2018 IL App (2d) 180295-U
No. 2-18-0295
Order filed August 20, 2018

IN THE

APPELLATE COURT OF ILLINOIS

SECOND DISTRICT

In re JASMINE B., a Minor	)	Appeal from the Circuit Court
	)	of Lake County.
	)	
	)	No. 16-JA-141
	)	
(The People of the State of Illinois, Petitioner-Appellee v. Monique H., Respondent-Appellant).	)	Honorable
	)	Valerie Boettle Ceckowski,
	)	Judge, Presiding.

In re PIERRE B., a Minor	)	Appeal from the Circuit Court
	)	of Lake County.
	)	
	)	No. 16-JA-142
	)	
(The People of the State of Illinois, Petitioner-Appellee v. Monique H., Respondent-Appellant).	)	Honorable
	)	Valerie Boettle Ceckowski,
	)	Judge, Presiding.

In re JOANTHAN B., a Minor	)	Appeal from the Circuit Court
	)	of Lake County.
	)	
	)	No. 16-JA-143
	)	
(The People of the State of Illinois, Petitioner-Appellee v. Monique H., Respondent-Appellant).	)	Honorable
	)	Valerie Boettle Ceckowski,
	)	Judge, Presiding.

JUSTICE ZENOFF delivered the judgment of the court.
Justices Hutchinson and Spence concurred in the judgment.

ORDER

¶ 1 *Held*: The order terminating respondent's parental rights was affirmed where the trial court's findings with respect to unfitness and the children's best interests were not against the manifest weight of the evidence.

¶ 2 Respondent, Monique H., appeals an order entered in the circuit court of Lake County terminating her parental rights to Jasmine, Pierre, and Joanthan B.[1] For the reasons that follow, we affirm.

¶ 3 I. BACKGROUND

¶ 4 In May 2013, the Department of Children and Family Services (DCFS) received information that drugs were being used in the home where respondent and Jonathan B. resided with their two children, Jasmine (four years old) and Joanthan (nine months old). Investigators found the home to be in an unsanitary condition, and respondent and the children were "unkempt." The court granted temporary custody of Jasmine and Joanthan to DCFS, finding probable cause for neglect based on, *inter alia*, Jonathan's substance abuse issues, the "filthy" living environment, and a history of domestic violence between the parents. A third child, Pierre, was born to respondent and Jonathan shortly thereafter, and he was immediately placed in DCFS's custody. In October 2013, the court adjudicated all three minors neglected. The court entered a dispositional order in December 2013 declaring the children wards of the court and granting DCFS guardianship with the authority to determine the children's placements.

[1] Throughout the trial record, Joanthan's name was alternatively spelled "Jonathan." A copy of the child's birth certificate in the record confirms that his name is indeed spelled Joanthan.

¶ 5 Jonathan was incarcerated throughout the next several years. He ultimately consented to the children being adopted, and he is not a party to this appeal.

¶ 6 Respondent, by contrast, generally participated in many of the services that she was asked to complete. The problem, however, was that she had certain physical and cognitive limitations that allegedly impacted her ability to parent the children safely. Specifically, as a teenager, respondent sustained a gunshot wound to the head, which caused a traumatic brain injury. This left her paralyzed on one side of her body and required her to use a wheelchair. There is evidence in the record that the Department of Human Services provided respondent with a homemaker five days a week at certain points during the pendency of this case. Largely owing to respondent's physical and cognitive limitations, the court determined at five separate permanency review hearings between July 2014 and June 2016 that respondent was not making substantial progress toward the goal of returning the children to her care.

¶ 7 In its petitions to terminate respondent's parental rights, the State alleged five grounds of unfitness: (1) failure to maintain a reasonable degree of interest, concern, or responsibility (750 ILCS 50/1(D)(b) (West 2016)); (2) failure to make reasonable efforts to correct the conditions which were the basis for the minors' removal (750 ILCS 50/1(D)(m)(i) (West 2016)); (3) failure to make reasonable progress toward the return of the minors within nine months of the adjudication of neglect (750 ILCS 50/1(D)(m)(ii) (West 2016)); (4) failure to make reasonable progress during three other specified periods (September 3, 2014 to June 3, 2015; June 3, 2015 to March 3, 2016; and September 2, 2015 to June 2, 2016); and (5) inability to discharge parental responsibilities due to mental impairment, mental illness, intellectual disability,[2] or developmental disability (750 ILCS 50/1(D)(p) (West 2016)).

[2] Prior to 2012, the statute used the term "mental retardation" instead of "intellectual

¶ 8 A. Unfitness Proceedings

¶ 9 Erin Berry, who served as the family's caseworker since April 2014, testified for the State during the unfitness portion of the proceedings. She detailed the many "unsatisfactory" ratings that she gave respondent in connection with the service plans. One of the recurrent themes of Berry's testimony was that respondent failed or refused to follow the recommendations offered by a parenting coach, and that respondent's parenting skills never improved. Some of the specific problems in that respect included that respondent failed to understand the children's needs based on their respective ages, put the eldest child in charge of the younger siblings during visitations, and laughed at the children when they hit each other or played inappropriately. There were also concerns about respondent's ability to keep the children safe. Among the particular issues that Berry identified were that there was sometimes old food left out or cigarette butts left within reach of the children. Berry also noted that, in order to use the stove, respondent had to move pots and pans to the floor to stir the food, which left the flame exposed. By the time of the May 2016 service plan review, due to safety concerns, Berry's agency, One Hope United, stopped facilitating respondent's visits with the children in respondent's home, and instead held the visits elsewhere. Berry also mentioned respondent's failure to dress herself appropriately for visitations, her aggression toward service providers, her failure to verify income, her lack of progress in physical therapy, her need for assistance in taking care of the children during visitations, and her failure to complete individual counseling. According to Berry, respondent never progressed to a point where unsupervised visitation would have been appropriate, let alone to a point where the children could safely return home.

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disability." See P.A. 97-227 (eff. Jan 1, 2012). We note that the State used the outdated term "mental retardation" in its petitions to terminate respondent's parental rights.

¶ 10 On cross-examination, Berry acknowledged that respondent had been rated "unsatisfactory" in certain areas due to a failure to progress, even though respondent was doing everything that was asked of her. Berry also conceded that respondent had received a number of "satisfactory" ratings in her service plan reviews and had generally cooperated with and maintained communication with One Hope United. Berry further recognized that some of her notes in the various service plan reviews suggested that respondent was complying with recommendations and displaying a willingness to work. On re-direct examination, Berry explained that, although respondent received "satisfactory" ratings for complying with certain tasks, she did not make substantial progress toward reunification.

¶ 11 The only other witness during the unfitness portion of the proceedings was licensed clinical psychologist Nicholas O'Riordan, who testified for the State. He testified that he completed a parenting capacity evaluation of respondent in August 2015. Prior to conducting that evaluation, he reviewed the service providers' reports, a psychological evaluation of respondent, and his own report from a parenting capacity assessment that he had conducted on respondent the previous year. Upon reviewing those materials, he saw that respondent had been diagnosed with an intellectual disability, a mild level of neurocognitive disorder due to a traumatic brain injury, and a personality disorder arising out of "an ingrained style of interacting with people and looking at problems."

¶ 12 O'Riordan explained that he proceeded with his evaluation in 2015 by observing respondent with her children at her home for about two hours. He noticed that respondent's apartment seemed more disorderly than it had been during his 2014 evaluation of respondent, and the garbage was overflowing. Respondent also seemed more negative and irritable than in

2014 and had less energy. She reported to him that she had experienced some sort of medical emergency two weeks earlier.

¶ 13 O'Riordan testified that respondent was disheveled both in grooming and clothing during the 2015 evaluation. In 2014, respondent was able to interact with all three children at once, whereas in 2015 she could interact with only one child at a time. O'Riordan explained that respondent's two sons interacted with respondent differently than the daughter did. Specifically, although the boys called respondent "mom," they ignored her if she tried to tell them to do something or to pick something up. Jasmine, on the other hand, seemed closer to respondent and tried to please her. Respondent got frustrated with the boys during the 2015 evaluation, and at one point threw her phone across the room and called one of them a "nasty little boy." According to O'Riordan, during the 2015 evaluation, respondent said that Berry was to blame for respondent's various problems. Respondent added that she felt like slapping Berry.

¶ 14 O'Riordan testified that he was asked to consider seven areas or issues in his August 2015 evaluation: (1) respondent's understanding of her role in DCFS's involvement and her acceptance of responsibility; (2) respondent's understanding of and ability to manage the developmental, emotional, physical, medical, social, and educational needs of the children; (3) the nature and quality of respondent's bond and attachment with the children; (4) the impact of respondent's cognitive limitations and traumatic brain injury on her ability to parent; (5) respondent's abilities to demonstrate minimum parenting standards, set limits, manage frustration, and safely parent and protect the children; (6) respondent's parenting strengths as well as risk factors or ongoing concerns; and (7) whether respondent made sufficient progress over the past year to take on the responsibility of unsupervised visitation and parenting her children.

¶ 15 O'Riordan found that respondent had made no progress with respect to the first issue, as she blamed the agency rather than herself or the children's father. Nor did she make progress with respect to the second issue, as she seemed to overestimate the children's abilities. Addressing the third issue, O'Riordan determined that there was indeed a bond between Jasmine and respondent, but that the two boys did not reciprocate to respondent the way that Jasmine did. O'Riordan described the fourth issue as the "crucial area," insofar as it was something that was not going to change. To that end, he found major deficits in respondent's cognitive ability, and he noted that her neurological injury may play a role in her impulsivity and poor judgment. With respect to the fifth issue, O'Riordan noted that the reports he reviewed indicated that respondent was "very deficient." Those reports were substantiated, he explained, when respondent threw her phone during the evaluation and when "the aide had to do a lot of work to keep the children safe." As it pertained to the sixth issue, O'Riordan observed that respondent exhibited genuine affection toward the children and responded to them in a positive manner at times, albeit at "a very childish level." Addressing the seventh issue, he opined that a responsible adult would have to be with respondent 24/7 to make sure that the children were safe and parented correctly. He believed that respondent was unable to maintain effective parenting for more than a few minutes at any time.

¶ 16 O'Riordan testified that respondent had an IQ of 65. She had physical limitations in addition to cognitive disabilities, and she was not always aware of them. In his opinion, owing to respondent's long-standing deficits and resistance to change, she could not safely parent her children. This was something that was unlikely to change within a reasonable amount of time. Based on his observations of respondent with the children, he believed that the children would be at a considerable risk if they were left unsupervised with her for even a short amount of time.

¶ 17 On cross-examination, O'Riordan testified that he spent a total of seven or eight hours with respondent in the course of performing two parenting evaluations and a psychological evaluation. Although therapy and parenting instruction might have been worth trying, those services could not overcome respondent's basic cognitive deficits. O'Riordan acknowledged that respondent, with some difficulty, was able to do tasks such as switching garbage bags and making dinners. Moreover, unlike what he had seen during respondent's 2014 parenting evaluation, there were no cigarettes, lighters, or sharp objects such as scissors lying around the home when he conducted the 2015 evaluation. O'Riordan hypothesized that Jasmine would have a major emotional reaction to ending contact with respondent, whereas the boys would not. He attributed this to the fact that Jasmine was older than her brothers and had lived with respondent for the first three years of her life.

¶ 18 In the course of its ruling, the court indicated that it found the witnesses' testimony to be credible. The court determined that the State failed to prove either a lack of effort on respondent's part or a lack of interest, concern or responsibility. However, the court found respondent unfit by virtue of failing to make reasonable progress during any of the time periods identified in the State's petition. The court noted that progress must be judged by an objective standard without making allowances for handicaps or difficulties. According to the court, respondent "has not progressed to the level of even possible unsupervised visits during the entire course of the case, and the testimony of Dr. O'Riordan shows that the children would not be safe with any type [of] unsupervised visits for more than a few minutes." The court likewise found respondent unfit for being unable to discharge parental responsibilities.

¶ 19 B. Best Interests Proceedings

¶ 20 Berry, the caseworker, testified again at the best interests hearing. Berry related that Jasmine, who was nine years old at the time of the hearing, had been placed in a traditional foster home since April 2015. She resided with her foster mother, the foster mother's boyfriend, the boyfriend's eight and nine year-old daughters, and the foster mother's sixteen year-old daughter. Jasmine shared a room with two of the girls, and she was provided with appropriate clothing and food. Jasmine was "really bonded" with the foster mother and called her both "mom" and "Miss Pauline." Although Jasmine had no special needs, she had an individualized education plan and some heart issues, which the foster mother was able to accommodate. Jasmine's foster mother was willing to adopt her. Jasmine did not talk about respondent often or ask questions about her.

¶ 21 Berry testified that Joanthan and Pierre, who were five years old and four years old, respectively, had resided together in a different home with two foster fathers since February 2017. The reason for separating the children was that Jasmine was not getting the one-on-one attention that she needed when the children were placed together previously. The boys were "very bonded" with their foster fathers, whom they called their "dads," and they exhibited a loving and fond relationship. Joanthan and Pierre were African American, whereas the foster fathers were white. Although there was no special cultural sensitivity training in that respect, the foster fathers learned certain things about how to care for African-American children, such as how to prepare their hair for haircuts. The boys were not involved with any faith-based community, but there was talk of enrolling them in soccer. The boys were provided with appropriate toys, clothing, and food in their foster home. Neither of the boys had special needs, but there was a potential that one of them would need to see a psychiatrist. The foster fathers were willing to adopt Joanthan and Pierre.

¶ 22 According to Berry, the children believed that their respective foster parents were their primary caretakers. Both Jasmine's foster mother and the boys' foster fathers were willing to maintain visits among the siblings. The foster parents were also willing to maintain respondent's contact with the children by means of e-mail or a social media account. The issue of maintaining visitation with respondent, however, had never been discussed. Berry acknowledged that there was no way of knowing whether the children would see respondent again if her parental rights were terminated, and the children had not been professionally evaluated to determine what kind of effect that might have on them. Nevertheless, in Berry's opinion, it was in the best interests of all three children to terminate respondent's parental rights and to make them available for adoption. To that end, Berry believed that respondent was unable to keep the children safe and that it would be detrimental to the children to remove them from their foster homes.

¶ 23 Tracy Wooten, a volunteer with Court Appointed Special Advocates (CASA), provided similar testimony. She testified that she had visited Jasmine, Joanthan, and Pierre every month for the past four years. According to Wooten, Jasmine referred to the other girls in her home as her "sisters," and she called her foster mother and the boyfriend her "parents." Jasmine had indicated to Wooten that she wanted her foster home to be her "forever home." Joanthan and Pierre were likewise in a home where they felt loved and were bonded. Wooten had no apprehensions with respect to the cultural differences between the boys and their foster fathers. She testified that it would be detrimental to the children to remove them from their respective foster homes. She also believed that it was in the best interests of all three children to terminate respondent's parental rights and to make them available for adoption.

¶ 24 Respondent presented no evidence.

¶ 25 The court determined that it was in the best interests of the children to terminate respondent's parental rights. She timely appeals.

¶ 26 II. ANALYSIS

¶ 27 Respondent argues that the order terminating her parental rights was against the manifest weight of the evidence.

¶ 28 Involuntary termination of parental rights under the Juvenile Court Act of 1987 (705 ILCS 405/1-1 *et seq*. (West 2016)) is a two-step process. *In re C.W.*, 199 Ill. 2d 198, 210 (2002). The State must first prove by clear and convincing evidence that the parent is unfit under any single ground listed in section 1(D) of the Adoption Act (750 ILCS 50/1(D) (West 2016)). *C.W.*, 199 Ill. 2d at 210. If the parent is unfit, the matter proceeds to a second hearing, at which the State must prove by a preponderance of the evidence that it is in the best interests of the minor to terminate parental rights. *In re D.T.*, 212 Ill. 2d 347, 352, 366 (2004). We will not disturb a finding of unfitness unless it is against the manifest weight of the evidence. *In re S.R.*, 2014 IL App (3d) 140565, ¶ 23. " 'A determination of unfitness is against the manifest weight of the evidence only if the opposite conclusion is clearly evident or the determination is unreasonable, arbitrary, or not based on the evidence presented.' " *In re I.W.*, 2018 IL App (4th) 170656, ¶ 35 (quoting *In re Addison R.*, 2013 IL App (2d) 121318, ¶ 22).

¶ 29 The court found respondent unfit under multiple subsections of section 1(D) of the Adoption Act, including 1(D)(p), which provides as follows:

> "Inability to discharge parental responsibilities supported by competent evidence from a psychiatrist, licensed clinical social worker, or clinical psychologist of mental impairment, mental illness or an intellectual disability as defined in Section 1-116 of the Mental Health and Developmental Disabilities Code, or developmental disability as

> defined in Section 1-106 of that Code, and there is sufficient justification to believe that the inability to discharge parental responsibilities shall extend beyond a reasonable time period. However, this subdivision (p) shall not be construed so as to permit a licensed clinical social worker to conduct any medical diagnosis to determine mental illness or mental impairment." 750 ILCS 50/1(D)(p) (West 2016).

By separately referring to "mental impairment," "mental illness," "intellectual disability," and "developmental disability," the legislature intended different meanings for these terms. *In re Michael M.*, 364 Ill. App. 3d 598, 606 (2006). Only the terms "intellectual disability" and "developmental disability" are specifically defined for purposes of section 1(D)(p) of the Adoption Act, and the definitions come from the Mental Health and Developmental Disabilities Code. "Intellectual disability" is defined as "significantly subaverage general intellectual functioning which exists concurrently with impairment in adaptive behavior and which originates before the age of 18 years." 405 ILCS 5/1-116 (West 2016). "Developmental disability" is defined as

> "a disability which is attributable to: (a) an intellectual disability, cerebral palsy, epilepsy or autism; or (b) any other condition which results in impairment similar to that caused by an intellectual disability and which requires services similar to those required by persons with an intellectual disability. Such disability must originate before the age of 18 years, be expected to continue indefinitely, and constitute a substantial disability." 405 ILCS 5/1-106 (West 2016).

The State need not present direct evidence regarding the age at which a respondent's intellectual or developmental disability originated, but the evidence must support an inference that the condition developed prior to the age of 18. See *Michael M.*, 364 Ill. App. 3d at 609. Unlike an

intellectual disability or a developmental disability, however, there is no requirement in section 1(D)(p) of the Adoption Act for a "mental illness" or a "mental impairment" to have its onset before the age of 18. *Michael M.*, 364 Ill. App. 3d at 608.

¶ 30 There was ample evidence supporting the court's conclusion that respondent was unfit in accordance with section 1(D)(p) of the Adoption Act. The evidence showed that respondent had an intellectual disability, a mild level of neurocognitive disorder, and certain physical impediments, including partial paralysis. The evidence supported the inference that all of these conditions were linked to the traumatic brain injury that respondent sustained as a teenager. A CASA report in the record indicates that this injury occurred when respondent was 14 years old. O'Riordan, a licensed clinical psychologist, evaluated respondent on multiple occasions and determined that her long-standing deficits rendered her unable to safely parent her children. O'Riordan further opined that respondent's inability to parent was not likely to change within a reasonable amount of time. Accordingly, the State met its burden of proof. See *S.R.*, 2014 IL App (3d) 140565, ¶ 23 (noting that the State must show an inability to discharge normal parental responsibilities and that such inability will extend beyond a reasonable period of time). There was no contrary evidence presented.

¶ 31 Respondent nevertheless maintains that O'Riordan merely offered conclusions regarding her condition—such as that she had an intellectual disability, a mild level of neurocognitive disorder due to traumatic brain injury, and an IQ of approximately 65—without testifying how those conclusions were reached. Respondent contends that O'Riordan thus "was not competent to testify as to [her] intellectual disability, and therefore also not qualified to testify that any disability would extend beyond a reasonable time period."

¶ 32 Respondent failed to raise this argument in the trial court. Forfeiture of the argument aside, O'Riordan testified that he reviewed certain materials before conducting his second parenting capacity evaluation of respondent in 2015. Those materials included his own prior parenting capacity evaluation of respondent, a psychological evaluation of respondent, and reports prepared by respondent's parenting coach, therapist, and caseworker. Illinois Rule of Evidence 705 (eff. Jan 1, 2011) provides: "The expert may testify in terms of opinion or inference and give reasons therefore without first testifying to the underlying facts or data, unless the court requires otherwise. The expert may in any event be required to disclose the underlying facts or data on cross-examination." Respondent's trial counsel certainly would have been entitled to explore in greater detail on cross-examination how O'Riordan obtained knowledge of respondent's medical history and diagnoses. That, however, did not affect O'Riordan's competency to testify or the admissibility of his opinions. We also note that respondent's trial counsel stipulated to O'Riordan's expertise.

¶ 33 Emphasizing that the best interests of the children is irrelevant during the first portion of termination proceedings, respondent further asserts that O'Riordan's conclusions regarding her parenting skills were unrelated to the particular statutory bases on which the trial court found her unfit. More specifically, respondent takes issue with O'Riordan's opinion that the children would be at risk if they were returned home to her. We find no error. This testimony was relevant to the issue of whether respondent was able to discharge her parental responsibilities. There is no indication in the record that either the State or the trial court conflated the question of parental unfitness with the question of the children's best interests.

¶ 34 Respondent finally questions whether her behavior during the 2015 parenting capacity evaluation supported O'Riordan's ultimate conclusions about her inability to discharge parental

responsibilities. For example, respondent notes that she was able to clean up the garbage as well as cook for her children. She also complains that O'Riordan failed to identify exactly how the case aide had to intervene during the evaluation to keep the children safe. Respondent's arguments on these points do not support reversing the finding of unfitness. O'Riordan's opinions were based on the seven or eight hours that he spent evaluating respondent on multiple occasions. They were also based on his review of the records prepared by service providers and others who had personal interactions with respondent. The court deemed O'Riordan credible and relied on his testimony in finding respondent unfit. The court's findings were reasonable and based on the evidence presented. The trial court was in the best position to evaluate the evidence, and we must give great deference to the court's findings. *S.R.*, 2014 IL App (3d) 140565, ¶ 23.

¶ 35 Having affirmed the finding of unfitness based on section 1(D)(p) of the Adoption Act, we need not consider the court's additional findings regarding respondent's lack of progress. See *In re M.M.*, 303 Ill. App. 3d 559, 567 (1999) (a finding of parental unfitness may be upheld where the evidence supports any single statutory ground).

¶ 36 After the court makes a finding of parental unfitness, "the focus shifts to the child." *D.T.*, 212 Ill. 2d at 364. Specifically, the court must consider whether it is in the best interests of the child to terminate parental rights. *In re Nevaeh R.*, 2017 IL App (2d) 170229, ¶ 17. At the best interests hearing, the trial court considers:

> "(a) the physical safety and welfare of the child, including food, shelter, health, and clothing; (b) the development of the child's identity; (c) the child's background and ties, including familial, cultural, and religious; (d) the child's sense of attachments ***; (e) the child's wishes and long-term goals; (f) the child's community ties, including church,

> school, and friends; (g) the child's need for permanence which includes the child's need for stability and continuity of relationships with parent figures and with siblings and other relatives; (h) the uniqueness of every family and child; (i) the risks attendant to entering and being in substitute care; and (j) the preferences of the persons available to care for the child." 705 ILCS 405/1-3(4.05) (West 2016).

We will not overturn the trial court's finding that termination of parental rights was in the child's best interests unless it was against the manifest weight of the evidence. *In re Shru. R.*, 2014 IL App (4th) 140275, ¶ 24.

¶ 37 The evidence showed that Jasmine was thriving in the foster home where she had resided since April 2015. She was bonded with her foster mother, whom she referred to as either "mom" or "Miss Pauline." Jasmine was also integrated with her larger foster family, referring to the other girls who resided in her home as her "sisters." Jasmine expressed a desire for this to be her "forever home," and the foster mother was committed to adopting Jasmine.

¶ 38 The evidence also showed that Joanthan and Pierre resided in a different foster home than Jasmine but that the siblings would remain in contact through visits organized by their foster parents. The boys were thriving in their home and were bonded to their foster fathers, whom they referred to as their "dads." The foster fathers were committed to adopting the boys. Both the caseworker and the CASA volunteer believed that it was in the children's best interests to terminate respondent's parental rights. In light of this evidence, the court's determination that it was in the best interests of respondent's children to terminate her parental rights was not against the manifest weight of the evidence.

¶ 39 Respondent compares this case to *In re M.F.*, 326 Ill. App. 3d 1110, 1115, 1118 (2002), where the court affirmed a finding of parental unfitness but reversed a finding that it was in one

child's best interests to terminate the respondent-mother's parental rights. Cases concerning the termination of parental rights are *sui generis*, so it is generally inappropriate to make factual comparisons to other cases. *In re Brandon K.*, 2017 IL App (2d) 170075, ¶ 24. Furthermore, in *M.F.*, the child's father had full custody and guardianship of her, and the State was not seeking to terminate the father's parental rights. *M.F.*, 326 Ill. App. 3d at 1118. Under those unique circumstances, the appellate court determined that there was no clear benefit to terminating the mother's parental rights. *M.F.*, 326 Ill. App. 3d at 1118. Here, by contrast, the children's father has already consented to their adoption, and each child has a foster family that is committed to adopting them. The circumstances that compelled the court's decision in *M.F.* are not present here.

¶ 40 Respondent emphasizes that she loves her children and that Jasmine, in particular, is bonded with her. Respondent also complains that "the State failed to establish that the termination of parental rights may not in fact have long term effects on the children." She suggests that "guardianship or similar means" might be a feasible alternative to terminating her parental rights. The record is clear that respondent loves her children deeply and that Jasmine exhibited a bond with her mother. However, that is not the only consideration in the best-interests analysis. The trial court had to take all of the other facts into consideration, including the safety of the children, the fact that the children were well cared for by their foster parents and bonded with them, and that Jasmine expressed an interest in remaining in her "forever home." Under the totality of the circumstances, the court's findings with respect to the children's best interests were not against the manifest weight of the evidence.

¶ 41 III. CONCLUSION

¶ 42 For the reasons stated, we affirm the judgment of the circuit court of Lake County terminating respondent's parental rights.

¶ 43 Affirmed.