

filed a petition for adjudication of wardship, alleging that N.G. was a neglected minor. See 705 ILCS 405/2-3(1)(b) (West 2008). The State alleged that N.G. was unsafe due to ongoing concerns of the respondent's and Mark G.'s illicit drug use and inability to care for N.G. and also due to the respondent's conviction of international parental kidnapping.

¶ 5 Accordingly, on March 31, 2010, the circuit court adjudicated N.G. neglected, finding that N.G. was in an environment injurious to his welfare (705 ILCS 405/2-3(1)(b) (West 2008)) for the reasons alleged in the petition for adjudication. In its order, the circuit court admonished the parents to cooperate with the Illinois Department of Children and Family Services (DCFS) to correct the conditions that required N.G. to be in care or risk termination of their parental rights. N.G. initially remained in Mark G.'s care, but after June 2010, N.G. was placed with his paternal grandparents, Homer and Pat Gum.

¶ 6 Pursuant to a June 21, 2010, report submitted in accordance with the order of adjudication and later admitted into evidence at the hearing on the petition for termination of parental rights, Thomas Haar and Tina Simpson from DCFS determined that since separating from Mark in 2004, the respondent maintained limited contact with N.G. The respondent had reported that in June 2009, an order of protection was issued prohibiting contact between her and N.G.; however, the respondent was allowed supervised visitation with N.G. on Thanksgiving 2009.

¶ 7 According to the report, the respondent was living in a home in St. James, Missouri, with Herman J. Ilges. The respondent had advised that her last substance-abuse treatment provider was the Gibson Recovery Center in Missouri, where she was admitted to an outpatient program at the recommendation of her probation officer. The respondent had failed to complete her treatment program or a written aftercare plan. At the time of the report, the respondent was serving a term of parole under the supervision of the State of Missouri for a conviction for possessing a controlled substance.

¶ 8 On March 6, 2012, the State filed a petition to terminate the respondent's parental rights and to appoint a guardian with the power to consent to adoption. In the petition, the State alleged, *inter alia*, that the respondent had failed to make reasonable efforts to correct the conditions that were the basis of N.G.'s removal within nine months after the adjudication of neglect (750 ILCS 50/1(D)(m)(i) (West 2010)).

¶ 9 On June 22, 2012, at the hearing on the petition to terminate parental rights, the respondent testified that she was 41 years old and had struggled with drug addiction most of her life. She testified that although she previously preferred marijuana and cocaine, her drug of choice became methamphetamine, which she began using when she was 31 years old. The respondent testified that she consistently used methamphetamine until March 5, 2006, and that she relapsed in October 2009. The respondent acknowledged that she also abused prescription drugs. She testified, however, that she had been taking her medications, as prescribed, since 2011.

¶ 10 The respondent testified that in 2006, she was charged with and convicted of two counts of international parental kidnapping for unlawfully taking N.G. to Mexico, and she was sentenced to 24 months in federal custody. In 2006, the respondent also pled guilty to a Missouri charge of possession of narcotics. The respondent testified that in April 2008, she was released into the custody of Bond County, Illinois, where she pled guilty to the offense of driving on a revoked license. The respondent testified that she was thereafter transferred to Tazewell County and was released from custody in June 2008.

¶ 11 The respondent testified that when she was released from custody in June 2008, she returned to Mark and N.G.'s home for about a month, but she then moved to a halfway house, where she lived until November 2008. At that time, she moved into a home with Herman in St. James, Missouri. The respondent testified that throughout their relationship, she and Herman were abusive to each other and that both of them abused drugs.

¶ 12 The respondent testified that in October 2009, when she relapsed and was using methamphetamine, she was charged with unlawful possession of methamphetamine drug paraphernalia, a felony offense in Missouri. The respondent testified that Herman was arrested for the same offense and taken into custody. The respondent testified that she pled guilty to the offense and spent two weeks in the county jail.

¶ 13 The respondent testified that she returned to live with Herman in February 2010. The respondent testified that because she had committed the drug paraphernalia felony and because she had failed to complete substance-abuse treatment, she violated the parole conditions to which she was subject pursuant to her conviction for drug possession, and she returned to prison in September 2010. The respondent testified that at that time, she sent a letter to DCFS notifying it of her incarceration and began attending parenting classes. The respondent testified that she was incarcerated until April 2011. The respondent testified that she would remain on probation until November 2014.

¶ 14 The respondent testified that in April 2011, she went to live in a halfway house. The respondent testified that she remained in the halfway house a little over three months and then moved to the apartment of a friend, Jim Burrows, until February 13, 2012. The respondent testified that in February 2012, she again returned to live with Herman, who continued to abuse her and to abuse illicit drugs. The respondent testified that she left Herman on March 5, 2012, and had since been living in a battered women's shelter.

¶ 15 At the close of the unfitness hearing, the circuit court allowed the State to amend its petition to terminate parental rights to include additional grounds for termination. The circuit court thereafter entered its order finding the respondent unfit for, *inter alia*, failing to make reasonable efforts to correct the conditions that were the basis of N.G.'s removal within nine months after the adjudication of neglect (750 ILCS 50/1(D)(m)(i) (West 2010)). After a best-interests hearing, the circuit court found that it was in N.G.'s best interest to

terminate the respondent's parental rights and entered a written order. The circuit court appointed DCFS guardian of N.G. and granted it the power to consent to N.G.'s adoption. On July 24, 2012, the respondent filed a notice of appeal.

¶ 16

ANALYSIS

¶ 17 The respondent argues that the circuit court's determination that she was unfit was against the manifest weight of the evidence.

¶ 18 The Juvenile Court Act of 1987 (705 ILCS 405/1-1 to 7-1 (West 2010)), as amended, provides a two-stage, bifurcated process for the involuntary termination of parental rights. *In re C.W.*, 199 Ill. 2d 198, 210 (2002). Initially, the court holds an "unfitness hearing," during which the State must make a threshold showing of parental unfitness as defined in section 1(D) of the Adoption Act. 750 ILCS 50/1(D) (West 2010); 705 ILCS 405/2-29(2) (West 2010); see also *In re C.W.*, 199 Ill. 2d at 210. Because the termination of parental rights constitutes a complete severance of the parent-child relationship, proof of parental unfitness must be clear and convincing. *In re C.N.*, 196 Ill. 2d 181, 208 (2001). Only after the court finds the parent to be unfit will the court then conduct a "best-interests hearing" to determine whether it is in the best interests of the child to sever the parental rights. 705 ILCS 405/2-29(2) (West 2010); *In re C.W.*, 199 Ill. 2d at 210; *In re D.T.*, 212 Ill. 2d 347, 352-53 (2004).

¶ 19 Although section 1(D) of the Adoption Act sets forth numerous grounds under which a parent may be found unfit, any one of the grounds, if proven, is sufficient to enter a finding of unfitness. *In re C.E.*, 406 Ill. App. 3d 97, 107 (2010). Section 1(D)(m)(i) of the Adoption Act provides that a parent may be found unfit for her "[f]ailure *** to make reasonable efforts to correct the conditions that were the basis for the removal of the child from the parent." 750 ILCS 50/1(D)(m)(i) (West 2010).

¶ 20 "[W]here, as here, the State charges lack of parental fitness under section

1(D)(m)(i)], a parent's conduct must be assessed based solely on the efforts made by the parent within the nine-month period following the adjudication of neglect." *In re Haley D.*, 2011 IL 110886, ¶ 88. " 'Reasonable effort,' a subjective standard, is associated with the goal of correcting the conditions that caused the removal of the child and focuses on the amount of effort reasonable for the particular parent." *In re M.A.*, 325 Ill. App. 3d 387, 391 (2001). A trial court does not have to wait forever for a parent to make reasonable efforts to correct the conditions that were the basis for the removal of the child from the parent. *In re C.C.*, 299 Ill. App. 3d 827, 830 (1998).

¶ 21 Because the circuit court is in the best position to assess the credibility of witnesses, a reviewing court may reverse a circuit court's finding of unfitness only where it is against the manifest weight of the evidence. *In re C.N.*, 196 Ill. 2d at 208. A decision regarding parental fitness is against the manifest weight of the evidence where the opposite conclusion is clearly evident. *Id.* Each case concerning parental unfitness is *sui generis* and requires a close analysis of its unique facts. *In re C.E.*, 406 Ill. App. 3d at 108.

¶ 22 In the present case, the circuit court found that the respondent was an unfit parent because she had failed to make reasonable efforts to correct the conditions that were the basis for the removal of the child (750 ILCS 50/1(D)(m)(i) (West 2010)). Those conditions, as alleged in the petition for adjudication of wardship, included Marcey G.'s illicit drug use. The circuit court adjudicated N.G. abused and neglected on March 31, 2010, so the relevant nine-month period to assess the respondent's efforts following adjudication ended on December 31, 2010.

¶ 23 During this initial nine-month period following adjudication, the respondent failed to complete the substance-abuse treatment recommended by her probation officer. During this time, she had also returned to live with Herman, and the respondent testified that she and Herman were abusive to each other and that both of them abused illicit narcotics. The

respondent further acknowledged that she had abused prescription drugs until 2011, after this relevant nine-month period. We thereby conclude that clear and convincing evidence supported the respondent's unfitness.

¶ 24 The record reveals that DCFS failed to create a service plan directed at the respondent during the relevant nine-month period. Notwithstanding this failure, however, we cannot conclude that the circuit court's finding of unfitness was against the manifest weight of the evidence. See *In re T.D.*, 268 Ill. App. 3d 239, 247-48 (1994) (clear and convincing evidence supported finding of unfitness based on failure to maintain reasonable degree of interest, concern, or responsibility for children even though DCFS failed to inform respondent of various service plans created to enable him to work towards visitation and custody of children). We thereby affirm the circuit court's finding of unfitness based on the respondent's failure to correct the conditions that were the basis for N.G.'s removal, namely, the respondent's illicit drug use.

¶ 25 Because we find no error on a basis alleged in the original petition to terminate, we need not address the respondent's due process claims regarding the bases added at the close of evidence in the first-amended petition to terminate. "Although section 1(D) of the Adoption Act sets forth numerous grounds under which a parent may be found unfit, any one of the grounds, if properly proven, is sufficient to enter a finding of unfitness." *In re Joshua S.*, 2012 IL App (2d) 120197, ¶ 44.

¶ 26 CONCLUSION

¶ 27 For the foregoing reasons, we affirm the order of the circuit court of Bond County terminating the respondent's parental rights.

¶ 28 Affirmed.