2018 IL App (2d) 180437-U
No. 2-18-0437
Order filed November 2, 2018

IN THE

APPELLATE COURT OF ILLINOIS

SECOND DISTRICT

In re S.B., a Minor,	)	Appeal from the Circuit Court
	)	of Stephenson County.
	)	
	)	No. 15-JA-3
	)	
(The People of the State of Illinois, Petitioner-Appellee, v. Cheyenna B., Respondent-Appellant.)	)	The Honorable
	)	David M. Olson,
	)	Judge, Presiding.

JUSTICE SCHOSTOK delivered the judgment of the court.
Justices Zenoff and Birkett concurred in the judgment.

ORDER

¶ 1 *Held*: Trial court's rulings finding mother unfit and that it was in the best interests of her child that her parental rights were terminated were not against the manifest weight of the evidence, and her attorney did not render ineffective assistance.

¶ 2 On December 11, 2017, the circuit court of Stephenson County found that Cheyenna B.[1] was an unfit parent on three statutory bases. On May 11, 2018, the trial court found that it was in

[1] In her brief, Cheyenna improperly included the full name of herself and other family members, who share the same last name as S.B., in both the caption and the body of the brief. While this practice does not technically violate Illinois Supreme Court Rule 663(b) (eff. Oct. 1, 2001), which requires only that the minor's last name be replaced with an initial for privacy

the best interests of Cheyenna's daughter, S.B., to terminate Cheyenna's parental rights and permit the adoption of S.B. by her foster parent to move forward. Cheyenna appeals from both of these findings, and also alleges that she received ineffective assistance of counsel. We affirm.

¶ 3 I. BACKGROUND

¶ 4 S.B. was born on March 5, 2008. Her parents were Cheyenna and Colin G. S.B. lived with her mother and did not have much contact with her father. For most of the first three years of S.B.'s life, her maternal grandparents had guardianship of her as Cheyenna was depressed and unable to care for her. When Cheyenna's parents divorced in 2011, custody of S.B. was returned to Cheyenna. Cheyenna's mother moved to the state of Washington after the divorce.

¶ 5 In April 2015, the Department of Children and Family Services (DCFS) received a report from police that Cheyenna was exhibiting signs of mental illness including paranoid delusions. On June 15, 2015, the State filed a petition seeking to remove S.B. from Cheyenna's care on the grounds that Cheyenna's mental illness rendered her unable to adequately care for S.B. In support, the petition cited Cheyenna's prior hospitalizations for mental illness, her refusal to cooperate with mental health treatment, and hallucinations.

¶ 6 At the emergency shelter care hearing that same day, the DCFS investigator testified that when she met with Cheyenna, Cheyenna told her, among other things, that the TV was making personal remarks to Cheyenna, there were hidden cameras in the home, her father (with whom she and S.B. were living) was "changing the water" because it was different every time she

---

reasons, the better practice is to ensure the protection of that privacy by likewise using an initial in place of parents' last names when they are the same as the minor's. The appellant's brief also contained many technical violations of Illinois Supreme Court Rule 341 (eff. July 1, 2017). Appellant's counsel should avoid these violations in the future.

showered, and her bed giving was her electrical shocks. DCFS asked Cheyenna to get a mental health assessment but she said she did not need one, and she refused to sign a release so that DCFS could obtain medical records from the neurologist Cheyenna said she was seeing. Further, after the investigator learned that Cheyenna had moved out of her father's home, taking S.B. with her, the investigator visited on June 12 and spoke with both Cheyenna and S.B. separately. S.B. (who was seven years old) told the investigator that her mother was hearing voices and "freaking [her] out," and that she did not feel safe and wanted to go back to her grandfather's home. At the close of the hearing, the trial court granted temporary custody of S.B. to DCFS, with the temporary placement of S.B. with her maternal grandfather to continue. The trial court further admonished both parents about the importance of complying with the service plan and attending court.

¶ 7 On August 4, 2015, both parents and their attorneys were present in court for the hearing on whether S.B. was neglected. Both parents stipulated to a basis for a finding of neglect and the trial court so found, setting the goal of the case as return home within five months. According to a report to the court prepared by the caseworker, both parents had participated in integrated assessments and service plans had been identified for both. Cheyenna's service plan required her to complete mental health and substance abuse assessments (there had been third-party reports that Cheyenna used marijuana and other illegal drugs); visit weekly and appropriately with S.B.; and cooperate with the agency including keeping in contact, signing releases for medical records, and taking random drug tests when requested. Cheyenna was visiting S.B. regularly. The court again admonished the parents about the importance of complying with the service plan in order to regain custody of S.B.

¶ 8 On August 25, 2015, the trial court held a dispositional hearing which both parents attended. Prior to the hearing, the caseworker submitted a report. Among other things, her report stated that Cheyenna had posted a Facebook message saying that she was searching for a gun. Cheyenna later told the caseworker that it was just a joke. Cheyenna's weekly visits with S.B. continued but were moved out of her home as a result. S.B. told the caseworker that she was still concerned about her mother due to comments her mother had made on a phone call. Also, once when they were in the park her mother "picked up green stuff to go in a pipe" and put it in her purse. Cheyenna told the caseworker she was merely getting it out of sight to throw away later. The caseworker also testified that Cheyenna failed to take a drug test when requested. At the close of the dispositional hearing, the trial court adopted the report and its recommendations, and granted custody and guardianship of S.B. to DCFS. The trial court found that both parents had made reasonable efforts but that the conditions that caused S.B.'s removal still existed.

¶ 9 The first permanency hearing was held on December 15, 2015. Neither parent was present. Cheyenna's attorney reported that she had spoken with her client that morning and that Cheyenna was "not lucid today." The caseworker's written report noted that Cheyenna had ceased contact with the agency and last met with the caseworker in September 2015. Cheyenna signed some medical releases but declined to sign others. Cheyenna missed another drug test and told the caseworker that she did not need to complete them because that was not why S.B. had been removed. Cheyenna was referred for individual counseling and parenting classes but had not commenced either. Although she continued to visit S.B., she had canceled several visits for doctor's appointments. Meanwhile, Colin had told the caseworker that although he had enjoyed resuming contact with S.B., he would not be able to provide permanent care for her at

any point in the future and therefore would not be engaging in the other recommended services. S.B. herself was doing very well educationally and in extracurricular activities, and appeared to be thriving in her foster home. In light of the parents' failures to engage in the recommended services, the trial court found that they had not made substantial progress toward the goal of S.B. returning home. The trial court further found that more time should be given for completion of the service plan and changed the goal to return home within 12 months.

¶ 10 The next permanency hearing was in June 2016. Cheyenna was not in court, and the caseworker advised the court that in late February Cheyenna left the state and moved to Washington to be with her mother. Her most recent visit with S.B. was in December 2015. Cheyenna communicated with the caseworker via phone in March and reported that she was commencing psychiatric services in Washington. She also made occasional phone calls to S.B., saying that she would return to get S.B. (which frightened S.B.). Colin was continuing to visit with S.B. but still was unwilling to take on her custody or engage in services. The trial court found that there was no substantial progress by either parent. Further, in light of both parents' unwillingness to engage in services, it set a short court date.

¶ 11 On August 2, 2016, the attorneys appeared in court for a status hearing. Neither parent was present. The State noted the lack of progress toward a return home and requested that the goal be changed to substitute care pending adoption; S.B.'s guardian *ad litem* (GAL) agreed. Cheyenna's attorney objected but presented no further argument. Concurrently, the State filed a motion to terminate parental rights. Cheyenna's attorney said she had spoken with Cheyenna in June, and Cheyenna said she planned to return to Illinois but lacked the money to do so. On August 1, Cheyenna left a voice message saying that she would soon be getting Social Security disability payments and then would return to Illinois. The attorney had advised her about the

proposed goal change and urged her to return and attend court. Noting that Cheyenna had now missed three court dates, the State suggested that the appointed attorney for Cheyenna be dismissed. Cheyenna's attorney did not object to this suggestion, and the trial court entered the dismissal of the appointment. The trial court also changed the permanency goal to substitute care pending the termination of parental rights, and found no substantial progress by either parent.

¶ 12 On August 25, 2016, Cheyenna filed a *pro se* motion seeking visits and the return of S.B. In the motion, Cheyenna said that she was being ignored by the caseworker, and that she had gone to their office only to seek help in getting her money back after her family stole her winning lottery ticket in 2013. Further, she stated that her family had fabricated her mental illness and that she had had a "brain embolism that turned into an aneurysm," and she was now working to recover from this medical emergency and regain custody of S.B. Cheyenna set the motion for hearing on December 6, the next scheduled court date.

¶ 13 On December 6, 2016, Cheyenna appeared in court and the trial court reappointed the Public Defender's office to represent her. The trial court continued the case so that she could discuss the motion to terminate her parental rights with her attorney.

¶ 14 The next permanency review was held on January 31, 2017. Cheyenna was again present (as she would be at all future hearings). Several of the attorneys, including the parents' attorneys, noted that they had not received copies of the State's motion to terminate parental rights. The State sought to file an amended motion to correct certain allegations regarding paternity, and the trial court granted leave to do so. (The State later filed its amended motion. There is no indication in the record that any party failed to receive a copy of it.) The caseworker's report to the court stated that Cheyenna had not contacted the caseworker since

returning to Illinois. Further, no services were recommended for either parent because the goal was no longer return home. S.B. was doing very well in her grandfather's home, excelling in school, and her grandfather was willing to provide permanency for her if parental rights were terminated.

¶ 15 In April 2017, Cheyenna's attorney filed a motion for a GAL to be appointed for Cheyenna. Noting that it was not aware of any legal authority for such a request, the trial court continued the case so that the parties and the court could conduct legal research on the issue. The motion was heard on May 16, 2017. Cheyenna's attorney explained that, while Cheyenna continued to demand that her attorney fight against termination of her parental rights, Cheyenna herself might have needs for treatment or medication that her attorney could not address. Citing the lack of legal authority for the request, the trial court denied the motion.

¶ 16 On June 13, 2017, the parties appeared in court to apprise the trial court of a significant event: on June 4, S.B. and her grandfather had been in a car accident that resulted in the death of her grandfather (her foster parent) and serious injury to S.B. S.B. was hospitalized.

¶ 17 After continuances to allow Cheyenna to pursue private counsel (attempts that were unsuccessful), the next permanency review was in October 2017. The adoption caseworker's report stated that she and her supervisor had met with Cheyenna on June 7, shortly after the accident. Cheyenna visited S.B. frequently at the hospital (and later at the rehabilitation center to which she was transferred). Cheyenna also signed releases for medical records, which the agency obtained.

¶ 18 According to those records, Cheyenna did attend four mental health treatment sessions from April to June 2016 while she was in Washington, but no further information was available because of restrictions Cheyenna had placed on the release of those records. In January 2017,

Cheyenna went to the Rockford Memorial Hospital emergency room seeking pain medication and was recommended for a psychiatric evaluation. She was admitted to the psychiatric program for a three-day evaluation and was discharged with diagnoses of acute psychosis, depression, paranoid ideations, bipolar disorder, psychosis, cannabis dependency, and generalized anxiety disorder. At that point, Cheyenna was noted to be refusing to take any medications. More recently, Cheyenna was evaluated through OSF St. Anthony's hospital. She was prescribed Xanax for her anxiety and depression, and was to begin seeing a psychotherapist weekly. Finally, Monroe Clinic records from 2015 indicated that Cheyenna had engaged in drug-seeking behavior for pain medications, behavior echoed in the January 2017 emergency room record. As for S.B., she had recovered well from the accident and returned to her grandfather's home, where her maternal uncle (Cheyenna's brother) had moved in to care for her, becoming her new foster parent. Cheyenna occasionally visited her there.

¶ 19 The hearing on the amended motion to terminate parental rights was held on November 28, 2017. The initial caseworker and the adoption caseworker both testified consistently with the caseworker's reports admitted during earlier permanency hearings, providing evidence that although Cheyenna had recently signed releases and had begun to receive mental health treatment, during most of the case she had not complied with the service plan and failed to correct the conditions (mental illness and substance abuse) identified as preventing S.B.'s return home. Further, both caseworkers testified that Cheyenna's recent communications with them indicated that she still suffered from mental illness including persistent delusions. Cheyenna's attorney cross-examined the caseworkers to highlight the steps that Cheyenna had recently taken to address her mental health needs, but did not present any direct evidence.

¶ 20 On December 11, 2017, the trial court issued a memorandum opinion and order, finding both parents unfit. As to Cheyenna, the trial court found that the State had proved, by clear and convincing evidence, that she: failed to maintain a reasonable degree of interest, concern or responsibility as to S.B.'s welfare; failed to make reasonable efforts to correct the conditions that were the basis for the removal during a nine-month period between August 2015 and June 2016; and failed to make reasonable progress toward S.B.'s return during the same nine-month period. The trial court found that the State had not proven the counts alleging that Cheyenna intended to abandon S.B. and that Cheyenna had failed to make reasonable progress toward reunification during the more recent nine-month period of June 2016 to March 2017.

¶ 21 The case then proceeded to a best interest hearing that commenced on March 13, 2018. S.B.'s uncle, who had been serving as her foster parent since her grandfather's death, testified regarding his affection for and bond with S.B., and his willingness to make sacrifices to ensure that she had a stable and loving home in which to grow up. He was an apprentice plumber who had moved from his previous home in Wisconsin back to his father's home in Illinois so that S.B. could continue to live in the home where she had spent most of her childhood (and indeed where he himself had grown up). Although he was single and not in any significant relationship, S.B. had formed close relationships with some of the adult women in her life, including a teacher at her school, to whom she could turn for female advice as she grew older. S.B. also had many long-term friends her own age in the neighborhood and at her school. He agreed that it was important for S.B. to see her mother and would continue to allow supervised visits so long as they did not threaten S.B.'s safety or make her uncomfortable.

¶ 22 At the request of Cheyenna's attorney, the best interest hearing was continued to April 17, 2018, to allow her to present evidence. When the hearing resumed, the attorney submitted

reports from the psychiatrist whom Cheyenna was seeing, documenting that she had been attending sessions since June 2017. The report stated that she was taking medications and her mental condition was improving. The attorney did not call Cheyenna to testify or offer any other evidence. The GAL for S.B. then called Cheyenna as an adverse witness regarding the doctor's report. Cheyenna testified that she was aware of the diagnoses of mental illness that she had received but she did not believe that she was mentally ill; rather, she believed she had a brain tumor and had suffered a "brain air embolism" in 2016. She was taking several medications that had been prescribed for her, including Adderall, Niravam, Xanax, and Fioricet, because she found that they helped her anxiety and headaches. She received Social Security disability income and had been living on her own for six or seven months. After the GAL finished examining Cheyenna, his office called him as a witness to testify to a recent conversation with S.B. in which she said that although she loved her mother, she wished to continue living with her uncle. The GAL observed S.B. to be doing very well in her current placement with her uncle.

¶ 23 At the close of the hearing, the trial court found that it was in the best interest of S.B. to terminate the parental rights of Cheyenna and Colin. Cheyenna filed a timely appeal.

¶ 24 II. ANALYSIS

¶ 25 Termination of parental rights is a two-step process. *In re Julian K.*, 2012 IL App (1st) 112841, ¶ 1. First, the trial court must find, by clear and convincing evidence, that the parent is unfit. *Id*. ¶ 63. Second, the court must determine, by a preponderance of the evidence, whether termination of parental rights is in the minor's best interest. *Id*. In this appeal, Cheyenna challenges both the trial court's finding that she was unfit and its determination that it was in S.B.'s best interest to terminate Cheyenna's parental rights. She also asserts that she received ineffective assistance of counsel.

¶ 26 A. Fitness

¶ 27 Because the termination of parental rights constitutes a complete severance of the relationship between the parent and child, proof of parental unfitness must be clear and convincing. *In re Shauntae P.*, 2012 IL App (1st) 112280, ¶ 88. The trial court is in the best position to assess the credibility of witnesses, and a reviewing court may reverse a trial court's finding of unfitness only where it is against the manifest weight of the evidence. *Id.* ¶ 89. A decision regarding parental unfitness is against the manifest weight of the evidence where the opposite conclusion is clearly the proper result. *In re C.E.*, 406 Ill. App. 3d 97, 108 (2010).

¶ 28 In this case, the trial court found Cheyenna unfit on three grounds. Although section 1(D) of the Adoption Act (750 ILCS 50/1(D) (West 2016)) sets forth several grounds under which a parent may be deemed unfit, any one ground, properly proven, is sufficient to sustain a finding of unfitness. *Shauntae P.*, 2012 IL App (1st) 112280, ¶ 89. Thus, if we find that any one ground was proved, we need not consider the other grounds. Here, we find that the trial court did not err in determining that Cheyenna failed to make reasonable progress toward the return of S.B. during the period of August 2015 through June 2016.

¶ 29 Reasonable progress is "an objective judgment based upon progress measured from the conditions existing when the parent was deprived of custody" (*In re S.J.*, 233 Ill. App. 3d 88, 117 (1992)) or progress toward correcting "a parental shortcoming that would inhibit the return of the child to the parent" (*In re A.J.*, 296 Ill. App. 3d 903, 914 (1998)). There was ample evidence that, from August 2015 through June 2016, Cheyenna failed to take any of the steps identified in the service plan as necessary for reunification, and she did not achieve any of the goals of that plan. The sole exception was that she visited with S.B. for a few months, but she ceased even

doing this in December 2015 and did not see S.B. at all during most of the period at issue. In fact, she moved far away to Washington state in February 2016 and remained there through June.

¶ 30 Cheyenna notes that the caseworker eventually verified that she attended some mental health treatment sessions while she was in Washington during this period. She argues that she should not be penalized for failing to comply with the service plan when she did in fact obtain some mental health treatment, albeit outside of Illinois. Further, she argues that the trial court failed to consider that her move to Washington was motivated by her desire to get support from her own mother and to pursue mental health treatment. But these arguments miss the point, which is not whether Cheyenna intended, or even made efforts, to address her mental illness. Rather, the question is whether she made reasonable progress toward the goal of reunification under an objective standard. There is no evidence that she did so. Although Cheyenna signed releases permitting the clinic in Washington to release attendance information, she did not permit the release of any information about her treatment. There is no information suggesting that she began taking any medication at that point, for instance. The bare fact of attendance provides little information about what progress she made, if any, to stabilize her mental condition. Given all of the other evidence that Cheyenna did not comply with the service plan—she did not obtain a mental health or drug assessment, did not commence parenting classes, missed drug drops, ceased visiting S.B. and indeed made visitation impossible, and failed to keep in contact with the agency—and the evidence that Cheyenna's mental illness and substance abuse continued unabated at the end of this period, the trial court's determination that she had failed to make reasonable progress was not against the manifest weight of the evidence.

¶ 31 Cheyenna asserts that her caseworker did not tell her that moving out of state could jeopardize her parental rights and thus she was denied due process, citing *in re Jacob K.*, 341 Ill.

App. 3d 425 (2003). However, that case does not involve caseworker advice to parents but rather the requirement that parents be given notice of the tasks they are required to complete to achieve reunification. *Id*. at 436. It is undisputed that Cheyenna was aware of the tasks she was required to complete. Thus, *Jacob K.* is inapposite. We affirm the trial court's finding of unfitness.

¶ 32 B. Best Interest

¶ 33 Cheyenna next argues that the trial court's determination that it was in S.B.'s best interest to terminate her parental rights was against the manifest weight of the evidence. A trial court's decision is against the manifest weight of the evidence only when the opposite conclusion is clearly apparent. *In re William H.*, 407 Ill. App. 3d 858, 866 (2011).

¶ 34 Under the Juvenile Court Act of 1987, the best interest of the minor is the paramount consideration to which no other takes precedence. *In re I.H.*, 238 Ill. 2d 430, 445 (2010). In other words, a child's best interest is not to be balanced against any other interest; it must remain inviolate and impregnable from all other factors. *In re Austin W.*, 214 Ill. 2d 31, 49 (2005). Even the superior right of a natural parent must yield unless it is in accord with the best interest of the child involved. *Id*. at 50.

¶ 35 The Juvenile Court Act sets forth the factors to be considered whenever a best-interest determination is required, all of which are to be considered in the context of a child's age and developmental needs: the physical safety and welfare of the child; the development of the child's identity; the child's family, cultural, and religious background and ties; the child's sense of attachments, including feelings of love, being valued, and security, and taking into account the least disruptive placement for the child; the child's own wishes and long-term goals; the child's community ties, including church, school, and friends; the child's need for permanence, which

includes the child's need for stability and continuity of relationships with parent figures and with siblings and other relatives; the uniqueness of every family and child; the "risks attendant to entering and being in substitute care"; and the wishes of the persons available to care for the child. 705 ILCS 405/1-3(4.05) (West 2016). Other relevant factors in best-interest determinations include the nature and length of the minors' relationships with their present caretaker and the effect that a change in placement would have upon their emotion and psychological well-being. *In re William H.,* 407 Ill. App. 3d at 871.

¶ 36 Cheyenna argues that, in weighing these factors, the trial court focused only on the foster parent's ability to supply S.B.'s needs and did not adequately consider the report from Cheyenna's psychiatrist regarding her improving mental condition or her own ability to meet S.B.'s needs. For instance, Cheyenna lived in the same community as S.B. and her foster parent, and thus many of S.B.'s connections to her friends, school, and community could be equally well preserved with Cheyenna.

¶ 37 These arguments are not supported by the record, which reflects that the trial court expressly considered the evidence of improvement in her mental health. Further, as Cheyenna concedes, S.B. would have greater stability by remaining in her current home, a home she has spent most of her life in. Finally, although Cheyenna contends that the trial court failed to adequately consider the possibility that the foster parent might, after adopting S.B., sever ties with Cheyenna or move away from the community and that this could harm S.B., this is no more than speculation. We also note that the trial court specifically took into account the presence of other adult women to whom S.B. could turn as she grows older. Cheyenna's arguments are essentially an invitation to reweigh the factors, substituting our own opinion for that of the trial court, but this we cannot do. *In re Julian K.*, 2012 IL App (1st) 112841, ¶ 66.

¶ 38 Cheyenna argues that the trial court should have maintained her parental rights while leaving S.B.'s custody with her foster parent. In making this argument, Cheyenna disregards S.B.'s need to achieve permanency in her caregiver without undue delay—a need that our supreme court has found sufficiently compelling to justify special rules requiring the resolution of parental-rights proceedings on an expedited basis. See, *e.g.*, Ill. S. Ct. R. 311(a) (eff. Mar. 8, 2016). It also disregards S.B.'s own expressions of anxiety about interactions with Cheyenna.

¶ 39 A reviewing court will not disturb the trial court's decision at a termination hearing unless it is against the manifest weight of the evidence. *Julian K.*, 2012 IL App (1st) 112841, ¶ 65. The reason for this deferential standard is that the trial court is in a superior position than ours to assess the witnesses' credibility and weigh the evidence. *Id*. ¶ 66. Cheyenna has not shown that the trial court's decision—that it was in S.B.'s best interest to terminate Cheyenna's parental rights and move forward with adoption—was against the manifest weight of the evidence.

¶ 40 C. Ineffective Assistance of Counsel

¶ 41 Cheyenna's final argument on appeal is that she was "hindered" by representation that barely met the minimum standard for effective assistance of counsel. She notes that, because of the fundamental nature of a parent's rights with respect to her child, a parent facing termination of those rights must be afforded effective counsel. *In re K.L.P.*, 198 Ill. 2d 448, 469 (2002); see also 705 ILCS 405/1-5(1) (West 2016).

¶ 42 Under *Strickland v. Washington*, 466 U.S. 668 (1984), a party arguing ineffective assistance of counsel must show not only that his or her counsel's performance was deficient but that the party suffered prejudice as a result. *People v. Houston*, 226 Ill. 2d 135, 143 (2007). Under the two-prong *Strickland* test, a party "must show that (1) his counsel's performance was

deficient in that it fell below an objective standard of reasonableness, and (2) the deficient performance prejudiced the [party] in that, but for counsel's deficient performance, there is a reasonable probability that the result of the proceeding would have been different." *Houston*, 226 Ill. 2d at 144. Because both prongs of the *Strickland* test must be met, the failure to establish either is fatal to the claim. *Strickland*, 466 U.S. at 687.

¶ 43 There is a strong presumption that counsel's actions or inactions—such as the decision not to present certain arguments, or not to call witnesses, including the client herself—constitute sound strategy. *People v. Perry*, 224 Ill. 2d 312, 341-42 (2007). To prove otherwise, a party must show that counsel's decision was so irrational and unreasonable that no reasonably effective attorney, facing like circumstances, would pursue such a strategy. *People v. Jones*, 2012 IL App (2d) 110346, ¶ 82.

¶ 44 Cheyenna criticizes her attorney for failing to call witnesses to support her case during significant hearings, but she does not identify any witnesses who could have been called. She asserts that her attorney should have adduced more evidence regarding why she went to Washington and what she did there but does not identify anyone (other than herself) who could have provided such evidence, and she does not contend that she wished to testify but was prevented by her attorney. She also criticizes her attorney's objections and cross-examinations of witnesses, but does not suggest what else should have been asked or argued. She argues that her attorney should never have sought the appointment of a GAL for her because there was no legal authority for such an appointment and it only drew attention to her mental illness, but her mental illness was already the paramount issue in the case. We note that all of these decisions were well within the scope of reasonable trial strategy.

¶ 45 Indeed, despite her criticism, Cheyenna concedes that her attorney's performance likely met the legal standard for effective assistance—the record establishes that her attorney attended court dates, cross-examined witnesses, raised objections to avoid forfeiture of Cheyenna's legal rights, and consulted with Cheyenna regarding her wishes. Cheyenna suggests that this legal standard is too minimal to ensure adequate protection for a parent's fundamental rights and asks us to replace it with a higher standard. She has provided us with no outline of what such a standard should involve, however, or with any legal authority or guidance for such a task. Accordingly, we decline to accept her suggestion. Cheyenna has not shown that the trial court's decisions should be reversed because her counsel provided ineffective assistance.

¶ 46 III. CONCLUSION

¶ 47 For the reasons stated, the judgment of the circuit court of Stephenson County is affirmed.

¶ 48 Affirmed.[2]

[2] We note that Cheyenna requested oral argument of this appeal. We deny that request because (1) pursuant to Illinois Supreme Court Rule 311(a)(5) (eff. Mar. 8, 2016), this disposition must be issued by November 2, 2018, absent good cause for an extension, and (2) the issues, as framed by the parties, are straight-forward and governed by well-settled precedent such that they can be decided without the aid of oral argument.