2025 IL App (2d) 250034-U
No. 2-25-0034
Order filed June 18, 2025

IN THE

APPELLATE COURT OF ILLINOIS

SECOND DISTRICT

In re R.L.-C., a Minor	)	Appeal from the Circuit Court
	)	of Kane County.
	)	
	)	No. 23-JA-27
	)	
	)	Honorable
(The People of the State of Illinois, Petitioner-Appellee, v. Sarah L., Respondent-Appellant).	)	Kathryn D. Karayannis,
	)	Judge, Presiding.

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

ORDER

¶ 1 *Held:* We grant appellate counsel's motion to withdraw and affirm the circuit court's judgment terminating respondent's parental rights, concluding there exist no issues of arguable merit to be raised on appeal.

¶ 2 Respondent, Sarah L., appeals from the circuit court's order finding her unfit to parent her daughter, R.L.-C. (born December 6, 2019), and terminating her parental rights.[1] Per *Anders v. California*, 386 U.S. 738 (1967), and *In re S.M.*, 314 Ill. App. 3d 682, 685 (2000) (holding *Anders* applies to cases involving termination of parental rights), appointed appellate counsel moves to

[1]The parental rights of Aimee C., R.L.-C.'s other parent, and respondent's estranged spouse, were also terminated. She is not a party to this appeal.

withdraw. Counsel has supported his motion with a memorandum of law providing a statement of facts, potential issues, and argument as to why those issues lack arguable merit. See *In re Alexa J.*, 345 Ill. App. 3d 985, 988 (2003) (further holding that "counsel must identify at least one potentially justiciable issue in a motion to withdraw under *Anders*."). In his motion, counsel states that he read the record and found no issues of arguable merit. Counsel, further, attempted to serve respondent with a copy of the motion and memorandum; however, correspondence has been returned to him as undeliverable, and respondent has not responded to his text messages. We also advised respondent that she had 30 days to respond to counsel's motion. That time has passed, and no response was filed. We conclude that this appeal lacks arguable merit based on the reasons set forth in counsel's memorandum. Thus, we grant counsel's motion and affirm the circuit court's judgment.

¶ 3 I. BACKGROUND

¶ 4 R.L.-C. came into Department of Children and Family Services (DCFS) care after an incident on February 1, 2023, where DCFS received a call reporting that Aimee C. was intoxicated and grabbed R.L.-C. by the arm and swung her around aggressively. Aimee C. then left the shelter she was residing at with R.L.-C. and placed the minor in the care of Kari Young at the Candlewood Suites in Aurora. Aimee C. was arrested as a result of this encounter. Sarah L. was not present during the incident.

¶ 5 The State petitioned for adjudication on February 23, 2023, alleging that R.L.-C. was a neglected minor because, *inter alia*, respondent failed to protect R.L.-C. from Aimee C.'s substance abuse issues, Aimee C.'s anger management issues, her own substance abuse issues, and her own domestic violence issues. At a shelter-care hearing on February 28, 2023, the court found that probable cause existed to proceed with the petition for adjudication, and that there was an

urgent and immediate necessity to place R.L.-C. in temporary protective custody with DCFS. Thereafter, the court scheduled an adjudicatory hearing and appointed CASA of Kane County as the guardian *ad litem* (GAL) for R.L.-C. She was initially placed with Kari Young, fictive kin, and Aimee C. and respondent were allowed supervised visitation at the discretion of DCFS.

¶ 6 After hearings on April 25, 2023, and May 23, 2023, the circuit court, relying on the factual basis submitted by the State and stipulated by respondent and Aimee C., found R.L.-C. to be neglected. The court continued to a dispositional hearing on May 23, 2023. There, respondent argued that R.L.-C. should be placed in her care, as opposed to being made a ward of the court, because she was living separately from Aimee C., she successfully completed drug screenings, and was either enrolled in or beginning the services recommended in her service plan. In turn, the court found that it was in the best interests of the minor to be made a ward of the court. Regarding both parents, the court determined that, for reasons other than financial circumstances alone, respondent and Aimee C. were unfit and unable to care for, protect, educate, train, supervise, or discipline R.L.-C. As to respondent specifically, the court advised that she would need to complete the services identified in her integrated assessment, including continued drug testing, a domestic violence program, parenting education and coaching, a mental health assessment, and individual therapy. Additionally, she would need to have stable housing and income, disclose her prescription medications, abstain from alcohol and cannabis, and visit R.L.-C. The court set the permanency goal as return home in 12 months.

¶ 7 A series of permanency-review hearings were held between September 2023 and July 2024. In September 2023, the court noted that respondent was not present for the hearing but was checking in with her caseworker, appeared to be completing her domestic violence counseling, and had finished her substance abuse assessment (with no treatment recommendations). However,

respondent failed to enroll in individual therapy and stopped attending her parenting education "because it didn't fit into her schedule despite the fact that she appears to only have part-time employment that she has not verified either." In January 2024, the court found that respondent "was making efforts and may be making some progress" but the court needed more information about her completion of services, documentation, and cooperation with outside agencies, as respondent's completed services were not verifiable because releases for information were still outstanding. Additionally, the court noted that respondent needed to complete parenting classes so that she could begin parenting coaching. By April 2024, the court found that respondent was making some efforts but reserved ruling on progress. DCFS was still not able to verify that respondent started domestic violence services, completed parenting education, completed a substance abuse evaluation, and had stable employment. Respondent also missed five of her last eight drug screenings and her last completed test was deemed adulterated. Moreover, the court was concerned with the stability of respondent's residence.

¶ 8 At the July 2024 permanency hearing, the court noted that respondent was participating in the Nurturing Parenting Program at Mutual Ground but there were no records that she completed domestic violence services. Respondent had not began parenting coaching. After respondent's adulterated drug screening, she was ordered to complete an updated drug test; however, she failed to appear at several additional drug screens. The court had no updated information on respondent's mental health services. Finally, the court noted it had concerns with the status of respondent and Aimee C.'s continued relationship, and respondent's "ability to monitor a relationship between the two of them." Overall, the court found that the parties were "still far—too far away" to continue with a return-home goal, and it was "very clear" that neither respondent nor Aimee C. "has been doing what they needed to do." The court found that respondent made some efforts, but made no

substantial progress toward reunification with R.L.-C. The court therefore changed the permanency goal to substitute care pending a petition to terminate parental rights.

¶ 9 On October 25, 2024, the State filed a petition to terminate respondent's parental rights. The State cited the following unfitness grounds: (1) failure to maintain a reasonable degree of interest, concern, or responsibility as to the minor's welfare (750 ILCS 50/1(D)(b) (West 2022)); (2) failure to protect the minor from conditions within her environment that were injurious to the minor's welfare (*id*. § 50/1(D)(g)); (3) failure to make reasonable efforts to correct the conditions which were the basis for the removal of R.L.-C. from respondent during the nine-month period between May 24, 2023, and February 24, 2024, after R.L.-C. was adjudicated neglected (*id*. § 50/1(D)(m)(i)); and (4) failure to make reasonable progress toward the return of R.L.-C. to respondent during the nine-month period between May 24, 2023, and February 24, 2024, after R.L.-C. was adjudicated a neglected (*id.* § 50/1(D)(m)(ii)). The State also alleged that it was in the best interests and welfare of the minor that respondent's parental rights be terminated. A hearing on the State's petition to terminate respondent's parental rights was held over several dates, beginning on December 12, 2024.

¶ 10 During the unfitness phase of the termination proceeding, the State called four witnesses: (1) respondent; (2) Aimee C.; (3) Kristen Rangel, a supervisor Lutheran Social Services of Illinois (LSSI); and (4) Gabrielle Moreno, a caseworker at LSSI. The State also submitted several exhibits, including certified records and reports from various agencies and the integrated assessment. In addition, the State asked the court to take judicial notice of various documents, including the minor's birth certificate; respondent and Aimee C.'s marriage license; the visitation plan; the family severance plan; the adjudicatory order; multiple family service plans; the dispositional order; a certificate of completion for a parenting workshop filed July 2, 2024; a letter filed July 2,

2024; and several permanency review orders. Importantly, the court took judicial notice of a prior DCFS report showing that Aimee C. was found intoxicated in her vehicle while her children ran around outside the vehicle in a store parking lot. Respondent was aware of the incident because she had driven Aimee C. to the store and had left her in the vehicle while she went inside the nearby store with R.L.-C.

¶ 11 Respondent testified that she was separated, but not divorced, from Aimee C., and was the parent of R.L.-C. At the time of the hearing, she had been living with her mother, stepfather, and older daughter for about three months, but for the year prior she was living with a roommate in Aurora. She was employed part-time at Wright Brothers, primarily doing junk removal. Respondent testified that her older daughter, mother, and daycare would all provide support and watch R.L.-C. while she was working, but respondent did not feel she could ask her daughter and mother to be a full-time placement option for R.L.-C.

¶ 12 Respondent indicated that she was estranged from Aimee C. She believed her history of domestic violence with Aimee C. and the incident that occurred between Aimee C. and R.L.-C. (where the minor was swung around by the arm) were the reasons R.L.-C. was in DCFS custody. Specifically, respondent related that the parties were estranged because for the last year or so Aimee C. had been drinking more, which caused verbal domestic issues between respondent and Aimee C. Thereafter, respondent catalogued her history of substance use—cannabis, heroin, and methadone. Noting that her last heroin usage was in 2015, she last used cannabis in her 20s, and that she only used methadone for two years to reduce her dependency to heroin.

¶ 13 After R.L.-C. came into DCFS custody, respondent completed an integrated assessment, which listed services respondent would need to complete to reunite with R.L.-C. These services included: a drug evaluation, a mental health evaluation, parenting classes, parenting coaching, and

domestic violence victim's counseling. She would also need stable employment and housing. Respondent testified that she would only need to complete domestic violence victim's counseling and not individual therapy, despite the court's admonishments indicating she would need to complete both at the dispositional hearing on May 23, 2023. Respondent testified that she completed a mental health assessment around January 2024, which recommended she continue with domestic violence victim's counseling. Respondent indicated that she attended victim's counseling at Mutual Grounds but did not recall missing several counseling sessions; however, she did suspend services after a new counselor was assigned because "I didn't feel that she was the right counselor for me so I decided to go to another place." Respondent testified that she then began tele-health domestic violence counseling in January or February of 2024, with a provider whom she could not recall the name. Respondent did not attend individual therapy after she suspended services with Mutual Grounds.

¶ 14 During the pendency of this case, respondent obtained an emergency order of protection against Emilio Salazar, a subsequent partner, because he "hurt [her], punched [her] and kicked [her], [and] left [her] with black eyes." Salazar also threw a coffee mug at respondent. She also alleged that two days prior to this incident, Salazar had pinned her to the bed by strangling her. Salazar was charged as a result of this conduct (respondent failed to follow up on status of those charges). Respondent testified that the parties did not live together; however, the emergency order of protection stated that the parties lived together for approximately eight months. Ultimately, respondent failed to appear at the hearing for a plenary order of protection, because she believed that Salazar moved out of the country, so the case was dismissed.

¶ 15 Regarding parenting classes, respondent completed her services at Family Focus on May 9, 2024. Respondent acknowledged that parenting coaching cannot begin until after classes are

completed; she testified that she completed three parenting coaching sessions in June 2024, before the agency concluded services because "they didn't feel I needed it." The State submitted records that showed that respondent attended two parenting coaching sessions, failed to appear at a scheduled third session, and suspended services thereafter. Respondent admitted that she did not complete her parenting services within the relevant nine-month period. Concerning visitation, respondent consistently visited R.L.-C. and provided her with clothing and shoes; however, she did not send financial support, cards, or letters.

¶ 16 As to substance abuse services, respondent recognized that she missed at least three drug screens. She testified that she missed the first test because of weather closures, however, the remaining two tests were missed because she did not have a phone (so she missed the drug screening notification) and due to a scheduling conflict. Overall, respondent testified she was sober from illegal substances, cannabis, and alcohol.

¶ 17 On December 13, 2024, the circuit court found respondent unfit based on each allegation in the petition. Specifically, the court questioned respondent's credibility generally and regarding her relationship with Salazar and their abusive relationship. The court incorporated, by reference, the prosecutor's closing remarks, which highlighted that, *inter alia*, respondent failed to meaningfully address the domestic violence issues that contributed to R.L.-C.'s wardship. In fact, respondent failed to provide proof of completion of domestic violence services, and she failed to demonstrate that she learned from those services, considering her subsequent relationship with Salazar. Respondent also failed to follow through with a plenary order of protection against Salazar because she *believed* that he would be leaving the country. That relationship, the prosecutor argued, did not constitute a stable living situation with reliable housing as reports indicated that respondent was living with Salazar for eight months. The prosecutor also acknowledged that

although respondent started off well regarding her completion of domestic violence services, her success stalled after her counselor changed and she discontinued services with Mutual Grounds. In fact, Mutual Grounds' records reflected that she missed so many scheduled services they cancelled all foregoing services with respondent. Further, respondent did not seek to reinitiate services with Mutual Grounds until January 2024, when the relevant nine-month period was nearly concluded. At this point, Mutual Grounds' waitlist was closed, and services could not be reinitiated. Moreover, although respondent initially completed her substance abuse evaluation, she missed several drug screens throughout the pendency of the case.

¶ 18 The prosecutor also noted that respondent failed to make reasonable efforts regarding her parenting classes and coaching during the relevant nine-month period. Records reflect that respondent was unsuccessfully discharged from the Nurturing Family parenting program in June 2023, and did not reinitiate parenting services during the relevant time frame. Moreover, because parenting classes were not timely completed, respondent did not complete parenting coaching in a timely manner because those services cannot be initiated until after the successful completion of parenting classes. Further, respondent's claims that she completed three parenting coaching sessions before they were terminated successfully was not borne out by the record—records showed two classes were completed, respondent failed to appear at a third, and, thereafter, she failed to reinitiate any services.

¶ 19 Overall, the court found that neither respondent nor Aimee C. "did what they needed to do within the nine-month period alleged in the petition. They did not *** make reasonable efforts during that period of time. They did not make progress during that period of time." Respondent failed to protect R.L.-C. from substance abuse, anger management, and domestic violence issues that she was aware of, as indicated in the DCFS reports. Moreover, respondent was estranged from

Aimee C. for these same reasons, and instead of protecting R.L.-C. from Aimee C, respondent left R.L.-C. in her care. Respondent also failed to timely follow up on services, which showed a lack of a reasonable degree of interest, concern, or responsibility for R.L.-C. In sum, the court concluded that respondent did not make progress towards, take reasonable efforts to, or show a reasonable degree of interest in completing services and reuniting with R.L.-C. between May 24, 2023, and February 24, 2024, and that she failed to protect R.L.-C. from the conditions of her environment—namely, anger management issues, substance misuse, and domestic violence. Accordingly, the court concluded that "this child c[an] not be returned home within a reasonable time for lack of progress, and it's clear to me that that is actually still the case."

¶ 20 On January 13, 2025, the court proceeded with the best-interests hearing. First, the court incorporated the prior testimony and exhibits for consideration. Then, Moreno testified for the State and recommended that it was in R.L.-C.'s best interests to terminate respondent's parental rights. Notably, Moreno stated that R.L.-C. was in a loving pre-adoptive home with foster mother, Anna F., who provided her structure and stability, despite facing challenging behaviors initially in the placement. However, since the initial placement, R.L.-C. and Anna F. had begun therapeutic services.

¶ 21 Following arguments by the parties, the circuit court found that it was in the best interests of R.L.-C. that respondent's parental rights be terminated. The court noted that it reviewed the CASA report prior to the hearing and had concerns about Anna F. being an appropriate placement. However, the court found Moreno's testimony "very credible and very helpful" at assuaging the court's concerns that Anna F. was an appropriate placement, as both R.L.-C. and Anna F. started receiving therapeutic services that were not available at the time of the CASA report. The court remarked that Anna F.'s pursuit of services, in particular, was commendable because it "shows

quite a commitment to wanting to be a safe and appropriate foster placement." The court also noted that R.L.-C. began referring to Anna F. as "mommy" or "mama," and, at some points, expressed a preference for staying with Anna F. permanently. The court also noted the positive shift Anna F. was making in shaping R.L.-C.'s sense of responsibility, boundaries, and identity away from influences that valued stealing or violence. Overall, the court found that R.L.-C. was safe and stable and had a sense of identity, participated in tutoring, had new friends, and participated in extracurricular activities while in Anna F.'s care. Nonetheless, the court concluded that, even if Anna F. was not a permanent placement for R.L.-C., it would still be in the minor's best interests to terminate respondent's parental rights. The court therefore granted the State's petition to terminate respondent's parental rights and changed the permanency goal to adoption. This appeal followed.

¶ 22 II. ANALYSIS

¶ 23 The Juvenile Court Act of 1987 (Act) (705 ILCS 405/1-1 *et seq.* (West 2022)) mandates a two-stage process for the involuntary termination of parental rights. *In re Keyon R.*, 2017 IL App (2d) 160657, ¶ 16. In the first stage, the State has the burden of proving by clear and convincing evidence that the parent is unfit under any ground set forth in section 1(D) of the Adoption Act (750 ILCS 50/1(D) (West 2022)). See 705 ILCS 405/2-29(2), (4) (West 2022); *In re C.W.*, 199 Ill. 2d 198, 210 (2002). If the circuit court finds the parent unfit, the State must then show by a preponderance of the evidence that termination of parental rights is in the minor's best interests. See 705 ILCS 405/2-29(2) (West 2022); *In re D.T.*, 212 Ill. 2d 347, 352, 366-67 (2004). On appeal, we will not disturb a circuit court's finding as to parental unfitness or a minor's best interests unless it is against the manifest weight of the evidence. *In re N.B.*, 2019 IL App (2d) 180797, ¶¶ 30, 43. A decision is against the manifest weight of the evidence only if an opposite conclusion is

clearly apparent or the decision is unreasonable, arbitrary, or not based on the evidence. *Keyon R.*, 2017 IL App (2d) 160657, ¶ 16.

¶ 24 Appellate counsel's motion states that he thoroughly reviewed the record and concluded that there are no meritorious issues to be raised on appeal. In accordance with *Alexa J.*, 345 Ill. App. 3d at 987, counsel identified three potential issues he considered raising: (1) respondent's procedural due process rights were violated when her parental rights were terminated; (2) respondent was fit to continue parenting R.L.-C. ; and (3) it was not in R.L.-C.'s best interests to terminate respondent's parental rights. However, counsel concludes that none have arguable merit. We agree.

¶ 25 A. Procedural Due Process

¶ 26 The fourteenth amendment to the United States Constitution provides that no state shall "deprive any person of life, liberty, or property, without due process of law." U.S. Const., amend. XIV, § 1. This clause guarantees both procedural due process (fair process) and substantive due process, which provides for " 'heightened protection against government interference with certain fundamental rights and liberty interests' " *In re M.H.*, 196 Ill. 2d 356, 362 (2001) (quoting *Washington v. Glucksberg*, 521 U.S. 702, 719-20 (1997)). Among these liberty interests is the right to raise children, and thus "the procedures involved in terminating parental rights must meet the requisites of the due process clause." *In re M.H.*, 196 Ill. 2d at 362-63.

¶ 27 In determining whether the procedures followed in a parental-rights-termination proceeding satisfied the mandates of procedural due process, Illinois courts have applied the test announced in *Mathews v. Eldridge*, 424 U.S. 319 (1976). *Id.* at 362. Under this balancing test, a court must consider (1) the private interest affected by the official action; (2) the risk of an erroneous deprivation of the interest through the procedures used, and the probable value, if any,

of additional or substitute procedural safeguards; and (3) the government's interest, including the function involved and the fiscal and administrative burdens that the additional or substitute safeguards would entail." *Id.* (citing *Mathews*, 424 U.S. at 334-35).

¶ 28 After balancing the *Matthews* factors, we agree with appellate counsel that respondent was not deprived of her right to procedural due process. Considering the first factor, respondent, as a parent, has a fundamental liberty interest in maintaining a parental relationship with her child. *In re M.H.*, 196 Ill. 2d at 362. As to the second factor, respondent was afforded every opportunity to appear for the proceedings, and often did; present evidence; and argue her position on the issues of unfitness and R.L.-C.'s best interests. The circuit court judiciously followed the two-step termination procedure set out in the Act, and the circuit judge paid particular attention to address each parent, in turn, when making its rulings as to the parties' unfitness and R.L.-C.'s best interests. Regarding the third *Matthews* factor, the State has a significant interest in protecting a minor's well-being and in swiftly finding permanency for neglected minors. *In re R.D.*, 2021 IL App (1st) 201411, ¶ 21. Simply put, the circuit court here advanced the government's interest while still allowing respondent an adequate opportunity to be heard, present evidence, explain her position, and meaningfully participate in the proceedings. Accordingly, we agree with appellate counsel that respondent's procedural due process rights were not violated.

¶ 29 B. Fitness Finding

¶ 30 The State has the burden of proving parental unfitness by clear and convincing evidence. *In re Jordan V.*, 347 Ill.App.3d 1057, 1067, 808 N.E.2d 596, 604 (2004). The court's decision is given great deference due to "its superior opportunity to observe the witnesses and evaluate their credibility." *Id.* Furthermore, it is well settled that, "when parental rights are terminated based upon clear and convincing evidence of a single ground of unfitness, the reviewing court need not

consider additional grounds for unfitness cited by the trial court." *In re Tiffany M.*, 353 Ill. App. 3d 883, 891 (2004). Hence, if we affirm the circuit court's decision on one ground, we need not consider the court's decision on the other grounds.

¶ 31 Here, the circuit court found respondent unfit, *inter alia*, under section (1)(D)(m)(ii) of the Act, which defines an "unfit person" as, one who fails "to make reasonable progress toward the return of the child *** during any nine-month period following the adjudication of neglected or abused minor under Section 2-3 of the Juvenile Court Act of 1987 or dependent minor under Section 2-4 of that Act." 750 ILCS 50/1(D)(m)(ii) (West 2022). In particular, the State had the burden to show that respondent did not make reasonable progress toward reunification with R.L.-C. between May 24, 2023, and February 24, 2024.

¶ 32 The question of reasonable progress is an objective one, which requires the circuit court to consider whether a parent's actions during a given nine-month period would support a decision to return the child home soon. *In re Phoenix F.*, 2016 IL App (2d) 150431, ¶ 7. The court will consider the parent's compliance with the service plans and the court's directives. *In re C.N.*, 196 Ill. 2d 181, 216-17 (2001). For there to be reasonable progress, there must be, at a minimum, some measurable or demonstrable movement toward the goal of reunification. *In re J.O.*, 2021 IL App (3d) 210248, ¶ 57.

¶ 33 We agree with appellate counsel that no meritorious issue can be raised regarding whether respondent made reasonable progress towards goal of reunification with R.L.-C. between May 24, 2023, and February 24, 2024. During the relevant nine-month period, respondent failed to meaningfully address the domestic violence issues that resulted in R.L.-C.'s adjudication as a neglected minor. Despite respondent's absence from the incident that resulted in R.L.-C.'s placement with DCFS, respondent was aware of Aimee C.'s substance abuse, domestic violence,

and anger issues. In fact, respondent became estranged from Aimee C. for these reasons. Respondent, however, did not attempt to remove R.L.-C. from that situation as well. After the inception of this case, respondent then started individual therapy and domestic violence counseling but quickly discontinued those services, only opting to reinitiate domestic violence counseling with another provider at the eleventh hour (in either January or February 2024). Respondent never resumed individual therapy. Importantly, the domestic violence counseling respondent did receive did not facilitate a stable environment for R.L.-C. to reunite with respondent because she reportedly lived with Salazar (a man who abused her) for eight months and then failed to pursue options to obtain a plenary order of protection after the emergency order lapsed.

¶ 34 Further, respondent failed to make *any* meaningful effort to complete parenting classes and coaching sessions in the relevant nine-month period. Respondent failed to complete parenting classes *at all* until May 9, 2024, more than two months after the relevant time frame. Further, she testified that she understood that parenting coaching could not begin until after classes were completed. So, necessarily, respondent was not able to participate in any coaching session until June 2024, well outside the nine-month window. Further, contrary to respondent's testimony, records showed that she did not participate in three coaching sessions and successfully complete the training; rather, she attended two sessions, failed to appear at a third, and then discontinued services thereafter.

¶ 35 Finally, respondent failed to complete several random drug screenings during the pendency of the case. The *only* service that respondent immediately initiated and completed was the substance abuse evaluation. However, during the relevant nine-month period, respondent had an adulterated drug screen and missed several subsequent drug screens. Accordingly, it was difficult to ensure her sobriety with at least three presumptively positive drug tests.

¶ 36 Overall, nearly two years had passed since the minor was removed from respondent's custody in February 2023. During this time, the record reflects that respondent waited to initiate and complete services until the eleventh hour, and, instead, during the relevant time period, she spent the majority of her time ignoring her required services and making minimal effort to complete her required testing and documentation. We agree with the court's conclusion that "this child c[an] not be returned home within a reasonable time for lack of progress, and it's clear to me that that is actually still the case." As such, we agree with counsel that no meritorious issues could be raised attacking respondent's unfitness finding.

¶ 37 C. Best-Interests Finding

¶ 38 During the best-interests phase of parental-rights termination proceedings, "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 347, 364 (2004). The State bears the burden of proving by a preponderance of the evidence that termination of the parent's rights is in the minor's best interests. *In re Z.J.*, 2020 IL App (2d) 190824, ¶ 74. Section 1-3(4.05) of the Act sets forth various factors for the circuit court to consider in assessing a minor's best interests. These considerations include: (1) the minor's physical safety and welfare; (2) the development of the minor's identity; (3) the minor's familial, cultural, and religious background; (4) the minor's sense of attachment, including love, security, familiarity, and continuity of relationships with parental figures; (5) the minor's wishes and goals; (6) community ties; (7) the minor's need for permanence; (8) the uniqueness of every family and every child; (9) the risks related to substitute care; and (10) the preferences of the person available to care for the minor. 705 ILCS 405/1-3(4.05) (West 2022).

¶ 39 Here, the evidence supported the court's finding that R.L.-C. was in a stable, safe, and appropriate placement, despite its earlier concerns that Anna F. was struggling with R.L.-C. The

court considered Anna F.'s and R.L.-C.'s participation in therapeutic services and found that it was positively assisting their relationship. In particular, the court noted that Anna F.'s pursuit of services was commendable because it "shows quite a commitment to wanting to be a safe and appropriate foster placement." The court also remarked on the positive shift Anna F. was making in shaping R.L.-C.'s sense of responsibility, boundaries, and identity away from influences that valued stealing or violence. In fact, R.L.-C. started calling Anna F. "mommy" and expressed her desire to stay with Anna F. permanently. In sum, the court found that R.L.-C. was safe and stable and had a sense of identity, tutoring, new friends, and extracurricular activities in Anna F.'s care. These findings were reasonable and supported its determination.

¶ 40 Appellate counsel contends that he can find no justiciable basis to challenge the court's best-interests finding. We agree. We find that ensuring the minor's welfare and safety by placing her with a foster parent outweighed respondent's initial complaint that R.L.-C. should have been placed with her to allow for the continuity of their parental relationship. Accordingly, we conclude that there is no arguable merit to a claim that it was against the manifest weight of the evidence for the circuit court to conclude that the termination of respondent's parental rights was in the minor's best interests. Simply, we have no basis for finding that a conclusion opposite that of the circuit court is clearly evident or that the court's decision was unreasonable, arbitrary, or not based on the evidence. *Keyon R.*, 2017 IL App (2d) 160657, ¶ 16.

¶ 41 III. CONCLUSION

¶ 42 After examining the record, the motion to withdraw, and the memorandum of law, we agree with counsel that this appeal presents no issues of arguable merit. Thus, we grant the motion to withdraw, and we affirm the judgment of the circuit court of Kane County.

¶ 43 Affirmed.