

**NOTICE:** This order was filed under Supreme Court Rule 23 and may not be cited as precedent by any party except in the limited circumstances allowed under Rule 23(e)(1).

2011 IL App (3d) 110592-U

Order filed December 20, 2011

---

IN THE  
APPELLATE COURT OF ILLINOIS  
THIRD DISTRICT

A.D., 2011

<i>In re</i> H.F., M.F., I.R., and K.R.H.,	)	Appeal from the Circuit Court
Minors	)	of the 10th Judicial Circuit,
	)	Peoria County, Illinois,
(The People of the State of Illinois,	)	
Petitioner-Appellee,	)	Appeal No. 3-11-0592
	)	Circuit Nos. 07-JA-61, 07-JA-62, 07-JA-63,
v.	)	and 07-JA-64
	)	
Taleta R.,	)	Honorable
	)	Mark E. Gilles,
Respondent-Appellant).	)	Judge, Presiding.

---

PRESIDING JUSTICE CARTER delivered the judgment of the court.  
Justices Wright and Holdridge concurred in the judgment.

---

**ORDER**

¶ 1 *Held:* The trial court's determination that it was in the best interests of the minors to terminate the respondent's parental rights was not against the manifest weight of the evidence.

¶ 2 The respondent, Taleta R., is the biological mother of the minors, H.F., M.F., I.R., and K.R.H. The respondent contends that the State failed to prove by a preponderance of the evidence that it was in the best interests of the minors to terminate her parental rights and, as a

result, the trial court's ruling was against the manifest weight of the evidence. We affirm.

¶ 3

### FACTS

¶ 4 On March 9, 2007, the State filed a petition that alleged the four minors were neglected as a result of an injurious environment. Count one alleged that: (1) the police discovered H.F. and M.F. playing in the street at 3 a.m.; (2) the Department of Children and Family Services (DCFS) initiated a safety plan after police discovered one of the minors sitting alone in a van that was not running in December; (3) the respondent had a substance abuse problem; (4) the respondent had contact with a convicted sex offender; (5) the respondent was convicted of endangering the life and health of a child; and (6) the respondent was in two different relationships that resulted in domestic violence. In reply, the respondent stipulated that the State could prove the allegations in the petition.

¶ 5 On June 14, 2007, the trial court entered an adjudication order that found the minors neglected. The case proceeded to a dispositional hearing, and the respondent was found fit. However, the respondent was ordered to correct the conditions that led to the neglect adjudication. The respondent's tasks included: obtaining a drug and alcohol assessment, performing two random drug drops per month, completing parenting and domestic violence classes, maintaining stable housing, and informing her caseworker of the individuals she maintained a relationship with.

¶ 6 In August 2008, the minors were removed from the respondent's care. On July 29, 2009, the State filed a motion for unfitness. The motion alleged that (1) the respondent had lied to her caseworker about the individual she was living with; (2) the respondent had admitted to using marijuana in the home; (3) her boyfriend engaged in domestic violence; and (4) she was not

attending counseling. The trial court granted the State's motion and found the respondent unfit.

¶ 7 On December 29, 2010, the State filed a petition to terminate the respondent's parental rights. Count one alleged that the respondent was unfit and failed to make reasonable progress toward the return of the minors. On June 8, 2011, the respondent stipulated that the State could prove the allegations in count one of the petition. The case proceeded to a best interest hearing.

¶ 8 Prior to the best interest hearing, DCFS filed best interest reports for each of the minors. The reports noted that the respondent was engaged in most of her required services but was unable to apply the skills she learned to improve her life. In particular, the respondent had difficulty maintaining stable housing, lived with a man who was violent towards her, and was not honest with DCFS about several of her relationships with individuals who engaged in domestic abuse. Additionally, the respondent had been terminated from an abuse prevention course.

¶ 9 The best interest report for H.F. noted that she wanted to be adopted but she missed M.F. and would ideally like to be placed in a home with M.F. However, M.F.'s foster parents had not fully committed to adopting M.F. because of the short length of the placement. Nevertheless, M.F.'s parents indicated that they would consider adopting M.F. and H.F., and they would allow H.F. to maintain contact with her prior foster family. I.R.'s best interest report noted that he appeared to feel safe and secure with his foster family and he had been moved to an adoptive home with K.R.H. in July 2011. K.R.H. stated that she would like to go live with the respondent but that she would be all right living with her foster family. K.R.H.'s therapist believed that there was no longer a bond between the respondent and K.R.H. At the end of each report, DCFS stated that the minors' needs were met by their foster families and recommended that the respondent's parental rights be terminated.

¶ 10 At the best interest hearing, the State argued that the minors were placed in homes where all of their needs were met, while the respondent continued to struggle with domestic violence issues. The respondent agreed that the minors were in good homes, but questioned the length of their placement and if the homes were truly interested in adoption. She also refuted the State's argument that she was not bonded with her children and requested that the court continue the case for six months to allow her to continue accepting services. After considering the statutory best interest factors and the evidence presented, the court found that the termination of the respondent's parental rights was in the best interests of the minors. The respondent appealed.

¶ 11 ANALYSIS

¶ 12 The respondent argues that the State failed to prove by a preponderance of the evidence that it was in the best interests of the minors to terminate her parental rights and, as a result, the trial court's decision was against the manifest weight of the evidence.

¶ 13 Following a finding of parental unfitness, a court may terminate the parental rights of a parent at a subsequent dispositional hearing. See 705 ILCS 405/2-21(5)(iii) (West 2010). At the termination of parental rights stage, the focus shifts from the actions of the parent to the best interests of the children. See *In re D.T.*, 212 Ill. 2d 347 (2004). For a trial court to terminate a parent's rights, the State must prove, by a preponderance of the evidence, that termination is in the best interest of the children. *Id.* In making this decision, a trial court is statutorily required to consider 10 best interest factors. 705 ILCS 405/1-3(4.05) (West 2010).

¶ 14 We review a trial court's termination of a parent's rights under the manifest weight of the evidence standard. *In re Adoption of Syck*, 138 Ill. 2d 255 (1990). Under this standard, the trial court's determination is afforded great deference because it was in the best position to evaluate

the credibility of the witnesses. *Id.*

¶ 15 The respondent's argument overlooks the findings in the best interest reports. In particular, the best interest reports noted that each of the minors were placed in homes that were considering adoption. The short placements of some of the minors required the families to consider adopting after the passage of additional time. Although these placements raise permanency concerns, they may well provide permanency for the minors. Further, the best interests reports noted that the minors' needs were met in these homes, and the respondent agreed that the minors were in good homes.

¶ 16 It is also clear from the record that returning the minors to the respondent's care is not in their best interests. The respondent continues to maintain relationships with individuals who domestically abuse her. The best interests of the minors do not favor returning them to an environment where they may be subject to abuse or they will observe their mother suffer as a victim of abuse.

¶ 17 We conclude that the court properly considered the relevant factors in its ruling. Therefore, we hold that the trial court's ruling was not against the manifest weight of the evidence.

¶ 18 **CONCLUSION**

¶ 19 For the foregoing reasons, the judgment of the circuit court of Peoria County is affirmed.

¶ 20 Affirmed.