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2012 IL App (4th) 120657-U
NOS. 4-12-0657, 4-12-0746 cons.

FILED
November 28, 2012
Carla Bender
4th District Appellate
Court, IL

IN THE APPELLATE COURT
OF ILLINOIS

FOURTH DISTRICT

In re: F.D., a Minor,)	Appeal from
THE PEOPLE OF THE STATE OF ILLINOIS,)	Circuit Court of
Petitioner-Appellee,)	Sangamon County
v.)	No. 09JA13
RONALD TATRO,)	
Respondent-Appellant.)	Honorable
)	Steven H. Nardulli,
)	Judge Presiding.

JUSTICE KNECHT delivered the judgment of the court.
Justices Steigmann and Appleton concurred in the judgment.

ORDER

- ¶ 1 *Held:* (1) The trial court properly found respondent father unfit on the ground he failed to make reasonable progress toward the return of his child within the initial nine months of the adjudication of neglect.
- (2) The trial court's order terminating respondent father's parental rights was not against the manifest weight of the evidence.
- ¶ 2 Respondent father, Ronald Tatro, appeals the orders finding him an unfit parent to F.D. (born January 12, 2009) and terminating his parental rights. Tatro argues the trial court erred by not considering evidence outside the initial nine-month period after the adjudication of neglect when judging allegations Tatro failed to maintain a reasonable degree of interest, concern, and responsibility as to F.D.'s welfare and failed to make reasonable efforts to correct the conditions that were the bases for F.D.'s removal. Tatro also argues the findings of unfitness and the decision terminating his parental rights were against the manifest weight of the evidence.

We affirm.

¶ 3

I. BACKGROUND

¶ 4

In January 2009, the State filed a petition for adjudication of wardship on behalf of F.D. The State listed the father as "unknown." The State alleged F.D. was neglected in that her environment was injurious to her welfare when with her mother, Melinda Farnam, also known as Melinda Dawson, (705 ILCS 405/2-3(1) (West 2008)), because the mother stated she did not want to raise F.D. and F.D. did not receive proper care. Melinda surrendered parental rights to F.D. in August 2011 and is not a party to this appeal.

¶ 5

In March 2010, the results of DNA testing showed Tatro to be F.D.'s biological father. On May 11, 2010, F.D. was adjudicated neglected. Tatro was advised to cooperate with the Department of Children and Family Services (DCFS) and comply with the terms of the service plans.

¶ 6

In June 2011, the State filed an amended motion to terminate Tatro's parental rights to F.D. The State alleged the following grounds of parental unfitness: (1) Tatro failed to maintain a reasonable degree of interest, concern, or responsibility as to F.D.'s welfare (750 ILCS 50/1(D)(b) (West 2010)); (2) Tatro failed to make reasonable efforts to correct the conditions that were the basis for F.D.'s removal (750 ILCS 50/1(D)(m)(i) (West 2010)); (3) Tatro failed to make reasonable progress toward the return of F.D. within the initial nine months after the adjudication of neglect (750 ILCS 50/1(D)(m)(ii) (West 2010)).

¶ 7

In March 2012, the trial court heard evidence on the State's allegations of parental unfitness. The State called one witness, Natalie Cronister, formerly a caseworker for Lutheran Child and Family Services (LCFS).

¶ 8 Cronister was the caseworker in F.D.'s case from January 2010 until June 2011. A service plan, dated June 30, 2010, was mailed to Tatro in July 2010. The tasks for Tatro included mental-health treatment, domestic-violence services, and parenting classes. Tatro was expected to acquire stable income and a stable residence. There were concerns regarding Tatro's mental health, and domestic violence had occurred between Tatro and his wife Melinda, who is also the respondent mother. After some visits, Cronister had concerns regarding Tatro's parenting skills.

¶ 9 Cronister discussed the service plan with Tatro and the two "talked very frequently." At the time, Tatro resided in Chicago, meaning "almost all" of the conversations occurred over the telephone.

¶ 10 Tatro had an overall rating of unsatisfactory on this client service plan. Tatro did not comply with the mental-health services. Cronister referred Tatro to services in Chicago, but he did not complete those. The instructor in Tatro's parenting class referred Tatro again for mental-health services in October 2010. Following that referral, an appointment was set, but Tatro did not show. After Tatro returned to the Springfield area in January 2011, services were set again, but Tatro failed to complete the assessment. Tatro also did not complete the domestic-violence classes.

¶ 11 Cronister testified Tatro completed parenting classes in Chicago. Cronister rated Tatro unsatisfactory in October 2010, however, because Tatro did not provide a signed release for that information until February 2011.

¶ 12 Cronister testified she initially rated Tatro satisfactory on the housing goal because he maintained housing with his mother in Chicago. Later, Tatro exhibited instability in

housing. He resided in campgrounds and, when he moved to Springfield, was homeless, residing in a shelter, with friends, and in hotels.

¶ 13 According to Cronister, a second service plan, dated January 5, 2011, was also provided to Tatro at court in February 2011. The tasks were the same as those in the June 2011 service plan. Tatro was rated unsatisfactory on all tasks.

¶ 14 Regarding parent-child visits, Cronister testified there were weekly one-hour visits scheduled initially. In November 2010, the visits were changed to once each month. When Tatro was residing in Chicago, visits were scheduled to be held in the LCFS office in Jacksonville. When Tatro moved to Springfield, visits were moved to the office in Springfield. Cronister believed more than 50 visits were scheduled, but Tatro attended only 2 of those in the initial nine months after the adjudication of neglect. Tatro would usually provide no reason for his failure to attend the visits, but did a few times. Once, two weeks before New Year's Eve, Tatro told Cronister he feared driving to the visit because of the potential of drunk drivers near the New Year's holiday. Other times, Tatro blamed the weather. After he moved to Springfield, Tatro visited F.D. in March and April 2011.

¶ 15 Cronister observed the visits between Tatro and F.D. F.D. was frightened of Tatro. F.D. "would cry and throw herself because she didn't want to even look at him." The crying would last over half of the visit. As soon as the foster parents returned, F.D. would run to them. Tatro did not exhibit good parenting skills. He tried to give F.D. medicine even when she did not need it, attempted to feed her when she "clearly did not want to eat," and attempted to change her diaper when her diaper was not dirty. During the March and April visits, F.D. did not cry the entire time, but she continued to be upset for a significant amount of time.

¶ 16 Cronister testified she attempted home visits when Tatro resided in Springfield, but he would not allow her in his home, stating it was not the residence in which he and F.D. would live once she was given to his custody. Once Cronister physically showed up at Tatro's residence and he refused to let her in. The other times, Tatro would call and cancel the home visits "at the last minute." Cronister did not have trouble contacting Tatro and he, "[p]robably weekly," contacted her. During the phone conversations, Tatro had difficulty staying on topic. He would dwell on other things.

¶ 17 On cross-examination, Cronister testified, after the initial nine-month period expired, Tatro went to a mental-health assessment. A May 2011 letter from the therapist who completed the assessment of Tatro stated she did not observe symptoms of serious illness and none had been reported.

¶ 18 Cronister did not know why Tatro moved to Chicago. Tatro expressed concerns about the respondent mother's stepfather. After Tatro moved to Springfield, Cronister offered to pick up Tatro and drive him to the visits. She also provided him bus tokens. Tatro was required to provide his own transportation for the visits when he resided in Chicago. During the visits that did occur, Tatro attempted to interact with and be affectionate toward F.D. When questioned about Tatro's attempts to feed, change, or give medicine to F.D., Cronister acknowledged Tatro was trying to find solutions for F.D.'s crying.

¶ 19 According to Cronister, Tatro was involved in a domestic-violence dispute in April 2011. The incident resulted in Melinda's arrest. Cronister did not know of any incidents when Tatro inflicted domestic violence on another. Cronister believed Tatro received social-security benefits due to a disability. She also knew those payments may have been the only

income he would receive.

¶ 20 Tatro then called Kelly Van Meter, a caseworker with LCFS, to testify on his behalf. Van Meter was assigned to F.D.'s case in June 2011, after Cronister left LCFS. Van Meter filed the July 21, 2011, service plan. At the time of the plan, the goal was "substitute care pending termination of parental rights." It had been the same goal since October 2010. Van Meter did not believe Tatro could get custody of F.D.

¶ 21 Van Meter testified Tatro would not allow her to view his home during home visits because he believed it was not a proper place for F.D. to reside. When asked if it was even necessary for her to view the home, Van Meter responded she needed to see his current living environment to discuss options.

¶ 22 Van Meter testified Tatro completed the parenting classes in Chicago. The classes were acceptable to her. The instructor of the classes had concerns about Tatro's ability to be a full-time parent, especially considering Tatro had not received mental-health treatment.

¶ 23 Van Meter testified Tatro needed domestic-violence treatment. Van Meter, however, was not aware of any incident in which Tatro was the aggressor against Melinda. The purpose of the class was to address abusive relationships and the ongoing domestic violence between Tatro and Melinda. Tatro told Van Meter he would not be allowed to take such classes unless he signed a document admitting he was the aggressor.

¶ 24 Van Meter also testified Tatro completed a mental-health assessment. The counselor did not recommend mental-health treatment because, Van Meter believed, Tatro reported no symptoms and no history of mental-health issues. Van Meter knew Tatro had previous mental-health treatment, so she believed he was not honest during the assessment. Van

Meter recommended Tatro complete another assessment. Tatro did not do so.

¶ 25 According to Van Meter, there had been 10 visits scheduled between June 2011 and the date of her testimony. The visits occurred at her office in Springfield. Tatro missed one visit. He missed this visit because he believed it unsafe to go to the LCFS office. Tatro believed it unsafe because, in July 2011 when Tatro participated in an administrative case review by telephone, Melinda got on the telephone and "became very hostile" toward Van Meter. Melinda threatened to kill Van Meter. Tatro did not threaten Van Meter; he tried to get Melinda to stop her hostility. Van Meter supervised "a good portion of" the visits. F.D. was very upset at the beginning of each visit. "[A] very long period of time" was spent letting F.D. calm down; F.D. did not respond to Tatro's attempts to calm her. The interaction was "okay." Tatro had brought F.D. gifts. Tatro's behavior around F.D. was appropriate.

¶ 26 On cross-examination, Van Meter testified Tatro completed parenting classes in October 2010. Tatro was required to demonstrate the skills he had learned through contact with F.D. He demonstrated some of the skills. According to Van Meter, Tatro "can do basic functioning," such as play with her. Tatro did not impose any kind of discipline and he was not comfortable taking F.D. to the bathroom. When Van Meter first began supervising visits, Tatro "spent a lot of the time rehashing the conspiracy of DCFS while visiting with" F.D.

¶ 27 Van Meter further testified on cross-examination regarding Tatro's mental-health assessment. The mental-health provider's decision and recommendation after that assessment was "solely based on" Tatro's responses. Tatro did not inform the provider of his past mental-health diagnoses, which includes schizoaffective disorder and social anxiety disorder. In the past, Tatro had been asked to take medications. He willingly took clonazepam for anxiety, but

refused to take the other medications.

¶ 28 Van Meter testified Tatro was asked to participate in Preventing Abusive Relationships (PAR). Van Meter did not ask Tatro to sign anything indicating he had been the aggressor in any domestic-violence event. Van Meter explained Tatro had an opportunity outside PAR to acquire domestic-violence treatment. He participated in the assessment in May 2011, but did not attend any classes.

¶ 29 Van Meter testified Tatro claimed to receive Social Security disability payments. Tatro did not provide any documentation supporting this claim, despite having been asked for it in reviews.

¶ 30 Van Meter had not been permitted to view Tatro's housing arrangements. Home visits were important so the caseworkers could assess whether the home would be suitable for the child. Tatro reported Melinda resided with him. This concerned Van Meter because Melinda's parental rights had been terminated, Melinda had been hostile and threatening to LCFS workers, Melinda had untreated mental-health issues, Melinda repeatedly stated she did not want F.D. returned to her care, and Melinda had a history of domestic violence.

¶ 31 Tatro also called Bruce LaMontagne, a social worker for Living Hope Counseling Center, to testify. According to LaMontagne, in early November 2011, Tatro approached him for counseling. Tatro wanted to address anger issues. The two had eight individual counseling sessions, occurring once every two or three weeks. LaMontagne testified Tatro was frustrated and angry because he believed he had rights as a father and the process was hindered for him. LaMontagne saw improvement in Tatro. Tatro made an effort to change "and to find positive, healthy ways and make healthy choices to cope with what he's going through."

¶ 32 According to LaMontagne, Tatro also sought help in a 12-step recovery program called Celebrate Recovery. LaMontagne was impressed by Tatro's efforts to make changes and by his desire to be a good husband and father. Tatro made substantial progress in his anger-management counseling. LaMontagne did not know Tatro's mental-health diagnoses. The two discussed some parenting issues and Tatro's relationship with Melinda, but mostly addressed Tatro's anger and frustration issues. LaMontagne believed Tatro could, over time, be capable of parenting F.D.

¶ 33 On cross-examination, LaMontagne testified he had not seen Tatro interact with F.D. or with Melinda.

¶ 34 Tatro testified on his own behalf. At the time of his testimony, Tatro was 56 years old. In early April 2011, he and Melinda moved into a house. The layout of the house was similar to two apartments. There were separate bathrooms, bedrooms, and kitchens, and an adjoining common area. Melinda resided in the same house, but "[n]ot in the same household." They resided in the separate areas because of "the stress that [Melinda was] suffering with her mom and her childhood traumas and things[.]" Tatro believed the new house was appropriate for F.D. and there was a separate bedroom for her.

¶ 35 Tatro testified he had last been employed as an over-the-road truck driver. He'd worked in that job for approximately five months, trying to finance the creation of his "building corporation." Tatro had also worked as a plumber. While performing pipe fitting in a confined area, he inhaled ketones and primers for approximately three months. This affected his driving, causing him to stop truck driving. When asked if this led to his qualifying for Social Security disability, Tatro testified to the following: "Well, because of the symptoms I was suffering, and

the symptoms were simply unreasonable fear without anything to be afraid of, the doctor of psychology that I was seeing, he said I couldn't drive anymore. As soon as the doctor says something like that, that revokes your DOT, medical card." Tatro continued to have his regular driver's license. He did not own a vehicle.

¶ 36 When asked how he was supporting himself, Tatro testified he was starting a company. Tatro stated he was working with a program through the State that helps fund small businesses with the disabled. Tatro further testified to the following regarding his anticipated business:

"And basically the title of the company is limited liability company, single proprietorship. And the focus is to get equipment to accomplish maintaining of sidewalks and lawns and things like that. I mean it's like a starting point. And at the same time start to focus towards building jobs. But building jobs, you have to work into that. You have to gain a reputation. And the other is more like, you know, sustainable in the sense that people need lawns done and as long as you do a good job, there's not a lot of risk in it. People need snow plowed."

Tatro believed he would have an answer regarding loans within approximately one month. He believed this business would "help to sustain [his] income" and perhaps "offset the disability completely."

¶ 37 Regarding domestic violence, Tatro testified he had not committed any acts of domestic violence against Melinda. He also stated he never "had to make a police report" for an

act by Melinda against him, but Melinda had been beaten severely by her brother-in-law. Tatro called for medical help after the incident. He believed this incident was the domestic-violence history Van Meter referred to. Melinda would pose no threat to F.D. if F.D. lived with him.

Melinda had her own place. To visit, she would have to knock on the door.

¶ 38 Tatro testified he and Melinda met in 2004. Tatro believed he was the father of F.D. when he learned of Melinda's pregnancy. He tried to attend the shelter-care hearing, but was not permitted to. A paternity test had not confirmed Tatro was F.D.'s father until April 2009. F.D. was taken into protective custody in January 2009. In September 2009, Tatro and Melinda moved from Springfield to Chicago, because Tatro felt endangered by F.D.'s maternal grandparents. They resided in Chicago approximately 14 to 15 months. While in Chicago, Tatro completed a parenting program.

¶ 39 Tatro testified he attended an assessment at PAR. He was refused treatment at PAR because he refused to sign a document that had "several derogatory statements." There was an open release and, Tatro believed, they could put his information on the internet. When asked if he did not want to sign the document "particularly because it listed Melinda as the abused party," Tatro stated he did not sign it "particularly because it's such a derogatory document."

¶ 40 According to Tatro, he began attending a program called Celebrate Recovery. It helped him acknowledge his anger. He intended to continue the Celebrate Recovery and the Freedom from Anger classes and later become a sponsor.

¶ 41 Tatro testified he believed the mental-health issues discussed by Cronister and Van Meter stemmed from the fact he was traumatized when F.D. was taken from his arms when she was two days old. This trauma, Tatro believed, resulted in his angry responses.

¶ 42 Tatro testified, when he lived in Chicago, he lived about 270 miles away from F.D. and about 240 miles from the site where visits were held. After he returned to Springfield, he attended every visit. Once he was 20 minutes late to the visit, and the caseworker would not allow the visit to occur. Tatro took educational and fun toys to F.D. When asked if he was able to calm F.D. during the visits, Tatro testified to the following:

"Yeah. The calming down stuff, that was the first few visits. And she started talking the last couple visits, the last about three visits ago[,] and she was saying that when the visit is over she gets to go visit Auntie Kelly and Auntie Dana. And I'm realizing that she's been being promised these things the whole time and then she's detoured."

The last visit with F.D. "was the greatest." F.D. ran to him to go to the visit room. F.D. gives Tatro a hug at the end of the visits.

¶ 43 Tatro denied F.D. was afraid of him. Tatro stated the one time Cronister held her during the entire visit was when F.D.'s foster parent forgot her Orajel and F.D. had been teething.

¶ 44 Tatro criticized the visiting room at LCFS. The carpet looked like food and garbage had been spilled on it. Tatro stated, if such carpets were in his house, he would tear them out and dispose of them. Tatro described the carpeting in DCFS's visitation rooms as much better. The television set was broken.

¶ 45 Tatro testified he was taking clonazepam to help control his nerves and had received a second mental-health evaluation. He was told to return if he had any problems. Tatro was willing to seek mental-health services if told he needed them.

¶ 46 According to Tatro, he had, at times, told Cronister and Van Meter he had concerns about the condition of the home in which F.D. lived. F.D.'s maternal grandparents, who were also her foster parents, lived in "an old hunting shack with some add-ons." Tatro stated "it's dolled up real nice, but [he knew] underneath it's an unventilated crawl space." He also knew at one point, next to the bathroom toilet, was a "200[-]amp electrical panel with the cover leaning against the wall."

¶ 47 On cross-examination, Tatro denied his daughter had been taken from his care. F.D. was taken from Melinda's custody. Melinda signed a document contesting Tatro's parentage due to threats F.D. would end up in foster care. Tatro admitted, "during a severely traumatic reality of time," he was, in 1990, diagnosed "agoraphobic with related panic and anxiety disorder."

¶ 48 Tatro testified he and Melinda had a house in Jacksonville in 2009. "[A]t the last moment[,] the landlord backed out because the County was picking up the security." The two then moved to Chicago. Tatro called LCFS in Chicago and was told he had to work with the office from Springfield. Tatro called Cronister, who said she would get back to him. He heard nothing more from her.

¶ 49 Tatro, on further cross-examination, testified in April 2011 he called the police regarding a domestic-violence dispute with Melinda. He testified to the following:

"Yeah, that was when she actually flagged down a police car and she had pushed me and we were in a store and she had pushed me. And the lady at the store testified she had pushed me[.] [T]hey took her into custody. And I did make a phone call[.]

[W]hen she flagged down the car[,] I figured I better call them and see what is going on."

¶ 50 The fitness hearing was continued to April 11, 2012. On that day, the trial court heard closing argument and reserved its fitness ruling. Evidence was, however, presented on the best-interests issue.

¶ 51 The State called Van Meter to testify. According to Van Meter, F.D. resided with her maternal grandparents, who were willing to adopt her. She had resided with them since shortly after her birth. F.D. was in school and doing very well. F.D. was attached to her maternal grandparents as well as to her 14-year-old brother who also resided in that home. F.D. asked for her grandparents when they were not around her. Van Meter did not believe F.D. had an attachment to Tatro.

¶ 52 On cross-examination, Van Meter reported she had been told F.D., at the last visit with Tatro, "did better with leaving" her grandparents. She did not know if she left without saying good-bye. Van Meter stated this fact was "[n]ot necessarily" an indicator F.D. was bonding with Tatro. Van Meter stated it could be due to the fact F.D. was more comfortable visiting the LCFS facility. Van Meter testified F.D. may have contact with Tatro even if his parental rights were terminated because F.D.'s maternal grandparents continued to have contact with Melinda.

¶ 53 In May 2012, the trial court found Tatro an unfit parent to F.D. based on all grounds alleged in the State's petition. The court determined that during the nine-month period following the adjudication of neglect, Tatro visited F.D. one time, failed to attend mental-health counseling, and did not seek domestic-violence counseling. The court observed Tatro took

parenting classes in Chicago but noted the instructor reported concerns about Tatro's ability to parent given his untreated mental-health problems. The court further noted, although it permitted testimony far beyond the relevant nine-month period because of Tatro's need to be heard, this fact did not expand the time the court would consider in deciding whether the State met its burden. The court found "[a]ll of Mr. Tatro's attempts to comply with the terms of the service plan began after the nine[-]month period after the finding of neglect expired."

¶ 54 In the same order, the trial court found termination of Tatro's parental rights to be in F.D.'s best interests. The court found Tatro, since May 2011, "demonstrated a significant amount of interest in [F.D.'s] well-being." The court noted Tatro made "every effort to exercise the visitation that is available to him" and was "making sincere efforts to remedy his economic and housing instability." The court determined the visits with F.D. were good for Tatro, but they were not good for F.D. The court found F.D. was "entitled to move forward with her life."

¶ 55 This appeal followed.

¶ 56 II. ANALYSIS

¶ 57 A. No. 4-12-0657

¶ 58 1. *Fitness Determination*

¶ 59 A trial court will find a parent to be an "unfit person" if the State proves, by clear and convincing evidence, any one or more of the grounds listed in section 1(D) of the Adoption Act (750 ILCS 50/1(D) (West 2008)). See *In re A.P.*, 277 Ill. App. 3d 593, 597, 660 N.E.2d 1006, 1010 (1996). The court found Tatro unfit based on multiple grounds in section 1(D) in that Tatro, within the initial nine months after the adjudication of neglect, failed to (1) maintain a reasonable degree of interest, concern, or responsibility as to F.D.'s welfare (750 ILCS

50/1(D)(b) (West 2008)); (2) make reasonable efforts to correct the conditions that were the basis for F.D.'s removal (750 ILCS 50/1(D)(m)(i) (West 2008)); and (3) make reasonable progress toward F.D.'s return (750 ILCS 50/1(D)(m)(ii) (West 2008)).

¶ 60 Because a trial court has the ability to view witnesses and their demeanor, the decision of a trial court regarding parental fitness is entitled to great deference. *A.P.*, 277 Ill. App. 3d at 598, 660 N.E.2d at 1010. This court will not disturb a fitness finding unless it is against the manifest weight of the evidence, meaning "the correctness of the opposite conclusion is clearly evident from a review of the evidence." *In re T.A.*, 359 Ill. App. 3d 953, 960, 835 N.E.2d 908, 913 (2005).

¶ 61 Tatro makes two challenges to the findings of parental unfitness. Tatro maintains the trial court erroneously limited its review of the evidence to the nine months after the neglect adjudication when determining the reasonableness of his interest, concern, and responsibility and his efforts in correcting the conditions that led to F.D.'s removal. Tatro also contends the findings on each ground were against the manifest weight of the evidence.

¶ 62 In making his first argument, Tatro does not argue the trial court improperly limited consideration of the evidence to the nine-month period when deciding whether he had made *reasonable progress* toward F.D.'s return (750 ILCS 50/1(D)(m)(ii) (West 2008)). As to the reasonable-progress basis, Tatro's lone argument is the trial court's decision is against the manifest weight of the evidence. Because only one ground listed in section 1(D) must be proved to establish parental unfitness (see *In re Donald A.G.*, 221 Ill. 2d 234, 244, 850 N.E.2d 172, 177 (2006)), if we find the trial court properly concluded Tatro failed to make reasonable progress, we will uphold the fitness finding and need not consider whether the court properly limited its

review of the evidence when considering the other grounds.

¶ 63 A trial court determines "reasonable progress" based on an objective standard. See *In re Jordan V.*, 347 Ill. App. 3d 1057, 1067, 808 N.E.2d 596, 605 (2004). For progress to be reasonable, a parent must have made, at a minimum, a measurable or demonstrable movement toward the objective of returning the child to his or her custody. See *In re Daphnie E.*, 368 Ill. App. 3d 1052, 1067, 859 N.E.2d 123, 137 (2006). The benchmark for this determination includes the parent's compliance with court directives and service plans in light of the conditions giving rise to the child's removal and other conditions that later become known and that would prevent the court from returning the child. *In re C.N.*, 196 Ill. 2d 181, 216-17, 752 N.E.2d 1030, 1050 (2001). Progress is reasonable when a court can conclude it will be able to order the child's return to parental custody in the near future, because the parent will have complied fully with the court's directives. *In re A.L.*, 409 Ill. App. 3d 492, 500, 949 N.E.2d 1123, 1129 (2011) (quoting *In re L.L.S.*, 218 Ill. App. 3d 444, 461, 577 N.E.2d 1375, 1387 (1991)).

¶ 64 The trial court's decision is not against the manifest weight of the evidence. The evidence shows Tatro's attempts to comply with the service plan's terms began *after* the nine-month period expired. Although Tatro argues his failure to comply with the service plan was due largely to his residence in Chicago, the evidence shows it was Tatro's decision to leave the Springfield area and move to Chicago. Tatro visited F.D. only twice. While he attended parenting classes, the evidence shows the parenting instructor, despite Tatro's completion of the classes, continued to have concerns about his parenting due to Tatro's unaddressed mental-health issues. As of January 2010, Tatro did not have a residence suitable for F.D. Given this evidence, the court properly determined Tatro's alleged progress was not reasonable and there was no

likelihood F.D. could be returned to his care in the near future, and it properly found Tatro unfit.

¶ 65

2. *Best-Interests Finding*

¶ 66 Tatro argues the trial court's best-interests determination is against the manifest weight of the evidence. Tatro emphasizes the fact F.D., during visits, would begin to warm up to him and they would play. Tatro further points to his testimony showing the relationship had improved over time and, during the last visit before his testimony, F.D., without crying or otherwise objecting, went to the visit room with him.

¶ 67

After a trial court finds a parent unfit, that court shifts its focus to the interests of the child. *In re D.T.*, 212 Ill. 2d 347, 364, 818 N.E.2d 1214, 1227 (2004). At this stage, a "parent's interest in maintaining the parent-child relationship must yield to the child's interest in a stable, loving home life." *D.T.*, 212 Ill. 2d at 364, 818 N.E.2d at 1227. Parental rights may not be terminated unless the State proves by a preponderance of the evidence it is in the child's best interests such rights be terminated. *D.T.*, 212 Ill. 2d at 366, 818 N.E.2d at 1228. We will not overturn an order terminating parental rights unless the court's best-interests finding is against the manifest weight of the evidence. *In re T.A.*, 359 Ill. App. 3d at 961, 835 N.E.2d at 914.

¶ 68

The trial court's conclusion is not against the manifest weight of the evidence. The evidence showed F.D. had been with her foster parents since days after her birth. She was bonded to them, and they offered her permanency. The testimony further established F.D. was not bonded with Tatro. We find no error in the conclusion F.D. was "entitled to move forward with her life" and it was in her best interests to terminate Tatro's parental rights.

¶ 69

B. No. 4-12-0746

¶ 70

Tatro filed a notice of appeal and *pro se* brief in case No. 4-12-0746, which

consists of his statements in support of his love for his daughter. On our own motion, we have consolidated the cases because the *pro se* appeal involves the same issues, facts, and judgment. No. 4-12-0746 was filed *pro se* at a time when his appointed attorney had filed an appeal and brief in the same cause of action. While his filings do not comport with supreme court rules, we have considered his filings in conjunction with the record, briefs, and oral argument and conclude the trial court's judgment should be affirmed.

¶ 71

III. CONCLUSION

¶ 72

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

¶ 73

No. 4-12-0657, affirmed.

¶ 74

No. 4-12-0746, affirmed.