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2013 IL App (4th) 120977-U

NOS. 4-12-0977, 4-12-0979, 4-12-0980, 4-12-1012 cons.

FILED
 March 15, 2013
 Carla Bender
 4th District Appellate
 Court, IL

IN THE APPELLATE COURT
 OF ILLINOIS

FOURTH DISTRICT

In re: Le. N., a Minor,	)	Appeal from
THE PEOPLE OF THE STATE OF ILLINOIS,	)	Circuit Court of
Petitioner-Appellee,	)	Macon County
v. (No. 4-12-0977)	)	No. 10JA140
MICHAEL NIETUPSKI,)	
Respondent-Appellant.)	
-----)	
In re: La. N., a Minor,	)	No. 10JA139
THE PEOPLE OF THE STATE OF ILLINOIS,)	
Petitioner-Appellee,)	
v. (No. 4-12-0979))	
PRECIOUS WOODLAND,)	
Respondent-Appellant.)	
-----)	
In re: La. N., a Minor,	)	No. 10JA139
THE PEOPLE OF THE STATE OF ILLINOIS,)	
Petitioner-Appellee,)	
v. (No. 4-12-0980))	
MICHAEL NIETUPSKI,)	
Respondent-Appellant.)	
-----)	
In re: Le. N., a Minor,	)	No. 10JA140
THE PEOPLE OF THE STATE OF ILLINOIS,)	
Petitioner-Appellee,)	
v. (No. 4-12-1012)	)	Honorable
PRECIOUS WOODLAND,	)	Thomas E. Little,
Respondent-Appellant.	)	Judge Presiding.

PRESIDING JUSTICE STEIGMANN delivered the judgment of the court.
 Justices Turner and Harris concurred in the judgment.

ORDER

¶ 1 *Held:* The appellate court affirmed, concluding that the trial court's fitness and best-

interest findings were not against the manifest weight of the evidence.

¶ 2 In February 2012, the State filed separate supplemental petitions to terminate the parental rights of respondents, Michael Nietupski and Precious Woodland, as to their daughters, Le. N. (born April 16, 2006) (Macon County case No. 10-JA-140; this court's case Nos. 4-12-0977 and 4-12-1012, respectively) and La. N. (born April 16, 2006) (Macon County case No. 10-JA-139; this court's case Nos. 4-12-0980 and 4-12-0979, respectively). Following a June 2012 fitness hearing, the trial court entered a written order, finding respondents unfit. In September 2012, the court conducted a best-interest hearing that resulted in the termination of respondents' parental rights.

¶ 3 Respondents appeal, arguing that the trial court's fitness and best-interest findings were against the manifest weight of the evidence. We disagree and affirm.

¶ 4 I. BACKGROUND

¶ 5 A. The Circumstances Preceding the State's Petition
To Terminate Respondent's Parental Rights

¶ 6 On October 6, 2010, the State filed separate petitions for adjudication of wardship, alleging that Le. N. and La. N. were abused and neglected minors under the Juvenile Court Act of 1987 (Juvenile Court Act) (705 ILCS 405/1-1 to 1-18 (West 2010)). Specifically, the State alleged that Le. N. and La. N. (1) were not receiving the proper or necessary care in that respondents had untreated substance-abuse and domestic-violence issues, and Woodland had a history of severe and persistent mental-health problems (705 ILCS 405/2-3(1)(a) (West 2010)) (count I); (2) were living in an environment injurious to their welfare for the same reasons alleged in count I (705 ILCS 405/2-3(1)(b) (West 2010)) (count II); and (3) were in an environ-

ment that created a substantial risk of physical injuries because respondents were accusing each other of inflicting harm upon their children (705 ILCS 405/2-3(2)(ii) (West 2010)) (count III).

¶ 7 At a shelter-care hearing conducted that same day, the trial court placed La. N. and Le. N. in shelter care based on evidence that showed respondents' had substance-abuse and domestic-violence issues, and Woodland had burned La. N. by placing her in scalding hot water. The court then granted the Department of Children and Family Services (DCFS) temporary custody of La. N. and Le. N. Four days later, the parties waived the statutory requirement that an adjudicatory hearing be held within 90 days of serving respondents with the State's petition for adjudication of wardship. See 705 ILCS 405/2-14(b) (West 2010) (When a petition for adjudication of wardship is filed "an adjudicatory hearing shall be commenced within 90 days of the date of service of process upon the *** parents").

¶ 8 At the January 2011 adjudicatory hearing, which was continued to March 3, 2011, the trial court accepted respondents' partial admission as to count I. (Woodland did not admit the mental-health allegations.) In addition, the court found that respondents had a prior DCFS case involving the same issues. At the March 3, 2011, hearing, the parties waived the statutory requirement that a dispositional hearing be conducted within 30 days of the adjudicatory hearing because "certain examinations and evaluations" would not have been completed within that timeframe. (Woodland was hearing impaired and required a sign-language interpreter to assist her understanding.) See 705 ILCS 405/2-21(2) (West 2010) (mandating a dispositional hearing within 30 days of an adjudicatory order). Thereafter, the court dismissed counts II and III.

¶ 9 At a July 2011 hearing, the trial court granted the parties' agreement to continue the dispositional hearing. Following an August 2011 dispositional hearing, the court adjudicated

La. N. and Le. N. wards of the court and maintained DCFS as their guardian.

¶ 10 B. The State's Petition To Terminate Respondents' Parental Rights

¶ 11 In February 2012, the State filed separate supplemental petitions to terminate respondents' parental rights pursuant to the Adoption Act (750 ILCS 50/1 to 24 (West 2010)). Each petition alleged that respondents were unfit for the following five reasons: (1) Nietupski failed to maintain a reasonable degree of interest, concern, or responsibility as to his children's welfare (750 ILCS 50/1(D)(b) (West 2010)); (2) Nietupski was depraved in that he has been convicted of four felonies involving, drug possession, aggravated domestic battery, aggravated restraint, and harassment (750 ILCS 50/1(D)(i) (West 2010)); (3) respondents failed to make reasonable efforts to correct the conditions that were the basis for their children's removal (750 ILCS 50/1(m)(i) (West 2010)); (4) respondents failed to make reasonable progress toward the return of their children within nine months after the adjudication of neglect (March 7, 2011, through December 7, 2011) (750 ILCS 50/1(D)(m)(ii) (West 2010)) and (5) Woodland was unable to perform her parental responsibilities, which was supported by medical evidence of her compromised mental health as defined by section 1-116 of the Mental Health and Developmental Disabilities Code (Health and Disabilities Code) (405 ILCS 5/1-116 (West 2010)).

¶ 12 C. Respondents' Fitness Hearing

¶ 13 A summary of the evidence presented at respondents' June 2012 fitness hearing, showed the following.

¶ 14 1. *The State's Evidence*

¶ 15 Kim Taylor, a DCFS caseworker, testified that in October 2010, DCFS received a report concerning respondents, La. N., and Le. N. Taylor was assigned to respondents' case

following a shelter-care hearing conducted that same month. Shortly thereafter, Woodland confirmed that domestic violence had been occurring between respondents for several years. Taylor noted that Woodland's mental-health issues and respondents' substance-abuse problems were of significant concern. Taylor also noted that prior to her assignment, DCFS had made the following indicated findings of abuse and neglect against respondents: (1) April 2006, Woodland was indicated for "physical injury, environment injurious to the health and welfare" of La. N. and Le. N.; (2) October 2010, respondents were indicated for physical injury, environment injurious to the health and welfare of La. N. and Le. N.; (3) October 2010, respondents were indicated for "burns by neglect" to La. N. and Le. N.; (4) January 2011, respondents were indicated for medical neglect to La. N. and Le. N.; (5) January 2011, Woodland was indicated for burns to La. N. and Le. N.; (6) June 2011, Woodland was indicated for inadequate supervision of a relative's child; and (7) September 2011, Woodland was indicated for physical injury, environment injurious to the health and welfare of her third child, Lu. N. (born September 15, 2011). (Lu. N. is not the subject of this appeal.)

¶ 16 In November 2010, Taylor created a client-service plan for Woodland that required her, in pertinent part, to (1) attend parenting classes and domestic-violence counseling, (2) complete a substance-abuse assessment and participate in treatment; and (3) resume consuming her psychotropic medication that had been previously prescribed. Because Nietupski did not meet with Taylor, she created a client-service plan based on preliminary reports, which required him to (1) attend parenting classes and domestic-violence counseling and (2) complete a substance-abuse assessment and participate in treatment.

¶ 17 In April 2011, Taylor evaluated Woodland's progress in completing her domestic-

violence goal as unsatisfactory because, although Woodland had not been scheduled for counseling, she admitted continued contact with Nietupski. Taylor also rated Woodland's substance-abuse goal as unsatisfactory based on a positive drug screen for cannabis while she was pregnant with Lu. N. Woodland's progress on her remaining goals were unsatisfactory not because she failed to comply, but, instead, because of scarce resources, scheduling issues, and difficulty securing the services of a sign-language interpreter.

¶ 18 Taylor rated Nietupski's overall progress in completing his client service plan as unsatisfactory, documenting that her first—and only—meeting with Nietupski occurred in February 2011, after his release from jail. At that time, Taylor explained to Nietupski his client-service-plan goals and provided him a copy, which he signed, promising to comply with the plan's provisions. Nietupski informed Taylor that "he didn't feel comfortable *** trying to get the children back," because "he needed to get himself together" before he could start achieving the goals. At her April 2011 evaluation, however, Nietupski had yet to engage in any services.

¶ 19 In October 2011, Taylor again evaluated respondents' progress on their respective goals, which had not changed. Taylor rated Woodland's overall progress as unsatisfactory because (1) a June 2011 police report documented a domestic-violence incident between respondents while they were living together and (2) despite participating in mental-health therapy, Woodland had yet to achieve significant progress. Taylor noted that although Woodland had completed parenting classes, her follow-up evaluation determined that she had "more severe risk factors" related to her inappropriate expectations of the children's abilities, level of empathy, and reverse family roles than she did before she began the training. Another DCFS-contracted case manager defined "level of empathy" as a parent's fear of "spoiling" the child and an inability

to understand or value their child's normal development needs and that "reversed family roles" refers to a parent's use of a child to satisfy their own needs. Taylor sent letters to Nietupski, reminding him of his responsibilities and asking that he contact her, but he failed to do so or engage in any of his client-service-plan goals.

¶ 20 In February 2012, Taylor, prompted by the State's supplemental termination petitions, again rated respondents' progress on completing their assigned goals. Woodland had completed her domestic-violence counseling, but Taylor rated her progress as unsatisfactory, given that Woodland stated that "she believed she continued to need additional service" because "she was trying to learn *** how to refrain from contact with [Nietupski]." Taylor also rated Woodland's progress with her mental-health counseling as unsatisfactory because she had only completed 4 of 17 objectives. Taylor noted that Woodland had successfully complied with her drug goal and that she claimed to be taking her psychotropic medications; a claim Taylor could not confirm. Taylor commented that from February 2011, when she briefed Nietupski on his client-service plan, until February 2012, when the State filed its termination petition, he failed to participate in any of his goals.

¶ 21 Taylor summarized that Woodland's overall progress in completing her client-service-plan goals had been unsatisfactory because she had not progressed to the point of having La. N. and Le. N. returned to her custody within the next six-months. Taylor explained that Woodland had a "one-on-one" counselor that advised her when she visited La. N. and Le. N., but Woodland "doesn't tend to focus attention on [her children]," allowing the counselor, on some occasions, to perform parental duties in her stead. Several caseworkers testified that Woodland did not effectively discipline La. N. and Le. N. when they would disobey, which would quickly

frustrate Woodland. In addition, Taylor opined that Woodland "doesn't seem to see the relevance of *** burning her children and how it is relevant to the safety of her children now." Taylor commented that if Woodland could progress to unsupervised visitation with her children, she would consider that sufficient progress.

¶ 22 James Vanderbosch, a clinical psychologist, testified that in March 2011 he performed a psychological evaluation of Woodland, concentrating his efforts on her "overall functioning development, behavior, mood, and emotions." Vanderbosch diagnosed Woodland, in pertinent part, with major depressive disorder and borderline personality disorder, both of which he considered mental illnesses. Vanderbosch explained that major depressive order could manifest itself if a parent becomes frustrated when parenting a child. In such a scenario, the parent would "tend to get more involved internally rather than focusing on what's going on around [her]." Borderline personality disorder, Vanderbosch explained further, is "a developmental delay usually associated with barriers to learning in early childhood" that "is marked by failure to develop good impulse control, frustration tolerance, empathy [and is u]sually associated with volatile relationships."

¶ 23 Vanderbosch noted that Woodland's condition would "interfere with her judgment" because her "negative feelings [are] going to be acted out when she *** is caring for her children." Vanderbosch recommended adoptive placement for La. N. and Le. N. because he did not believe that they would be safe in Woodland's care given her minimal progress. Vanderbosch opined that Woodland faces a lifetime of therapy, adding that years of meaningful therapy would have to occur before she could be reunited with her children.

¶ 24 At the State's request and without objection, the trial court took judicial notice of

five Macon County cases involving the following felony convictions: (1) No. 04-CF-1260, unlawful possession of cannabis against Nietupski; (2) No. 05-CF-0376, aggravated domestic battery against Nietupski; (3) No. 10-CF-1796, two counts of felony reckless conduct against Woodland; (4) No. 11-CF-0900, aggravated unlawful restraint against Nietupski; and (5) No. 11-CF-1191, harassment by phone against Nietupski.

¶ 25

2. Woodland's Evidence

¶ 26 Lori McKenzie, a clinical psychologist, testified that since March 2011, she met with Woodland on a weekly basis as her therapist. In October 2011—at DCFS's request—McKenzie created a revised treatment plan for Woodland that sought to address the following four goals: (1) comply with DCFS' client-service plan goals, specifically, parenting; (2) develop coping skills; (3) address the history of domestic violence in her relationship; and (4) address traumatic life experiences. McKenzie explained that each goal had specific subparts that totaled 13 objectives for the overall treatment plan. McKenzie reported that Woodland completed 10 of 13 objectives, which she acknowledged meant that Woodland had not fully complied with her revised treatment plan. McKenzie noted that Woodland was also attempting to address her medical diagnosis of Lupus, which further delayed progress on her treatment plan.

¶ 27

When asked whether Woodland was capable of meeting minimal parenting standards, McKenzie opined that although Woodland was "moving in that direction" she did not think Woodland was prepared to have her three children placed back in her care at that time. McKenzie estimated that based on her current progress, and provided she gets increased visitation with her children, Woodland could acquire the requisite parenting skills "within a year." McKenzie had not observed Woodland's interaction with her children during supervised

visits, which she acknowledged could change her time estimate if Woodland was not able to implement the various techniques she had learned in therapy.

¶ 28 Woodland testified that she was committed to continuing her therapy, terminating her relationship with Nietupski, and maintaining her drug-free lifestyle. Woodland stated that her Lupus condition was improving and she was optimistic that she could regain custody of her children within 6 to 12 months, a challenge that she was "ready to take on." Woodland admitted that it was "going to take some time" and it would be a challenge to regain custody of her children, but she was committed to "putting in that time."

¶ 29 *3. Nietupski's Evidence*

¶ 30 Nietupski had been in the custody of the Illinois Department of Corrections (DOC) since August 2011 and was not scheduled to be released until July 2013. At the time of the fitness hearing, Nietupski was taking parenting classes twice a week and on DOC's waiting list for substance-abuse counseling. Nietupski confirmed Taylor's testimony regarding his unwillingness to participate in completing his client-service-plan goals but stated that, although he had no excuse for his decision, he was "trying to get himself right for real this time." Nietupski confirmed that upon his release from prison, he would (1) obtain housing, (2) seek visitation with La. N. and Le. N. (Nietupski was not Lu. N's biological father.), and (3) refrain from contacting Woodland for the benefit of his children.

¶ 31 *4. The Trial Court's Fitness Finding*

¶ 32 Following the presentation of evidence and argument at respondents' June 2012 fitness hearing, the trial court entered a July 2012 written order, finding that the State had proved the following allegations by clear and convincing evidence: (1) Nietupski failed to maintain a

reasonable degree of interest, concern, or responsibility as to his children's welfare; (2) Nietupski is depraved in that he has been convicted of four felonies; (3) respondents failed to make reasonable efforts to correct the conditions that were the basis for their children's removal; (4) respondents failed to make reasonable progress toward the return of their children within nine months after the adjudication of neglect (March 7, 2011, through December 7, 2011); and (5) Woodland was unable to perform her parental responsibilities, which was supported by competent medical evidence of her compromised mental-health as defined by section 1-116 of the Health and Disabilities Code.

¶ 33 D. The Pertinent Evidence Presented at Respondents' Best-Interest Hearing

¶ 34 A summary of the evidence presented at respondents' best interest hearing, which began in September 2012 and was continued to October 2012, showed the following.

¶ 35 1. *The State's Evidence*

¶ 36 La. N. and Le. N. had been living with their maternal great aunt (hereinafter, aunt) for two years in an adoptive placement with two other teenage children. Taylor explained that in 2006, the children's aunt had cared for La. N. and Le. N. for about a year when DCFS last had guardianship of the respondents' children.

¶ 37 Taylor reported that La. N. and Le. N. were progressing well and that their earlier aggressive and noncompliant behavior had dwindled in severity and frequency to an occasional argument between them. Taylor observed that La. N. and Le. N. would appropriately interact and play with their teenage foster-sibling, were generally happy in their new environment, and had developed a strong bond with their aunt and foster-siblings. La. N. requires speech therapy, which was being satisfied by a local provider, and she suffers from periodic nosebleeds, which

was being addressed by the local ear, nose, and throat specialist. Le. N. does not have any special educational or medical needs.

¶ 38 Taylor noted that (1) Woodland was prescribed medication for her mental condition that Woodland consumes "once in a while," (2) Woodland admitted that she stopped taking that medication because she was feeling better, and (3) in August and September 2012, Woodland tested positive for cannabis use. Taylor met with Woodland the day before her September 2012 best-interest hearing, and Woodland informed her that she was consuming cannabis approximately "every other day." Taylor opined that Woodland was no closer to reunification with La. N. and Le. N. than in 2010, when they were removed from her care. Taylor reported that Nietupski has not been involved with the twins since they have been in DCFS's care.

¶ 39 *2. Woodland's Evidence*

¶ 40 Woodland, who was still seeing McKenzie for her mental-health counseling, testified that La. N. and Le. N. were generally happy to see her during her visits and are sometimes distraught when the visits are over. Woodland admitted (1) her culpability for the burns she inflicted on La. N. and Le. N., assuring that such an event would not happen again and (2) that she stopped taking her psychotropic medication because she was "fine" and had "stabilized." Woodland also admitted that she had consumed cannabis because she was "stressed and depressed and completely overwhelmed" and was in need of substance-abuse treatment.

¶ 41 *3. Nietupski's Evidence*

¶ 42 Nietupski confirmed that he would be released from prison on July 19, 2013, with a possible early release date of January 2013, contingent upon reinstatement of his good-time

credit. Nietupski stated that the prison coordinator terminated his parenting classes because he missed too many sessions preparing for his court appearances, but he has since reapplied.

Nietupski reconfirmed that he had no excuse for his unwillingness to begin complying with his client-service-plan goals when he met with Taylor in February 2011.

¶ 43 *4. The Trial Court's Best-Interest Finding*

¶ 44 After considering this evidence and counsel's arguments, the trial court terminated respondents' parental rights as to La. N. and Le. N.

¶ 45 This appeal followed.

¶ 46 **II. ANALYSIS**

¶ 47 **A. Termination of Respondents' Parental Rights**

¶ 48 *1. The Trial Court's Fitness Finding*

¶ 49 **a. The Applicable Statute, Reasonable Progress, and the Standard of Review**

¶ 50 Section 1(D)(m)(i) of the Adoption Act provides, in pertinent part, as follows:

"D. 'Unfit person' means any person whom the court shall find to be unfit to have a child, without regard to the likelihood that the child will be placed for adoption. The grounds of unfitness are any one or more of the following, except that a person shall not be considered an unfit person for the sole reason that the person has relinquished a child in accordance with the Abandoned Newborn Infant Protection Act:

* * *

(m) Failure by a parent (i) 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(m)(i) (West 2010).

¶ 51 In *In re C.N.*, 196 Ill. 2d 181, 216-17, 752 N.E.2d 1030, 1050 (2001), the supreme court discussed the following benchmark for measuring "reasonable progress" under section 1(D)(m) of the Adoption Act:

"[T]he benchmark for measuring a parent's 'progress toward the return of the child' under section 1(D)(m) of the Adoption Act encompasses the parent's compliance with the service plans and the court's directives, in light of the condition which gave rise to the removal of the child, and in light of other conditions which later become known and which would prevent the court from returning custody of the child to the parent."

¶ 52 In *In re L.L.S.*, 218 Ill. App. 3d 444, 461, 577 N.E.2d 1375, 1387 (1991), this court discussed reasonable progress under section 1(D)(m) of the Adoption Act and held as follows:

" '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. The court will be able to order the child returned to parental custody in the near future because, at that point, the parent *will have fully complied* with the

directives previously given to the parent ***." (Emphases in original.)

The supreme court's discussion in *C.N.* regarding the benchmark for measuring a respondent parent's progress did not alter or call into question this court's holding in *L.L.S.* For cases citing the *L.L.S.* holding approvingly, see *In re Daphnie E.*, 368 Ill. App. 3d 1052, 1067, 859 N.E.2d 123, 137 (2006); *In re Jordan V.*, 347 Ill. App. 3d 1057, 1068, 808 N.E.2d 596, 605 (2004); *In re B.W.*, 309 Ill. App. 3d 493, 499, 721 N.E.2d 1202, 1207 (1999); and *In re K.P.*, 305 Ill. App. 3d 175, 180, 711 N.E.2d 478, 482 (1999).

¶ 53 "The State must prove parental unfitness by clear and convincing evidence, and the trial court's findings must be given great deference because of its superior opportunity to observe the witnesses and evaluate their credibility." *Jordan V.*, 347 Ill. App. 3d at 1067, 808 N.E.2d at 604. A reviewing court will not reverse a trial court's fitness finding unless it is contrary to the manifest weight of the evidence, meaning that the opposite conclusion is clearly evident from a review of the record. *Id.*

¶ 54 b. Respondents' Claim That the Trial Court's Fitness Finding Was Against the Manifest Weight of the Evidence

¶ 55 Respondents argue that the trial court's fitness finding was against the manifest weight of the evidence. We address their respective arguments in turn.

¶ 56 i. *Nietupski's Fitness Claim*

¶ 57 Nietupski contends that because he made contact with Taylor and requested to have La. N. and Le. N. visit him while he was incarcerated, he made reasonable progress as contemplated under section 1(D)(m) of the Adoption Act. We disagree.

¶ 58 We reject Nietupski's contention because of the absolute lack of evidence that he took any measurable step toward acquiring custody of his children by complying with his client-service plan goals. At his June 2012 fitness hearing, Nietupski admitted his unwillingness to begin his recommended services, acknowledging that he had no excuse for his decision. This indifferent attitude toward his children continued for 16 months, when at his June 2012 fitness hearing, he repeated he had no reason for his inaction but was now "trying to get himself right for real this time." Accordingly, we conclude that the court's finding that Nietupski was unfit due to his failure to make reasonable progress toward correcting the conditions that were the basis for the removal of the children was not against the manifest weight of the evidence.

¶ 59 *ii. Woodland's Fitness Claim*

¶ 60 Woodland contends that she made reasonable progress as contemplated under section 1(D)(m) of the Adoption Act by "address[ing] her parenting issues, domestic-violence issues, substance-abuse issues, and psychological issues." We disagree.

¶ 61 In this regard, the trial court based its fitness finding, as follows:

"To her credit, [Woodland] has made some progress toward completion of her service[-]plan goals. She has successfully completed substance[-]abuse treatment[,], *** her psychological assessment[,], and began taking her prescribed medications. However, there are other areas of her service plan where progress was lacking. *** [A case] supervisor *** testified that she assessed [Wood-

land's] parenting skills before and after [Woodland] engaged in the parenting counseling sessions. The post-counseling scores *** revealed that [Woodland] had an increased risk of harm to the children in that she had inappropriate expectations for the children and often reversed family roles, meaning [Woodland] interacted with the children in more of a sibling role than a parental role. Moreover, *** [the testimony showed] that [Woodland] *** would often become frustrated and unable to redirect the children when discipline became necessary. *** While the court acknowledges that [Woodland] has made some progress, the court also finds that what progress has been made is not reasonable progress toward the completion of her service[-]plan goals."

The court concluded further that despite Woodland's progress, La. N. and Le. N. could not be returned to her custody "within the near future."

¶ 62 In this case, we agree with the trial court that the evidence presented at the June 2012 fitness hearing makes clear that Woodland had unsuccessfully attempted to correct the substantial conditions that were the basis for the removal of La. N. and Le. N. from her care. One such condition—Woodland's mental-health issues—existed at the children's April 2006 birth and persisted with little progress toward its resolution as shown by the evidence presented at

Woodland's June 2012 fitness hearing. A portion of the expert medical testimony presented at that hearing by the respective clinical psychologists for the State and Woodland confirmed that, at a minimum, Woodland was a year from sufficiently resolving her mental-health issues to even contemplate the return of La. N. and Le. N. to her care. Even then, the State's expert expressed concern that Woodland would harm the children when, undoubtedly, stressful situations would arise. Indeed, even Woodland optimistically estimated that she was 6 to 12 months shy of completing her mental-health goal. In other words, the record shows that Woodland was unable to assume responsibility for her children in the near future because she had not complied with her client-service-plan goals.

¶ 63 Accordingly, we conclude that the trial court's finding that respondent was unfit due to her failure to make reasonable progress toward correcting the conditions that were the basis for the removal of the children was not against the manifest weight of the evidence.

¶ 64 Having so concluded, we need not consider the trial court's other findings of parental fitness against respondents. See *In re Katrina R.*, 364 Ill. App. 3d 834, 842, 847 N.E.2d 586, 593 (2006) (on review, if sufficient evidence is shown to satisfy any one statutory ground, we need not consider other findings of parental fitness).

¶ 65 *2. The Trial Court's Best-Interest Finding*

¶ 66 a. The Standard of Review

¶ 67 At the best-interest stage of parental termination proceedings, the State bears the burden of proving by a preponderance of the evidence that termination of parental rights is in the child's best interest. *In re Jay H.*, 395 Ill. App. 3d 1063, 1071, 918 N.E.2d 284, 290-91 (2009). Consequently, at the best-interest stage of termination proceedings, "the parent's interest in

maintaining the parent-child relationship must yield to the child's interest in a stable, loving home life.' [Citation.]" *In re T.A.*, 359 Ill. App. 3d 953, 959, 835 N.E.2d 908, 912 (2005).

¶ 68 "We will not reverse the trial court's best-interest determination unless it was against the manifest weight of the evidence." *Jay H.*, 395 Ill. App. 3d at 1071, 918 N.E.2d at 291. A best-interest determination is against the manifest weight of the evidence only if the facts clearly demonstrate that the court should have reached the opposite result. *Id.*

¶ 69 b. Respondents' Claim That the Trial Court's Best-Interest Finding Was Against the Manifest Weight of the Evidence

¶ 70 Respondents also argue that the trial court's best-interest finding was against the manifest weight of the evidence. Specifically, respondent contends that the court should have focused on the positive actions that they had taken to reacquire custody of La. N. and Le. N. instead of the negatives. We disagree.

¶ 71 Following the presentation of evidence and argument at the October 2012 best-interest hearing, the trial court considered the factors enumerated in section 1-3(4.05) of the Juvenile Court Act, commenting that the most important were the children's (1) sense of security, familiarity, continuity, and least disruptive placement (705 ILCS 405/1-3(4.05)(d)(ii), (iii), (iv), (v) (West 2010)) and (2) need for permanence and stability (705 ILCS 405/1-3(4.05)(g) (West 2010)). The court then noted Taylor's testimony, which showed that those factors were being met for the last two years by the adoptive placement of La. N. and Le. N. with their aunt.

¶ 72 In this regard, ample evidence was presented at the best-interest hearing to support the trial court's decision to terminate respondent's parental rights. Based on that evidence, we disagree with respondent that the facts clearly demonstrated that the court should have reached

the opposite result.

¶ 73

III. CONCLUSION

¶ 74

For the reasons stated, we affirm the trial court's judgment.

¶ 75

Affirmed.