

APPENDIX

APPENDIX A

SUPREME COURT OF ILLINOIS

SUPREME COURT BUILDING

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SPRINGFIELD, ILLINOIS 62701-1721

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FIRST DISTRICT OFFICE

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February 21, 2025

In re: In re Marriage of S.F., respondent, and S.G.S., petitioner. Leave to appeal,
Appellate Court, Second District. 131476

The Supreme Court today DENIED the Petition for Leave to Appeal in the above
entitled cause.

The mandate of this Court will issue to the Appellate Court on 03/28/2025.

Very truly yours,

/s/ Cynthia A. Grant

Clerk of the Supreme Court

APPENDIX B

2024 IL App (2d) 240440-U Nos. 2-24-0390 & 2-24-0440, cons.

Order filed December 24, 2024

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

IN THE APPELLATE COURT OF ILLINOIS SECOND DISTRICT

In re MARRIAGE OF S.F.,

Appeal from the

Petitioner-Appellee and

Circuit Court of Cross-Appellant,

Lake County.

and

Nos. 20-D-905

S.G.S.,

23-OP-2596

Respondent-Appellant

Honorable Rhonda

and

K. Bruno,

Cross-Appellee

Judge, Presiding.

JUSTICE SCHOSTOK delivered the judgment of the court. Presiding Justice Kennedy and Justice Mullen concurred in the judgment.

ORDER

¶ 1 Held: Regarding respondent's appeal, the allocation of parenting time and responsibilities would not be disturbed where respondent failed to establish that the trial court improperly excluded or withheld evidence or that the trial court's ultimate determination was erroneous; respondent's challenge to the dissolution judgment dismissed due to a lack of jurisdiction; regarding petitioner's cross-appeal,

allocation judgment remanded for modification to reflect the statutory requirement that a hearing be held prior to any change to the restrictions on respondent's parenting time.

¶ 2 On July 13, 2020, petitioner, S.F., filed a petition for the dissolution of his marriage to respondent, S.G.S.. On July 16, 2024, the trial court entered two orders: a dissolution judgment and an allocation of parental responsibilities and parenting plan judgment. Respondent filed a notice of appeal and petitioner filed a notice of cross-appeal from those orders. We affirm in part, remand for modification in part, and dismiss in part.

¶ 3 I. BACKGROUND

¶ 4 As this case has been pending for over four years, a complete recitation of the facts would be lengthy. We thus limit our recitation to those facts relevant to our disposition of this appeal and include additional facts in the analysis section as needed to address the parties' specific arguments. The parties were married in 2007 and had two children: R.S., born in 2008, and A.S., born in 2017. In July 2020, petitioner filed a petition for dissolution of marriage. In December 2021, the trial court granted respondent's motion to appoint a guardian ad litem (GAL). In September 2022, the trial court appointed Dr. David Finn to conduct an evaluation pursuant to section 604.10(b) of the Illinois Marriage and Dissolution of Marriage Act (Act) (750 ILCS 5/604.10(b) (West 2020)).

¶ 5 On October 6, 2022, the parties entered an agreed order providing that respondent would vacate the marital home within five days, petitioner would have

exclusive possession of the home, and that the parties would have equal parenting time with A.S., as R.S. was then in residential treatment for mental health issues.

¶ 6 On December 13, 2022, petitioner filed an emergency petition to compel residential treatment, for restricted parenting time with both children, and other relief. Petitioner alleged that R.S., at the direction of respondent, made a false disclosure of sexual abuse against him while she was in residential treatment and respondent then tried to get an order of protection against him. The abuse was reported to the Department of Children and Family Services (DCFS) but determined to be unfounded and the order of protection was denied. Petitioner alleged that respondent was engaging in a course of conduct to alienate R.S. from petitioner and exclude him from treatment decisions as to R.S..

¶ 7 A hearing on the petition commenced the same day. The GAL testified that she viewed R.S.'s advocacy center interview where R.S. made allegations of sexual abuse. The GAL did not believe R.S. was being truthful because she kept saying the same thing over and over and did not provide any details of the alleged abuse. The GAL also testified that respondent had once asked her what circumstances would warrant supervised visitation and the GAL told her that it was warranted in cases of serious endangerment, such as when a parent is a drug addict or a child molester. Due to that conversation, the GAL had concerns that the sexual abuse allegations were prompted by respondent as a litigation strategy.

¶ 8 The GAL also testified that a treatment facility, where R.S. was attending a daily outpatient program, reached out to the GAL because respondent told them

that petitioner was under a no- contact court order and the facility wanted a copy of the court order. Once respondent realized that the GAL was having contact with that facility, respondent stopped sending R.S. there for treatment. After R.S. missed two days of treatment, the GAL sent an email saying that R.S. should resume treatment as there was a previous court order that required the parties to follow the treatment recommended by the professionals and, after missing a third day, R.S. would get kicked out of the program. R.S. did not show up for the third day and was kicked out of the program. The GAL testified that the decision to take R.S. out of the treatment program was not in R.S.'s best interest. R.S. had also attended eight different treatment facilities in the last eight months, and had not attended school since May 2022, and these circumstances were also not in her best interest. The GAL believed that respondent could make better decisions as to what was in the best interest of R.S.

¶ 9 Respondent testified that R.S. was, in terms of parenting time, solely under respondent's care. She stopped sending R.S. to school because she was being bullied. Respondent denied that she stopped sending R.S. to the treatment facility because the facility was communicating with petitioner and the GAL, and denied telling anyone that there was a no-contact order with petitioner. Respondent also denied coaching R.S. into saying that she was sexually abused by petitioner.

¶ 10 Following argument, the trial court found the GAL credible and respondent not credible. Nonetheless, the trial court stated that it was hesitant to remove respondent's parenting time for fear that it would be detrimental to R.S.'s mental

stability, which was the utmost concern. The trial court was still deeply concerned about respondent's manipulation, false information, and bad- mouthing of petitioner. The trial court was troubled that R.S. had been in eight different treatment facilities. The trial court believed that respondent was putting her anger and frustration with petitioner ahead of R.S.'s medical needs. The trial court stated that there was reasonable evidence to infer that respondent coached R.S. to make the sexual abuse allegations. The trial court found that respondent did not always act in R.S.'s best interest. The trial court also found that respondent's behavior, interaction, and medical decisions regarding R.S. seriously endangered R.S.'s mental health and emotional development. The trial court granted all medical decision- making responsibility to petitioner.

¶ 11 On November 17, 2023, the parties appeared for status of Dr. Finn's report, which was provided only to the court and counsel, but not directly to the parties. Based on that report, which is not included in the record on appeal, petitioner filed an emergency petition for order of protection and to terminate respondent's parenting time. The trial court admitted Dr. Finn's report into evidence and heard testimony from him. Dr. Finn testified that respondent posed a substantial and serious danger to the children and that he planned to make a report to DCFS. He summarized his findings as follows:

"[M]y findings in this case in summary are that [R.S.'s] allegations of sexual abuse are not plausible. That her [allegations] have been influenced if not supported and validated by her mother talking about dreams and God that she had and [R.S.] has

been kept in a perpetual state of distress in which her distress is being used as proof of this alleged sexual abuse almost ten years from the time she was four years old with nobody hearing, seeing, experiencing anything related to this sexual or alleged sexual abuse or it even coming up until after an order had been entered allowing for the reunification therapy with her father.

The allegations were investigated by DCFS. That was the second DCFS report. The allegations were unfounded. There was no police investigation and, again, when I spoke to [R.S.] she told me that the statement from her mother which [R.S.] certainly uses as confirmation that this alleged decade long abuse was occurring.”

Dr. Finn further testified that, to a reasonable degree of psychological certainty, R.S. and A.S. were seriously endangered by contact with respondent. He opined that contact with respondent should be limited. Dr. Finn opined that it was in the children’s best interests for petitioner to have sole parental and medical decision-making authority. Dr. Finn noted that R.S.’s medical condition had deteriorated over the last year while in the sole care of respondent despite having access to appropriate medical care.

¶ 12 Dr. Finn further testified that he had concerns about A.S., because A.S. was also starting to make sexualized references related to time with petitioner and respondent had made reference to A.S. taking naked showers with petitioner. When asked to discuss his opinion as to respondent and Munchausen syndrome by proxy (MSBP), Dr. Finn stated:

“So [respondent] has contributed to this constellation of symptoms with [R.S.] without any basis. And in doing so, you know, really has kind of, you know, placed this illness on [R.S.] that [R.S.] does not have. I believe that there is some secondary gain for [respondent].

I think it has to do with her anger at [petitioner]. I think it has to do with her possibly feeling more confident that she’s the only person who could take care of [R.S.]. That contributes to the problem because [R.S.] has to be sick in order for [respondent] to have somebody to take care of, which I think is the reason that it’s unlike people who are truly traumatized who figure out how to best deal with that trauma and move on.

[R.S.] is kept in this perpetual state of illness, again, without any clear basis for her being ill other than, you know, these kind of, you know, vague statements about dad being an alcoholic, dad being a narcissist, so the allegations did not start with sexual abuse. They raised to a level of sexual abuse whether coincidentally or not after the Court entered an order for [R.S.] and [A.S.] to begin [reunification therapy].”

¶ 13 Respondent testified that she did not coach R.S. into making a false claim of sexual abuse and denied telling R.S. that she had dreams about R.S.’s sexual abuse. She also disagreed with Dr. Finn’s testimony that R.S.’s mental health was declining.

¶ 14 Following argument, the trial court entered a lengthy oral ruling and a subsequent written order. The trial court found that respondent engaged in conduct

that seriously endangered the children's physical, moral, and emotional health and negatively impacted their emotional development. The trial court granted petitioner all parenting time and sole decision-making authority for the children. The parties' attorneys were prohibited from disseminating Dr. Finn's report to their clients—it was limited to court, counsel, and to treatment providers if deemed necessary by the GAL. The trial court allowed respondent to send the children short cards or letters, which were to be sent to the children's therapist for review and delivery if the letters were appropriate. Based on Dr. Finn's recommendation, the trial court required respondent to enroll in therapy with Dr. Chinni Chilamkurti (Dr. Chinni) for a minimum of 26 sessions after which respondent "would submit to a limited scope update of Dr. Finn's evaluation to determine if any type of parenting time, beginning with therapeutic reunification, is recommended as being in the best interest of the children."

¶ 15 The trial court also granted petitioner's emergency petition for order of protection and subsequently entered a two-year plenary order of protection. Respondent filed a notice of appeal from the two-year plenary order of protection, which was docketed in this court as case No. 2-24- 0390.

¶ 16 On January 23, 2024, the parties entered an agreed order providing that any documents produced by Dr. Finn pursuant to a subpoena would be given to the GAL and then disseminated by her pursuant to court order; the documents were not to be shared with the parties or the children. On February 13, 2024, respondent filed a motion to compel Dr. Finn to comply with her subpoena. She argued that she

needed the requested documentation for her own expert, Dr. Jack Joseph, and without it she was prejudiced in preparing her case.

¶ 17 On March 19, 2024, discovery closed pursuant to a May 2023 order setting that as the date as the deadline. On that same date, the trial court granted the motion to withdraw of respondent's sixth attorney but admonished the parties that the trial date, set almost a year earlier as May 13, 2024, would not be changed.

¶ 18 Thereafter, a seventh attorney filed an appearance on behalf of respondent. Respondent filed a motion to continue trial, to compel Dr. Finn to comply with her subpoenas, and for the appointment of Dr. Joseph to perform a parenting evaluation pursuant to section 604.10(c) of the Act (id. § 604.10(c)). She also filed a motion to reopen discovery and for leave to issue subpoenas to all the children's various mental health professionals who were treating them. She also filed leave of court to cross-examine Dr. Finn about a section 604.10(b) report Dr. Finn wrote in an unrelated case, alleging that, under similar facts where there were false allegations of sexual abuse, Dr. Finn recommended that the parties have joint parenting.

¶ 19 Respondent's motions were argued at a hearing on April 24, 2024. A transcript of the hearing is not included in the record on appeal. In a written order, the trial court denied the motions. The trial court noted that respondent was responsible for many delays in this case—Dr. Finn's report was delayed due to the voluminous information provided by respondent and respondent caused delays by repeatedly changing attorneys during the case. The trial court observed that respondent had not started the therapy required by the November 2023 order that would allow her

to seek some level of parenting time, which showed that respondent will not adhere to court orders that are in the best interest of the children. The trial court also noted that the GAL stated that: R.S. was doing well with petitioner; for the first time in a year and a half R.S. was not in a hospitalization program but was attending school and seeing a therapist once a week; and that it was not in the children's best interest to participate in another 604.10 evaluation. The trial court granted respondent's motion to allow cross-examination of Dr. Finn with a 604.10(b) evaluation he did in another case, as long as any identifying information was redacted. The trial court denied the motions to continue trial, extend discovery deadlines, subpoena mental health professionals, and appoint a 604.10(c) evaluator on the basis that it was not in the best interest of the children because they needed finality regarding school and parenting schedules. The trial court found that respondent's failure to attend therapy to regain parenting time, and her desire to subject them to more 604.10 interviews, showed "a complete lack of interest in [the children's] welfare."

¶ 20 At the end of April, respondent filed more motions, which the trial court denied. As relevant here, the trial court denied respondent's motion for leave to amend her Rule 213(f) disclosures, "as coming eight days prior to trial and no previous disclosure of said witness, including [Rule] 213(f)(3) witness, Dr. Joseph, who has been known to [respondent] since January 2024 and not disclosed. The deadlines for [respondent's] witness disclosures have passed."

¶ 21 Three days before trial, respondent filed a motion alleging that some of the mental health and school professionals she subpoenaed for trial stated that they would not appear, and requesting leave for them to appear and testify at trial. The trial court denied the motion, explaining that “neither R.S. or [petitioner] will execute releases,” that the subpoenas did not conform “with the requirements of 740 ILCS 10/110 in form and language,” and were not “accompanied by a court order permitting testimony.” The trial court also denied respondent’s request for R.S. to testify at trial, finding that it would be “seriously detrimental to the mental and psychological health of the minor child.”

¶ 22 A trial on the petition for dissolution was held over seven days beginning on May 13, 2024, and ending with closing argument on June 4, 2024. On July 16, 2024, the trial court entered a 15- page judgment for dissolution and a 36-page judgment addressing the allocation of parental responsibilities and a parenting plan. In the dissolution judgment, the trial court addressed property distribution, child support, childcare costs and expenses, health insurance, and contribution to attorney fees.

¶ 23 In the allocation judgment, the trial noted that it heard testimony from the parties, the GAL, Dr. Finn, James Jones of DCFS, and various other witnesses called by both sides. The trial court essentially found the GAL, Jones, petitioner, and Dr. Finn to be credible, and that respondent was not credible. The trial court also noted that, after trial but prior to its ruling, respondent’s attorney withdrew and respondent filed an appearance pro se.

¶ 24 The trial court found that respondent had coached R.S. to make the allegations of sexual abuse that started in September 2022. The trial court noted that Jones testified that he told the GAL that he believed respondent was coaching R.S. to make the sexual abuse allegations. The GAL testified that a treatment provider, from one of the partial hospitalization programs attended by R.S., also felt respondent was coaching R.S. to make the allegations. The GAL also testified that she believed respondent schemed up the allegation of sexual abuse after a conversation where respondent asked her what would be necessary for petitioner to only be allowed supervised visits. The GAL did not believe the sexual abuse allegations because R.S. stated that the rape happened millions of times, including times when she had no contact with petitioner and was exclusively with respondent, and because R.S. was unable to explain what rape means. Dr. Finn also testified that he did not believe the abuse occurred.

¶ 25 The trial court noted that in September 2022, after it entered an order requiring reunification therapy between R.S. and petitioner, R.S. attempted suicide and was hospitalized. The trial court outlined the series of residential treatment programs and partial hospitalization programs that R.S. participated in from September 2022 until January 2024. The trial court noted that a letter from one of R.S.'s most recent therapists, who treated R.S. weekly, indicated that R.S. had not reported any physical, sexual, emotional or mental abuse since moving in with petitioner.

¶ 26 Parenting time was allocated entirely to petitioner, pending respondent's compliance with the November 2023 order to attend 26 therapy sessions with Dr. Chinni. The trial court noted that respondent testified at trial that she would not attend therapy with Dr. Chinni because she does not have MSBP. The trial court found that parenting restrictions were necessary, stating that:

"Dr. Finn testified that [respondent] fit the criteria *** for [MSBP] by keeping R.S. in a perpetual state of illness when there was no empirical evidence to support the allegations of sexual abuse. Dr. Finn discussed in detail, in his 33-page report, how [respondent] seriously endangered both children, encouraging R.S. to believe she had been sexually abused, keeping her in perpetual distress and by bribing A.S. with toys and telling him to be careful around his father, not keep secrets from [respondent] and R.S. and telling A.S. he 'would go to hell' if he went to India [with petitioner]. Dr. Finn testified that [respondent] made R.S. watch videos, for hours, of [petitioner] drinking in the basement of the marital home and telling R.S. [petitioner] was an alcoholic."

The trial court also stated that respondent "repeatedly made poor decisions regarding R.S.'s care, including lying to [one treatment facility] that [petitioner] had a no contact order in place." The trial court concluded that respondent continued to seriously endanger both children's emotional well-being and should not have any decision-making responsibilities of any kind. The trial court stated that respondent "shall have no parenting time of any kind until she complies with the [trial court's November 2023 order] which requires her to attend 26 sessions with Dr. Chinni.

Once she has done so, the parties may agree on a parenting schedule or return to Court.” The trial court set forth a parenting schedule to take effect when respondent’s parenting time resumed.

¶ 27 Respondent filed a timely notice of appeal from this order and petitioner filed a timely notice of cross-appeal. This appeal was docketed in this court as appeal No. 2-24-0440. On August 27, 2024, this court granted respondent’s pro se motion to consolidate this case with appeal No. 2- 24-0390 and ordered that appeal No. 2-24-0440 would be the lead case.

¶ 28 II. ANALYSIS

¶ 29 On appeal, respondent argues that, with respect to the dissolution judgment, the trial court erred in setting child support. With respect to the allocation judgment, respondent argues that the trial court erred in barring relevant evidence, withholding evidence, relying on an improper diagnosis of MSBP, and in setting parenting restrictions. On cross-appeal, petitioner argues that, in the allocation judgment, the trial court erred to the extent that it did not require a hearing prior to respondent resuming parenting time.

¶ 30 A. Jurisdiction

¶ 31 “A reviewing court must ascertain its jurisdiction before proceeding in a cause of action, regardless of whether either party has raised the issue.” *Secura Insurance Co. v. Illinois Farmers Insurance Co.*, 232 Ill. 2d 209, 213 (2009). “An order is final and appealable if it terminates the litigation between the parties on the merits or disposes of the rights of the parties, either on the entire controversy or a separate

part thereof.” (Internal quotation marks omitted.) *In re Marriage of Gutman*, 232 Ill. 2d 145, 151 (2008). Under Illinois Supreme Court Rule 304(a) (eff. Mar. 8, 2016): “[i]f multiple parties or multiple claims for relief are involved in an action, an appeal may be taken from a final judgment as to one or more but fewer than all of the parties or claims only if the trial court has made an express written finding that there is no just reason for delaying either enforcement or appeal or both.”

“[A] ‘claim’ is any right, liability or matter raised in an action.” *Marsh v. Evangelical Covenant Church of Hinsdale*, 138 Ill. 2d 458, 465 (1990). “Absent a Rule 304(a) finding, a final order disposing of fewer than all of the claims is not an appealable order and does not become appealable until all of the claims have been resolved.” *Gutman*, 232 Ill. 2d at 151. There are limited exceptions to this rule. See Ill. S. Ct. R. 304 (b) (eff. Mar. 8, 2016) (allowing for the appeal of certain specified judgments without 304(a) findings). As relevant here, Rule 304(b)(6) allows for the immediate appeal from any “custody or allocation of parental responsibilities judgment or modification of such judgment entered pursuant to the Illinois Marriage and Dissolution of Marriage Act [citation] or Illinois Parentage Act of 2015 [citation].” Ill. S. Ct. R. 304(b)(6) (eff. Mar. 8, 2016).

¶ 32 In the present case, at the time the parties filed their notices of appeal, various petitions and a motion remained pending. These matters were outlined in an order dated July 23, 2024. Specifically, on July 12, 2024, respondent filed numerous petitions for rule to show cause and a motion to amend errors on financial calculations and documents. On July 3, 2024, petitioner filed a petition for

rule to show cause regarding temporary child support and respondent filed a motion to dismiss that petition. In addition, there were three petitions for attorney fees and costs filed by various counsel that had represented respondent. The July 23 order set these petitions and motion for hearing in September 2024, but there is no indication in the record that the trial court ever ruled on these matters.

¶ 33 As these matters remain unresolved, the July 2024 dissolution judgment does not constitute a final, appealable order until the outstanding issues are decided or the trial court issues a Rule 304(a) finding. See *Gutman*, 232 Ill. 2d at 151. We thus lack jurisdiction to address the sole issue raised on appeal that pertains to the dissolution judgment—respondent’s contention that the trial court erred in its child support determination. However, under Rule 304(b)(6), the July 2024 allocation of parental responsibilities and parenting plan judgment is immediately appealable without the need for a Rule 304(a) finding. Accordingly, we have jurisdiction to address the other arguments raised by respondent on appeal, as well as the issue presented in petitioner’s cross- appeal, all of which challenge the allocation judgment.

¶ 34 B. Respondent’s Appeal

¶ 35 1. Evidentiary Rulings

¶ 36 Respondent’s first contention on appeal is that the trial court erred in barring relevant evidence. Specifically, she contends that the trial court erred in not allowing her expert witness, Dr. Joseph, to testify; wrongly quashing her subpoena for several of R.S.’s treating therapists; limiting her cross-examination of Dr. Finn;

and excluding relevant medical records. The trial court's evidentiary rulings are reviewed for an abuse of discretion. In *re Marriage of Miller*, 2015 IL App (2d) 140530, ¶ 32. Abuse of discretion is the most deferential standard of review, next to no review at all. *People v. Weeks*, 2011 IL App (1st) 100395, ¶ 30. An abuse of discretion occurs where the trial court's decision is arbitrary, fanciful, unreasonable, or where no reasonable person would agree with the position taken by the trial court. *Control Solutions, LLC v. Elecsys*, 2014 IL App (2d) 120251, ¶ 38.

¶ 37 a. Dr. Joseph

¶ 38 Respondent argues that the trial court erred in denying her April 2024 motion to amend her Rule 213(f) witness disclosures (see Ill. S. Ct. Rule 213(f) (eff. Jan. 1, 2018)) and thus barring testimony from her expert witness, Dr. Joseph. Supreme Court Rule 213 requires a party—upon request—to identify their witnesses at trial and provide information about the witness's anticipated testimony. Ill. S. Ct. R. 213(f) (eff. Jan. 1, 2018). Rule 219(c) authorizes a trial court to prescribe sanctions, including barring witnesses and exhibits, when a party fails to comply with the trial court's orders regarding discovery. Ill. S. Ct. R. 219(c) (eff. July 1, 2002). That determination is guided by consideration of six factors. These are: (1) the surprise to the adverse party; (2) the prejudicial effect of the testimony; (3) the nature of the testimony; (4) the diligence of the adverse party; (5) the timely objection to the testimony; and (6) the good faith of the party calling the witness. *Sullivan v. Edward Hospital*, 209 Ill. 2d 100, 110 (2004) (referred to as the Sullivan factors). "No single factor is determinative, as each case presents a unique factual situation

which must be taken into consideration when determining whether a particular sanction is proper.” *Li Jun Huang as Next Friend of Zhaung v. Uribe*, 2020 IL App (1st) 192037, ¶ 44.

¶ 39 Respondent acknowledges that Dr. Joseph was precluded from testifying because she did not make a timely disclosure of him as an expert witness, but argues that the application of the six Sullivan factors compel the conclusion that the trial court erred in excluding Dr. Joseph’s testimony. We disagree. The trial court found that respondent hired Dr. Joseph in January 2024, yet did not move to disclose him as an expert witness until four months later, which was a month after discovery closed and about two weeks before trial started—a trial date that had been set a year prior. The trial court also found that allowing such a late disclosure would be prejudicial to petitioner as he would have insufficient time to prepare for Dr. Joseph’s testimony. Additionally, the trial court noted that Dr. Joseph’s testimony would have limited value because, while he did review Dr. Finn’s report, he did not speak to petitioner or the children. The record demonstrates that the trial court gave thoughtful consideration to respondent’s request for a late witness disclosure and we cannot say its determination was an abuse of discretion. *Miller*, 2015 IL App (2d) 140530, ¶ 32.

¶ 40 Respondent argues that the first Sullivan factor weighs in her favor because there was no surprise to petitioner as opposing counsel knew of her intention to call Dr. Joseph as an expert witness since January 2024, because of a written motion she filed. However, the portion of the record cited by respondent relates to a

different witness she moved to disclose late—her therapist, Dr. Kohut. Respondent also does not provide a citation to the record for her written motion. The written motion respondent refers to could be her December 2023 motion to release Dr. Finn’s report, wherein she stated that she had the right to call an expert, or her February 13, 2024, motion to compel Dr. Finn to comply with her subpoena, wherein she stated that she needed the requested documentation for her own expert, Dr. Joseph. However, the statements buried in these motions cannot serve as a Rule 213(f) witness disclosure, which required her to identify the subject matter of the testimony, the expert’s conclusions and opinions along with their supporting bases, the expert’s qualifications, and any reports prepared by the expert regarding the case. See Ill. S. Ct. Rule 213(f)(3).

¶ 41 Respondent also argues that the third Sullivan factor weighs in her favor because Dr. Joseph could have testified that she did not have MSBP. This argument is unpersuasive as the trial court’s allocation judgment was not based on a diagnosis of MSBP. Rather, it was based on a finding that respondent engaged in behavior that seriously endangered the children’s emotional and physical well-being, such as perpetuating false claims of sexual abuse against petitioner, trying to damage the relationship between petitioner and the children, and making poor decisions as to R.S.’s healthcare. Accordingly, even if Dr. Joseph was able to testify that respondent did not suffer from MSBP, the third Sullivan factor would still not weigh in her favor.

¶ 42 Respondent contends that the fourth Sullivan factor, diligence of the adverse party, weighs in her favor because Dr. Finn did not provide the necessary information for Dr. Joseph to complete his evaluation and render a report. However, as noted by the trial court, Dr. Finn's compliance with subpoenas, and Dr. Joseph's alleged inability to complete a report, does not provide a reason for respondent's failure to timely disclose Dr. Joseph as an expert witness. Respondent has thus failed to establish any error in the trial court's order barring her late disclosure of Dr. Joseph as an expert witness.

¶ 43 Respondent argues that *Besco v. Henslee, Monek, & Henslee*, 297 Ill. App. 3d 778 (1998), supports a conclusion that the trial court erred in barring Dr. Joseph's testimony. That case is distinguishable from the present case on its facts. In *Besco*, both parties were responsible for numerous delays in the discovery process, no trial date had been set, the parties were in the early stages of discovery, and the expert testimony at issue was critical to the case. *Id.* at 783. Here, the trial date had been set a year prior, respondent was solely responsible for not disclosing Dr. Joseph sooner, and Dr. Joseph's testimony would have limited value because he never spoke to petitioner or the children.

¶ 44 b. Mental Health and School-Related Professionals

¶ 45 Respondent's next contention is that the trial court erred in quashing her subpoenas for several therapists and school related professionals to testify at trial. Respondent contends that these professionals could have undermined Dr. Finn's testimony and argues that the trial court's reason for quashing the subpoenas—that

R.S.'s mental health was not at issue—was error. Respondent fails to cite the pages of the record that identify the subpoenas she is arguing about or the trial court's alleged order quashing those subpoenas. Further, she fails to cite any authority to support her contention that R.S.'s mental health was at issue. Illinois Supreme Court Rule 341(h)(7) (eff. Oct. 1, 2020) requires an appellant's brief to contain argument supported by citations of relevant authority and the pages of the record relied on. Failure to provide such citations in support of an argument forfeits the argument for review. In re Estate of Feinberg, 2014 IL App (1st) 112219, ¶ 29 (argument forfeited for failure to cite relevant pages in the record); Kic v. Bianucci, 2011 IL App (1st) 100622, ¶ 23 (argument forfeited for failure to cite relevant authority). Accordingly, this argument is forfeited.

¶ 46 Even absent forfeiture, respondent's argument is without merit. The record indicates that, on May 10, 2024, after the professionals refused to comply with the subpoenas, respondent filed a motion for the court to compel her subpoenaed professionals to testify at trial. The trial court denied that motion because the subpoenas were not in compliance with section 10 of the Mental Health and Developmental Disabilities Confidentiality Act (740 ILCS 110/10 (West 2022)), which required that certain language be included in the subpoenas, and that the subpoenas include either a court order authorizing the subpoena or written consent of the person whose records were being sought. The trial court explained that the subpoenas did not have the requisite language, did not include a court order, and

that R.S. and petitioner refused to sign the required releases. As such, her subpoenas were not quashed; instead, they were found to be legally improper.

¶ 47 c. Limiting Cross-Examination of Dr. Finn

¶ 48 Respondent next argues that the trial court erred in not allowing her to cross-examine Dr. Finn as to a section 604.10(b) report he authored in another unrelated case. Respondent has failed to provide citation to the relevant pages of the record in support of her argument and it is thus forfeited. *Feinberg*, 2014 IL App (1st) 112219, ¶ 29. We would also find the argument forfeited because respondent failed to cite any relevant authority. *Kic*, 2011 IL App (1st) 100622, ¶ 23. Where an appellant has failed to support his or her arguments with citations to authority, this court will not research the issues on the appellant's behalf. See *id.* (noting that this court is not a depository in which the appellant may dump the burden of argument and research). Here, at trial on May 15, 2024, the trial court asked respondent whether she could provide any authority to support the use and disclosure of Dr. Finn's report in another unrelated case in light of the requirement of section 604.10(b) (750 ILCS 5/604.10(b) (West 2022)) that such reports be limited to the court and the attorneys in the particular case for which such a report is written. Respondent did not provide any authority for that proposition at trial or on appeal.

¶ 49 The only authority respondent cites on appeal is for the proposition that an expert witness is subject to cross-examination to discredit his testimony even if "such examination must incidentally raise another matter." See *People v. Charleston*, 132 Ill. App. 3d 769, 776 (1985). That case involved cross-examination

of an expert witness regarding a testing error made in a prior unrelated case. *Id.* However, that case also points out that matters of impeachment are within the trial court's discretion. *Id.* Here, the trial court's decision to bar cross-examination related to Dr. Finn's examination and conclusions in an unrelated case was not an abuse of discretion. At issue in this case was the best interests of the children and our supreme court has stated that "[a] determination of the best interests of the child cannot be reduced to a simple bright-line test, but rather must be made on a case-by-case basis, depending, to a great extent, upon the circumstances of each case." *In re Marriage of Eckert*, 119 Ill. 2d 316, 326 (1988). Accordingly, conclusions Dr. Finn reached in another unrelated custody case, with its own unique circumstances, are not applicable in the present case and respondent has thus failed to establish an abuse of discretion.

¶ 50 In so ruling, respondent argues a finding of error is supported by the fact that the trial court, prior to trial, indicated that the use of Dr. Finn's report from a different case would be allowed. However, it is well settled that a trial court has the power to change its interlocutory rulings. *People v. Walton*, 2024 IL App (4th) 240541, ¶ 31.

¶ 51 d. Medical Records

¶ 52 Respondent argues that the trial court erred in excluding medical records that could have demonstrated that R.S.'s mental health problems were the result of being bullied at school and not because of respondent's influence or behavior. The pages of the record cited show that the trial court excluded the subject medical

records because respondent did not have a medical professional that could provide testimony about the meaning of the medical records and the trial court would not allow respondent, as a lay person and not a medical professional, to testify as to the meaning of the medical records. Respondent has failed to cite any authority or develop any argument to show that this ruling was an abuse of discretion and the argument is thus forfeited. *Kic*, 2011 IL App (1st) 100622, ¶ 23.

¶ 53 2. Reliance on Improper Diagnosis

¶ 54 Respondent next argues that the trial court erred in relying on Dr. Finn's opinion that respondent suffered from MSBP and that this error was the reason for the trial court's requirement that she attend 26 therapy sessions prior to resuming parental visitation. The record refutes this contention. Dr. Finn did not medically diagnose respondent with MSBP. Rather, he testified that respondent's behaviors were merely consistent with that disorder. When asked whether he would diagnose respondent with that disorder, he responded only: "If I was diagnosing I would." He also testified that the reason for noting the possibility of MSBP was only to provide a possible explanation for respondent's behavior with respect to her parenting decisions.

¶ 55 Moreover, even assuming, for the sake of argument, that Dr. Finn did diagnose respondent with MSBP, the record shows that the trial court's parenting allocation was not based on that diagnosis. Rather, it was based on respondent's harmful behavior, which included damaging petitioner's relationship with the children, perpetuating false allegations of sexual abuse and alcoholism, and making

poor decisions regarding R.S.'s health care. Further, the trial court found that respondent seriously endangered her children in December 2022, which was a year before Dr. Finn even issued his report. The record demonstrates that the requirement for respondent to attend therapy prior to resuming parenting time was not based on a diagnosis of MSBP.

¶ 56 3. Withholding of Evidence

¶ 57 Respondent's next contention is that the trial court erred in not allowing her to view Dr. Finn's report after trial when her attorney withdrew and she filed a pro se appearance. This argument is without merit. The record shows that Dr. Finn's report was only distributed to the court and counsel based on the requirements of section 604.10(b) of the Act (750 ILCS 5/604.10(b) (West 2022)) (requiring evaluator to send written report to parties' counsel and to the court), and on Dr. Finn's recommendation that, to protect the safety of the children, it not be distributed to the parties. In July 2024, after the trial court granted respondent's counsel's motion to withdraw and respondent filed a pro se appearance, respondent filed a motion to obtain a copy of Dr. Finn's report because, as she was representing herself, she argued she was entitled to see it. In her appellant brief, respondent states that her motion was "to no avail." However, there is no indication in the record that the trial court ever ruled on that motion. Where a party fails to request a ruling on a motion, it is presumed that the motion was abandoned. *Jackson v. Alvarez*, 358 Ill. App. 3d 555, 563 (2005). A party cannot appeal an issue raised by motion where the motion was not ruled upon. See *People v. Hall*, 114 Ill. 2d 376, 414 (1986) ("Because the

defendant did not obtain a ruling on the question, he cannot now complain that the court erred.”). Moreover, to the extent that there was a ruling on the motion and respondent has simply failed to cite the relevant portion of the record, or include the ruling on the motion in the record on appeal, the argument is forfeited. *Feinberg*, 2014 IL App (1st) 112219, ¶ 29 (failure to cite to the record forfeits an issue); *Foutch v. O’Bryant*, 99 Ill. 2d 389, 391 (1984) (“From the very nature of an appeal it is evident that the court of review must have before it the record to review in order to determine whether there was the error claimed by the appellant.”) Accordingly, the present issue is either not appealable or forfeited.

¶ 58 4. Parental Allocation

¶ 59 Respondent’s final contention on appeal is that the trial court erred in restricting her parenting time and parental responsibilities. Under the Act, the trial court must consider the children’s best interests in allocating parenting time and parental responsibilities. 750 ILCS 5/602.5, 602.7 (West 2022). Section 603.10 governs restrictions on parenting time. *Id.* § 603.10. Restricting parenting time under section 603.10 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 demonstrates that the parent’s conduct seriously endangered the child’s mental, moral, or physical health or significantly impaired the child’s emotional development. *Id.*; 750 ILCS 5/603.10(a) (West 2020). On appeal, we consider whether the court’s finding of serious endangerment is against the manifest weight of the evidence. *Mayes*, 2018 IL App (4th) 180149, ¶ 59. A

decision is against the manifest weight of the evidence when, upon review of the entire record, the opposite conclusion is clearly evident. *Id.*

¶ 60 Next, if the trial court finds that a parent's conduct seriously endangered his or her child, then the court must determine what restrictions are necessary to protect the child. *Mayes*, 2018 IL App (4th) 180149, ¶ 58; 750 ILCS 5/603.10(a) (West 2020). Among other restrictions, the court may order "a reduction, elimination, or other adjustment of the parent's decision-making responsibilities or parenting time, or both"; may "[restrain] a parent's communication with or proximity to the other parent or the child"; and may "[require] a parent to complete a treatment program." 750 ILCS 5/603.10(a)(1), (4), (8) (West 2020).

¶ 61 We review the trial court's determination that certain restrictions are necessary for an abuse of discretion. *Mayes*, 2018 IL App (4th) 180149, ¶ 61. A trial court abuses its discretion when the trial court's ruling is arbitrary, fanciful, or unreasonable or where no reasonable person would take the view adopted by the trial court. *In re Marriage of Dea*, 2020 IL App (1st) 190234, ¶ 18. Decisions adjudicating parenting issues are entitled to a "strong and compelling presumption" in favor of validity "because [the trial court] is in a superior position to evaluate the evidence and determine the best interests of the child." *In re Marriage of Agers*, 2013 IL App (5th) 120375, ¶ 25.

¶ 62 In the present case, we cannot say that the trial court's finding of serious endangerment was against the manifest weight of the evidence. Petitioner filed for dissolution in 2020 and the record shows that the parties continued to live in

dysfunction under one roof for quite a period of time. Two years later, R.S. started to have mental health issues and shortly thereafter made false allegations of sexual abuse against petitioner. The trial court found credible evidence from the GAL, DCFS investigator, and Dr. Finn that respondent had perpetuated R.S.'s false allegations of sexual abuse against petitioner. Dr. Finn also testified that respondent was beginning to perpetuate false allegations of a sexual nature from A.S. against petitioner. The record also shows that respondent told the children lies about petitioner, lied to R.S.'s treatment providers, and made decisions regarding R.S.'s healthcare that were not in R.S.'s best interest. Dr. Finn noted that, despite receiving appropriate medical treatment, R.S.'s condition continued to deteriorate while in respondent's care. However, since the children were placed in the sole care of petitioner, the evidence indicates that R.S.'s condition was improving, she was attending school and weekly therapy, and she had not been hospitalized.

¶ 63 Additionally, we cannot say that the parenting restrictions imposed on respondent were an abuse of discretion. The restrictions placed on respondent's parenting time are appropriate restrictions under the plain language of section 603.10 of the Act (750 ILCS 5/603.10(a)(1), (4), (8) (West 2022)), which allows for an elimination of parenting time and decision-making responsibilities, restricting communication, and requiring a parent to complete a treatment program such as attending therapy. Section 603.10 also allows for any other restrictions that protect the safety and welfare of the child, such as limiting respondent's access to the children's medical information. See *id.* §

603.10(a)(9). These restrictions were supported by the testimony of the GAL and Dr. Finn.

¶ 64 Respondent argues that the trial court abused its discretion in finding petitioner's testimony credible, and in finding R.S. credible when she made statements adverse to respondent but incredible when she made statements against petitioner. The trial court is in the best position to evaluate the conduct and demeanor of the witnesses. *Staes & Scallan, P.C. v. Orlich*, 2012 IL App (1st) 112974, ¶ 35. We give great deference to the trial court's credibility determinations, and we will not substitute our judgment for that of the trial court. *Id.*; see also *In re Estate of Lambrecht*, 375 Ill. App. 3d 865, 871 (2007) (the trier of fact is in a position superior to a court of review to observe the demeanor of the witnesses while testifying, to judge their credibility, and to determine the weight their testimony should receive). Here, upon our own review of the record, we hold that there is no reason to depart from the trial court's credibility determinations. Further, the testimony of Dr. Finn and the GAL supported the trial court's conclusion that R.S.'s allegations, that she was sexually abused by her father, were untrue and were instead the result of respondent's manipulation of her impressionable young child.

¶ 65 Respondent also asserts that there was no evidence to support a determination that her behavior seriously endangered R.S.'s mental health because the evidence showed that R.S. was receiving mental health treatment before the issue of sexual abuse was ever mentioned and that R.S. was being bullied at school. This argument is without merit. The petition for dissolution was filed in 2020 and R.S.'s mental

health issues first appeared in 2021. Dr. Finn testified that he was aware that there was some reference to R.S. being bullied at school. However, he opined that, based on his evaluation, R.S.'s distress was due to the divorce, the parties contentious relationship, and respondent's conduct in perpetuating false claims of sexual abuse and alcoholism and in alienating the children from petitioner. Based on the testimony of Dr. Finn and the GAL, there was sufficient evidence to support the trial court's determination that respondent's conduct seriously endangered R.S.'s mental and emotional well-being.

¶ 66 Finally, respondent argues that the trial court abused its discretion in requiring her to attend 26 therapy sessions with Dr. Chinni and never explained why a different therapist could not satisfy the court. Respondent notes that even the GAL recommended that respondent see Dr. Chinni "or someone who has been approved and has the same qualifications as a Dr. Chinni." Respondent states that she should be allowed to resume parenting time as she has been in weekly therapy with her own therapist for three years. In so arguing, respondent fails to cite any authority for the proposition that the trial court erred in requiring her to see a specific therapist and the argument is thus forfeited. Kic, 2011 IL App (1st) 100622, ¶ 23. Forfeiture aside, the trial court's order for respondent to attend therapy sessions with Dr. Chinni was entered in November 2023. Since that time, respondent has not attended the therapy sessions and never moved to amend that order or request that the trial court identify a different therapist. As noted above, section 603.10(a)(8) states that the trial court may require a parent to complete a

treatment program. 750 ILCS 5/603.10(a)(8) (West 2022). Thus, respondent has failed to establish an abuse of discretion.

¶ 67 C. Petitioner's Cross-Appeal

¶ 68 On cross-appeal, petitioner argues that paragraph 2.5 of the allocation judgment must be modified to conform to the requirements of section 603.10(b) of the Act. Paragraph 2.5 of the allocation judgment states that:

“Beginning the summer of 2025, and assuming [respondent] complies with the Court’s November 17, 2023[,] order and her parenting time has resumed, each parent shall have three (3) weeks of vacation parenting time. If [respondent] has not complied with the Court’s November 17, 2023[,] order, she shall not have any summer vacation or parenting time.”

Section 603.10(b) of the Act provides, in relevant part:

“The court may modify an order restricting parental responsibilities if, after a hearing, the court finds by a preponderance of the evidence that a modification is in the child’s best interests based on (i) a change of circumstances that occurred after the entry of an order restricting parental responsibilities; or (ii) conduct of which the court was previously unaware that seriously endangers the child.” *Id.*

Petitioner argues that, even if respondent completes the required therapy sessions set forth in the November 2023 order, the Act requires the trial court to hold a hearing before respondent can resume her visitation.

¶ 69 To address petitioner’s argument, we must engage in statutory construction.

The primary objective of statutory construction is to ascertain and give effect to the

intent of the legislature. *State Bank of Cherry v. CGB Enterprises, Inc.*, 2013 IL 113836, ¶ 56. The most reliable indicator of legislative intent is the language of the statute itself, given its plain and ordinary meaning. *Id.* Statutory construction is a question of law, subject to de novo review. *In re Marriage of Harms & Parker*, 2018 IL App (5th) 160472, ¶ 24.

¶ 70 Under the plain language of section 603.10(b) of the Act, the trial court must hold a hearing before it may modify an order restricting parental responsibilities. In this case, the November 2023 order and the July 2024 allocation judgment clearly restricted respondent's parenting time. The trial court's November 17, 2023, order requiring respondent to attend therapy, stated that "[a]fter a minimum of 26 sessions with Dr. Chinni, Respondent should submit to a limited scope update of Dr. Finn's evaluation to determine if any type of parenting time, beginning with therapeutic reunification, is recommended as being in the best interest of the children." This order clearly contemplated further proceedings after the 26 therapy sessions were completed and did not allow visitation to resume automatically.

¶ 71 However, the allocation judgment did not necessarily contemplate further proceedings. While petitioner relies on paragraph 2.5, we will utilize paragraph 2.1 to demonstrate the point. In paragraph 2.1 of the allocation judgment, the trial court stated that respondent "shall have no parenting time of any kind until she complies with the Court's November 17, 2023[,] order *** which requires her to attend 26 sessions with Dr. Chinni. Once she has done so, the parties may agree on a parenting schedule or return to Court." This language allows the parties to reach

an agreement for respondent's parenting time to resume. This conflicts with the requirement of section 603.10(b) that, before parental restrictions can be modified, a hearing must be held. 750 ILCS 5/603.10(b) (West 2020); see also *In re E.F.*, 2014 IL App (3d) 130814, ¶ 45 (trial court must comply with statutory hearing requirements). Moreover, in granting parenting time, the trial court must act in the children's best interests (750 ILCS 5/602.5, 602.7 (West 2020)) and it is well settled that a party cannot bargain away his or her children's best interests (see, e.g., *In re Marriage of Case*, 351 Ill. App. 3d 907, 912 (2004) ("parents may create an enforceable agreement for modification of child support only by petitioning the court for support modification and then establishing, to the court's satisfaction, the parties' agreement is in accordance with the children's best interests")).

Accordingly, we remand for modification of the allocation judgment to clarify that, even after respondent completes the requisite 26 therapy sessions with Dr. Chinni, there must be compliance with the hearing requirements of section 603.10(b) of the Act before any modification to respondent's parenting restrictions.

¶ 72 III. CONCLUSION

¶ 73 For the reasons stated, the judgment of the circuit court of Lake County is affirmed in part and remanded in part, and the appeal is dismissed part.

¶ 74 Affirmed in part; dismissed in part; cause remanded.

APPENDIX C

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT LAKE
COUNTY, ILLINOIS

IN RE THE MARRIAGE OF: SEBASTIN FRANCIS , Petitioner V. SOSSAMMA
SEBASTIN GEORGE, Respondent

Case No. 20 D 905

FILED JUL 16 2024

/s/ Erin Cartwright Weinstein Circuit Clerk

JUDGMENT FOR DISSOLUTION OF MARRIAGE

THIS CAUSE comes before the Court for ruling and entry of a Judgment for
Dissolution of Marriage, following a trial on the merits which was held over seven
(7) days beginning May 13, 2024 and concluding on May 17, 2024, beginning again
on May 20, 2024 and concluding on May 21, 2024, and on various other Motions
heard subsequent to the close of proofs, including hearing on Petitioner's Petition
for Rule to Show Cause filed March 12, 2024, Petitioner's Rule to Show cause filed
April 23, 2024, further ruling on Petitioners' Petition for Attorney Fees filed
November 16, 2023 regarding 508(b), Respondent's Petition for Possession of the
Marital Dog, Petitioner's Petition for a Plenary Order of Protection, and competing
Petitions for Contribution to Attorney Fees, said trial beginning on May 13, 2024 to
and including May 17, 2024, and May 20-21, 2024 on Sebastin Francis's (Sebastin)
Verified Petition for Dissolution of Marriage filed July 13 , 2020, Sebastin
appearing and represented by his attorney Michone J. Riewer of Strategic Divorce ;

Respondent Sossamma Sebastin George (Sossamma) appearing and represented by her attorney Ausaf Farooqi of Farooqi & Husain, LLC ; Caryn Barone having been appointed Guardian ad Litem for the two minor children. This Court having heard testimony from both parties, as well as the GAL and various other witnesses called by both sides; including the custody evaluator Dr. David Finn, James Jones of DCFS , Safia Khan, Dawn Reis, Kimberly Wesley of Oak Grove School, Angla Attiah-Steamison; having accepted and entered into evidence various exhibits, both stipulated to and contested where the court ruled on admissibility; the Court having reviewed applicable case law and relevant portions of the Illinois Marriage and Dissolution of Marriage Act (IMDMA); the Court having also considered the weight and credibility of the evidence and witnesses presented during the trial including, but not limited to, the parties; drawing reasonable inferences when appropriate and applying requisite standards and burden of proof; the Court having jurisdiction of the parties and the subject matter; the Court having considered all the exhibits, stipulations and witnesses presented even if the Court does not comment on a particular piece of evidence, a specific stipulation or a particular witness; the Court having heard arguments from both counsels, and pursuant to Sossamma's request and Mr. Farooqi's Motion to Withdraw, Mr. Farooqi given leave to withdraw as counsel prior to the ruling being issued , but having been counsel throughout the entire trial, and Sossamma filing her prose appearance. IT IS HEREBY ORDERED:

JURISIDICTONAL FINDINGS

1. This Court has jurisdiction of the parties and the subject matter herein.

2. On July 13, 2020, Sebastin filed against Sossamma an action for dissolution in the Circuit Court of Lake County, Illinois, under General Case No. 20 D 905 entitled "In Re The Marriage of Sebastin Francis and Sossamma George Sebastin".

3. That Sebastin was residing in the State of Illinois, County of Lake, City of Libertyville, at the time of the filing of the Petition for Dissolution of Marriage, and has maintained said residency for a period in excess of ninety (90) days next preceding the making of the findings in this cause.

4. On November 17, 2023, Sebastin filed an Emergency Petition for an Order of Protection against Sossamma, and the Court entered orders on the same day granting the Emergency Order of Protection.

5. The parties were lawfully married on April 28, 2007, in Ulhasnager, Maharashtra, India.

6. The patties have two minor children, A.S., born May 17, 2017, and R.S., born November 5, 2008. No other children were born to the parties, no children were adopted by the parties and Sossamma is not now pregnant.

7. The Court finds that irreconcilable differences have arisen between the parties causing an irretrievable breakdown of the marriage and that future attempts at reconciliation would be futile, impracticable and not in the best interests of the family. The parties have lived separate and apart in excess of six (6) months.

8. Sebastin has proved the marital allegations of his Petition for Dissolution of marriage by substantial, competent and relevant evidence and a Judgment for Dissolution of Marriage should be entered herein.

9. The parties are awarded a Judgment for Dissolution of Marriage and the bonds of matrimony existing between Sossamma and Sebastin are hereby dissolved.

10. That so long as at least one of the parties resides in the State of Illinois, this Lake County Circuit Court of the State of Illinois shall retain exclusive and continuing jurisdiction over this cause to enforce or modify the terms and provisions of this Judgment.

11. This Court has made certain findings and rulings regarding the Petition for Plenary Order of Protection and said findings and rulings shall be composed into a separate 2 year Plenary Order of Protection which will be entered concurrent with this Judgment.

ALLOCATION JUDGMENT

12. The Court has entered an Allocation Judgment/Parenting Plan following the trial on July 16, 2024. Said Allocation Judgment addresses all issues of parenting time and decision-making. Said Judgment is in the best interests of the minor children and is incorporated into this Judgment of Dissolution of Marriage in its entirety.

PROPERTY DISTRIBUTION

REAL ESTATE

13. The parties previously sold the former marital residence and have divided all proceeds and property.

MAINTENANCE 14. Pursuant to 750 ILCS 504 (a) et seq, the Court consider the following factors in determining if maintenance is appropriate. The Court

considered 91) the income of each party and future earning capacity; (2) the needs of each party; (3) the realistic present and future earning capacity (4) any impairment of the present and future earning capacity of the party seeking maintenance;(5) any inpailment of the present and future earning capacity capacity of the party against whom maintenance is sought;(6) the time necessary to enable the party seeking maintenance to become self-supporting;(7) the standard of living established during the marriage;(8) the duration of the marriage;(9) the age, health, occupation and sources of income; ((10) all sources of public and private income ; (11)tax consequences; (12) contributions to the education of the other party;(13) any valid agreement of the parties and (14) any other factor the Court expressly finds to be just and equitable. The Court finds that neither party is entitled to maintenance as both are employed and capable of supporting themselves. The Court orders that both parties are barred from receiving maintenance past, present and future.

CHILD SUPPORT

15. Both parties are gainfully employed, with Sebastin earning an income of \$137,000, including his bonus, and Sossamma earning an income of \$167,000 not including her bonus. Child support is set at \$2013 to be payable through the State Disbursement Unit (SDU) commensurate with Sossamma's pay periods. The parties acknowledge there was a previous order for child support entered on February 16, 2024 setting child support at \$1904.93 per month with a retroactive amount then set at \$3,809.86 (from the date of the filing of the Petition for Child Support which was December 8, 2023) and said arrearage was to be paid at the rate of an

additional \$500 a month for a total per month of \$2,404.93. As of the trial date there was an arrearage balance of \$9,619. As of July 1, 2024 the total owed is \$13,334.51--\$1,904.93 a month for 5 months from February through June and a retroactive balance of \$3,809.86 found on February 16, 2024 which includes retroactive support back to date of filing December 8, 2023. The Court also awarded Sebastin \$59,000 in attorneys fees to be paid by Sossamma based on pleadings filed. The arrearage and retroactive support, as well as attorney fees, Sossamma owes to Sebastin is incorporated as part of the property settlement below.

16. The parties will exchange W-2s, and full federal and state tax returns every year by May 1, 2024, and engage in a true up if either of their gross incomes exceeds \$137,000 or \$167,000. Said true up shall occur no later than June 1 of each year.

Both parties have the potential for yearly bonuses.

17. Child support shall continue until further order of court or emancipation of each child. For purposes of this Judgment, "emancipation" shall be defined as follows:

a. The death of or marriage of a child; or b. A child attaining the age of eighteen (18) years or graduation from high school, whichever occurs later, but in no event beyond that child's nineteenth

(19) birthday; or

c. The child obtaining full time employment, exclusive of his/her employment during school vacation periods; or

d. The child entering the military; or

e. The child maintains a full-time residence outside of the home of either parent exclusive of their residence at a boarding school, camp or similar facility.

18. It was argued at trial by Sossamma's attorney that child support should be offset by child support that should have been paid by Sebastin to Sossamma when she filed for said relief when R.S. was still residing with her and prior to the change of placement on November 17, 2023. The Court found then and finds now, that R.S. was in in-patient treatment from 9/28/22 to 11/3/22 at Timberline Knolls; Linden Oaks from April 6, 2023 to May 2, 2023; and Midwest in Indiana from May 2, 2023, to July 14, 2023. She was also hospitalized from 9/3/22 at Associate Children's Hospital until 9/6/2022 when she was transferred to Highland Park Hospital where she remained until 9/28/22; again, at Highland Park Hospital from November 18, 2022 to November 19, 2022; Rogers Hospital in Wisconsin from November 19, 2022, to November 28, 2022. Thus, R.S. was not in fact living with Sossamma for large blocks of time, although did live exclusively with her from 8/31/2023 to 11/16/23 and during periods when she was in outpatient treatment at Compass from 11/6/22 to 11/18/22; from 12/14/22 to 4/5/23 and again from 7/17/23 to 8/31/23. During this time, A.S. spent equal time with both parents. The Court ruled in 2023 and again at trial that R.S. was not living with Sossamma for large blocks of time and the parties were using insurance for her treatment costs and that the reason she had no parenting time with Sebastin was due to Sossamma alienating R.S. from Sebastin and furthering the false narrative that he had sexually abused her. Her counsel also pointed out that R.S. was hospitalized on November 17, 2023, after the change in

placement at Highland Park Hospital and then at an inpatient facility in Connecticut called Discover from 12/23/2024 to early January 2024, and thus that his child support should not include said periods of time as the Court ruled Sossamma was not previously entitled to child support due to R.S. not living with her for blocks of time. The Court ruled that Sebastin still had transportation costs for R.S. which he paid solely, as well as exclusive parenting time with both children from November 17, 2023, to date and that his child support should not be reduced by the time R.S. spent in the in-patient facility and the hospital. It should also be noted that Sebastin's counsel had filed a Petition for Rule to Show Cause on March 12, 2024, for unpaid child support and on April 23, 2024, for unpaid attorney fees in the amount of \$59,000 to be paid within 60 days and no response to either petition was filed. Counsel for Sossamma admitted at trial that Sossamma had indeed not paid the attorney fees or child support or paid any amounts toward either obligation. The Court found that Sossamma was in fact in indirect civil contempt of Court. The parties agreed and the Court so ordered that the contempt finding would be vacated, as it would require a purge and the awarding of 508(6) attorney fees, and instead that her child support arrearage and unpaid attorney fees would be paid from her share of the marital assets. Under all of these circumstances, the Court ruled Sossamma was not entitled to any offset of child support.

19. That the Court finds that guideline child support is appropriate and should be set at \$2,013.00 per month pursuant to section 505 of the IMDMA and based on Sossamma's base income of approximately \$167,000.00 not including her bonus and

Sebastin's base income of approximately \$137,000.00 including his bonus.

Accordingly, Sossamma shall pay Sebastin child support of \$980.00 every two (2) weeks starting on July 16 , 2024 or one day after entiy of the Judgment, and Sossamma shall continue to pay Sebastin child support of \$980.00 every other Friday after July16 , 2024.

20. That child support shall be paid via a Notice to Withhold Income for Supp01t and Uniform Support Order, which shall be entered by separate order. If

Sossamma's employer fails to withhold the child support payment, then Sossamma shall provide Sebastin a copy of her paystub via Our Family Wizard and Zelle the \$980.00 of child support due to Sebastin within two (2) days of receiving her paycheck.

21. That the child support payments made by Sossamma to Sebastin shall continue until such time as the first of the minor children is emancipated, at which time Sossamma has the light to petition the Court to recalculate her child suppo1t obligation for the remaining minor child pursuant to the Illinois Statutory Guidelines.

HEALTH INSURANCE

21. The children are currently covered under Sebastin's health insurance plan. Sebastin shall continue to maintain health insurance for the benefit of the children until both children reach the age of twenty-six (26). This does not preclude the parties from utilizing any health insurance offered by any college or university the children may attend.

22. The Court finds that Sebastin presently pays \$580.66 per month for health, dental and vision insurance which covers three people. Two thirds of \$580.66 or \$383.24 is the children's portion. SOSSAMMA shall pay 55% of \$383.24, the children's portion of the health, dental and vision premiums, for a total of \$210.78 per month.

23. Sossamma's contribution toward the children's health dental and vision premium of \$210.78 per month or \$109.39 every two (2) weeks shall be paid via a Notice to Withhold Income for Support and Unifonn Support Order, which shall be entered separately. If Sossamma's employer fails to withhold her contribution toward the children's insurance, then Sossamma shall provide Sebastin a copy of her paystub via Our Family Wizard and Zelle \$109.39 to Sebastin within two (2) days of receiving her paycheck.

24. Sossamma shall pay 55% and Sebastin shall pay 45% of any uncovered medical, dental, vision, psychological, psychiatric, orthodontic costs. Neither party shall incur any expenses without consultation of the other party, although the parties acknowledge that Sebastin has sole decision-making regarding medical issues and expenses. The parties shall not obtain health care services as described above out of network unless there is no other option. or the parties agree. This provision does not prohibit either party from obtaining emergency services for the children once Sossanuna has parenting tinle with the children.

25. The medical, dental, vision, psychological and orthodontia costs shall be divided pursuant to this Judgment, pursuant to a monthly reimbursement system, with the

first period to run from the entry of the Judgment for Dissolution of Marriage through the conclusion of that month. For each monthly period, each party incurring reimbursable expenses shall provide the other party with written proof (electronic formats such as PDF's being acceptable) of payment of the reimbursable expenses incurred and paid within 21 days of the conclusion of that month via Our Family Wizard. The party owing a net reimbursement for the previous month shall tender the reimbursement to the other parent within fourteen (14) days of the completion of the exchange of expenses incurred for the previous month.

CHILDCARE COSTS

26. Sossamma shall pay 55% and Sebastin shall pay 45% of the costs of any child care required for either of them to work. Currently, Sossamma has no parenting time with the children so she shall reimburse Sebastin half or 50% of any day care costs he incurs. Said costs shall include but not limited to, the cost of a nanny or before or after school care. Sebastian shall post any expenses, including any receipts or proof of payment, on Our Family Wizard within 13 days of incurring said costs. Sossanuna shall then reimburse Sebastin 14 days after said costs are posted on Our Family Wizard. Once Sossanuna resumes her parenting time this provision shall apply to her posting said costs as well.

CHILD EXPENSES

27. Sossamma shall pay 55% and Sebastin shall pay 45% of any school expenses through and including high school. Said expenses shall include registration, activity fees, driver's ed fees, school dances, school field trips, school

pictures, athletic fee and any required equipment and uniforms or costumes, school lunches, uniforms, tutoring and educational enrichment programs.

28. The children's expenses shall be divided pursuant to this Judgment, pursuant to a monthly reimbursement system, with the first period to run from the entry of the Judgment for Dissolution of Marriage through the conclusion of that month. For each monthly period, each party incurring reimbursable expenses shall provide the other party with written proof (electronic formats such as PDF's being acceptable) of payment of the reimbursable expenses incurred and paid within 21 days of the conclusion of that month via Our Family Wizard. The party owing a net reimbursement for the previous month shall tender the reimbursement to the other parent within fourteen (14) days of the completion of the exchange of expenses incurred for the previous month.

29. College expenses shall be governed by 750 ILCS 5/513 at the time each child is prepared and academically ready to enter college. College costs may include, but shall not be limited to the following:

- a. Except for good cause shown, the actual costs of the child's post-secondary expenses, including tuition and fees, provided that the cost for tuition and fees does not exceed the amount of in-state tuition and fees paid by a student at the University of Illinois at Urbana-Champaign for the same academic year.
- b. Except for good cause shown, the actual cost of the child's housing expenses, whether on or off campus, provided that the housing expenses do not exceed the cost for the same academic year of a double-occupancy student room, with a standard

meal plan, in a residence hall operated by the University of Illinois at Urbana-Champaign.

- c. The actual costs of the child's medical, dental, vision and psychological and psychiatric and orthodonture expenses.
 - d. The reasonable living expenses of the child during the academic year and periods of recess if the child is a resident student attending a post-secondary educational program, or the child is living with one party at that party's home and attending a post-secondary educational program as a non-resident student, in which case the living expenses include an amount that pays for the reasonable cost of the child's food, utilities and transportation to and from school.
 - e. The costs of books, lab fees and other supplies necessary to attend college including, but not limited to, a laptop as required by the particular college or university the child attends.
 - f. Fraternity or sorority dues and other costs.
 - g. Reasonable transportation costs to and from school.
 - h. Car insurance.
 - 1. Other reasonable college costs attendant to college.
30. All college costs will be paid to the educational institution or to the other parent as reimbursement.
31. Each party, as well as the child, shall sign any consent necessary for the educational institution to provide a supporting party with access to the child's academic transcripts, records and grade reports. The consent shall NOT apply to

ANY non-academic records. Failure to execute the required consent may be a basis for modification or termination of any college costs order entered by this Court under this Section. The Court is cognizant of the fact that currently under the Allocation Judgment, Sossanuna has no access to any records for the children, including academic and medical records. 111is prohibition shall not apply when the children reach college. Each party is entitled to know the name of the educational institution the child attends. However, based on this history of this case and the restrictions as contained in the Allocation Judgment, Sebastin may petition the court, when appropriate, to allege pursuant to 750 ILCS 5/513 (f) that the child or children's safety would be jeopardized by revealing the name of the institution to Sossanuna.

32. Neither party shall be responsible for any college costs if the children either: fails to maintain a cumulative "C" grade point average; except in the event of an illness or other good cause shown, attains the age of 23, marries or receives a baccalaureate degree.

33. Sebastin shall be named as the custodian of the minor children's college accounts and Sossmma shall be named as contingent custodian. Neither party shall withdraw funds from these accounts except for the children's higher education without the express written consent of the other party. The parties shall change ownership of these accounts to Sebastin's name within thirty (30) days of the entry of this Judgment

34. Sossanuna shall pay 55% and Sebastin shall pay 45% of all extracurricular costs and expenses including but not limited to shoes, uniforms equipment, travel costs, camp, smmner activities and other necessaiy equipment. Any expenses deemed necessary or required by the coach, school or organization sponsoring the activity shall be deemed reasonable and necessaiy to be paid by the parties in conjunction with their 55% - 45% split. The Court is cognizant of the fact that Sebastian has sole decision-making authority over extra extracurricular activities. Thus, if either child wishes to participate in a club sport or travel sport, the parties must agree on said expenses to require contribution from Sossanuna. Sossanm1a shall not unreasonably withhold her consent to said activity. If the parties cannot agree on a travel or club sport, Sebastin has the option of paying for said activity himself absent contribution from Sossamma.

35. Sossamma shall secure her child support obligation by obtaining and maintaining a life insurance policy in the amount of \$300,000. Said policy may be decreased to \$150,000 after the emancipation of R.S. Sebastin shall be designated as the trustee on said policy, and the children as irrevocable beneficiaries. Sebastin may request a cmTent statement of benefits no more than 4 times a year and Sossanuna must comply with said request.

36. Sebastin has the right to claim both children as dependents on all state and federal tax returns.

PROPERTY DIVISION

37. Each party agreed, at trial, to withdraw their respective claims for dissipation.

38. Pursuant to Respondent's Exhibits 139 and 140, the dog Charlie, is a registered service animal and pursuant to 740 ILCS 5/503(n) an exception to the companion animal statute. The dog is awarded to Sossaimna as her sole and separate property.

39. The Court finds Sossamma and Sebastin have lived separate and apart and have separated their finances for almost two (2) years.

40. The Court finds, and the parties agreed at trial, that all of the debts and assets listed are marital in nature except where expressly noted. The listings below merely pertain to in whose name a debt or asset was listed.

41. The Court finds that Sossamma has the following marital debt in her name:

Lightstream Loan	\$35,728.40
BoA CC x1261	\$6,110.91
Chase Freedom CC6595	\$5,500.00
Chase Prime CC	\$6,793.61
Citi Costco	\$6,187.68
Citi Double Cash CC	\$22,753.49
Discover CC 5813	\$2,680.80
Discover CC 5264	\$1,583.08
BoA CC x5594	\$13,135.88
IRS	\$24,620.00

Total: \$125,093.85

37. The Court finds that Sebastin has the following marital debt in his name:

Costco CitiCard \$11,865.00

401k Loan \$43,000.00

Citi Advantage CC \$1,496.00

Discover CC \$10,000.00

Total: \$66,361.00

38. Sebastin contends that a \$14,500 loan from his sister is part of the marital debt. He introduced evidence at the trial of a copy of a promissory note purported to be between him and his sister. However, the note was signed only by him, and the notary page was blank. The Court finds the loan from Sebastin's sister (Petitioner's Ex 46 admitted) is his sole debt and not a marital debt. As a result, the marital debt in Sebastin's name totals \$66,361.00.

39. That the Court orders each party shall be solely liable and obligated to pay their attorney's fees, except as noted in this order.

40. The Court finds that Sossamma has the following marital assets in her name:

Discover x2677 \$2,241.21

Discover x6847 \$29.00

Discover x1506 \$21.00

Toyota Sienna \$2,000.00

Discover 40 lk \$10,000.00

Baxter 401k \$123,539.00

Discover x6421 \$11.00

Bank of America x3330 \$1,704.00

BCU x9598-S01 \$1.00

BCU x9598-S70 \$0

Baxter Credit Union Retirement Plan \$8,367.40

Total: \$147,913.61

41. The Court finds that Sebastin has the following marital assets in his name:

Wells Fargo IRA \$46.36

Fidelity Invests CAP40 lk\$216,589.34

Citibank x362 \$2,654.22

Chase Checking x6937 \$257.15

Citibank Savings x626

2020 Tesla Model 3

(see 141 below)

Total:

\$131.67

\$5,000.00

\$224,678.74

42. The parties disagreed over the fair market value of Sebastin's 2020 Tesla due to conflicting values in the different financial affidavits submitted by Sebastin.

However, the only evidence produced at trial was the Carvana offer dated April 17, 2024 (Petitioner's Ex 39 admitted) which stated the value of the vehicle was

\$17,000.00. Sebastin's financial affidavit listed the debt as \$12,000.00; therefore the Court deemed the value of the 2020 Tesla to be \$5,000.00.

43. The Court has ruled that marital debts and marital assets would be split 50% - 50% between the parties. However, the parties do not possess sufficient liquid assets to pay the total of their debt from their assets. As a result, the Comi will assign each party half of the total marital debt and split the total assets equally between the parties.

44. Marital debt: The Court finds that total marital debt equals \$191,454.85 (Sossamma's debt of \$125,093.85 plus Sebastin's debt of \$66,361.00). The Court allocates half of the total debt, or \$95,727.42 to each party.

45. Assignment of marital debt: To achieve the distribution of marital debt, the Court assigns Sossamma \$95,727.43 of the marital debt listed solely in her name, and none of the debt listed in Sebastin's name. Sebastin is assigned the entirety of debts in his name (not including the loan from his sister which is his sole debt and not included in the total marital debt) which totals \$66,361. Sebastin then owes \$29,366.42 of the debt in Sossamma's name (Sebastin's \$95,727.42 share of the debt minus \$66,361 debt in Sebastin's name). The Court finds that Sebastin shall be responsible for half of Sossamma's IRS debt (his share is \$12,310), half of Sossamma's Citi Double cash card (his share is \$11,376.74) as well as half of Sossamma's Bank of America account# 5594 (his share is \$6,767.94) for a total of \$30,254.68 that Sebastin owes for debts listed in Sossamma's name. The Comi acknowledges that this results in an overpayment of \$888.26 (\$30,254.68 minus

\$29,366.42 that he actually owes) but finds this is a de minimis amount. Sebastin shall contact the IRS and applicable credit card companies within two weeks of the entry of this order to make arrangements to pay his stated share of the debt.

46. Marital assets: The Court finds the total marital assets equal \$372,592.35 (Sossamma's assets of \$147,913.67 plus Sebastin's assets of \$224,678.74). Half of the total assets equals \$186,296.17.

47. Pursuant to the Court's February 16, 2024 order, the court found a retroactive amount of \$3,809.86 back to the date of filing, and also ordered Sossamma to pay Sebastin \$59,000 in attorney fees within a 60-day period, which at the time of trial was yet to be paid. She was also ordered to pay child support in the amount of \$1,923.80 a month which again at the time of trial in May and continuing into June was a total of \$9,619.00, which likewise had not been paid. The total amount of child support owed at the end of June is \$13,334.51 which includes the \$3,809.86 retroactive amount pursuant to the February 16, 2024 order. Thus, Sossamma owes Sebastin \$72,334.51 which will be deducted from her share of the marital estate assets and added to his share of the marital assets.

48. Based on the above calculations of debts and assets, Sebastin shall receive \$258,630.68 of the marital estate (Sebastin's share of the marital estate \$186,296.17 plus \$72,334.51 that Sossamma owes him pursuant to the February 16, 2024 order). Sossamma shall receive \$113,961.66 of the marital estate (Sossaimna's share of the marital estate \$186,296.17 minus \$72,334.51 that Sossaimna owes Sebastin pursuant to the February 16, 2024 order).

49. The only large liquid assets the parties possess are the parties' retirement accounts. Sebastin's retirement account totals \$216,589.34 and Sossamma's two retirement accounts total \$133,569.

50. Distribution of marital estate: As part of the \$258,630.68 due to him, Sebastin will be awarded the entirety of his assets, including his retirement account, his 2020 Tesla, his Wells Fargo IRA, his Fidelity Invests, his Citibank #362, his Chase Checking #6937 and his Citbank Savings #626, which total \$224,678.74.

51. The \$33,951.94 remainder of Sebastin's portion of the marital estate (Sebastin's \$258,630.68 portion of the marital estate minus Sebastian's awarded assets of \$224,678.74), shall be paid from Sossamma's retirement accounts, which have a total value of \$133,539. The Court orders Sossamma to pay Sebastin \$33,951.94 through a Qualified Domestic Relations order (QDRO) drafted by Sebastin's attorney within thirty (30) days of the entry of this Judgment.

52. The Court finds that the parties do not have a jointly held checking or savings account.

53. Sebastin shall receive his individual checking and savings as his sole and exclusive property and Sossamma shall have neither right nor claim to said accounts.

54. Sossamma shall receive her individual checking and savings accounts as her sole and exclusive property and Sebastin shall have neither right nor claim to said accounts.

55. Sossamma shall receive her 2014 Toyota Sienna automobile as her sole and separate property and shall be responsible for payment of any and all debts and expenses on said vehicle. Sossamma shall hold Sebastin harmless and against liability for payment of same, or any liability arising out of the use or operation of said vehicle.

56. Sebastin shall receive 2020 Tesla Model 3 automobile as his sole and separate property and shall be responsible for payment of any and all debts and expenses on said vehicle. Sebastin shall hold Sossamma harmless and against liability for payment of same, or any liability arising out of the use or operation of said vehicle.

CONTRIBUTION TO ATTORNEY FEES

57. Both parties filed Petitions for Setting Final Contribution of Attorney's Fees and Costs in conjunction with the trial pursuant to an agreement between counsels to hear said Petitions at the close of proofs and before judgment is entered. 750 ILCS 5/503(j) provides that a Court shall hear said petitions and award any contribution based on the criteria defining marital property under 503.

Maintenance was not awarded in this case, so the Court does not need to consider the criteria in section 504 regarding maintenance. 503(k) states that in determining the value of assets or property, the court shall use a fair market value standard. 503(j) also provides that an award may be a fixed dollar amount or a percentage of fees and costs.

58. Tue Court notes that pursuant to a February 16, 2024, order, the Court awarded Sebastin \$59,000 in attorney fees to be paid by Sossamma.

59. Both parties allege that it is the fault of the other party that litigation was so extended and that each party behaved badly thus increasing the costs and length of litigation. Sebastin argues that Sossamma alienated the children from him, which the Court found repeatedly that she did, and that she furthered the false narrative of sexual abuse, which the Court also found that she did. Further, that she has failed to follow court orders, most notably from November 17, 2023, to see Dr. Chinni and February 16, 2024, to pay child support and attorney fees, which the Court found her in indirect civil contempt for her failure to pay either amount, as well as violated other orders, such as the September 2022 order not to allow co-sleeping with A.S which he disclosed to the GAL on November 11, 2022 that he was still doing. Sossamma argues that Sebastin filed a multitude of emergency motions, some of which the court found to be an emergency and some the court did not, which is accurate. She also lists a number of statements made in said motions that were inaccurate and/or false, such as claiming Sossamma told Libertyville High School that R.S. had been diagnosed with PTSD, which she did not, stating that Sossamma cancelled a Compass appointment when in fact Sebastin had cancelled said appointment, and that he did not speak with R.S.'s therapist, Safia Khan, while R.S. was in India, when he testified at trial he did in fact speak to Ms. Khan while the children were in India. She makes other claims that the Court did not find were false, such as that Sossamma showed R.S. the Agreed Order that was entered on

September 2, 2023 requiring reunification therapy because earlier that morning, Sossaimna was sending messages to Sebastin starting from early morning that R.S. was not feeling well, which ultimately resulted in her being hospitalized for a suicide attempt of overdosing on Tylenol pills. While it is true that Sossamma had sent such early morning messages before court, it does not prove that Sossamma did not show R.S. the Agreed Order entered in court. She makes a number of other allegations all of which the Court has considered but will not repeat here in detail. The Court also notes that Sossamma had 8 attorneys during the pendency of the case (although one of the 8 was hired twice so technically 7 different attorneys) which further delayed matters.

60. Sossamma earns \$167,000 as her base salary, not including her bonus and is eligible for bonuses on a yearly basis. Sebastin earns \$137,000 including his bonus and is also eligible for yearly bonuses.

61. The Court found, based on testimony and stipulations at trial, the total marital assets equal \$372,592.35 (Sossamma's assets of \$147,913.67 plus Sebastin's assets of \$224,678.74). Half of the total assets equals \$186,296.17. The Court also found that total marital debt equals \$191,454.85 (Sossaimna's debt of \$125,093.85 plus Sebastin's debt of \$66,361.00) and, because the parties do not possess sufficient liquid assets to pay the total of their debt from their assets, allocated half of the total debt, or \$95,727.42 to each party. The Court has further found Sossamma owed Sebastin \$72,334.51 which is a combination of the \$59,000 in attorney fees ordered February 16, 2024, as well as child support arrearages in the amount of

\$9,619 from February to June 2024 as well as the \$3,809.86 retroactive award from the date of the December 2023 filing. Based on the above calculations of debts and assets, Sebastin shall receive \$258,630.68 of the marital estate (Sebastin's share of the marital estate \$186,296.17 plus \$72,334.51 that Sossamma owes him pursuant to the February 16, 2024 order). Sossamma shall receive \$113,961.66 of the marital estate (Sossamma's share of the marital estate \$186,296.17 minus \$72,334.51 that Sossamma owes Sebastin pursuant to the February 16, 2024 order).

62. The Illinois Supreme Court has found that one of the factors a trial court must consider in awarding fees is the party responsible for the need for litigation and the occurrence of legal fees, as well as each party's inability or ability to pay. Further, a party is not required to deplete their marital asset award to pay attorney fees. Sebastin also argues that Sossamma will have the opportunity to acquire future assets due to her larger salary, while he will not. While it is true that Sossamma currently earns \$30,000 more than Sebastin not counting her bonus, there was no proof adduced that Sebastin will not continue to earn his still 6 figure salary and be eligible for bonuses and thus able to acquire future assets.

63. The parties agreed that their mutual request for evidentiary hearing on attorney fees was satisfied by the proofs adduced at trial, the stipulations to financial documents and exhibits as well as their closing arguments at trial. The Court is not required to equalize fees in a contribution hearing and may order a party to pay his or her own fees when they engage in behavior designed to harass the other party and delay the litigation.

64. Considering all the factors listed in 503(j), 503(k) as well as the remainder of 503, the Comt denies both requests for contribution to attorney's fees. Both parties, after considering all income and resources, have substantial parity in income, each makes a substantial salary with eligibility for bonuses, both parties have the opportunity to earn future assets, and while much of the litigation was indeed caused by Sossamma's behavior and alienation of the children, Sebastin did make statements in several motions that were not true. Further a major reason for the delay in this case was the length of time it took Dr. Finn to complete and write his report, as well as Sossamma hiring 8 attorneys during the course of the litigation. The Court does find that much of the delay and the constant litigation was indeed precipitated and caused by Sossamma. However, she already owes Sebastin \$72,334.51, which includes \$59,000 in prior attorney fees, and is receiving very little of the marital estate. The marital estate is not large, and the marital debts are substantial, with Sebastin taking a \$43,000 loan from his 401(k) and Sossamma taking a \$123,539 loan from her 401(k). The Court does not find it equitable to award additional attorney fees to Sebastin. Pursuant to the Illinois Supreme Court, a court must consider a party's ability to pay and the other party's inability to pay in assessing contribution. After this Court's careful consideration of all income and resources, both parties have substantial parity with one another. While Sossamma does have the ability to pay Sebastin's legal fees, the Court cannot find that Sebastin is unable to pay his legal fees, so no contribution is appropriate.

EXECUTION OF NECESSARY DOCUMENTS

65. Each party shall make, execute, acknowledge and deliver, concurrently with the execution hereof, of all documents and instrument necessary or proper to carryout the order of the Court to vest the titled and estates in the respective parties hereto as required by this Judgment. If either party fails to execute, make, acknowledge or deliver any such required documents, then this Judgment is hereby expressly declared to constitute a full and resent transfer, assignment, and conveyance of all rights hereinabove designed to be transferred assigned and conveyed, and a full present and effective relinquishment and waiver of all rights.

STIPULATIONS

66. All stipulations made at trial and delineated in this Judgment are incorporated into and made a part of this Judgment.

The Petition for Dissolution of Marriage is hereby granted. The bonds of matrimony between Sebastin Francis and Sossamma Sebastin George are hereby dissolved, and the parties are awarded a dissolution of marriage. Except as otherwise provided in this Judgment, each party is barred from any homestead or any or all other rights, claims or demands whatsoever in and to the property of the other previously owned, now owned or hereafter acquired, including, but not limited to, dower, homestead, and marital and on-marital property.

Dated this 16 July 2024

Enter: /s/ *Rhonda K Bruno*

Judge Rhonda Kind Bruno Prepared by: The Court

APPENDIX D

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT LAKE
COUNTY, ILLINOIS

IN RE: THE MARRIAGE OF SEBASTIN FRANCIS, Petitioner, AND SOSSAMMA
GEORGE SEBASTIN, Respondent.

No. 20 D 905

FILED JUL 16 2024

/s/ Erin Cartwright Weinstein

Circuit Clerk

ALLOCATION OF PARENTAL RESPONSIBILITIES AND PARENTING PLAN
JUDGMENT

This matter coming before the Court for trial, the Court conducting a trial on May 13-17, 2024, and May 20-21, 2024, and hearing closing arguments June 4, 2024, on the Petition for Dissolution of Marriage filed July 13, 2020; SEBASTIN FRANCIS ("Sebastin"), represented by his attorneys Strategic Divorce Inc., and SOSSAMMA GEORGE FRANCIS, ("Sossamma"), represented by her attorneys Farooqi & Husain LLC, Sossamma discharging Farooqi & Husain LLC following closing arguments but prior to the Court issuing its written ruling, then filing her pro se appearance; the Court having considered the testimony of the parties and witnesses including Caryn Barone, the Court appointed Guardian Ad Litem (GAL) in open court, the exhibits entered in evidence, and the applicable statutory and case law, and the Court having considered all evidence and testimony and applicable statutes and case law,

even if not all mentioned individually, the Court being fully advised in the premises,

HEREBY FINDS AND ORDERS AS FOLLOWS:

- A. This Court has personal jurisdiction of the parties hereto and the subject matter hereof.
- B. The Petitioner Sebastin is and now for ninety (90) days continuously and immediately preceding the making of the findings herein has resided in the State of Illinois.
- C. The Respondent, Sossamma is and now for ninety (90) days continuously and immediately preceding the making of the findings herein has resided in the State of Illinois.
- D. The parties were lawfully married on April 28, 2007 in India.
- E. Two children were born to the parties as a result of their relationship, namely, R.S., November 2008 and A.S. born May 2017. No other children were born to or adopted by the parties, and Sossamma is not now pregnant.
- F. In January 2022, Caryn Barone was appointed by the Court as the Guardian Ad Litem. GAL Barone provided numerous oral reports to the court during the pendency of the case and testified during the trial at length, in excess of 10 hours over three days.
- G. The Court finds it necessary to set forth a detailed procedural history of the case as follows, with the understanding that the Court has not listed every single fact adduced in the seven days of testimony in this case, all of which were

transcribed on the record. However, the Court has considered all the evidence brought out at trial, as well as all applicable statutes and case law.

PROCEEDURAL HISTORY AND FINDINGS OF FACT

1. The Court notes Sossamma has had eight different attorneys during the course of these proceedings. This fact is important as it relates to the length of time it took to bring this case to trial, as well as the rationale for the Court denying the request to continue the trial. The case was initially set for trial in October of 2021, and then, in May of 2023, trial was re-set to May 2024. The Court notes that prior to the motion to continue trial filed in April of 2024, no prior motion to continue trial had been filed after the case management order was entered in May of 2023. At the hearing on the motion to continue, GAL Barone testified that it would be detrimental to the children to delay the trial any longer, especially as the case had been pending since July of 2020. The Court previously made a finding pursuant to Supreme Court Rule 922 that there was a valid reason to delay entering an allocation judgment past the 18-month mark. However, the Court could no longer make that finding for the motion to continue, especially considering the fact that Sossamma had changed attorneys repeatedly during the case and the children needed finality and certainty regarding school and parenting schedules. The Court was also not convinced that granting a continuance would have meant the case actually went to trial due to the multiple attorneys involved. Following final arguments, but prior to the entry of this Judgment, Sossamma discharged her trial

attorney, the 8th in this case, and then filed her pro se appearance before this Judgment was entered.

2. In September of 2020 Sossamma filed her response to Sebastin's Petition for Dissolution and requested "restricted" parenting time. This fact is noteworthy as, in contrast to testimony from GAL Barone, DCFS investigator James Jones and 604.10(b) evaluator, Dr. David Finn, among others, Sossamma testified at trial that she never requested supervised or restricted parenting time. Further, this request was prior to any allegation-by a two-year time period-of sexual abuse made by R.S. against Sebastian in September of 2022. Sossamma further testified that she had initially wanted 50-50 parenting time with A.S. and a night during the week and alternating weekends for R.S. with no overnights for Sebastin. Mr. Jones from DCFS testified that Sossamma asked him to "do for her what family court won't" and order no contact with Sebastin. He testified and told the GAL that he believed Sossamma was coaching R. S. He did, however, text Sossamma and tell her he did not believe she was coaching R.S. or that R.S. was lying, but that he did not find any credible evidence to support her claims of sexual abuse. Neither counsel asked Mr. Jones to explain the differences in his testimony and text. GAL Barone also testified that Tony Boos from Compass (a partial hospitalization program utilized by R.S.) also felt Sossamma was coaching R.S.

3. The Court will note, as will be explained more fully, that the Court found that Sossamma was coaching R.S. to make the allegations of sexual abuse that she made in September of 2022 and beyond. GAL Barone testified, amongst other

things, that at their very first meeting on March 23, 2022, well before any allegations of sexual abuse, Sossamma asked the GAL what she would need to get supervised visits with the children and Sebastin. GAL Barone told Sossamma that supervised visitation requires serious endangerment, and gave Sossamma examples such as an alcoholic, a heroin addict or a child molester. Sossamma indicated that she did not like that answer. Sossamma testified at trial she did not inquire about supervised visits; however GAL Barone kept detailed notes of all her conversations in this case, and has no reason to lie, while Sossamma has a myriad of reasons to lie. Sossamma also gave the GAL a 31- page single spaced document, dating back to 2008, detailing every gripe and complaint she had with Sebastin. While at one of her stays at Compass, R.S. stated she liked the GAL but that her Father was paying her under the table. R.S. told Dr. Finn, the 604.10

(b) evaluator, that her Mother told her she believed R.S. regarding the sexual abuse allegations, that she was sorry that DCFS unfounded the allegations, and told R.S. that she had a vision from God that the abuse had happened. Dr. Finn testified to this and it was reflected in his notes as well, which were likewise admitted into evidence. He testified R.S. also told him her Mother supports her, does not think her Father is a good person, that her Mom says her Dad is a narcissist and that, after the Lake County State's Attorney Victim Sensitive interview (VSI) in November of 2022 that indicated no abuse had occurred, her Mother apologized for that finding. Notably, Sossamma denied saying any of these things to R.S. Her counsel argued at trial that R.S. was not to be believed in regard to these comments and behaviors by

Sossamma, but was to be believed in her allegations of sexual abuse against Sebastin as well as her comments in her April 23, 2024 email.

4. Both parties testified that for several years following A.S.'s birth, the parties co-slept with R.S. on one end, Sossamma next to her, then A.S. then Sebastin. From July of 2020 when Sebastin filed for divorce until October of 2022 when Sossamma moved out of the marital residence the parties did not communicate verbally or in person in any way, even in the marital home, but instead communicated by text and other electronic means. Sebastin testified his relationship with R.S. began to deteriorate. At some point during the divorce process, Sossamma began sleeping with both children in her room and eating all her meals with R.S. in her bedroom while Sebastin ate his meals with A.S. at the family kitchen table. This is noteworthy as during the Victim Sensitive Interview (VSI) conducted by the Lake County State's Attorney's Office , R.S. discussed sexual abuse allegedly happening at this time when she was literally locked in a room with her mother, eating all her meals there as well as sleeping in bed with Sossamma.

5. In August 2021, R.S. was diagnosed with mild depression and anxiety by her pediatrician, Dr. Bevan. No outcry of sexual abuse was made at this time and Dr. Bevan did not note any unusual physical findings for R.S. or evidence of trauma resulting from sexual abuse.

6. In January 2022, Sossamma called the police due to a "weird smell" coming from the basement, presumably caused by Sebastin. The police found nothing, and

Sebastin voluntarily took a drug and nicotine test, both of which were negative. The GAL was appointed in January 2022.

7. In April and May of 2022, R.S. began mentioning being bullied at school. She was hospitalized in April of 2022 with COVID, and the hospital found evidence of self-harm. She was referred to her pediatrician who suggested a therapist.

Sossamma chose professional counselor Safia Khan, without consultation with Sebastin. Many of the medical records mention R.S. discussing bullying at school. Sossamma's counsel argued that this was the cause of R.S.'s mental health issues.

8. During the summer of 2022 Sossamma's father was gravely ill and a trip was planned to India with she and both children for approximately two weeks. GAL Barone testified that Ms. Khan (the counselor) expressed concerns about the trip but agreed as it was only supposed to be for two weeks. Ms. Khan testified at trial she did not have such concerns and did not express them to the GAL. It is worth noting that GAL Barone kept copious notes of all her conversations with everyone, including Ms. Khan, and while Ms. Khan testified that she did not keep any type of notes from the conversation with GAL Barone and had not seen anyone from the family since September of 2022. The Court found Ms. Khan's testimony incredible and unconvincing. Sossamma also testified that Ms. Khan never told her not to go to India or to come back early. Ms. Khan also testified she did not tell Sossamma to come back early

9. Sossamma's Father took a turn for the worst and the trip was extended by agreement of the parties, although there was controversy over exactly when the

children would be returning to Illinois. The children did not return to Illinois until August 28, 2022, a week after school started.

10. GAL Barone had very little contact with anyone concerning this case during the summer of 2022 and assumed R.S. was doing well. This proved to be inaccurate as reflected in a phone call Ms. Barone had with Ms. Khan on August 12, 2022. Ms. Khan indicated R.S. was not doing well, was hiding knives, was not taking care of herself including basic hygiene such as showering and had paranoid delusions. GAL Barone said Ms. Khan told her she told Sossamma on multiple occasions she needed to return from India so R.S. could get proper care. Ms. Khan testified she did not say any of these things, although did admit she mentioned knives and hiding sharp objects, but said that was ongoing in Illinois, not happening in India. Ms. Barone said the conversation was an hour and 20 minutes and Ms. Khan said it was no more than 25 minutes in length. Ms. Barone kept detailed notes of her conversation, testified she took them on post it notes as that is all she had with her at the moment and then wrote the email to the parties immediately after the phone call, so her memory was fresh and accurate (her notes were admitted as Petitioners's Exhibit 65 as well as the email conversation detailing her phone call with Ms. Khan to the parties on August 12, 2022, Petitioner's Exhibit 109), and the Court found her to be more credible than Ms. Khan. It should be noted Ms. Khan's supervisor removed her from the case due to the services needed for R.S. being beyond the capacity of their agency to handle. The Court also noted that despite HIPPA regulations, Ms. Khan sent an email to all parties on September 3, 2022, including

current and past counsel and the court clerk, criticizing the court and counsel. The Court finds no reason for GAL Barone to testify untruthfully. The Court again finds it noteworthy that Ms. Khan, despite not having anything to do with the parties since September of 2022 and having no notes, had a memory that contradicted the GAL, who took substantial notes.

11. R.S. was still seeing Ms. Khan in early September 2022; however on September 15, 2022, the Court entered an order that neither child should see Ms. Kahn any longer and her releases of information were revoked.

12. Just prior to the Labor Day weekend, the parties agreed in court to begin reunification therapy between Sebastin and R.S. After the exchange of various emails over Labor Day weekend, R.S. attempted suicide by overdosing on Tylenol pills and was hospitalized at Advocate Children's Hospital on September 3, 2022. R.S. was then transferred to Highland Park Hospital on September 6, 2022, where she remained until September 28, 2022.

13. On September 15, 2022, on Sebastin's emergency petition, the Court required R.S. to attend a recommended residential treatment program upon her discharge from the hospital, required full access to medical records for Sebastin and appointed Dr. David Finn as 604.10(b) evaluator.

14. During her stay at Highland Park Hospital, R.S. claimed for the first time that Sebastin had abused her sexually. She offered no details but stated it was "vague", and a memory or a thought that something had happened. DCFS was notified and ultimately unfounded the report. Also noteworthy is that Sossamma on September

21, 2022, emails the GAL as follows: "As Renee's mother, I am completely caught off guard with this new allegation. I also want to clarify that I have never accused Sebastin of Rape and I have never seen any signs of Rape in the past."

(Respondent's Exhibit 77 admitted.) Yet six days later on September 27, 2022, Sossamma tried to obtain an emergency order of protection alleging, amongst other things, that "Renee started remembering how she was raped by the Father when she was small. Hospital called DCFS and an investigation is ongoing." Sossamma's Petition for an Emergency Order of Protection filed September 27, 2022. The order of protection request was denied and DCFS unfounded the allegation.

15. The Lake County State's Attorney's Victim Sensitive Interview (VSI) occurred in November of 2022 and GAL Barone watched it November 16, 2022 and discussed it with DCFS investigator James Jones. GAL Barone testified that R.S. stated the rape happened millions of times, including during the time period when she was having no contact with Sebastin at all and sleeping entirely in her mother's room. R.S. also told the GAL that the abuse happened when the parties were co-sleeping, which would have meant Sebastian would have had to pick R.S. up "millions of times" without disturbing Sossamma and A.S. who were in the same bed, to take R.S. to another room to assault her. R.S. stated her father gave her the morning after pill when she was 6, raped her from the age of 4 until 14 but was unable to describe in any way what rape means. She stated he took "perverted girl baby pictures" of her. She said he drugged her and wiped her memory with a cloth with chloroform. She stated it happened every single day. The Court notes in her

initial outcry at Highland Park Hospital she said "I think I have a feeling" it happened, but without any more details. Despite this allegation of constant abuse, until September 2022 R.S. made no outcry to anyone, including her pediatrician Dr. Bevan, nor did Dr. Bevan find any evidence of trauma that would be expected of daily penile penetration, especially in such a young child. Mr. Jones told the GAL he was "98% certain Mom told the child to say this..." regarding the sexual abuse. He also told the GAL that in addition to wanting to restrict Sebastin's access to R. S., Sossamma asked Mr. Jones about restricting access to A.S. He said Mom had "... indoctrinated ..." the child. It should be noted that DCFS unfounded the allegations and the Lake County State's Attorney's Office declined to file any charges following the VSI. Both GAL Barone and Dr. Finn (604.10(b) evaluator) testified that they did not believe the abuse had occurred based on these inconsistencies and the impossibility of many of R.S.'s allegations.

16. After her suicide attempt, R.S. began a series of hospitalizations, residential treatment programs and partial hospitalization programs (PHP) as follows:

A. Timberline Knolls (TK) from September 28, 2022 until November 3, 2022.

Sossamma did not sign a release of information (ROI) for GAL Barone. Despite the Court's order requiring Sebastin have full access to R.S.'s medical records, the ROI Sossamma signed limited Sebastin's access to only the psychiatric evaluation, medication records, and financial account information, and did not include access to R.S.'s treatment plan, discharge summary or progress notes. Sossamma's limited consent prevented Sebastin from participating fully in A.S.'s treatment while at TK.

Thus, Sebastin had limited information and the GAL testified that Sossamma, as she did throughout R.S.'s treatment, acted as a gate keeper for information. There was testimony that the parties had consulted with therapists, the GAL and their attorneys, and ultimately decided they would drive together to TK. Sebastin picked up A.S. at school, at R.S.'s request, drove him back and returned to meet Sossamma and R.S. in the Vernon Hills Petco parking lot. Upon the request of R.S. he picked up food for lunch but when he tried to give it to R.S. and get in the car, as previously agreed, the car was locked, the window was rolled up and R.S. called the police. Testimony differed as to whether R.S. took Sossamma's phone on her own or Sossamma gave it to her but regardless the police were called. As a result, Sebastin did not get to accompany R.S. to TK. This is significant as he wouldn't see her again for approximately one year, until November 17, 2023.

B. Compass Partial Hospitalization Program (outpatient) from November 6, 2022, to November 18, 2022. Ms. Barone testified to conversations with Tony Boos at Compass who indicated "there is something going on with Mom", that Sossamma was trying to restrict Sebastin's access to R.S., that R.S. said the GAL was nice but her dad was paying her under the table and that Sossamma said the courts " ... do not have the best interest of the child in mind." Petitioner's Exhibit 65 admitted into evidence, GAL notes.

C. Highland Park Hospital from November 18, 2022, to November 19, 2022.

D. Rogers Hospital in Wisconsin from November 19, 2022, to November 28, 2022.

E. Rogers Partial Hospitalization Program from November 29, 2022, to December 9, 2022. This placement is significant as the facility has a strict no show 3-time policy to be discharged from the program. Sossamma did not want the care providers to talk to GAL Barrone, which they did. Sossamma also told the Rogers staff there was a no contact order in place for Sebastin, which there was not. R.S., who initially had no issues attending, suddenly missed three sessions and was discharged from the program. There was testimony regarding an email from Alyssa Meixelsperger from Rogers dated December 7, 2022, where she states she is curious as to what has happened in the last two days " ... as Renee has not mentioned any resistance about coming to the program." Respondent's Exhibit 78 which was not admitted into evidence but was testified to by the GAL. The Rogers staff informed GAL Barone that R.S.'s attendance became problematic only after Sossamma became aware that Rogers had been talking with Sebastin and GAL Barone against Sossamma's wishes. GAL Barone testified regarding an email she sent to the parties on December 9, 2022 regarding R.S. doing fine at Rogers until they talked to her against Sossamma's wishes and allowed Sebastin to be involved, also against Sossamma's wishes. GAL Barone stated in her email she wanted R.S. to stay at Rogers as was the recommendation of Rogers Hospital, and that R.S. was discharged from Rogers PHP as Sossamma wanted. Ms. Barone also discusses Sossamma obtaining a referral to Compass from the pediatrician based solely on Sossamma's input, which was not necessary as a referral had already been made to Rogers. She discusses the Court's order to follow the advice of the professionals and

yet Sossamma disregarded this order. She also states that the reports from Rogers regarding R.S. and her progress were completely contradictory to what Sossamma was reporting. She mentions that Sossamma told both Rogers and Compass not to contact the GAL, mentioned Ms.Barone " ... doesn't understand the situation ... " and "...is against her." Ms. Barone ends with the fact that it is December 9, 2022 and R.S. is still not in school and has not been in school since May of 2022, that she, Compass and Rogers cannot understand this situation. Ms. Barone also testified that Sossamma told Rogers there was a no contact order in place against Sebastin, when in fact there was not.

F. Linden Oaks from April 6, 2023, to May 2, 2023.

G. Midwest Center for Youth and Families in Indiana from May 2,2023 to July 14, 2023.

H. Compass Partial Hospitalization Program .from July 17, 2023, to August 9, 2023, and then a step-down program until August 31, 2023.

I. Highland Park Hospital November 17, 2023,following the change of custody from Sossamma to Sebastin.

J. Discovery in Connecticut December 23, 2023, to January 2024.

17. The Court notes that in December of 2022, following the situation at Rogers and the filing of various emergency motions regarding medical decision-making, the Court held a two-day hearing with testimony. The Court found that Sossamma had seriously endangered the physical and emotional health of R.S. and ordered that

Sebastin immediately be given sole decision-making regarding medical issues for R.S.

18. Dr. David Finn was appointed as 604.10(b) evaluator in September 2022. His report was not finished and tendered until November of 2023. There were several reasons for the delay. One was getting the retainer and payment to him from monies held in escrow. Another was the volume of information, medical records and number of contacts reviewed. A third, and concerning reason, was Sossamma's tendering of multiple documents and request to discuss multiple issues with Dr. Finn. Both parties had several interviews with Dr. Finn. Sossamma stated at one point during the waiting period that Dr. Finn had cut short her interview. Not only was this inaccurate, but he also actually extended it over an hour. This is noteworthy due to the Court's finding that Sossamma was not a credible witness and out and out lied on multiple occasions. Dr. Finn testified that Sossamma fit the criteria in DSM 5 for Munchausen by Proxy by keeping R.S. in a perpetual state of illness when there was no empirical evidence to support the allegations of sexual abuse. Dr. Finn discussed in detail, in his 33-page report, how Sossamma seriously endangered both children, encouraging R.S. to believe she had been sexually abused, keeping her in perpetual distress and by bribing A.S. with toys and telling him to be careful around his father, not keep secrets from Sossamma and R.S. and telling A.S. he "would go to hell" if he went to India without his family. Dr. Finn testified that Sossamma made R.S. watch videos, for hours, of Sebastin drinking in the basement of the marital home and telling R.S. her Father was an alcoholic. R.S.

told Dr. Finn that Sossamma had apologized to R.S. after the VSI, although Sossamma denied saying this. He discussed Sossamma validating R.S.'s distress even when it concerned events that did not occur, such as sexual abuse. He mentioned that despite R.S. being diagnosed with mild depression in August of 2021 no report of sexual abuse was made until September of 2022 after R.S. and Sossamma met with the GAL and had returned from India. He testified that by diagnosing Sossamma with Munchhausen by Proxy, he was not discounting what R.S. said or stating she was lying but rather, that Sossamma took her initial statement of a vague memory of something happened and ran with it and encouraged R.S. to believe Sebastin had sexually abused her, in the face of overwhelming evidence it did not occur. He did mention that R.S. had been hospitalized in April and May of 2022 and never mentioned sexual abuse. It is also significant that GAL Barone initially met with R.S. on March 29, 2022, and met with Sossamma on March 23, 2022, when they had the conversation regarding supervised parenting time and what serious endangerment meant., and then Sossamma sent an 18-page email attachment to the GAL on March 29, 2022. So even though R.S. was hospitalized in April and May of 2022, after she met with the GAL and mentioned nothing regarding sexual abuse, nor disclosed it to anyone at the hospital, when she returns from India after being in Sossamma's sole control for three months, she then makes the allegation, albeit vague at this point, of sexual abuse. Dr. Finn testified he conducted psychological testing on both parties and that Sebastin was significantly more defensive in his responses than was Sossamma. Dr.

Finn testified on cross examination that Sebastian scored very high-over 90% --on defensiveness scores and Sossamma scored much lower. He stated this indicated that Sebastian was answering in a defensive overly positive manner trying to make himself look better.

19. On November 17, 2023, based in part on Dr. Finn's 604. lO(b) report, as well as Sossamma's behavior during the pendency of the case and multiple oral reports from the GAL, the Court entered a temporary order of allocation of parental responsibilities awarding all decision-making and parenting time for R.S. and A.S. to Sebastin. The Court ordered Sossamma to attend 26 sessions of therapy with Dr. Chinni Chilamkurti to determine if, in the best interest of the children, any parenting time would be recommended. To date, Sossamma has not contacted Dr. Chilamkurti nor completed any sessions with her. The Court permitted Sossamma and the children to communicate through written letters. A copy of the court's November 17, 2023 order is attached as Exhibit A.

20. GAL Barrone testified that during the pendancy of the case, to "angel gifts" that A.S. was given by Sossamma for very basic things, like brushing his teeth and closing a door. These gifts were in the \$30 to \$50 range although some were of lesser value. The Court ordered said gifts to stop and then Sossamma began giving gifts under a point system. The Court then ordered the point system to stop and Sossamma began giving gifts with an Amazon list. Finally, the Court ordered all gifts to stop except for birthdays and holidays. As far as the GAL was concerned, Sossamma was bribing A.S. to stay at Sossamma's house more than at Sebastin's.

Also, in its September 15, 2022 order, the Court prohibited the family's co-sleeping arrangement, yet in November 2022, A.S. informed GAL Barone that he was still co-sleeping in violation of the order. GAL Barone testified that both Sossamma and R.S. told A.S. not to have secrets, to share everything with them and R.S. mentioned wanting to tell him regarding her sexual abuse. At one point during exchanges, Sossamma set up a camera on a couch in the garage to record the exchanges. Ms. Barone testified that according to A.S., Sossamma said if A.S. went to India with his Father in the summer of 2023 he would go to hell. Sossamma's counsel then introduced a flash drive of a FaceTime call with Sebastin (Respondent's Exhibit 157, admitted), A.S. and Sebastin's sister where she discusses A.S. thinking he will go to Hell if he goes on a trip without his family but reassures him he is going with family. Sebastin testified that the call with his sister was after Sossamma had mentioned Hell to A.S. and his sister was trying to reassure A.S. Sossamma also kept mentioning Sebastin showering naked with A.S. as if that was somehow wrong.

21. The GAL testified that the parties basically disagreed on every decision, major and minor, including which school to choose, which therapist to use and how to allocate parenting time. Every agreement was a result of heavy negotiating. GAL Barone did testify that a number of pleadings had facts wrong about Sossamma such as the claim that Sossamma told Libertyville High School about R.S.'s diagnosis of PTSD-she did not, as it came from medical records, and this was confirmed by the school. Sebastin also claimed in pleadings that Sossamma had

cancelled an appointment at Compass in August of 2022 when in fact emails were introduced that showed it was, he who cancelled the appointment. Sebastian also stated in a pleading he did not have conversations with therapist Safia Khan while R.S. was in India which was also false.

22. It is also noteworthy to mention that Petitioner's Exhibit 66 was introduced into evidence, which was a letter from Olivia Orwitz, a therapist at Parkside Psychological Services, dated April 7, 2024, address to the GAL which stated she sees R.S. weekly for psychotherapy, and has done so since February 2, 2024. GAL Barone testified that the letter stated R.S. has not reported any physical, sexual, emotional or mental abuse since moving in with Sebastin, but does state she feels "uncomfortable" due to her belief of past alleged sexual abuse. It is likewise noteworthy that once R.S. was discharged from Compass August 31, 2023, which she began July 17, 2023 on an outpatient basis, she had no suicidal ideations while with Sossanuna before the residential custody change on November 17, 2023.

23. A few other facts worth noting happened relatively recently. Despite the November 17, 2023, order which allowed both children to write to Sossamma anytime they wished, R.S. sent only one letter to Sossanuna around Easter of 2024. Then, on April 23, 2024 through a snapchat with her cousin Juanna and email with her friend Aylynn, R.S. sent a three page single spaced email to her mother, although it appears to be addressed to the Court. It is signed with her full name, not just her first name. The GAL testified she felt Juanna had communicated with Sossamma, as R.S. told her they talk often, and that through Juanna Sossamma

told R.S. what to say in the email. It is important to note that R.S. mentions her Mother being hospitalized, which was not disclosed to her by Sebastin and so could only have come through Juanna, and in fact R.S. told GAL Barone her cousin had told her about Sossamma's hospitalization. She initially said her cousin told her to address the letter to the Court but then later said her cousin did not tell her to write the letter. She also told GAL Barone that her cousin asked her on Snapchat for her phone number, she then texted her friend Alylynn that Juanna said she needed to send it before the court date. She also mentioned she knows her mother has to see a therapist before she can see her and does not understand why her mom will not go. On May 1, 2024, Libertyville Office Kincaid, who is also a school resource officer at Libertyville High School, wrote a report. GAL Barone testified she spoke to him as well as school social worker Samantha Avila. The GAL said Officer Kincaid told her she got notification from dispatch that Nushu Mohaimnad, a friend of the family, requested a safety check on R.S. Officer Kincaid spoke with Ms. Avila who said R.S. is doing well. R.S. told Ms. Avila she did not know Nusha Mohammad. When Officer Kincaid called Ms. Mohammad back she informed Officer Kincaid that she is a "godmother" to R.S. Both parents confirmed that this is inaccurate and neither of them knows anyone by this name. On May 2, 2024, Officer Kincaid received an email from Libertyville police records clerk saying she got a strange call from someone claiming to be an aunt of R.S and wanting the report from the previous day. When told she could not have it as it concerned a juvenile, the caller became upset. Sossamma has no sisters so R.S. has no aunts on her

mother's side and Sebastin's sisters live in New York. The timing is important as it occurred a week after the email that R.S. had sent to her mother. The email was sent from three different accounts, as if she wanted to make absolutely sure the message got through. R.S. signed her name in a signature block which again seemed odd. GAL Barone, at the Court's instruction, spoke in person to R.S. about the email who admitted she spoke to Juanna, that Juanna speaks to Sossamma every day, and that she was upset her Dad took SnapChat away. As testimony took 7 days, there was much more testimony presented but the Court felt it was necessary to detail several of the more salient facts it used in reaching its decision.

24. During closing arguments, counsel for Sossaimna argued that there was no proof of Sossamma coaching R.S. or contributing to her false narrative regarding the alleged sexual abuse. He argued that Sossaimna had been falsely accused of various misdeeds absent any proof. Counsel for Sebastian refuted same, arguing that Dr. Finn, the GAL and Mr. Jones, as well as various therapists the GAL testified to during the trial, all in fact confirmed the allegations that Sossamma had coached R.S. Interestingly, counsel for Sossamma did not make any mention of Sossamma repeatedly trying to keep Sebastian away from the children, and instead argued for a 50-50 parenting split. It should also be noted that Sossamma testified that everyone but her was lying regarding their testimony and/or reports-Dr. Finn, GAL Barone, Sebastian, Mr. Jones of DCFS.

25. It is in the minor children's best interest that the allocation of parenting time and parental responsibilities be resolved at this time.

H. In deciding the best interests of the children for purposes of allocating significant decision-making responsibilities, the Court considered all relevant factors set forth under 750 ILCS 5/602.5(c) including, but not limited to, the following:

(1) R.S. indicated in her email of April 24, 2024, that she wants to return home to her mother. There was no testimony as to A.S.'s wishes.

(2) The minor children are well-adjusted to the temporary parenting time arrangement in place since November 17, 2023. Both children are doing well as testified to by Sebastin and the GAL. Both are excelling at school. R.S. has not had any suicidal ideation since being placed with Sebastin and has not been in any sort of inpatient facility since January 2024.

(3) A.S. is a healthy, well-adjusted young boy. R.S. has the issues described above but there is no testimony regarding any physical impairments. R.S. has not had any suicidal ideation since being placed with Sebastin and has not been in any sort of inpatient facility since January 2024. The GAL testified, as did Dr. Finn, that Sossamma is not a fit person to make decisions on behalf of the children, as detailed above, and that Sebastin has no impairment to his decision-making abilities.

(4) The parties have demonstrated little ability to cooperate to make decisions. The GAL testified that the parties disagree on every decision and only come to agreement after heavy negotiating. Sossanuna exhibits no ability or willingness to discuss decisions with Sebastin, although Sebastin testified he would accept joint decision-making. There is a huge level of conflict between the parties, arising from

the unfounded allegations of Sebastin's sexual abuse and alcoholism and Sossamma's attempts to keep Sebastin away from the children.

(5) Both parents testified that they were primary caretakers of the children. Early on in the marriage, Sossamma worked full-time, and Sebastin did not, so he took care of R.S. Sebastin has been eating for A.S. at least 50% of the time since October 2022 and has been the sole parent caring for both children since November 17, 2023.

(6) The parties have operated under a temporary parenting schedule for A.S. since October of 2022 and a court-ordered temporary parenting schedule for both children since November 17, 2023. Sossamma has refused to obtain court-ordered therapy and thus, at her own volition, has not participated in any parenting time for the children since November 17, 2023. Sossamma testified she had not even called Dr. Chinni to speak with her or give her the benefit of the doubt, but decided she would refuse to speak to or see her as she did not believe Dr. Finn was accurate in his assessment of her. It is noteworthy that she has not sought any alternative therapists besides Dr. Kohut whom she has seen for over two years.

(7) It is clear from the testimony and evidence that both Sossamma and Sebastin seek sole decision making. Alternatively, Sebastin testified that he would accept joint decision making. Sossamma has exhibited no ability or willingness to discuss decisions with Sebastin. For example, after R.S. 's suicide attempt, Sossamma chose a therapist without Sebastin's input. Further, during R.S. 's early hospitalizations,

Sossamma restricted Sebastin's access to R.S. and limited information medical staff was pennitted to release to Sebastin.

(8) The children both need love and affection from the parents. Sossamma, based on her behavior, is not capable of fulfilling the children's needs over her own. As demonstrated time and time again, Sossamma furthered the false narrative of Sebastin as an alcoholic and sexual offender.

(9) The parties live close to each other, so distance is not a factor.

(10) The Court finds that section 603.10 restrictions are absolutely necessary. The preponderance of the evidence strongly supports a restriction on decision making pursuant to 750 ILCS 5/603.10. During the course of this proceeding, Sossamma has engaged in gate-keeping and refused to allow Sebastin access to his own child's medical records; kept R.S. in a perpetual state of illness; bribed A.S. with expensive gifts so A.S. would not want to go to his father's house; told A.S. he" ... would go to hell... " if he went to India without his family... "; made R.S. watch videos of Sebastin in the family basement drinking alcohol while watching TV; perpetrated the false allegation that Sebastin had sexually abused R.S.; and repeatedly made poor decisions regarding R.S.'s care, including lying to Rogers PHP that Sebastin had a no contact order in place. The Court found in December of 2022 that Sossaimna had seriously endangered R.S.'s physical and emotional well-being, and gave sole medical decision- making for R.S. to Sebastin, following a two-day hearing. Sossamma continues to seriously endanger both children's emotional well-being and thus should not have any decision-making responsibilities of any kind.

(11) Sossamma has demonstrated NO willingness to facilitate and encourage a close relationship between Sebastin and the children and instead has gone out of her way to completely prevent any relationship. In her first pleading, a response to the Petition for Dissolution, she stated he should have restricted parenting time. She asked Mr. Jones from DCFS to do what the court would not and restrict access to both children. Sossamma told GAL Barone she wanted Sebastin to have no contact with R.S. at all and supervised visitation with A.S and asked the GAL to describe in detail how to prove serious endangerment. It should be noted that Sossamma denied both these statements to Ms. Barone and Mr. Jones when she testified at trial. By contrast, Sebastin has requested joint decision making, despite everything Sossamma has done to his children and to him.

(12) No physical violence by either parent has occurred, including no credible evidence of sexual abuse.

(13) There is no evidence of sexual abuse or another form of abuse by Sebastin against the children. Sossamma, on the other hand, pursuant to Dr. Finn and the GAL's testimony, has endangered the children, abused them psychologically and emotionally, and continues to abuse them by refusing to follow court orders to see a therapist to reintegrate herself into the children's lives, encouraging R.S. to write emails to the court and sending A.S. letters regarding putting his clothes on his

much-loved dog. (14) Neither parent is a sex offender. (15) The Court finds it is in the best interests of the minor children to keep the children together and on the same parenting schedule.

(16) The Court expressly finds Sossamma has gone out of her way to marginalize Sebastin, keep him away from his children, and damage the children by encouraging false narratives, and bribing A.S. with gifts. The Court is very concerned that Sossamma has not seen her children since November 17, 2023, and yet, despite the Court's clear path for her to see the children again, has done absolutely nothing to make that happen., not to mention violating the Court's order of November 17, 2023 which requires her to have 26 sessions with Dr. Chinni. Gal Barone testified that when she urged Sossamma to begin her treatment with Dr. Chinni, Sossamma suggested she speak to her new attorney and refused to commit to going.

ALLOCATION OF SIGNIFICANT DECISION-MAKING RESPONSIBILITIES

1.1 Routine Daily Decisions. Each parent shall have authority and responsibility for making routine decisions with respect to the children and for emergency decisions affecting the children's health and safety during that parent's parenting time pursuant to 720 ILCS 5/602.5(d). This section shall not apply to Sossamma until her parenting time resumes.

1.2 Significant Decision-Making Responsibilities. For purposes of this Judgment, the term "significant decisions" shall be defined to include, without limitation:

- (a) Decisions pertaining to R.S. and A.S. 's education, including the choice of schools and tutors.
- (b) Decisions pertaining to R.S. and A.S.'s health, including all decisions relating to the medical, dental, orthodontic, optical, and psychological

needs of the minor children and to the treatments arising or resulting from those needs.

- (c) Decisions pertaining to R.S. and A.S.'s religion; and
- (d) Decisions pertaining to R.S. and A.S.'s extracurricular activities and lessons.

1.3 Education through High School. Sebastian shall have sole-decision making over educational decisions for R.S. and A.S. Sebastin's home address shall be the children's residential address for school enrollment pursuant to 750 ILCS 5/602.

10(f)(6). When a major decision regarding education needs to be made, the parties shall follow this protocol:

- (a). The parties shall submit their proposal to the other parent via Our Family Wizard (OFW).
- (b). The parent receiving the proposal shall conduct their investigation and respond within 10 days thereafter, on OFW.
- (c). If no response is received (approval, rejection, or counter proposal) within 10 days, then approval shall be assumed.
- (d). After thoughtful consideration, investigation, and communication, if an agreement cannot be reached, Sebastin shall be able to make the decision. Sebastin shall have the affirmative obligation to consult with Sossanuna and consider her input prior to making any such decision, as outlined above.

1.4 Parental Involvement - Education. The Court finds that parental involvement in the educational process is critical to and in the minor children's best interest. However, as discussed previously, the Court has concerns regarding

Sossamma's judgment and thus has limited her involvement and access to various educational records. Accordingly:

- (a). Until further order of the Court or directive from the Parenting Coordinator, Sossamma may not pick up the children from school, nor initiate communication in any way with the school.
- (b). Until further order of the Court or directive from the Parenting Coordinator, Sossamma shall not have the right to visit the minor children's school, to consult with their teachers and administrators, to participate in parent teacher conferences, to attend any school functions before during or after school, and to take active part in the minor children's educational process.
- (c). Until further order of the Court or directive from the Parenting Coordinator, Sossamma shall not be entitled to duplicate originals of the minor children's school records (including but not limited to grade reports). Once she is entitled to said reports, and in the event the minor children's school will not cooperate in this regard, or the minor children are sent home with notes or other materials from any teacher or other school personnel related to the minor children or school activities, then the party first receiving such notes or other materials shall provide these materials to the other parent within two (2) days of his or her receipt of same, except in the case of an emergency (i.e., the event to which the notice refers occurs within said two-day period).
- (d). Until further order of the Court or directive from the Parenting Coordinator, Sossamma shall not have access to obtain information through the on-line school information system and school email lists.

- (e). Both parents shall be listed on the school's "Emergency List" and shall be notified by the school in the event of an emergency involving minor children.
- (f). The Court will revisit Sossamma's involvement in the children's educational process once she complies with the Court's November 17, 2023 order. The Court also notes that there is currently a Plenary Order of Protection in effect under 23 OP 2596 ,which further prohibits Sossamma from having access to said records. The Student Records Act 105 ILCS 10/1 et seq states in section 5(a) that "No person who is prohibited by an entry of an order of protection from inspecting or obtaining school records of a student pursuant to the Domestic Violence Act of 1986 (750 ILCS 60/101 et seq) as now or hereafter amended, shall have any right of access to, or inspection of, the school records of that student." Pursuant to the Mental Health and Developmental Disabilities Confidentiality Act 740 ILCS 110/1 et seq states in section 4(a) (3) a parent who is denied access may petition a court for access to the record. Further, "Nothing in this paragraph is intended to prohibit the parent or guardian of a recipient who is at least 12 but under 18 years from requesting and receiving the following information: current physical and mental condition, diagnosis, treatment needs, services provided, and services needed including medication if any." In re the Marriage of Wendy, 2022 Ill.App. (1st) 201000 states nothing in the Student Records Act or the Confidentiality Act allows a court to deny a parent under section 4(a)(3) of the Confidentiality Act access to nonprivileged school records of a minor child, even if that child objects to the parent's request. The Court finds that grades, grade level, academic assessments and similar information

do not constitute confidential records, even if that child attends a therapeutic day school, which is not the case here. The Court may conduct an in camera review to ensure that the school records do not contain any privileged information beyond the limited information regarding the child's current physical and mental conditions, diagnosis, treatment needs, services provided and services needed. Thus, Sossaimna is entitled to petition the court to view and have access to all non confidential information and upon such petition, the Court will conduct an in camera inspection of said records to determine what is non confidential.

1.5 Religion. Sebastin shall have sole decision-making regarding religion. When a major decision regarding religion of the minor children needs to be made, the parties shall follow this protocol:

(a). The parties shall submit their proposal to the other parent, via Our Family Wizard (OFW).

(b). The parents receiving the proposal shall conduct their investigation and respond within 10 days thereafter, on OFW.

(c). If no response is received (approval, rejection, or counter proposal) within 10 days, then approval shall be assumed.

(d). After thoughtful consideration, investigation, and communication, if an agreement cannot be reached, Sebastin shall be able to make the decision. Sebastin shall have the affirmative obligation to consult with Sossanuna and consider her input prior to making any such decision, as outlined above.

1.6 Extracurricular Activities and Lessons. Sebastin shall have sole decision-making authority regarding extra-curricular activities for the children. Sebastin shall have an affirmative obligation to consult with Sossaimna and consider her input prior to making any such decisions, subject to the following terms and conditions:

(a) Payment for Lessons and Extracurricular Activities. The issue of allocation of payment for the minor children's lessons and extracurricular activities shall be addressed in separate Court Order as it relates to child support and other financial needs of the minor children.

(b) Consideration of Minor Child's Aptitudes and Preferences. The parties agree that each party will give substantial weight and consideration to the minor children's aptitude and express specific preference in the selection of any extracurricular activities, whether individual, group, or team.

(c) Scheduling.

(i) Individual Lessons and Activities: Sebastin shall have the sole decision-making authority to schedule individual lessons and extracurricular activities and events for the minor children, subject to the following:

a. Each parent shall ensure that the minor children attend their individual lessons and extracurricular activities and events during his/her parenting time.

b. Neither parent shall schedule any individual lesson or activity for the minor children during the other parent's parenting time, once Sossamma has parenting

time, without the prior approval of that parent on OFW. Said approval shall not be unreasonably withheld. A parent refusing to agree to an activity, lesson or camp simply because it falls on his/her time and impacts their parenting time is inherently unreasonable. The Court recognizes that by their very nature, activities, lessons and/or camp may occur during both parent's parenting time, and acknowledges the benefits of children participating in said activities, lessons and/or camp.

c. Neither parent shall sign the children up for ANY extracurricular activity, lesson or camp PRIOR to informing the other parent at least 48 hours BEFORE bringing that child to an activity unless the parties agree in writing. If the parties cannot agree, Sebastin shall still inform Sossamma PRIOR to signing the children up for ANY activity.

d. Once Sossamma resumes her parenting time, neither parent shall attempt to nor shall bribe, manipulate, or persuade the children not to do a particular activity.

(d) Notification.

(i) Each parent shall apprise the other parent of the name(s) and telephone number(s) of the minor children's instructors, coaches, and other pertinent information on within 48 hours of receiving such information on Our Family Wizard (OFW). Both parents shall advise the other at least sixty (60) days written notice of any change in their residence or employment, as well keep the other informed of telephone numbers, home and business

addresses as well as current email addresses. If either parent travels out of town overnight or longer, that parent shall notify the other parent of the destination and provide a telephone number where he/she can be reached.

(ii) Thereafter, Sossamma shall not be able to contact the instructors, counselors, and others regarding the minor children's lessons and extracurricular activities until further order of the Court or directive from the Parenting Coordinator.

(iii) Sossamma shall not be entitled to duplicate schedules and notifications regarding the minor children's lessons and extracurricular activities until further order of the Court or directive from the Parenting Coordinator. In the event that duplicates are not available, then the parent in receipt of such schedule or other notification shall timely provide these materials to the other parent (i.e., within two (2) days of his/her receipt of same).

(iv) Sossamma shall familiarize herself with the minor children's lessons and extracurricular activities by discussing the same with Sebastin and not with the minor children.

(e) Attendance/Contact with Instructors and Coaches.

(i) Sossamma is not allowed to attend any and all of the minor children's activities and lessons and to independently contact nor confer with any of the minor children's instructors and coaches until further order of the Court or directive from the Parenting Coordinator.

(ii) Sossamma is not allowed to attend any and all practices, games, or other events relating to the minor children's extracurricular activities until further order of the Court or directive from the Parenting Coordinator. Once she is given permission to attend, at all such activities, both parents shall exercise their best efforts to maximize the minor children's comfort, as appropriate, by maintaining a respectful distance between each other and the other parent's significant other or current spouse.

(f) Other Provisions.

(i) Both parents shall be listed on each activity's "Emergency List," if any, and shall be notified in the event of an emergency involving the minor children or either parent, as soon as reasonably possible. Sossamma may not contact the coach or supervisor of the activity and may only contact Sebastin if she receives an emergency call. Once her parenting time resumes, then she has the right to independently contact coaches and other participants in extracurricular activities.

(ii) Both parents' email addresses, residential addresses, and telephone numbers shall be listed in each activity's telephone directory, if any.

(iii) All activities shall be posted on OFW as soon as practical.

1.7 Medical and Health Related Issues. The children are currently covered by insurance. Sebastin shall have sole decision making regarding any and all medical decisions for the children including, but not limited to, psychiatric, therapeutic, psychological, medical, dental and vision. If the parties cannot insure the minor

children through their respective employers/employment/self-employment, they must jointly provide insurance for the minor children by other means, and their expenses for same shall be allocated by a separate order. If a major decision regarding medical/dental/optical for the minor children needs to be made, the parties shall follow this protocol:

- (a). The parties shall submit their proposal to the other parent, via OFW.
- (b). The parent receiving the proposal shall conduct their investigation and respond within 10 days thereafter, on OFW.
- (c). If no response is received (approval, rejection, or counter proposal) within 10 days, then approval shall be assumed.
- (d). After thoughtful consideration, investigation, and communication, if an agreement cannot be reached, Sebastin shall be able to make the decision. Sebastin shall have the affirmative obligation to consult with Sossamma and consider his input prior to making any such decision, as outlined above.
- (e). In regard to mental health services for children, Sebastin shall inform Sossamma of the services, duration and cost.
- (f). Conduct of Parties. The parties shall conduct themselves in a manner which promotes the cooperation and involvement of the other party on any matters which concern the minor children's medical health or other care, bearing in mind that the cooperation and involvement of both parties on issues regarding such care is in the minor children's best interest. Sebastian must keep Sossamma informed of daily activities, medical issues and school progress of the children through OFW.

(g). Choice of Care Providers. The minor children shall continue to be treated by his/her current care providers. In the event his/her current care providers are no longer available to provide services or are no longer covered by the medical insurance plan under which the minor children are covered, then the minor children shall be treated by care providers who practice as part of or are otherwise affiliated with the medical insurance plan under which the minor children are covered.

Sebastin shall identify and select such provider, if an agreement cannot be reached pursuant to the protocol outlined in 1.6 above, and Sebastin shall give such contact information of the provider to Sossamma via OFW, within 48 hours of such selection.

(h). Access to Health Care Providers and Medical and Dental Records. Sossamma shall have no access to the minor children's health care providers and medical and dental records until further order of the Court or directive from the Parenting Coordinator. The Court will review Sossamma's access and ability to review records once she complies with the Court's November 17, 2023 order. Pursuant to Section 4(a)(3) of the Confidentiality Act, as further described in Section 1.4 (f), Sossamma may petition the Court for access to non-confidential medical, dental and mental health records and the Court will conduct an in camera inspection of said records to determine what is non confidential.

(i). Notification of Injury or Illness. Sebastin shall immediately notify Sossamma of any injury to or illness of the minor children that requires care except for routine

medical attention. Once Sossamma's parenting time resumes, this provision shall apply to her as well.

G). For elective procedures such as, but not limited to, orthodontics, plastic surgery and other non-routine medical procedures, each parent is entitled to a second opinion at their own expense. Said second opinion specialist must consult with the pediatrician. A party requesting an elective procedure shall post the same on OFW, and the other parent has 24 hours to respond. If the second parent wishes to obtain a second opinion, they must schedule said appointment within the next 72 hours meaning to set up, not necessarily have to occur within 72 hours. The parent obtaining the second opinion must submit the same in writing to the requesting parent within 5 days of obtaining the second opinion. Sebastin shall then make the final decision. If Sossamma disagrees, she may file a plea in court, but if she loses, she must pay Sebastin's attorney fees. Sossamma is may not attend any medical, dental, optical, orthodonture, psychological and psychiatric appointments until further order of the Court or directive from the Parenting Coordinator. Both parties shall behave with decorum at said doctor's visits, and neither party may withhold the children from greeting or going to the other parent during said visit once Sossamma's parenting time resumes.

(k). Therapy/Counseling for Children.

(1) The parties acknowledge that both children are in need of therapy.

(2) The parties shall cooperate with the minor children's mental health professional and meet with such professional as such professional may request. This

provision shall not apply to Sossamma until her parenting time is resumed and the Parenting Coordinator approves.

(3) The parties agree and acknowledge that the minor children shall have a confidential relationship with any treating counselor or therapist, none of whom shall be named as a witness or asked to participate in any way in connection with any litigation, pending or future, between the parties. Nothing contained herein is intended or shall be construed to prohibit a therapist or counselor from speaking with any person who may be appointed to represent the minor child in any court litigation relating to the minor child's care, custody or related matters.

(I). Medical, Dental, and Mental Health Appointments.

(1) Sebastin shall arrange for all routine medical, dental, optical, and other health care appointments for the minor children.

(2) Routine appointments (i.e., wellness appointments, including but not limited to vaccinations, check-ups, immunizations, bi-annual dental cleanings and check-ups, routine orthodontic appointments, and other non-emergencies) shall be scheduled at the earliest convenient date by Sebastin who shall notify Sossamma within 48 hours of making such appointment on OFW.

(3) Once Sossamma has regained her parenting time and the Parenting Coordinator approves, non-routine appointments and procedures (including appointments for treatments and testing) for the minor children which can be scheduled shall be scheduled at a time and date when both parties can attend.

Subject to the availability of the care provider(s), Sebastin shall schedule all non-

routine medical, dental, mental health, orthodontic, ophthalmological and optometric appointments and notify Sossamma within 48 hours of making such an appointment.

(4) Once Sossamma is permitted to attend medical appointments, then during all medical appointments, the parties agree to conduct themselves with the utmost decorum and discretion.

(m). Major Medical Procedures.

(1) Emergency medical procedures deemed necessary for the preservation of the minor children's life or for the prevention of a further serious injury or illness may be authorized by the parent who is in physical possession of the minor children at the time, provided that all reasonable efforts shall be made to inform the other parent as soon as reasonably possible, once Sossamma resumes her parenting time. Until then only Sebastin shall authorize emergency medical procedures.

(2) Elective major medical procedures shall be performed with Sebastin's consent in accordance with the advice and recommendation(s) of the minor children's physician, pediatrician, or other medical provider(s).

(3) Each party reserves the right to timely obtain a second opinion in connection with the minor children's medical and dental care. Upon reasonable notice, the parties shall cooperate in making the minor children available with regard to same. Until Sossamma resumes her parenting time, only Sebastin may bring the children to said appointments with a second opinion provider.

(n). Prescriptions. Until further order of the Court or directive from the Parenting Coordinator, Sossamma has no parenting time with the children and thus no involvement in administering medications. Upon directive from the Parenting Coordinator or further order from the Court, each party shall provide the other with any medically prescribed instructions for care and medications which the minor children may take at the time of the transfer of physical possession, and with sufficient information to allow the parent assuming such possession to continue any such instructions for care and to obtain refills of that medication. During his/her time with the minor children, each party shall strictly follow the advice and direction of the minor children's pediatrician(s), physician(s), and other medical providers, including but not limited to insuring that the minor children take any and all prescribed medications with strict adherence to recommended times and dosages.

(o). Parenting Time When the Minor Child is Ill. Recognizing the importance of maximizing the minor children's comfort and the value of each parent's care of the minor children,

(1) In the event that the minor children are hospitalized for any reason, only Sebastin shall have access to and be able to visit with the minor children until further order of the Court or directive from the Parenting Coordinator. The parents shall exercise their best efforts to arrange for each parent to spend time alone with the minor children during such occasions.

(2) Unless the parties otherwise agree, routine illness (i.e., colds, sniffles, etc.) shall not be deemed sufficient cause to interrupt the parenting schedule set forth herein. However, the parties agree to be sensible and sensitive to a minor children's comfort when the minor children are suffering or recuperating from illnesses that require bed rest (i.e., flu, temperatures of 101 degrees or more).

1.8 Obligation to Notify: Communication.

(a). The Our Family Wizard (OFW) website shall be the preferred method of communication between the parties. Each party has an affirmative obligation to log into OFW daily. Neither party shall allow the children to access the program.

(b). Each party is under a continuing affirmative obligation to provide the other party with any update(s) or changes to his/her email addresses, telephone numbers, and home address.

(c). In case of an emergency, the parties will telephone call or text each other.

1.9 Telephone/Electronic Access.

(a). Until further order of the Court or directive from the Parenting Coordinator, Sossamma shall have no reasonable telephone, text, e-mail or other electronic access to the minor children, other than as specified in the November 17, 2023, order which outlines the procedure for Sossamma to write letters to the children and the approval process required. The minor children shall be allowed to write letters to Sossamma, but shall not have any other communication, via all telephone, text, e-mail or other electronic access until further order of Court. The Court notes

again that pursuant to the November 17, 2023, order, the Court fully expected Sossamma would have completed her 26 therapy sessions and have some time with the children, however she has not yet begun said process. Sossamma testified at trial that she had not and would not attend sessions with Dr. Chinni as she does not have Munchhausen by Proxy and the GAL testified, she tried unsuccessfully to encourage Sossamma to attend said court ordered sessions as have Mr. Douglas, Mr. Bell and Mr. Farooqi, three of her 8 attorneys.

(b). Each parent shall have voicemail and, if either parent leaves a message for the children, the parent receiving the message shall inform the minor children of the call and shall encourage the children to promptly respond to the other parent's call.

(c). Once Sossamma's parenting time resumes and with the approval of the Parenting Coordinator, each parent, during the other parent's parenting time, shall be entitled to at least one daily phone call of no less than 15 minutes and no more than 30 minutes. Being busy or getting ready for bed or doing homework are NOT excuses to skip daily phone calls. Unless the parties agree otherwise in writing on OFW, said phone calls shall occur between 6:30 and 7 pm. Should a parent fail to facilitate a phone call, the other parent may file a pleading for rule to show cause, and if granted, the parent who did not facilitate the phone call shall pay the parent filing the pleading attorney's fees.

1.10 Attendance at Social Functions; Gifts. Once Sossamma's parenting time resumes, when the minor children are invited to attend a social function (e.g., the birthday party of a classmate, etc.), the parent having the minor children on the day

of the function shall be responsible for taking the steps necessary to have the children attend such a function (including purchasing and wrapping a gift, arranging for transportation, etc.) unless the parties otherwise agree. Each party shall provide the other reasonable notice through OFW of upcoming social functions as soon as he or she receives notification so that each party knows in advance of any such function and is not surprised on the day of the function.

2.0 ALLOCATION OF PARENTING TIME

I. Pursuant to 750 ILCS 5/602.7 as well as 603.10, the Court shall allocate parenting time according to the best interests of the children. Restrictions pursuant to 603.10 are necessary and appropriate in this matter as the Court finds by a preponderance of the evidence that parenting time with Sossamma will seriously endanger the children's physical, emotional, mental and emotional health as described in detail above. Sebastin is designated as the parent with the majority of the parenting time with the minor children for the purposes of 750 ILCS 5/606.10.

J. In determining the children's best interests for purposes of allocating parenting time, the court considered all relevant factors as listed in 750 ILCS 5/602.7 and otherwise including, without limitation, the following.

(1) Sossamma wants Sebastin to have no time with R.S. and has been testified to multiple times during the trial, supervised and no overnight parenting time with A.S. although she did testify she wanted non supervised parenting time with A.S. at trial. Her counsel argued during closing arguments that she wanted a 50-50 parenting schedule, which is the very first time she has ever advocated for same for

both children during the pendency of this case. Sebastin testified at this point that Sossamma should not have any parenting time until she obtains therapy as ordered by the Court on November 17, 2023, which Sossamma has yet to begin.

(2) Both children miss their mother.

(3) During the 24 months preceding the filing of the Petition for Dissolution in July of 2020, both parents performed caretaking functions for R.S. and A.S. After the filing of the Petition for Dissolution in July of 2020, both parents continued caretaking functions for A.S. until November 2023. Caretaking functions for R.S. continued from both parents until September 2022 when Sossamma assumed sole caretaking responsibilities for R.S. based on her furthering the false narrative that Sebastin had sexually abused R.S. Since November of 2023, Sebastin has been the sole caretaker of both A.S. and R.S.

(4) There was a temporary parenting plan in place regarding A.S. since October 11, 2022, and a plan for Sossamma to resume seeing the children ordered on November 17, 2023, which she has failed to accomplish. The Court also notes that the November 17, 2023 order requires her to see Dr. Chinni which she not only has failed to even initiate, but told the GAL she would not do, in violation of the Court's order

(5) The children are bonded to each other. A.S. is bonded to both parents. R.S. is living exclusively with Sebastin and has been so since November 17, 2023. R.S. is bonded to her Mother.

(6) Both children are excelling at school and have adjusted to living exclusively at Sebastin's house.

(7) Dr. Finn testified to Sossamma's potential diagnosis of Munchhausen by Proxy and the serious engagement her behavior caused to her children. The Court finds it readily apparent that Sossamma is in fact a serious danger to her children , mental health treatment, which she refuses to obtain in violation of this Court's November 17, 2023 order. It should be noted that Sossama has been seeing Dr. Lisa Kohut for some time, but not in conjunction with this Court's November 17, 2023, order.

(8) Both children need to be safe, happy and well-adjusted and neither can be with Sossamma in her current mental state.

(9) The parties live close to each other, distance is not a factor.

(10) Restriction on parenting time pursuant to 603.10 is absolutely necessary for all the reasons stated above. There was overwhelming testimony from Dr. Finn and the GAL that Sossamma has endangered and abused the children and continues to do so as seen by the email from R.S. on April 23, 2024, clearly prompted by Sossamma through her niece Juanna and the alleged wellness check at Libertyville High School on May 1, 2024 by a non-existent person.

(11) No allegation of physical violence against either parent.

(12) Sossamma has made NO attempts, despite the clear direction in the Cami's November 17, 2023, order, to begin the therapeutic process to see her children. She constantly told R.S. that Sebastin was a bad person, an alcoholic and a sexual

predator, thus placing her own anger and hurt at him regarding the divorce over the needs of children. Sebastin, on the other hand, has repeatedly asked for joint decision making and 50-50 parenting time, thus placing his children's needs for both parents ahead of his own needs.

(13) Despite all that Sossamma has done, Sebastin still attempts to facilitate a relationship with Sossamma and the children. On the other hand, Sossamma has gone out of her way to destroy any relationship Sebastin has with the children, including asking the GAL for ways to have supervised parenting time, calling Mr. Jones from DCFS and asking him " ... to do what the Courts will not. .."and order no contact, to in the very first pleading in this case, her Response to the Petition for Dissolution of Marriage, asking for restricted parenting time. Sossamma has painted Sebastin as a sexual predator and an alcoholic, has encouraged such thoughts in R.S., has allowed R.S. to watch videos of Sebastin drinking in the basement of the marital resident, has apologized to R.S. when DCFS unfounded the allegations and the VSI indicates no charges were to be brought, and has done everything in her power to keep Sebastin away from his children.

(14) To reiterate, the Court finds Sossamma has consistently abused, and continues to do so, the children by feeding R.S. lies about her father, bribing A.S. to want to stay at her house and keeping R.S. in a perpetual state of mental health illness for well over a year.

(15) Neither parent is a convicted sex offender.

(16) Neither parent is in the military.

(17) As discussed at length above, the Court finds Sossamma has lied to the Court, lied to the children, refused to follow court orders, and has abused her children for well over a year by encouraging and furthering a false narrative that Sebastin is a sexual predator.

PARENTING TIME

2.1 Routine Parenting Schedule during the school year. Sossamma shall have no parenting time of any kind until she complies with the Court's November 17, 2023 order (attached as Exhibit A) which requires her to attend 26 sessions with Dr. Chinni. Once she has done so, the parties may agree on a parenting schedule or return to Court. The Court finds that based on the animosity and tension and conflict between the parties, mediation would not be successful. Once parenting time resumes, the parent starting their parenting time shall pick up the children, and at the conclusion of said parenting time, the parent who is receiving the children will pick up the children. As long as a Plenary Order of Protection is in place, exchanges will occur at a public place with cameras, such as a McDonald's, but not at a police station.

2.2 Holiday Parenting Time. Holiday parenting time shall be allocated entirely to Sebastin until such time as Sossamma complies with the Court's November 17, 2023 order and resumes her parenting time. Thereafter, it is the intention of the Court for the parties to alternate holidays as follows;

Holiday	Odd Years	Even Year	Every Year
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New Year's Day FATHER MOTHER

12/31 at 11am to 1/1 at 11am

Easter Sunday FATHER MOTHER

Sunday at 11am to Monday At 11am

Mother's Day MOTHER

Sunday 11am to Monday At 11am

Memorial Day MOTHER FATHER

Monday from 8:30am Until Tuesday at 8:30am

Father's Day FATHER

Sunday at 11am to Monday At 11am

Fourth of July FATHER MOTHER

7/4 9:00AM until 7/5 9:00AM

Labor Day MOTHER FATHER

Monday from 8:30am Until Tuesday at 8:30am

Halloween FATHER MOTHER

(for Trick-o-Treat) 10/31 at 3pm until 11/1 At 8:30am

Thanksgiving Day MOTHER FATHER

11 am until Friday at 8:30am

Christmas Eve MOTHER

12/23 at 7pm until 12/24 At 7pm

Christmas Day FATHER

12/24 AT 7PM until 12/25 at 7pm

Children's Birthdays: Sebastin shall have all parenting time on the children's birthdays until Sossamma complies with the Court's November 17, 2023 order and her parenting time resumes. Thereafter, the parties shall alternate with Sebastin having R.S. in even years and A.S. in odd years. Sossamma shall have R.S. in odd years and A.S. in even years once her parenting time resumes. A birthday shall be defined as 8:30am until 8:30am the next day.

A. Unless the parties agree otherwise, all holidays will supersede regular parenting time and vacation.

B. Unless the parties agree otherwise, the normal transportation provisions will apply.

C. The Court acknowledges that once Sossamma's parenting time resumes, there may be a transition period and a step up schedule as directed by the children's therapists, in consultation with Sebastin and the PC, and the possibility of beginning parenting time at the Family Visitation Center (FVC). It is the Court's intention to ultimately have a 50-50 parenting schedule based on recommendations from the therapists, the PC, the wishes of the children and the parties, i.e. one parent having the children from Monday morning until Wednesday morning, the other parent having the children from Wednesday morning until Friday morning and alternating weekends including Sunday overnights, or in the alternative, a week on week off schedule. The Court acknowledges, that pursuant to Supreme Court Rule 909 (g) (2) a PC may not make recommendations as to an initial allocation of parenting time, and thus once parenting time resumes initially, the schedule will be determined by the children's therapists.

2.3 School Breaks (not summer). Sebastin shall have all the school breaks until Sossamma complies with the Court's November 17, 2023 order and her parenting time resumes. Once these things occur, then the parties shall equally share Winter Break from school and Sebastin shall have the first half in even years and the second half in odd years. Sossamma shall have the second half in even years and the first half in odd years. Once Sossaimna's parenting time resumes the parties shall alternate Spring Breaks with Sebastin to receive odd years and Sossamma to receive even years. Spring Breaks shall be defined as the Monday to Friday and shall attach to the weekend either prior or after, depending on whose year it is.

2.4 Order of priority. Holiday time supersedes vacation and regular parenting time. Vacation time supersedes regular parenting time.

2.5 Vacation Parenting Time. Beginning the summer of 2025, and assuming Sossamma complies with the Court's November 17, 2023 order and her parenting time has resumed, each parent shall have three (3) weeks of vacation parenting time. If Sossanuna has not complied with the Court's November 17, 2023 order, she shall not have any summer vacation or parenting time. Vacations may include staycations, where time is spent locally and not out of town. The parties shall provide to one another the schedule for their yearly vacation by April 1 of each year. Sebastin shall have first choice of the weeks in even numbered years. Sossaimna shall have first choice of the weeks in odd numbered years once her parenting time resumes. Should a party not provide the either their choices by April 1, and it is their year for first choice of dates they forfeit that right-not the vacation time-and the other parent gets first choice of dates. This section does not mean the parties need pennission from the other parent for their vacation days.

Once the parties can take two weeks at a time neither party is entitled to make up time of parenting time missed. Each party shall provide the other party with the name and address of the destination, an itinerary and a telephone number at which the minor child can be reached. Each party shall allow the other paiiy reasonable telephone access with the minor child during any vacation time, defined as daily phone calls. A parent may travel with the minor children for vacation purposes outside of the State of Illinois and the territorial boundaries of the United States of

America. The minor children shall not travel outside of the territorial boundaries of the United States of America without written consent of Sebastin which he shall not unreasonably withhold. Both parties agree that they shall cooperate in applying for or renewing the minor children's passport. The parties further agree they shall equally share the cost of applying for or renewing the minor children's passports. Sebastin shall retain the minor children's passp01is during any periods of time when the minor children are not traveling. Sebastin shall provide Sossamma with the passport at least three (3) days p1ior to any scheduled traveling period in which a passport is needed. Sossamma shall return the passport to Sebastin within three (3) days of his return from travel with the minor children when the passport was taken. Each party must provide the other on OFW all pertinent infonnation regarding the vacation at least two weeks before including but not limited to, address, phone number, and identity of people attending said trip, flight/train/bus number, times and airline/train companies for all legs of the trip. Failure to provide an itinerary prior to travel shall result in the inability to travel. Both parties have family in India and both have taken the children to India and it is anticipated they may do so again. Each parent will provide either or both land line or cell phone to reach the children when the other parent is on vacation.

2.6 Right of First Refusal. There shall be no 1ight of first refusal at any time, even when Sossamma's parenting time resumes, due to the high conflict between the parties.

2.7 Special Occurrence. It is anticipated that upon certain occasions pertaining to the parties' families, including but not limited to weddings, births, deaths, graduations, anniversaries, performances, special events, religious ceremonies and the like ("Special Occurrence"), the parenting schedule may need to be temporarily modified if the parties agree in advance. The parties acknowledge that it is in the minor children's best interests to attend such a Special Occurrence and except in the case of an existing and unavoidable scheduling conflict Sebastin shall allow the minor children to attend such Special Occurrence, once Sossamma's parenting time resumes and the Parenting Coordinator approves. The parties will make their best efforts to accommodate one another's request to attend said special occurrences and shall not unreasonably withhold their agreement. Make-up time shall be scheduled for the missed time within 14 days of the missed time. In no event unless agreed to by the parties in writing via OFW, shall the children attend more than two special occurrences in any given month. 111e special occurrence shall NOT be discussed with the children until it is agreed to by Sebastin. If it is not agreed to, Sossamma shall not discuss the reasons for the non-attendance with the children.

2.8 Mediation. 111e Court notes that mediation is required pursuant to local court rules unless the Court finds it would not be appropriate. Based on all of the above, the high level of conflict between the parties, the fact that Sebastin has sole decision-making, as well as the alienation Sossamma has caused between R.S. and Sebastin, the Court is not requiring mediation prior to filing pleadings in court. This does not prohibit the parties from engaging in mediation should they so choose.

3.0 CUSTODIAL DESIGNATION FOR PURPOSES OF OTHER STATUTES

3.1 In the event that any state or federal statute requires the designation of a custodian or determination of custody, Sebastin shall be designated the parent who is allocated the majority of parenting time. This designation shall not affect the parties' rights and responsibilities under this Agreement.

4.0 CHANGE OF ADDRESS; RELOCATION

4.1 Change of Address. In the event that either party changes their residential address, the moving party shall notify the other party on OFW at least thirty (30) days prior to such move. If thirty (30) days' notice is not possible, then such notice shall be made at the earliest practicable date. The notice shall include the intended date of the change of residence and the address of the new residence.

4.2 Relocation. If Sebastin wishes to change the minor child's residence from their current primary residence to a residence that is more than twenty-five (25) miles away from their current residence, he may do so by leave of court or by written stipulation of the parties, pursuant to statute and according to this Article.

4.3 Notice. If Sebastin wishes to relocate the minor children, he must provide written Notice of the relocation to Sossamma at her current address. A copy of the Notice must be filed with the Clerk of the Circuit Court of Lake County, Illinois, in which this Judgment is entered and mailed to the other parent via U. S. Mail. The requirements of such Notice shall include the following:

A. The notice required herein must be filed no less than sixty (60) days prior to the proposed relocation, unless such notice is impracticable, in which case such notice shall be given at the earliest date possible.

B. The written notice must include the following information:

(i) The intended date of relocation.

(ii) The street address, city and state of Sebastian's intended new residence, if known; and

(iv) The anticipated length of time the relocation will last, if the relocation is not for an indefinite or permanent period.

C. If Sossamma signs the written notice, the relocating parent shall thereafter file the signed notice with the Clerk of the Circuit Court in which the Notice was filed, and the relocation shall be allowed without further court action.

D. If Sossanuna objects to the relocation or fails to sign the Written Notice, or if the parties are unable to agree on modification of the parenting plan or allocation judgment, Sebastian must file a petition with a court of competent jurisdiction seeking permission to relocate.

4.4 Continuing Jurisdiction. If Sebastian relocates the minor children to another state, but within twenty-five (25) miles of the minor children's current primary residence as set forth in

4.1 (c) above, Illinois shall continue to be the minor children's home state for purposes of subsection (c) of Section 202 of the Uniform Child Custody Jurisdiction and Enforcement Act. In the event that Sebastian wishes to relocate the minor

children from the new primary residence outside of Illinois greater than twenty-five (25) miles from the minor children's original primary residence in Illinois, Sebastian must comply with the Notice requirements set forth under Section

4.3.

5.0 EMERGENCY ISSUES

5.1 In case of emergency issues, either party shall retain the right to petition a court of competent jurisdiction for an immediate ruling based upon the filing of appropriate pleadings, affidavits and notices as required by statute.

6.0 PARENTING GUIDELINES

6.1 Neither party shall make disparaging remarks about the other parent to, in the presence of, or within hearing distance of the minor children and both shall request that friends and relatives refrain from doing so. Neither party shall question the minor children regarding the other parent's activities.

6.2 Neither party shall discuss any financial issues, including but not limited to child support, with the minor children. Neither party shall use the minor children as a means to communicate with the other parent. All discussions regarding allocation of parenting time and parental responsibilities or other issues pertaining to minor children shall take place between the parties.

6.3 The parties agree to establish, to the greatest extent possible, uniform methods of discipline, to encourage the maximum involvement of both parents in

the minor children's life, once Sossamma's parenting time resumes, with the understanding that Sebastin has sole decision making.

6.4 The non-payment of support shall never be used as grounds for denying parenting time. Nor shall the denial of parenting time ever be used to justify the non-payment of support.

6.5 Neither parent shall undermine the other parent's decisions or authority or denigrate the love and affection that the other parent has for the minor children or that the minor children have for the other parent.

6.6 Neither parent shall allow a spouse or significant other to engage in corporal or physical punishment of the minor children.

6.7 Sebastin and Sossamma shall not allow the minor children to call any other person, other than Sebastin and Sossamma, by the names "daddy, mommy, father, mother, mom, and dad."

6.8 In the event either party marries, they agree that they will make known to his/her spouse the provisions set forth herein and will encourage the new spouse to act in accordance with the expectations set forth in this Judgment.

6.9 Neither parent shall threaten to withhold parenting time from the other parent. Neither parent shall threaten to prevent or delay the return of the minor child to the other parent after a period of parenting time.

6.10 Sebastin shall not mention he has sole decision making in his OFW communication with Sossamma.

6.11 The parties shall confine their communication on OFW to matters involving the children and shall not make side jabs or ancillary comments to or about the other parent.

6.12 Neither parent shall have any discussion with the other parent regarding parental matters in front or within the hearing of the children.

6.13 Neither party shall discuss court proceedings with, or in the presence, of the children

7.0 APPOINTMENT OF PARENTING COORDINATOR

7.1 Pursuant to Supreme Court Rule 909, the Court is appointing Janet Mazurek as parenting coordinator for the parties. Ms. Mazurek will submit her proposed parenting coordinator order to the court in conformity with Rule 909. The Court finds a parenting coordinator (PC) is necessary due to the parties being unwilling

and unable to cooperate in making parenting decisions, communicate effectively with each other in regard to issues involving their children, implement and comply with parenting agreements and orders as well as shield their children from the impact of parental conflict. There is a high degree of conflict in this case. The Court has also considered the fact that, despite there being no allegations or evidence of intimate partner violence, the parties have failed to adequately cooperate and communicate about issues involving their children and for these reasons, mediation has been deemed inappropriate by the court. The PC shall abide by the duties as set forth in (d) of Rule 909 as will be further set forth in the order submitted by Ms. Mazurek. Pursuant to section (d) the parties shall comply with the recommendations of PC until and unless the Court, after a hearing on the motion and any responses thereto, rules that the recommendations at issue are either (a) in contravention of the children's best interests; or (2) outside the scope of the authority granted to the PC under this Rule, the applicable local circuit court rules or the court order appointing the PC. Both parties are responsible for payment of PC costs and fees in the manner addressed in the Court's Judgment of Dissolution of Marriage in this matter.

8.0 INCORPORATION AND JURISDICTION

8.1 This Court shall retain exclusive and continuing jurisdiction over this cause to enforce or modify the terms and provisions of this Judgment.

Dated 7/16/24

ENTER:

/s/ Rhonda K Bruno

Judge Rhonda K. Bruno

APPENDIX E

This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Circuit Courts.

STATE OF ILLINOIS,

CIRCUIT COURT

LAKE COUNTY

ORDER OF PROTECTION

Civil Proceeding ☐ Interim ☒ Plenary

Criminal Proceeding ☐ Final

2023OP002596 Case Number

ORDER OF PROTECTION

Civil Proceeding ☐ Interim ☒ Plenary Criminal Proceeding ☐ Final

Instructions ▼

Directly above, enter the county where you filed this case.

Enter your name as Petitioner.

Enter name of the person you are seeking protection from as Respondent.

Enter the Case Number given by the Circuit Clerk.

Check the boxes for **ALL** people you want to include in the *Order*. On the lines provided, enter the name for each person you are trying to protect. "Other household members" includes people living with you or working where you are staying.

Petitioner: SEBASTIN FRANCIS

(First, middle, last name)

v.

Respondent: SOSSAMMMA GEORGE (48)

A.K.A SOSSAMMA GEORGE-SEBASTIN

(First, middle, last name)

People to be Protected by this Order (check all that apply):

Petitioner refers to any protected person in this Order.

☒ Petitioner

☒ Petitioner's minor children with Respondent:

R S (14)

A S (6)

☐ Petitioner's minor children not related to Respondent:

☐ Dependent adult: ☐ High-risk adult:

☐ Other household members:

For Court Use Only

☒ Independent ☐ Juvenile

☐ Other Civil Proceeding ☐ Criminal

This Order has been granted Pursuant to the

Code of Criminal Procedure 725 ILCS 5/112A

FILED

JUN 04 2024

/s/ *Erin Cartwright Weinstein*

CLERK OF THE

NINETEENTH JUDICIAL CIRCUIT

LAKE COUNTY, ILLINOIS

"Petitioner" Includes All Persons Named Above As "People to Be Protected By This Order."

ORDER INFORMATION:

☒ This Order was issued on: 06/04/2024 at 05:25 PM

Date Time ☒ This Order will end on: 06/03/2026 at 05:00 PM

Date Time

☐ This Order will end as entered on page 9.

NEXT HEARING (*Interim Orders only*): There will be a hearing on: at *Date*
Time at in *Address of Courthouse Courtroom*

Respondent: A *Plenary* (long-term) *Order of Protection* may be entered if you do not come to this hearing.

NOTE: If you are completing this form for a minor child, a dependent adult, or a high-risk adult, insert information needed below as if you were that person. In other words, do not use your information.

Petitioner's ☒ **address** **OR** ☐ **alternative address for notice**

113 MEADOWBROOK LANE, LAKE BLUFF, IL 60044.

Street Address, Apt. # City State Zip

sfranci@cap.org *Email*

2. Respondent's date of birth (if known): XX/XX/1976 Sex: F Race: ASIAN

3. Respondent's address (if known):

13268 WEST HEIDEN CIRCLE, LAKE BLUFF, IL 60044.

Name, Street Address, City, State, Zip

Name, Street Address, City, State, Zip

☒ Schools, kindergartens, or daycare centers of Petitioner, located at:

LIBERTYVILLE HIGH SCHOOL, 708 W. PARK AVE., LIBERTYVILLE, ILLINOIS
60048

Name, Street Address, City, State, Zip

OAK GROVE SCHOOL 1700 O'PLAINE RD GREEN OAKS ILLINOIS 60048

Name, Street Address, City, State, Zip

☐ For the safety of Petitioner, the name and location of the school or daycare is
listed on the Confidential Name &
Location of the School or Daycare form.

☐ Other locations:

Name, Street Address, City, State, Zip

Name, Street Address, City, State, Zip

Respondent shall have the right to enter the residence listed in Section 2 only one
time to retrieve the property listed in Section 10 of this Order, but only in the
presence of:

☐ law enforcement OR ☐ another person:

Name of person

School Restrictions

is an elementary, middle, or high

Name of School

school attended by both Respondent and Petitioner.

After considering the factors in 750 ILCS 60/214(b)(3)(B):

☐ Respondent shall not attend this school for as long as a Petitioner is enrolled there;

☐ Respondent shall accept a change of placement or program at this school as determined by the public school district or

by this private or non-public school; OR

☐ Respondent shall follow these restrictions on movement within the school:

☐ Requirements for Parents and Guardians

Respondent is a minor. To ensure that Respondent follows this *Order*,

Name of Parent or Guardian

shall do the following:

4. Counseling (R04) (Court Enforced)

Respondent must do the following and file proof with the Circuit Clerk by (*check all that apply*):

Date

- ☐ Enroll in and successfully complete a Domestic Violence Partner Abuse program.
- ☐ Get an alcohol and substance abuse evaluation and complete recommended counseling or treatment.
- ☐ Get a mental health evaluation and complete any recommended counseling or treatment.
- ☐ Other:

Respondent: Respondent MUST fully participate in all sessions of outpatient or inpatient treatment recommended by the evaluating agency, as often and for as long as that agency or other referred providers recommend. Respondent must file with the Circuit Clerk monthly attendance and progress reports written by each treatment provider.

☒ 5. Care and Possession of Children (R05) (Police/Court Enforced)

Law Enforcement: The provisions of this section are Police Enforced IF Respondent is ordered (*see page 3, R03*) to stay away from the minor children listed as "protected" as checked below.

☒ Respondent and Petitioner are the parents of these minor children:

Child's Name (first, middle, last) Age State of Residence

Included as a

Protected Person?

R S 14 ILLINOIS Yes

A S 6 ILLINOIS Yes

☒ Parentage of the Children:

☐ The parties are NOT married and parentage HAS NOT been established.

OR

☒ Parentage HAS been established because (*check one*):

☐ The children of the parties were born before or during the marriage of the parties, or within 300 days of termination of the marriage.

☐ The parties are NOT married but parentage has been established by one or more of the following:

1. Both parties have signed a Voluntary Acknowledgment of Paternity (VAP) (*if both parties' names are on the birth certificate, both parties signed the VAP*).

2. A court or administrative order.

3. Other:

☒ The primary caretaker of the minor children is: ☒ Petitioner ☐ Respondent ☐

Other person:

Name, Street Address, City, State, Zip

☒ Petitioner is granted the physical care and possession of the minor children.

☐ Respondent shall, personally or through a law enforcement agency as authorized by the court, return the minor children to the physical care of:

☐ Petitioner ☐ Other person:

Name of Other Person

☐ Respondent shall return the children to:

Street Address, Apt. #, City, State, Zip

☐ on ☐ by: at in the presence of:

Date Time

Name of Person or Name of Law Enforcement Agency

☒ Respondent shall not remove the minor children from the physical care of
Petitioner or from a school, or childcare provider.

The name of the school or provider is:

☒ **Within 24 hours of this *Order* being entered, the Circuit Clerk shall send
written notice of the *Order* to the following school, daycare, or health care
providers:**

1. Child's Name: R S

School/Childcare Provider Name

LIBERTYVILLE HIGH SCHOOL ☒ School ☐ Daycare

Address: 708 W PARK AVE LIBERTYVILLE ILLINOIS 600

Street Address, City, State, ZIP

2. Child's Name: A S

School/Childcare Provider Name OAK GROVE SCHOOL ☒ School ☐ Daycare

Address: 1700 OPLAINE ROAD, GREEN OAKS, ILLINOIS

Street Address, City, State, ZIP

☐ For the safety of Petitioner, the name and location of the school or daycare is listed on the *Confidential Name & Location of the School or Daycare* form

6. Temporary Significant Decision-Making Responsibility (*formerly custody*) (R06) (Court Enforced)

The Court awards Petitioner all significant decision-making responsibility of the minor children that Petitioner and Respondent have together.

☒ 7. Respondent's Parenting Time (*formerly visitation*) with the Minor Children (R07) (Court Enforced)

Parenting time is (check a, b, c, or d):

☐ GRANTED for the Respondent (*without restrictions as listed below.*)

☐ RESERVED until a later hearing (*The Court will not make ANY decision on parenting time right now.*)

☒ DENIED (*No visits at all.*)

☐ RESTRICTED (*Visits with limits as listed below.*)

If DENIED or RESTRICTED, check the reasons below.

Respondent is likely to (*check all that apply*):

☒ Abuse or endanger the children during parenting time.

☒ Use parenting time to abuse or harass Petitioner, Petitioner's family, or household members.

☒ Improperly hide or detain the children.

☒ Act in a way that is not in the best interest of the children.

☐ Parenting time is GRANTED or RESTRICTED as follows (*check the box that applies*):

☐ See attached parenting time schedule; OR

☐ The parenting time schedule is (*check all that apply, include a.m. or p.m.*):

☐ Every from to

Weekdays Time Time

☐ Each weekend OR ☐ Every other weekend as follows: (*include a.m. or p.m.*)

☐ from Friday at to Saturday at ☐ from Friday at to Sunday at

☐ from Saturday at to Saturday at ☐ from Saturday at to Sunday at

☐ from Sunday at to Sunday at ☐ Parenting time is to begin on:

Date

☐ Holidays: From to

Time Time

☐ The person responsible for transportation of the children for parenting time is:

Name

☐ Pickup for parenting time to take place at:

Name of place (if any), Street Address, City, State

☐ Return from parenting time to take place at:

Name of place (if any), Street Address, City, State

☐ Parenting time will take place at:

Street Address, City, State, Zip

☐ Parenting time will be supervised by: ,

Name of Supervisor

who has filed or will file an *Affidavit of Parenting Time Supervisor* form with the court accepting responsibility and acknowledging accountability.

☐ Parenting time will be supervised at an official supervised visitation center (*if available*).

Name of visitation center

☐ Respondent to return the children to Petitioner or the person designated by Petitioner immediately at the end of parenting time

Respondent:

Petitioner may, by law, deny you access to the minor children if, when you arrive for parenting time, you are under the influence of drugs or alcohol and constitute a threat to the safety and well-being of Petitioner or the minor children of Petitioner or you are behaving in a violent or abusive manner (750 ILCS 60/214(b)(7))

☐ **8. No Concealment or Removal of Children (R08) (Police Enforced)**

Respondent shall not hide the minor children within the State or remove the children from Illinois.

☐ **9. Order to Appear (R09) (Court Enforced)**

Respondent shall appear ☐ alone ☐ with minor children at:

Address of Courthouse

in Courtroom on at

Date Time

to *(check all that apply)*:

- ☐ Prevent abuse, neglect, removal or concealment of the children.
- ☐ Return the children to the custody or care of Petitioner.
- ☐ Permit a court-ordered interview or examination of the children or Respondent.

10. Possession of Personal Property (R10) (Court Enforced)

(does not affect ownership of property)

- ☐ Petitioner is awarded possession of the following personal property:
- ☐ Respondent shall return ☐ all of the property ☐ the following property:

to

Name of Person

The Court finds as follows:

- ☐ Petitioner, but not Respondent, owns the property.
- ☐ Petitioner and Respondent both own the property. Sharing it would put
Petitioner at risk for abuse, or is not practical.
Not having the property would be harder on Petitioner.
- ☐ Petitioner claims the property as marital property, and a divorce case has been
filed.
- ☐ Respondent is awarded possession of the following personal property: ☐ clothing
☐ medicine
☐ other personal property as follows:
- ☐ Personal property shall be transferred at:

Street Address, City, State, Zip

on at .

Date Time

☐ Personal property shall be transferred only in the presence of:

☐ Another person: ; OR

Name

☐ Law enforcement:

Name of Law Enforcement agency

☐ Petitioner ☐ Respondent will request the date of transfer from law enforcement.

☐ **11. Restrictions on Property (R11) (Court Enforced)**

☐ Respondent shall not take, transfer, encumber, conceal, damage, or otherwise dispose of any real or personal property,

except as explicitly authorized by the Court, BECAUSE (*check one*):

☐ Petitioner, but not Respondent, owns the property.

☐ Petitioner and Respondent both own the property. Not having the property would be harder on Petitioner.

☐ Petitioner claims the property as marital property, and a divorce case has been filed.

☐ Restrictions on Resources of an Elderly Petitioner

Respondent is prohibited from improperly using financial or other resources of an elderly Petitioner for the advantage of

Respondent or any other person

11.5 Possession of Animals (R11.5) (Court Enforced)

Petitioner shall have care, custody, and control over the following animals:

Respondent shall stay away from the animals and Respondent is forbidden from taking, transferring, concealing, harming, or otherwise disposing of the animals.

☐ 12. Temporary Support (R12) (Court Enforced)

The Court finds that Respondent is: ☐ unemployed ☐ self-employed ☐ employed by:

Name, Street Address, City, State, Zip

and has approximate net pay in the amount of: \$ ☐ weekly ☐ every two weeks

☐ twice a month ☐ monthly

☐ Respondent shall pay temporary child support to Petitioner

In the amount of \$ ☐ weekly ☐ every two weeks ☐ twice a month ☐ monthly

☐ Payments shall begin on: and shall continue until further order of the Court.

Date

Payments shall be made through the: ☐ Circuit Clerk OR ☐ State Disbursement

Unit (SDU) for

Support. (*Payment shall not be paid directly to Petitioner*)

OR

☐ A child support order will be entered.

AND/OR

☐ Respondent shall pay temporary support (maintenance) to Petitioner

in the amount of \$ ☐ weekly ☐ every two weeks ☐ twice a month ☐ monthly

13. Payment of Losses Because of Abuse (R13) (Court Enforced)

☐ Respondent shall pay Petitioner for losses suffered as a direct result of abuse, neglect, or exploitation, including:

☐ Medical expenses \$

☐ Lost earnings \$

☐ Repair or replace property damaged or taken \$

☐ Moving and other travel expenses \$

☐ Reasonable expenses for housing other than a domestic violence shelter \$

☐ Expenses for search and recovery of children \$

☐ Reasonable attorney's fees \$

☐ Other: \$

☐ The total amount of: \$ by OR

Date

☐ Payments in the amount of: \$ ☐ weekly ☐ every two weeks ☐ twice a month

☐ monthly

14. No Entry or Presence Under Influence (R14) (Police Enforced)

Respondent is allowed at the Petitioner's residence, but cannot be or stay there while under the influence of drugs or

alcohol. This would be a threat to the safety of Petitioner or Petitioner's children.

14.5 Firearms (R14.5) (Police Enforced)

The Court has examined Petitioner and any other witnesses under oath. The Court finds that:

- ☐ Respondent is a current or former intimate partner of the Petitioner and represents a threat to the physical safety of Petitioner or Petitioner's child.
- ☐ Respondent has received actual notice to appear in court and has had an opportunity to participate.
- ☐ This *Order* restrains Respondent from abusing, stalking, or threatening their intimate partner or children of the intimate partner, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to themselves or their children; AND the Court finds that:

- ☐ Respondent represents a credible threat to the physical safety of Petitioner or Petitioner's child.
- ☐ This *Order* prohibits the use, attempted use, or threatened use of physical force against Petitioner or their children that could reasonably be expected to cause bodily injury.

Respondent: Respondent is automatically prohibited from possessing a firearm while this *Order* is in effect, under Federal Law 18 USC 922(g)(8).

Therefore:

- ☐ Respondent shall surrender all firearms in their possession to this law enforcement agency, which shall take possession of them:

Name of Law Enforcement Agency

☐ Respondent shall immediately turn over any FOID card in their possession to this law enforcement agency, which shall take possession of it:

Name of Law Enforcement Agency

☐ Respondent's conceal and carry license is suspended during the duration of this *Order*. Respondent must turn over the license to the court at the time this *Order* is entered or to this law enforcement agency, which shall take possession of it:

Name of Law Enforcement Agency

When this *Order* ends, Respondent's firearms and FOID card shall be returned to Respondent upon request if the FOID card is not expired and there is no other order restricting Respondent's possession of those firearms.

☒ **15. Children's Records (R15) (Court Enforced)**

Respondent is not allowed to access, inspect, or obtain school records or any other records of the minor children in the care of Petitioner because *(check all that apply)*:

☒ This *Order of Protection* prohibits Respondent from having contact with the minor children.

☐ The actual address of Petitioner is not included due to the risk of further abuse.

☒ It is necessary to prevent abuse or wrongful removal or concealment of the minor children.

☐ **16. Shelter Reimbursement (R16) (Court Enforced)**

Respondent shall pay \$ to by:

Shelter Name

for the cost of services and shelter provided to Petitioner.

Date

☒ **17. Miscellaneous Remedies (R17) (Court Enforced)**

☒ Respondent is further ordered as follows: NO CONTACT WITH CHILDREN'S DOCTORS, THERAPISTS, DCFS, RENEE'S CHURCH, MELEKUNNIL CHACKO THOMAS AND ANNAMMA THOMAS (NANNIES), CONTACT BETWEEN THE PARTIES IS PERMITTED THROUGH OUR FAMILY WIZARD (OFW)

☒ **18. Telephone Services (R18) (Court Enforced)**

☒ A wireless telephone provider provides service for Respondent and Petitioner
(*account details below*):

Name of Provider: RENEE PHONE NUMBER TRANSFERRED TO SEBASTIN A T AND T PROVIER

Name of Account Holder: SOSSAMMA GEORGE

Billing Phone #: 347-722-2820

Petitioner Phone #'s: 224-572-3682

Petitioner Phone #'s: 224-572-3682

☒ After considering the evidence, the wireless telephone service provider shall terminate Respondent's use of Petitioner's phone number, transfer to Petitioner the right to use these phone numbers, and transfer to Petitioner all financial responsibility associated with future use of these phone numbers

Petitioner: STOP! Only the Judge or Circuit Clerk shall enter anything below this point.

☐ **RULINGS PURSUANT TO 750 ILCS 60/221(a)(2) and (b)(2)**

☐ The relief requested in Sections: ☐ 2 ☐ 3 ☐ 10 ☐ 11 ☐ Other:

in the *Petition* is DENIED because the balance of hardships does not support the granting of the remedy; the granting of the

remedy will result in hardship to Respondent that would substantially outweigh the hardship to Petitioner from the denial of the remedy; OR

☐ The relief requested in Sections:

in the *Petition* is RESERVED.

☐ **COMPLIANCE HEARING**

☐ A compliance hearing will be held on: at on the following issues:

Date Time

☐ Respondent is ordered to appear and bring the following documents:

PLENARY (FINAL) ORDERS ONLY:

If no specific date for expiration is entered on page 1, this Order will remain in effect as follows:

☒ **1. Until further order of the Court (only by extension; special findings needed)**

☐ **If entered in conjunction with another civil proceeding:**

☐ **2. If entered as preliminary relief, until entry of final judgment in the other proceeding.***

☐ 3. If incorporated into the final judgment of the other proceeding, until the Order is vacated or modified.*

☐ 4. Upon termination of any voluntary or involuntary commitment, or on
Date not to exceed 2 years

☐ **If entered in conjunction with a criminal prosecution or delinquency
petition pursuant
to 725 ILCS 5/112A-20:**

☐ 5. If entered during pre-trial release:

☐ a. Until disposition, withdrawal, or dismissal of the underlying charge, or

☐ b. If continued as an independent cause of action, until

Date (not to exceed 2 years)

☐ 6. Until final disposition when a Bond Forfeiture Warrant has issued, or on
Date not to exceed 2 years

☐ 7. Until expiration of any supervision, conditional discharge, probation, periodic imprisonment, parole, or supervised mandatory release, plus 2 years.*

☐ 8. Until 2 years after the date set by the court for expiration of any sentence for imprisonment, parole, and mandatory supervised release.*

*This Order may last more than two years if entered in conjunction with a civil or criminal proceeding.

ENTERED

06/04/2024

JUDGE RHONDA BRUNO Date

TRAN#: IPO2460466525358501

I hereby certify that this is a true and correct copy of the original order on file with the Court.

Clerk of the Circuit Court LAKE County Illinois 06/04/2024

Date

(Signature Of Clerk Of Circuit Court)

(Seal of the Clerk of Circuit Court)

Copies given ☒ Petitioner ☒ Respondent in Open Court ☐ Sheriff to serve

Respondent ☐ LEADS

☐ State's Attorney

FINDINGS:

After reviewing the Petition and hearing the evidence and testimony of Petitioner, the Court finds that:

1. The people protected by this Order are:

☒ Petitioner

☒ Minor children listed in the caption of this Order

☐ Other Protected Persons listed on page 1 of this Order

2. The Petitioner has the following relationship to Respondent:

☐ Boyfriend / Girlfriend / Dating Relationship

((including ex) (BG)

☒ Spouse (SE) ☐ Ex-Spouse (XS)

☐ Has Children with Respondent (never

married to Respondent) (CC)

☐ Sharing or Shared Home (CS) ☐ Child (CH)

☒ Parent (PA) ☐ Brother / Sister / Sibling (SB) ☐ Other Family Member (OF)

☐ Other - Petitioner not Related to

Respondent (OT)

☐ In-law (IL) ☐ Personal Caregiver to Disabled

Petitioner (PC)

☐ Petitioner with Disability (PD) ☐ Personal Assistant of Petitioner

(PR)

☐ Grandchild (GC)

☐ Grandparent (GP) ☐ Step-Child (SC) ☐ Step-Brother / Step-Sister / Step-

Sibling ((SS)

☐ Prospective or Adoptive Child has Family

or Household Relationship with Respondent

☐ Foster Child has Family or Household Relationship with Respondent

☐ Legally Appointed Guardian or Custodian of a Child who has a

Family or Household Relationship with Respondent

☐ Step-Parent (SP)

3. ☐ Respondent has received notice of Petitioner's request for an Order of

Protection.

☐ Petitioner has diligently attempted to complete service of process, but has not been able to serve Respondent.

☐ Petitioner has given notice by publication.

☐ Petitioner is present in person in court. ☐ Represented by:

Name of Lawyer

4. ☐ Respondent has filed an answer or appearance.

☐ Respondent is not present in court, and is in default.

☒ Respondent is present in person in court. ☒ Represented by: AUSAF FAROOQI

Name of Lawyer

5. In granting the remedies in this Order, the Court has considered all relevant factors, including: the nature, frequency, severity, pattern, and consequences of Respondent's past abuse, neglect, or exploitation of Petitioner or any family/household member, including Respondent's concealment of their location in order to evade service of process or notice, and the likelihood of danger of future abuse, neglect, or exploitation to Petitioner or any member of Petitioner's or Respondent's family or household; and the danger that any minor child(ren) will be abused, neglected, removed from the jurisdiction, improperly concealed within the State, or improperly separated from the child(ren)'s primary caretaker. The Court finds that:

- The Court has jurisdiction over Petitioner, Respondent, minor children and other Protected Persons.
- Venue is proper.

- Respondent has abused Petitioner and/or the children identified as protected persons in Section 5 on page 4 and/or the Protected Persons listed on Page 1 of this Order.
- The actions of Respondent will likely cause irreparable harm or continued abuse unless they are prohibited.
- It is necessary to grant the requested relief in this Order to protect Petitioner or other abused persons.

6. Other Relevant Factors and Findings (check all that apply):

☐ An Order of Protection has previously been entered in this case or in another case in which any party, or a child of any party, has been named as either Respondent or Petitioner.

☐ An abused person is unable to bring this Petition on their own behalf due to age, health, disability, or inaccessibility.

☐ The Petition has been filed on behalf of a high-risk adult with disabilities who has been abused, neglected, or exploited by a family or household member.

☐ There is reason to believe Respondent is (check all that apply): ☐ armed ☐ dangerous ☐ suicidal

Civil Cases: In granting the remedies in this Order, the Court has considered all relevant factors, including: the nature, severity, pattern, and consequences of Respondent's past abuse, neglect, or exploitation of Petitioner or any family/household member, including Respondent's concealment of their location in order to evade service of notice, and the likelihood of danger of future abuse,

neglect, or exploitation to Petitioner or any member of Petitioner's or Respondent's family or household; and the danger that any minor child(ren) will be abused, removed from the jurisdiction, improperly concealed within the State, or improperly separated from the child(ren)'s primary caretaker. The court finds that:

- The Court has jurisdiction over Petitioner, Respondent, minor children and other Protected Persons.
- Venue is proper.
- Respondent has abused Petitioner and/or the children identified as protected persons in Section 5 on page 4 and / or the Protected Persons listed on page 1 of this Order.
- The actions of Respondent will likely cause irreparable harm or continued abuse unless they are prohibited.
- It is necessary to grant the requested relief in this Order to protect Petitioner or other abused persons.

8. ☐ **Criminal Cases:** The Court is entering this Order based on the following prima facie evidence:

- ☐ an information, complaint, indictment or delinquency petition, charging a crime of domestic violence or charging an attempt to commit a crime of domestic violence; OR
- ☐ an adjudication of delinquency, a finding of guilt based upon a plea, or a finding of guilt after a trial for a crime of domestic battery; OR

☐ any disposition order issued under Section 5-710 of the Juvenile Court Act of 1987, the imposition of supervision, conditional discharge, probation, periodic imprisonment, parole, aftercare release, or mandatory supervised release for a crime of domestic violence or an attempt to commit a crime of or domestic violence, or imprisonment in conjunction with a bond forfeiture warrant; OR

☐ the entry of a protective order in a separate civil case brought by Petitioner against Respondent

IMPORTANT INFORMATION ABOUT THIS *ORDER OF PROTECTION*

TO BOTH PARTIES: This *Order* CANNOT BE CHANGED OR VACATED unless you have a court hearing and the judge orders it changed or vacated. To have a court hearing, Petitioner or Respondent must do the following:

1. File a written motion with the Circuit Clerk that lists the reasons why you want to change or vacate this *Order*;
2. Get a time for the hearing from the Circuit Clerk; AND
3. Provide the other party with a copy of your motion and notify the other party in writing of the time and place of the hearing.

TO RESPONDENT: The Court has granted this Order. If you do not obey this Order, you could be arrested and charged with a crime.

- Petitioner cannot give you legal permission to change this *Order*. Only the Court can change this *Order*. If you have contact with Petitioner that is prohibited by this *Order*, you may be arrested.

- If you and Petitioner want to have contact with each other again, you must ask the Court to modify or dismiss this *Order of Protection*.
- Unless the Court changes or dismisses this *Order*, you can be arrested for violating this *Order of Protection*.

You may ask the Court to re-open this *Order* if you did not receive notice before this *Order* was signed. To do this you must file a motion stating that (1) you did not receive prior notice, and (2) you have a valid defense to the *Order*, or that the *Order*, or any of its remedies, was not authorized under the law.

Any knowing violation of an *Order of Protection* forbidding physical abuse, neglect, exploitation, harassment, intimidation, interference with personal liberty, willful deprivation, or entering or remaining present at specified places when any Protected Persons are present, or granting exclusive possession of the residence or household or granting a stay away order is a Class A misdemeanor. Grants of exclusive possession of the residence or household shall constitute notice forbidding trespass to land. Any knowing violation of an order awarding parental responsibility (formerly custody) or physical care of a child or prohibiting removal or concealment of a child may be a Class 4 felony. Any willful violation of any order is contempt of court. Any violation may result in fine or imprisonment.

TO PETITIONER: You cannot change the terms of this *Order* by your words or actions.

- If the Court has ordered no contact or given you sole possession of the residence, only the Court can allow the Respondent to contact you or return to the residence.

- If you want to have contact with the Respondent again, you **MUST** ask the Court, in a written motion to change or vacate this

Order of Protection.

- You cannot be charged with a violation of this *Order*.
- If you wish to extend the Plenary Order, you must file with the clerk of the circuit court a *Motion to Extend* (including any modifications needed for your protection) at least 30 days prior to the expiration date of the present *Order*. The motion will be set for hearing. Notice must be given to the Respondent by first class mail; a certificate stating that notice was sent must be filed with the Circuit Clerk. You must be present at the Hearing on your motion.

TO PARENTS OR GUARDIANS OF MINOR RESPONDENTS: The Court may hold you in contempt of court if a minor respondent in your care violates this *Order* and you have helped, encouraged, or directed the minor to do so.

NOTICE ABOUT ENFORCEMENT:

This *Order of Protection* is enforceable, even without registration, in all 50 states, the District of Columbia, tribal lands, and the U.S. Territories pursuant to the Violence Against Women Act (18 U.S.C. § 2265), provided notice of this *Order of Protection* has been provided to the Respondent. Violating this *Order of Protection* may subject the Respondent to state and/or federal charges and punishment. 18 U.S.C. §§ 2261-2262. This *Order* is directed to the Respondent. Except under accountability circumstances, which should be assessed by the State's Attorney, Petitioner cannot be guilty of violation of an *Order of Protection*.

DEFINITION OF TERMS USED IN THIS *ORDER*

These definitions are incorporated in and made a part of the *Order* to which they are attached.

1. **Abuse:** "Abuse" means physical abuse, harassment, intimidation of a dependent, interference with personal liberty, or willful deprivation, but does not include reasonable direction of a minor child by a parent or person in loco parentis.

2. **Adult with Disabilities:** "Adult with Disabilities" means an elder adult with disabilities or a high-risk adult with disabilities. A person may be an adult with disabilities for purposes of this Act even though he or she has never been adjudicated an incompetent adult.

However, no court proceeding may be initiated or continued on behalf of an adult with disabilities over that adult's objection, unless such proceeding is approved by his or her legal guardian, if any.

3. **Elder Adult with Disabilities:** "Elder adult with disabilities" means an adult prevented by advanced age from taking appropriate action to protect himself or herself from abuse by a family or household member.

4. **Exploitation:** "Exploitation" means the illegal, including tortious, use of a high-risk adult with disabilities or of the assets or resources of a high-risk adult disabilities. Exploitation includes, but is not limited to, the misappropriation of assets or resources of a high-risk adult with disabilities by undue influence, by

breach of a fiduciary relationship, by fraud, deception, or extortion, or the use of such assets or resources in a manner contrary to law.

5. Family or Household Members: Include spouses, former spouses, parents, children, stepchildren and other persons related by blood or by present or marriage, persons who share or formerly shared a common dwelling, persons who have or allegedly have a child in common, persons who share or share a blood relationship through a child, persons who have or have had a dating or engagement relationship, persons with disabilities and their personal assistants, and caregivers as defined in Section 12-4.4a of the Criminal Code of 2012. For purposes of this paragraph, neither a casual acquaintanceship nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute a dating relationship. In the case of a high-risk adult with disabilities, "family or household members" includes any person who has the responsibility for a high-risk adult as a result of a family relationship or who has assumed responsibility for all or a portion of the care of a high-risk adult with disabilities voluntarily, or by express or implied contract, or by court order.

6. Harassment: "Harassment" means knowing conduct which is not necessary to accomplish a purpose that is reasonable under the circumstances, would cause a reasonable person emotional distress, and does cause emotional distress to Petitioner. Unless the presumption is rebutted by a preponderance of the evidence, the following types of conduct shall be presumed to cause emotional distress:

- a. creating a disturbance at Petitioner's place of employment or school; or

b. repeatedly telephoning Petitioner's place of employment, home or residence; or
 c. repeatedly following Petitioner about in a public place or places; or
 d. repeatedly keeping Petitioner under surveillance by remaining present outside his or her home, school, place of employment, vehicle or other place occupied by Petitioner or by peering in Petitioner's windows; or e. improperly concealing a minor child from Petitioner, repeatedly threatening to improperly remove a minor child of Petitioner's from the jurisdiction or from the physical care of Petitioner, repeatedly threatening to conceal a minor child from Petitioner, or making a single such threat following an actual or attempted improper removal or concealment, unless Respondent was fleeing an incident or pattern of domestic violence; or f. threatening physical force, confinement or restraint on one or more occasions.

7. High-risk Adult with Disabilities: "High-risk adult with disabilities" means a person aged 18 or over whose physical or mental disability impairs his or her ability to seek or obtain protection from abuse, neglect, or exploitation.

8. Interference with Personal Liberty: "Interference with personal liberty" means committing or threatening physical abuse, harassment, intimidation or deprivation so as to compel another to engage in conduct from which they have a right to abstain or to refrain from conduct in which they have a right to engage.

9. Intimidation of a Dependent: "Intimidation of a dependent" means subjecting a person who is dependent because of age, health or disability to participation in or the witnessing of: physical force against another or physical confinement or

restraint of another, which constitutes physical abuse as defined in this Act, regardless of whether the abused person is a family or household member.

10. Neglect: "Neglect" means the failure to exercise that degree of care toward a high-risk adult with disabilities which a reasonable

person would exercise under the circumstances and includes but is not limited to:

a. the failure to take reasonable steps to protect a high-risk adult with disabilities from acts of abuse; or

b. the repeated, careless imposition of unreasonable confinement; or

c. the failure to provide food, shelter, clothing, and personal hygiene to a high-risk adult with disabilities who requires such

assistance; or

d. the failure to provide medical and rehabilitative care for the physical and mental health needs of a high-risk adult with disabilities; or

e. the failure to protect a high-risk adult with disabilities from health and safety hazards.

Nothing in this definition shall be construed to impose a requirement that

assistance be provided to a high-risk adult with disabilities

over his or her objection in the absence of a court order, nor to create any new

affirmative duty to provide support to a high-risk adult with disabilities.

11. Petitioner: "Petitioner" may mean not only any named petitioner for the order of protection and any named victim of abuse on whose

behalf the petition is brought, but also any other person protected by this Act.

12. Physical Abuse: "Physical abuse" includes sexual abuse and means any of the following:

- a. knowing or reckless use of physical force, confinement or restraint; or
- b. knowing, repeated and unnecessary sleep deprivation; or
- c. knowing or reckless conduct which creates an immediate risk of physical harm.

13. Stalking: "Stalking" means knowingly and without lawful justification, on at least two (2) separate occasions, following another person

or placing the person under surveillance or any combination thereof and:

- a. at any time transmitting a threat of immediate or future bodily harm, sexual assault, confinement or restraint, and the threat is directed towards that person or a family member of that person; or
- b. placing that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement or restraint; or
- c. placing that person in reasonable apprehension that a family member will receive immediate or future bodily harm, sexual assault, confinement, or restraint.

14. Willful Deprivation: "Willful deprivation" means willfully denying a person who because of age, health or disability requires medication, medical care, shelter, food, therapeutic device, or other physical assistance, and thereby exposing that person to the risk of physical, mental or emotional harm, except with regard to medical care or treatment when the dependent person has expressed an intent to forego such medical care or treatment. This paragraph does not create any new affirmative duty to provide support to dependent persons.

TEMPORARY ORDER OF ALLOCATION OF PARENTAL RESPONSIBILITIES

This Matter coming before this Court for status of Dr. Finn's report pursuant to court order and pre-trial, said report being disseminated to both attorneys but not their clients pursuant to Dr. Finn's recommendation and pursuant to the limitations in 750 ILCS 604.1 O(b) based on concerns for the safety of the minor children, and upon the Court's judicial notice of the entire record of these proceedings, including the Court's ability to hear in-person testimony from both Petitioner and Respondent on multiple occasions in prior proceedings, both Petitioner and Respondent being present in open court with counsel, counsel for Petitioner having filed her Emergency Motion on a previous occasion to remove the children from Respondent's care and then filing another Emergency Motion to terminate parenting time & emergency petition for order of protection today's date, counsel for both sides being able to argue said motion, other reasons stated on the record, the Court finds as follows:

1. The Court has jurisdiction over the parties and subject matter and venue are proper.
2. The matter is set for trial on multiple issues including the allocation of parental responsibilities on May 13, 2024.
3. Petitioner has set forth a credible, Prima facie case of serious and on-going endangerment of both minor children, Renee and Asher when in the care of Respondent. The Court has considered and discussed with the parties the pre-trial memorandum submitted by their respective counsels on November 7, 2023 by Mr. Douglas of Douglas Law on behalf of Respondent and on November 6, 2023 by Ms.

Riewer and Ms. Wu of Strategic Divorce on behalf of Petitioner. Th Court finds this to be an emergency of the utmost gravity and finds it necessary to act in the best interests of the minor children.

4. Notwithstanding the impending trial, the court finds it is in the best interest of the children to enter a temporary order regarding parental responsibilities. This is based on the information available to the Court at this time, which consists of the 604.10(b) report, Dr. Finn appearing in court via Zoom, current report and previous reports of the GAL, observations of the parties and prior orders. It should also be noted that the Court finds that Petitioner has failed to follow court orders in the past, ignored the advice of medical and therapeutic professionals and the court is concerned she will not follow orders of the court to safely deliver the children and not discuss the litigation with them.

5. The GAL, Caryn Barone ,and the 604.10 (b) evaluator, Dr Finn, both concur in said assessment and opine that immediate action for the safety of both children is necessary. Dr. Finn issued a 33-page report on November 14, 2023, which recommends immediate transition of the children to Petitioner and no contact of any kind with Respondent until certain other conditions are met, such as therapy for Respondent and the children.

6. 750 ILCS 5/603.10(a) is a two step process pursuant to In re the marriage of Mayes, 109 N.E. 2d 942, 424 Ill. Dec. 828 (4th Dist. 2018). The trial court must first determine if the evidence showed the parent engaged in conduct that seriously endangers a child's mental, moral or physical health or significantly impacts the

child's emotional development. Once the court makes said finding, it must enter an order that is necessary to protect the child. Notwithstanding the future trial on the merits , the court does find that 1st Respondent has engaged in a knowing and intentional course of conduct over an extended period of a year that has seriously endangered the minor children's physical, moral and emotional health and has significantly and negatively impacted their emotional development. Secondly, the Court finds it necessary to enter the current order to protect the minor children pursuant to 603.10(a). It must also be noted that the Court has been involved with this case and the parties for over 10 months and has had numerous court dates, both remote and in person, with the parties and their attorneys, although their attorneys have changed over time. The court has had ample time to observe the parties, assess their credibility, observe their demeanor, listen to extensive reports from the GAL, rule on several emergency motions and enter an order awarding Petitioner sole decision making regarding health care for Renee on December 20, 2022. The Court listened to arguments by both counsels regarding the Court's actions and proposed order and notes this order is over strong objections by Respondent's counsel, both to the nature of the hearing and the order itself. The Court notes that based on the GAL's recommendations and Dr. Finn's report it has no choice but to act in this fashion to protect the minor children and stop future harm to the children at the hands of Respondent.

7. It should also be noted that pursuant to Dr. Finn's strong recommendations regarding the dissemination of his report as contained on page 31 of his report, this

report will be kept under seal and has not been disseminated to counsel for the parties until today's date, November 17, 2023., and that counsel for the parties have not been privy to the courts' recommendations or this order until today's date, November 17, 2023, again at the strong urging of Dr. Finn to protect the children as much as possible.

8. On a temporary basis and by a preponderance of the evidence available to the Court in prior and the pending proceedings, but without prejudice to the final trial on the merits for a permanent allocation of parental responsibility, the Court finds the Respondent has engaged in knowing conduct that seriously endangered and continues to endanger the minor children's physical and mental health and has significantly impaired, and continues to impair, their emotional development. It should be noted that on a prior occasion and memorialized by an order of this Court on December 20, 2022, the Court found Respondent had seriously endangered Renee and awarded sole medical decision-making regarding health care to Petitioner for Renee.

9. On a temporary basis and by a preponderance of the evidence available to the court in prior and the pending proceeding, but without prejudice during the trial on the merits for a permanent allocation of parental responsibility, good cause exists to believe the minor children's mental, physical and emotional well-being will continue to be seriously harmed and damaged and endangered if left in the care, custody and control of Respondent. Thus it is necessary, under 750 ILCS 5/603.10(a) to place restrictions on Respondent's parental responsibilities on an emergency and

temporary basis. The Court has conducted a brief hearing and finds by a preponderance of the evidence that Respondent has engaged in conduct that seriously endangers the children's mental, moral and physical health and has significantly impaired the children's emotional development.

10. On a temporary basis, and by a preponderance of the evidence available to the court in prior and the pending proceeding, but without prejudice to the trial on the merits for a permanent allocation of parental responsibility, good cause exists to believe the minor children's mental, physical and emotional well-being will continue to be significantly impaired unless contact with Respondent is stopped in its entirety, and then re-started at the appropriate time, under close therapeutic supervision with appropriate controls and safeguards in place.

11. It is in the immediate but temporary best interests of the minor children of the court to enter a temporary order on allocation of parental responsibilities to protect the minor children from serious and continuing harm. This order is over the objections of Respondent's counsel.

THEREFORE, in light of the foregoing findings and for additional reasons stated on the record, the Court orders as follows:

A. All parenting time is awarded to the Petitioner on a temporary basis until further order of court.

B. Petitioner's home shall be the primary residence of minor children, unless one of the minor children is in residential placement.

- C. Petitioner is awarded sole decision-making for the mmor children for healthcare for both children (Petitioner was previously awarded sole healthcare decision making re Renee, but not Asher on December 20, 2022,) education, religion and extra-curricular activities on a temporary basis.
- D. Renee shall be seen by her pediatrician within 72 hours of the transition to Petitioner's care and shall continue to be assessed for the next 8 weeks post transition. Following the 8 weeks, Renee shall be assessed by her pediatrician once a month for the next 10 months unless the pediatrician recommends an alternative frequency for said visits.
- E. Renee should meet with her school counselor or social worker at least once per week.
- F. Every effort shall be made to have Renee remain at Libertyville High School based on her psychological and emotional stability. If she cannot be safely kept in this environment, she shall be placed in a therapeutic residential school.
- G. Petitioner shall enroll Asher with a therapist within 7 days of the transition to his care.
- H. Both mmor children shall attend therapy at the frequency and duration suggested by their therapists.
- I. Respondent shall enroll in therapy with Dr. Chinni Chilamkurti (847-744-8064). After a minimum of 26 sessions with Dr. Chinni, Respondent should submit to a limited scope update of Dr. Finn's evaluation to determine if any type of

parenting time, beginning with therapeutic reunification, is recommended as being in the best interest of the children.

J. Respondent can write short cards or letters (no more than one-page letters) to the children assuring them of her love, but not mentioning the litigation in any way, or her wish to see them or that she misses them. Those cards and letters should be sent to the children's therapist, NOT the children, and the therapists shall determine if, after reviewing them, they are appropriate to share with children. The children may elect to write back to Respondent and email said notes to her.

K. Petitioner and Respondent shall immediately contact Pamela Rak LCSW, (847-776-1594) and begin working with her regarding messaging to the children.

L. All parties shall sign all releases necessary so that Ms. Rak can be consulted by the children's therapists on communication between the children and Respondent. If the Court deems it appropriate, Ms. Rak's role may be expanded at a later date to include parenting coordination.

M. Both parents will sign any releases necessary to allow any and all providers to speak to each other as well as to the GAL. Respondent shall not, until further order of court, have ANY communication with any treatment provider or school official including, but not limited to, counselors, social workers, teachers, coaches and administrative staff, via email, text, phone, personal contact or any other communication method. Neither attorney for either party may communicate with any treatment provider, but instead shall raise any issues, questions or concerns with the GAL, who may then, at her discretion, contact said provider.

N. Pursuant to *In re Marriage of Stein*, 2015 Ill.App 2d (2nd. 2015) and *Johnston v. Weil*, 946 N.E. 2d 329, 349 Ill .Dec 135 (2011) section 604.10(b) strictly limits disclosure of said report to the court and the parties' attorneys. Therefore, the parties are prohibited from disclosing Dr. Finn's report to ANY treatment provider, school counselor, school social worker or any other person. Further, neither attorney may disclose or show or give a copy of said report to their client but may discuss the contents with their client.

O. Petitioner shall ensure both children are engaged in a sustained course of treatment, therapy and continuing care by licensed mental health professionals. Petitioner shall share all his decisions with Respondent on OFW, with the understanding that he has sole decision-making and at least on a temporary basis, no need to consult with her regarding his decisions. It is anticipated that this prohibition may change at the trial on the merits of allocation of parental responsibilities but is necessary now, based on Respondent's past interaction with treatment providers and disagreements with Petitioner.

P. Petitioner shall pick up Renee from Libertyville High School by 3:30pm today, November 17, 2023., and Asher from Oak Grove School or his assignees as well on today's date at the end of his school day. Respondent shall have no contact of any kind with either children from today's date, whether by phone, text, email, social media, third parties or in person until further order of court except as provided in section J. Respondent shall not download and use any applications that erase or otherwise hide messages after sending. The Court has ordered said transfer

in this fashion based on the report and recommendations of Dr. Finn and the GAL, consultations with counsel for the parties. Further the court believes that the plan recommended by Dr. Finn in his report, namely to have Respondent drive Renee to the hospital and have the GAL explain to her she was going with her father, the Petitioner, would not have worked as the court does not trust Respondent not to discuss the litigation with Renee or to deliver her to the hospital and leave, as Dr. Finn recommended.

Q. Petitioner shall hire an overnight caregiver to ensure Renee does not attempt to harm herself or leave the house. Renee is not to be left alone in the house at ANY time for ANY reason.

R. Renee shall have an appointment with her therapist as soon as possible following the transition.

S. Petitioner shall ensure his house to the fullest extent possible does not have any instruments Renee could use for self-harm including but not limited to, knives, bleach and other similar caustic compounds, rope, tools, gardening implements, medication of any kind, whether prescribed or over the counter (any medication currently prescribed to Renee shall be administered to her by Petitioner), gas or other compounds used in cars and motorized vehicles.

T. Petitioner may place Renee in a residential treatment facility if he feels it is necessary for her safety and as recommended by a treatment provider. He shall so inform Respondent, who will NOT communicate with said facility in ANY fashion, nor speak to Renee either in person, via phone, email, text, social media or any

other communication application or through a third party or visit her at said placement until further order of court.

U. During the pendency of this Order, no modifications shall be made without prior approval of the court, including but not limited to communication in any form or parenting time by Respondent with the children.

V. This report shall be placed under seal and shall NOT be given to either party, although the Court recognizes and acknowledges the attorneys will need to discuss the report with their clients. Neither party shall discuss the report or any of the litigation with the minor children.

W. Failure to comply with this order or any part thereof will result in contempt proceedings.

TEMPORARY NATURE OF THE ORDER AND STATUS HEARING

X. This order is temporary in nature and shall be entered without prejudice to either party.

Y. This matter is scheduled for an in-person status hearing relating to any issues arising out of this order on 12/20/23, 2023 in C-105 at 1:30pm.

Dated this 17th day of November 2023 at Waukegan, Illinois. ENTER:

/s/ Rhonda K. Bruno

Judge Rhonda Kind Bruno

APPENDIX G

Excerpt from petition for rule to show cause and for other relief – Oct 6, 2022 order

Exhibit B

----- Forwarded Message -----

From: "Renee Sebastin" <renee.sebastin@lhswildcats.org>

To: "sossammag@yahoo.com" <sossammag@yahoo.com>

Sent: Tue, Apr 23, 2024 at 11:16 AM

Subject: Hi it's Renee. Please listen,

on November 17, 2023 when the GAL showed up at my school, I was really scared. I had a really bad panic attack after they told me I can't see my mom and I have to live with my dad. I was really upset that I couldn't see my mom and I kept asking them why. they kept saying that they don't think it's good for me to know right now considering my state of mind. I kept telling them keeping me in the dark would make me feel worse. They told me that it would not be good for me to be with my mom right now and basically implied that she was being mentally abusive to me. I kept telling them and crying and begging them and saying that she was not mentally abusive and that, I love her and she does not do any of that stuff to me. they also presented me with the evidence that as soon as I moved into my mom's house by myself, that I started going to hospitals and having mental health issues. I told them that that had nothing to do with her and had everything to do with my

personal mental health and school, and even flashbacks I had of my dad and trauma. I kept asking them if my mom was OK and they said yes physically she is. Then I asked if she was emotionally. OK they said I don't know. We're not your mom. I got really. I got really angry and kept asking that why. They wouldn't give me a straightforward answer, and I was really panicking. I was really really scared and didn't wanna go. I kept asking if I could just go home and trying to prove to them that she is a good mother but they said I had no other choice. They said I had to go home with my dad right now. I can go to the ER and get evaluated.

since I didn't wanna go with my dad, I chose to go to the ER. I wasn't feeling suicidal or the need to harm myself in anyway, but I just didn't want to go with my dad was, I was scared. After going to the ER, I frantically explained what happened at school to one of the ER doctors and begged her to not let my dad see me. She agreed and advised that the best thing for me to do would be to go to the psych ward because I would be safe and have a place to process all the big things that happened. I wasn't too excited because I didn't wanna go home with my dad and was really scared. When I was in the psych ward, I kept pushing to try and go to foster care because I didn't want to go home with my dad. what caused me to finally agree to go home with my dad was the fact that I knew if I went I wouldn't be able to bring my brother or be with him. I didn't like the idea of my brother being alone with my dad because I didn't trust my dad. And I knew that the foster care system wasn't great and people kept warning me about the system. All my mental health

workers there were told the GAL side of the story, about how I was brainwashed into thinking the abuse that happened happened and that it didn't really happen. They were told that it didn't happen since there was apparently no evidence and I had been brainwashed by my mom, which was not true at all. I told my mom that's the only way she found out I told a mental health worker at a hospital when I was 13 before I told anyone else. I agreed to go back home with my dad along that he gave me space, never touched me, and that there would be cameras in the house. They decided that I needed more time to process these big changes in my life and sent me to residential. I wanted to go to a residential in Florida since it would be further from my dad, but my dad canceled my opening in Florida and wanted to send me to Connecticut since it's close to New York and he would be able to visit. I didn't like that and was upset that he canceled the opening, but it was too late to get the opening back so I ended up going to Connecticut. My aunt ended up coming with us on the flight since I wasn't comfortable being alone with my dad. I was told I couldn't have my phone. at Connecticut I worked on stuff mostly communication with my dad and ended up "getting comfortable with him". I didn't really feel comfortable with him. I just created an alternative version of my dad and my mind to protect me from having flashbacks and being scared all the time. I don't think I did this consciously, but more subconsciously as a defense mechanism. The court and everyone who talked bad about my mom including my dad corrupted my happy memories with her and i will never forgive them for that. I don't want her to be sad and really miss her.

I was told that me and my brother couldn't see my mom because she was unwell and needed therapy. After getting out of residential, I found out that my mother had been diagnosed with a mental health illness that I had never heard of before. After researching, I thought that she did not have it and that was absolutely absurd and crazy. I was very upset and tried telling people that she didn't have that and she was an amazing mother. I tried explaining that she never exaggerated my symptoms, but sometimes I was too scared to tell people on my own, so I had her speak for me. Asher was told that Mom is sick and that's why he can't see him. He's too young to know. I was told Mom would go to jail if I tried contacting her two times. Th GAL told me that first then my dad reinforced it.

I wasn't told much about the court process and was mostly kept in the dark. When I asked my dad for certain privileges, he said he was asking the court, but after a while, I found out that he was lying about some of that. I found out that some of the rules he had for me wasn't because of the court and was because of him. I knew that the court process was still going on and at first they told me that if my mom did everything she was supposed to that i would see her in five months. then that changed to "i don't know". I was occasionally told that mom isn't doing any of the stuff she's supposed to do in therapy. I was also told that my mom isn't allowed to send me letters about charlie because she's using that to emotionally blackmail me or make me miss them more. That is totally insane and bullshit. Why or how much i

miss my dog isn't going to be easily effected by a letter. I am a strong person. If anything, it made me smile hearing about the cute things charlie would do. I was never told by anyone from the court or my dad that my mom went to the hospital. I was very upset and worried when i found out. it's so unfair that she had her kids taken for her because of some whack jobs that said "yup i 100% know this mother better than her own daughter who's been with her for 15 YEARS". I may not be a professional, but i know a good amount from the mental health facilities i've gone to and my own research i used to do for fun. I also have something called a GUT FEELING and fucking INTUITION. I never had any of these bad feelings about my mom EVER. I started dissociating a lot after coming home with my dad. I was constantly numb and couldn't feel or cry even when i wanted to. I instead got upset over small things bc i couldn't let my sadness or anger out. People think i'm doing much better when really i would love nothing more than to just sleep for the rest of eternity. i literally feel dead inside, like nothing is real i'm i'm already dead somehow. Asher doesn't know how to process his feelings and ends up throwing a lot of tantrums. He cries a lot more when he's hurt because he misses mom. He gets very upset when people get mad at him or push him away. He's more shy and quiet now. He's also pretty uptight and hates any type of change. He clings to me a lot more now. I really just wanna go home. Home to mom's house with my brother. I wanna go home and go back to how things were and be a family with mom again. I love my mom so much and really miss everything and my dog and my real home. I was told i can't contact mom and she can't contact me. The only contact i was told i

could have were sending her gifts for her birthday and mother's day and letters necks and forth. I was told she can send a letter once a week. I begged them to let me at least have a phone call with my mom for Christmas but they said no. I didn't even get a letter from her for Christmas. I had no contact with her during Christmas. It was very depressing. I've basically been coping with living with my dad by separating his abusive past from him now to almost create a fabtasy like world. To protect my brain from trauma and flashbacks. I didn't do it on purpose but more so it just happened as a defense for myself. I see him as a completely different person as him abused him to help myself. I still know what happened and how he abused me no matter what anyone said. I remembered things all on my own and nobody told me anything about memories i had or "made" me remember things. It was all me.

I still feel uneasy when he touches me and sleep most of the time with my door locked. I am tired and drained a lot now and it's really hard. I just wanna live with my mom again please.

-Renée Sebastin

ID: 413830

APPENDIX H

Excerpt from Petitioner's motion to reconsider and modify paragraph I of the temporary order of allocation of parental responsibilities entered November 17, 2023

Positive Outcomes Consulting

847-845-2092 800 E. NW Highway, Ste. 707, Palatine, IL60074

January 26, 2024

Dear Judge Bruno,

My name is Dr. Lisa Kohut and I'm writing this letter on behalf of my client, Sossamma George, per my discussion with Attorney Ronald Bell about the diagnosis and treatment orders given by the court.

Mrs. George has been a client of mine for the past 2 years, since June 21st of 2021 and has been treated for symptoms of trauma and anxiety related to her divorce and the custody case. Since beginning treatment, she has also lost her father.

According to Attorney Ronald Bell, Mrs. George has allegedly been diagnosed with Munchausen By Proxy by Dr. Finn and has been ordered to receive treatment for this condition with Dr. Chinny.

Your Honor, I'm very uneasy and strongly concerned about this diagnosis and the treatment orders, considering that although, Dr. Finn's office and I made efforts to connect, we never connected and consequently, my clinical impressions were not considered in the findings.

I have been an independently licensed clinical counselor for over 20 years, 9 of those have been in private practice and 13 of those years have been in a therapeutic day school as a School Psychologist, which has allowed me the opportunity to interact with parents who allegedly had symptoms of Munchausen by Proxy. Based on my 2 years of experience with Mrs. George and several years of experience in the mental health field, I would respectfully disagree with the current diagnosis and I'm extremely concerned about the adverse side effects (both short and long term) that this order to be treated for this condition could have on Mrs. George. Mrs. George has already experienced a significant amount of adversity going through the divorce, losing contact with her children, having an Order of protection filed against her and now being given a diagnosis and treatment order that arguably has very little if any support.

EXHIBIT B

My observations and impressions of Mrs. George are that she is a loving, attentive and hard working mother, who has made every effort to address her children's needs as well as her own as they have come up.

For that reason, I'm proposing that the order for Mrs. George to be treated for Munchausen By Proxy by a treating therapist, who she has not developed a rapport with be dismissed and that Mrs. George continue her treatment with me. Mrs. George's symptoms of trauma and anxiety need to continue to be treated.

Thank you in advance for your cooperation regarding this matter and for taking the time to read and understand this request. Please feel free to contact me with any questions or concerns regarding this matter.

Sincerely yours,

/s/ Lisa Kohut

Dr. Lisa Kohut,

Ed.D, Ed.S., LCPC