

¶ 2 Respondent, Krista Brinkley, appeals from an order in which the trial court terminated her parental rights as to her daughter, J.C. (born August 4, 2003), and her son, D.L. (born April 4, 2009). The two children's cases are consolidated in this appeal. Respondent challenges the court's findings that she was an "unfit person" as to the children and that it was in their best interest to terminate her parental rights.

¶ 3 Because respondent does not make a reasoned argument regarding the children's best interest, we hold she has forfeited that issue. As for the remaining issue of whether she is an "unfit person," we need not review all the findings (since meeting one of the statutory definitions of an "unfit person" will suffice). The findings we do review are not against the manifest weight of the evidence. Specifically, we find evidence supporting the finding that she failed to make reasonable efforts to correct the conditions that were the basis of removing J.C. from her custody. See 750 ILCS 50/1(D)(m)(i) (West 2012). We also find evidence supporting the finding that, during the initial nine months after the trial court adjudicated D.L. to be neglected, respondent failed to make reasonable progress toward his return. See 750 ILCS 50/1(D)(m)(ii) (West 2012). Therefore, we affirm the trial court's judgment.

¶ 4 I. BACKGROUND

¶ 5 A. J.C.'s Case (Champaign County Case No. 07-JA-6)

¶ 6 1. *The Petition for Adjudication of Neglect and for Shelter Care*

¶ 7 On January 16, 2007, the State filed a petition to adjudicate J.C. a neglected minor and to put her in shelter care. The petition named respondent as the mother and Aaron Chassey as the putative father.

¶ 8 That same day, the trial court held a shelter care hearing, in which it awarded temporary custody of J.C. to the guardianship administrator of the Illinois Department of

Children and Family Services (DCFS). In a "Temporary Custody and Admonition Order," filed on January 18, 2007, the court set down the following facts as its basis for finding probable cause that J.C. was neglected:

"Respondent mother is incarcerated and left respondent minor in the care of Daniel McElfresh, her paramour.

On or about January 12, 2007, Champaign Police Department executed a search warrant at Mr. McElfresh's residence. [J.C.] was present in the home. Mr. McElfresh has pending burglary charges and he admitted using heroin once or twice daily. Mr. McElfresh and respondent mother had been together for three years, and Mr. McElfresh began sole caretaking responsibilities for [J.C.] on November 15, 2006, when respondent mother began her incarceration. She had three pending burglary charges and a retail theft charge. She admitted that she committed crimes to support her drug habit.

Mr. Chassey's whereabouts are unknown.

Respondent minor is 3 1/2 years old. She is not toilet trained, had head lice, and is developmentally delayed. She was dirty."

¶ 9 In an adjudicatory hearing on March 8, 2007, respondent stipulated to count I of the petition for adjudication of neglect, which alleged that J.C. was in an "environment *** injurious to her welfare when she reside[d] with Krista Brinkley and/or Aaron Chassey in that said environment expose[d] the minor to substance abuse." See 705 ILCS 405/2-3(1)(b) (West

2006). On the State's motion, the court dismissed the remaining three counts of the petition. The court found, by a preponderance of the evidence, that J.C. was neglected as alleged in count I.

¶ 10

2. The Dispositional Hearing

¶ 11

On April 23, 2007, the trial court held a dispositional hearing, in which the court adjudicated J.C. to be neglected and made her a ward of the court. The court awarded custody and guardianship to DCFS.

¶ 12

3. The First Petition to Terminate Parental Rights as to J.C.

¶ 13

On October 17, 2008, the State filed its first petition to terminate respondent's parental rights as to J.C.

¶ 14

In an adjudicatory hearing on February 4, 2009, respondent stipulated to count II of the petition for termination of parental rights, the count alleging she was an "unfit person" because of a failure to make reasonable progress within the initial nine months after the adjudication of neglect (see 750 ILCS 50/1(D)(m)(ii) (West 2008)). The trial court accepted the shelter care report as a factual basis and found respondent to be an "unfit person" in accordance with her stipulation.

¶ 15

Subsequently, however, in a best interest hearing on July 27, 2009, the trial court found it would *not* be in J.C.'s best interest to terminate respondent's parental rights. Therefore, the court denied the State's first petition to terminate parental rights as to J.C., and the court set a permanency goal of returning J.C. home.

¶ 16

4. The Return of J.C. to Respondent's Custody

¶ 17

In review hearings the trial court held on October 27, 2009; April 27, 2010; September 1, 2010; December 1, 2010; March 2, 2011; and April 20, 2011, the court found that respondent was making reasonable and substantial progress. Therefore, on April 20, 2011, the

court restored custody of J.C. to respondent but ordered that DCFS should remain the child's guardian for the time being.

¶ 18 *5. The Second Removal of J.C. From Respondent*

¶ 19 In a review hearing on September 2, 2011, the trial court removed custody of J.C. from respondent and again put J.C. in the custody of DCFS. In a permanency order, the court gave the following reasons for its decision:

"Ms. Brinkley is unfit to exercise custody and guardianship of the minor. Ms. Brinkley now resides with persons who have positive CANTS [(Child Abuse and Neglect Tracking System)] leads, her living situation is unstable. She has been deceptive repeatedly with [her] caseworker and has lied to the agency about who takes care of [J.C.]"

¶ 20 *6. The Second Petition To Terminate Parental Rights as to J.C.*

¶ 21 On February 15, 2013, the State filed its second petition to terminate respondent's parental rights as to J.C. The petition had three counts.

¶ 22 Count I alleged that respondent was an "unfit person" within the meaning of section 1(D)(b) of the Adoption Act (750 ILCS 50/1(D)(b) (West 2012)) in that she had "failed to maintain a reasonable degree of interest, concern, or responsibility as to the welfare of the respondent minor."

¶ 23 Count II alleged that respondent was an "unfit person" within the meaning of section 1(D)(m)(iii) (750 ILCS 50/1(D)(m)(iii) (West 2012)) in that she had "failed to make reasonable progress toward the return of the minor during any 9-month period after the end of

the initial 9-month period following the adjudication of neglect, namely: from April 2, 2010[,] through January 2, 2011."

¶ 24 Count III alleged that respondent was an "unfit person" within the meaning of section 1(D)(m)(i) (750 ILCS 50/1(D)(m)(i) (West 2012)) in that she had "failed to make reasonable efforts to correct the conditions that were the basis for the removal of the respondent minor from [her]."

¶ 25 We note that, in their briefs in this appeal, neither party discusses *In re M.R.*, 393 Ill. App. 3d 609, 616 (2009), in which we held that once the trial court found a parent to be an "unfit person," that finding remained despite a subsequent finding that it was not in the child's best interest, as of yet, to terminate parental rights. We held that the State could move again for the termination of parental rights solely on the basis of best interest, without having to relitigate the issue of whether the parent was an "unfit person." *Id.* at 617. However, in this case, perhaps an argument could be made that, by restoring J.C. to respondent's custody in April 2011, the trial court implicitly found respondent no longer was an "unfit person," considering that an "unfit person" was, by definition, someone "unfit to have a child" and having custody of a child meant "having a child." 750 ILCS 50/1(D) (West 2012). Or perhaps an argument could be made that by filing its second petition, which sought a new determination that respondent was an "unfit person," the State impliedly waived the earlier finding that she was an "unfit person." Or perhaps an argument could be made that, as a matter of due process, there has to come a point in time at which an "unfit person" finding is simply too old to justify the termination of parental rights. In any event, while we do not want to appear oblivious to *M.R.*, we choose not to rely on that case in these circumstances, given that the case is not discussed in the briefs.

¶ 26 B. D.L.'s Case (Champaign County Case No. 11-JA-63)

¶ 27 1. *The Petition for Adjudication of Neglect and for Shelter Care*

¶ 28 On December 19, 2011, while J.C.'s case was pending, the State filed a petition to adjudicate D.L. a neglected minor and to put him in shelter care. The petition named respondent as D.L.'s mother and Clyde Levitt as his putative father.

¶ 29 The same day the State filed its petition for adjudication of neglect, the trial court held a shelter care hearing, in which it awarded temporary custody and guardianship to DCFS. In a "Temporary Custody and Admonition Order," the court gave the following reasons for putting D.L. in shelter care:

"The minor [(D.L.)] is 2 years old. [D.L.'s] parents are Clyde Levitt and Krista Brinkley. [D.L.] resided with Mr. Levitt. Ms. Brinkley has recently been found unfit to exercise custody and guardianship of another child, [J.C.] The court takes notice of that case, 07JA6. Ms. Brinkley has failed to correct the conditions leading to the recent finding of unfitness and removal of [J.C.] from her.

Clyde Levitt obtained an order of protection against Krista Brinkley that he subsequently dropped. He said he did so because Krista had taken [D.L.] with her. Subsequently the OP [(order of protection)] was dropped. However, Mr. Levitt has allowed Krista Brinkley to take custody of [D.L.] Therefore Mr. Levitt has allowed Ms. Brinkley who has been found unfit with another child to exercise custody of [D.L.]"

¶ 30 In an adjudicatory hearing on February 10, 2012, respondent stipulated to count I of the petition, a count which alleged that D.L. was a neglected minor under section 2-3(1)(b) of the Juvenile Court Act of 1987 (705 ILCS 405/2-3(1)(b) (West 2012) (environment injurious to the child's welfare)). On the State's motion, the court dismissed the remaining counts of the petition. The court found D.L. to be neglected as alleged in count I.

¶ 31 *2. The Return of D.L. to His Parents' Custody*

¶ 32 In a dispositional hearing on April 26, 2012, the trial court adjudicated D.L. to be neglected and made him a ward of the court.

¶ 33 Nevertheless, the trial court found both parents to be fit, able, and willing to take custody of D.L. Therefore, the court placed D.L. in his parents' custody while placing guardianship with DCFS.

¶ 34 *3. The Second Removal of D.L.*

¶ 35 On July 12, 2012, after hearing testimony in a review hearing, the trial court again removed D.L. from his parents' custody and placed him in the custody of DCFS. In a permanency order, the court gave the following reasons for this second removal of D.L.:

"Ms. Brinkley has not yet engaged in domestic violence services which are needed. She was involved in a recent domestic violence episode with Mr. Levitt in which each was drinking. Ms. Brinkley has active warrants for her arrest."

¶ 36 *4. The Petition for Termination of Parental Rights as to D.L.*

¶ 37 On February 15, 2013, the State filed a petition to terminate respondent's parental rights as to D.L. (this was the first such petition in D.L.'s case). The petition had three counts.

¶ 38 Count I alleged that respondent was an "unfit person" within the meaning of section 1(D)(m)(i) of the Adoption Act (750 ILCS 50/1(D)(m)(i) (West 2012)) in that she had "failed to make reasonable efforts to correct the conditions that were the basis for the removal of the respondent minor from [her]."

¶ 39 Count II alleged that respondent was an "unfit person" within the meaning of section 1(D)(m)(ii) (750 ILCS 50/1(D)(m)(ii) (West 2012)) in that she had "failed to make reasonable progress toward the return of the minor within the initial 9 months of the adjudication of neglect or abuse." Because February 10, 2012, was the date when the trial court adjudicated D.L. to be neglected, the nine-month period was February 10, 2012, to November 10, 2012.

¶ 40 Count III alleged that respondent was an "unfit person" within the meaning of section 1(D)(b) (750 ILCS 50/1(D)(b) (West 2012)) in that she had "failed to maintain a reasonable degree of interest, concern, or responsibility as to the welfare of the respondent minor."

¶ 41 C. The Consolidated Hearing on the Issue of Whether Respondent Was an "Unfit Person" as to J.C. and D.L.

¶ 42 The trial court consolidated J.C.'s case and D.L.'s case for a hearing on the two motions to terminate parental rights. At the State's request and without objection by the other parties, the trial court took judicial notice of all the orders it previously entered in J.C.'s and D.L.'s cases. In June, September, October, and November 2013, the court heard evidence on the issue of whether respondent was an "unfit person" as to the two children. At the conclusion of the fitness phase of the consolidated proceeding, the court found, by clear and convincing evidence, that the State had proved counts I and III of the second termination petition in J.C.'s case and all three counts of the termination petition in D.L.'s case.

¶ 43 We need not recount all the evidence in the consolidated fitness hearing. The following evidence is relevant to our decision on appeal.

¶ 44 *1. Evidence Relevant to J.C.'s Case*

¶ 45 Nicole Rahman testified she used to work for Catholic Charities and that from June 2011 until she left Catholic Charities in May 2012, she was respondent's case manager. In August 2011, she stopped by the residence of respondent's father and stepmother, in Springfield, to give respondent some gas cards. Previously, respondent assured Rahman "that she and [J.C.] would be spending the night at their cousin's house[] and therefore would not be in her parents' house that evening." Because respondent's father and stepmother had accumulated "at least three [indicated reports] in the last five years" (see 325 ILCS 5/3, 7.12 (West 2010)), respondent had "be[en] told not to" leave J.C. with them. Not only were they unqualified to be babysitters, but their house was infested with cockroaches. When Rahman arrived at the residence of respondent's father and stepmother to give the gas cards to respondent, J.C. was with respondent's father and stepmother, and respondent was away. She was "spend[ing] the night with her paramour, Jamie Cody," according to respondent's father.

¶ 46 It seemed to Rahman that, in this instance, respondent had perpetrated a twofold deception. First, there was the deception as to where she and J.C. would be spending the night. Second, there was the deception as to Cody. Rahman had repeatedly asked respondent for information about Cody so she could do a background check on him. Respondent had balked at these requests, and ultimately she appeased Rahman by representing to her that Cody had moved out of town and that she did not know where to find him. Evidently, though, she did know where to find him.

¶ 47 *2. Evidence Relevant to D.L's Case*

¶ 48 Rahman testified she referred respondent to Sojourn for domestic violence services and that an "assessment" was scheduled for April 2, 2012. The assistant State's Attorney asked Rahman:

"Q. And then you had made in fact a referral to her for a domestic violence screen, or similar type of assessment, correct?"

A. Yes.

Q. And was [respondent] initially compliant with that referral or assessment?"

A. No."

As we have already noted, the court found, in its permanency order of July 12, 2012, in D.L.'s case, that respondent "had not yet engaged in domestic violence services[,] which [were] needed," considering her "recent domestic violence episode with Mr. Levitt." (This permanency order can be considered for purposes of the consolidated fitness hearing because the court took judicial notice of all its previous orders in the children's cases.) On November 26, 2013, respondent testified she had been attending domestic violence counseling at Sojourn for "[a] year" (that is, since November 2012). Wynita Mock testified that when she became the new caseworker in December 2012, respondent was still taking domestic violence classes.

¶ 49 D. The Consolidated Best-Interest Hearing

¶ 50 1. J.C.

¶ 51 Pat Thiessen of Court Appointed Special Advocates (CASA) wrote a best-interest report pertaining to J.C. The report was filed on January 16, 2014, and it stated essentially as follows.

¶ 52 a. Placement History

¶ 53 From birth until the age of 3 1/2 years (August 2003 to January 2007), J.C. lived with respondent, who, during that time, abused alcohol and other drugs, most notably heroin.

¶ 54 In January 2007, DCFS took J.C. into protective custody because respondent, who was serving a prison sentence for burglary, had left J.C. in the care of a heroin-addicted boyfriend, who had J.C. with him when he was arrested for stealing from Walmart.

¶ 55 From January 2007 to February 2008, J.C. was in a foster home. DCFS ultimately decided this foster home was unsatisfactory.

¶ 56 From February 2008 to May 2010, J.C. lived with Lucinda (Renee) Smith and Glenn Smith in a specialized foster home. This is where she is currently living.

¶ 57 From May 2010 to September 2011, J.C. lived with respondent "on an extended overnight visit" while "[c]ustody and guardianship were maintained by DCFS." After beginning her term of mandatory supervised release, respondent "seemed to be doing well and [was] following through with recommended services." She was refraining from drugs and alcohol. In her report, Thiessen seems to suggest that this "extended overnight visitation" ended because Levitt was in respondent's residence and it was a condition of J.C.'s return that he not be in her residence. (A report by Rahman states, however, that the reason for this second removal of J.C. was that in August 2011, in defiance of the agency's instructions, respondent left J.C. in the care of respondent's father and stepmother, both of whom had been "indicated" for child abuse and neglect, while respondent spent the night with a paramour, about whom she had refused to provide any background information.)

¶ 58 In September 2011, J.C. was returned to Renee and Glenn Smith. She continues to reside with them, their three children, and her half-brother.

¶ 59 b. Description of J.C.

¶ 60 At the time of Thiessen's report, J.C. was 10 years old and in fourth grade. She had been diagnosed with reactive attachment disorder and attention deficit/hyperactivity disorder. The latter condition was being "controlled successfully with medication and structure."

¶ 61 c. Physical Safety

¶ 62 Thiessen did not think that respondent ever would physically harm her children, but Thiessen thought that respondent had "put them in harm's way due to her poor judgment." For instance, she "continued to allow Clyde Levitt in [J.C.'s] life." Also, in June 2011, respondent and J.C. moved in with respondent's father and stepmother in Springfield. This residence was "unapproved" because respondent's father and stepmother had been "indicated" for child abuse and neglect. Thiessen writes: "While living there [with respondent's father and stepmother], [J.C.] was sexually abused by an uncle. [Respondent] was told not to leave [J.C.] in the care of her family, but she would stay overnight with a boyfriend and leave [J.C.] with her family." (This was the August 2011 incident that Rahman described in her report and in her testimony.)

¶ 63 d. Development of Identity

¶ 64 When living with respondent (on "extended overnight visitation"), J.C. believed she had two mothers: Renee Smith and respondent. Respondent did not allow J.C. to visit her foster family, and J.C. found this to be confusing. J.C. began calling Levitt "Dad," but Levitt eventually forbade her to call him that any longer. She did not talk about respondent at all except when Thiessen asked her about visits (but she enjoyed visiting respondent). She referred to Renee and Glenn Smith as "Mom" and "Dad," and she regarded their children as her siblings. When removed from respondent's custody (in this context, Thiessen means the second removal,

in September 2011), J.C. "did not cry or complain," and upon returning to the Smiths' home, "she displayed no anxiety."

¶ 65 e. Sense of Attachment

¶ 66 Although Thiessen believed that respondent loved J.C. and that J.C. loved respondent, she did not think J.C. was as strongly attached to respondent as to the present foster family. The Smith family "loves and values her." Renee and Glenn Smith "have her participating in as many different things as their 'own' children." If parental rights were terminated, these foster parents would "provide permanency for [J.C.] and her brother."

¶ 67 f. Community Ties

¶ 68 While living with the Smith family, J.C. attends church, belongs to the Girl Scouts, and participates in athletics and family and school events.

¶ 69 g. The Child's Wishes

¶ 70 J.C. has said she would like to have both families if possible but that she would prefer living with the Smiths and just visiting respondent's family.

¶ 71 h. Permanence

¶ 72 Renee and Glenn Smith consider J.C. to be part of the family, and they will continue taking care of her along with her half-brother, D.L.

¶ 73 i. Conclusion

¶ 74 In conclusion, Thiessen stated as follows:

"Taking a child from her natural mother's care is not something to be taken lightly. It will no doubt be difficult for everyone involved. When I became [the court-appointed special advocate] for [J.C.], I believed that [respondent] would be

successful and should get custody and guardianship at some point. I now believe that she is not able to provide a stable and safe environment for her children and it is in [J.C.'s] best interest to remain with the Smith family. Fortunately for [J.C.], she has been in a loving foster home that will continue to care for her. If parental rights are terminated, she will not be shuffled from foster home to foster home."

¶ 75

2. D.L.

¶ 76 On January 3, 2014, Gale A. Bickel of CASA wrote a best-interest report pertaining to D.L. Bickel's report is not as detailed as Thiessen's report, but Bickel notes that she visited D.L. face-to-face on 17 occasions and that she also kept herself informed by making monthly telephone calls to the Smith residence.

¶ 77

Under the heading of "Current Situation," Bickel writes:

"[D.L.] resides with the initial foster placement. On each visit I have found [D.L.] to be in a safe and nurturing environment. I have also observed [D.L.] in the Head Start program and saw first-hand that he was clean, well dressed and enjoying the activities. Both foster mother and father have an emotional bond with [D.L.] On one instant [*sic*] [D.L.] fell and immediately went to *** the foster father for comfort. [D.L.] does have visits with both biological father and mother. In speaking with foster mother, these visits neither harm nor help the child."

¶ 78

Under the heading of "CASA Concerns," Bickel writes:

"Both biological mother and father appear to lack the necessary abilities to provide a safe environment for [D.L.] Biological mother has made efforts to maintain employment but the employment does not allow for adequate support for [D.L.] Biological parents have been given ample opportunities by the court and often fall short of meeting the expectations that are required for good parenting skills."

¶ 79 Bickel recommended that [D.L.] remain in his current foster home and that the trial court terminate parental rights as to him.

¶ 80 *3. The Trial Court's Order*

¶ 81 On January 22, 2014, the trial court made the following finding:

"The Court finds by a preponderance of the evidence and by clear and convincing evidence that it is in the best interest of the respondent minors and the public that [respondent], Clyde Levitt, Aaron Chassey and unknown father of [J.C.] have all residual, natural parental rights and responsibilities terminated as to the respondent minors, [J.C.] and [D.L.], and the respondent minors, [J.C.] and [D.L.], be relieved of all obligations of obedience and maintenance with respect to [respondent], Clyde Levitt, Aaron Chassey and unknown father of [J.C.]"

Accordingly, while retaining DCFS as the children's guardian, the court ordered that "[a]ll residual, natural, parental rights and responsibilities of [respondent], Clyde Levitt, Aaron Chassey and unknown father of [J.C. were] hereby terminated."

¶ 82 This appeal followed in the two cases.

¶ 83 II. ANALYSIS

¶ 84 A. The Necessity of Citing the Record in the Argument Section of a Brief

¶ 85 Under Illinois Supreme Court Rule 341(h)(7) (eff. Feb. 6, 2013), the argument section of the appellant's brief "shall" cite "the pages of the record relied on." Likewise, under Illinois Supreme Court Rule 341(i) (eff. Feb. 6, 2013), the argument section of the appellee's brief must cite the pertinent pages of the record.

¶ 86 We remind the parties of this rule. Every factual representation in the argument must be followed by a citation to the page of the record where that fact may be found—even if, somewhere in the statement of facts, that factual representation already was made and the corresponding page of the record already was cited. The reader should not have to go backtracking through the statement of facts to locate the citation corresponding to a factual representation in the argument. That is unnecessarily laborious, and it reduces our efficiency.

¶ 87 B. The Sufficiency of the Evidence
That Respondent Was an "Unfit Person"

¶ 88 1. *As to J.C.*

¶ 89 Section 2-29(2) of the Juvenile Court Act of 1987 (705 ILCS 405/2-29(2) (West 2012)) provides that "after finding, based upon clear and convincing evidence, that a parent is an unfit person as defined in *** the Adoption Act," a trial court may terminate parental rights if termination would be in the minor's best interest. Again, the trial court found that, as to J.C., respondent was an unfit person" within the meaning of section 1(D)(b) of the Adoption Act (750 ILCS 50/1(D)(b) (West 2012)) in that she had "failed to maintain a reasonable degree of interest, concern, or responsibility as to the welfare of the respondent minor" and that she also was an "unfit person" within the meaning of section 1(D)(m)(i) (750 ILCS 50/1(D)(m)(i) (West 2012))

in that she had "failed to make reasonable efforts to correct the conditions that were the basis for the removal of the respondent minor from [her]." As we have said, we need not review both of those findings, considering that the State had to prove only one of the grounds of unfitness in section 1(D) (750 ILCS 50/1(D) (West 2012)). *In re Tinya W.*, 328 Ill. App. 3d 405, 408 (2002). We merely will review the finding that respondent "failed to make reasonable efforts to correct the conditions that were the basis for the removal of the respondent minor from [her]." 750 ILCS 50/1(D)(m)(i) (West 2012).

¶ 90 We ask whether that finding is against the manifest weight of the evidence. See *In re D.F.*, 201 Ill. 2d 476, 498 (2002). The finding is against the manifest weight of the evidence only if it is "clearly evident" that the State did not prove, by clear and convincing evidence, that respondent failed to make reasonable efforts to correct the conditions that were the basis of removing J.C. from her. See *id.* Or, to put it differently, the finding is against the manifest weight of the evidence only if the finding is "unreasonable, arbitrary, or not based on the evidence presented." *Id.*

¶ 91 According to the "Temporary Custody and Admonition Order" of January 18, 2007, one of the "conditions" necessitating the removal of J.C. was respondent's leaving her in the care of an unsuitable person, *i.e.*, McElfresh. (J.C. was removed twice, but under section 1(G) (750 ILCS 50/1(G) (West 2012)), we should understand the term "removal" in section 1(D)(m)(i) (750 ILCS 50/1(D)(m)(i) (West 2012)) as including the plural "removals," such that either removal counts.) In August 2011, despite being warned not to do so, respondent again left J.C. in the care of unsuitable persons, *i.e.*, her father and stepmother, while she spent the night with her paramour, Cody, about whom she refused to divulge any information for a background check. Therefore, the record contains evidence supporting the finding that respondent failed to

make reasonable efforts to correct that condition, the condition of leaving J.C. in the care of people who were unfit to take care of her.

¶ 92

2. As to D.L.

¶ 93 In D.L.'s case, the State alleged that respondent was an unfit person on three of the grounds in section 1(D) of the Adoption Act (750 ILCS 50/1(D) (West 2012)). First, the State alleged she had "failed to maintain a reasonable degree of interest, concern, or responsibility as to the welfare of the respondent minor." See 750 ILCS 50/1(D)(b) (West 2012). Second, the State alleged she had "failed to make reasonable efforts to correct the conditions that were the basis for the removal of the respondent minor from [her and the minor's father]." See 750 ILCS 50/1(D)(m)(i) (West 2012). Third, the State alleged that, for the initial nine-month period after the adjudication of neglect, she failed to make reasonable progress. See 750 ILCS 50/1(D)(m)(ii) (West 2012). In D.L.'s case, the trial court found that the State had proved, by clear and convincing evidence, all three alleged grounds of unfitness. See 750 ILCS 50/1(D)(b), (D)(m)(i), (D)(m)(ii) (West 2012).

¶ 94

We choose to review the evidence that respondent failed to make reasonable progress within nine months after the adjudication of neglect, that is, from February 10, 2012, to November 10, 2012. See 750 ILCS 50/1(D)(m)(ii) (West 2012).

¶ 95

The supreme court has said:

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

become known and which would prevent the court from returning custody of the child to the parent." *In re C.N.*, 196 Ill. 2d 181, 216-17 (2001).

The trial court found that, as to D.L., respondent failed to make reasonable progress during the initial nine months after the adjudication of neglect. See 750 ILCS 50/1(D)(m)(ii) (West 2012). We ask whether that finding is against the manifest weight of the evidence. See *D.F.*, 201 Ill. 2d at 498.

¶ 96 It was reasonable of DCFS and the trial court to conclude that respondent possibly had a continuing problem with domestic violence. In her brief in D.L.'s case, respondent does not contend that domestic-violence counseling was an unreasonable or superfluous service (although she took that position with Rahman). Levitt obtained an order of protection against respondent. Also, in an order of July 12, 2012, the court noted that respondent "was involved in a recent domestic violence episode with Mr. Levitt[,] in which each was drinking," leading the court to criticize respondent for not yet engaging in "domestic violence services[,] which [were] needed." The court could not responsibly return D.L. to respondent's custody unless adequate remedial measures had been taken to eliminate domestic violence in the home. To that end, Rahman made arrangements for respondent to receive domestic-violence services at Sojourn. An "assessment" was scheduled for April 2, 2012, but according to Rahman's testimony, respondent was not "initially compliant with that referral or assessment." It appears that respondent did not begin domestic-violence services with Sojourn until November 2012, the final month of the nine-month period. The court could justifiably regard this balking and delay as a lack of reasonable progress.

¶ 97 D. The Best Interest of J.C. and D.L.

¶ 98 In the argument section of her briefs, under the heading of best interest, all respondent does is state some general principles relevant to a best-interest determination, and then she quotes section 1-3(4.05) of the Juvenile Court Act of 1987 (705 ILCS 405/1-3(4.05) (West 2012)), which lists the factors a trial court should consider when deciding which disposition would be in the child's best interest, and then she says simply: "One is hard pressed to find among the list a factor that, weighed against the evidence in the record, suggests terminating [respondent's] parental rights is a good idea." That is all respondent says on the issue of best interest. The issue is forfeited for lack of a developed argument. See Ill. S. Ct. R. 341(h)(7) (eff. Feb. 6, 2013).

¶ 99

III. CONCLUSION

¶ 100 For the foregoing reasons, we affirm the trial court's judgment.

¶ 101 Affirmed.