2016 IL App (2d) 151215-U
No. 2-15-1215
Order filed May 6, 2016

IN THE

APPELLATE COURT OF ILLINOIS

SECOND DISTRICT

In re H.M., a Minor	)	Appeal from the Circuit Court
	)	of Lee County.
	)	
	)	No. 12-JA-12
	)	
(The People of the State of Illinois, Petitioner-Appellee, v. Kaitlyn E., Respondent-Appellant).	)	Honorable
	)	Daniel A. Fish,
	)	Judge, Presiding.

JUSTICE HUDSON delivered the judgment of the court.
Justices Hutchinson and Jorgensen concurred in the judgment.

ORDER

¶ 1 *Held:* (1) Respondent forfeited challenges to any alleged irregularities concerning the shelter-care hearing or adjudication of neglect by failing to file an appeal from the dispositional order; (2) the trial court's finding that respondent was unfit for failure to make reasonable progress towards the return of the minor during the nine-month period specified in the State's petition to terminate respondent's parental rights was not against the manifest weight of the evidence; and (3) the trial court's finding that it was in the minor's best interest that respondent's parental rights be terminated was not against the manifest weight of the evidence.

¶ 2 Respondent, Kaitlyn E., appeals from the judgment of the circuit court of Lee County terminating her parental rights to her daughter, H.M.[1] On appeal, respondent argues that: (1) the

[1] On the court's own motion, we will use initials to refer to the minor.

trial court erred in conducting the shelter-care hearing in the absence of her attorney; (2) the trial court erred in failing to elicit evidence as to whether reasonable efforts had been made to prevent the removal of the child; (3) the trial court failed to set forth the basis for its finding in the adjudicatory order; (4) the trial court's finding that she is unfit to parent H.M. is against the manifest weight of the evidence; and (5) the trial court's finding that it is in H.M.'s best interest that her parental rights be terminated is against the manifest weight of the evidence. We affirm.

¶ 3 II. BACKGROUND

¶ 4 H.M. was born to respondent and Damien M. on June 15, 2012.[2] On December 11, 2012, the State filed a petition for adjudication of wardship (adjudication petition) and a petition for shelter care (shelter-care petition). The adjudication petition alleged that H.M. was neglected because her environment was injurious to her welfare in that respondent, in the presence of the minor, committed the offense of domestic battery on Damien. See 705 ILCS 405/2-3(1)(b) (West 2012). More specifically, the adjudication petition alleged that, after having consumed alcohol, respondent punched Damien in the face and kicked him as he attempted to stop respondent from leaving the home of the paternal grandparents with H.M. The shelter-care petition alleged, *inter alia*, that there was immediate and urgent necessity to remove H.M. from the home and that there were no alternative means of protecting the child other than removal. A hearing on both petitions was held on December 11, 2012.

¶ 5 Respondent was present at the December 11, 2012, hearing, and waived service of summons. The court appointed a guardian *ad litem* (GAL) for the minor. The court then read to respondent a notice of her rights and asked if she was going to hire an attorney. Respondent

[2] Damien is not a party to this appeal, having surrendered his parental rights during the course of these proceedings.

stated that she was "going to try" to hire counsel. Upon further questioning from the court, respondent indicated that she received a copy of the adjudication petition, that she read the adjudication petition, that she was waiving the need for the court to read the adjudication petition to her, and that she did not have any questions about the adjudication petition.

¶ 6 At the probable-cause portion of the shelter-care hearing, Jim Faivre, a child-protection specialist with the Illinois Department of Children and Family Services (Department), testified that his responsibilities include investigating allegations of child abuse and neglect. Faivre testified that the Department received a call about H.M., and Kevin Gale was assigned to investigate the matter. Faivre is Gale's supervisor, so he became familiar with the case. Faivre recounted that the Department was informed that respondent had attended a party on the evening of December 7, 2012, leaving H.M. with a caretaker. Respondent, by her own admission, had consumed a large quantity of alcoholic beverages at the party. Respondent left the party with a friend, who drove her to pick up the minor. Respondent then drove in an intoxicated state with the child in her car to Damien's residence. Respondent arrived at Damien's home sometime after 2 a.m. Respondent began arguing with Damien before passing out. When respondent awoke that morning, she again began arguing with Damien. According to a police report, the argument escalated with respondent punching and kicking Damien. Respondent then attempted to leave with the minor, so Damien called the police. When the officers arrived, respondent was uncooperative and belligerent. The officers also noted a strong odor of alcohol on respondent's person. Respondent was arrested for domestic battery, criminal damage to property, and consumption of alcohol by a minor.[3]

[3] According to the record, respondent was born on February 18, 1992, making her younger than 21 years of age in December 2012. The record also indicates that the domestic-

¶ 7 Faivre testified that the Department was concerned about respondent wanting to take the minor in a car after she had consumed alcohol. The Department also had concerns about the father, who had previously been arrested for domestic battery, unlawful restraint, and endangering the life of a child. As a result, the Department took H.M. into custody and placed her with the maternal grandfather. After the State finished questioning Faivre, the court asked respondent if she had any questions on the issue of probable cause. Respondent stated that she did not. The court then determined that probable cause existed to believe that H.M. was neglected based on the allegation set forth in the adjudication petition.

¶ 8 Faivre then testified that there is an immediate and urgent necessity to remove H.M. from the home. Citing the parents' history of domestic violence and alcohol abuse, Faivre believed that leaving H.M. in the home would be contrary to the minor's health, welfare, and safety. Faivre was not aware of any appropriate alternative placement for the minor. After the State finished questioning Faivre, the GAL questioned him about visitation by the biological parents. The court asked respondent if she had any questions on the issue of immediate and urgent necessity. Respondent indicated that she did not. However, following redirect examination by the State, respondent asked Faivre about the minor's medical care and custody. Later, the court inquired if respondent wished to call any witnesses. At that time, the court noted that respondent may have pending criminal charges against her and cautioned that "every single word you're saying is being recorded and can be used against you." Respondent declined to call any witnesses. Respondent also declined the court's invitation to present argument. At the

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battery charge was reduced to disorderly conduct. Respondent pleaded guilty to the disorderly-conduct and underage-consumption charges. The State dismissed the criminal-damage-to-property charge.

conclusion of the hearing the court determined that immediate and urgent necessity existed to remove H.M. from the home. The court therefore granted temporary custody of the minor to the Department with the right to place her. The minor was originally placed with relatives before being transferred to a traditional foster home in March 2013.

¶ 9 Meanwhile, at a status hearing on December 17, 2012, the court appointed a public defender to represent respondent. Respondent later obtained private counsel. Thereafter, the case was continued from time to time. On May 20, 2013, the State filed an amended petition for adjudication of wardship (amended adjudication petition). The amended adjudication petition alleged that H.M. was neglected because her environment was injurious to her welfare in that respondent, on or about December 8, 2012, committed the offenses of (1) unlawful consumption of alcohol as a minor while in the presence of H.M. and (2) disorderly conduct. The same day the State filed the amended adjudication petition, an adjudicatory hearing was held.

¶ 10 Although a transcript of the adjudicatory hearing has not been included in the record, the record does contain a pre-printed order of adjudication signed by the trial court on May 20, 2013. The order indicates that respondent was present at the adjudicatory hearing. However, a box to verify the presence of respondent's attorney was not checked. The court checked a box on the order providing that H.M. is "[n]eglected as set forth in the amended petition and as set forth below." The court also checked a box providing that H.M. is neglected as defined in section 2-3(1)(b) of the Juvenile Court Act of 1987 (705 ILCS 405/2-3(1)(b) (West 2012)) in that she is in an environment that is injurious to her welfare. The order indicated that the finding of neglect was based on the allegation in the December 2012 adjudication petition. Later, the order indicated that the finding is based on the allegation in the amended adjudication petition.

¶ 11 A dispositional hearing was held on August 5, 2013. At the hearing, the court heard testimony from a foster-care supervisor and respondent. Following argument, the trial court concluded that placement of the minor with respondent would be contrary to the minor's health, safety, and best interest. Accordingly, the court entered a dispositional order making the minor a ward of the court and placing guardianship of the minor with the Department. The order informed respondent that the failure to cooperate with the Department, comply with the terms of any service plan, and correct the conditions that required the minor to be in care, could result in the termination of her parental rights. The court then advised respondent that she had 30 days to appeal the judgment. No appeal was taken from the dispositional order.

¶ 12 Thereafter, permanency-review hearings were held on November 4, 2013, March 31, 2014, October 20, 2014, and March 16, 2015. At the hearing on March 16, 2015, the parties discussed the admissibility of photographs posted on Instagram and attached to a report prepared by Lutheran Social Services of Illinois (LSSI), the agency assigned to the case. One of the photos depicted respondent with a black eye and others showed respondent with bottles of alcohol. Respondent objected to the admission of the photographs on the basis of relevancy. Respondent also asserted that one of the photographs was taken in July 2014, prior to the six-month period for permanency review. The State argued that the photographs were relevant to establish respondent's failure to follow her treatment plan. The court found that the photographs were taken outside the six-month time period for the permanency review. Nevertheless, the court noted that it was going to consider whether to change the permanency goal, and, therefore it would be looking at the entire period of time in which this case had been pending. As such, the court concluded that the photographs would be admissible for that purpose only.

¶ 13 Brooke Terranova, a child welfare specialist with LSSI, was assigned to the case in April 2014. At the hearing, Terranova noted that this case originated in 2012 as a result of substance-abuse and domestic-violence issues involving respondent. To address these issues, the service plan referred respondent to anger-management classes, parenting classes, a substance-abuse program, and mental-health counseling. Terranova testified that respondent completed the anger-management and parenting classes in mid-to-late 2014. Respondent was initially referred to Sinnissippi Centers for substance-abuse and mental-health issues. However, she was discharged from Sinnissippi due to non-attendance and a failure to be truthful with the providers. Terranova noted that since the permanency-review hearing held in October 2014, respondent has attended substance-abuse counseling at LSSI and is in aftercare. However, respondent missed two drug drops scheduled for December 2014. Further, Terranova noted that respondent is supposed to provide proof of attendance at Alcoholics Anonymous (AA) meetings. Terranova testified that although respondent reported that she attends AA meetings, it has been a "struggle" to obtain documentation from her verifying the dates and times of her attendance. Terranova recounted that respondent would not allow her to retain a copy of the documentation showing her attendance at AA meetings. Moreover, respondent never provided Terranova with any proof of attendance at AA meetings since the last permanency-review hearing. Terranova felt that although respondent attends services and is doing well in treatment, she has not made progress. Terranova also testified that as part of the service plan, respondent is supposed to provide her with proof of employment, but she has failed to do so. Terranova opined that the type of environment respondent lives in would not be appropriate for H.M. As a result, she recommended that the permanency goal be changed.

¶ 14 Respondent testified that her service plan requires her to attend AA meetings two to three times per month. According to respondent, during most months she attended AA meetings more often than required in the service plan. Respondent further testified that she provided her caseworker with a form showing the date, location, topic, and chairperson of the AA meetings she attended through January 2015. Respondent further testified that she has continued to attend AA meetings after January 2015. Regarding the missed drug drops, respondent explained that she missed one drop because she lacked photo identification. Respondent later sought and obtained two drug drops on her own, both of which were returned negative. Respondent testified that pictures of her on Instagram depicting her with bottles of alcohol were taken long before they were posted and do not actually show here consuming alcohol. Respondent explained that she has a collection of alcohol bottles. When asked whether a photograph of her putting a bottle of alcohol to her lips in a car is consistent with a pledge that she remain clean and sober, respondent stated, "It doesn't show me consuming it so, yeah." Respondent acknowledged that she got a black eye in December 2014 after being punched by a woman who had a child with H.M.'s father. Respondent admitted that she was not truthful to her caseworker regarding how she got the black eye because she was embarrassed. Respondent testified that if she regained custody of H.M., they would reside with her grandfather. Respondent testified that she last worked in April or May 2014, but has an interview at Walmart. In the meantime, respondent's parents and grandparents support her.

¶ 15 At the close of the hearing, the trial court found that respondent was not a credible witness. The court also found that respondent failed to present adequate proof of attendance at AA meetings. The court noted, for instance, that the attendance sheets only cover the period until January 11, 2015. Respondent did not provide proof of attendance for the remainder of

January, all of February, and the first part of March. The court remarked that the lack of cooperation on the part of respondent has been occurring "from day one." The court also found that the Instagram photos demonstrate that respondent has been "less than truthful about what's going on in her life." The court further remarked, "And the fact of the number of photographs of her with alcoholic beverages, whether or not she's consuming can't be said, but it's certainly suggestive that she is and I believe it's an indication that she's not made a sincere change in her lifestyle and that is part of what brought [H.M.] into this court." With respect to respondent's black eye, the court commented that the injury was "of recent vintage," and while claimant was not charged with any criminal conduct, she continues to put herself in situations where they may be threats of violence. As a result, the court concluded that respondent has failed to make reasonable efforts or reasonable progress during the period of review. Given the length of time the case has been in the system, the court determined it was appropriate to change the permanency goal from return home within 12 months to substitute care pending termination of parental rights. As the factual basis for its finding, the court cited: (1) respondent's failure to adequately demonstrate attendance at AA meetings; (2) respondent's lack of cooperation; (3) respondent's Instagram photographs, which suggest she is consuming alcohol; and (4) respondent's failure to be truthful regarding her black eye.

¶ 16 On March 26, 2015, the State filed a motion for termination of parental rights. The State's motion cited four grounds of unfitness with respect to respondent: (1) failure to maintain a reasonable degree of interest, concern or responsibility as to the child's welfare (750 ILCS 50/1D(b) (West 2014)); (2) failure to protect the minor from conditions within her environment injurious to the minor's welfare (750 ILCS 50/1D(g) (West 2014)); (3) failure to make reasonable efforts to correct the conditions that were the basis for the removal of the child from

her within nine months after an adjudication of neglect, or within any nine-month period thereafter (750 ILCS 50/1D(m)(i) (West 2014)); and (4) failure to make reasonable progress toward the return of the child to her within nine months after an adjudication of neglect, or within any nine-month period thereafter (750 ILCS 50/1D(m)(ii) (West 2014)). For purposes of counts III and IV, the State filed a separate petition listing three separate nine-month periods. See 750 ILCS 50/1D(m) (West 2014). The State subsequently moved to amend its petition listing the nine-month periods, and elected to proceed only on one nine-month span, the period from February 21, 2014, through November 21, 2014.

¶ 17 A hearing on the State's motion to terminate respondent's parental rights commenced on October 26, 2015. At the beginning of the hearing, the State asked the court to take judicial notice of the May 20, 2013, order of adjudication, the August 5, 2013, order of disposition, the permanency-review orders, and the client service plans. The State's first witness was Detective Michael Henry of the Sterling police department. Henry testified about an incident in August 2014 in which respondent was a passenger in a car stopped by the police following a chase. Henry testified that respondent was not charged with any offense in relation to the incident. However, the driver was charged with felony possession of a firearm, possession of a firearm without a firearm owner's identification card, and resisting a police officer. Henry also noted that at least two of the other occupants of the vehicle had felony records involving drug charges.

¶ 18 Terranova testified that the conditions that brought this case into care involved substance abuse and domestic violence occurring in December 2012. As the child-welfare specialist assigned to the case, Terranova's responsibilities include preparing client service plans outlining tasks for the parent to complete to address the issues that brought the minor into care. Terranova testified that each client service plan is rated and covers the prior six-month period.

¶ 19 Terranova testified that she and her supervisor determined the specific services in respondent's client service plan based on an integrated assessment performed shortly after the case was opened. Terranova testified that during her tenure on the case, she was involved with service plans dated June 5, 2014, and December 5, 2014. An administrative case review (ACR) was held on June 25, 2014, to discuss the service plan dated June 5, 2014. According to Terranova, respondent became angry and upset and "stormed out in the middle of the meeting." Respondent did not sign the service plan prior to her departure. However, Terranova was able to discuss some of the services, and she did provide respondent with a copy of the service plan. Terranova further testified that an ACR was held on December 15, 2014, to discuss the December 5, 2014, service plan. Respondent was present at the December 2014 ACR. During the meeting, respondent acknowledged receipt of the December 5, 2014, client service plan. Terranova testified that these service plans required participation in services involving mental health, substance abuse, parenting education, and anger management. Terranova testified that respondent completed the parenting-education and anger-management components in either August or September 2014. However, she did not successfully complete substance-abuse treatment or mental-health counseling during the nine-month period from February 21, 2014, through November 21, 2014.

¶ 20 Terranova testified that the goal of substance-abuse treatment is to understand how substance use affects one's responsibility as a parent and to maintain a drug-free lifestyle. Respondent was first referred for substance-abuse treatment in February 2013. An assessment prepared through Sinnissippi Centers resulted in a primary diagnosis of alcohol abuse and a secondary diagnosis of marijuana use. Respondent began treatment with Sinnissippi Centers, but was discharged in December 2013. According to Terranova, respondent was discharged because

she "had significant difficulty accepting responsibility for the child coming into care and *** reported that she had been continuing to drink." Terranova later referred respondent for substance-abuse treatment on July 2, 2014, at LSSI. Respondent completed her intake on August 28, 2014, and was referred to 10 weeks of group therapy at LSSI for a minimum of three hours per week. It was later determined that respondent would need to complete 15 weeks of therapy. Terranova testified that respondent should have been finished with her recommended treatment by the first week of November 2014. However, as of October 22, 2014, she had only completed 4½ hours of treatment. Terranova testified that in addition to concerns that respondent was not participating in substance-abuse treatment, she found photographs of respondent on Instagram in which respondent posed with bottles of alcohol and appeared to be drinking.

¶ 21 Terranova further testified that random drug screening was an important element of respondent's substance-abuse treatment. Between February 21, 2014, and March 26, 2015, she referred respondent for 10 random drug drops. Of those 10 requests, respondent provided timely drops on only 2 occasions. Both drops came back as "dilute," which, according to Terranova, is "typically counted as dirty." Respondent missed the remaining eight drops. Respondent told Terranova that she missed the drops because she was not aware that she was supposed to be completing them. As a result of respondent's failure to successfully complete these tasks, Terranova rated respondent unsatisfactory with respect to substance-abuse treatment in both the June and December 2014 service plans.

¶ 22 Terranova testified that respondent was referred to Sinnissippi Centers for mental-health services in February 2013. Respondent was diagnosed with depression and anxiety. According to Terranova, respondent attended mental-health treatment only "sporadically." In mid-2014, respondent told Terranova that she had been released from mental-health services due to non-

participation. Respondent related that she did not attend the treatment because her medical card had lapsed and Sinnissippi became too expensive. Terranova urged respondent to take the steps necessary to have the medical card reinstated, but respondent never returned to Sinnissippi. Instead, she sought treatment at the Whiteside County Health Department. Terranova testified that respondent's treatment in Whiteside County was "a little rocky to start out with." Respondent missed a number of appointments at the start of treatment. Respondent was told that if she missed any additional appointments, she would only be seen on a walk-in basis and would have to wait for an opening. Thereafter, respondent's attendance improved. Terranova testified that her recommendation is for respondent to complete the mental-health assessment and comply with any recommendations arising from the assessment. Terranova testified that from February 21, 2014, through November 21, 2014, respondent did not successfully complete mental-health services.

¶ 23 On cross-examination, Terranova testified that the June 5, 2014, service plan required respondent to demonstrate progress on the issue of substance abuse by developing an understanding of the recovery progress and developing a relapse plan. Terranova rated respondent unsatisfactory because she had been unsuccessfully released from substance-abuse treatment by Sinnissippi Centers. The counselor told Terranova that respondent had been released because she refused three drug screens, she missed meetings, she was not being truthful in her treatment, and she was unable to discern how substance abuse affects her responsibility as a parent. Respondent also failed to establish a relapse plan for the care and supervision of H.M., and she did not cooperate with requested drug drops. Terranova also detailed respondent's failure to adequately document the time, date, and places of her attendance at AA meetings. Terranova explained that respondent would report that she attended the AA meetings, but would

provide "no documentation or little documentation." Regarding the December 5, 2014, service plan, Terranova testified that she rated respondent unsatisfactory on many of the same tasks. For instance, Terranova noted that respondent failed to provide adequate documentation of her attendance at AA meetings. Further, although respondent enrolled in a substance-abuse program at LSSI, she continued to struggle with attendance and she failed to attend a number of drug drops. Terranova also testified that during the one-year period covered by the two service plans, respondent was supposed to find housing and obtain employment. Terranova testified that respondent lived with her grandfather during this time period and was employed only periodically.

¶ 24 On redirect-examination, Terranova testified that respondent's attendance at parenting classes was sporadic. Terranova stated that it took respondent 10 months to complete the 10-hour program. Moreover, respondent missed twice as many sessions as she attended. Terranova testified that respondent's attendance for anger management was similarly sporadic. Terranova verified that with regard to the period rated in the December 2014 service plan, respondent missed four drug drops on September 17, 2014, October 2, 2014, December 12, 2014, and December 30, 2014.

¶ 25 Based on the foregoing evidence, the trial court determined that the State proved by clear and convincing evidence that respondent was unfit pursuant to counts III and IV of the State's motion to terminate respondent's parental rights during the time period from February 21, 2014, through November 21, 2014. The court found that although respondent completed parenting-education and anger-management classes, she did not do so in a timely manner. The court noted, for instance, that respondent took 10 months to complete the parenting class and she missed twice as many sessions as she attended. Respondent's attendance record for anger management

was similar. The court also found that respondent failed to adequately cooperate as evidenced by her decision to leave the June 2014 ACR set up to discuss the client service plan. In addition, respondent was discharged from the substance-abuse program at Sinnissippi Centers. Although she re-engaged in substance-abuse treatment, she had only completed 4½ hours as of October 22, 2014. Further, respondent failed to timely complete mental-health services. More important, the court noted that respondent did not understand how her substance abuse impacted the minor, she failed to establish a relapse plan, she did not comply with drug drops as requested, she failed to adequately document her attendance at AA meetings, and she failed to obtain consistent employment. The court remarked that respondent "engages in services when she is finally forced to." Accordingly, the court concluded that respondent had not made reasonable efforts or reasonable progress during the nine-month period from February 21 through November 21, 2014.

¶ 26 The best-interest phase of the hearing was held on November 30, 2015. At that hearing, Terranova testified H.M. was 3½ years old. H.M. resides with a traditional foster family and has been in that placement for about 2½ years. H.M. is in good health, properly nourished, and dressed appropriately for her age. Terranova further testified that H.M. is very attached to the foster family and the foster family has become very attached to her. Terranova testified that H.M. is partly of Chinese ancestry and the foster family is willing to foster her cultural identity and background. Terranova's observations suggest that H.M. feels a sense of security, value, and love with the foster family. Moreover, the foster family shows affection for H.M. by hugging her, cuddling her, reading to her, and playing games with her. Terranova testified that the foster family has expressed a desire to provide permanency to H.M. Terranova testified that it would not be appropriate to return H.M. to respondent's care given the length of time H.M. has

been in substitute care and because respondent has failed to successfully complete all services related to the reason why the minor came into care. Terranova felt that placement with the foster family would be the least disruptive placement for H.M. Terranova opined that placement with the foster family would provide H.M. the stable home environment she had previously been lacking. Accordingly, Terranova believed that it would be in H.M.'s best interest to terminate respondent's parental rights.

¶ 27 Tammy H., H.M.'s foster mother, also testified at the best-interest phase. Tammy testified that she and her husband have been married for 23 years and have three biological children aged 21, 17, and 14. Tammy testified that H.M. was placed with the family in March 2013, when she was nine months old. She is now three years and five months old and has lived with Tammy and her family for two years and eight months. Tammy testified that H.M. is very active. She likes to sing, dance, cuddle, play, and jump around. Tammy further testified that H.M. gets along well with Tammy's biological children. Tammy testified that H.M. refers to her as "mommy" or "momma" and to her husband as "daddy" or "da da." Tammy testified that her cultural background is Scandinavian and she has been teaching H.M. some Scandinavian traditions. In addition, Tammy fosters H.M.'s Chinese heritage through activities such as cooking. Tammy indicated that she was open to respondent having contact with H.M. as long as it is safe and in the best interest of the minor. Tammy noted that members of H.M.'s biological family have attended H.M.'s birthday parties. Tammy opined that H.M. feels secure in her current placement. Tammy also testified that she loves H.M. as if she were one of her own children and she wants to provide permanency to H.M.

¶ 28 Respondent testified that H.M. resided with her for six months prior to the minor being removed from her custody. Respondent testified that during the time she and H.M. lived

together, she attended to all of the minor's needs, including bathing, feeding, and changing diapers. Respondent acknowledged that she has a problem with alcohol, but noted that since the case came into care, she has sought treatment for substance abuse and mental-health issues. Respondent testified that she has been diagnosed with bipolar disorder, depression, and anxiety. However, since she began taking medication for these conditions, it is easier for her to function on a day-to-day basis and control her mood. Respondent testified that if her rights to H.M. are not terminated, she is willing to take whatever steps are necessary, such as refraining from using alcohol and other illegal substances, submitting to drug drops, and taking any recommended classes. Respondent testified that she loves H.M. and wants to be her mother. Respondent testified that she currently has no source of income, but planned on obtaining employment. Respondent testified that if she regains custody of H.M., they will live with respondent's grandfather. On cross-examination, respondent acknowledged that she was arrested in October 2015 for both criminal trespass to land and resisting a peace officer. Based on her observations of H.M.'s interactions with the foster family, respondent admitted that H.M. loves her foster parents.

¶ 29 Following argument by the parties, the court determined that it would be in H.M.'s best interest to terminate respondent's parental rights. The court noted that the length of time H.M. has resided with the foster family has allowed the minor to bond with the family. This appeal followed.

¶ 30 III. ANALYSIS

¶ 31 Prior to addressing the merits of the arguments raised in this appeal, we note that respondent's brief fails to comply with numerous provisions of our supreme court rules. Illinois Supreme Court Rule 341(h) (eff. Jan. 1, 2016) outlines the content requirements of an appellant's

brief. Illinois Supreme Court Rule 341(h)(6) (eff. Jan. 1, 2016) provides that the appellant's brief shall include a statement of facts which shall contain "the facts necessary to an understanding of the case * * * with appropriate reference to the pages of the record on appeal." In violation of Rule 341(h)(6), respondent only occasionally cites to the pages of the record on appeal where the facts referenced may be found. Similarly, in violation of Illinois Supreme Court Rule 341(h)(7) (eff. Jan. 1, 2016), the argument section of respondent's brief only sporadically references the pages of the record where evidence relied on may be found. Further, respondent cites little relevant authority in her argument section, and she does not fully develop her arguments for reversal. See Illinois Supreme Court Rule 341(h)(7) (eff. Jan. 1, 2016) (providing that the appellant's brief shall include argument "which shall contain the contentions of the appellant and the reasons therefor, with citation of the authorities and the pages of the record relied on").

¶ 32 In addition, respondent initially failed to attach an appendix to her brief in violation of Illinois Supreme Court Rules 341(h)(9) (eff. Jan. 1, 2016) and 342 (eff. Jan. 1, 2005). Respondent attempted to rectify this error by filing a motion for leave to amend her brief to include an appendix. We allowed the motion for leave to amend, but note that the appendix submitted fails to comply with the content requirements of Rule 342. That rule requires the appendix to contain: a table of contents to the appendix; a copy of the judgment appealed from; any opinion, memorandum, or findings of fact filed or entered by the trial judge or by any administrative agency or its officers; any pleadings or other materials from the record which are the basis of the appeal or pertinent to it; the notice of appeal; and a complete table of contents, with page references, of the record on appeal. Illinois Supreme Court Rule 342(a) (eff. Jan. 1, 2005). In this case, the appendix submitted by respondent with her motion for leave to amend

contains a table of contents to the appendix and the pages of the report of proceedings where the trial court announced its rulings and the bases therefor. However, the appendix does not include the notice of appeal or a table of contents of the record on appeal.[4] We note that inclusion of a table of contents of the record on appeal would have been especially useful in this case given: (1) the length of the record, which spans more than 1,300 pages; (2) the paucity of citations to the record on appeal in the statement of facts and argument sections of respondent's brief; and (3) the fact that the report of proceedings provided to us is not in chronological order.

¶ 33 We also note that many pages of respondent's brief lack pagination in violation of Illinois Supreme Court Rule 341(a) (eff. Jan. 1, 2016) ("Briefs shall be produced in clear, black print on white, opaque, unglazed paper, 8½ by 11 inches, and paginated."). Additionally, the cover of respondent's brief initially listed the wrong docket number and was corrected only after the clerk of this court notified respondent of the error. See Illinois Supreme Court Rule 341(d) (eff. Jan.

[4] In her motion to amend, respondent represents that the common-law record does not contain a written order finding her unfit or an order finding that it is in the best interest of the minor that respondent's parental rights be terminated. Accordingly, respondent included in her appendix the oral findings of the trial court as set forth in the report of proceedings. After reviewing the common-law record, we too have been unable to find a written order finding respondent unfit or concluding that it is in the minor's best interest that respondent's parental rights be terminated. Where an oral pronouncement is explicit and sufficient to advise the parties of the court's reasoning, the absence of a written explanation is of no consequence. See *In re Leona W.*, 228 Ill.2d 439, 459 (2008). Here, we find the oral pronouncement of the trial court was sufficient to explain its ruling. Neither respondent nor the State contends otherwise.

1, 2016) ("The cover of the brief shall contain *** the number of the case in the reviewing court.").

¶ 34 The supreme court rules governing appellate practice are mandatory, not merely suggestive. *Perona v. Volkswagen of America, Inc.*, 2014 IL App (1st) 130748, ¶ 21. This court has the discretion to strike an appellant's brief and dismiss an appeal for failure to comply with the rules of our supreme court. See *Perona*, 2014 IL App (1st) 130748, ¶ 21; *Holzrichter v. Yorath*, 2013 IL App (1st) 110287, ¶ 77. Despite the deficiencies identified above, we will consider the merits of this appeal given the significant interest at stake. See *Budzileni v. Department of Human Rights*, 392 Ill. App. 3d 422, 439-41 (2009) (holding that reviewing court has discretion to review merits even in light of multiple violations of supreme court rules); *Twardowski v. Holiday Hospitality Franchising, Inc.*, 321 Ill. App. 3d 509, 510-11 (2001) (same). Nevertheless, we admonish respondent's attorney for failing to comply with the rules governing appellate practice, and we advise her to review all future submissions to this court prior to filing so as to ensure compliance with the applicable rules. We now turn to the merits.

¶ 35 A. Proceedings Prior to Entry of the Dispositional Order

¶ 36 The first three arguments respondent raises on appeal relate to alleged irregularities occurring prior to entry of the dispositional order. Specifically, respondent contends that the trial court erred in: (1) conducting the shelter-care hearing prior to respondent retaining an attorney to represent her; (2) failing to elicit evidence as to whether reasonable efforts had been made to prevent the removal of the child before the minor was taken from respondent's custody; and (3) failing to set forth the factual basis for its finding in the adjudicatory order. Relying principally upon *In re Leona W.*, 228 Ill. 2d 439 (2008), the State argues that the alleged irregularities

identified by respondent should have been addressed in an appeal of the dispositional order, not from the order terminating respondent's parental rights. We agree with the State.

¶ 37 In *Leona W.*, the supreme court found that the appellate court erred in setting aside a judgment terminating the father's parental rights based on perceived defects in the trial court order finding the minor to be abused. *Leona W.*, 228 Ill. 2d 439, 455-56 (2008). In so holding, the court held that had the father wished to challenge the validity of the order finding the minor abused, he had two opportunities to do so. *Leona W.*, 228 Ill. 2d at 456 (2008). First, he could have filed a petition for leave to appeal from that interlocutory order pursuant to Illinois Supreme Court Rule 306(a)(5) (eff. March 26, 1996). *Leona W.*, 228 Ill. 2d 439, 456 (2008). Second, he could have taken an appeal as of right from the dispositional order entered in the case, which was a final and appealable order. *Leona W.*, 228 Ill. 2d 439, 456 (2008) (citing *In re Faith B.*, 216 Ill. 2d 1, 3 (2005)).

¶ 38 As *Leona W.* instructs, the appeal from an order terminating one's parental rights is not the proper manner to challenge actions taken before entry of the dispositional order. Here, the adjudicatory order was entered on May 20, 2013. Respondent did not seek an interlocutory appeal from that order. The dispositional order was entered on August 5, 2013. Thereafter, the trial court admonished respondent of her right to appeal the dispositional order, noting that she had to do so within 30 days. No appeal was taken from the dispositional order. By failing to timely appeal either the adjudicatory order or the dispositional order, we find that respondent forfeited her opportunity to challenge any alleged irregularities in the proceedings occurring prior to the entry of the dispositional order. See *Leona W.*, 228 Ill. 2d at 456-57 (holding that the father forfeited any error pertaining to the dispositional order by failing to file a timely notice of appeal therefrom); *In re Janira T.*, 368 Ill. App. 3d 883, 891 (2006) (concluding that appellate

court lacked jurisdiction to consider propriety of adjudicatory order where the respondent waited to file appeal until conclusion of termination proceeding); *In re M.J.*, 314 Ill. App. 3d 649, 654-55 (2000) (holding that failure to file notice of appeal from dispositional order precluded review of underlying neglect proceedings).

¶ 39 B. Termination of Parental Rights

¶ 40 The Juvenile Court of 1987 sets forth a bifurcated procedure for the involuntary termination of parental rights. 705 ILCS 405/2-29(2) (West 2014). Under this procedure, the State must make a threshold showing of parental unfitness. *In re Adoption of Syck*, 138 Ill. 2d 255, 277 (1990); *In re Antwan L.*, 368 Ill. App. 3d 1119, 1123 (2006). If a court finds a parent unfit, the State must then show that termination of parental rights would serve the minor's best interest. See *Syck*, 138 Ill. 2d at 277; *Antwan L.*, 368 Ill. App. 3d at 1123. In this case, respondent contests both the trial court's finding that she is unfit to parent H.M. and the court's finding that it is in the best interest of H.M. that her parental rights be terminated. We address each contention in turn.

¶ 41 1. Unfitness

¶ 42 The State has the burden of proving a parent's unfitness by clear and convincing evidence. 705 ILCS 405/2-29(2), (4) (West 2014); *In re B'yata I.*, 2014 IL App (2d) 130558-B, ¶ 29. Section 1(D) of the Adoption Act (750 ILCS 50/1(D) (West 2014)) lists various grounds under which a parent may be found unfit. *Antwan L.*, 368 Ill. App. 3d at 1123. Each ground listed in the statute is independent. *B'yata I.*, 2014 IL App (2d) 130558-B, ¶ 30. Therefore, any one ground properly proven is sufficient to support a finding of unfitness. *In re Tiffany M.*, 353 Ill. App. 3d 883, 889 (2004). A determination of parental unfitness involves factual findings and credibility assessments that the trial court is in the best position to make. *B'yata I.*, 2014 IL App

(2d) 130558-B, ¶ 29. As such, a trial court's determination of a parent's unfitness will not be reversed unless it is contrary to the manifest weight of the evidence. *B'yata I.*, 2014 IL App (2d) 130558-B, ¶ 29. A decision is against the manifest weight of the evidence "if a review of the record 'clearly demonstrates that the proper result is the one opposite that reached by the trial court.' " *In re Brianna B.*, 334 Ill. App. 3d 651, 656 (quoting *In re M.K.*, 271 Ill. App. 3d 820, 826 (1995)).

¶ 43 In this case, the trial court found that the State established by clear and convincing evidence that respondent was unfit for (1) failing to make reasonable efforts to correct the conditions that were the basis for the removal of the minor from her during the nine-month period from February 21, 2014, through November 21, 2014 (750 ILCS 50/1(D)(m)(i) (West 2014))) and (2) failing to make reasonable progress toward the return of the minor to her during the nine-month period from February 21, 2014, through November 21, 2014 (750 ILCS 50/1(D)(m)(ii) (West 2014)). For the reasons set forth below, we determine that the trial court's finding that respondent failed to make reasonable progress toward the return of the minor to her during the specified nine-month period is not against the manifest weight of the evidence.

¶ 44 Pursuant to section 1(D)(m)(ii) of the Adoption Act (750 ILCS 50/1(D)(m)(ii) (West 2014)), a parent is unfit where she fails to make reasonable progress toward the return of the child to her during any nine-month period following the adjudication of abuse or neglect. When proceeding on an allegation under section 1(D)(m) of the Adoption Act (750 ILCS 50/1(D)(m) (West 2014)), the court may only consider evidence of the parent's conduct during the relevant nine-month time period identified by the State. 750 ILCS 50/1(D)(m) (West 2014); *In re R.L.*, 352 Ill. App. 3d 985, 999 (2004). "Reasonable progress" means "demonstrable movement toward the goal of reunification." *In re C.N.*, 196 Ill. 2d 181, 211 (2001). "[T]he benchmark for

measuring a parent's 'progress toward the return of the child' * * * encompasses the parent's compliance with the service plans and the court's directives, in light of the condition which gave rise to removal of the child, and in light of other conditions which later became known and which would prevent the court from returning custody of the child to the parent." *C.N.*, 196 Ill. 2d at 216-17. Stated differently, reasonable progress exists when the trial court can conclude that it will be able to order the minor returned to parental custody in the near future. *In re Daphne E.*, 368 Ill. App. 3d 1052, 1067 (2006).

¶ 45 Here, the principal conditions which gave rise to removal of the minor involved respondent's consumption of alcohol and a domestic dispute with the minor's biological father. As such, the principal tasks in respondent's service plans required her to engage in substance-abuse treatment, mental-health counseling, parenting classes, and anger-management classes. In its decision, after reciting the facts of the case, the trial court found, *inter alia*, that respondent failed to make reasonable progress during the specified nine-month period. The court cited respondent's slow progress with mental-health counseling and substance-abuse treatment, her lack of compliance with drug drops, and her failure to complete the parenting and anger-management classes in a timely manner. We find that the trial court's findings are amply supported by the evidence of record.

¶ 46 First, the evidence supports the trial court's finding that respondent failed to make progress with her substance-abuse treatment during the specified nine-month time-period. At the unfitness hearing, Terranova testified that part of the goal of the substance-abuse treatment was for respondent to maintain a drug-free lifestyle and to understand how substance abuse affects her responsibilities as a parent. Terranova testified that respondent did not successfully complete substance-abuse services during the nine-month period from February 21, 2014, and November

21, 2014, and was therefore rated unsatisfactory in both the June and December 2014 service plans, which encompassed the nine-month period at issue. Terranova explained that respondent was unsuccessfully discharged from a substance-abuse program at Sinnissippi Centers in December 2013. While this was outside of the specified nine-month period at issue, it was relevant to explain why Terranova had to refer respondent for substance-abuse treatment at a different facility early in July 2014. Respondent completed her intake for the substance-abuse program on August 28, 2014, and was referred to 30 hours of therapy over 10 weeks. It was later determined that respondent would need to complete 45 hours of therapy. Terranova testified that respondent should have finished her recommended treatment by early in November 2014. However, respondent struggled with attendance at the substance-abuse program, and as of October 22, 2014, had completed only 4½ hours of treatment.

¶ 47 Terranova further related that random drug screening was an important part of respondent's substance-abuse treatment. Terranova testified that between February 21, 2014, and March 26, 2015, respondent was referred for 10 random drug drops. Terranova testified that eight of these ten drops were missed. The remaining two were timely, but were returned "dilute." The trial court did not consider the two "dilute" drops as positive, but did find telling the fact that respondent missed eight of the ten drops. The record shows that at least two of the eight missed drops occurred during the nine-month period from February 21, 2014, through November 21, 2014. However, two of the missed drops and one of the "dilute" results occurred after November 21, 2014, and should not have been considered since they were outside the nine-month period specified by the State. See *R.L.*, 352 Ill. App. 3d at 999. It is unclear from the evidence when the remaining five drops occurred. The record suggests that the caseworker was unable to send respondent for drops during part of the nine-month period at issue. Further, the

service plans covering the relevant nine-month period merely state that respondent refused to participate in or missed drops, without specifying the dates of these occurrences. However, even assuming the remaining five drops occurred outside the nine-month period at issue, the fact remains that respondent still missed two drops. The drug drops were an integral part of determining whether respondent was refraining from substance abuse. The fact that she refused to submit to any requested drug drop shows lack of compliance with the tasks of the service plan. This lack of compliance was compounded by respondent's failure during the nine-month period to provide adequate documentation to substantiate her attendance at AA meetings and develop a relapse plan which provided for the care and supervision of H.M. As a whole, then, the record shows that respondent failed to adequately address the substance-abuse issues that brought the minor into care.

¶ 48 The record also establishes that respondent failed to make satisfactory progress involving her mental-health treatment during the specified nine-month time period. Respondent was diagnosed with depression and anxiety. She was referred to Sinnissippi Centers for mental-health services in February 2013. However, respondent's attendance was sporadic, and by the middle of 2014, she had been released from mental-health services due to non-participation. Respondent attributed her absences to the fact that her medical card had lapsed and she was unable to afford the treatment without the financial assistance the medical card provided. However, there was never any explanation why respondent's medical card lapsed or why she was unable to have the card reinstated in a timely manner. In fact, Terranova urged respondent to take the steps necessary to have her medical card reinstated. Instead of doing so, respondent sought treatment at the Whiteside County Health Department. While respondent's attempt to find alternative treatment is commendable, her progress at the Whiteside County was also marred

by frequent absences. As Terranova explained, respondent's treatment was "a little rocky to start out with." She missed a number of appointments. Respondent was told that if she missed any additional appointments, she would only be seen on a walk-in basis. Thereafter, respondent's attendance improved. However, Terranova testified that from February 21, 2014, through November 21, 2014, respondent did not successfully complete her mental-health treatment.

¶ 49 We also note that while respondent did complete the parenting classes and anger-management classes during the relevant nine-month period, she did not do so in a timely manner. In this regard, the record shows that it took respondent 10 months to complete 10 hours of parenting classes. This was the result of respondent's failure to consistently attend the requested treatment. Terranova noted, for instance, that respondent missed almost twice as many parenting classes as she attended. Terranova commented that respondent's attendance at anger-management classes had also been "sporadic." Terranova also noted that respondent was required to maintain adequate housing and income to support the minor. However, respondent was living with her grandfather and was not regularly employed.

¶ 50 Despite the foregoing evidence, respondent contends that the trial court's finding that she failed to make reasonable progress was against the manifest weight of the evidence. In this regard, respondent claims that the evidence regarding missed drug drops was inaccurate or insufficiently supported. According to respondent, "there is nothing *** to support the conclusion that ten drug tests were requested and only two performed in the period February 21, 2014, through March 26, 2015." As noted above, the evidence regarding the number and dates of the drug-drop requests is unclear. Nevertheless, the record clearly demonstrates that respondent missed two of the requested drug drops during the relevant nine-month period,

thereby demonstrating a lack of cooperation with the tasks identified in the service plans. Respondent does not present any evidence to dispute that she missed these two drops.

¶ 51 Respondent also claims that the trial court relied on the Instagram photos in making its unfitness determination. According to respondent, the evidence establishes that the photographs were posted in December 2014, and therefore depict events occurring outside of the nine-month period specified in the termination petition. The record does not support respondent's claim that the court considered the Instagram photos in finding respondent unfit pursuant to counts III and IV of the State's petition. At the conclusion of the best-interest phase, the State asked the court to take "judicial notice of the Instagram photos that were admitted into evidence on March 16, 2015." Respondent objected. The State argued that the photos were relevant to count II of the petition (failure to protect the minor from conditions within her environment injurious to her welfare). The trial court recessed to consult his records. Upon his return, the court stated that it had previously given the Instagram photos limited admission at a prior hearing to "determin[e] whether or not there should be any change in the goal since this case started." The court noted that a recent report indicated that the photos were posted in December 2014, and the court indicated that it would consider the photographs "within the same parameters." In accordance with the trial court's remarks, there is no evidence in its ruling that it considered the photos in finding respondent unfit under counts III or IV of the State's petition.

¶ 52 Respondent further claims that, commencing in September 2014, during the relevant nine-month period, "she was making excellent progress at LSSI *** dealing with the main problem that brought this case about." However, the document that respondent cites in support of this claim is dated February 20, 2015, well outside the relevant time period. Moreover, a letter from LSSI dated October 22, 2014, notes that respondent had only attended 4½ hours of

substance-abuse treatment. The October 22, 2014, letter also notes that although it was recommended that respondent attend group sessions for three hours, she only stayed for 1½ hours each of the three sessions she attended. The letter also noted that respondent missed more sessions than she attended. The counselor remarked that while respondent participates well when she attends, she "demonstrates ambivalence toward the treatment process." Thus, an overall examination of the evidence provides a less than positive review of claimant's participation in substance-abuse treatment during the specified nine-month period.

¶ 53 Respondent also argues that a mechanical application of the requirements of the service plan is improper and that she attained the goals even though she may not have followed the specific directives of the service plan. However, as noted above, the evidence presented at the fitness hearing supports the trial court's finding that respondent failed to make reasonable progress during the specified nine-month period. While the nine-month failure-to-make-reasonable-progress standard may seem harsh, it is not without purpose since it requires the parent to make reasonable progress during the stated nine-month period, and thereby balances the time for the parent to develop the ability to care for the child with the possible negative effect of delay on the child. *In re K.H.*, 346 Ill. App. 3d 443, 455 (2004).

¶ 54 In short, given the evidence presented at the fitness hearing, the trial court could reasonably conclude that respondent failed to make demonstrable or measurable movement toward the goal of reunification of the minor with her. As such, we find that the trial court's finding that respondent is unfit for failure to make reasonable progress pursuant to section 1(D)(m)(ii) of the Adoption Act (750 ILCS 50/1(D)(m)(ii) (West 2014)) was not against the manifest weight of the evidence. As such, we need not consider the additional ground upon

which the trial court also found respondent unfit. *B'yata I.*, 2014 IL App (2d) 130558-B, ¶ 30; *Tiffany M.*, 353 Ill. App. 3d at 891.[5]

¶ 55 B. Best Interests

¶ 56 Having concluded that the trial court's finding that respondent is unfit to parent H.M. is not against the manifest weight of the evidence, we turn to the trial court's best-interest determination. As noted earlier, once the trial court finds a parent unfit, it must determine whether termination of parental rights is in the minor's best interest. *B'yata I.*, 2014 IL App (2d) 130558-B, ¶ 41. As our supreme court has stated, at the best-interest phase, "the parent's interest in maintaining the parent-child relationship must yield to the child's interest in a stable, loving home life." *In re D.T.*, 212 Ill. 2d 347, 364 (2004). Section 1-3(4.05) of the Juvenile Court Act (705 ILCS 405/1-3(4.05) (West 2014)) sets forth various factors for the trial court to consider in assessing a minor's best interest. These considerations include: (1) the minor's physical safety and welfare; (2) the development of the minor's identity; (3) the minor's familial, cultural, and religious background; (4) the minor's sense of attachment, including love, security, familiarity, and continuity of relationships with parental figures; (5) the minor's wishes and goals; (6) community ties; (7) the minor's need for permanence; (8) the uniqueness of every family and every child; (9) the risks related to substitute care; and (10) preferences of the person available to care for the child. 705 ILCS 405/1-3(4.05) (West 2014). The State bears the burden of proving

[5] Nevertheless, our review of the record suggests that the trial court's finding that respondent failed to make reasonable efforts to correct the conditions that were the basis for the removal of the minor from her during the specified nine-month period, which was based on similar evidence to that presented with reference to the count discussed here, is also not against the manifest weight of the evidence.

by a preponderance of the evidence that termination is in the best interest of a minor. *D.T.*, 212 Ill. 2d at 366; *In re Deandre D.*, 405 Ill. App. 3d 945, 953 (2010). Like the unfitness determination, we review the trial court's best-interest finding under the manifest-weight-of-the-evidence standard. *B'yata I.*, 2014 IL App (2d) 130558-B, ¶ 41.

¶ 57 Respondent argues that the trial court's finding that it is in H.M.'s best interest to terminate her parental rights is against the manifest weight of the evidence. Initially, we find that respondent has forfeited any challenge to the trial court's best-interest finding. Pursuant to Illinois Supreme Court Rule 341(h)(7) (eff. Jan. 1, 2016), any contention in an appellant's brief must be supported by cohesive arguments and citation of the authorities and the pages of the record relied on. In the absence of compliance with these requirements, the contention is forfeited. Ill. S. Ct. R. 341(h)(7) (eff. Jan. 1, 2016) ("Points not argued are waived."); *Obert v. Saville*, 253 Ill. App. 3d 677, 682 (1993) ("Bare contentions in the absence of argument or citation of authority do not merit consideration on appeal and are deemed waived."). Here, respondent does not present a reasoned argument in support of her request for reversal. In addition, respondent fails to support her contentions with citation to any relevant authority or the pages of the record on appeal. Respondent's entire argument is approximately one page long. It begins with respondent's claims that: (1) both she and other members of her family have a strong bond with H.M.; (2) H.M. showed no signs of neglect when she was taken into care; and (3) respondent has maintained a continuing relationship with H.M. throughout the proceedings. However, respondent does not cite to the pages of the record on appeal where such evidence may be found. More important, she does not explain how these factors render erroneous the trial court's finding that it is in H.M.'s best interest that her parental rights be terminated. Respondent then goes on to cite the statutory best-interest factors before referencing *In re D.T.*,

338 Ill. App. 3d 133 (2003), and summarily concluding, "[w]here the bulk of the evidence weighs against termination, a decision to terminate is against the manifest weight of the evidence." Because respondent's contention regarding the trial court's best-interest determination is not supported by reasoned argument, citation to relevant authority, or citation to the record on appeal, we deem it forfeited.

¶ 58 Even absent forfeiture, we find that the trial court's finding that it is in H.M.'s best interest that respondent's parental rights be terminated is supported by the evidence presented at the best-interest hearing. At the time of the best-interest hearing, H.M. was 3½ years old. She was living with a traditional foster family and had been in the same placement for more than 2½ years. The foster family consists of the two parents and their three biological children, aged 21, 17, and 14. The foster parents have provided for H.M.'s daily needs, including food, clothing, medical care, and shelter. H.M. fits in well with the foster family, who treat her as a member of the family. H.M. refers to the foster mother as "mommy" or "momma" and the foster father as "daddy" or "da da." H.M. is bonded to her foster parents and foster siblings, and they are bonded to her. The evidence further establishes that H.M. feels a sense of security with the foster family and she is valued and loved in her current placement. Indeed, respondent herself acknowledged that the foster family loved H.M. and were caring for her appropriately. The foster parents have expressed a willingness to foster H.M.'s cultural identity and background. They are also willing to allow respondent to maintain contact with H.M. as long as it is safe to do so. The foster parents have agreed to provide permanency for H.M. through adoption. Terranova opined that adoption by the foster family would be the least disruptive placement for H.M.

¶ 59 In short, the evidence shows that H.M. has lived in her current placement for the majority of her short life. She is thriving and is well loved in that placement, which is stable and secure. The foster family has expressed a willingness to provide permanency for H.M., while, at the same time, allowing H.M. to maintain a relationship with her biological family as long as it is in the minor's best interest. Given these circumstances, we cannot say that the trial court's finding that it is in H.M.'s best interest that respondent's parental rights be terminated is against the manifest weight of the evidence. Therefore, we affirm the trial court's best-interest finding.

¶ 60 III. CONCLUSION

¶ 61 For the reasons set forth above, we affirm the judgment of the circuit court of Lee County, finding respondent unfit to parent H.M. and concluding that it is in the minor's best interest that respondent's parental rights be terminated.

¶ 62 Affirmed.