

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

IN THE
APPELLATE COURT OF ILLINOIS
SECOND DISTRICT

<i>In re</i> J.G., a Minor)	Appeal from the Circuit Court
)	of McHenry County.
)	
)	No. 20-JA-94
)	
(The People of the State of Illinois,)	Honorable
Petitioner-Appellee, v. Samantha W.,)	Mary H. Nader,
Respondent-Appellant).)	Judge, Presiding.

PRESIDING JUSTICE KENNEDY delivered the judgment of the court.
Justices Schostok and Birkett concurred in the judgment.

ORDER

¶ 1 *Held:* The trial court did not err in finding respondent an unfit parent based on her failure to make reasonable efforts to correct the conditions of the minor J.G.'s removal from her custody and reasonable progress toward J.G.'s return home. Therefore, we affirm.

¶ 2 Respondent Samantha W. appeals from the trial court's finding that she is an unfit person under section 1(D) of the Adoption Act (750 ILCS 50/1(D) (West 2020)). Samantha is the biological mother of J.G., a minor. For the following reasons, we affirm.

¶ 3 I. BACKGROUND

¶ 4 J.G. was born to respondent and Michael G. on July 12, 2020. On September 2, 2020, the Department of Children and Family Services (DCFS) received a hotline call concerning J.G.'s

safety because respondent was using illegal drugs, and DCFS took him into protective custody that day.

¶ 5 A. Wardship, Service Plans, and Reports

¶ 6 On September 3, 2020, the State petitioned for adjudication of wardship of J.G. The petition alleged that J.G. was neglected because his environment was injurious to his welfare (705 ILCS 405/2-3(1)(b) (West 2020)) and that he was abused because his parent created a substantial risk of physical injury other than by accidental means that would likely cause death, disfigurement, impairment of emotional health, or loss or impairment of any bodily function (*id.* § 2-3(2)(ii)).

¶ 7 The petition contained several allegations regarding respondent's drug use: She tested positive for benzodiazepines and marijuana on August 6, 2019; she tested positive for cocaine, methamphetamine, oxycodone, and more on September 25, 2019, after respondent's brother found her asleep on top of J.G.'s sibling, who was unconscious and not breathing; J.G.'s father, Michael G., reported on August 27, 2020, that she was using drugs around J.G.; and, in response to a dispatch about a possible domestic incident at J.G.'s home on September 1, 2020, an officer observed respondent with bloodshot eyes, dilated pupils, and slurred speech. On September 2, 2020, respondent and Michael refused to make a plan for J.G. and threatened to kill the person making the DCFS report and the child protection service worker (CPSW).

¶ 8 The petition also contained allegations of domestic battery by Michael against respondent and his violation of a non-contact order with respondent.

¶ 9 An Integrated Assessment Report, dated December 1, 2020, provided as follows. Respondent, who was 30 years old at the time of the assessment, had a "significant history of trauma and adversity that has impacted her mental health, her relationships, as well as her adaptive functioning." Her history of substance misuse began with drinking alcohol at age 11 and using

marijuana and cocaine at age 12 with her biological mother. In her late adolescence, a visit to her mother in Las Vegas exposed her to methamphetamine, sexual assault, gang involvement, and her mother's suicide attempt by drug overdose. Respondent was subsequently admitted for psychiatric hospitalization in Illinois, where she was diagnosed with poly-substance abuse, bipolar disorder, and a sexually transmitted disease. Her drug use worsened in late adolescence, as she became addicted to heroin from 2008 to 2010. When she was 18 years old, she was driving under the influence of heroin when she hit a tree. The passenger, her paramour, was killed in the crash, and respondent was criminally charged. She spent four years in prison, from age 20 to 24. After a year and a half of sobriety, respondent relapsed in 2016, after beginning a relationship with a man who used cocaine. She began a relationship with Michael in October 2017, and he had a significant history of violence and controlling behavior with her; he would worry that she was unfaithful to him. He was arrested for domestic battery against respondent in 2018.

¶ 10 The report continued that respondent and Michael had their first child, B.G., on August 29, 2018. On September 25, 2019, B.G. died of asphyxiation after respondent fell asleep on top of her. At the time of B.G.'s death, respondent tested positive for cocaine, marijuana, and benzodiazepines. Respondent admitted to using illicit drugs, and she was indicated for death by neglect in February 2020. Following B.G.'s death, respondent's mental health difficulties worsened, resulting in psychiatric hospitalization. J.G. was conceived in the fall of 2019, and she said she discontinued illicit drug use upon learning of her pregnancy. However, she said she relapsed on methamphetamine in August 2020, attributing the relapse to B.G.'s birthday. Respondent tested positive for methamphetamine at the time J.G. was taken into protective custody.

¶ 11 The report concluded that respondent's illicit drug use severely impacted her ability to safely supervise and respond to J.G.'s needs. Her use of methamphetamine and cocaine was not only due to physical addiction but appeared to be a "maladaptive attempt to avoid [a] distressing past and current problematic thoughts and feelings." She had a "substantial history of relapse," being unsuccessful in permanently eliminating illicit drug use. She had a chronic history of impaired judgment and decision making, and had longstanding symptoms of depression, anxiety, and trauma. Respondent needed consistent participation in treatment services to avoid relapse.

¶ 12 On May 21, 2021, the trial court entered an adjudicatory order finding that J.G. was neglected because he was in an environment injurious to his welfare. This finding was based on both respondent's and Michael's stipulations to the allegations of neglect in the State's petition. The court dismissed the petition as to the abuse allegation.

¶ 13 On June 17, 2021, the trial court entered a dispositional order in which it made J.G. a ward of the court. It reserved a finding on whether respondent was fit, able, and willing to care for J.G. The court stated that respondent needed substance abuse treatment with random screens, individual therapy (trauma informed), and psychiatric monitoring. It set the permanency goal of return home within five months.

¶ 14 A July 29, 2021, status court report provided as follows. Respondent had been participating in outpatient substance abuse services and attending aftercare at LSSI (Lutheran Social Services of Illinois). However, she was discharged from LSSI in March 2021 due to inconsistent attendance, and she chose to transfer her aftercare services to Northwestern Medicine Ben Gordon Center. She was likewise discharged from the Ben Gordon Center due to poor attendance/lack of participation. As of May 27, 2021, she was in the process of intake to begin a new outpatient program at the Ben Gordon Center. Between May 27 and July 29, 2021, she had been consistently attending substance

abuse services at the Ben Gordon Center, and her drug screens were negative. She had been participating in psychiatric care and counseling and had completed parenting classes at Turning Point.

¶ 15 The July 29 report continued that respondent began unsupervised visitation with J.G. around May 26 or 28, 2021, for five hours once a week. She also had supervised visitation through Help at Home for two hours twice a week in a public setting. Help at Home reported that she interacted appropriately with J.G. but that she had been inconsistent with her visits, missing five over the course of about six weeks, including a no-show on May 25. She also canceled a June 7 visitation due to vacation. The report listed a current development from June 28, 2021, where respondent and Michael shoplifted at a Walmart, resulting in her arrest. The report recommended her participation in DCFS services.

¶ 16 An October 8, 2021, status court report provided that, on July 29, 2021, respondent was granted overnight, unsupervised visitation with J.G. On September 20, 2021, DCFS received a text message from respondent that she and Michael were both using drugs again and had been physically fighting, resulting in her calling the police.¹ Respondent also called a relative caregiver to take J.G. to keep him safe. The caregiver reported that there was broken glass and drug paraphernalia in the home. J.G. had a urine rash from his diaper not being changed. Michael threatened to kill himself, and respondent called DCFS and said she wanted to end it all, sign her parental rights away, and go to a hotel and “numb herself.” She also said she did not feel safe at home with Michael.

¹On September 30, 2021, following an order to submit a urine screen, respondent tested positive for benzodiazepines and methamphetamines.

¶ 17 A family service plan dated February 24, 2022, listed several risk factors why J.G.'s case was open, including that his parents were using drugs again and did not understand how their drug use affected children, they had a history of domestic violence and substance abuse, they had significant mental health issues, and, last year, another child died due to the substance abuse issues. Respondent was participating in substance counseling and parenting training, and she began unsupervised visitation with J.G. in February 2022. The court's permanency goal, set on March 22, 2021, was return home within 12 months.

¶ 18 The plan had three desired outcomes for respondent to meet the permanency goal. The first desired outcome was to maintain an alcohol and substance free lifestyle to provide a safe environment for J.G., with recommended actions including a substance abuse assessment, substance abuse treatment services, and random toxicology screens. The next desired outcome was for respondent to reach an appropriate level of understanding of her trauma and mental health to improve her functioning as a parent, with recommended actions including individual and group treatment services, as well as parenting classes. Last, respondent was to cooperate with DCFS and successfully complete recommended services, including keeping scheduled appointments and informing DCFS of certain changes such as address, employment, and household composition.

¶ 19 On June 28, 2022, DCFS filed a permanency hearing report dated June 27, 2022, which listed respondent as making satisfactory progress and reasonable efforts toward the permanency goal. Respondent had completed parenting classes and an individual outpatient treatment program. She began unsupervised visitation in May. She was not currently working and did not have a driver's license. Her drug drops were clean, aside from THC and benzodiazepines, for which she had a medical card and prescription, respectively. She had blocked Michael from her phone.

¶ 20 Another family service plan dated September 28, 2022, provided the same desired outcomes and recommendations as the February 24, 2022, plan. The court's permanency goal, set on August 30, 2022, was return home within five months. Respondent's visitation had reverted to supervised visitation in July due to a substance abuse relapse. Otherwise, her progress on the desired outcomes was rated as "Satisfactory Progress / Maintain Outcome" because she was participating in recommended services and keeping in contact with DCFS.

¶ 21 On November 15, 2022, DCFS filed another permanency hearing report, which no longer listed respondent as making satisfactory progress toward the goal of return home, although it still stated she was making reasonable efforts. The report noted a drug relapse in July 2022. Since, she was passing her weekly drug drops at the Ben Gordon Center, but the drops were not random. Visitation was no longer unsupervised. Respondent began supervised visitation through ROAN Solutions on July 28, 2022, and although staff reported that her visits were going well, she was regularly requesting changes to the visitation schedule. The report recommended a permanency goal of return home within 12 months.

¶ 22 The family service plan dated March 9, 2023, and approved March 22, summarized respondent's progress since her last review as follows. She had positive drug drops for cocaine on December 22, 2022, and February 2, 2023. She was participating in services at the Ben Gordon Center for substance abuse and her traumatic past. Respondent was visiting with J.G. weekly but had cancelled numerous visits over the past couple of months for various reasons, including illness, Uber driver issues, and no reason at all. She had been spending time with a new paramour (Jason Dziudzek), who had been arrested on two counts of possession of a controlled substance, possession of drug paraphernalia, and domestic battery against respondent. The paramour was found deceased on March 17, 2023. The court's permanency goal, set on March 9, 2023, was return

home within 12 months. The desired outcomes and recommendations remained the same, with satisfactory evaluations on outcome progress.

¶ 23 The next permanency hearing report was filed April 27, 2023, and it provided that respondent was making neither satisfactory progress nor reasonable efforts towards the goal of return home within 12 months. The report provided an extensive timeline of the reporting period, beginning with several instances of respondent cancelling visitation: on October 13, 2022 (attending court), November 11, 2022 (minor surgery the day prior), December 1, 2022 (new work schedule), December 2, 2022 (ride cancelled for a make-up visit), and December 16, 2022 (illness).

¶ 24 On December 21, 2022, respondent called her case worker crying and slurring her speech. She asked how to have a child without DCFS taking it, and she said she wanted to sign her rights to J.G. to the caregiver, Pam, and “have her own child that DCFS cannot take.” She then accused Pam of trying to take her child and called her a lying cunt. Respondent was referred for a drug test the following day, and it came back positive for cocaine but negative for her prescribed medications, including an anti-anxiety benzodiazepine, which was “concerning.” A January 5, 2023, drug test was positive for THC and benzodiazepines but negative for other drugs.

¶ 25 The report continued by chronicling further visitation cancellations from January through early April 2023, for various reasons including illness, transportation difficulties, or a simple no-show. Another drug test from February 2, 2023, was positive for cocaine. She claimed the cocaine came from smoking from a bowl that had previously had cocaine in it. On March 8, 2023, respondent was involved in a domestic dispute with Jason Dziudzek, and on March 9 and 17, 2023, she lost two close friends to drug overdoses, one being Jason and the other being his brother. She reported being present with each on the nights before they died. On April 11, 2023, she entered substance use disorder treatment at Rosecrance in Rockford, and she left on April 20. She was

currently on the waitlist for a drug rehabilitation program. The report concluded by recommending return home within 12 months.

¶ 26 The final relevant permanency report to this appeal was filed July 13, 2023. It noted “extremely limited visitation” with J.G. since October 13, 2022, and it documented her positive drug tests for cocaine in December 2022 and February 2023. Respondent had entered an IOP substance use treatment program through Rosecrance on April 11, 2023, but she left without completing services on April 20, 2023. It continued that respondent had completed rehabilitation at LSSI in June 2023 and had entered a halfway house for continued support. LSSI staff recommended she remain in a halfway house and receive counseling and support services like Alcoholics Anonymous. Respondent was in the process of reengaging with services at the Ben Gordon Center. The report recommended that respondent be found to have made neither reasonable efforts nor reasonable progress toward the goal of return home within 12 months.

¶ 27 The final relevant family services plan was dated October 6, 2023. It summarized respondent’s progress as follows. She was recommended to participate in an IOP and a halfway house for her substance abuse issues, but as of September 8, 2023, she was participating in neither and was engaged only in counseling. Respondent reported positive drops for cocaine, and she had canceled numerous visits with J.G. over the past few months. Per the September 8, 2023, evaluation, both she and Michael were “minimally engaged in services and minimally participant,” and service providers reported no observed improvement in parenting behaviors. Further, she had no relapse plan. The family services plan retained the same three desired outcomes for respondent, but this time listed her progress on the first—to achieve and maintain an alcohol and substance free lifestyle—as unsatisfactory.

¶ 28 B. Petition to Terminate Parental Rights

¶ 29 On March 14, 2024, the State filed its petition to terminate respondent's parental rights. It alleged that respondent was an unfit person for several reasons: She failed to maintain a reasonable degree of interest, concern, or responsibility as to J.G.'s welfare (750 ILCS 50/1(D)(b) (West 2020)); she demonstrated habitual drunkenness or addiction to non-prescription drugs for at least one year prior to the filing of the petition (*id.* §1(D)(k)); she failed to make reasonable efforts to correct the conditions that were the basis for J.G.'s removal during any nine-month period following the adjudication of neglect (*id.* § 1(D)(m)(i)) (December 1, 2022, through September 1, 2023; March 1, 2023, through December 15, 2023; June 1, 2023, through March 14, 2024; and any other nine-month period from December 1, 2022, through March 14, 2024); and she failed to make reasonable progress toward the return of J.G. during any nine-month period following the adjudication of neglect (*id.* § 1(D)(m)(ii)) (same nine-month periods).

¶ 30 C. Fitness Hearing

¶ 31 On August 12, 2024, the trial court heard the fitness portion of the State's petition to terminate parental rights. The State called Amber Rakoczy, who was the director of ROAN Solutions, a social service practice that received referrals from DCFS and provided supervised visitation and visiting and therapy services. Respondent was referred to ROAN in September 2021. Respondent experienced some interruption in her visitation with J.G., although she could not give specific dates. The interruptions were due to respondent being in drug rehabilitation, which occurred on more than one occasion. As of the hearing, respondent had not yet been successfully discharged from ROAN.

¶ 32 Brianna Peluso was the team administrator at ROAN solutions, and she testified as follows. She supervised visitation, including supervising respondent's visitation with J.G. since 2021.

Respondent reached a point of unsupervised visitation in 2022, but that ended when DCFS informed her that respondent had relapsed.

¶ 33 Samantha Becker was a placement supervisor with DCFS, and she supervised the DCFS caseworker on J.G.'s case until the spring of 2023. She identified several exhibits for the State, which were admitted without objection. People's Exhibit 1 was the Integrated Assessment Report dated December 1, 2020. People's Exhibits 2 and 3 were status court reports dated July 29, 2021, and October 8, 2021, respectively; Becker had personally signed off on both reports. People's Exhibits 4 and 5 were family service plans for J.G.'s case, approved February 28, 2022, and September 28, 2022, respectively. Becker explained that family service plans identified goals for the child's needs, the safety and well-being of the child while in foster care, and recommended services and interventions for the child's parents. People's Exhibits 6 and 7 were permanency hearing reports for J.G.'s case dated June 27, 2022, and November 15, 2022, respectively. People's Exhibit 8 was another service plan, approved March 22, 2023, and Exhibit 9 was another permanency hearing report, dated April 27, 2023. The exhibits' relevant contents were recounted *supra* ¶¶ 9-11, 14-25.

¶ 34 Joshua Jansen was a caseworker with DCFS, and he was assigned to J.G.'s case around March of 2023. He was familiar with the case's history. He identified People's Exhibit 10, a permanency hearing report filed July 13, 2023, that he had written, and it was admitted into evidence without objection. See *supra* ¶ 26. At the time of that report, he was not recommending that respondent had made reasonable efforts or reasonable progress during the last reporting period because she had recently relapsed with cocaine and she had not been engaging in services to his knowledge. Also, at the time of the report, she had limited contact with him and limited participation in parent-child visits.

¶ 35 Jansen also identified People’s Exhibit 11, which was a family service plan dated October 6, 2023, that he had created, and it was admitted without objection. See *supra* ¶ 27. Jansen had learned that respondent and Michael were living together and that an incident of domestic violence had occurred in or around October 2023. When he spoke with respondent about the incident, she “made very noncommittal statements about the incident” but said that they had had an argument, that she was thrown out of the house, and that her bruise was caused by a stick.

¶ 36 Officer Kayla Heal of the Elgin Police Department testified as follows. On March 8, 2022, she was dispatched to respond to a domestic disturbance between respondent and Jason Dziudzek. She spoke with respondent that day. Respondent was upset, she was squinting, her pupils were somewhat dilated, and her speech was a “little slurred.” Heal also noticed some injuries on respondent: a puffy red mark on her cheek and a bleeding injury on her lower leg or ankle. Respondent told her that Jason physically harmed her about her face and on one of her feet. She also claimed to have harmed him. Respondent told Heal she used Xanax that day, but she said she had a prescription for it.

¶ 37 D. Fitness Decision

¶ 38 The trial court made its fitness determination on October 3, 2024. After summarizing the evidence from the fitness hearing, the trial court described respondent’s visitation with J.G. as a “four-year rollercoaster,” with her being in and out of visitation, moving from supervised to unsupervised and back to supervised, and having her visitation time increased and decreased. The court noted that respondent had cancelled visitation time to attend out-of-state concerts, and she appeared to be “under the influence of something at one time or another at visitation.” The court concluded that the State had met its burden to show she failed to maintain a reasonable degree of interest, concern, or responsibility for J.G.

¶ 39 The trial court continued that Samantha had a significant history of drug abuse and failed substance abuse treatment. She had missed drug screens and failed others. She had been in and out of rehabilitation facilities. She tested positive for cocaine. She had not adequately addressed her substance abuse nor adequately engaged with substance abuse treatments. It therefore found she demonstrated habitual drunkenness or an addiction to drugs for at least one year prior to the filing of the petition to terminate.

¶ 40 In addition to respondent's failure to adequately address her substance abuse, the court wrote that it was "clear that she and Michael engage in domestic violence routinely." Even when respondent was with a new paramour before returning to Michael, she had a domestic violence incident. She then had another domestic incident with Michael in October 2023. Accordingly, the court found the State met its burden to show that respondent failed to make reasonable efforts to correct the conditions that were the basis for J.G.'s removal during any nine-month period after the adjudication of neglect.

¶ 41 Last, the trial court found that the State met its burden to show that respondent failed to make reasonable progress toward J.G.'s return during any nine-month period after the adjudication of neglect based on the evidence adduced supporting the first three allegations of unfitness. The court summed up its findings at the hearing, stating that J.G. had been in care all his life, yet his parents "can't skip concerts to take care of him. They can't stop using drugs. They can't stop fighting with each other. They just can't stop the reasons that [J.G.] is in care." Accordingly, the court found respondent an unfit parent.

¶ 42 This timely appeal followed.

¶ 43

II. ANALYSIS

¶ 44 Respondent argues that the trial court erred in finding that she is an unfit person under section 1(D) of the Adoption Act (750 ILCS 50/1(D) (West 2020)) on all four alleged grounds because (1) she made reasonable efforts toward correcting the conditions that led to J.G.’s removal, (2) she made reasonable progress toward the return of J.G., (3) she maintained a reasonable degree of interest, concern, or responsibility for J.G.’s welfare, and (4) she did not demonstrate habitual drunkenness or an addiction to drugs for one year prior to the filing of the petition.

¶ 45 The Juvenile Court Act of 1987 provides a two-stage process for the involuntary termination of parental rights. 705 ILCS 405/2-29(2) (West 2020); *In re Tiffany M.*, 353 Ill. App. 3d 883, 889 (2004). The first stage requires that the State prove by clear and convincing evidence that the parent is an “unfit person” under section 1(D) of the Adoption Act (750 ILCS 50/1(D) (West 2020)). *In re Gwynne P.*, 215 Ill. 2d 340, 354 (2005). If the court finds the parent unfit, the court considers whether it is in the best interests of the child to terminate parental rights. *In re C.W.*, 199 Ill. 2d 198, 210 (2002). Only the first stage, unfitness, is at issue on this appeal.

¶ 46 Section 1(D) of the Adoption Act (750 ILCS 50/1(D) (West 2020)) lists various grounds to find a parent unfit, any of which alone will support a finding of unfitness. *In re Tiffany M.*, 353 Ill. App. 3d at 889. Therefore, we may affirm the trial court’s finding of unfitness where the evidence supports any one of the alleged grounds. See *In re Nevaeh R.*, 2017 IL App (2d) 170229, ¶ 20 (“The court need find a parent unfit under only one of the grounds” in section 1(D) of the Adoption Act to proceed to a best-interest hearing). Relevant here are sections 1(D)(m)(i) (failure to make reasonable efforts to correct the conditions that were the basis for the removal of the child during any nine-month period following the adjudication of neglect or abuse), 1(D)(m)(ii) (failure to make reasonable progress toward the return of the child during any nine-month period following the adjudication of neglect or abuse), 1(D)(b) (failure to maintain a reasonable degree of interest,

concern or responsibility as to the child's welfare), and 1(D)(k) (habitual drunkenness or addiction to drugs, other than prescribed by a physician, for at least one year immediately prior to the commencement of the unfitness proceeding).

¶ 47 To reverse a trial court's finding that there was clear and convincing evidence of parental unfitness, a reviewing court must determine that the trial court's finding was against the manifest weight of the evidence. *In re C.N.*, 196 Ill. 2d 181, 208 (2001). A finding is against the manifest weight of the evidence where the opposite conclusion is clearly evident or the decision is unreasonable, arbitrary, or not based on the evidence. *In re N.B.*, 2019 IL App (2d) 180797, ¶ 30. In reviewing a finding of unfitness, this court does not reweigh the evidence or reassess the credibility of witnesses. *In re Adoption of P.J.H.*, 2019 IL App (5th) 190089, ¶ 11.

¶ 48 Respondent first argues that the trial court erred in finding her unfit for failing to make reasonable efforts to correct the basis of removal and failure to make reasonable progress toward J.G.'s return home. Regarding reasonable efforts, she argues that she made progress in correcting the conditions of J.G.'s removal, namely, her illegal substance abuse issues, her need to deal with trauma from domestic violence, and her need for psychiatric monitoring. She contends that she was engaged in substance abuse services for the majority of the time that J.G. was in care, although conceding that she "did, a few times, test positive for cocaine." She continues that the service plans indicated that she was also receiving mental health treatment. She concludes that although she is taking occasional steps back on the path toward correcting the conditions of J.G.'s removal, termination of parental rights is a drastic measure.

¶ 49 As to reasonable progress, respondent argues that she satisfactorily completed most of her required services, including engaging in substance abuse and individual counseling; she was visiting with J.G. appropriately; and she was complying with her mental health treatment.

Although she states that she “may not have been all the way there,” she contends she was measurably moving toward where she needed to be to have J.G. return home.

¶ 50 Whether a parent made reasonable efforts is a subjective standard related to the goal of correcting the conditions that cause the child’s removal from the parent’s custody. *In re Daphnie E.*, 368 Ill. App. 3d 1052, 1067 (2006). That is, the reasonable efforts inquiry focuses on the effort of a particular parent that would be reasonable for that parent under the circumstances of the case, and it narrowly considers only the correction of those conditions originally providing a basis for the child’s removal. *In re D.P.*, 2024 IL App (1st) 231530, ¶ 42.

¶ 51 In contrast, reasonable progress is an objective standard, reviewing the steps the parent has taken toward the goal of reunification. *In re Dar. H.*, 2023 IL App (4th) 230509, ¶ 53. Reasonable progress exists when the trial court can conclude that it will be able to return the child to parental custody in the near future. *Id.* The benchmark of reasonable progress is compliance with the service plans and court directives in light of both the conditions that gave rise to the child’s removal and other conditions that later became known and would prevent the court from returning the child to the parent’s custody. *In re Z.M.* 2019 IL App (3d) 180424, ¶ 68 (citing *In re C.N.*, 196 Ill. 2d 181, 216-17 (2001)). In assessing reasonable progress, the trial court considers evidence occurring only during the relevant nine-month period. *Id.*

¶ 52 We hold that respondent failed both to make reasonable efforts to correct the conditions of J.G.’s removal and reasonable progress toward J.G.’s return home during multiple nine-month periods. Specifically, we focus on the nine-month periods of December 1, 2022, through September 1, 2023, and March 1, 2023, through December 15, 2023. Here, the conditions of J.G.’s removal from respondent’s care were her substance abuse issues, her need for mental health treatment, and domestic violence in the home between her and Michael.

¶ 53 The evidence of note is as follows. Respondent tested positive for cocaine on December 22, 2022, and February 2, 2023. On December 21, 2022, she had called DCFS crying and saying she wanted to sign away her rights to J.G. to the caregiver, before saying she wanted to have her own child that DCFS could not take away. This incident triggered the first relevant positive drug test for cocaine.

¶ 54 During these time periods, respondent spent time with a new paramour, Jason Dziudzek. The April 27, 2023, permanency hearing report documented a domestic dispute between her and Jason on March 8. Officer Heal testified that when she responded to the incident, she observed respondent with a puffy red cheek and a bleeding injury to her lower leg. Following the domestic incident, Jason and his brother both overdosed later that month, and respondent was with each the night before they died. By October 2023, respondent was back with Michael, and Jansen testified that they were living together and had had another incident of domestic violence.

¶ 55 Respondent's visitation with J.G., which had previously reverted to supervised visitation, became limited during the relevant time periods due to her inconsistent attendance. Some of the missed visits were due to claimed illness or problems with transportation to visitation, and other times respondent was simply a no-show. Documented in the record were numerous missed visitation sessions from December 2022 through early April 2023.

¶ 56 The July 13, 2023, permanency report recommended that the court find that respondent made neither reasonable efforts nor reasonable progress. Jansen, who authored the report, testified that his communication with respondent had been "very limited," as he attempted to contact respondent but did not receive return calls. He had made his recommendations based on respondent's positive tests for cocaine, her lack of engagement in services, her limited contact with him, and her limited participation in visitation with J.G.

¶ 57 This evidence when viewed in the context of the conditions for J.G.’s removal—especially respondent’s extensive history of substance abuse, which resulted in the death of J.G.’s sister, B.G.—supported the trial court’s findings of both no reasonable efforts and progress. During the December 1, 2022, to September 1, 2023, period, respondent twice tested positive for cocaine, lapsed on visitation with J.G., and engaged in a new romantic relationship resulting in domestic violence and ending with the paramour’s drug overdose death. These were objectively steps back from the progress respondent had made toward the return of J.G., and subjectively not reasonable efforts to try to correct the well-documented conditions of J.G.’s removal nearly three years prior, including her illicit drug use. Although the positive cocaine test results occurred outside of the March 1, 2023, to December 15, 2023, period, during that period respondent was reported to be minimally engaged in services, including leaving an IOP substance treatment program without completion; she was not engaging with her DCFS caseworker, which was one of the service plan goals; and she returned to Michael, which resulted in another incident of domestic violence between the two. Respondent’s need to address her substance abuse issues was paramount, and the evidence supported the trial court’s conclusion that she had not reasonably done so under either an objective or subjective standard. Further, respondent continued to engage in abusive and unhealthy romantic relationships, despite the need to address exactly that type of trauma. Thus, whether viewed under the subjective standard of reasonable efforts, limited to the conditions of removal, or the objective standard of reasonable progress toward the return of J.G., these facts show that the trial court’s finding of unfitness was reasonable and not against the manifest weight of the evidence.

¶ 58 Since we have already found multiple grounds that support the trial court's finding that respondent was an unfit person, and one alone is sufficient (*In re Nevaeh R.*, 2017 IL App (2d) 170229, ¶ 20), we need not address the remaining grounds.

¶ 59 III. CONCLUSION

¶ 60 For the reasons stated, we affirm the judgment of the circuit court of McHenry County.

¶ 61 Affirmed.