

NOTICE

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2014 IL App (4th) 131058-U

NO. 4-13-1058

IN THE APPELLATE COURT

OF ILLINOIS

FOURTH DISTRICT

FILED

March 17, 2014

Carla Bender

4th District Appellate Court, IL

In re: the Adoption of J.K., a Minor,)	Appeal from
BENJAMIN T. KING and DANNIELLE M. KING,)	Circuit Court of
Petitioners-Appellees,)	Champaign County
v.)	No. 13AD3
KRYSTAL BAILEY EAST,)	
Respondent-Appellant.)	Honorable
)	Arnold F. Blockman,
)	Judge Presiding.

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

ORDER

¶ 1 *Held:* The appellate court affirmed the trial court's judgment, which terminated respondent's parental rights.

¶ 2 In May 2013, petitioners, Benjamin T. King and Dannielle M. King, filed an amended petition for adoption, requesting that the trial court (1) terminate the parental rights of respondent, Krystal Bailey East, as to her daughter, J.K. (born October 31, 2003); and (2) enter an order of adoption in their favor. Following a September 2013 fitness hearing, the trial court found respondent unfit. In October 2013, the court conducted a best-interest hearing and, thereafter, terminated respondent's parental rights.

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

¶ 4

I. BACKGROUND

¶ 5

A. The Petition for Adoption

¶ 6 In May 2013, petitioners filed an amended petition pursuant to the Adoption Act (750 ILCS 50/1 to 24 (West 2012)), requesting, in pertinent part, that the trial court terminate respondent's parental rights as to J.K. Specifically, the petition alleged that respondent was an unfit parent in that she (1) substantially neglected J.K. over a continuous or repeated period (750 ILCS 50/1(D)(d) (West 2012)); (2) failed to protect J.K. from environmental conditions injurious to her welfare (750 ILCS 50/1(D)(g) (West 2012)); (3) engaged in other neglect or misconduct toward J.K. (750 ILCS 50/1(D)(h) (West 2012)); (4) inflicted extreme or repeated cruelty upon J.K. (750 ILCS 50/1(D)(e) (West 2012)); and (5) was deprived in that she inflicted heinous battery upon J.K. (750 ILCS 50/1(D)(i)(6) (West 2012)).

¶ 7

B. The September 2013 Fitness Hearing

¶ 8 (At the September 2013 fitness hearing, petitioners withdrew their depravity claim under section 1(D)(i)(6) of the Adoption Act.)

¶ 9

1. *Petitioners' Evidence*

¶ 10 On December 1, 2004, respondent took 13-month-old J.K. to the emergency room of Union Hospital in Terre Haute, Indiana, where the treating physician diagnosed J.K. with (1) a left clavicle fracture, (2) a rib fracture, (3) right hydropneumothorax, and (4) healing bilateral rib fractures. Later that night, a helicopter transported J.K. to Riley Hospital for Children in Indianapolis, Indiana. The next day, a computed tomography scan revealed, in part, that J.K. had (1) a posterior rib fracture and (2) six bilateral rib fractures in different states of healing.

¶ 11

Antoinette Laskey, a board-certified physician in pediatrics and child abuse pediatrics, treated J.K. while at Riley Hospital. Laskey testified that although the rib fractures were

not life-threatening, they caused a disruption of J.K.'s thoracic duct, which allowed lymph node fluid to enter the lining surrounding J.K.'s lung. The increasing pressure caused by the accumulating fluid eventually collapsed one of J.K.'s lungs, which Laskey opined was life-threatening. As a result, J.K. was in "severe respiratory distress" when she arrived at Union Hospital. To alleviate the pressure, the emergency room physician inserted a chest tube between J.K.'s ribs and applied suction to drain the fluid, which Laskey noted was a painful procedure.

¶ 12 Laskey provided the following opinion as to the cause of J.K.'s injuries:

"Posterior rib fractures don't happen from accidental mechanisms. Lateral rib fractures, meaning the ones on the side, certainly can in an older individual, [but] not in a child this age. *** [A] posterior rib fracture is very specific for a squeezing of the chest. We do not see those from any other sort of trauma.

*** [T]o sustain an injury to your thoracic duct requires substantial forces. And it's typically an injury that we see associated with very dramatic vehicle crashes, very substantial crush injuries of the chest. It would not be something that could happen through a household accident."

(A posterior rib fracture is one that occurs close to the spine.)

¶ 13 Laskey also confirmed that J.K. had fractures (1) of both shin bones, which she concluded were caused by forceful jerks of her legs; (2) on her skull, which were caused by a "powerful impact on a hard surface" based on severity (multiple fracture lines) and location; and (3) to the center and each side of her jaw, which was extremely rare in young children and caused by "a substantial chinning impact." Laskey noted that although J.K.'s jaw fractures ex-

hibited signs of healing, they would have made eating very difficult.

¶ 14 Laskey summarized that J.K.'s injuries to her skull, jaw, ribs, and legs were (1) caused by nonaccidental means; (2) inflicted either constantly or intermittently as of December 2004; (3) in some instances, life-threatening; (4) interfering with her normal growth and development; and (5) affecting her ability to consume life-sustaining nutrition. Laskey estimated that based on J.K.'s recent and healing fractures, J.K.'s injuries were inflicted on at least three separate occasions.

¶ 15 Benjamin, J.K.'s biological father, testified that from J.K.'s birth on October 31, 2003, until J.K.'s admission to Union Hospital on December 1, 2004, he spent approximately three to four days per month at the Terre Haute home he shared with J.K. and respondent. (Benjamin and respondent were not married.) Benjamin spent the remaining days of the month at either Camp Atterbury (Edinburgh, Indiana) or Camp Muscatatuck (Butlerville, Indiana) as a member of the United States Army. The last time Benjamin resided with respondent and J.K. prior to the revelation of J.K.'s injuries was on or about November 12, 2004. During that 14-month time frame, Benjamin neither saw respondent abuse J.K. nor noticed that J.K. was injured.

¶ 16 On December 1, 2004, Benjamin received a phone call at Camp Atterbury, informing him of J.K.'s injuries. On December 14, 2004—the date Riley Hospital discharged J.K.—she was placed with a nonrelated foster family. In January 2005, the Indiana Department of Child Services placed J.K. with Benjamin. In July 2005, a Vigo County, Indiana, trial court granted Benjamin custody of J.K. (Vigo County, Indiana, case No. 0507-JP-644). Thereafter, Benjamin took J.K. to Riley Hospital every weekend for six months to monitor J.K.'s progress with regard to her brain, heart, lungs, legs, and ribs. In addition, J.K. participated in weekly physical therapy sessions at Union Hospital, which were ongoing at the time of the hearing. As

part of her treatment, J.K. required (1) special shoes and leg braces for stability, (2) a specialized arm brace for her broken clavicle, and (3) daily lung medication.

¶ 17 In June 2007, Benjamin hired Dannielle as J.K.'s nanny. In March 2010, Benjamin married Dannielle and later moved to Rantoul, Illinois. Dannielle testified that J.K. had mobility issues because of her fractured clavicle, was "very unbalanced and uncoordinated, and would sometimes run into things or fall." Dannielle also observed that (1) J.K.'s back is curved, which causes one shoulder to rest higher than the other; (2) J.K.'s legs are bowed outward, which causes an "odd" gait; and (3) J.K. does not like to eat hard foods.

¶ 18 Respondent, testifying as an adverse witness, admitted that in February 2006, she pleaded guilty to two counts of "battery resulting in serious bodily injury to a person less than [14] years of age" (Vigo County, Indiana, Superior Court case No. 84D03-0412-FB-3325). In exchange for her guilty plea, the State of Indiana agreed to (1) dismiss a third count and (2) recommend a 10-year prison sentence. (The trial court admitted a certified copy of the guilty-plea agreement into evidence.) Respondent also admitted that the serious bodily harm she committed resulted from squeezing J.K. "a few times" for "a couple of minutes" because respondent wanted "to make her quiet." Respondent denied causing any injury to J.K.'s head, chin, or face.

¶ 19 On the morning of December 1, 2004, respondent recalled that J.K. was breathing normally when she dropped J.K. off at her father's house. Later that day, respondent received a call from her stepmother, informing her that J.K. was having trouble breathing. Respondent returned to her father's home and noticed that J.K. was in respiratory distress. She then took J.K. to the hospital, stating that, "if I didn't get [J.K.] there, she would have died."

¶ 20 *2. Respondent's Evidence*

¶ 21 Respondent, who was 30 years old, testified that she was J.K.'s mother and, since

J.K.'s birth though December 2004, her primary caretaker. Because respondent worked 40 hours a week in the food-service industry, she had her friend (now sister-in-law) or various family members—including her father, stepmother, brother, and cousin—provide care for J.K. in her absence. Prior to December 1, 2004, respondent recalled that J.K. was developing normally. Respondent admitted that on or about December 1, 2004, she squeezed J.K. "a couple of times" to stop J.K.'s crying. Later, respondent elaborated that she "hugged [J.K.] a little tighter than usual" because she "was trying to get her to be quiet." Respondent's account regarding the events that occurred on December 1, 2004, was consistent with her earlier testimony, adding that after arriving at Union Hospital, police arrested her.

¶ 22 Following the guilty-plea agreement she entered into in Superior Court case No. 84D03-0412-FB-3325, an Indiana trial court sentenced respondent to 10 years in prison. Respondent again acknowledged that the two counts to which she pleaded guilty were based on her admission that she held J.K. tightly to her chest on two separate occasions. The first time occurred when J.K. was six months old; the second time occurred approximately two months later. Each time respondent held J.K. for about a minute. Respondent denied inflicting any injuries to J.K.'s legs, arms, head, chin, or face. Respondent stated that she never intended to hurt J.K.

¶ 23 Thereafter, respondent presented the testimony of Sharon Crabb, her aunt, and Millie East, her sister-in-law, regarding their respective observations of respondent's interaction with J.K. prior to December 1, 2004. Crabb, who observed respondent interacting with J.K. approximately twice a week for about an hour, testified generally that respondent was a caring, loving mother who appropriately provided for J.K.'s needs. Crabb did not notice any injuries on J.K. or observe respondent abuse J.K. Millie had known respondent for 16 years and lived with respondent and Benjamin for approximately one year in their Terre Haute home. Millie testified

consistently with Crabb's account of respondent's interaction with J.K., adding that sometime in June 2003, she observed a "decent-sized goose egg" on J.K.'s forehead. Respondent told Millie that J.K. had fallen at her father's home but did not elaborate further.

¶ 24

3. *The Trial Court's Ruling*

¶ 25

Following argument, the trial court found that the State proved respondent unfit only on the ground that she inflicted extreme or repeated cruelty toward J.K. Specifically, the court noted the following:

"[The] court finds that there's clear and convincing evidence in this case of both extreme and repeated cruelty, although the statute *** requires one or the other. But the court finds that there's evidence of both.

As to extreme, the court notes that *** respondent mother pled guilty to two counts under Indiana law *** [a]nd the offense she's pled guilty to was *** battery resulting in serious bodily injury to a person less than 14 years of age. *** [T]here was evidence that came from *** respondent mother herself that she admitted to squeezing the child twice.

* * *

And then according to *** Laskey, the rib fractures caused a disruption of the *** thoracic duct. It was a direct result of the collapsed lung, and the respiratory distress and the leaking fluid around the lung. *** Laskey clearly testified that it was life[-] threatening. ***

* * *

*** Laskey testified in regard to extreme, that *** rib fractures are painful injuries. That she had to insert a chest tube, which would have been painful, and the chest tube was there for quite a while. She testified that because of the location it was not accidental, it would require substantial force. She also testified to evidence of three different events. *** [S]o clearly we have the extreme aspect. The repeated [factor] is the guilty plea of two different acts."

¶ 26 C. The October 2013 Best-Interest Hearing

¶ 27 1. *The State's Evidence*

¶ 28 Because Benjamin and Dannielle were concerned about J.K.'s "current level of functioning," in November 2011, they sought the services of Phillip Chmielewski, who testified that he was a licensed clinical professional counselor. J.K. informed Chmielewski that she was having nightmares and soiling her bed. Chmielewski also noted that J.K. was prone to angry outbursts for no apparent reason. J.K.'s concerns were primarily directed toward her interaction with respondent during visitations, which Chmielewski surmised "appeared to be [J.K.'s] biggest stressor at the time."

¶ 29 Chmielewski counseled J.K. on an irregular basis, explaining as follows:

"Typically, [J.K.] would be more stressed and need more support at times when the visitations [with respondent] were taking place or about to take place. When visitations were on hiatus *** [J.K.'s] symptoms seemed to dissipate and there wasn't much of a

need to see her on a regular basis."

¶ 30 Chmielewski explained that because J.K. was experiencing nightmares and anxiety associated with her visits with respondent, unexplained mood changes, and angry outbursts, he diagnosed J.K. with post-traumatic stress disorder (PTSD). Chmielewski also agreed with an earlier diagnosis that J.K. suffered from attention deficit/hyperactivity disorder (ADHD). As part of her counseling, J.K. kept two journals—one to express her feelings in written form and the other to express her feelings artistically. Chmielewski would then review the journals with J.K.

¶ 31 Chmielewski recalled that J.K.'s journals "were typically quite stridently negative *** toward [respondent] and positive toward [Dannielle]." Chmielewski opined, to a reasonable degree of psychological certainty, that J.K.'s PTSD was caused by the following:

"From the medical records that I was shown, from what I understand, *** [J.K.] does remember—I don't think she remembers everything that occurred, certainly, but she seems to remember bits and pieces[.] I can't draw any other conclusion [than] it has to do with physical abuse that happened in the past."

Chmielewski acknowledged that (1) it was extraordinarily difficult for J.K. to remember injuries sustained when she was less than 13 months old and (2) any animosity Benjamin or Dannielle had toward respondent could have been conveyed to J.K. and exhibited by her in the form of anxiety.

¶ 32 Benjamin testified that he lived in Rantoul with his wife Dannielle. He was employed by the National Guard and had a second job as a commercial driver for one year. Benjamin's salary was approximately \$500 to \$700 monthly with the National Guard and \$700 weekly

as a driver. In addition to J.K., they provided care for five foster children and Dannielle's two biological children in an eight-bedroom, four-bathroom home provided by Generations of Hope, a foster-care provider. Benjamin confirmed that J.K. has been in his care continuously since January 11, 2005, and since that time, J.K. had not been injured. Benjamin stated that J.K. has bonded with their other children, adding that J.K. shows him affection and love. Benjamin observed that when J.K. interacts with Dannielle, she has a happy, energetic demeanor. In turn, Dannielle provides J.K. a loving, nurturing environment, assisting J.K. with her fourth-grade schoolwork when he cannot do so.

¶ 33 Dannielle testified that she and Benjamin were licensed foster parents with Generations of Hope, a community of foster-care parents that assist each other. Dannielle was raised as a foster-care child and her experience motivated her to attend training to become a foster-care parent. Dannielle explained that when Benjamin initially hired her as J.K.'s nanny, she took classes her church offered on caring for special-needs children. After marrying Benjamin in March 2010, Dannielle ensured J.K. kept her medical appointments with a series of specialists, which included a chiropractor, hip and back specialist, an orthodontist, and a psychiatrist. J.K. also took medications for her ADHD, anger, and anxiety that either Dannielle or Benjamin administered. Dannielle stated that she had bonded with J.K. and expressed her love for J.K. as if she was her own child.

¶ 34 *2. Respondent's Evidence*

¶ 35 Respondent testified that that on about six different occasions during her incarceration, either Benjamin or Dannielle brought J.K. to visit her. During those visits, J.K. did not exhibit fear but, instead, expressed excitement to see her. From her May 2009 release from prison until October 2011, respondent visited with J.K. three more times, explaining that because she

did not have a car, either Benjamin or Dannielle would transport J.K. to her aunt's home in Indiana so she could visit with her. After an Indiana trial court entered an October 2011 supervised-visitation order (Vigo County, Indiana, case No. 0507-JP-644), respondent visited with J.K. at her aunt's home two additional times, noting that "[Benjamin] and Dannielle *** would always say that they *** had car trouble and couldn't bring [J.K.]" Respondent stated that during those two visits, J.K. played and was so excited she did not want to leave.

¶ 36 In April 2012, an Indiana trial court entered a modified order for supervised visitation (Vigo County, Indiana, case No. 0507-JP-644), changing the visitation meeting place to the Terre Haute Family Services Association. Respondent visited with J.K. an additional five times but noted that during those visits, J.K. was "very hateful," in that J.K. stated (1) she hated respondent, (2) respondent did not love her anymore, and (3) she wished respondent would die. Respondent acknowledged that the last time she visited with J.K. was about one year ago.

¶ 37 Ryan East testified that he was first introduced to respondent through his sister, Millie, shortly after respondent's release from prison in 2009 and had been married to her for "a little over a year." Ryan explained that after respondent was released from prison, but before he married her, he observed respondent interact with J.K. on three separate occasions. During those three occasions, Ryan did not see respondent discipline J.K. in any way or lose her temper. Ryan did not consider respondent to be a "hot-tempered person" or exhibit an angry demeanor. Ryan had been working as a satellite-television technician for about 2 1/2 years.

¶ 38 Ryan acknowledged that shortly after they started dating, respondent told him that on December 1, 2004, she took J.K. to the hospital and was later questioned by police "for a long time." Respondent told Ryan she was so stressed that she eventually admitted to police "she did it, but she didn't actually do it." Ryan recalled only that J.K. suffered serious injuries.

¶ 39 Respondent also presented testimony from (1) Millie, her sister-in-law; (2) Crabb, her aunt; (3) Merrie Lou Howard, her mother-in-law; and (4) Troy Howard, her father-in-law, regarding their respective observations of respondent's interaction with J.K. after December 1, 2004. Each aforementioned witness testified generally that based on their respective observations, respondent was a kind, loving mother, who interacted appropriately with J.K.

¶ 40 *3. The Trial Court's Ruling*

¶ 41 Following argument, the trial court found that petitioners had proved by a preponderance of the evidence that it was in the J.K.'s best interest to terminate respondent's parental rights. In so finding, the court considered (1) the length of J.K.'s relationship with Benjamin and Dannielle and the bond established among them; (2) the emotional and psychological effect a change in placement would have upon J.K.; (3) the injuries J.K. sustained and the ongoing suffering she is experiencing, noting the "depressing" fact that J.K. was on anger and anxiety medication; (4) Chmielewski's testimony and diagnosis of PTSD and ADHD; (5) which party could better provide for J.K.'s welfare and continued need for physical safety and permanence; and (6) that although respondent pleaded guilty, "it never really seemed to [the court], *** that [respondent] ever really accepted blame for these horrible acts that she committed."

¶ 42 This appeal followed.

¶ 43 **II. THE TERMINATION OF RESPONDENT'S PARENTAL RIGHTS**

¶ 44 **A. The Trial Court's Fitness Findings**

¶ 45 *1. The Applicable Statute and the Standard of Review*

¶ 46 Section 1(D)(e) of the Adoption Act—under which the trial court found respondent unfit—provides, in pertinent part, as follows:

"D. 'Unfit person' means any person whom the court shall

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

* * *

(e) Extreme or repeated cruelty to the child."

750 ILCS 50/1(D)(e) (West 2012).

¶ 47 "The State must prove parental unfitness by clear and convincing evidence, and the trial court's findings must be given great deference because of its superior opportunity to observe the witnesses and evaluate their credibility." *In re Jordan V.*, 347 Ill. App. 3d 1057, 1067, 808 N.E.2d 596, 604 (2004). A reviewing court will not reverse a trial court's fitness finding unless it is contrary to the manifest weight of the evidence, meaning that the opposite conclusion is clearly evident from a review of the record. *Id.*

¶ 48 2. *The Trial Court's Fitness Findings*

¶ 49 Respondent argues that the trial court's fitness findings were against the manifest weight of the evidence. We disagree.

¶ 50 In this case, the trial court found that respondent was an unfit parent under section 1(D)(e) of the Adoption Act in that respondent inflicted extreme *and* repeated cruelty to J.W. The evidence the court considered to substantiate those two findings involved (1) respondent's February 2006 guilty-plea agreement in which she pleaded guilty to two counts of "battery resulting in serious bodily injury to a person less than [14] years of age"; (2) respondent's admis-

sion at the September 2013 fitness hearing that the serious bodily harm she pleaded guilty to resulted from squeezing J.K. on two separate occasions because she wanted to quiet J.K.; (3) Laskey's expert medical testimony that J.K.'s rib fractures were inflicted as a direct result of squeezing her chest; and (4) J.K.'s rib fractures, which directly caused a disruption of the thoracic duct, which caused the life-threatening condition of J.K.'s collapsed lung.

¶ 51 Respondent contends that the trial court erred by narrowly focusing on the aforementioned evidence instead of assessing respondent's conduct "in a larger context than the Vigo County Superior Court." Specifically, respondent asserts that she presented eyewitness testimony that substantiated "she was an attentive and loving mother." However, this court has considered and rejected the same argument respondent now raises.

¶ 52 In the *In re Hollis*, 135 Ill. App. 3d 585, 585-86, 482 N.E.2d 230, 230-31 (1985), hospital emergency room X-rays revealed that the minor at issue had a collapsed lung, four recently broken ribs on his right side, and evidence of numerous older rib fractures on his left side. The respondent admitted that he had become frustrated because he could not make the minor stop crying and squeezed the minor. *Id.* at 586, 482 N.E.2d at 231. The trial court later found that the respondent was an unfit parent and subsequently terminated his parental rights. *Id.*

¶ 53 On appeal, the respondent argued that the trial court erred by failing to consider his total parenting conduct, contending that "his efforts rather than the success of his efforts must be considered in determining his fitness." *Id.* at 587, 482 N.E.2d at 232. This court rejected the respondent's argument, noting that "[i]n the area of health, results not efforts are paramount." *Id.* at 588, 482 N.E.2d at 232. In that regard, we concluded that "[w]hen a parent engages in extreme or repeated cruelty, his conduct at other times is largely irrelevant." *Id.* In so concluding, we also rejected the assertion that respondent raises in passing in her brief that an analysis of ex-

treme or repeated cruelty under section 1(D)(e) of the Adoption Act should include consideration of the perpetrator's intent. See *Id.* at 587, 482 N.E.2d at 232 ("[R]esult[s] rather than intent are more important in defining cruelty"; "the fact that [the perpetrator] did not intend or know the extent of [the minor's] injuries is irrelevant."). We adhere to our analysis in *Hollis*.

¶ 54 Here, given the evidentiary record before us and the shockingly heinous nature of the "battery resulting in serious bodily injury" respondent admittedly inflicted upon J.K., we conclude that the aforementioned evidence the trial court considered in finding respondent unfit satisfies our standard of review. Accordingly, we reject respondent's argument to the contrary.

¶ 55 B. The Trial Court's Best-Interest Finding

¶ 56 1. *Standard of Review*

¶ 57 At the best-interest stage of parental termination proceedings, the State bears the burden of proving by a preponderance of the evidence that termination of parental rights is in the child's best interest. *In re Jay. H.*, 395 Ill. App. 3d 1063, 1071, 918 N.E.2d 284, 290-91 (2009). Consequently, at the best-interest stage of termination proceedings, " 'the parent's interest in maintaining the parent-child relationship must yield to the child's interest in a stable, loving home life.' [Citation.]" *In re T.A.*, 359 Ill. App. 3d 953, 959, 835 N.E.2d 908, 912 (2005).

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

¶ 59 2. *The Trial Court's Best-Interest Determination*

¶ 60 Respondent argues that the trial court's best-interest findings were against the manifest weight of the evidence. We disagree.

¶ 61 In support of her argument, respondent contends that (1) the evidence suggests that J.K. has no memory of "whatever happened" during the first year of her life, (2) "the record contains considerable evidence that visits between [J.K.] and [respondent] have gone well," and (3) "there seems *** to be bonds" between J.K. and respondent's extended family.

¶ 62 We need not, however, consider respondent's arguments because they fail to persuade us on the issue before this court—that is, whether the trial court's best-interest determination was against the manifest weight of the evidence. In this regard, we commend the court for articulating the rationale underlying its determination that it was in J.K.'s best interest to terminate respondent's parental rights. See *In re Tiffany M.*, 353 Ill. App. 3d 883, 893, 819 N.E.2d 813, 822 (2004) ("[T]he trial court need not articulate any specific rationale for its [best-interest] decision, and a reviewing court may affirm the trial court's decision without relying on any basis used by the trial court.").

¶ 63 In this case, we agree with the findings articulated by the trial court. Notably, respondent does not contest those findings on appeal. Accordingly, we conclude that the trial court's best-interest determination was not against the manifest weight of the evidence.

¶ 64 III. CONCLUSION

¶ 65 For the reasons stated, we affirm the trial court's fitness and best-interest determinations.

¶ 66 Affirmed.