

NOTICE

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2019 IL App (4th) 190174-U

NO. 4-19-0174

IN THE APPELLATE COURT

OF ILLINOIS

FOURTH DISTRICT

FILED

July 23, 2019

Carla Bender

4th District Appellate

Court, IL

NICOLE MATTHEW, n/k/a NICOLE CROW,)	Appeal from the
Petitioner-Appellant,)	Circuit Court of
v.)	McLean County
CODEE JENNINGS,)	No. 14F15
Respondent-Appellee.)	
)	Honorable
)	Matthew J. Fitton,
)	Judge Presiding.

JUSTICE DeARMOND delivered the judgment of the court.
Justices Turner and Cavanagh concurred in the judgment.

ORDER

¶ 1 *Held:* The appellate court affirmed, finding the trial court did not err in denying petitioner’s request to relocate with the parties’ child to Colorado.

¶ 2 In July 2018, petitioner, Nicole Matthew, n/k/a Nicole Crow, filed a petition for relocation, seeking to move to Colorado with her son, L.J., the minor child of Nicole and respondent, Codee Jennings. Codee objected to the proposed relocation. At the conclusion of multiple hearings, the trial court denied Nicole’s petition to relocate.

¶ 3 On appeal, Nicole argues the trial court’s denial of her relocation request was against the manifest weight of the evidence. We affirm.

¶ 4 I. BACKGROUND

¶ 5 In January 2014, Nicole filed a petition pursuant to the Illinois Parentage Act of 1984 (Parentage Act) (750 ILCS 45/1 *et seq.* (West 2012)) to determine the existence of the father-and-child relationship with respect to her minor child, L.J., who was born in 2012. The

petition named Codee as the presumed father of L.J. The petition also stated Nicole resided in McLean County and Codee resided in Peoria County.

¶ 6 The following month, Codee admitted being the father of L.J. and filed a petition for custody. The parties also entered into a temporary agreement regarding visitation. In July 2014, the trial court granted temporary custody of L.J. to Codee and ordered Nicole to have designated visitation.

¶ 7 In November 2014, the trial court approved the parties' joint-parenting agreement, which required Codee to pay child support. The following month, Codee filed a motion to vacate or reconsider the court's decision, stating Nicole had agreed to reside in the Bloomington-Normal area but, in December 2014, she indicated her desire to move to the St. Louis area for an internship. Codee stated he would not have entered into the joint-parenting agreement had he known Nicole's true intentions. In her response, Nicole denied Codee's claims and stated she resigned her internship in the Bloomington-Normal area and obtained a job. In April 2015, the court entered a stipulated order to dismiss the motion to vacate or reconsider.

¶ 8 In July 2015, Nicole filed a petition for modification of parenting time, claiming there had been a change in circumstances. Nicole stated she would complete her bachelor's degree and internship course in August 2015; she had secured employment as a personal trainer in Glen Carbon, Illinois; and she purchased a home in Edwardsville, Illinois. Codee filed a petition for indirect civil contempt, arguing Nicole's decision to move three hours away made it impossible for him to exercise his custodial time with L.J. He also filed a petition to modify the custodial times.

¶ 9 In August 2015, Codee filed a petition to modify custody, arguing Nicole's decision to move to southern Illinois was motivated by two reasons—to be with her girlfriend,

Wes, and to relocate L.J. from any individuals who may have any influence on his life, including Codee, his family, and Nicole's grandparents.

¶ 10 The trial court found Nicole moved to Edwardsville "to further her career." She ultimately wanted to attend Washington University in St. Louis to obtain her doctorate in physical therapy. In allowing Nicole's petition for modification of parenting time, the court found a substantial change in circumstances and the modification would be consistent with the best interests of L.J. Further, the court found Nicole's move "was not done with the purpose of interfering with [Codee's] visitation."

¶ 11 In February 2018, Nicole filed a notice of relocation, indicating her intent to move to Colorado near Fort Carson in May 2018. Nicole stated she married Tabitha Crow on January 6, 2018, and Tabitha, who is on active duty with the military, received orders to transfer to Fort Carson. Nicole proposed a new parenting plan to accommodate the distance between the parties, including Codee having parenting time on extended weekends throughout the school year, six weeks in the summer, spring break every other year, and half of winter break.

¶ 12 Codee objected to the notice of relocation, stating the move would not be in L.J.'s best interests and it would severely diminish his time with L.J. Codee also filed a motion to modify the temporary and permanent allocation of parental responsibilities and parenting time. Codee stated he has a suitable residence in Peoria, Illinois, and shares the home with his spouse, Kimberly Jennings.

¶ 13 In July 2018, Nicole filed a petition for relocation pursuant to section 609.2 of the Illinois Marriage and Dissolution of Marriage Act (Dissolution Act) (750 ILCS 5/609.2 (West 2016)). Nicole contended the relocation to Colorado would serve L.J.'s best interests because she was married in January 2018, Tabitha is on active duty and stationed at Fort Carson in

Colorado Springs, and Nicole had been offered an internship with the United States Air Force Academy's Human Performance Laboratory in fall 2018. She also stated the relocation would (1) improve her standard of living by allowing her to live as a family unit with Tabitha in one household, (2) substantially increase the educational and cultural opportunities for L.J., and (3) not impair the relationship between Codee and L.J. because a reasonable parenting time schedule could be fostered to allow that relationship to continue.

¶ 14 Between September and November 2018, the trial court conducted multiple hearings on the relocation petition. Nicole testified she lived with L.J. in Edwardsville since August 2015. The parenting schedule granted Codee every other weekend with L.J. and from 3:30 p.m. to 8 p.m. on Thursdays. The parties split the time with L.J. during the summer. Nicole works at Orangetheory Fitness in St. Louis, a trip of 35 to 45 minutes from Edwardsville. When she relocated to Edwardsville, Nicole continued her education in physical therapy. Since then, she changed her career path and, at the time of the hearings, only needed to complete a 200-hour internship to obtain a master's degree in exercise physiology from Southern Illinois University in Edwardsville (SIUE).

¶ 15 Nicole testified she sought to move to Colorado Springs, where she had the opportunity to complete her internship at the United States Air Force Academy's Human Performance Laboratory. While completing the internship does not carry a guarantee of employment, Nicole has looked into "different exercise physiology specific jobs in the area." She also stated she could "essentially transfer" to the Orangetheory Fitness facility in Colorado Springs.

¶ 16 Nicole stated she met Tabitha in fall 2015 while they attended SIUE. They became romantically involved in October or November 2017. They married in January 2018

when Nicole was 24 years old. Tabitha, a second lieutenant in the United States Army, lives in a house in Colorado Springs. The primary reason Nicole desired to relocate to Colorado was to live with Tabitha as a family.

¶ 17 L.J. is six years old and in the first grade, and he and Nicole have lived in Peoria, Normal, “Ohio for a week,” and Edwardsville. Nicole stated L.J. “excels in school,” is “a very sociable and friendly child,” and plays soccer and T-ball. Nicole and L.J. spent her part of the summer parenting time in Colorado Springs. While in Colorado, L.J. attended summer camp and a soccer camp. Nicole stated her research indicated the educational opportunities for L.J. were “very similar to that of Edwardsville.” She also stated Colorado “has a lot more opportunities in terms of outdoor activities, cultural centers, [and] museums” than Illinois.

¶ 18 Nicole testified L.J. and Tabitha “have a very strong and positive relationship that they love each other very deeply.” L.J. “loves doing things as a group [and] as a family together.” If she was able to relocate, Nicole noted L.J. could fly into and out of multiple airports, including Chicago, St. Louis, Springfield, and Bloomington. In terms of driving, the midway point between Peoria and Colorado Springs is Topeka, Kansas, which is approximately a 6½-hour drive.

¶ 19 On cross-examination, Nicole testified she moved to Edwardsville in 2015 with the intention of pursuing a doctoral degree in physical therapy at Washington University in St. Louis. She changed her degree goal to exercise physiology in January 2017. She did not pursue internships in Illinois because “the opportunities were not as substantial as Colorado.” Had she looked for another internship, she could have received her master’s degree in December 2018.

¶ 20 Nicole stated Tabitha moved in with her in early November 2017 when Nicole was living with another woman named Alexis. Nicole had a conversation with L.J. on the topic

of why she was sharing a bed with Tabitha and not Alexis. Nicole moved most of her possessions to Colorado in May or June 2018, and she surrendered her lease in May 2018. She moved her and L.J.'s possessions back to Illinois in August 2018.

¶ 21 According to Nicole, L.J. saw a counselor for approximately two years prior to the hearings after he showed symptoms of anxiety as well as “outbursts and extreme behaviors and tantrums.” Codee contributed to the cost of the counselor. Nicole stated the drive between Edwardsville and Peoria is approximately 2½ hours and the parties exchange L.J. in Springfield. Nicole testified Codee drove down to Edwardsville to exercise his weekday visitations and did not miss any.

¶ 22 Tabitha Crow testified she began dating Nicole on November 11, 2017, decided to get married two weeks later, and then eloped on January 6, 2018. She had received notice of her assignment to Fort Carson in August 2017 and then moved to Colorado in May 2018. While in Colorado, Tabitha and L.J. “spend time together” and they “have a great bond.” Tabitha had researched flights from Colorado to St. Louis and found a minor must be accompanied by an adult at all times, although he “could have a flight attendant with him at all times” for an extra expense.

¶ 23 Julie Sparkman testified she is L.J.'s nanny when he is with Nicole in Illinois. L.J. is her “buddy,” and they play in the park and do homework. She believed L.J.'s life has been enhanced through Nicole's relationship with Tabitha.

¶ 24 Codee testified he is 28 years old and lives near Dunlap with his wife, Kimberly, and their twin boys. He works as a flooring salesperson for a carpet company. He earns a salary of \$37,500 and can make commissions totaling between \$90,000 and \$100,000. At the time of the hearing and since 2016, Codee had L.J. every other weekend and then one day per week in

Edwardsville from 3:30 p.m. until 8 p.m. In objecting to Nicole's relocation request, Codee stated he felt "like a piece of us is missing" when L.J. is not with the family, there has been "a lot of instability" in Nicole's life, and with each court order he gets less time with L.J.

¶ 25 If the trial court granted relocation, Codee stated the distance between Dunlap and Colorado Springs is approximately 950 miles and takes 14½ hours by car. He stated the midway point is Kansas City, Missouri. Flights between central Illinois and Colorado Springs take approximately 2½ to 3 hours. Codee stated it was "a very large concern" regarding L.J. traveling via plane. Considering Nicole's proposed plan, Codee did not believe it would be in L.J.'s best interests to be away from him for long stretches of time.

¶ 26 Kimberly Jennings, Codee's wife, testified their twins were born in February 2016. She has a close bond with L.J., and the twins have a "very close bond" with him.

¶ 27 Ashley Cahill testified she was best friends with Tabitha and they lived together in October 2017. She stated Tabitha began interacting with Nicole that same month and Tabitha started staying the night with Nicole in November before moving out of Cahill's residence in December. Tabitha started talking in November about marrying Nicole and then in December stated she wanted to get married in April 2018. Cahill stated Nicole said they were moving up the wedding because it would make her and Tabitha "look better in court whenever it came to a hearing for [L.J.]." Cahill stated Tabitha's decision to elope and "some other things" resulted in the end of their friendship.

¶ 28 After the parties rested, the guardian *ad litem* (GAL) stated he found "[b]oth parties have sufficient amenities and residences for the child." Along with interviewing the parties and others, the GAL met with L.J. on three occasions. During the first meeting, L.J. stated he did not wish to go to Colorado. At the second meeting, the GAL stated L.J. "hadn't

changed his opinion on what he wanted.” The GAL found L.J. is “very attached to his brothers” and “talks about them quite a bit.” He is also “very fond” of Tabitha. During the third meeting, the GAL stated L.J. became “emotional about not being able to stay very long with his dad and that he was going to miss his brothers.”

¶ 29 In making his recommendation on relocation, the GAL found, in part, as follows:

“[T]he marriage is the primary reason for moving. And to that effect, we heard quite a bit of testimony about the formation of the relationship, the speed with which it developed, that Tabi Crow started staying at the home in early January when Nicole was already still in a relationship or had just ended a relationship at the same time. And that woman stayed around for another couple of weeks, I think, before she moved out. When they officially started dating, I think, was November 11th. By Thanksgiving, they’re talking about marriage.

So, I know Mr. Jennings’ position on this is that there’s a concern that this has gone way too fast. And then we end up with a marriage about seven weeks out from the first date. And, so that—that’s—GAL shares some concern about that; that given that there has been a history of bringing significant others into the home, that’s been referred to. And the testimony is dating. But what actually happens is the person comes and moves in and stays in the bedroom. This is done with the child living in the home. So, it’s a little different from [when] I went out on a date. This

does, I think, have an effect on the child. May not be that important in relocation. Just mention it because it was testified to a lot. But it does, I think, bear on the concern that this is a relationship that started in the pattern of relationships questionable as far as its long-term stability.”

¶ 30 The GAL recognized Tabitha’s military service and stated she could be moved at any time. He had concerns about Nicole moving to Colorado before receiving court approval, only “to then come back and get a new place when the matter hadn’t been resolved.” The GAL found “one of the big factors” present in this case is the presence or absence of extended family in the two locations. Nicole has no extended family in Colorado, while a large portion of Codee’s family is local. Thus, if L.J. were to relocate to Colorado, “he would not be able to maintain his relationship” with his family as he is able to now. Parenting time would also be impacted, as L.J. would either have to fly back and forth or ride in a car for 14 hours one way. While Nicole’s proposal may have given Codee roughly the same amount of time with L.J. as he has had in the past, the time would be farther apart. While Nicole indicated she had more bills because she has two households, the GAL noted “that was a choice that was made.” Further, there was little evidence of any job prospects in Colorado, only that she could partake in an internship that would allow her to meet her certification requirement to get her master’s degree. Based on his investigation and the evidence presented, the GAL opined it was not in L.J.’s best interests to relocate to Colorado.

¶ 31 In its written order, the trial court noted “the primary issue in a relocation case is whether the intended move is in the best interests of the minor child.” In looking at the statutory factors pertinent to the issue of relocation, the court found Nicole’s “motivation for moving to

Colorado is for her convenience” and due to Tabitha’s military obligation in Colorado, the latter fact apparent prior to the marriage. Considering Codee’s objection to the relocation due to the distance and issues with travel, the court found the move would “have an adverse impact on the parent-child relationship.” The court found both parents have been “loving and caring” toward L.J. While not doubting L.J.’s bond with Nicole and Tabitha, the court found L.J. had a “close, loving relationship” with his father, stepmother, two siblings, and Codee’s extended family in the Dunlap area. Moreover, as it applies to L.J., “[t]he impact that is paramount to the court is the separation from” Codee and his family. While noting it was mindful of L.J.’s age and maturity, the court found L.J. had expressed on two occasions that he did not desire to relocate. Having considered the statutory factors, exhibits, testimony, and arguments, the court concluded relocation was not consistent with L.J.’s best interests and denied Nicole’s petition. This appeal followed.

¶ 32

II. ANALYSIS

¶ 33 Nicole argues the relocation was in L.J.’s best interests and the trial court’s denial of her petition was against the manifest weight of the evidence. We disagree.

¶ 34 Section 802(a) of the Parentage Act (750 ILCS 46/802(a) (West 2016)) states the issue of relocation is governed by the relevant provisions of the Dissolution Act, which are found in section 609.2 (750 ILCS 5/609.2 (West 2016)). A parent who has been allocated the majority of parenting time may seek to relocate with the minor child. 750 ILCS 5/609.2(b) (West 2016). If the nonrelocating parent objects to the proposed relocation, the other parent must file a petition seeking permission to relocate. 750 ILCS 5/609.2(f) (West 2016). In considering modifications to the parenting plan based on the desired relocation of one of the parents, section 609.2(g) of the Dissolution Act requires the trial court to consider the following factors:

- “(1) the circumstances and reasons for the intended relocation;
- (2) the reasons, if any, why a parent is objecting to the intended relocation;
- (3) the history and quality of each parent’s relationship with the child and specifically whether a parent has substantially failed or refused to exercise the parental responsibilities allocated to him or her under the parenting plan or allocation judgment;
- (4) the educational opportunities for the child at the existing location and at the proposed new location;
- (5) the presence or absence of extended family at the existing location and at the proposed new location;
- (6) the anticipated impact of the relocation on the child;
- (7) whether the court will be able to fashion a reasonable allocation of parental responsibilities between all parents if the relocation occurs;
- (8) the wishes of the child, taking into account the child’s maturity and ability to express reasoned and independent preferences as to relocation;
- (9) possible arrangements for the exercise of parental responsibilities appropriate to the parents’ resources and circumstances and the developmental level of the child;
- (10) minimization of the impairment to a parent-child

relationship caused by a parent’s relocation; and

(11) any other relevant factors bearing on the child’s best interests.” 750 ILCS 5/609.2(g)(1)-(11) (West 2016).

¶ 35 Our supreme court has stated the paramount question in relocation cases is whether the move is in the child’s best interests. *In re Marriage of Fatkin*, 2019 IL 123602, ¶ 32, __ N.E.3d __; see also *In re Marriage of Eckert*, 119 Ill. 2d 316, 325, 518 N.E.2d 1041, 1044 (1988). To that end, “[t]he party seeking judicial approval of the proposed relocation must establish by a preponderance of the evidence that the relocation is in the child’s best interests.” *In Marriage of Kavchak*, 2018 IL App (2d) 170853, ¶ 65, 107 N.E.3d 287; see also *In re Marriage of Eaton*, 269 Ill. App. 3d 507, 511, 646 N.E.2d 635, 639 (1995) (stating the custodial parent seeking to remove children from Illinois has the burden of proving the move is in the children’s best interests). While a trial court should consider all relevant evidence, “[a] determination of the best interests of the child cannot be reduced to a simple bright-line test, but rather must be made on a case-by-case basis, depending, to a great extent, upon the circumstances of each case.” *Eckert*, 119 Ill. 2d at 326, 518 N.E.2d at 1045.

¶ 36 “A trial court’s determination of what is in the best interests of the child should not be reversed unless it is clearly against the manifest weight of the evidence and it appears that a manifest injustice has occurred.” *Eckert*, 119 Ill. 2d at 328, 518 N.E.2d at 1046; see also *Fatkin*, 2019 IL 123602, ¶ 32. Deference to the trial court is appropriate because the court is in the best position to observe the parties “ ‘and, thus, is able to assess and evaluate their temperaments, personalities, and capabilities.’ ” *Eckert*, 119 Ill. 2d at 330, 518 N.E.2d at 1047 (quoting *Gallagher v. Gallagher*, 60 Ill. App. 3d 26, 31, 376 N.E.2d 279, 283 (1987)). Moreover, as our supreme court has stated, “ ‘[t]he presumption in favor of the result reached by

the trial court is always strong and compelling in this type of case.’ ” *Eckert*, 119 Ill. 2d at 330, 518 N.E.2d at 1047 (quoting *Gallagher*, 60 Ill. App. 3d at 31-32, 376 N.E.2d at 283).

¶ 37 In the case *sub judice*, the trial court was confronted with a contested relocation petition and it heard testimony and considered evidence over the course of six hearings. In making its ruling, the court took into consideration the applicable statutory factors relating to relocation. We will address each factor in turn.

¶ 38 A. Reasons for the Intended Relocation

¶ 39 The first factor considered by the trial court related to the circumstances and reasons for Nicole’s proposed relocation to Colorado. 750 ILCS 5/609.2(g)(1) (West 2016). The court reviewed the relationship between Nicole and Tabitha and found Nicole’s “motivation for moving to Colorado is for her convenience.” Further, the court stated Nicole was aware prior to the marriage that Tabitha was committed to being in Colorado due to her military obligation. While Nicole had the opportunity to participate in an internship with the United States Air Force Academy, the court found she could have completed an internship in the Edwardsville area.

¶ 40 Nicole states her primary motivation in seeking to relocate to Colorado Springs with L.J. was to live as a family unit with Tabitha. The move would allow them to live together in one household and provide for greater economic security. Further, Nicole states the move would allow her to complete her desired internship with the Air Force Academy.

¶ 41 A court can find a child’s life is enhanced where his or her custodial parent remarries and moves the child out of state to live with their new spouse. *In re Marriage of Collingbourne*, 204 Ill. 2d 498, 525-26, 791 N.E.2d 532, 547 (2003). However, this court has noted a parent’s desire to move to another state to live with his or her spouse does not automatically require a finding that the relocation is in the child’s best interests. *In re Marriage*

of *Davis*, 229 Ill. App. 3d 653, 661, 594 N.E.2d 734, 739 (1992).

“ ‘It is virtually impossible to envision a situation wherein the custodial parent does not wish to live with a new spouse. If the obvious happiness the spouse would receive from being able to live with a new spouse were sufficient to prove removal in the child’s best interests, court supervision of the proceedings would be unnecessary, and at best, ceremonial. A custodial parent must prove more than his or her own desire to live with a new spouse to prove that a child’s best interests will be served by removal.’ ”

Davis, 229 Ill. App. 3d at 661, 594 N.E.2d at 739 (quoting *In re Marriage of Berk*, 215 Ill. App. 3d 459, 466, 574 N.E.2d 1364, 1369 (1991)).

¶ 42 Each case must be decided on its own set of facts. Here, Nicole stated her intention in relocating was to live with Tabitha, which would allow them to live as a family and also help consolidate the bills, as well as allow Nicole to pursue her internship, which could lead to a job in the future. While the trial court found this factor favored Codee because it believed Nicole’s motivation for moving was “for her convenience,” we find it could have also found the factor was neutral, as the court later stated Nicole’s desire to move was sincere. However, we find the court’s finding was not against the manifest weight of the evidence because Nicole failed to show how her reasons for relocating were in L.J.’s best interests as opposed to her own. Moreover, while L.J. would no doubt benefit from a stable and loving household in which the bills are being paid, it is but one factor to consider when considering his best interests.

¶ 43 B. Reasons for Objecting to Relocation

¶ 44 As to the second factor, the trial court considered Codee’s reasons for objecting to the intended relocation (750 ILCS 5/609.2(g)(2) (West 2016)), including “the distance in which the child is away from him, his two siblings and most of his family,” considering it was approximately 950 miles from Dunlap to Colorado Springs. Although noting the midway point for a drive between the two cities would be Topeka, Kansas, the court stated “a good portion of time for the parent who does not have the majority of parenting time would be spent driving with a child who is not yet seven years old.” Codee stated “the distance and travel issues will impact his relationships with the child” and “affect his ability to be involved in the child’s school, social and extracurricular activities as well as regular contact with siblings and family.” The court found Codee’s objections “genuine and sincere” and concluded allowing the move would be detrimental to his relationship with L.J.

¶ 45 Nicole argues the trial court “fixated” on the amount of time L.J. might have to spend in a car and “discounted the more attractive option of air travel.” However, it cannot be denied that the travel for such a lengthy distance would require time, money, and other sacrifices that would impact the quality of Codee’s parenting time as well as L.J.’s relationship with his extended family. The court found this factor favored the denial of relocation, and we conclude that finding was not against the manifest weight of the evidence.

¶ 46 C. The History and Quality of the Parents’ Relationship With the Child

¶ 47 With regard to the third factor, the trial court considered the history and quality of each parent’s relationship with the child and whether either parent had substantially failed or refused to exercise parental responsibilities. 750 ILCS 5/609.2(g)(3) (West 2016). The court noted it had granted Nicole’s previous request to relocate to Edwardsville to continue her education. Despite the move, the court found Codee had “made the most of his opportunities

visiting the child on weekends and other parenting times allotted to him.” Further, Codee “made efforts to spend as much time as possible with his child to foster a relationship with his two younger sons and his family.” The court also believed Nicole had “made her best efforts in raising this child while a single parent” and found her to be “a loving and caring mother” who “has made all efforts for what she thinks is best for her child.”

¶ 48 Nicole argues she has been the primary caretaker for L.J., attends to his daily needs, helps him with his homework, and takes him to doctor visits. Since she has been the primary caretaker, Nicole contends the trial court should have given weight to her determination that the move would be in L.J.’s best interests. However, this factor does not require the court to give deference to Nicole’s wishes; rather it focuses on the history and quality of each parent’s relationship with L.J. The evidence was clear that Nicole and Codee love and care deeply for L.J. and both have strong bonds with him. The court found this factor favored each parent equally and that finding was not against the manifest weight of the evidence.

¶ 49 D. Educational Opportunities

¶ 50 The fourth factor the trial court considered relates to the educational opportunities available to L.J. in both Illinois and Colorado. 750 ILCS 5/609.2(g)(4) (West 2016). The court found the evidence showed respective schools in both states “offered the opportunity for the child for an excellent education experience.” The court stated nothing in the evidence indicated L.J. was experiencing difficulties with his school in Edwardsville or that his educational needs were not being met. Nicole contends that, although not specifically stated, the court presumably found this factor neutral as it relates to relocation. We agree, and Nicole has not shown the court’s findings as to this factor were against the manifest weight of the evidence.

¶ 51 E. Extended Family

¶ 52 The fifth relocation factor the trial court considered is the presence of absence of extended family at the existing location and at the proposed new location. 750 ILCS 5/609.2(g)(5) (West 2016). The court did not doubt the bond that existed between L.J. and Tabitha, but L.J. “also has a close, loving relationship with his father, stepmother, two siblings and practically all of [Codee’s] family in the area.” Thus, in Colorado, the only family present for L.J. would be Nicole and Tabitha. The court found this factor “strongly favors denial of relocation.”

¶ 53 Nicole argues the trial court made an improper comparison when discussing extended families, as it should have compared Colorado with Edwardsville, not Colorado with the Peoria area. Nicole offers no case law in support of her argument. Moreover, it is easy to surmise most relocation cases involve one parent seeking to move from the same city as the other parent. Here, Nicole had already relocated to Edwardsville. Even if we were to give credence to her argument, the bulk of L.J.’s extended family, with whom the evidence indicates he has a loving relationship, lives within a reasonable drive to Codee’s home. The court’s findings regarding this factor were not against the manifest weight of the evidence.

¶ 54 F. The Anticipated Impact of Relocation on the Child

¶ 55 The sixth factor the trial court considered centered on the anticipated impact of the relocation on the child. 750 ILCS 5/609.2(g)(6) (West 2016). The court found the possible relocation of L.J. would “undoubtedly” alter his life. While L.J. primarily resided with Nicole, Codee has taken advantage of his opportunity to visit with him on a regular basis. The court found the “impact that is paramount” would be L.J.’s separation from Codee, his stepmother, siblings, and relatives, and that nurturing the bond L.J. has with them would be “extremely difficult” if he moved to Colorado.

¶ 56 Nicole argues the trial court failed to recognize that L.J. had already relocated once before and had been thriving since then. Moreover, Nicole contends L.J.’s young age is actually a benefit when considering a move because he is “quick to make friends and had already met children his age on his prior visits to Colorado.” While L.J. had relocated once before, the move to Edwardsville—a trip of 2½ hours—allowed Codee to exercise his parenting time on a frequent basis. That time also allowed L.J. the opportunity to become bonded with his brothers and extended family. A move to Colorado—a trip of over 14 hours—would, as the court found, “undoubtedly” change his life and provide less frequent opportunities to bond with his family in Illinois. While L.J. has moved before and his young age may allow him to adapt to his surroundings and make friends in Colorado, it is clear a move of such distance would negatively impact the relationship he has enjoyed with his father and extended family in Illinois. We find the court’s finding that this factor favored the denial of relocation was not against the manifest weight of the evidence.

¶ 57 G. Reasonable Allocation of Parental Responsibilities

¶ 58 With regard to the seventh factor, the trial court took into account whether it would be able to fashion a reasonable allocation of parental responsibilities between both parents if the relocation occurred. 750 ILCS 5/609.2(g)(7) (West 2016). In finding this factor favored the denial of relocation, the court stated as follows:

“As stated, if relocation were allowed, it would be a long drive for the child from Colorado to Illinois, in the neighborhood of fifteen hours, and even if a halfway point in Topeka, Kansas or elsewhere was decided upon, it would still involve a long drive for the child. Traveling by plane would lead to factors of expense and

needing an adult to travel with the child. It would be difficult for the court to fashion a reasonable allocation of parental responsibilities between the parties that would allow [Codee] to continue his frequent, ongoing contact and parenting time with the child.”

¶ 59 Nicole argues she would continue to be responsible for the majority of L.J.’s daily care in Colorado, just as she had been in Illinois, and she and Codee could continue to communicate via text messages and/or e-mail regarding L.J. While this is true, and while advances in technology allow communication between long distances between parents, family, teachers, and the like, the distance in this case would realistically foreclose any hope that Codee could have any hands-on input in L.J.’s education and extracurricular activities. We find the trial court’s findings on this factor were not against the manifest weight of the evidence.

¶ 60 H. Wishes of the Child

¶ 61 The eighth factor to be considered involves the wishes of the child. 750 ILCS 5/609.2(g)(8) (West 2016). In considering this factor, the court stated as follows:

“The child at the center of his relocation action will be seven years old on April 7th. The court is mindful of the child’s age and appreciates the implications. However, the child has expressed on two occasions, when the child was in the custody of [Nicole] on one occasion and with [Codee] on one occasion, his desire not to relocate. As the GAL testified, the child has become emotional, especially at the prospect of leaving his siblings.

Again, the court is mindful of the child’s age and maturity.

But to totally ignore the wishes of the child would also deny him any say. The court believes the wishes of this child are to have both parents and family involved in his life, but the child does not favor relocation. Given this, along with the emotion he has exhibited when talking to the GAL about relocation, along with the other factors, evidence heard by the court, the court finds this factor does not favor relocation.”

¶ 62 Nicole argues L.J. was only six years old and the perspective of a child that age “is generally not given tremendous weight.” However, while a teenager might have a deeper, more thoughtful perspective, L.J. is not so young as to have his feelings and preferences disregarded out of hand. The GAL met with L.J. on three occasions, and L.J. expressed his desire not to move to Colorado. During the third meeting, the GAL stated L.J. became “emotional about not being able to stay very long with his dad and that he was going to miss his brothers.” L.J.’s feelings were not irrational, and the trial court properly considered his age and maturity in finding L.J. did not favor relocation. Contrary to Nicole’s argument, we find the court’s findings on this factor were not against the manifest weight of the evidence.

¶ 63 I. Exercise of Parental Responsibilities

¶ 64 As to the ninth factor, the trial court is to consider the possible arrangements for the exercise of parental responsibilities appropriate to the parents’ resources and circumstances and the developmental level of the child. 750 ILCS 5/609.2(g)(9) (West 2016). When making its findings on this factor, the court stated as follows:

“The parties have presented parental responsibility proposals, but the court is most struck with the assessment from

the GAL. The GAL has stated that the parties have presented breakdowns at times with each parent, the percentage in which the child will be with the parents and how the percentages have remained in line with current time allotments. But the GAL points out that what appears to be changing may not be so much the percentages, but instead the frequency. Again, this child is not yet seven years old and in considering other factors spelled out to be considered in relocation matters the court has addressed and expressed concerns. The number of times in which the child sees his father, siblings, and family appears to be a factor as well as time. As to the issues of resources, [Codee] is financially in a better position per testimony and exhibits. But the decision of the court is based on other circumstances and the developmental level of the child. The child, based on what the court has processed, is in need of both parents[] and all family members[,] and this need is best served by not allowing removal.”

¶ 65 Nicole argues the trial court failed to acknowledge the parties had demonstrated an ability to work together to make decisions for L.J., despite their geographical distances, and Codee has “the financial ability to make the travel for his parenting time feasible.” Even if Nicole is correct that Codee has the financial resources to facilitate travel between Colorado Springs and central Illinois, Codee’s commission-based income is subject to change and does not necessarily establish he could continue to facilitate the travel to the extent necessary to maintain a relationship with L.J. We find the court’s findings on this factor were not against the manifest

weight of the evidence.

¶ 66 J. Minimization of Impairment to the Parent-Child Relationship

¶ 67 In the tenth factor, the trial court considers the minimization of the impairment to the parent-child relationship caused by a parent's relocation. 750 ILCS 5/609.2(g)(10) (West 2016). Here, the court found L.J., "like most if not all children, *** benefited from loving parents, family and a feeling of belonging." While the court noted Nicole's motives and wishes regarding relocation were genuine, it concluded she failed to show relocation would not impair the relationship between Codee and L.J.

¶ 68 Nicole argues the amount of parenting time afforded Codee would actually increase slightly following relocation and he would have the opportunity to "spend numerous consecutive weeks" with L.J. Our supreme court has noted a trial court "must not only evaluate the quantitative change in visitation, but must also carefully assess the qualitative difference in visitation." *Collingbourne*, 204 Ill. 2d at 533, 791 N.E.2d at 551. Thus, "a proposed visitation schedule which provides a noncustodial parent with the same number of visitation days as under the prior visitation arrangement does not automatically lead to the conclusion that the quality of the visitation between the child and the noncustodial parent will also be the same." *Collingbourne*, 204 Ill. 2d at 533, 791 N.E.2d at 551.

¶ 69 Here, Nicole's proposed parenting plan would grant Codee his parenting time for three days in January, three days in February, spring break in odd years, three days in April, Memorial Day weekend, summer break commencing the first Friday immediately following the last day of school until July 31 (with the exception of the last full week in June), the Fourth of July, Labor Day weekend, three days in October, Thanksgiving break in even years, and half of L.J.'s winter break. While Codee may have more time with his son than prior parenting

agreements, the new proposal offers only minimal personal interaction outside of the summer break, and the three-day visits fail to take into account the amount of travel L.J. would have to endure to return to Illinois. It would indeed be a special child who fancies traveling nearly 2000 miles in a car for a three-day weekend, and it is not hard to imagine that such an arrangement could have a negative impact on the father-son relationship. Nicole's claim that relocation could actually strengthen Codee's relationship with L.J. is speculative, and we cannot say the court's findings on this factor were against the manifest weight of the evidence.

¶ 70 K. Other Relevant Factors Bearing on the Child's Best Interests

¶ 71 As the eleventh and final factor, the trial court is to consider any other relevant factors bearing on the child's best interests. 750 ILCS 5/609.2(g)(11) (West 2016). In its order, the court noted it considered the previous relevant factors regarding relocation. In her brief, Nicole does not point to any other fact that the court should have considered in making its decision.

¶ 72 In this case, the trial court reviewed the statutory factors and its findings were supported by the testimony and exhibits presented by the parties at the hearings. After reviewing the record and the court's reasoned decision, as well as considering the factors individually and cumulatively, we find no basis for concluding the court's order denying Nicole's relocation petition is so clearly against the manifest weight of the evidence that it appears that a manifest injustice has occurred. Thus, we find the court did not err in denying Nicole's petition for relocation.

¶ 73 III. CONCLUSION

¶ 74 For the reasons stated, we affirm the trial court's judgment.

¶ 75 Affirmed.