2019 IL App (4th) 190207-U

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August 28, 2019
Carla Bender
4th District Appellate
Court, IL

NOS. 4-19-0207, 4-19-0209, 4-19-0210, 4-19-0211, 4-19-0212, 4-19-0214, 4-19-0216 cons.

IN THE APPELLATE COURT

OF ILLINOIS

FOURTH DISTRICT

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| *In re* S.S., a Minor | ) | Appeal from the |
| | ) | Circuit Court of |
| (The People of the State of Illinois, | ) | Sangamon County |
| Petitioner-Appellee, | ) | No. 17JA37 |
| v. (No. 4-19-0207) | ) | |
| Megan J., | ) | |
| Respondent-Appellant). | ) | |
| | ) | |
| ---------- | ) | |
| *In re* T.S., a Minor | ) | No. 17JA38 |
| | ) | |
| (The People of the State of Illinois, | ) | |
| Petitioner-Appellee, | ) | |
| v. (No. 4-19-0209) | ) | |
| Megan J., | ) | |
| Respondent-Appellant). | ) | |
| | ) | |
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| *In re* Ti. F., a Minor | ) | No. 17JA39 |
| | ) | |
| (The People of the State of Illinois, | ) | |
| Petitioner-Appellee, | ) | |
| v. (No. 4-19-0210) | ) | |
| Megan J., | ) | |
| Respondent-Appellant). | ) | |
| ---------- | ) | |
| *In re* Ta. F., a Minor | ) | No. 17JA40 |
| | ) | |
| (The People of the State of Illinois, | ) | |
| Petitioner-Appellee, | ) | |
| v. (No. 4-19-0211) | ) | |
| Megan J., | ) | |
| Respondent-Appellant). | ) | |

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| *In re* Ani. K., a Minor | ) | No. 17JA41 |
| | ) | |
| (The People of the State of Illinois, | ) | |
| Petitioner-Appellee, | ) | |
| v. (No. 4-19-0212) | ) | |
| Megan J., | ) | |
| Respondent-Appellant). | ) | |
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| *In re* Ant. K, a Minor | ) | No. 17JA42 |
| | ) | |
| (The People of the State of Illinois, | ) | |
| Petitioner-Appellee, | ) | |
| v. (No. 4-19-0214) | ) | |
| Megan J., | ) | |
| Respondent-Appellant). | ) | |
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| *In re* Av. K., a Minor | ) | No. 17JA43 |
| | ) | |
| (The People of the State of Illinois, | ) | |
| Petitioner-Appellee, | ) | |
| v. (No. 4-19-0216) | ) | Honorable |
| Megan J., | ) | Karen S. Tharp, |
| Respondent-Appellant). | ) | Judge Presiding. |

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

**ORDER**

¶ 1 *Held*: The appellate court affirmed, concluding (1) respondent's claim concerning the trial court's denial of her motion for a directed finding was not subject to review, (2) the trial court's finding respondent was unfit was not against the manifest weight of the evidence, and (3) the trial court's findings it was in each of the minor's best interests to terminate respondent's parental rights were not against the manifest weight of the evidence.

¶ 2 Respondent mother, Megan J., appeals from the trial court's orders terminating

her parental rights to S.S. (born August 19, 2004), T.S. (born August 13, 2005), Ti. F. (born April 12, 2007), Ta. F. (born November 19, 2008), Ani. K. (born July 18, 2013), Ant. K. (born December 23, 2014), and Av. K. (born January 5, 2016). On appeal, respondent argues (1) the court erred in denying her motion for a directed finding, (2) the court's finding she was an unfit parent was against the manifest weight of the evidence, and (3) the court's findings it was in the minors' best interests to terminate her parental rights were against the manifest weight of the evidence. We affirm.

¶ 3 I. BACKGROUND

¶ 4 In September 2018, the State filed motions to terminate respondent's parental rights to S.S., T.S., Ti. F., Ta. F., Ani. K., Ant. K., and Av. K., which it later supplemented. In its supplemental motions to terminate respondent's parental rights, the State alleged respondent was an unfit parent as she (1) failed to maintain a reasonable degree of interest, concern, or responsibility as to the minors' welfare (750 ILCS 50/1(D)(b) (West 2016)); (2) failed to make reasonable efforts to correct the conditions that were the basis for the removal of the minors within the nine-month period following the adjudications of neglected, namely June 7, 2017, to March 7, 2018 (*id.* § 1(D)(m)(i)); (3) failed to make reasonable progress toward the return of the minors to her custody within the nine-month period following the adjudications of neglected, namely June 7, 2017, to March 7, 2018 (*id.* § 1(D)(m)(ii)); (4) abandoned the minors (*id.* § 1(D)(a)); and (5) deserted the minors for more than three months prior to the filing of the motions to terminate parental rights (*id.* § 1(D)(c)). The State further alleged it was in the minors' best interests to terminate respondent's parental rights and appoint the Department of Children and Family Services (DCFS) as guardian with the power to consent to adoption.

¶ 5 In November 2018, the trial court commenced a fitness hearing. At the State's request and over no objection, the court took judicial notice of (1) its June 7, 2017, order adjudicating the minors neglected; and (2) a pending felony case, Sangamon County case No. 17-CF-556, of respondent's former paramour and the father of three of the minors, Antonio K. The State elicited testimony concerning respondent's fitness from the minors' caseworkers, Tieshah Hawkins and Lisa Brocco-Tabora.

¶ 6 Hawkins testified she served as the minors' caseworker from March 2017, when the minors came into DCFS care, to May 2018. The minors came into DCFS care after respondent violated a safety plan by allowing Antonio K. to be around the minors. The safety plan was in place due to allegations suggesting Antonio K. sexually abused "some" of the minors. Antonio K. was later arrested on charges of "predatory sexual assault or abuse" based on the allegations.

¶ 7 During her involvement, Hawkins prepared a service plan for respondent. Hawkins could not recall the date the service plan was created but believed it to be around April 2017. Hawkins could not recall the exact dates the service plan covered. Hawkins gave a copy of the service plan to respondent.

¶ 8 Hawkins testified the service plan recommended the following services for respondent: (1) parenting, (2) a substance-abuse assessment, (3) a mental-health assessment, and (4) counseling. Hawkins's later testimony indicated the service plan also recommended cooperation and visitation. Hawkins testified she explained to respondent what she needed to do to complete services and she made the necessary service referrals.

¶ 9 Hawkins indicated the requirement to complete a substance-abuse assessment was

in place not because the agency believed respondent had substance-abuse issues but rather because the agency wanted respondent to gain knowledge and different skills for engaging with people who had substance-abuse issues. The evidence suggested Antonio K. had substance-abuse issues. Hawkins testified neither she nor anyone at the agency requested a "drug drop" from respondent.

¶ 10 Hawkins testified counseling was independent of the mental-health assessment. The counseling requirement was intended to address the issues that brought the minors into care as well as some of respondent's past personal experiences. The requirement to complete a mental-health assessment was a self-referral. Hawkins believed she orally provided respondent with information concerning different agencies where respondent could complete such an assessment but did not recall the date she provided respondent with the information.

¶ 11 Hawkins indicated respondent initially engaged in services. Respondent completed parenting classes in July 2017, attended counseling, maintained regular contact with Hawkins, and attended weekly supervised visitation. With respect to the visitations, Hawkins testified she did not recall any instances of a poor visitation but did observe "some barriers in redirecting the children's behaviors." Respondent attended more visits than she missed, and missed visits were due to work or health-related issues. Hawkins attempted to reschedule missed visits, and a few times those missed visits were actually rescheduled. Respondent would send the minors gifts for birthdays and holidays. In December 2017, respondent attended a supervised Christmas gift exchange with the minors.

¶ 12 Hawkins indicated respondent's engagement in services decreased over time. Respondent was discharged from counseling for missing appointments. Hawkins could not recall

the date respondent was unsuccessfully discharged from counseling but believed it to be around September 2017. Respondent thereafter did not reengage in counseling.

¶ 13 Hawkins testified, had respondent completed a mental-health assessment, she would have received a report from the mental-health provider because respondent had signed a consent release. Because she never received a report indicating respondent completed the assessment and because respondent never told her she was going to a mental-health provider to complete the assessment, Hawkins believed respondent never completed a mental-health assessment.

¶ 14 Hawkins testified respondent never completed a substance-abuse assessment. Hawkins acknowledged she did not recall if respondent presented herself at an agency for a substance-abuse assessment or if an agency representative reached out to her about respondent.

¶ 15 Hawkins testified respondent's communication with her decreased.

¶ 16 Hawkins testified respondent's attendance at supervised visits decreased. Between September 2017 and March 2018, respondent attended 11 visits and missed 16 visits. In September 2017, respondent was offered the opportunity to have additional visits with Ani. K., Ant. K., and Av. K. Respondent did not take advantage of the opportunity. The last visit respondent attended was in January 2018.

¶ 17 Throughout her involvement, Hawkins conducted several administrative case reviews. Hawkins expressed difficulty recalling each review. Hawkins testified respondent attended the first review in May 2017 and rated satisfactory. Hawkins did not recall if respondent attended the second review in September 2017. Hawkins initially testified respondent rated unsatisfactory due to missed visits, the discharge from counseling, and the failure to complete

substance-abuse and mental-health assessments. Hawkins later testified she believed respondent, "more than likely," rated "probably satisfactory" during the September 2017 review. Hawkins testified respondent did not attend the third review in December 2017 and "likely *** would have been unsatisfactory." Hawkins believed respondent would have been unsatisfactory because she had been unsuccessfully discharged from counseling, had not completed the substance-abuse or mental-health assessments, and "was not engaged with the children." Hawkins testified respondent did not attend the fourth review in May 2018 and rated unsatisfactory. Hawkins testified respondent rated unsatisfactory because she was not engaged in services, her visits were irregular, and her communication decreased.

¶ 18 Hawkins testified at no point during her involvement was she close to placing the minors in respondent's care.

¶ 19 Brocco-Tabora testified she became the caseworker for the minors in July 2018. Prior to that time, a caseworker named Tiffany served as the caseworker for a period of two months. After becoming the minors' caseworker, Brocco-Tabora spoke with the prior caseworker and her supervisor about referrals for respondent and reviewed the case file. Brocco-Tabora testified the necessary referrals had been made prior to her involvement and she did not issue any referrals.

¶ 20 Brocco-Tabora testified the service plan recommended the following services for respondent: (1) visitation, (2) counseling, (3) parenting, (4) a substance-abuse assessment, and (5) cooperation. Brocco-Tabora knew respondent completed a parenting class but believed she still needed to do one-on-one coaching. Brocco-Tabora also knew respondent had started counseling at some point but was then unsuccessfully discharged. Brocco-Tabora testified

respondent was required to complete a substance-abuse assessment and learn more about engaging with people who have substance-abuse issues. Neither Brocco-Tabora nor anyone in the agency requested drug drops from respondent.

¶ 21 In August 2018, Brocco-Tabora attempted to establish a relationship with respondent by seeing her in person during a court proceeding. Brocco-Tabora introduced herself and talked to respondent about the required services. Brocco-Tabora also visited with respondent during a September 2018 court proceeding. During that proceeding, Brocco-Tabora emphasized the need for respondent to attend visitation with the minors. Brocco-Tabora testified respondent was "short" during their conversations. Respondent never refused to engage in services nor was she confrontational. At one point, respondent requested a change in the visitation schedule due to a work conflict. Brocco-Tabora told respondent to follow up by telephone, which respondent never did. Brocco-Tabora testified she made several attempts to contact respondent by telephone but each time she was unsuccessful. Brocco-Tabora testified she believed she would have left a voicemail if voicemail was available.

¶ 22 Brocco-Tabora testified respondent did not attend scheduled visits, which had been set for once a week for two hours by a previous caseworker. Respondent last visited with S.S., T.S., Ti. F., and Ta. F., on August 26, 2018. The visit was not scheduled with Brocco-Tabora but rather set up with one of the foster parents, who had a friendship with respondent. Brocco-Tabora later spoke with the foster parent about the visit and did not hear anything negative. Brocco-Tabora also heard from a foster parent that respondent had attended sporting events for T.S. and Ta. F. Brocco-Tabora acknowledged the foster parent may have kept a log for how often respondent showed up at the sporting events. Brocco-Tabora testified she did not ask

for any log because respondent's appearances were "sporadic." Brocco-Tabora testified she informed the foster parents visitation had to be scheduled through the agency. Brocco-Tabora had not heard of unscheduled visits occurring between respondent and Ani. K., Ant. K., or Av. K.

¶ 23 In September 2018, Brocco-Tabora held an administrative case review. Respondent rated unsatisfactory as she had not completed services, was uncooperative, and was not attending scheduled visits.

¶ 24 Brocco-Tabora testified at no point during her involvement was she close to placing the minors in respondent's care.

¶ 25 Following this evidence, respondent moved for a directed finding. The trial court recessed before hearing arguments on respondent's motion.

¶ 26 In January 2019, the trial court continued the fitness hearing. In support of her motion for a directed finding, respondent argued: "So even looking at everything in the light most favorable to the petitioner, I do not believe that a finding could be made in the favor of the [S]tate on this motion." Following arguments, the court denied respondent's motion for a directed verdict, stating: "So based upon the evidence that I have at this time, given the standard that I use to view the evidence in light most favorable at this time to the [S]tate, even just given those things I find that there is sufficient evidence to proceed forward with this case." We note the court in reaching its decision acknowledged neither of the State's witnesses testified well.

¶ 27 Following the denial of her motion for a directed finding, respondent rested without presenting any evidence. The trial court, following arguments, found respondent unfit for failing to (1) maintain a reasonable degree of interest, concern, or responsibility as to the

minors' welfare, (2) make reasonable efforts to correct the conditions that were the basis for the removal of the minors within the nine-month period following the adjudications of neglected, and (3) make reasonable progress toward the return of the minors to her custody within the nine-month period following the adjudications of neglected. In reaching its decision, the court highlighted respondent (1) failed to attend scheduled visits with the minors, (2) failed to follow-up on her request to change the visitation schedule, (3) went long periods of time without seeing the minors, (4) was unsuccessfully discharged and then failed to reengage in counseling, and (5) failed to obtain a substance-abuse assessment to learn how to deal with individuals who had substance-abuse issues. The court entered written orders providing the same.

¶ 28 After finding respondent unfit, the trial court commenced a best-interest hearing. The State again presented testimony from Brocco-Tabora.

¶ 29 S.S. and Ti. F. had been living with Danielle Williams, a traditional foster placement. The two appeared to be happy and engaged with Williams. S.S. was developmentally delayed and struggled with speech and cognitive processing. Brocco-Tabora was in process of seeking a psychological assessment for further diagnosis. S.S. had an Individualized Education Program, was placed is in a self-contained life-skills classroom, and was receiving speech therapy. S.S. made progress in her placement but began to struggle with hygiene issues. Days before the hearing, Williams indicated she was unable to continue to care for S.S. due to her hygiene issues. Brocco-Tabora was in the process of looking for another adoptive placement and had been speaking with a friend of Williams who already knew and had been around S.S. and Ti. F.

¶ 30 T.S. and Ta. F. had been residing with Christy and Ray Lancaster, a traditional

foster placement, since March 2017. The two bonded with the Lancasters and were happy. T.S. initially had behavioral issues. T.S. attended counseling and was later discharged. In the months prior to the hearing, T.S. began to again have behavioral issues. The Lancasters enrolled him in counseling, and his behaviors improved. T.S. and Ta. F. were making progress. The placement was attending to their educational, social, and medical needs. They participated in extracurricular activities, such as basketball, baseball, and football. They were doing well in school. T.S. and Ta. F. had sibling visits with S.S. and Ti. F. The Lancasters had a three-bedroom home. T.S. and Ta. F. shared a room. The Lancasters expressed a desire to adopt.

¶ 31 Ani. K., Ant. K., and Av. K., had been placed with Katrina Caldwell, an older daughter of Antonio K., and her husband since March 2017. All three were making progress and appeared happy. They were bonded with their foster parents and called Katrina, "mom." The three attended school and were thriving. The placement was meeting their educational, social, and medical needs. The three resided in a five-bedroom home. The foster parents expressed interest in adopting the minors.

¶ 32 Respondent last saw S.S., T.S., Ti. F., and Ta. F. in August 2018 during an unscheduled visit. Respondent last saw Ani. K., Ant. K., and Av. K. in January 2018. Brocco-Tabora was not aware of any telephone calls between respondent and S.S. or Ti. F. Brocco-Tabora was also not aware of respondent trying to schedule a birthday party for Ta. F. Brocco-Tabora acknowledged hearing respondent called Ani. K., Ant. K., and Av. K. a few times in July to video-chat. Brocco-Tabora believed the minors had spent their lives in respondent's care prior to being taken into DCFS care in March 2017. During her involvement, Brocco-Tabora never saw the minors interact with respondent. Brocco-Tabora opined the minors were not bonded with

respondent based on the lack of interaction and her review of the case file and conversations with her supervisors.

¶ 33 Brocco-Tabora opined it would be in the minors' best interests to terminate respondent's parental rights.

¶ 34 Respondent testified both S.S. and Ti. F. had been in her custody from birth until March 2017. S.S. and Ti. F. called her, "mom." Respondent noticed S.S. was having developmental issues when she was about three years old and then addressed those issues with S.S.'s doctor and school. Respondent asserted she could care for S.S.'s hygiene needs as she had done since S.S. was 10 years old. Respondent testified she was bonded with both S.S. and Ti. F. She acknowledged she last visited with S.S. and Ti. F. in August 2018 but asserted she spoke with both by telephone daily.

¶ 35 Respondent testified she had a strong bond with T.S. and Ta. F. The two called her, "mom." Respondent attended approximately 20 to 25 of the boys' baseball and football games. After the games, respondent would go out to eat with the boys and their foster mother. Occasionally, S.S. and Ti. F. would join in the outings. Respondent planned a birthday party for Ta. F. in November 2018, where Ta. F.'s siblings and friends could attend. Respondent, with the help of the foster mother, attended trips with the boys to a skating rink, an amusement park, museums, and the zoo. Respondent acknowledged she last saw T.S. and Ta. F. in August 2018 but asserted she spoke with both by telephone approximately three or four times a week.

¶ 36 Respondent testified she had a strong bond with Ani. K., Ant. K., and Av. K. Respondent acknowledged she last saw the three in January 2018. Because she worked nights and Ani. K., Ant. K., and Av. K. went to school during the day, respondent would attempt to call

the three during her work breaks but most of the time the foster mother would not answer her calls. Respondent last spoke with the three by telephone on December 23, 2018.

¶ 37 Throughout the case, respondent was employed. When the case first started her work schedule did not conflict with the visitation schedule. After she later switched jobs, her work schedule conflicted with the visitation schedule. Respondent testified she tried to speak with the caseworkers and foster parents to accommodate her work schedule. Only the foster parents for S.S., Ti. F., T.S., and Ta. F. assisted with facilitating visitation. Respondent testified she spoke with Brocco-Tabora about three times. Brocco-Tabora halted unscheduled visitations and told her to attend an agency meeting. Respondent testified she called to set up a meeting but Brocco-Tabora did not call her back. Respondent testified the primary reason she went so long without seeing the minors was because of the conflicts with her work schedule.

¶ 38 Respondent believed it would be detrimental to the minors if her parental rights were terminated. Respondent testified the minors told her they were ready "to come home." Respondent also testified the minors expressed a desire to be reunited with each other. Respondent indicated she was willing to engage in services. Respondent maintained she had been trying to do everything she could. Following respondent's testimony, the trial court recessed.

¶ 39 In March 2019, the court continued the best-interest hearing. The court requested an update concerning S.S.'s placement. The State, over no objection, informed the court it spoke with the minor's caseworker who indicated S.S. and Ti. F. had been placed with a "fictive aunt." The State also indicated an 18-year-old "cousin" lived in that home and helped with S.S. and Ti. F. The State asserted it was its "understanding that that placement has indicated to the agency

that they love the girls, they want the girls there and they will be—they would like to be considered as an adoptive placement." Based on the evidence presented, the court, after considering the statutory best-interest factors found in section 1-3(4.05) of the Juvenile Court Act of 1987 (705 ILCS 405/1-3(4.05) (West 2016)), found it was in each of the minor's best interests to terminate respondent's parental rights. In reaching its decision, the court addressed respondent's bond with the minors, stating:

> "[C]ertainly there's been a connection. In my mind, the issue is not whether or not there is a bond. Particularly with older children who've not spent most of their life in care I'm sure there is a bond and connection, but in my mind, these children, no matter what age, deserve permanence and consistency. And as I view the evidence the best way to achieve that at this time based upon the lack of contact and effort that the mother put forth other than being a friend, not a parent, is the reason for my decision."

The court entered written orders terminating respondent's parental rights to the minors.

¶ 40 This appeal followed.

¶ 41 II. ANALYSIS

¶ 42 On appeal, respondent argues (1) the trial court erred in denying her motion for a directed finding, (2) the court's finding she was an unfit parent was against the manifest weight of the evidence, and (3) the court's findings it was in the minors' best interests to terminate her parental rights were against the manifest weight of the evidence.

¶ 43 A. Denial of Respondent's Motion for a Directed Finding

¶ 44 Respondent contends the trial court erred in denying her motion for a directed finding. Specifically, respondent complains (1) the State's evidence was insufficient to sustain its burden of proof and (2) the court, in reaching its decision, "did not consider the evidence in [her] favor *** elicited through the questionable testimony of the State's witnesses."

¶ 45 Section 2-1110 of the Code of Civil Procedure (735 ILCS 5/2-1110 (West 2016)) provides a mechanism whereby a defendant in a non-jury case can move to find in his or her favor at the close of a plaintiff's case. In ruling on a section 2-1110 motion, a trial court "must engage in a two-prong analysis." *People ex rel. Sherman v. Cryns*, 203 Ill. 2d 264, 275, 786 N.E.2d 139, 148 (2003). "First, the court must determine, as a matter of law, whether the plaintiff has presented a *prima facie* case *** by proffering at least some evidence on every element essential to the plaintiff's underlying cause of action." (Internal quotations omitted.) *Id.* If the court determines the plaintiff has presented a *prima facie* case, the court must then weigh all the evidence, including any evidence favorable to the defendant, determine the credibility of the witnesses, and draw reasonable inferences therefrom—"the court is not to view the evidence in the light most favorable to the plaintiff." *Id.* at 276; 735 ILCS 5/2-1110 (West 2016) ("In ruling on the motion the court shall weigh the evidence, considering the credibility of the witnesses and the weight and quality of the evidence."). "After weighing the quality of all of the evidence, *** the court should determine, applying the standard of proof required for the underlying cause, whether sufficient evidence remains to establish the plaintiff's *prima facie* case." *Cryns*, 203 Ill. 2d at 276.

¶ 46 We conclude respondent's claim is not subject to review. First, the denial of her motion for a directed finding merged into the final judgment terminating her parental rights to

the minors. See *Taylor v. Board of Education of the City of Chicago*, 2014 IL App (1st) 123744, ¶ 32, 10 N.E.3d 383 (finding the denial of the defendant's motion for a directed verdict merged into the final judgment following a trial on the merits). Second, respondent is estopped from arguing the trial court applied the wrong standard when weighing the evidence as she specifically requested the court to apply such a standard. See *In re Detention of Swope*, 213 Ill. 2d 210, 217, 821 N.E.2d 283, 287 (2004) ("[A] party cannot complain of error which that party induced the court to make or to which that party consented.").

¶ 47 B. Unfitness Finding

¶ 48 Respondent contends the trial court's finding she was an unfit parent was against the manifest weight of the evidence.

¶ 49 In a proceeding to terminate a respondent's parental rights, the State must prove unfitness by clear and convincing evidence. *In re Donald A.G.*, 221 Ill. 2d 234, 244, 850 N.E.2d 172, 177-78 (2006). A trial court's finding of parental unfitness will not be disturbed on appeal unless it is against the manifest weight of the evidence. *In re N.T.*, 2015 IL App (1st) 142391, ¶ 27, 31 N.E.3d 254. "A court's decision regarding a parent's fitness is against the manifest weight of the evidence only where the opposite conclusion is clearly apparent." (Internal quotation marks omitted.) *In re M.I.*, 2016 IL 120232, ¶ 21, 77 N.E.3d 69.

¶ 50 In this case, the trial court found respondent to be an unfit parent in part because she failed to maintain a reasonable degree of interest, concern, or responsibility as to the minors' welfare (750 ILCS 50/1(D)(b) (West 2016)). See *id.* ¶ 43 ("A parent's rights may be terminated if even a single alleged ground for unfitness is supported by clear and convincing evidence." (Internal quotation marks omitted.)). "[I]n determining whether a parent showed reasonable

concern, interest or responsibility as to a child's welfare, we have to examine the parent's conduct concerning the child in the context of the circumstances in which that conduct occurred." *In re Adoption of Syck*, 138 Ill. 2d 255, 278, 562 N.E.2d 174, 185 (1990).

¶ 51 While the evidence showed respondent initially showed some interest, concern, and responsibility for the minors' welfare by engaging in services, her later actions demonstrated she failed to maintain that interest, concern, and responsibility. Respondent was discharged and then failed to reengage in counseling. Respondent failed to complete mental-health and substance-abuse assessments. Respondent failed to attend scheduled visitation or maintain regular contact with the caseworkers assigned to monitor the minors' welfare. Contrary to respondent's suggestion, the State was not required to present additional evidence concerning the two-month period after Hawkins's assignment and before Brocco-Tabora's assignment to sustain its burden. Based on the evidence presented, we cannot say the trial court's finding respondent was an unfit parent by failing to maintain reasonable concern, interest, or responsibility as to the minors' welfare was against the manifest weight of the evidence.

¶ 52 C. Best-Interest Findings

¶ 53 Respondent contends the trial court's findings it was in the minors' best interests to terminate her parental rights were against the manifest weight of the evidence.

¶ 54 At the best-interest stage, a "parent's interest in maintaining the parent-child relationship must yield to the child's interest in a stable, loving home life." *In re D.T.*, 212 Ill. 2d 347, 364, 818 N.E.2d 1214, 1227 (2004). The State must prove by a preponderance of the evidence termination is in the child's best interests. *Id.* at 367. When considering whether termination of parental rights would be in a child's best interest, the trial court must consider

several statutory factors within the context of the child's age and developmental needs. 705 ILCS 405/1-3(4.05) (West 2016).

¶ 55 This court will not reverse a trial court's finding termination of parental rights is in a child's best interests unless it is against the manifest weight of the evidence. *In re Anaya J.G.*, 403 Ill. App. 3d 875, 883, 932 N.E.2d 1192, 1199 (2010). Again, a finding is against the manifest weight of the evidence only if the facts clearly demonstrate the court should have reached the opposite conclusion. *Id.*

¶ 56 In arguing the trial court's ruling was against the manifest weight of the evidence, respondent asserts Brocco-Tabora's testimony that respondent had no bond with the minors was insufficient to prove termination was in the minors' best interests because Brocco-Tabora had not observed any visits. The court, however, explicitly noted its decision was not based on the presence or absence of any bond but rather on the minors' need for permanence and consistency and respondent's lack of contact and effort as a parent. The evidence supported the court's findings. The minors, with the exception of S.S. and Ti. F., had been residing with their foster parents since the case was opened. Their needs were being met and the foster parents expressed desires to adopt. While S.S. and Ta. F. had recently changed placements, the new placement was meeting their needs and was interested in adopting. Conversely, respondent had not completed services or attended recent scheduled visitations. In fact, respondent had not seen S.S., T.S., Ti. F., and Ta. F. for approximately five months, and she had not seen Ani. K., Ant. K., and Av. K. for approximately one year. Based on the evidence presented, we find the trial court's findings it was in each of the minor's best interests to terminate respondent's parental rights were not against the manifest weight of the evidence.

¶ 57 III. CONCLUSION

¶ 58 We affirm the trial court's judgment.

¶ 59 Affirmed.