

**NOTICE**

Decision filed 06/09/22. The text of this decision may be changed or corrected prior to the filing of a Petition for Rehearing or the disposition of the same.

2022 IL App (5th) 220028-U  
NOS. 5-22-0028, 5-22-0029, 5-22-0030 cons.

**NOTICE**

This order was filed under Supreme Court Rule 23 and is not precedent except in the limited circumstances allowed under Rule 23(e)(1).

IN THE  
APPELLATE COURT OF ILLINOIS  
FIFTH DISTRICT

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<i>In re</i> J.C., K.C., and J.J.C., Minors	)	Appeal from the
	)	Circuit Court of
(The People of the State of Illinois,	)	Macon County.
	)	
Petitioner-Appellee,	)	
	)	
v.	)	Nos. 18-JA-143, 18-JA-144, and
	)	20-JA-62
K.O.,	)	
	)	Honorable Thomas E. Little,
Respondent-Appellant).	)	Judge, presiding.

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JUSTICE CATES delivered the judgment of the court.  
Justices Wharton and Vaughan concurred in the judgment.

**ORDER**

¶ 1 *Held:* The trial court's findings that Mother was an unfit person, and its decision to terminate Mother's parental rights based upon the best interest of the children, were not against the manifest weight of the evidence.

¶ 2 The respondent, K.O. (Mother), appeals from the judgment of the circuit court of Macon County terminating her parental rights to her minor children, K.C., J.C., and J.J.C. Mother claims that the trial court erred in terminating her parental rights where the unfitness determination and best interest determination were against the manifest weight of the evidence. For the following reasons, we affirm.

¶ 3

## I. BACKGROUND

¶ 4 K.O. is the biological mother of K.C., born July 18, 2016, A.C., born June 9, 2017, J.C., born June 12, 2018, and J.J.C., born March 5, 2020. The children's biological father is J.T.C. (Father). A.C. and Father are not parties to the appeal and will only be discussed as necessary to provide relevant background for the issues presented.

¶ 5 In 2017, the Department of Children and Family Services (DCFS) investigated Mother. DCFS determined on June 16, 2017, that Mother had a substance abuse problem and K.C. faced a substantial risk of injury. The family was referred for intact services through DCFS to provide support to Mother while the children remained at home in her care. Mother successfully completed those services.

¶ 6 On May 13, 2018, Mother discovered 11-month-old A.C. face down in the "dog water bucket." A.C. had struggled in the water bucket for approximately 20 minutes before Mother found her. Mother called 9-1-1 and administered CPR before A.C. was taken to St. John's Hospital in Springfield, Illinois. It was determined that A.C. had suffered hypoxic brain damage. As a result of this incident, A.C. had a substantial permanent brain injury, for which she requires continuous nursing care.

¶ 7 After A.C.'s near drowning incident, the family was again referred for intact family services through DCFS, while DCFS investigated the allegations of abuse. The children remained at home in Mother's care until a subsequent hotline call was made to DCFS alleging abuse to J.C.

¶ 8 During the morning of July 12, 2018, Father attempted to feed J.C. and discovered that four-week-old J.C. was unable to move his right arm. The family consulted A.C.'s home health nurse who told Father to take J.C. to the hospital. At the emergency room, Father became irate when asked about J.C.'s injury. Father was unable to provide an explanation of what had happened

to J.C.'s arm and initially threatened to refuse treatment. Father finally allowed the facility to examine J.C. and perform an x-ray. J.C. had visible scratches and bruising on his arm. He had sustained a fracture of his right humerus, the bone in the arm that runs from the shoulder to the elbow.

¶ 9 On July 13, 2018, the State filed juvenile petitions regarding the minors, K.C. and J.C., pursuant to the Juvenile Court Act of 1987 (Juvenile Court Act) (705 ILCS 405/1-1 *et seq.* (West 2018)). The petitions alleged that the minors were neglected pursuant to section 2-3(1)(b) of the Juvenile Court Act (705 ILCS 405/2-3(1)(b) (West 2018)) and abused pursuant to sections 2-3(2)(i) and (ii) of the Juvenile Court Act (705 ILCS 405/2-3(2)(i), (ii) (West 2018)). The allegations included that J.C. sustained a fracture to his right arm. The petition additionally referred to the investigation where A.C. had “drowned” in a dog’s water bowl.

¶ 10 The shelter care hearing was held on July 16, 2018. The court found probable cause for filing the petition based on prior DCFS involvement in May of 2018, and because J.C. had a fractured right arm, where the parents’ explanation was inconsistent with the physician’s findings. DCFS was given temporary custody of the minors with the authority to place the minors into care. DCFS was ordered to monitor Mother’s visitation with the children.

¶ 11 DCFS filed a Family Service Plan on September 21, 2018. The service plan recommended that Mother comply with random drug screens, maintain housing free of safety hazards, and participate in parenting classes and mental health services. Mother was required to attend medical appointments for A.C. and follow all medical, developmental, and specialist recommendations for her children.

¶ 12 On May 6, 2019, the State filed an amended petition prior to the start of the adjudicatory hearing. The State amended its petition to allege one count of neglect pursuant to section 2-3(1)(b)

of the Juvenile Court Act (705 ILCS 405/2-3(1)(b) (West 2018)). The State claimed the minors were neglected due to J.C.'s fractured right arm and due to the ongoing investigation of A.C.'s near death drowning in a "dog water bucket." Mother stipulated to the allegations of the amended petition. The court found that the allegations in the State's amended petition had been proved by a preponderance of the evidence and the children were in an environment injurious to their welfare.

¶ 13 The dispositional hearing was held on August 2, 2019. The court found that Mother was unfit and unable to care for K.C. and J.C. based on the injuries to A.C. and J.C. Mother's service plan was found to be appropriate. The court granted the State's petition and K.C. and J.C. were made wards of the court. Custody and guardianship of K.C. and J.C. were placed with the Guardianship Administrator of DCFS.

¶ 14 On March 5, 2020, Mother gave birth to J.J.C. Toxicology screens of Mother and J.J.C. were positive for buprenorphine, a drug used to treat opioid addiction. DCFS took protective custody of J.J.C. on March 10, 2020.

¶ 15 The State filed a juvenile petition on March 11, 2020, prior to the shelter care hearing. The petition included allegations that J.J.C.'s environment was injurious to his welfare and that he had a substantial risk of physical injury. The State also alleged that Mother had a history of involvement with DCFS with regard to three other children, as well as a history of substance abuse and mental health issues. The court granted the temporary custody order for J.J.C. during the March 11, 2020, shelter care hearing. DCFS was given temporary custody of J.J.C.

¶ 16 On June 29, 2020, the court held the adjudicatory hearing in J.J.C.'s case. Mother did not appear for the proceeding. The trial court found that J.J.C. was neglected in that his environment was injurious to his welfare based on substance abuse, mental health, and domestic violence issues. At the subsequent dispositional hearing, held on August 26, 2020, J.J.C. was made a ward of the

court. Custody and guardianship of J.J.C. was placed with the Guardianship Administrator of DCFS.

¶ 17 On August 10, 2021, the State filed a motion to terminate Mother's parental rights in K.C., J.C., and J.J.C.'s cases. The State alleged that Mother was unfit based on multiple sections of the Adoption Act (750 ILCS 50/1(D) (West 2020)). The allegations included that Mother failed to maintain a reasonable degree of interest under section 1(D)(b), Mother failed to make reasonable efforts to correct the conditions that were the basis for the removal of the minors under section 1(D)(m)(i), and Mother failed to make reasonable progress toward the return of the minors within nine months after the adjudication of neglect under section 1(D)(m)(ii). 750 ILCS 50/1(D)(b), (m)(i), (m)(ii) (West 2020). The State alleged three nine-month periods wherein Mother had failed to make reasonable progress in K.C. and J.C.'s cases, including May 6, 2019, through February 6, 2020, February 6, 2020, through November 6, 2020, and November 6, 2020, through August 6, 2020. For J.J.C.'s case, the State alleged that the nine-month periods without reasonable progress were June 29, 2020, through March 29, 2021, and November 6, 2020, through August 6, 2021.

¶ 18 The trial court conducted a fitness hearing on November 19, 2021. Dawn McCoy, the visitation aid employed by Webster-Cantrell Youth Advocacy, testified. McCoy supervised visitation throughout the case. Mother was consistent with attending visitation and would always bring food for the children. McCoy testified that Mother struggled with monitoring her children and correcting behavior during their visits. Mother focused her attention on K.C. and did not interact with or bond with either J.C. or J.J.C. Mother was indulgent with K.C. and would not set limits to keep the children safe. For example, Mother would allow K.C. to stand on chairs and K.C. had fallen when no one was looking. K.C. was allowed to wander in a store without Mother supervising her. On more than one occasion, Mother would allow a child to wander away from a

playground and McCoy would have to inform Mother to retrieve her child. Visitation remained supervised throughout the case.

¶ 19 Christina Foster testified as the parenting educator with the Webster-Cantrell Youth Advocacy Program. Foster first became involved with Mother's case on June 12, 2018, and her last contact with Mother was October 10, 2019. When she met with Mother, Foster administered a parenting assessment to determine which services were needed. Based on the assessment, Mother was required to complete three parenting programs.

¶ 20 Mother had attended 35 of the 55 parenting sessions offered. Mother finished two of the three programs offered. Mother stopped attending parenting classes in October 2019 and was taken off the class schedule on January 30, 2020, because she had stopped participating.

¶ 21 Foster opined that Mother did not "successfully" complete any of the parenting programs. Mother would not apply the lessons she was supposed to have learned during visitation. Foster provided an example where Mother fed J.C. pizza when he was only a year old and unable to chew the pizza. J.C. started to choke on the pizza while Mother was not paying attention to him. Foster had to intervene and tell Mother to help J.C.

¶ 22 Lindsay Horcharik, a child welfare specialist with DCFS, also testified. Horcharik had been Mother's caseworker throughout the case. Horcharik testified to Mother's progress on her service plan. The service plan included parenting education, mental health counseling services, random drug screens, maintaining involvement with A.C.'s medical appointments, and maintaining safe housing. Mother's service plan was updated every six months and the recommended services remained the same throughout. Mother was rated overall unsatisfactory on each service plan.

¶ 23 According to Horcharik, Mother did not successfully complete parenting education or mental health counseling services. Mother stopped engaging in parenting services on October 10,

2019. Mother stopped engaging in mental health services on December 21, 2018. Mother had been referred for intensive individual counseling services to address her narcissistic personality disorder. Mother never participated in individual counseling services.

¶ 24 Mother's plan also required drug screening. Mother completed several negative drug screens and the agency stopped referring her for drug screenings. However, Mother tested positive for buprenorphine, a drug used to cease opiate addiction, when J.J.C. was born. Horcharik explained that the positive test was concerning because Horcharik was unaware of Mother having a prescription and Mother had not received prenatal care.

¶ 25 Horcharik additionally testified that Mother ceased communicating with Horcharik outside of court appearances. Mother would not inform Horcharik when her address or phone number changed. Mother was rated as unsatisfactory on the housing component of the service plan.

¶ 26 Horcharik testified that Mother had not completed services and Mother did not correct the conditions that removed the children from Mother's care. Mother was only consistent with visitation and court appearances. According to Horcharik, Mother would "race through services just to essentially appease everybody." Mother was not able to demonstrate an understanding of what she was supposed to have learned in parenting classes to protect her children or demonstrate accountability for her actions that brought the children into care.

¶ 27 Mother did not testify or present evidence at the fitness hearing. After the close of testimony, the State argued that from May 6, 2019, through August 10, 2021, Mother did not participate in services other than visitation. The State asserted that Mother should be found unfit because Mother had not successfully completed her service plan.

¶ 28 Mother's counsel argued that the State had not met its burden of showing that Mother was unfit by clear and convincing evidence. Counsel argued that Mother had been consistent and

prepared for visitation and had engaged in services throughout the case. Mother had completed two parenting curriculums and advanced to the next curriculum. Mother still needed to complete the third curriculum, but parenting services are never completed before the children are returned home. Mother was also satisfactory with drug screenings. Mother completed the psychological evaluation, and counsel argued that COVID-19 delayed Mother's completion of mental health recommendations.

¶ 29 The State then argued that Mother was rated unsatisfactory with regard to visitation because of ongoing safety concerns that Mother had not corrected. The State clarified that even though Mother had completed parenting classes, the caseworker had testified that Mother did not “successfully” complete services. Mother remained deficient in her ability to parent according to the State.

¶ 30 The court stated that it had reviewed and considered the evidence presented at the fitness hearing. The court considered the testimony of McCoy, Foster, and Horcharik, and found that each witness was credible. The court considered McCoy's testimony that Mother was never able to have unsupervised visitation with the children. Mother also did not bond with the younger children during visitation. The court considered Foster's testimony that Mother had completed two parenting classes, but not “successfully.” Mother attended classes but she was not able to apply what she was supposed to have learned through the parenting programs.

¶ 31 The court considered Horcharik's testimony that Mother never satisfactorily completed a service plan. Mother never engaged in mental health services after the psychological examination. Mother did not communicate with DCFS and did not advise Horcharik of her address. The court additionally considered Horcharik's testimony that the children would not be safe if they returned home because Mother had not demonstrated that she would be able to protect her children. Mother



had not corrected the conditions that formed the reasons for removal of the children from her care. The court found that the State had proven by clear and convincing evidence that Mother was unfit. No formal written order was entered that day.

¶ 32 On December 17, 2021, DCFS filed a best interest report, prepared by Horcharik. The report included information on the children's placement. The children lived with their paternal grandparents, Matt and Penny Detmers, since December 28, 2018, except for the time periods of March 29, 2019, through August 9, 2019, and January 8, 2021, through March 3, 2021. During those two time periods, the children were removed from the Detmers' care because of anonymous DCFS hotline calls. DCFS was required to complete investigations based on the allegations. In both instances, the allegations were unsubstantiated and determined to be "unfounded" by DCFS.

¶ 33 The best interest report also included information on how the children were doing in their foster placement. K.C. was doing well in kindergarten and at home. She was involved in tumbling and dance classes and had no medical issues while in foster placement. J.C. bonded with his foster family and had no medical or developmental needs since his placement. J.C. was referred to engage in play therapy services to cope with anger and tantrums. J.J.C. initially displayed signs of drug withdrawal after he was released from the hospital, but no longer had symptoms or concerns. He was developmentally on track and doing well in his foster placement with his siblings.

¶ 34 The report also included information on permanency goals for the children. The foster family had signed permanency commitments and were willing to adopt the children.

¶ 35 On January 13, 2022, the court held the best interest hearing. Horcharik testified that she had prepared and filed the best interest report dated December 17, 2021. Horcharik believed that the children were doing well with their placement and had bonded with their foster family. The foster family was able to provide for the physical safety, health, and welfare of the children. The

children's educational and medical needs were being met by the foster family. Extended family, as well as the foster parent's adult daughter, also provided additional support for the children. Horcharik testified that the children needed permanency which would be achieved with their foster placement.

¶ 36 Horcharik testified that she had observed Mother interact with the children. Horcharik explained that Mother would direct her attention to K.C. and she struggled to form a bond with J.C. After J.J.C. was born, Mother had vocalized that she was not interested in forming a bond with J.J.C.

¶ 37 Mother did not testify or present evidence at the best interest hearing. The State made a statement that it was in the best interest of the children to terminate Mother's parental rights. Mother's attorney argued that Mother should be allowed more time to complete services. Mother was not able to form a bond in the limited time she had for visitation. Mother's counsel argued that Mother was not neglectful and had met the children's basic needs during visitation. Counsel concluded that it was not in the children's best interest for Mother's rights to be terminated.

¶ 38 Brian Finney, the guardian *ad litem* (GAL), provided a statement to the court. The GAL believed that the children's needs were being met in their foster home. The older children had spent three years with the foster family and the children needed permanency. The GAL suggested that Mother's parental rights be terminated.

¶ 39 The trial court stated that it was required to review all of the best interest factors under the Juvenile Court Act (705 ILCS 405/1-3 (West 2020)), and it had considered those factors. The court found the most applicable factors included consideration of the children's sense of attachment, sense of security, sense of familiarity, and sense of continuity. The court also focused on the children's need for permanency and need for stability and continuity of relationships.

¶ 40 The court considered the written DCFS report prepared by Horcharik. The three children were doing well in their foster placement with their paternal grandparents. K.C. was doing well in school and was involved in extracurricular activities. The children were healthy and up to date with immunizations. The foster family provided the children with medical, emotional, and educational support. Although Mother was consistent with attending visitation, Mother had not bonded with her youngest children.

¶ 41 The court found that Horcharik's testimony at the best interest hearing was credible and supported the DCFS report. The children had bonded with their foster parents and extended family. The court noted that Horcharik testified that because of the length of time in care and the children's need for stability and permanency, it was in the children's best interest to terminate Mother's parental rights. The court found that the State had proven by a preponderance of the evidence that the termination of Mother's parental rights was in the children's best interest.

¶ 42 The court entered judgment terminating Mother's parental rights after the best interest hearing. The trial court found that the State met its burden of proving by clear and convincing evidence that Mother was unfit based on sections 1(D)(b), (m)(i), and (m)(ii) of the Adoption Act (750 ILCS 50/1(D)(b), (m)(i), (m)(ii) (West 2020)). The court also found that it was in the best interest of the minors to terminate Mother's parental rights. Mother's parental rights were terminated. DCFS was appointed as guardian of the minors with the power to consent to adoption. This appeal followed.

¶ 43 II. ANALYSIS

¶ 44 On appeal, Mother claims that the trial court's findings that she was an unfit parent were against the manifest weight of the evidence. Mother additionally argues that the trial court's best interest determination was against the manifest weight of the evidence.

¶ 45 Termination of parental rights proceedings are governed by the Juvenile Court Act (705 ILCS 40/1-1 *et seq.* (West 2020)) and the Adoption Act (750 ILCS 50/0.01 *et seq.* (West 2020)). Section 2-29 of the Juvenile Court Act provides a two-step process for the involuntary termination of parental rights. 705 ILCS 405/2-29(2) (West 2020). First, the trial court must find that the parent is unfit as defined in section 1(D) of the Adoption Act (750 ILCS 50/1(D) (West 2020)) based on clear and convincing evidence. *In re J.L.*, 236 Ill. 2d 329, 337 (2010). The trial court’s finding may be affirmed where evidence supports a finding of unfitness for any of the grounds alleged by the State. *In re C.W.*, 199 Ill. 2d 198, 217 (2002). After the court makes a finding of unfitness, the trial court then determines whether the State has proven that it is in the child’s best interest to terminate parental rights by a preponderance of the evidence. *In re D.T.*, 212 Ill. 2d 347, 366 (2004).

¶ 46 A. Parental Unfitness

¶ 47 A determination of unfitness involves factual findings and credibility assessments, and the trial court’s factual findings will not be reversed unless they are against the manifest weight of the evidence. *In re M.J.*, 314 Ill. App. 3d 649, 655 (2000). A determination is against the manifest weight of the evidence if the opposite conclusion is clearly evident. *In re Gwynne P.*, 215 Ill. 2d 340, 354 (2005).

¶ 48 The trial court concluded that the State had proven Mother unfit based on multiple grounds. Mother failed to make a reasonable effort to correct the conditions that led to the removal of K.C., J.C., and J.J.C. during a nine-month period after the adjudication of neglect (750 ILCS 50/1(D)(m)(i) (West 2020)) and failed to make reasonable progress toward the child’s return home during a nine-month period after the adjudication of neglect (750 ILCS 50/1(D)(m)(ii) (West 2020)). Mother additionally failed to maintain a reasonable degree of interest, concern, or responsibility as to the child’s welfare (750 ILCS 50/1(D)(b) (West 2020)).

¶ 49 “Reasonable efforts” relate to correcting the conditions that led to the removal of the children and are judged by a subjective standard based upon the effort that is reasonable for a particular person involved. *In re Jacorey*, 2012 IL App (1st) 113427, ¶ 21. The court must determine whether the parent made earnest and conscientious strides toward correcting the conditions that led to the removal of the children. *In re L.J.S.*, 2018 IL App (3d) 180218, ¶ 24.

¶ 50 “Reasonable progress” is an objective standard focused on the goal of returning the child to the parent. *In re D.D.*, 309 Ill. App. 3d 581, 589 (2000). Progress is measured by the parent’s compliance with the court’s directives, services plans, or both and requires the parent to make measurable or demonstrable movement toward the reunification goal in the near future. *In re Daphnie E.*, 368 Ill. App. 3d 1052, 1067 (2006).

¶ 51 When considering whether Mother failed to maintain a reasonable degree of interest, concern, or responsibility as to the child’s welfare, compliance with the service plan is also considered. *In re M.J.*, 314 Ill. App. 3d 649, 656 (2000). “The only difference is that in determining reasonable efforts or reasonable progress the trial court must limit its findings to a specific time frame, whereas in determining the degree of interest, concern, or responsibility as to the welfare of the children no such time frame exists.” *In re M.J.*, 314 Ill. App. 3d at 656.

¶ 52 K.C. and J.C. were first brought into care after four-week-old J.C., had sustained a fracture to his right arm. Approximately two months prior to J.C.’s treatment for a fractured arm, A.C. was left unattended and suffered brain damage after nearly drowning in a “dog water bucket.” Mother gave birth to J.J.C. while the other children were already placed in foster care. J.J.C. was brought into care a few days after he was born due to Mother’s ongoing involvement with DCFS, as well as a history of substance abuse and mental health issues.

¶ 53 A service plan was created for Mother to establish action steps to correct the conditions that led to the removal of K.C. and J.C. After J.J.C. was born and removed from Mother's care, the service plan remained the same. Mother's service plan required parenting education services, mental health counseling services, involvement with the children's medical appointments, participation in random drug screens, and obtaining safe housing.

¶ 54 Mother claims that she put forth a reasonable effort to correct the conditions that were the basis for the removal of the children. Mother claims that she completed a parenting assessment, a mental health assessment, and a psychological evaluation, and she had complied with drug screens. Mother additionally claims that she always prepared for, and attended, visitation.

¶ 55 The evidence presented at the fitness hearing clearly and convincingly established that Mother failed to make reasonable efforts to correct the conditions that brought her children into care. According to Horcharik, Mother would "race through services just to essentially appease everybody," but Mother was not able to demonstrate that she had learned the material. Mother attended 35 of the 55 classes offered and was closed out of services on January 30, 2020, after several months where Mother had not attended sessions. Mother did not complete the parenting component of her service plan.

¶ 56 Mother was unsatisfactory with the mental health component of her service plan. Mother completed a psychological evaluation in May 2019 and was referred for intensive and specific individual counseling services to address her narcissistic personality disorder. Mother never participated in the recommended intensive individual counseling sessions.

¶ 57 Although Mother satisfactorily completed random drug screens, she tested positive for a drug used to treat opiate addiction when J.J.C. was born. DCFS did not have knowledge of Mother engaging in drug treatment or knowledge of a prescription for buprenorphine. Mother also failed

to maintain contact with her caseworker who was uncertain about substance use by Mother. The housing component of her service plan also remained unsatisfactory because Mother would not update her caseworker with information on where Mother was living.

¶ 58 Reasonable efforts were not made by Mother to complete all of the recommended services in her service plan during any nine-month time period after adjudication. The trial court's determination that Mother had not made reasonable efforts was not against the manifest weight of the evidence.

¶ 59 The trial court additionally found that Mother had not maintained reasonable progress toward the return of the children within the nine-month time frames. Foster, the parenting education caseworker, testified that Mother did not "successfully" complete the parenting component of her service plan. Mother was unable to apply parenting skills during supervised visitation. McCoy had to interject on multiple occasions to inform Mother about safety concerns where Mother failed to correct inappropriate behavior or monitor her children during supervised visitations. Mother was never allowed to have unsupervised visitation over the course of the case. Mother also refused to participate in mental health services and ceased communication with her caseworker.

¶ 60 The evidence presented clearly demonstrated that Mother failed to make a measurable movement toward the return of the children during each of the relevant time frames alleged by the State. The trial court's determination that Mother was unfit for her lack of reasonable progress was not against the manifest weight of the evidence.

¶ 61 Having held that Mother was unfit, we do not need to address whether she was unfit for failing to demonstrate a reasonable degree of interest, concern, or responsibility as to her children's welfare under section 1(D)(b). See *In re C.W.*, 199 Ill. 2d at 217.

¶ 62

## B. Best Interest

¶ 63 After the court determines whether a parent is unfit and their rights can be terminated, the focus shifts to the child's best interest and whether parental rights should be terminated. *In re S.K.B.*, 2015 IL App (1st) 151249, ¶ 48. "At a best-interests hearing, the 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 at 364. The trial court's best interest determination will not be disturbed unless it is contrary to the manifest weight of the evidence. *In re R.L.*, 352 Ill. App. 3d 985, 1001 (2004).

¶ 64 In making a best interest determination, section 1-3(4.05) of the Juvenile Court Act requires a trial court to consider a number of factors for termination within "the context of the child's age and developmental needs." 705 ILCS 405/1-3(4.05) (West 2020). The trial court must consider the following factors: (1) the physical safety and welfare of the child, (2) the development of the child's identity, (3) the child's background and ties, (4) the child's sense of attachments, (5) the child's wishes, (6) the child's community ties, (7) the child's need for permanence, (8) the uniqueness of every family and child, (9) the risks attendant to entering and being in substitute care, and (10) the preferences of the persons available to care for the child. 705 ILCS 405/1-3(4.05) (West 2020).

¶ 65 On appeal, Mother acknowledges that she bonded with "a couple of her children," and she loves her children. Mother focused her attention on K.C. during visitation and struggled to form a bond with J.C. Mother had no interest in forming a bond with J.J.C.

¶ 66 All three children had bonded with their foster families. The foster family was able to provide for the physical safety, health, and welfare of the children, as well as their educational



needs. Horcharik and the GAL both emphasized the length of time the children have been in foster care and that the children needed permanency with their foster placement.

¶ 67 The trial court considered Horcharik's written report, testimony, and the best interest factors. The court found that the most applicable factors included the children's sense of attachment, where they have a sense of security, familiarity, and continuity, and their need for permanency. The court discussed each child and found that they were healthy, immunized, and had bonded with their foster family, as well as extended family. The children were placed together with their paternal grandparents who wished to pursue adoption.

¶ 68 The trial court was presented with sufficient evidence to make its best interest determination. Accordingly, we find that the trial court's determination to terminate Mother's parental rights was in the children's best interest and was not against the manifest weight of the evidence.

¶ 69 III. CONCLUSION

¶ 70 For the foregoing reasons, we affirm the judgment of the trial court of Macon County.

¶ 71 Affirmed.