, and play. Her visits with the children have been "great."

Respondent further testified that the last time she used illegal drugs was about three months earlier. She explained that she was a crack smoker and was having very bad cravings and smoked a "joint." "[A]t the moment I thought it would be better than to go and smoke crack." Addressing her medications, respondent stated that she takes Seroquel, a migraine medicine, Zoloft, Vicodin, and an antibiotic. She is aware of the effects of marijuana when one is on an anti-depressant (*e.g.*, hallucinations) and conceded that smoking the joint was a bad decision. Respondent has been "off and on" her medicine "for years." According to respondent, she has attended one MISA class. Mental health counseling was not recommended until respondent informed her caseworkers that she had mental health issues.

The trial court found that DCFS had made reasonable efforts and that the parents had not done so. Further, the court found that it was in the minors' best interests that the permanency goal be changed to substitute care pending the court's determination of parental rights. The court ordered

that respondent's visitation schedule not be altered, noting that "within the last couple months" respondent had begun to engage in services. The court noted:

"Now granted, it's only been two months since she last used an illegal substance; but still, this could be one of those cases that will come down to a best interests argument.

So I think you need to maintain the bond. She obviously cares about her kids. She sees them regularly. So I'm gonna order that the visitation schedule not be altered."

Finally, the court admonished respondent that she must appear at both the pre-trial conference and at trial and that, if she failed to do so, trial would proceed in her absence.

On June 8, 2010, the State moved to terminate respondent's parental rights and to appoint DCFS as the minors' guardian with the power to consent to their adoption. The State alleged that respondent was unfit in that she failed to: (1) maintain a reasonable degree of interest, concern, or responsibility as to her children's welfare (750 ILCS 50/1(D)(b) (West 2008)); (2) protect the children from conditions within their environment injurious to their welfare (750 ILCS 50/1(D)(g) (West 2008)); (3) make reasonable efforts to correct the conditions that were the basis for the removal of the children within nine months after the neglect adjudication (750 ILCS 50/1(D)(k) (West 2008)); (4) make reasonable progress toward the return of the children within nine months after the neglect adjudication (750 ILCS 50/1(D)(m)(ii) (West 2008)); and (5) make reasonable progress toward the return of the children during any nine month period after the end of the initial nine-month period following the neglect adjudication (750 ILCS 50/1(D)(m)(iii) (West 2008)). Respondent was arraigned on the motions, and the court admonished her that she must appear in

court for the pre-trial conference and the trial and that, if she failed to appear, trial would proceed in her absence.⁴

The fitness hearing was held on September 29, 2010. Respondent was present. Wickert, a licensed child welfare specialist for Lutheran Social Services, testified that, in February 2009, she became the new caseworker for this case. Respondent was indicated for inadequate supervision of Diego R. and Alissa M. and for her alcohol and drug use. Respondent has a dual diagnosis: mental illness and substance abuse. A service plan was created for respondent every six months, and an administrative case review was conducted every six months.

Addressing respondent's substance abuse, Wickert testified that, from October 2008 to the present, respondent never successfully completed any substance abuse treatment, nor has she completed all of her drug drops to show that she is compliant and remains drug and alcohol free. These were part of her service plan. In July 2010, Wickert spoke to respondent about her positive test for marijuana. According to Wickert, respondent stated that she had a craving for cocaine and that marijuana was better than using cocaine. Subsequently, on July 19, 2010, respondent failed to complete a drug drop.

Wickert testified that respondent failed to maintain regular contact with her. Respondent did not have a telephone for a period, but Wickert made herself available to receive calls and respondent had Wickert's number. Respondent failed to contact Wickert to engage in services. Respondent told Wickert that she did not complete her substance abuse treatment because she was working full time and having difficulty waking up in the morning to get to the treatment. Wickert stated that she

⁴At a subsequent pre-trial conference (for which respondent was present), the court noted that, pursuant to a prior order, the named fathers and All Whom It May Concern were defaulted.

explained to respondent the effect that this behavior would have on the potential return of her children. Respondent stated that she would undergo another assessment at Rosecrance, and Wickert's office arranged for her entry to the MISA program at Janet Wattles. Addressing the MISA program that respondent started attending in March 2010, Wickert testified that respondent had consistently attended "for a couple of months," but, as of June 2010, had stopped attending. Thus, as of the termination hearing, respondent had yet to complete any treatment for her mental illness, as well as her substance abuse issues.

Addressing visitation, Wickert testified that at no point did respondent show a period of sobriety that allowed her to advance to unsupervised visits with her children. Respondent does visit her children once per week, but her visitation during the pendency of this case has been inconsistent. Respondent provides her children lunch or snacks during visits and has provided some school supplies and clothing. She does not attend doctor's visits or go to their school, and respondent has not inquired about the children's doctor's visits or schooling.

The State presented no other witnesses, and respondent and the guardian *ad litem* presented no witnesses. The court scheduled the case for a decision on fitness and a possible best interests hearing and admonished respondent concerning her attendance and noted that, if she failed to appear, any best interests hearing would proceed in her absence.

On October 6, 2010, the court announced its findings. Respondent did not attend the hearing. The court found that respondent was an unfit person as alleged in counts I through V in the State's motion. The court specifically noted that respondent had not successfully completed substance abuse treatment or completed all of her drug drops; she had failed to maintain regular contact with her

caseworker; had never progressed beyond supervised visits with her children; and does not inquire about the children's medical needs or their general welfare.

The court announced that the case would proceed to a best interests hearing, upon which respondent's counsel moved to continue the case due to respondent's absence. Upon inquiry by the court, counsel stated that she did not know why respondent was not present and noted that she had not had contact with respondent since the last hearing. Wickert stated that she was unaware of the reason for respondent's absence and noted that respondent had cancelled her visitation the previous day. The court denied counsel's motion to continue.

The case proceeded to the best interests hearing. Wickert testified that Diego R. and Alissa M. have resided in their foster home for two years (since November 3, 2008). They live with their foster mother, foster father, their older sister Marie, two other adopted children, and one foster child who is in the process of being adopted. The foster parents have committed to permanency through adoption. Wickert has observed the children in the foster parents' care and stated that they look to the foster parents for guidance, security, and comfort. They have different hobbies that they engage in with the foster parents and receive homework assistance from them. They do chores around the house and have assimilated into the family. Wickert has spoken to the children about their permanency. Alissa expressed wishes to return to her mother, but understands that, if she cannot do so, she wants to remain with the foster parents and is willing to be adopted. Diego has similar feelings. "He doesn't fully understand adoption but understands that—He does want to live in this home for—you know, until he is an adult."

Wickert further testified that respondent is not in a position to provide a safe and stable home for her children in a reasonable time because she never completed any substance abuse treatment and

still resides with a paramour with whom she has domestic violence disputes. (She is not receiving domestic violence counseling.) Also, respondent discontinued her mental health counseling and her bipolar and depression medication. Wickert opined that it would be in the children's best interests to be freed for adoption. The foster parents have consented to providing permanency for the children through adoption.

Addressing visitation, Wickert testified that respondent had been visiting her children on a weekly basis and, generally, missed one visit every two months due to work issues or illness. The visits go well, and the children appear to have a bond with respondent. The children want to return home to their mother.

The trial court found that the State had shown by a preponderance of the evidence that it was in the children's best interest that respondent's parental rights be terminated.⁵ The court noted that, given their ages, it gave some deference to the children's wishes. The court found that the children have a bond with respondent. However, the court also noted that the children have bonded with their foster parents, their school, and community and appear to be doing very well in their placement. It further noted that, despite respondent's regular contacts with her children, she "failed to complete the simplest of tasks to get her kids back." Specifically, respondent was not present when the court announced the unfitness finding, she presented no evidence or testimony, and she did not appear at the best interests hearing. The court set a permanency goal of adoption and found that DCFS had made reasonable efforts. On October 19, 2010, the court entered an order terminating respondent's

⁵The court also terminated Augustino R.'s, Rigoberto G.'s, and All Whom It May Concern's parental rights.

parental rights and appointed DCFS guardian with power to consent to adoption. Respondent appeals.

II. ANALYSIS

A. Unfitness Finding

Respondent argues first that the trial court erred in finding that she was an unfit parent. The Juvenile Court Act of 1987 (Juvenile Court Act) provides a two-stage mechanism whereby parental rights may be involuntarily terminated. 705 ILCS 405/2—29(2) (West 2006). Under this bifurcated procedure, there must be a threshold showing of parental unfitness based upon clear and convincing evidence and then a subsequent showing based on a preponderance of the evidence that the best interests of the child are served by severing parental rights. *In re Adoption of Syck*, 138 Ill. 2d 255, 277 (1990).

Section 1(D) of the Adoption Act sets forth the grounds that will support a finding of unfitness. 750 ILCS 50/1(D) (West 2006). Although the statute sets out various grounds under which a parent may be found unfit, an unfitness finding may be entered if there is sufficient evidence to satisfy any one statutory ground. *In re Donald*, 221 Ill. 2d 234, 244 (2006). Thus, on review, if there is sufficient evidence to satisfy any one statutory ground, we need not consider other findings of parental unfitness. *In re A.B.*, 308 Ill. App. 3d 227, 240 (1999). A trial court's determination that clear and convincing evidence of a parent's unfitness has been shown will not be disturbed on review unless it is against the manifest weight of the evidence. *In re D.D.*, 196 Ill. 2d 405, 417 (2001). A finding is against the manifest weight of the evidence only if the opposite conclusion is clearly evident. *In re Arthur H.*, 212 Ill. 2d 441, 464 (2004).

Here, the trial court found respondent unfit on four bases: (1) she failed to maintain a reasonable degree of interest, concern, or responsibility as to Diego’s and Alissa’s welfare (750 ILCS 50/1(D)(b) (West 2006)); (2) she failed to make reasonable efforts to correct the conditions that caused the minors’ removal within nine months of the adjudication of neglect (750 ILCS 50/1(D)(m)(i) (West 2006)); (3) she failed to make reasonable progress toward reunification with the minors within nine months of the adjudication of neglect (750 ILCS 50/1(D)(m)(ii) (West 2006)); and (4) she failed to make reasonable progress toward reunification with the minors during any nine-month period following the initial nine-month period after the adjudication of neglect (750 ILCS 50/1(D)(m)(iii) (West 2006)). We uphold the first basis upon which the trial court found respondent unfit.

Section 1(D)(b) of the Adoption Act provides that a parent’s “failure to maintain a reasonable degree of interest, concern or responsibility as to the child’s welfare” is a ground for finding the parent unfit. 750 ILCS 50/1(D)(b) (West 2006). As this language is in the disjunctive, any of the foregoing three elements may be considered on its own as a basis for an unfitness finding: “the failure to maintain a reasonable degree of interest *or* concern *or* responsibility as to the child’s welfare.” (Emphasis added.) *Jaron Z.*, 348 Ill. App. 3d at 259. A parent is not fit merely because he or she has demonstrated some interest or affection toward his or her child; rather, the interest, concern, and responsibility must be reasonable. *Id.* Noncompliance with an imposed service plan is a sufficient basis upon which to find unfitness under section 1(D)(b). *In re Konstantinos H.*, 387 Ill. App. 3d 192, 204 (2008); *Jaron Z.*, 348 Ill. App. 3d at 259.

Respondent argues that she maintained a reasonable degree of interest, concern, and responsibility as to her children’s welfare through her regular visitation with them. She concedes

that, initially, she missed some visits due to her work schedule, but notes that thereafter she maintained weekly visitation. Further, she provided the children with lunch or snacks and some school supplies and clothing. Also, respondent notes that she acted appropriately during the visits and played with and cooked food for her children.

We reject respondent's argument. Even as to her claim that, generally, she consistently visited her children, the record reflects that, in addition to missing the three initial visits (late 2008), respondent also missed visits between February and mid-May 2009. Heisler testified at the second and third permanency review hearings as to these missed visits. She stated that she had no contact with respondent since February 27, 2009, and that respondent's most recent visit occurred on February 28, 2009. We agree with respondent, however, that, after May 2009, she consistently visited her children.

Notwithstanding her fairly consistent visitation, however, and with the exception of the parenting classes, respondent failed to comply with the remainder of her service plan. Three service plans were prepared for respondent. She does not dispute that they required that respondent maintain contact with her caseworker, remain drug free, comply with drug testing, participate in substance abuse, mental health and domestic violence counseling, and complete parenting classes.

The evidence sufficiently showed that respondent did not consistently maintain contact with her caseworkers. Heisler testified at the April 28, 2009, second permanency review that she had no contact with respondent since February 27, 2009. Wickert testified at the September 29, 2010, fitness hearing that respondent failed to maintain regular contact with her despite the fact that, when respondent had no telephone, Wickert made herself available to receive calls. Wickert also noted that respondent failed to contact her to engage in services.

As to the requirement that she remain drug free and comply with drug testing, the evidence sufficiently showed that respondent repeatedly tested positive for illegal drug use. At the first permanency review hearing, Wickert testified that respondent had tested positive for cocaine after one test, although she conceded that this test was ordered before the October 24, 2008, adjudication. At the second permanency review hearing on April 28, 2009, Wickert testified that respondent had failed to complete three urine drops since the last hearing; the failure to complete a test was interpreted as a positive result. As of the third permanency review hearing, a DCFS report reflected that respondent had failed to complete three urine screenings. At the fourth (and final) permanency review, Wickert testified that two tests were positive for cannabis, one was positive for opiates, and one test was missed and deemed positive. Even accepting respondent's explanation that the positive opiate result was due to the drug she was taking to treat a kidney infection, she conceded that she smoked marijuana three months before the fourth permanency review hearing because she was having cocaine cravings, even though she was aware that marijuana could cause hallucinations when one is also taking anti-depressants. Finally, Wickert testified at the fitness hearing that, even as late as July 19, 2010, respondent failed to complete a drug drop.

Respondent also failed to successfully complete several recommended counseling services or classes. As of the second permanency review, Heisler testified that respondent had been referred for a substance abuse assessment at Rosecrance, domestic violence counseling at WAVE, and parenting classes through Catholic Charities, but had not completed any of them. At the third hearing, Heisler testified that respondent was on the verge of being discharged due to lack of attendance from her drug treatment program at Rosecrance and that she had failed to attend any domestic violence counseling sessions despite multiple referrals. The only reports arguably in her

favor at this time were that she had completed a substance abuse screening in June 2009 and was on a waiting list for treatment; also respondent had begun parenting classes.

At the fourth permanency review, Wickert testified that respondent (1) had been discharged in February 2010 from her substance abuse treatment at Rosecrance due to lack of attendance; (2) had been sporadically attending individual counseling at Janet Wattles, where she was not providing full disclosure to her counselor; (3) had been attending for two weeks the MISA program to address both her mental health and substance abuse issues; (4) attended individual counseling to address parenting issues; and (5) had completed a parenting class in December 2009. In response, respondent testified at the fourth permanency review that she could not attend the counseling at Rosecrance due to her work schedule and that her new job at Dunkin' Donuts did not present such issues. She also expressed a willingness to discuss with her counselor his perceived lack of openness on her part. However, respondent also acknowledged that she used illegal drugs three months before the fourth permanency review hearing.

Wickert's testimony at the termination hearing was that, even as of June 2010, respondent had stopped attending the MISA program and, thus, had failed to complete her mental health and substance abuse treatments/counseling. As to her children, although respondent completed her parenting classes, according to Wickert, she did not attend the minors' doctors' visits or school meetings; nor did she inquire about the children's medical appointments or schooling. Further, notwithstanding respondent's fairly consistent visits with her children, Wickert testified at the fitness hearing that respondent never maintained sobriety for a sufficient period to progress to unsupervised visitations.

Based upon this record, we cannot conclude that the trial court erred in terminating respondent's parental rights to Diego and Alissa. Respondent's failure to complete her service plan goals sufficiently demonstrated that she did not maintain a reasonable degree of interest, concern, or responsibility toward Diego's and Alissa's welfare. See *M.J.*, 314 Ill. App. 3d at 657 ("consistent attendance at scheduled visitations alone does not demonstrate objectively reasonable interest, concern, or responsibility as to the children's welfare where a parent otherwise fails to substantially comply with the other directives of the service plan in the face of knowing that substantial compliance is necessary in order to have children returned home"). Therefore, we conclude that the trial court's determination that respondent was unfit under section 1(D)(b) was not against the manifest weight of the evidence. As we have determined that the evidence was sufficient to satisfy one statutory ground, we need not address the trial court's other bases for finding respondent unfit. *Id.*

B. Termination

Next, respondent argues that the trial court erred in finding that it was in Diego's and Alissa's bests interests to terminate her parental rights. For the following reasons, we disagree.

Once a finding of parental unfitness is made under section 1(D) of the Adoption Act, the court considers the best interest of the child in determining whether parental rights should be terminated. 705 ILCS 405/2—29(2) (West 2008). The burden of proof is upon the State, which must prove by a preponderance of the evidence that termination is in the child's best interests. *In re D.T.*, 212 Ill. 2d 347, 366 (2004). We will not reverse the trial court's determination unless it is against the manifest weight of the evidence. *In re J.L.*, 236 Ill. 2d 329, 343-44 (2010).

Section 1—3(4.05) of the Juvenile Court Act lists the relevant best interest factors to be considered. 705 ILCS 405/1—3(4.05) (West 2008). They include:

- “(a) the physical safety and welfare of the child, including food, shelter, health, and clothing;
- (b) the development of the child’s identity;
- (c) the child’s background and ties, including familial, cultural, and religious;
- (d) the child’s sense of attachments, including:
 - (i) where the child actually feels love, attachment, and a sense of being valued (as opposed to where adults believe the child should feel love, attachment and a sense of being valued);
 - (ii) the child’s sense of security;
 - (iii) the child’s sense of familiarity;
 - (iv) continuity of affection for the child;
 - (v) the least disruptive placement alternative for the child;
- (e) the child’s wishes and long-term goals;
- (f) the child’s community ties, including church, school, and friends;
- (g) the child’s need for permanence which includes the child’s need for stability and continuity of relationships with parent figures and with siblings and other relatives;
- (h) the uniqueness of every family and child;
- (i) the risks attendant to entering and being in substitute care; and
- (j) the preferences of the persons available to care for the child.” 705 ILCS 405/1—3(4.05) (West 2008).

Respondent argues that the evidence showed that her visitations with the children went well, that Diego and Alissa have a bond with her and desire to return to her, and that they are not thriving at their foster placement.

We reject respondent's argument. The evidence at the best interests hearing, which respondent did not attend, reflected that Diego and Alissa look to their foster parents, with whom they had resided for two years, for guidance, security, and comfort and that the foster parents engage the children in their hobbies and that the children have become a part of their family. Although Wickert testified that Diego and Alissa desired to return to respondent, they also expressed that, if they could not do so, they wished to remain with their foster parents and were willing to be adopted by them. The trial court specifically noted that it considered the children's wishes in assessing the best interests factors. We cannot conclude that its findings were unreasonable. Respondent never completed her substance abuse or mental health counseling. Wickert testified that respondent resided with a paramour with whom she had domestic violence disputes. Also, respondent had, according to Wickert, discontinued her bipolar and depression medication. As to the visitations, the evidence showed that, due to her substance abuse issues, respondent never progressed to unsupervised visitations with her children. Finally, the evidence also showed that the children were generally doing well in school, although some issues developed that were possibly due to the placement in the foster home of their older sister, Maria Elena. Nevertheless, even if they were not thriving, they were doing well.

In summary, the trial court did not err in finding that it was in Diego and Alissa's best interests that respondent's parental rights be terminated.

III. CONCLUSION

For the foregoing reasons, the judgment of the circuit court of Winnebago County is affirmed.

Affirmed.