

NOTICE

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

2026 IL App (4th) 260438-U
NOS. 4-26-0438, 4-26-0583 cons.

IN THE APPELLATE COURT

OF ILLINOIS

FOURTH DISTRICT

FILED

September 10, 2026
Carla Bender
4th District Appellate
Court, IL

In re MARRIAGE OF BRIDGET S.,
Petitioner-Appellant,
and
DAVID S.,
Respondent-Appellee.

) Appeal from the
) Circuit Court of
) McLean County
) No. 24DC35
)
) Honorable
) Carla E. Wheeler,
) Judge Presiding.

JUSTICE LANNERD delivered the judgment of the court.
Presiding Justice Steigmann and Justice Zenoff concurred in the judgment.

ORDER

¶ 1 *Held:* The appellate court affirmed in part and reversed in part, concluding (1) the trial court's order restricting petitioner's parenting time and decision-making responsibilities was not against the manifest weight of the evidence and (2) the court improperly found petitioner in indirect criminal contempt without affording petitioner the constitutional protections and procedural rights afforded to criminal defendants.

¶ 2 In February 2024, petitioner, Bridget S., filed a petition for dissolution of marriage against respondent, David S., seeking, in part, primary parenting time and sole decision-making responsibilities regarding the parties' children. As the case continued, a series of emergency motions for orders of protection were filed by both parties. On multiple occasions Bridget alleged David sexually abused one of the children. Those allegations were all deemed unfounded by law enforcement and the Illinois Department of Children and Family Services (DCFS). Before trial, David was temporarily allocated primary parenting time and decision-making responsibilities

premised on findings Bridget withheld parenting time based on false allegations of abuse. The trial court restricted Bridget's parenting to time to supervised biweekly visits and supervised video calls. Following trial, the court allocated primary parenting time and decision-making responsibilities to David and restricted Bridget's parenting to time based on findings Bridget engaged in conduct that seriously endangered the children's mental, moral, or physical health or significantly impaired their emotional development under section 603.10 of the Illinois Marriage and Dissolution of Marriage Act (Marriage Act) (750 ILCS 5/603.10 (West 2024)) by coaching the children to make unfounded disclosures of abuse.

¶ 3 After the trial, a reporter published an interview online that included portions of a confidential report to the trial court from the children's guardian *ad litem* (GAL). David filed a petition for adjudication of indirect civil contempt and sanctions, alleging Bridget disclosed the report to third parties. The court held a hearing, during which Bridget was called to testify by David's counsel. The parties treated the matter as one for civil contempt. However, at the end of the hearing, the court found Bridget in indirect criminal contempt and ordered her to serve 72 hours in jail, which has now been served.

¶ 4 On appeal, Bridget argues the trial court erred in its allocation of parenting time and decision-making responsibilities to David and by adjudicating her guilty of indirect criminal contempt. We affirm the court's allocation of parenting time and decision-making responsibilities. However, we reverse the order finding Bridget guilty of indirect criminal contempt because that order was entered without affording Bridget the constitutional protections and procedural rights afforded to criminal defendants.

¶ 5 I. BACKGROUND

¶ 6 In February 2024, Bridget filed a petition for dissolution of marriage, seeking, in

part, primary parenting time and sole decision-making responsibilities regarding the parties' children, A.S. (born in 2019), who was then four years of age, and S.S. (born in 2021), who was then two years of age. Shortly before, and on multiple occasions after the filing of the petition, emergency orders of protection were entered in the case, culminating in David being allocated the majority of parenting time and decision-making responsibilities and Bridget having supervised parenting time. Throughout the case, Bridget made allegations David sexually abused S.S., and David made allegations Bridget was coaching the children to falsely accuse him. Early in the case, the trial court appointed Nargis Khokhar as the GAL for the children.

¶ 7 In December 2025, the trial court conducted a multiday trial on the pending issues in the case. Prior to trial, the GAL provided an extensive report to the court covering the procedural background of the case, her findings, and her recommendations. The GAL also testified extensively about the report and her findings at the trial.

¶ 8 A. Procedural Background and the GAL report

¶ 9 1. *The First Abuse Allegation*

¶ 10 The first allegation of abuse arose from an incident during which S.S. said things such as, “ ‘Daddy, not do it, please,’ ” during a diaper change. That incident led to investigations by DCFS and law enforcement.

¶ 11 a. Procedural Background

¶ 12 The petition for dissolution of marriage referenced an emergency order of protection entered on February 23, 2024, restricting David's parenting time.

¶ 13 On March 19, 2024, Bridget filed a petition for temporary relief, seeking an order granting her the majority of parenting time and sole decision-making responsibilities. Bridget asserted David viewed pornography while caring for the children. She also alleged S.S., after

returning from a visit with David on February 21, 2024, began crying and screaming during a diaper change and repeatedly said, “ ‘Daddy, not do it, please,’ ” “ ‘Don’t do that again,’ ” “ ‘Dad no do it again,’ ” and similar phrases. Bridget maintained S.S. said similar things when S.S.’s pediatrician, Doctor Samina Yousuf, examined S.S., the next day. According to Bridget, Yousuf noted redness and swelling in S.S.’s vaginal area and reported suspected sexual trauma to DCFS. Bridget also claimed A.S. reported David gave S.S. a “ ‘booboo’ ” during a diaper change on the couch, and S.S. said David used a cell phone light and gave S.S. “ ‘owies.’ ” The petition noted the February 23, 2024, emergency order of protection and sought a determination under section 603.10 of the Marriage Act (750 ILCS 5/603.10 (West 2024)) that David engaged in conduct that seriously endangered the children’s mental, moral, or physical health, or significantly impaired their emotional development.

¶ 14 Thereafter, Bridget’s order of protection was extended multiple times. On May 30, 2024, the trial court entered an agreed temporary order allowing the parties equal parenting time, allowing them a minimum of two video calls during the other parent’s parenting time, and noting both parties agreed to attend counseling. The record does not contain transcripts or substitutes for transcripts of the hearings on Bridget’s petition and motions or the hearing regarding the agreed temporary order.

¶ 15 b. The GAL Report

¶ 16 In her report, the GAL stated she first interviewed Bridget on April 4, 2024. Bridget told the GAL the about the incident regarding S.S.’s diaper change and said the children were fearful of David. Bridget reported S.S. told her, “ ‘Daddy uses a light on his phone to change diapers when [A.S.] is in school and that’s why he gives me owwies.’ ” Bridget also accused David of spending a large amount of money watching pornography.

¶ 17 When the GAL interviewed David, he admitted to spending money on gambling and that he watched pornography. However, he denied he spent as much money as Bridget alleged and denied watching pornography in the presence of the children.

¶ 18 Regarding the diaper change incident, David reported his mother had changed S.S.'s diaper, and he believed S.S. had sat in a soiled diaper for five hours, causing her private parts to be red. He attributed S.S.'s statements of, “ ‘No, Daddy, no,’ ” as her not wanting a diaper change when the area was sore. David stated he was the stay-at-home parent before his departure from the marital home, and S.S. would exclaim his name before anyone else's name. David reported that, when S.S. was upset or scared, she would yell for him. David opined S.S. was crying out in pain during the diaper change and pediatrician visit and saying his name as the primary parent. David reported he would use an ointment on S.S.'s private parts when she had diaper rashes, and that would distress S.S. He indicated A.S. previously stated S.S. did not want him to use the medicine. He also said wipes irritated S.S. David did not recall using a flashlight to examine S.S. but said if he did, his cell phone had a flashlight, and he would use it for that purpose. David indicated he would cooperate with any investigation to clear his name, including submitting to a polygraph exam, a penile plethysmograph, or any other test to prove his innocence. He also indicated he was willing to turn over his cell phone or any device to be searched regarding the allegations.

¶ 19 The GAL consulted with a psychologist contracted with DCFS for sex abuse cases. That psychologist determined, based on the facts known, that David would be considered low risk for a diagnosis of various sex disorders.

¶ 20 The GAL arranged for the children's grandmother to hold a cell phone to observe every bath time and diaper change that took place over a weekend and alert the GAL of any time

the children used the restroom during David's parenting time. The purpose of this was to be " 'invisible' " to the children while observing their body language with their father. There were at least 10 observations made during this time. The GAL reported having extensive minute-by-minute notes, and there was not a single diaper change or bath time that showed anything other than normal body language and mannerisms in the children with their father. The GAL reported David was entirely appropriate with the children, and the children appeared comfortable in his presence. Additionally, the GAL noted S.S. was very good about articulating her wishes and body boundaries. S.S. allowed David to help her wipe after using the toilet.

¶ 21 In a detailed description of the investigation into the abuse allegations, the GAL reported Bridget brought the children to the McClean County Child Advocacy Center (CAC), but they refused to go into the room to be interviewed. On March 5, 2024, Detective Curt Maas of the Bloomington Police Department investigated the matter and filed a report on March 11, 2024.

¶ 22 Maas reported Yousuf saw redness and inflammation to S.S.'s vaginal area during her examination. Maas asked Yousuf if, in her opinion, there was another reason for the redness and inflammation, other than sexual assault trauma. Yousuf advised an injury to the area could also cause the redness and inflammation. Yousuf opined there was no rash or infection and stated she was positive S.S. was sexually abused due to things S.S. told her, the way S.S. was acting, and by the redness and inflammation.

¶ 23 Maas reported he contacted Carrie Watt, an advanced nurse practitioner and child sexual abuse expert at the Pediatric Resource Center (PRC), who saw S.S. but was not able to do a complete evaluation due to S.S. not wanting to participate. In Watt's expert opinion, she was unable to say either way if S.S. was sexually assaulted. Watt stated it was her understanding Yousuf was unable to conduct an examination of S.S. under traction, and a person conducting an

examination without using traction and a colposcope should not be able to say a child was absolutely sexually assaulted. Watt stated things other than sexual abuse could cause redness and inflammation to the vaginal area.

¶ 24 Yousuf’s March 20, 2024, case notes stated A.S. told her that S.S. would have an “ ‘owy’ ” during diaper changes on the couch. When asked what type of “owy,” she stated, “ ‘[W]ith a wipe, to her bottom.’ ” She said she knew it was an “owy” because S.S. would cry and say, “ ‘[S]top,’ ” and, “ ‘[D]on’t do it again Daddy.’ ” Hearing that would make A.S. so upset that she started wearing her headphones. A.S. stated she did not ever get an “owy” like S.S. did during diaper changes.

¶ 25 On March 29, 2024, Maas filed a report stating, “ ‘This case is exceptionally cleared, prosecution declined.’ ”

¶ 26 A subsequent interview was scheduled in La Salle County at the direction of the state’s attorney at Bridget’s request. In April 2024, the GAL spoke with Detective Amy Sines of the Peru Police Department, who had been assigned to the case. Sines told the GAL there were no disclosures of abuse made in the CAC interviews. The CAC interview revealed A.S. said their father gave S.S. an “ ‘owwie,’ ” but said, “ ‘I don’t think he did it on purpose.’ ” Sines reported she spoke with A.S.’s teachers on April 4, 2024, who reported A.S. was anxious and withdrawn and that A.S. said David hurt S.S. on her bottom in the playroom and the bathroom. The detective stated that report contrasted with what “the child” shared during the CAC interview. “The child” was asked who she trusts, and she nodded “ ‘yes’ ” when her father was mentioned, and she shrugged her shoulders when her mother was mentioned. It is unclear if “the child” referred to was S.S. or A.S.

¶ 27 Sines reported Bridget sent multiple e-mails per day about being in mortal danger,

but when Sines asked her how, Bridget was unable to articulate a foundation for her beliefs. Bridget e-mailed Sines asking her to not tell the results of the CAC interviews to David, and Sines stated she could not do that. Sines was concerned Bridget might be coaching the children.

¶ 28 The GAL reported Bridget also e-mailed her separately with similar concerns. Bridget also expressed concern for her safety in a meeting with the GAL. Bridget also sent e-mails regarding her safety to DCFS and the La Salle County State's Attorney's Office. In her report, the GAL noted it appeared Bridget was e-mailing four different entities in separate e-mails about the same thing.

¶ 29 The GAL learned Bridget had used enemas to treat S.S. during the dates in question in February. She alerted Sines, who indicated Sines had not known that information.

¶ 30 On April 24, 2024, the GAL met with Watt about her examination of S.S. Watt indicated Yousuf's concern was her visual inspection of a swollen hymen. Watt explained to the GAL that a swollen hymen can be due to many things. Watt stated that, at around two and a half to three years of age, children often do not want their diaper changed or do not want baths anymore due to increased sensitivity. Watt also stated that chronic constipation in a female puts pressure on the bladder and can cause varying levels of prolapse of the urethra. Watt opinioned, " 'This could have been a minor prolapsed urethra.' " Watt was unable to perform an examination but asked to change S.S.'s diaper. She saw the labia majora and was unable to see past that but did not see anything concerning.

¶ 31 Watt reported she took Bridget to a separate room and explained things to her. Bridget seemed distraught; however, because Bridget was a nurse, she seemed to understand the terminology used. Watt contended, " 'Even though I was giving her reasons to explain what Dr. Yousuf saw, she still appeared convinced something else was happening.' "

¶ 32 Watt reported that, after the visit, Bridget sent a diaper change video to Watt and also sent reports to DCFS and the Bloomington and Peru Police Departments. After those agencies' reports were provided, Bridget contacted Watt stating there were discrepancies in Watt's report. Bridget referred to notes in Watt's report stating that Yousuf said, "[M]other is concerned for sexual abuse, which prompted the doctor to investigate further." Additionally, Watt's report incorrectly stated Bridget indicated the diaper incident occurred on a bed; however, Bridget contended she explained S.S. was not on a bed but was on a couch when David was viewing pornography. Bridget also asserted Yousuf reported S.S. was sexually abused due to her behaviors during the exam, not because Bridget reported it as sexual abuse. Watt maintained the doctor's office provided the referral information directly to the PRC. Watt explained PRC's practice was to write down reports verbatim and contemporaneously to ensure accuracy. Watt countered Bridget had indicated a bed, not a couch. Watt reported Bridget appeared distraught when Watt told her she could not change what was recorded.

¶ 33 Watt noted there was no record at the PRC of Bridget reporting she gave S.S. two enemas in the days leading up to the medical visits. The PRC did not send their report to Yousuf. However, Yousuf learned of the results from Maas, and Yousuf called Watt on March 11, 2024, to challenge or discuss this report. In Watt's opinion, Yousuf misspoke. Further, Watt told the GAL, " 'If [Yousuf] told the mother this is sexual abuse, this a problem. There could be many other factors.' " Watt then recommended the children be put in counseling as a next step.

¶ 34 DCFS concluded the allegations were unfounded. Moreover, DCFS determined the medical information Yousuf provided was not conclusive of sexual abuse. DCFS noted law enforcement was notified that there was no probable cause for an arrest. In addition, the attorney general's office investigated the allegations of child pornography by examining David's computer,

and it came back clean, with no images of child pornography.

¶ 35 The GAL spoke with DCFS Investigator Michelle Rowell. Rowell reported that Yousuf was disappointed in the unfounded report and kept asking, “ ‘How can you not indicate [David]?’ ” Yousuf also said, “ ‘I don’t believe it. I don’t believe it at all.’ ” She also said, “ ‘I want answers.’ ” Yousuf wanted to speak with law enforcement and asked Rowell, “ ‘Why did law enforcement not do what they’re supposed to do?’ ” Rowell then contacted Maas and Sines. Maas advised he did not need to not speak to Yousuf again because the case was closed. Rowell was concerned Yousuf might make another call to DCFS, despite not doing a full sexual abuse examination.

¶ 36 The next day, the GAL spoke to Yousuf, who reported she had a high level of concern that the children experienced trauma. She reported the children typically came into the office very happy. However, on February 22, 2024, S.S. was clingy, crying and refused to be examined. Yousuf reported her findings from the examination, reported that she saw a concerning video of a diaper change, and recounted details from her visits with the children. Yousuf told the GAL, “ ‘I definitely think something has happened.’ ” However, when asked if she noticed or had any concerns with David, Yousuf indicated she never observed anything concerning about David and the children. Yousuf knew both parents and worked closely with Bridget because they had previously worked together on a daily basis. She maintained her relationship with both parties was professional.

¶ 37 The same day, the GAL spoke with the executive director and medical director of the PRC. The GAL explained Yousuf’s concerns, and the directors stated, “ ‘[F]or people who do not regularly do this work, there can be overreporting.’ ” They stated Yousuf appropriately referred the matter, and the PRC handled the matter appropriately. They spoke with Yousuf and discussed

evidence-based medical literature, in addition to reviewing Watt's work and findings. They recommended counseling for Bridget and her children as the next step.

¶ 38 In late April 2024, the GAL spoke with the parties about air tags and a cell phone Bridget sent with the children to David's parenting time. David did not believe they were necessary. David reported that, during a visit, S.S. would not allow him to wipe her after using the toilet and asked for her grandmother to assist. David reported he asked S.S. why he could not help her. and S.S. said, " 'Mom said you gave me owwies so you can't wipe.' " On May 15, 2024, David reported S.S. was yelling "owwie" even when he was not touching her. He believed Bridget and her family were encouraging S.S.

¶ 39 *2. The Second Abuse Allegation*

¶ 40 The second abuse allegation involved incidents where it was alleged S.S. inserted a ChapStick into her vagina, engaged in sexualized behavior, and reported David sexually penetrated her with an object.

¶ 41 *a. Procedural Background*

¶ 42 On June 13, 2024, David filed a motion for an investigation into Bridget's mental health. David alleged, in part, that Bridget made false allegations to the Bloomington and Peru Police Departments and DCFS that he sexually abused S.S. He also asserted Bridget told other people he sexually abused S.S. after the investigations had been completed and the allegations were determined to be unfounded. David further contended Bridget sent the children to his parenting time with a cell phone, air tag wrist bands, and a binder with phone numbers and " '911' " written on it. David expressed concern Bridget was attempting to coach the children into believing he was an abuser. On August 26, 2024, the trial court entered an agreed order for both parties to complete a mental health evaluation with Doctor Luke Dalfiume.

¶ 43

b. The GAL Report

¶ 44

The GAL reported that, on May 30, 2024, David's counsel claimed Bridget's father, Tim Burgess, called David a pedophile on the way to the courthouse for a prehearing conference with counsel. Despite that exchange, the parties approved a temporary agreed order on May 30, 2024, granting the parties equal parenting time. On June 12, 2024, the GAL was notified that Bridget was sending the children to David's home with a binder containing " '911' " written in large numerals on the front cover.

¶ 45

The GAL related that, on June 13, 2024, Jessica Pippin, the executive clinical director at The Mental Wellness Center, a clinic that worked with A.S. and S.S. from May to November 2024, reported concerns Bridget was prompting A.S. to " 'tell Zoe [Baker],' " who was A.S.'s counselor. The GAL indicated there was a perception that Bridget had convinced her support system that sexual abuse had occurred, despite official findings to the contrary. The clinic was receiving an excessive number of e-mails from Bridget, and they believed ground rules for communication needed to be established. They had originally diagnosed A.S. with post-traumatic stress disorder based on Bridget's reporting. However, they were concerned it was scripted because every single symptom was conveyed as defined in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition. They changed the diagnosis to anxiety/acute stress disorder based on the chaos of the divorce, not sexual abuse.

¶ 46

On June 14, 2024, David reported the children acted differently when Bridget arrived at a doctor's visit. He reported the children would only sit on Bridget's lap and ignored him. He indicated he was not comfortable with Yousuf and wanted a different pediatrician.

¶ 47

The GAL reported that, in July 2024, The Mental Wellness Center seemed to be tiring of the inundation of communications by the parties and the need of the GAL to intervene

and advise, so an additional third party, Doctor Karen Anderson, was added to assist.

¶ 48 On Monday, August 5, 2024, the GAL received an e-mail from Pippin, stating:

“I wanted to make you aware that we have received some communication from Mom stating that S.S. has been engaging in hypersexualized behaviors, with the most recent communication stating that [S.S.] said that Dad was inserting something specific into her body.

[S.S.] has been refusing to meet with Zoe, and Zoe has been respecting her wishes and working with the family to identify ways to make [S.S.] more comfortable. We want therapy to be a positive experience for [S.S.] and not something that she feels she is being forced to do.

We are not planning to make a DCFS report unless [S.S.] reports this to Zoe. However, it feels unethical to not at least mention it to you.”

¶ 49 On August 12, 2024, the GAL contacted the practice and requested a meeting. Pippin reported S.S. was refusing therapy, and A.S. was using big words like “ ‘inappropriate.’ ” Pippin advised Bridget to stop using words that were too advanced for A.S.’s age. Further, Pippin noticed Bridget asked the children a lot of questions. Additionally, Pippin reported Bridget stated S.S. was putting a tube of ChapStick in her vagina and told her, “ ‘Dad puts something in my vagina in and out. ’”Bridget also reported S.S. slapped her vagina, and Bridget found the girls kissing each other when she walked into a room. The counselors did not report this to DCFS, as it was not a disclosure made by a child and they felt notifying the GAL was sufficient.

¶ 50 On September 23, 2024, the GAL e-mailed The Mental Wellness Center regarding concerns with the types of questions and conversations Bridget was having with the children. Specifically, the GAL stated Bridget had advised her attorney the questions she asked S.S.

pertaining to the ChapStick incident were “ ‘word for word’ ” questions Zoe coached her to ask the children. Pippin replied Zoe was burning out from the court aspect of the case and was not certified in sexual abuse. Pippin suggested the children may be better served by ABC Counseling (ABC). Pippin addressed the GAL’s concerns as follows:

“Zoe’s recommendations were made many months ago, prior to the report of this incident. The recommendations were based on a report of inappropriate behavior between the sisters. Zoe recommended that she could ask questions if she felt it was needed, but to be vague about the questions. It was then recommended that she correct the behavior and move on. This discussion was not in regards to sexual abuse allegations.”

In early October 2024, the Mental Wellness Center terminated the children as clients. Bridget then brought S.S. to ABC to begin treatment.

¶ 51 The GAL reported that, on October 23, 2024, Bridget took S.S. to Yousuf regarding concerns of a possible urinary tract infection. S.S. was diagnosed with “ ‘dysuria.’ ” The case notes stated, “ ‘Dissociation: The symptoms suggest a psychological rather than physical issue, likely dissociation to an experience. This is a common coping mechanism in children.’ ” Yousuf recommended a psychological evaluation and to continue with ABC for a comprehensive evaluation.

¶ 52 The next day, Bridget took S.S. to the emergency department, reporting a possible sexual assault. The case notes stated Bridget reported that S.S. disclosed she was touched inappropriately by David, and Bridget had already contacted law enforcement. The case notes indicated S.S. denied any pain and also stated, “ ‘Patient presents with mother who is amenable and requesting sexual assault kit and testing.’ ” On the same day, David was unable to access the

medical notes for the visit to the emergency department. It was David's belief that Bridget removed his ability to access medical information.

¶ 53 On October 28, 2024, the GAL met with ABC and spoke with counselors Laura Jennings-Mitchell and Rebecca Nielsen. They indicated they saw S.S. having a fit where she appeared dissociated. She was running, wailing, had a strange cry, and froze.

¶ 54 The GAL reported that, on October 31, 2024, the children did not attend school, which concerned the staff because the children were looking forward to parties and Bridget had indicated she would be attending. Bridget stated S.S. told her of a ChapStick being inserted in her vagina at a concert in another state. According to Bridget, this happened on a bathroom floor in a hotel, and it occurred multiple times. There was an insinuation the Indiana State Police were investigating. The GAL requested police reports and documentation. Although the record in other places contains similar references to an incident in Indiana, there are no Indiana police reports in the record.

¶ 55 The GAL reported DCFS investigated the ChapStick incident. A report was made to DCFS that, on September 4, 2024, S.S. put a ChapStick in her vagina and told Bridget, “ ‘Daddy does that to me with the orange thing.’ ” It was also reported S.S. stated David put her on her side in the bathroom and put the orange thing in and out of her vagina 100 times and told S.S. not to tell Bridget or her therapist.

¶ 56 DCFS interviewed Bridget, and she reported the last time S.S. reported an incident was the last weekend of June 2024 at a concert in Indiana. The children completed forensic interviews and did not disclose any sexual abuse from their father. S.S. denied anyone touching her. A.S. denied she had ever seen her father or anyone else sexually abuse her sister. DCFS records stated, “ ‘There is no evidence to show this happened.’ ” The GAL reported DCFS records

revealed the “orange thing” in question might be an enema Bridget administered to S.S.

¶ 57 DCFS determined the report was unfounded. Bridget then reported additional allegations of sexual assault that culminated in another DCFS report and investigation.

¶ 58 *3. The Third Abuse Allegation and Restriction of Bridget’s Parenting Time*

¶ 59 The third allegation of abuse involved allegations S.S. reported to Bridget that David tickled S.S.’s vagina with a red glove. Bridget then withheld parenting time from David, which culminated in David being allocated the majority of parenting time and decision-making responsibilities and Bridget’s parenting time and decision-making responsibilities restricted under section 603.10 of the Marriage Act.

¶ 60 a. Procedural Background

¶ 61 On November 4, 2024, David filed an amended emergency motion to restrict Bridget’s parenting time under section 603.10 of the Marriage Act. David repeated his allegations from his motion seeking an investigation into Bridget’s mental health. He also asserted facts consistent with the GAL report concerning the alleged incident with the ChapStick. David also explained Bridget changed therapists for the children without telling him or the GAL and falsely told him S.S. was still seeing her original therapist. He noted the emergency room visit and the case notes stating Bridget was requesting sexual assault kit testing. David maintained Bridget deactivated his MyChart account to prevent him from accessing medical notes regarding the abuse allegations.

¶ 62 David also alleged the children had not been in school since October 29, 2024, and were not ill or unable to attend school. David suspected the children were intentionally kept out of school to prevent him from having contact with them. David asserted he was scheduled to have lunch with S.S. and attend school Halloween parties on October 31, 2024, but was unable to do so

because the children were kept out of school that day. David stated he called that evening and the children were in Halloween costumes and getting ready to go trick or treating.

¶ 63 David further alleged he was scheduled to have parenting time on November 1, 2024, after the children got out of school. However, the children were not at school. David claimed Bridget did not respond to messages about his parenting time. David filed an incident report with the Peru Police Department based on Bridget withholding parenting time. He also contacted the Bloomington Police Department to conduct a wellness check. David included documents supporting his allegations and repeated his claims that Bridget was coaching the children to believe he was an abuser and was withholding parenting time.

¶ 64 The trial court held a hearing on David's emergency motion. The docket entry stated Bridget appeared by counsel and David testified. The court found the evidence sufficient to establish the statutory grounds for an emergency order of protection and granted David's motion. We note a transcript of the hearing or substitute for a transcript does not appear in the record.

¶ 65 On November 6, 2024, Bridget filed a *pro se* emergency motion for substitution of judge, stating, in part, the children were being abused and the documents David provided with his previous motions were inaccurate. She also filed a motion for an emergency order of protection and a motion to vacate or modify David's current order of protection, alleging David filed falsified documents with the court and stalked her. Specifically, Bridget alleged that, on November 1, 2024, the children's school called and asked her to come pick them up because David was attempting to kidnap them. She further claimed S.S. had disclosed ongoing sexual abuse. The court held a hearing and denied the motions. There is no transcript or substitute for a transcript of that hearing contained in the record.

¶ 66 On November 22, 2024, trial court entered an agreed order allowing Bridget

supervised parenting time once per week and supervised calls with the children twice per week. The parties were required to report any disclosures of abuse to the GAL, Dalfiume, the Bloomington Police Department, and DCFS. There are no transcripts or substitutes for transcripts of those hearings in the record.

¶ 67 Bridget filed a motion to vacate and rehear David’s emergency order of protection, alleging she did not receive notice of the original hearing and had a meritorious defense. On January 29, 2025, a hearing was held on the motions. Bridget and two of the children’s counselors testified about the abuse allegations. The trial court denied Bridget’s motion, noting, as a basis for the denial, the previous unfounded allegations of abuse and Bridget’s withholding of parenting time.

¶ 68 On January 29, 2025, the trial court entered an agreed order under which David voluntarily dismissed his emergency order of protection. The parties further agreed Bridget would have unsupervised parenting time every other Sunday and on alternating Wednesday afternoons and two video calls per week. Additionally, the parties decided to allow the children to attend school on a temporary basis in David's residential jurisdiction.

¶ 69 b. The GAL Report

¶ 70 Regarding the circumstances surrounding the restriction of Bridget’s parenting time and third allegation of abuse, the GAL reported that, on October 31, 2024, Bridget told her S.S. said David “uses a red glove to tickle her vagina at PopPop and Grandma’s house” and made other disclosures about an “ ‘orange thing’ ” and a ChapStick. Bridget stated S.S. also reported she was placed on the floor of a hotel bathroom and abused. Bridget took S.S. to the emergency department, and the matter was referred to DCFS. The GAL reported Bridget believed David was actively sexually assaulting S.S.

¶ 71 The GAL reported the children missed their Halloween parties at school, and law enforcement officers in Bloomington and Peru were simultaneously investigating claims of abuse. On November 1, 2024, the children did not attend school, and they missed their parenting time with David that weekend.

¶ 72 The GAL reported there was an extensive investigation by the Peru Police Department into the matter that lasted longer than any other investigation in the case to date. The detectives working on the case were concerned about the ongoing and repeated nature of the allegations and made all-encompassing efforts to meet with Bridget's extended family to ensure no stone was left unturned.

¶ 73 A DCFS investigator interviewed Bridget with Peru Police Department Detective Jeff Paul present. The GAL spoke with Paul, who reported Bridget was very detailed about the children's behavioral changes. Paul noted the symptoms Bridget reported fit the textbook definition of abuse; however, some of the facts she reported were incongruent with what an abuser typically does. He stated Bridget's answers raised red flags, and he needed to investigate further.

¶ 74 On November 12, 2024, Paul told the GAL that Bridget's sister made a report with the Illinois State Police alleging abuse. The Illinois State Police turned the report over to the Peru Police Department. Paul later told the GAL that Bridget's family met with law enforcement and raised additional abuse allegations, including allegations about an incident in Indiana. The family told Paul the GAL was supposed to call Indiana law enforcement. However, the GAL maintained she never told anyone she would contact law enforcement in another state.

¶ 75 Paul expressed concerns that Bridget might be coaching the children each time she had parenting time to get more language for a potential disclosure. He indicated Bridget's answers in her interview gave him cause for concern for a variety of reasons based on his specialized

training and experience.

¶ 76 On the same day, ABC reported S.S. was being treated. Jennings-Mitchell reported S.S. had a very good understanding of body parts. Jennings-Mitchell and S.S. went over an anatomically correct doll, and S.S. denied anyone ever touched her body parts.

¶ 77 On November 26, 2024, David told the GAL the PRC had informed him there were two more allegations made against him that were identical to earlier allegations. In December 2024, DCFS received a report from ABC regarding the disclosures made by the children pertaining to the diaper change reports from February 2024. They added the report to the file.

¶ 78 The GAL reported the allegations were all unfounded. The GAL noted that, between January and April 2025, she received a positive report from Bridget's parenting time supervisor, reporting the supervisor did not see any indication Bridget was psychologically manipulating the children. ABC stated they met with Bridget in March 2025, "and she told them it will be clear when the children are older that their father was inappropriate." ABC reported the children were exhibiting less anxiety, and they were considering discharge them.

¶ 79 *4. The Fourth Abuse Allegation*

¶ 80 The fourth allegation was an allegation of physical abuse in which Bridget alleged David caused a bruise on S.S.'s bottom.

¶ 81 *a. Procedural Background*

¶ 82 On April 25, 2025, Bridget filed a motion seeking an emergency order of protection, which was granted. That petition does not appear in the record. On April 28, 2025, David filed a motion for rehearing, noting the order of protection was entered by a different judge than the judge assigned to the case and asserting he had a meritorious defense. David also filed a motion for sanctions, noting the previous unfounded abuse allegations. David then alleged that, in

Bridget's April 25, 2025, motion, she stated S.S. had a bruise on her bottom and told Bridget David hit her. David alleged the allegation was frivolous and that Bridget filed the motion for the purpose of attempting to regain the majority of parenting time.

¶ 83 The record shows hearings were held, but neither transcripts nor an authorized substitute appear in the record. The docket sheet shows the trial court vacated Bridget's order of protection with the statement, "Court considers arguments of counsel. [Emergency order of protection] vacated instant. Per GAL, per DCFS these allegations are unfounded. There will be no CAC interview per DCFS. No abuse occurred [*sic*]. Children may need counseling once again based upon these events." The docket sheet noted the motion for sanctions was continued.

¶ 84 On May 29, 2025, the trial court entered an order restricting Bridget's parenting time, and she was to have no in-person parenting time with the children until further order of the court. The court allowed Bridget to attend school events and activities and have video calls with the children.

¶ 85 b. The GAL Report

¶ 86 Regarding the fourth allegation of abuse, the GAL reported that, on April 25, 2025, Bridget's counsel advised the GAL of an allegation of physical abuse to S.S. The GAL spoke with Toni Wroblewski, a DCFS investigator. The GAL indicated Wroblewski was concerned because Bridget was insistent on being present for the children's DCFS field interview. The investigator declined and interviewed the children without Bridget present. Wroblewski stated the children did not report any abuse from any adult, and it appeared, based on what the children said, one of them fell at the mother's home and got a bruise on her bottom. The investigator was further concerned that Bridget did not bring the child to an emergency room after noticing an injury but instead alerted her attorney. Wroblewski said there was no reason to believe the children were being

abused by anyone, and the matter was closed as unsubstantiated.

¶ 87 On April 29, 2025, at the GAL's request, two counselors at ABC met with the children independently and confirmed that no adult abused either one of them. A.S. informed her counselor Bridget had separated the girls and told A.S. to tell ABC that David hit S.S., but that was not what happened. Both children wished for time with both parents, shared how their parents were fighting, and stated, “ ‘[W]e're in the middle.’ ”

¶ 88 In a letter provided to the GAL on May 1, 2025, ABC reported A.S. “ ‘stated that mom pulled the sister separately aside one morning and she says that mom told her that dad was making bad decisions.’ ” A.S. then claimed Bridget pulled S.S. aside by herself and talked to her, but A.S. was unaware what Bridget told S.S. A.S. explained that Bridget told her they were going to be staying with her for a long time. A.S. shared that Bridget said, “ ‘[W]hen you go back to [ABC], tell them that [S.S.] got hit by dad.’ ” A.S. said she was not there when S.S. was hit, but Bridget said S.S. told her that she was hit by David. A.S. asserted that she had not been hit by any of her parents or caregivers.

¶ 89 In the same letter, ABC stated S.S. reported she was the one who had a bruise on her bottom, explaining she had fallen on a nail while with Bridget. S.S., unprompted, stated, “ ‘Daddy told lies about mommy to the police.’ ”

¶ 90 The GAL reported:

“At this point, it was documented that [Bridget] was coaching at least one child to report [David] was committing acts of abuse against her sister to a mandated reporter. It was also documented the alleged child-victim was being coached to doubt [David].

From February 2024 to present day, there have been four separate DCFS

investigations and five law enforcement investigations that have yielded no substantiation for abuse, and no criminal charges.”

¶ 91 *5. Modification of Parenting Time*

¶ 92 Before trial, Bridget was allocated biweekly supervised parenting time on Sundays and video calls.

¶ 93 a. Procedural Background

¶ 94 On July 7, 2025, Bridget asked to proceed to trial. The GAL recommended 12 months of supervised time with Bridget, during which time Bridget would engage in intensive counseling. The GAL also recommended a parenting coordinator be involved.

¶ 95 On August 21, 2025, Bridget filed a motion for temporary parenting time and allocation of parental decision-making. Bridget alleged she had been attending the children’s tumbling classes, but David had removed them from the classes and not registered them in any other extracurricular activities.

¶ 96 On September 9, 2025, the trial court held a hearing on multiple matters, including parenting time and sanctions. During the hearing, Bridget’s counsel stated the court had previously stated around April 2025 that the restriction on Bridget’s parenting time would be appropriate for six months. Bridget sought eight hours of unsupervised parenting time every other Saturday and phone calls during the week. David’s counsel referenced a settlement conference in which the GAL recommended 12 months of supervised parenting time.

¶ 97 The trial court noted the restrictions were in place because Bridget continued to cause the children “to be in the situation.” The court stated, “I do appreciate the maternal instinct that she has for her children, how much she loves her children. However, there is a certain level of potential harm that was being done or subjected to the children as well.” The court agreed there

should be some sort of parenting time between Bridget and the children. The court later stated:

“I’m a little hesitant here because of the actions of [Bridget] in the past, but I also feel that it’s important that the minor children have some parenting time with their mother. So please do not abuse this privilege. Do not subject these children to any harm that the Court has ruled is harmful to the children. I’m not going to—I don’t want to hear any more testimony, we’re not litigating the prior allegations right now, but moving—I do not want that to be an issue. I do not want to continue to restrict parenting time any more than you are restricted. But, you know, I do so if I have to looking at that as in the best interest of these children.”

¶ 98 The trial court allowed Bridget 8 hours of supervised parenting time every other Saturday and 15-minute phone calls every other day. The court noted the case was contentious and explained there would be nothing wrong with allowing another five minutes if the children wanted to stay on the phone longer. The court allowed Bridget to attend extracurricular activities but not medical appointments, unless it was for a medical emergency. The court allocated joint decision-making responsibilities for religion and extracurricular activities to the parties and gave David sole decision-making responsibilities for medical and educational decisions. The court also appointed Anderson as the parenting coordinator. The court ordered Bridget pay David’s attorney fees as a sanction.

¶ 99 b. The GAL Report

¶ 100 On September 23, 2025, Anderson spoke with the GAL concerning Anderson’s ongoing concerns with the parties and their inability to trust each other and work together. Anderson observed, “[Bridget] lies by omission”. On October 6, 2025, Anderson requested a call and again reiterated those concerns.

¶ 101 The GAL interviewed the parties' family members, all of whom spoke very highly of the parent who asked them to participate in the interview. The GAL report included information from David's parents maintaining David did not engage in any abusive behavior and expressing concern about Bridget's mental health and that of her father. Meanwhile Bridget's family was convinced David was a child predator.

¶ 102 B. Trial Testimony

¶ 103 1. *The GAL*

¶ 104 The GAL testified extensively about her work on the case and her report to the trial court. She explained her general procedures in dealing with the parties and her various concerns about each of them throughout the case. She was concerned Bridget was coaching the children.

¶ 105 2. *Yousuf*

¶ 106 Yousuf testified she had previously worked in the same facility as Bridget and had frequent contact with her. She stated it was a strictly professional relationship. Yousuf testified about her examination of S.S. on February 22, 2024, and stated it was difficult to examine S.S. because she was continually crying and stating, "[D]addy, no," and similar phrases. Yousuf described the redness and swelling she observed, and she became concerned about potential abuse based on S.S.'s demeanor, which was unusual for S.S. As a mandated reporter, Yousuf filed a report with DCFS. Previously, S.S. had been a happy child, but after the incident, she was no longer interactive or happy at follow-up visits and did not want to be examined. Yousuf believed "there was some acute trauma." Yousuf also testified about her interactions with A.S., as outlined in the GAL report. According to Yousuf, Bridget did not ask her to make a report to DCFS.

¶ 107 On cross-examination, Yousuf testified she saw S.S. on February 22, 2024, for constipation, which S.S. had suffered from in the past. She acknowledged Bridget had given S.S.

enemas on two days prior to the examination. Youssuf disagreed that chronic constipation puts pressure on the bladder, which can cause different levels of discoloration or swelling in the vaginal area of a child. Yousuf did not recall if she told Rowell she was disappointed DCFS did not indicate David. When David's counsel asked questions suggesting the children's behavior could be due to the divorce proceedings, Yousuf later testified their behavior was not typically what she would see during divorce proceedings. However, she also stated she might see reports of children not doing well in school, changes in mood, or acting more aloof than before.

¶ 108

3. Dalfiume

¶ 109 Dalfiume testified about the mental health assessments he conducted for Bridget and David in October and November 2024. Bridget had symptoms of obsessive-compulsive personality disorder, which he stated does not cause a parent to be abusive with a child, but rather more rigid and less flexible with them. Regarding an abuse measuring test, Dalfiume testified the "faking good index was elevated," which meant Bridget presented herself in an overly positive way, making the test not of value. However, all of her scores were in the low-risk range. When Dalfiume met with Bridget and the children together, he observed she responded very positively to the children, and they responded very positively to her.

¶ 110 Dalfiume testified David's responses minimized the validity of the tests to some degree. He may have been over critical in his self-assessment, potentially presenting a more negative view, which was highly unusual in a court case. David scored in a range consistent with an obsessive-compulsive personality disorder diagnosis, while Bridget had symptoms that were not enough for a diagnosis. David also had an elevated paranoia scale. Dalfiume stated a lot of David's responses were related to the divorce and the treatment he felt like he was experiencing from his estranged wife and her family at the time. Dalfiume suspected that if David took the tests

again, his paranoia scale would be even higher, which would indicate he was not trusting of others in relationships. Dalfiume had no concerns resulting from observing David and the children.

¶ 111 Dalfiume's report indicated David was extremely sensitive to criticism and reacted to minor issues with anger and hostility. The report indicated David struggled to forgive, held grudges, and sought revenge. David's scores indicated he believed corporal punishment was appropriate discipline, with his scores placing him in the medium-to-high range of risk. Dalfiume followed up with David about that, and David told him he gave the girls three warnings before he spanked them, but he said that triggered Bridget, so he stopped. David admitted to Dalfiume that he once spanked A.S. in a way that left a mark and said he felt terrible, so he never did it again. He did not recall ever spanking S.S. Dalfiume testified a belief spanking was acceptable discipline does not indicate sexual abuse.

¶ 112 Dalfiume did not believe Bridget was delusional or that she abused her children. David's profile suggested delusional beliefs, like having a unique mission or supernatural powers, but there was nothing Dalfiume heard to suggest it was an issue. Dalfiume stated he knew there were multiple DCFS and police reports and multiple child abuse investigations. Some of the reports and investigations overlapped with the time David was being evaluated, which could have contributed to his paranoia.

¶ 113 Dalfiume stated he was pleasantly surprised by David's forthcomingness regarding Bridget's concerns, specifically about him viewing pornography. He testified that if David showed pornography to the girls, that would be of concern. Dalfiume's report detailed that David once asked to take a picture of Bridget sitting on her feet in a thong because he found someone willing to pay \$50 for it.

¶ 114 Dalfiume concluded the best thing for the children was to have a positive

but it was not diagnosed and did not happen again. Jennings-Mitchell believed the children were knowledgeable and advanced, and they generally used age-appropriate language. Jennings-Mitchell stated she would have no concerns if either of the children used the word “inappropriate.”

¶ 119 Jennings-Mitchell testified that, in April or May 2025, one of the children came in with a bruise and said she fell on a nail when she was at the park with Bridget. Jennings-Mitchell had no reason to believe the statement was untrue, but it would affect her understanding of the validity of the statement if she learned the children never went to the park that weekend.

¶ 120 Jennings-Mitchell wrote a letter to both parents and the GAL after April 2025, stating that if things continued the way they had been, parental alienation could occur. The children had made comments about hearing things from their parents that made them feel uncomfortable. Jennings-Mitchell agreed there was no reason to believe either child was uncomfortable around either of their parents, and they generally reported feeling safe. S.S. had identified both parties as trusted individuals. Jennings-Mitchell did not believe either parent had abused the children and had no concerns about physical abuse. She believed S.S. had experienced “a touch,” but she could not determine whether it was sexual. Jennings-Mitchell admitted that sometimes a child experiencing sexual abuse would be comfortable going to the abuser. She also stated that if a parent was unwilling to accept abuse did not occur, that could be traumatic for the children. She thought the children would benefit from spending time with both parents.

¶ 121 Jennings-Mitchell was unable to identify specific examples where she might have believed the children had been coached. However, she was aware of statements made to another person that would raise a concern about coaching. She worried about emotional abuse because both children had made comments about being caught in the middle of a messy divorce and about hearing things from their parents.

¶ 122

5. *Nielsen*

¶ 123 Nielsen, a counselor at ABC, testified she initially started seeing S.S. and then switched to individually seeing A.S. Nielsen testified that, on December 2, 2024, S.S. said she was touched in her private area, and when asked how she felt about it, she picked up an angry doll. A different time S.S. told Jennings-Mitchell that David lied to the police. A.S. once made a comment about being told to tell ABC David hit S.S. In May 2025, S.S. told Nielsen she had a bruise on her bottom from sitting on a nail at the park. Nielsen said there were no indicators A.S. was abused. She did not feel qualified to discuss whether it was in the children's best interest to spend significant time with both parents. Nielsen stated there were concerns about future parental alienation, but the children were discharged because they were doing well. A.S. previously stated, she wanted to see both parents for a week at a time, but that was six months earlier.

¶ 124 The record contains reports from ABC corroborating the testimony of both Jennings-Mitchell and Nielsen, as well as corroborating the GAL report.

¶ 125

6. *Essie Carr*

¶ 126 Essie Carr was Bridget's parenting time supervisor. Carr testified the children seemed happy at their visits and did not report any allegations of abuse. Carr told the GAL S.S. cried at the end of one visit because she did not want to leave Bridget. Both children seemed sad to leave, and Bridget cried when they left. Carr recounted an incident that made her feel uneasy where David's sister approached Carr and asked to see her identification. In a visit summary, Carr noted an incident in which S.S. did not want to leave, was upset and kicking, and ran away from David. Another visit summary included Carr's statement that she had no concerns about psychological manipulation by Bridget.

¶ 127

7. *David*

¶ 128 David testified he and Bridget married in 2018 and separated in February 2024. David provided childcare as a stay-at-home father during the marriage, and Bridget helped when she got home from work. David recounted his experiences as a stay-at-home father and averred he had been primarily responsible for the household since A.S. was born in 2019.

¶ 129 David acknowledged Bridget was unhappy with him because she believed he gambled away the girls' college funds and looked at pornographic videos online. David admitted he had watched pornography while he took care of the children and said this contributed to their divorce. He estimated he spent around \$200 on pornography. He stopped watching pornographic videos while the children were home after he moved out of the home. David admitted he secretly took a video of him and Bridget having sexual intercourse on his phone and e-mailed it to himself, but he said he deleted it a month later. He did not know recording it without her consent was a crime. David maintained he did not gamble the children's college money away and said they have college funds.

¶ 130 While David could not remember a time he spanked S.S., he testified he spanked A.S. maybe 5 to 10 times. He testified doing so "triggered" Bridget, so he "respectfully stopped" and came up with other forms of punishment. David felt uncomfortable around Bridget because of the case and the allegations she had made against him.

¶ 131 David testified he lived with his parents in Peru, Illinois, and spent weekends with his girlfriend, Molly S., in Ottawa, Illinois. The children would stay with him at both residences. He denied all of the abuse allegations and testified Bridget never reached out to him about safety or injury concerns affecting the children. He stated he fully cooperated with all of the investigations.

¶ 132 David testified he worked in La Salle, Illinois, from 6 a.m. to 2:30 p.m. His parents

or girlfriend would drive the children to school or they would take the bus. David picked them up every day from school but needed help in the mornings with childcare because of his schedule. The children were doing well in school, and their new pediatrician had no concerns about their well-being. David excluded A.S. from participation in a “no touch” program at school because she was already in counseling and learning about the same things. He did not think “throwing more on their plate” was necessary.

¶ 133 David facilitated phone calls between Bridget and the girls every other day. When asked about limiting a call to five minutes on Bridget’s birthday, David testified he wanted to limit the call because there was often silence on the calls and it would not take very long to wish her a happy birthday. David had no objection to the 15-minute phone calls, but there often was no conversation back and forth. David acknowledged recent calls had been going well. David testified that, on the children’s first days of school, he allowed each girl to speak with Bridget separately so the one child starting school that day would get the attention. David felt that during the phone calls, the girls would sometimes interrupt each other, and Bridget could not handle addressing them both.

¶ 134 David was asked about a time his mother took the children to the doctor and Bridget showed up. David explained he received a phone call that Bridget was there, so he went there and told her to leave, but it was not in front of the children. David also was asked about an incident in which he told the children’s school there was a “zero contact order” against Bridget. However, he indicated he did not know if that was during a time a “zero contact order” was in place and stated he was aware Bridget was allowed to attend school functions. He later testified he meant a physical no-contact order and stated he told the school that because Bridget wanted to bring party items to the school for the children.

¶ 135 David sent a letter to ABC stating that if it felt there was parental alienation, it was welcome or encouraged to call DCFS. However, David stated he did not request ABC make such a call. David believed it was difficult to coparent with Bridget, especially regarding medical appointments, but he said he tried his best to put the children first.

¶ 136 *8. Timothy Armstrong*

¶ 137 Timothy Armstrong testified he had known Bridget and her family for 25 years. Armstrong identified a photograph of the children in his backyard, where they played for approximately two hours on Easter weekend in 2025. Neither child fell or was injured during that time, and there were no construction or exposed nails present.

¶ 138 *9. Bridget*

¶ 139 Bridget testified she worked as a registered nurse. She stated the parties began fighting when she found pornographic material and evidence of excessive gambling on their computer. Bridget testified David told her he watched pornography on the couch while S.S. was there. However, she did not feel that him watching pornography inhibited him as a father if it was watched in private and away from the children. Bridget stated she was unaware David recorded them having sex until she saw it reported in the GAL report.

¶ 140 Bridget testified that, when S.S. came home from time with David around President's Day in 2024, S.S. had bite marks on her hands and arm, and she sucked her fingers, which was unusual behavior for her. A.S. was withdrawn and would not talk. Bridget testified S.S. had problems with constipation and had seen a doctor about it. Bridget tried to put S.S. in the bath because that sometimes helped, but S.S. started screaming when her private parts touched the water. Bridget testified she changed S.S.'s diet, tried a laxative, and then tried an enema as a last resort. She then took S.S. to see Yousuf. Bridget testified about S.S.'s behavior in the course of

diaper changes, during which S.S. said, “ ‘Daddy, no. Daddy, stop.’ ” On the Wednesday after President’s Day, Bridget made a video of a diaper change that was played for the trial court.

¶ 141 Bridget testified S.S. was inconsolable at the doctor’s appointment. Bridget testified Yousuf said she thought there was trauma, but she did not accuse Bridget or David of being the cause. Bridget knew the case was referred to the PRC but stated she was unaware the CAC was involved. She knew the DCFS report came back as unfounded.

¶ 142 Bridget testified her relationship with Yousuf was professional. Bridget did not receive updates from Yousuf about her follow-ups or the DCFS investigation. However, she was aware Yousuf was disappointed the DCFS report was unfounded.

¶ 143 Bridget testified about the children’s counseling with Zoe at The Mental Wellness Center, where Pippen was Zoe’s supervisor. While the children were engaged in counseling at The Mental Wellness Center, Bridget observed the children’s behavior included slapping their private parts and trying to kiss with their tongues. She did not report it to DCFS, but she did tell Zoe.

¶ 144 Bridget testified she was unaware there was a second report to DCFS until DCFS showed up at her house. DCFS told her they were there because of the ChapStick incident. Bridget did not immediately suspect the incident was a sign of abuse, but she told the therapist because she wanted to know how to handle it.

¶ 145 Bridget described sending cell phones and a binder with “911” written on it with the girls and stated it contained a calendar and important phone numbers. She and David had used such a binder during their marriage.

¶ 146 Bridget testified that, after her parenting time was restricted, S.S. said David used a red glove and inserted something in her on the bathroom floor. Bridget called the police, and they recommended she go to the emergency department, who instructed her to ensure the children

were not around David until he was cleared by DCFS or the police. Bridget contended she tried to contact the GAL the next morning about what to do but did not receive a response. Bridget believed at that time that David abused S.S. However, she acknowledged the matter was investigated and deemed unfounded.

¶ 147 Bridget testified she was unaware S.S. made a disclosure at ABC on December 2, 2024, leading to a third report to DCFS. She testified she had no communication with ABC and did not ask them to make a report.

¶ 148 Regarding the bruise to S.S., Bridget acknowledged that led to another DCFS report. She stated S.S. said, “Daddy hit me,” but did not specify if S.S. stated that to her or to ABC. Bridget acknowledged the children were with her Easter weekend and had played at Armstrong’s house, but she averred they were not injured there. Bridget said she saw the bruise, and neither child said how it happened. Bridget consulted with counsel, and the matter was brought to the attention of the GAL. She did not notify David.

¶ 149 Bridget testified about other difficulties she encountered involving David. She explained it was common for David to be in the frame with the children on calls, he would count down the minutes until the call was over, and the children would be upset the phone call was ending. Bridget often had to provide basic hygiene for the girls during her parenting time, like washing their hair, cleaning their ears, and cutting their nails. She testified about various issues that had occurred involving school and extracurricular activities. Bridget also testified about past issues in her marriage to David, such as incidents where he lost his temper and put a hole in a door or threw a dog bone at her.

¶ 150 Bridget testified she knew the doctors and therapists who saw the children were mandated reporters, but she felt telling a mandated reporter was different than making a DCFS

report because it was up to their professional discretion on what to do with the information. Bridget claimed she never told the children what they should say to counselors or investigators other than that they should tell the truth. She confirmed she was in counseling and planned to continue. Bridget testified she utilized the proper resources and followed the recommendations given as to how to proceed with abuse allegations. She requested clear direction from the parties and the trial court on how to appropriately handle concerning disclosures from the children going forward.

¶ 151 On cross-examination, counsel asked Bridget about multiple statements she made to mandatory reporters. Bridget indicated she was not sure if DCFS had done proper investigations, and she felt the GAL report was one-sided. Regarding police investigations, she stated, “I respect the individuals and the investigations that were completed.” Bridget later testified that, in early 2024, she trusted Yousuf, who believed the children had been abused. She admitted her opinion since then has changed because she trusted the individuals who did the investigations and their findings.

¶ 152 Bridget denied telling ABC David tried to kidnap the children. She stated she told them he tried to pick them up from school early. She admitted David told her he was picking the children up that day Bridget admitted she consented to an emergency room examination of S.S., but S.S. did not cooperate.

¶ 153 Bridget admitted she talked about the case with her father and sister, and they sometimes accompanied her to visits and exchanges. She maintained she had no knowledge of any reports of abuse her sister made to the Illinois State Police until afterward. She also stated she had no discussions with her father about the Indiana State Police’s investigation.

¶ 154 10. *Witnesses for David*

¶ 155 David’s sister and mother both testified favorably for David. They never observed

any abuse and stated they would report it if they did. David's mother testified David did not spend much time alone with the children on President's Day weekend in 2024, and the children were not crying that weekend. David's mother reported she saw the bruise on S.S.'s bottom after S.S. returned from Bridget's home. She testified she sent a message to her husband, David, and Smith stating S.S. said she fell on a nail. A copy of that message is in the record. David's mother believed S.S. fell because kids fall a lot, but she did not believe S.S. fell on a nail because that would hurt more than what she was letting on. David's mother also testified that David appropriately disciplined the children, and she had not seen him use corporeal punishment.

¶ 156

C. The Trial Court's Order

¶ 157 The trial court acknowledged the case was "difficult," noting sexual abuse allegations are serious and, if unfounded, cause harm to the children and the parent. The court stated it viewed the diaper change video and found the following:

"I don't know what happened beforehand—where [S.S.] is saying, No, Daddy, no. After reviewing the video, I believe [S.S.] was calling for her father for help because she was in pain. When I've looked at all the exhibits, all the testimony, she calls out for her father when she is in pain. She calls for her father because she is close to him."

¶ 158 The trial court discussed the relevant factors affecting its determination, including statutory factors relevant to allocation of parenting time. The court found the children loved and trusted both of their parents and wanted equal parenting time. The court noted David had been the primary caretaker both before the parties separated and under the current allocation of parenting time.

¶ 159 The trial court noted the testimony of counselors and evidence concerning coaching

and found Bridget's testimony lacked credibility. The court also found Bridget's family was "complacent with" the accusations against David and the court could not trust them to supervise parenting time. Noting the interviews and examinations, the court concluded the accusations traumatized the children. The court also highlighted Bridget agreed to a rape kit for S.S., but it was not performed when S.S. would not comply. The court found the children needed stability and determined Bridget was not at a point where she could put the children's needs before her own.

¶ 160 The trial court addressed additional factors, discussed each allegation against David, and found each allegation was false. Ultimately, the court found, by a preponderance of the evidence, that Bridget engaged in conduct that seriously endangered the mental, moral, or physical health or significantly impaired the child's emotional development under section 603.10 of the Marriage Act. The court allocated the majority of parenting time and decision-making to David, except for joint religious decision-making, and restricted Bridget's parenting time to eight hours every other Saturday supervised by a third party. The court also allowed two supervised calls per week. The court discussed holidays and special events the children might attend with Bridget and required those to be supervised. The court stated, "This is not for a six-month period of time. This is not for a one-year period of time. This is for a period of time as long as I need to protect the minor children."

¶ 161 The trial court cautioned David, stating:

"[B]ecause this is leading to you having the majority of the parenting time, it's going to be incumbent upon you to make sure that the minor children have a close relationship with their mother. That means that on her birthday and Mother's Day if she wants some extra minutes on [a] phone call, you may want to do so. However, I do understand why those phone calls will be supervised."

¶ 162

At the end of the hearing, the following colloquy occurred:

“[BRIDGET’S COUNSEL]: Does the Court want to set some sort of a parenting time review?

THE COURT: Not really, no. I do not. You can bring any motion or petition before the Court when you deem is appropriate.

[BRIDGET’S COUNSEL]: Can the Court provide some guidance as to...

THE COURT: Well, right now, there’s a restriction based upon all of the factors that I have clearly stated this afternoon. What other guidance do you need?

[BRIDGET’S COUNSEL]: Judge, at the last hearing, it was contemplated a time frame. I hear no time frame is being given.

THE COURT: Uh-huh.

[BRIDGET’S COUNSEL]: The parties do not wish to incur unnecessary expenses, so we would not want to file a petition for a review of that if the Court is going to strike that down. So I think in terms of guidance—

THE COURT: So after two years. Because the children are very—they’re very young right now. They’re 6 and 4. And if I’m concerned about the information or her possibly coaching these children into making some statements adverse to their father, I need for them to be at an age where I know that they are not susceptible to their mother’s suggestion. And at 6 and 4, they’ve already been put through quite a bit.

[BRIDGET’S COUNSEL]: Okay.”

¶ 163

When the written parenting plan was entered, Bridget was allowed to attend the children’s extracurricular activities and medical appointments if supervised. She was also allowed

to be present unsupervised for emergency medical care, as defined by David. David was solely allocated all decision-making responsibilities, with the exception of religion, which was allocated jointly.

¶ 164

D. Contempt Proceedings

¶ 165 On May 6, 2026, David filed a petition for adjudication of indirect civil contempt of court and sanctions, alleging Bridget shared the GAL report with her father and a reporter without leave of court. David asserted the GAL report was filed confidentially and the docketing statement stated it was filed confidentially. David requested a rule to show cause, an order that Bridget take reasonable steps to remove the GAL report from public platforms, and an award of attorney fees. He did not seek a criminal sanction.

¶ 166

The next day, a hearing was held on the matter. At the beginning of the hearing, the trial court stated it was hearing David's emergency petition for adjudication of indirect civil contempt of court and sanctions. David and his attorney were present in court, and all other parties were in attendance via Zoom. David's counsel called Bridget to testify. David's counsel asked Bridget if she received the petition filed the day before, and Bridget said she had received it by e-mail but did not review it. The court called a recess to let her review it.

¶ 167

After Bridget reviewed the petition, she testified she received the GAL report from her attorney at an e-mail her sister could access. Bridget said she was unaware the GAL report was filed confidentially. She admitted she provided her sister, father, and mother with the GAL report. Her counsel brought to her attention that portions of the GAL report had been published online, and she said she saw an online article but did not read it. Bridget's testimony indicated her father had likely provided the GAL report to the reporter, who contacted David seeking an interview and who included the children's full names and portions of the report in an interview with Bridget's

father that was published online. Bridget testified she contacted her father and made it clear she did not approve of what he did. The record also shows the reporter obtained a copy of the contempt petition. Bridget denied giving the reporter the petition or discussing it with anyone.

¶ 168 David testified the article was published without his permission. David later saw a Facebook post from the reporter containing a portion of the petition for indirect civil contempt. David testified his counsel received an e-mail from the reporter stating that Bridget did not send him information and they needed to withdraw the motion or he would complain to the Illinois Attorney Registration and Disciplinary Commission.

¶ 169 In his argument to the trial court, David's attorney referred to the petition as one for "indirect civil contempt and sanctions," but he then asked that Bridget to "serve a period of time in the McLean County Jail until this can be remedied." He said a 30-day sentence "would be a good start."

¶ 170 The trial court found Bridget knew the GAL report was confidential, that she did not testify credibly, and that she knowingly and willingly distributed the GAL report to her family. The court then stated:

"The Court finds that this conduct did occur outside of the presence of the Court, and I'm finding that she is in indirect criminal contempt. The Court finds that her conduct was willful, contemptuous and deliberate and in disregard of the authority of this Court.

The Court also finds that the unauthorized dissemination of this GAL report endangers the privacy, the emotional well-being and the best interest of the minor children in this case.

She has also undermined the integrity of this proceeding. She's undermined

the integrity of the GAL as well. [Bridget] is found in indirect criminal contempt. She is sentenced to a term of 72 hours in the McLean County Jail. I want her to report by 5 o'clock p.m. There's no day for day."

¶ 171 The trial court also ordered Bridget to take steps to have the information removed. The court stated any further violation of confidentiality would result in sanctions and further incarceration. On May 7, 2026, the court entered two separate written orders. One was a written order of adjudication of indirect criminal contempt, stating Bridget was to serve 72 hours in jail. The second was an order regarding David's petition and ordered that Bridget cease any further dissemination of the GAL report, contact her father to remove online publications, and pay David's attorney fees.

¶ 172 This appeal followed.

¶ 173 II. ANALYSIS

¶ 174 On appeal, Bridget argues the trial court erred in its allocation of parenting time and decision-making responsibilities and by adjudicating her guilty of indirect criminal contempt.

¶ 175 At the outset, we note David has not submitted an appellee's brief in this appeal. Under these circumstances, this court is not compelled to serve as an advocate for David or required to search the record for the purpose of sustaining the judgment of the trial court. *First Capitol Mortgage Corp. v. Talandis Construction Corp.*, 63 Ill. 2d 128, 133 (1976). Instead, this court has two choices:

"[I]f the record is simple and the claimed errors are such that the court can easily decide them without the aid of an appellee's brief, the court of review should decide the merits of the appeal. In other cases if the appellant's brief demonstrates *prima facie* reversible error and the contentions of the brief find support in the

record the judgment of the trial court may be reversed.” *Id.*

¶ 176 Here, as to the issues concerning allocation of parenting time and decision-making responsibilities, we conclude the record, albeit lengthy, is simple, and the claimed errors can easily be decided without the aid of an appellee’s brief. As to the issue of contempt, we find Bridget has demonstrated *prima facie* reversible error.

¶ 177 A. Allocation of Parenting Time

¶ 178 Bridget contends the trial court erred both by allocating the majority of parenting to David and by restricting her parenting time under section 603.10 of the Marriage Act. Bridget argues the court arbitrarily disregarded evidence of abuse, David’s viewing of pornography, and evidence concerning David’s mental health. She also argues there was insufficient evidence she was coaching the children.

¶ 179 Section 602.7(a) of Marriage Act provides the trial court shall allocate parenting time according to the child’s best interest. 750 ILCS 5/602.7(a) (West 2024). Section 602.7(b) states it is presumed both parents are fit and the court shall not place any restrictions on parenting time unless it finds by a preponderance of the evidence that a parent’s exercise of parenting time would seriously endanger the child’s physical, mental, moral, or emotional health. *Id.* § 602.7(b).

¶ 180 Section 602.7(b) provides factors the trial court is to consider when determining the child’s best interest for purposes of allocating parenting time, including (1) the wishes of the parents and the child; (2) the amount of time each parent spent performing caretaking functions in the 24 months preceding the filing of the petition for allocation of parental responsibilities; (3) any prior agreement or course of conduct between the parents relating to caretaking functions with respect to the child; (4) the interrelationship between the child and his or her parents and siblings or other relevant people; (5) the child’s adjustment to his or her home, school, and community;

(6) the mental and physical health of all individuals involved; (7) the child’s needs; (8) the distance between the parents’ residences, the cost and difficulty of transporting the child, the parents’ and child’s daily schedules, and the ability of the parents to cooperate in the arrangement; (9) whether a restriction on parenting time is appropriate; (10) the physical violence or threat of physical violence by the child’s parent directed against the child or other member of the child’s household; (11) the willingness and ability of each parent to place the needs of the child ahead of his or her own needs; (12) the willingness and ability of each parent to facilitate and encourage a close and continuing relationship between the other parent and the child; and (13) the occurrence of abuse against the child or other member of the child’s household. *Id.* § 602.7(b)(1)-(14).

¶ 181 The best interest of the child is the primary consideration in all decisions affecting children, including the allocation of parenting time. *In re Parentage of J.W.*, 2013 IL 114817, ¶ 41. “A trial court’s findings as to a child’s best interest are entitled to great deference because the trial judge is in a better position than we are to observe the personalities and temperaments of the parties and assess the credibility of the witnesses.” *In re Marriage of Whitehead*, 2018 IL App (5th) 170380, ¶ 21. A court’s determination regarding a child’s best interest will not be reversed on appeal unless the decision is against the manifest weight of the evidence and it appears that a manifest injustice has occurred. *In re Parentage of P.D.*, 2017 IL App (2d) 170355, ¶ 18. A decision is against the manifest weight of the evidence when the opposite result is clearly evident from the record. *In re Marriage of Betsy M.*, 2015 IL App (1st) 151358, ¶ 61. It is no small burden to show that a trial court’s ruling is against the manifest weight of the evidence. *In re Marriage of Jessica F.*, 2024 IL App (4th) 231264, ¶ 48.

¶ 182 “ ‘Restriction of parenting time’ ” is defined in the Marriage Act as “any limitation or condition placed on parenting time, including supervision.” 750 ILCS 5/600(i) (West 2024).

Section 603.10(a) of the Marriage Act provides: “After a hearing, if the court finds by a preponderance of the evidence that a parent engaged in any conduct that seriously endangered the child’s mental, moral, or physical health or that significantly impaired the child’s emotional development, the court shall enter orders as necessary to protect the child.” *Id.* § 603.10(a). The statute lists restrictions the trial court may impose upon parental decision-making responsibilities and parenting time, which may include reducing, eliminating, or adjusting decision-making or parental time and requiring supervision. *Id.*

¶ 183 Liberal visitation is the general rule, and restricted visitation is the exception, because parents have a natural or inherent right of access to their children, and because sound public policy encourages that strong family relationships be maintained. *In re Marriage of Diehl*, 221 Ill. App. 3d 410, 429 (1991). The custodial parent has the burden of proving by a preponderance of the evidence that visitation with the noncustodial parent would seriously endanger the child. *Id.*

¶ 184 Restricting parenting responsibilities is a two-step process. *In re Marriage of Mayes*, 2018 IL App (4th) 180149, ¶ 58. First, the trial court must make a factual determination that the preponderance of the evidence shows the parent has engaged in any conduct that seriously endangered the child’s mental, moral, or physical health or that significantly impaired the child’s emotional development. *Id.* We will not reverse such a finding unless it is against the manifest weight of the evidence. *Id.* ¶ 59. Second, the trial court exercises its discretion in setting appropriate restrictions to parenting responsibilities to provide for the child’s safety and welfare. *Id.* ¶ 58. We will not disturb the trial court’s restrictions unless the court abused its discretion, meaning that no reasonable person would take the court’s view. *Id.* ¶ 61.

¶ 185 The best-interest standard of section 602.7(a) does not apply to restrictions under

section 603.10. *In re Marriage of Hipes*, 2023 IL App (1st) 230953, ¶ 37. Rather, the serious endangerment standard of section 603.10(a) applies. *Id.* “The serious endangerment standard is different from, and more stringent than, the best-interest standard.” *Id.*

¶ 186 Here, the trial court allocated the majority of parenting time to David and restricted Bridget’s time to supervised visits and supervised phone calls. The court both addressed the statutory factors applicable to allocating parenting time and specifically found a restriction on parenting time was warranted under the more stringent standard of section 603.10 of the Marriage Act. The court did so based on a finding Bridget repeatedly made unfounded reports of abuse to mandatory reporters and coached the girls to make unfounded statements indicating abuse, which in turn had caused harm to the children.

¶ 187 The record provides support for the trial court’s determination. All allegations against David were determined to be unfounded. Counselors expressed concerns about alienation, and A.S. told a counselor Bridget told her to tell the counselor David hit S.S. Police investigators also expressed concern Bridget was coaching the children. The multiple allegations led to the children repeatedly being interviewed and examined, and the record shows they had anxiety and exhibited behavior indicating the matter affected their emotional health and well-being. In one instance, the emergency department records show Bridget requested a sexual assault kit and testing, which would be an invasive examination. The court found subjecting the children to examinations and investigations based on unfounded allegations of abuse seriously endangered the children’s mental, moral, or physical health or significantly impaired the children’s emotional development. We cannot conclude this finding was unreasonable or against the manifest weight of the evidence.

¶ 188 Bridget argues she was acting in good faith by taking appropriate steps to protect

S.S. based on a reasonable belief S.S. was abused. However, the trial court specifically found Bridget lacked credibility. Bridget also points to evidence in the record to support a belief the children had been abused, such as the children's anxiety, spontaneous statements, and sexualized behavior. However, as previously discussed, the record also contains evidence S.S.'s behavior concerning the diaper change was not due to sexual abuse and that other disclosures were the result of coaching or other circumstances not involving abuse. Their anxious behavior could have been due to stress from the investigations of unfounded reports of abuse.

¶ 189 Ultimately, while the record provides some arguable support for Bridget's arguments. It also provides support for the trial court's determination Bridget perpetuated unfounded allegations of abuse, resulting in serious harm to the children. Bridget essentially asks this court to reweigh the evidence, which we will not do. We give great deference to a trial court's finding because it sits in the best position to observe the parties and assess the witnesses' credibility. See *In re Marriage of Stopher*, 328 Ill. App. 3d 1037, 1041 (2002). "It is well settled that a reviewing court's function is not to reweigh the evidence or assess witness credibility and set aside the circuit court's decision simply because a different conclusion may have been drawn from the evidence." *Jameson v. Williams*, 2020 IL App (3d) 200048, ¶ 51. Accordingly, we determine the trial court's decision to restrict Bridget's parenting time was not against the manifest weight of the evidence.

¶ 190 Bridget also takes issue with the amount of parenting time allocated. Bridget maintains it is in the children's best interest to allocate more time to her. She notes the evidence showed the children wanted more time with her and her positive interactions with the children. However, as previously noted, this case involves more than a best-interest determination because the trial court restricted Bridget's parenting time under section 603.10(a).

¶ 191 Here, the trial court allocated parenting time consistent with what was already in place. The court's restriction was based on the concern that Bridget was repeatedly coaching the children to make unfounded allegations of abuse, which would subject them to unwarranted and harmful investigations. Thus, the court restricted the amount of time and required Bridget's parenting time to be supervised. The court had discretion to establish what it found to be appropriate restrictions to provide for the children's safety and welfare. We cannot say no reasonable person would take the court's view and set the restrictions that it did. Nor do we find the court's determination was not in best interest of the children.

¶ 192 Additionally, Bridget takes issue with the length of the restriction. When the trial court entered its order, it stated Bridget could bring any motion or petition before the court when she deemed it was appropriate. When pressed to provide guidance on a time frame, the court stated two years based on the ages of the children. We note restrictions on parenting time can be modified upon a change in circumstances. 750 ILCS 5/603.10(b)(i) (West 2024). Thus, despite providing two years as a guideline, Bridget can seek a modification without waiting two years should the circumstances change. We do not read the court's order as improperly setting an impermissible, unreasonable, or unmodifiable time frame.

¶ 193 B. Allocation of Decision-Making Responsibilities

¶ 194 Bridget next argues the trial court erred in its allocation of decision-making responsibilities.

¶ 195 The trial court is required to allocate significant decision-making responsibilities based on the child's best interest. *Id.* § 602.5(a). As with the allocation of parenting time, the Marriage Act lists a number of similar relevant factors, including whether a restriction on decision-making is appropriate under section 630.10 of the Act. *Id.* § 602.5(c). A judgment regarding

decision-making responsibilities is reviewed under the manifest weight of the evidence standard. *In re Marriage of Bates*, 212 Ill. 2d 489, 515 (2004); *Young v. Herman*, 2018 IL App (4th) 170001, ¶ 64.

¶ 196 Here, as with its determination regarding parenting time, the trial court determined restrictions were appropriate under section 603.10. It then allocated all decision-making responsibilities solely to David, with the exception of religion, which it noted was important to Bridget. As with her arguments concerning allocation of parenting time, Bridget is asking this court to reweigh the evidence. We will not do so. Given the restrictions on Bridget's parenting time, the trial court's allocation of decision-making responsibilities was logical and reasonable. Thus, we cannot conclude it was against the manifest weight of the evidence.

¶ 197 C. Adjudication of Criminal Contempt

¶ 198 Finally, Bridget contends the trial court improperly adjudicated her in indirect criminal contempt. She argues she was not afforded due process and was compelled to testify in violation of her right to exercise her privilege against self-incrimination. We agree and reverse the court's order adjudicating Bridget in indirect criminal contempt.

¶ 199 Bridget first maintains that, although she has served the ordered jail time under the criminal contempt order, we may still review the matter. We agree.

¶ 200 “[A]n appeal from a contempt order is ordinarily considered moot where the party held in contempt has served the sentence.” *In re J.L.D.*, 178 Ill. App. 3d 1025, 1030 (1989); see *In re Benny M.*, 2017 IL 120133, ¶ 17 (“An appeal is moot when the issues involved in the trial court no longer exist because intervening events have made it impossible for the reviewing court to grant the complaining party effectual relief.”). An issue raised in an otherwise moot appeal may be reviewed when (1) addressing the issues involved is in the public interest; (2) the case is capable

of repetition, yet evades review; or (3) the respondent will potentially suffer collateral consequences as a result of the trial court's judgment. See *In re Alfred H.H.*, 233 Ill. 2d 345, 355-62 (2009).

¶ 201 This court has previously permitted challenges to findings of criminal contempt on the basis the contemnor had an ongoing interest in purging himself or herself of the stigma and disabilities of a criminal conviction. *People v. Edwards*, 2024 IL App (4th) 231329-U, ¶ 16; *People v. Cordray*, 2022 IL App (4th) 220413-U, ¶ 17. “ ‘Nullification of a conviction may hold important consequences for a defendant.’ ” *Cordray*, 2022 IL App (4th) 220413-U, ¶ 17 (quoting *In re Christopher K.*, 217 Ill. 2d 348, 359 (2005)). Bridget's relief sought on appeal is the reversal of an improper criminal adjudication that could be used against her in further proceedings regarding the children. Therefore, we address her contentions on appeal. See *Edwards*, 2024 IL App (4th) 231329-U, ¶ 16.

¶ 202 It is clear and undisputed the trial court found Bridget in criminal contempt. Contempt of court can be either civil or criminal. The proper classification as civil or criminal “is essentially a function of the purpose for which the contempt sanctions are imposed and where the allegedly contemptuous conduct occurred.” *SKS & Associates, Inc. v. Dart*, 2012 IL App (1st) 103504, ¶ 15.

¶ 203 Contempt is civil when the sanction is designed to coerce the contemnor to perform a particular act. *Id.* Because the penalties for civil contempt are designed to coerce compliance with a court order, the penalty must cease upon compliance by the contemnor. *People v. Covington*, 395 Ill. App. 3d 996, 1006 (2009). “A party held in civil contempt must be given the keys to his or her cell, meaning that the contempt order should give the contemnor the ability to purge at any time.” *In re Marriage of Sharp*, 369 Ill. App. 3d 271, 283 (2006).

¶ 204 Sanctions for criminal contempt are imposed as punishment for past conduct. *SKS & Associates, Inc.*, 2012 IL App (1st) 103504, ¶ 15. “The conduct that may be punished by criminal contempt includes the entire range of disrespectful, disruptive and disobedient acts, including disobedience of a court order.” *Id.* ¶ 16. “[T]he same conduct may form the basis for both criminal and civil contempt sanctions.” *In re Marriage of Betts*, 200 Ill. App. 3d 26, 46 (1990).

¶ 205 Here, while David’s petition was captioned as one seeking an order of indirect civil contempt, the trial court ultimately entered two separate orders, one of which ruled on David’s petition with an order consistent with findings of civil contempt and the other finding Bridget in indirect criminal contempt with findings and a punishment consistent with criminal contempt. Here Bridget was not jailed until she purged her civil contempt. She was jailed as a punishment for her past act of disclosing the GAL report, which she could not undo. The court also jailed her for a specific amount of time. Thus, the record does not show Bridget “ ‘held the keys to [her] cell’ ” by being able to purge herself of the contempt. See *Covington*, 395 Ill. App. 3d at 1006.

¶ 206 “A person charged with indirect criminal contempt is entitled to all of the constitutional protections and procedural rights afforded to other criminal defendants.” *SKS & Associates, Inc.*, 2012 IL App (1st) 103504, ¶ 20 (citing *Betts*, 200 Ill. App. 3d at 58). These include (1) the right to be charged by a written complaint, petition, or information; (2) the right to know the nature of the charges; (3) the right to personal service; (4) the right to file an answer; (5) the right to be heard; (6) the right to present evidence; (7) the right to confront and cross-examine witnesses; (8) the right to be personally present at trial; (9) the right to subpoena witnesses; (10) the right to a public hearing; (11) the right to the privilege against self-incrimination; (12) the right to counsel; (13) the right to the presumption of innocence; and (14) the right to be proven guilty

beyond a reasonable doubt. *Id.*

¶ 207 Here, Bridget was not afforded most of the required constitutional and procedural protections. In particular, she was not afforded the required written notice, and she was compelled to testify when she had a right to assert her privilege against self-incrimination. Further, the trial court improperly shifted the burden of proof to Bridget. “In a criminal contempt proceeding, the contemnor has the right to be proven guilty beyond a reasonable doubt and cannot be compelled to show cause.” (Internal quotation marks omitted.) *Id.* ¶ 25 (quoting *Betts*, 200 Ill. App. 3d at 58-59). Here, David’s motion to find Bridget in civil contempt sought, in part, a rule to show cause. The court also did not find Bridget guilty beyond a reasonable doubt. See *Betts*, 200 Ill. App. 3d at 61 (stating that while the trial court’s failure to state on the record that it found the defendant guilty beyond a reasonable doubt might not itself require reversal, the additional denial of other constitutional rights required reversal).

¶ 208 We note Bridget did not object or otherwise attempt to assert her rights. However, the fact that Bridget did not assert her rights is immaterial given that she was never informed she was facing criminal contempt charges. See *SKS & Associates, Inc.*, 2012 IL App (1st) 103504, ¶ 24. An alleged contemnor cannot assert the constitutional and procedural rights to which he or she is entitled unless he or she receives notice of the nature of the charges. *Id.* Here, the entire proceeding operated as one for civil contempt, with the trial court finding criminal contempt applicable only at the end of the proceeding. Given the lack of notice, it cannot be said that Bridget had an opportunity to exercise her constitutional and procedural rights, including the right to assert her privilege against self-incrimination. See *id.* Further, David has not filed a brief in this case; thus, he has not argued Bridget forfeited her argument on appeal by failing to raise the matter in the trial court. In the criminal context, issues of forfeiture may themselves be forfeited if not raised

on appeal. See *People v. Whitfield*, 228 Ill. 2d 502, 509 (2007). Bridget has also shown a *prima facie* case for reversal. Accordingly, we reverse the order adjudicating Bridget in indirect criminal contempt.

¶ 209 We do not remand the matter for further proceedings. There is no reason to remand when the criminal contempt finding is reversed and the petition seeking a finding of civil contempt has been rendered moot. *SKS & Associates, Inc.*, 2012 IL App (1st) 103504, ¶ 30. Here, the trial court granted David's motion regarding civil contempt in a separate order, which Bridget has not challenged on appeal. Thus, there is nothing to address on remand.

¶ 210 Finally, Bridget requests this court order the assignment of a new judge on any remand. Because we are not remanding the cause, we need not address that request. However, we note the parties are likely to appear before the same judge as part of ongoing issues concerning parenting. In that regard, we decline to prospectively order the assignment of a new judge.

¶ 211 III. CONCLUSION

¶ 212 For the reasons stated, we affirm in part and reverse in part the trial court's judgment.

¶ 213 Affirmed in part and reversed in part.