

¶ 4 Three days after D.H.'s birth, the State filed a petition to adjudicate him to be a neglected minor and to put him in shelter care. According to the petition, D.H. was neglected within the meaning of section 2-3(1)(b) of the Juvenile Court Act of 1987 (705 ILCS 405/2-3(1)(b) (West 2012)) in that his "environment [was] injurious to his *** welfare" when he resided with his parents. His environment allegedly was injurious in that his parents had failed to correct the conditions that, in Champaign County case No. 11-JA-24, had resulted in an adjudication of their unfitness to exercise custody over D.H.'s half-brother, Deme. H., and D.H.'s brother, D.W.

¶ 5 In an adjudicatory hearing on April 3, 2012, the trial court found D.H. to be neglected.

¶ 6 In a dispositional hearing on May 7, 2012, the trial court adjudged D.H. to be a neglected minor, and the court made him a ward of the court.

¶ 7 On January 8, 2013, the State moved that the trial court find both parents to be unfit and that the court terminate their parental rights to D.H. Allegedly, the parents were unfit in that they had failed to make reasonable efforts (see 750 ILCS 50/1(D)(m)(i) (West 2012)); they had failed to make reasonable progress (see 750 ILCS 50/1(D)(m)(ii) (West 2012)); and they had failed to maintain a reasonable degree of interest, concern, or responsibility as to D.H.'s welfare (see 750 ILCS 50/1(D)(b) (West 2012)).

¶ 8 In an adjudicatory hearing on April 16, 2013, the trial court found both parents to be unfit "within the meaning of section 1 of the Illinois Adoption Act" (750 ILCS 50/1 (West 2012)). See 750 ILCS 50/1(D) (West 2012) (defining " 'Unfit person' ").

¶ 9 On May 21, 2013, the trial court held a best-interest hearing. No witnesses testified in this hearing, but the court considered its prior orders in the case as well as two best-

interest reports. One report, dated May 6, 2013, was by Zachary Truex and Margaret Thomas of the Center for Youth and Family Solutions. The other report, dated May 13, 2013, was by Brenda J. Smith of the Champaign County Court Appointed Special Advocates (CASA).

¶ 10 A. The Best-Interest Report From the Center for Youth and Family Solutions

¶ 11 1. *Foster Care By a Relative*

¶ 12 D.H.'s foster parent is his paternal great-aunt, with whom he seems happy and content. We quote from the report:

"[D.H.] is a happy and healthy 1 year old boy. [He] moved to his paternal great-aunt's home upon release from the hospital after his birth, where he lives with his paternal great-aunt and two cousins (ages 22 and 23). This is a permanent placement for [D.H.] and he is functioning very well in this home. His caregiver reports having no problems or concerns with [him]. This worker has observed [D.H.] in the home and he is always smiling, laughing, and cheerful when this worker is present. The foster parent and [D.H.] appear to be very attached to one another and to have developed a strong bond which is evidenced by [his] seeking her out for comfort and looking to her when she enters the room."

¶ 13 2. *The Mother, Chassidy Hunter*

¶ 14 a. Her Residence

¶ 15 D.H.'s mother, Chassidy Hunter, born on October 7, 1992, lives at the Roundhouse, "a temporary homeless shelter serving community referred youth who are runaway, homeless, or at-risk for runaway or homelessness." Because of her age, she has to move out of

the Roundhouse by September 2013. She was unemployed and did not yet know where she would live when her time at the Roundhouse ran out.

¶ 16 b. Counseling

¶ 17 On July 26, 2012, to develop parenting skills, Hunter began receiving individual counseling from Renee Eifert, a therapist at the Center for Youth and Family Solutions; however, Hunter missed 6 out of 12 counseling sessions.

¶ 18 c. Supervised Visits

¶ 19 On April 23, 2013, Hunter began having supervised visits with D.H. Although it was "obvious [that she] love[d] her child very much and wishe[d] to be with him," she had "unrealistic expectations of what a one year old [was] capable of." She became frustrated, for example, when D.H. was unable to put on his jacket or to get his bottle out of the diaper bag. Also, she "refused to take a potentially dangerous item away from [him] on several occasions because she report[ed] that she [did] not want to make him cry."

¶ 20 d. Drug Testing

¶ 21 Hunter was supposed to undergo random drug testing at the Center for Youth and Family Solutions. She underwent four drug tests. Three of these tests were negative, and the result of the fourth test is unknown. She was a no-show for the remaining nine drug tests.

¶ 22 3. *The Father, Demetrious Winfrey*

¶ 23 The father, Demetrious Winfrey, was born on August 27, 1986. The report says: "Mr. Winfrey is currently being held at the Champaign County Jail (204 E. Main St., Urbana, Illinois). Prior to his incarceration he reported he had been staying with friends. Mr. Winfrey does not pay rent or utilities. Mr. Winfrey is currently unemployed and reported that he is seeking employment."

¶ 24

B. The Best-Interest Report From CASA

¶ 25 From observing Hunter during visits, Smith likewise was concerned about Hunter's apparent inability to recognize dangers to the child. For instance, the toddler put a plastic fork in his mouth, and Hunter did not see any problem with that.

¶ 26 Considering that on April 6, 2013, Hunter gave birth to another child, Smith was concerned that taking care of that newborn and also taking care of one-year-old D.H. would prove overwhelming for Hunter.

¶ 27 Both parents came across to Smith as "still too immature to comprehend the significance of their actions." For example, in a court hearing, they seemed more concerned about where they sat than about the substance of the hearing.

¶ 28 Smith wrote: "The mother still lacks the foundation skills and the ability to make sound decisions for the basic care of [D.H.] I have concerns that since the bio-mom is still attempting to gain employment, a residence, meet the agency directives and has another child to attempt to gain custody of, this will be too overwhelming and next to impossible for her to do. The mom does not have the stability in her own life to yet support and care for any children."

¶ 29 As for D.H., Smith wrote: "[He] still resides with the initial relative foster placement. He is well cared for and is in a safe and very nurturing environment. The foster mom is very interested and loves this child. She outwardly displays an emotional, physical and strong bond with [D.H.] and he thrives on her love and attention completely."

¶ 30

II. ANALYSIS

¶ 31 Respondents do not challenge the trial court's finding that they are "unfit" within the meaning of section 1(D) of the Adoption Act (750 ILCS 50/1(D) (West 2012)). Instead, they challenge only the finding that it was in D.H.'s best interest to terminate their parental rights.

¶ 32 We will reverse a trial court's best-interest finding only if the finding is against the manifest weight of the evidence. *In re Jay H.*, 395 Ill. App. 3d 1063, 1071 (2009). A finding is against the manifest weight of the evidence only if the evidence "clearly" shows that the court should have made the opposite finding. *Id.*

¶ 33 Hunter argues the best-interest finding is against the manifest weight of the evidence because it was apparent, during visitations, that D.H. enjoyed spending time with her, that she loved him very much, and that she wanted to regain custody of him. Love is indispensable (see 705 ILCS 405/1-3(4.05)(d)(1) (West 2012))—but it is not enough: the trial court also had to consider, among other things, the child's "physical safety and welfare" (705 ILCS 405/1-3(4.05)(a) (West 2012)). It is undisputed that Hunter loves D.H. The concern, however, is her ability to provide for D.H.'s physical safety and welfare. The paternal great-aunt both loves D.H. and provides for his physical safety and welfare.

¶ 34 Winfrey argues the best-interest finding is against the manifest weight of the evidence because, although he still was incarcerated at the time of the termination proceeding, he had been trying to attend Alcoholics Anonymous and he had started working toward his general equivalency degree. According to him, the trial court should have found he "would have been able and willing to provide the respondent minor with a stable, loving home in the foreseeable future, upon his release from incarceration." But this is merely an assertion. It is unclear how Winfrey would go about providing this stable, loving home—or when he would be released from incarceration.

¶ 35 III. CONCLUSION

¶ 36 For the foregoing reasons, we affirm the trial court's judgment.

¶ 37 Affirmed.