

NOTICE

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

2026 IL App (4th) 260511-U

NO. 4-26-0511

IN THE APPELLATE COURT

OF ILLINOIS

FOURTH DISTRICT

FILED

September 9, 2026
Carla Bender
4th District Appellate
Court, IL

<i>In re</i> K.S., a Minor	)	Appeal from the
	)	Circuit Court of
(The People of the State of Illinois,	)	Tazewell County
Petitioner-Appellee,	)	No. 25JA220
v.	)	
Kieran S.,	)	Honorable
Respondent-Appellant.	)	Katherine G. P. Legge,
	)	Judge Presiding.

JUSTICE VANCIL delivered the judgment of the court.
Justices Cavanagh and Harris concurred in the judgment.

ORDER

¶ 1 *Held:* The appellate court affirmed, finding the trial court's (1) neglect finding and wardship determination were not against the manifest weight of the evidence and (2) order requiring respondent to engage in court-ordered services was not an abuse of discretion.

¶ 2 In December 2025, the State filed a petition alleging K.S. (born in June 2024), the minor child of respondent, Kieran S., was neglected due to being in an environment injurious to his welfare. In April 2026, the trial court found K.S. neglected. Thereafter, the court made K.S. a ward of the court and ordered custody and guardianship of K.S. to remain with respondent and K.S.'s mother, Kelsey S., who is not a party to this appeal. The court also ordered respondent to engage in certain court-ordered services. Respondent appealed.

¶ 3 On appeal, respondent contends (1) the trial court's neglect finding and wardship determination were against the manifest weight of the evidence and (2) the court abused its

discretion in ordering him to engage in counseling and parenting classes. For the reasons that follow, we affirm.

¶ 4

I. BACKGROUND

¶ 5

In December 2025, the State filed a petition alleging K.S. was a neglected minor pursuant to section 2-3(1)(b) of the Juvenile Court Act of 1987 (Juvenile Court Act) (705 ILCS 405/2-3(1)(b) (West 2024)) due to being in an environment injurious to his welfare. According to the petition, in October 2025, the Illinois Department of Children and Family Services (DCFS) received a hotline call reporting concerns of physical abuse regarding K.S. A DCFS investigator went to Kelsey's home and observed faint bruising on K.S.'s forearm and outer thigh. Later that month, Kelsey filed an emergency motion to restrict parental responsibilities/parenting time in Tazewell County case No. 24-FA-120. (Respondent and Kelsey share custody of K.S., with respondent having two days of parenting time per week.) Following a hearing on the motion, the trial court ordered that respondent's and Kelsey's parenting time with K.S. be supervised due to the parents blaming each other for the extensive bruising on K.S. The court further ordered the parents to take pictures of K.S. during visitation exchanges. In December 2025, a skeletal survey of K.S. was completed, and no concerns were found. On two occasions, respondent sent pictures of K.S. with alleged abusive injuries/marks to Kelsey, the assistant state's attorney, and the guardian *ad litem* (GAL). The DCFS investigator determined the alleged injuries or marks depicted in the photos were of no concern. Following an investigation, DCFS indicated an unknown perpetrator for the cause of K.S.'s bruises and determined it would not take protective custody of K.S.

¶ 6

The petition also included the following incidents, which occurred prior to the opening of this case. In June 2024, respondent and Kelsey filed separate petitions for orders of

protection in Tazewell County case Nos. 24-OP-419 and 24-OP-427. Both cases were dismissed in August 2024. In April 2025, DCFS received a hotline report for allegations of bruising on K.S., and Kelsey filed a petition for an order of protection against respondent in Tazewell County case No. 25-OP-265. The petition was dismissed a month later, and a DCFS investigation found the allegations regarding K.S.'s bruising were unfounded.

¶ 7 In March 2026, respondent filed an amended answer to the State's petition, in which he stipulated the State had sufficient evidence to prove the allegations in the petition.

¶ 8 In April 2026, the trial court conducted a joint adjudicatory and dispositional hearing. The court noted the parents had previously entered stipulations to the neglect allegations. The court admonished respondent as to his rights and explained the stipulation meant respondent would be (1) admitting the State had sufficient evidence to prove the allegations in the petition and (2) consenting to immediately proceeding to the dispositional hearing. The court engaged in a colloquy with respondent to ascertain whether his stipulation was being given freely and voluntarily. After the court accepted respondent's stipulation, the State provided a factual basis. On the State's request, the court took judicial notice of the order of protection proceedings involving respondent and Kelsey. Based on respondent's stipulation, the court found K.S. neglected.

¶ 9 The trial court immediately proceeded to the dispositional hearing. The court noted a dispositional report was filed. According to the dispositional report, respondent initially refused to cooperate with the investigation but was now fully cooperative with the agency, was available for all home visits, and met with the caseworker two to three times a month. It was recommended that respondent continue cooperating with the agency and complete parenting classes. K.S.'s primary care physician examined the bruises and indicated they were likely

caused by K.S.'s high level of activity and vision issues. His doctor did not believe respondent or Kelsey were abusive toward K.S.

¶ 10 In the March 2026 integrated assessment attached to the dispositional report, the prognosis for the family was rated as good. The assessment recommended the family remain intact, as there were no safety concerns and the parents were willing to work with the agency and engage in services. The assessment noted respondent and K.S. had a strong and loving bond, and respondent was knowledgeable of K.S.'s needs and provided a safe and nurturing environment. It was recommended that K.S. be made a ward of the court but respondent and Kelsey remain as custodians and guardians of K.S.

¶ 11 Donnelle Hughes, a caseworker with Children's Home Association of Illinois, testified on behalf of respondent. She had no concerns with K.S. having unsupervised overnight visits with respondent. She was not aware of any potential substance abuse issues. Hughes found respondent to be accommodating and cooperative. However, she still believed parenting classes were necessary based on the circumstances that led to the opening of the case. Hughes testified she had no reason to believe any of K.S.'s bruising occurred while in respondent's care. Respondent was providing photos of K.S. to Hughes after every visit as required by the trial court. Because a genetic blood condition could be a potential cause of K.S.'s bruising, Kelsey was scheduling an appointment with a hematologist for blood testing. Hughes confirmed K.S. had vision issues and would sometimes remove his glasses. She personally observed K.S.'s clumsy behavior when he fell into a television stand when he was playing.

¶ 12 Respondent testified he had not seen K.S. acquire bruises while in his care. He agreed K.S. had trouble with falls and maintaining his balance, but he attributed this to K.S. learning how to walk.

¶ 13 The trial court stated it considered the arguments and evidence, the dispositional report, the GAL report, the information presented at the adjudicatory stage, and the pleadings and cases, as requested by the parties. The court found it was in the best interest of K.S. to be made a ward of the court. The court found respondent and Kelsey fit, willing, and able, and it placed custody and guardianship of K.S. with both parents. As to services, the court ordered respondent to engage in parenting classes and mental health counseling. The court noted parenting services would be helpful given K.S.’s unique needs, and if the parenting coach had no concerns, respondent could complete the classes after two to three meetings.

¶ 14 This appeal followed.

¶ 15 II. ANALYSIS

¶ 16 On appeal, respondent argues (1) the trial court’s order adjudicating K.S. neglected was against the manifest weight of the evidence and (2) the court erred in making K.S. a ward of the court and ordering respondent to engage in court-ordered services.

¶ 17 The Juvenile Court Act provides a two-stage process to decide whether a child should be made a ward of the court. *In re A.P.*, 2012 IL 113875, ¶ 18. At the first stage, the trial court conducts an adjudicatory hearing, where it determines only whether the child is neglected, abused, or dependent. 705 ILCS 405/2-18(1) (West 2024). At the second stage, the court conducts a dispositional hearing, where it first determines if it is in the best interest of the child and the public that the child be made a ward of the court. *In re N.B.*, 191 Ill. 2d 338, 343 (2000). If the child is made a ward of the court, the court then determines the proper disposition for the child, considering “the health, safety and interests of the minor and the public.” 705 ILCS 405/2-22(1) (West 2024). “Only after a finding that the minor should be made a ward of the court can the court issue a dispositional order affecting the future conduct of the parents.” *In re C.L.*, 384

Ill. App. 3d 689, 693 (2008).

¶ 18

A. Adjudicatory Order

¶ 19 Respondent argues the trial court's order adjudicating K.S. neglected was against the manifest weight of the evidence. The State contends respondent invited any error that may have occurred when he stipulated to the finding of neglect.

¶ 20 Under the doctrine of invited error, "[a] party is estopped from taking a position on appeal that is inconsistent with a position the party took in the trial court." (Internal quotation marks omitted.) *In re William H.*, 407 Ill. App. 3d 858, 870 (2011). A party invites error where he actively invites or acquiesces to the course of action constituting the alleged error. *People v. Holloway*, 2019 IL App (2d) 170551, ¶ 44. "Our supreme court has viewed cases of acquiescence strictly, finding that a party's active participation in the direction of proceedings *** goes beyond mere waiver such that the traditional exceptions to the waiver rule do not apply." (Internal quotation marks omitted.) *People v. Moore*, 2021 IL App (2d) 200407, ¶ 36. Consequently, a party on appeal cannot complain of an alleged error that he induced the trial court to make or to which he consented. *In re E.S.*, 324 Ill. App. 3d 661, 670 (2001).

¶ 21 In this case, respondent stipulated to the allegations in the State's petition. "[A] respondent parent's stipulation of facts can provide a sufficient basis by itself for a trial court's finding of neglect." *In re R.B.*, 336 Ill. App. 3d 606, 618 (2003). The court admonished respondent as to his rights and explained he would be admitting the State had sufficient evidence to prove the neglect allegations. Respondent acknowledged he understood the consequences and agreed to the stipulation. Based on these facts, we find the invited error doctrine bars any argument challenging the court's neglect finding during the adjudicatory stage, as respondent stipulated to the allegations in the State's petition. Accordingly, respondent is estopped from

challenging the court’s neglect finding. See *In re Stephen K.*, 373 Ill. App. 3d 7, 25 (2007).

¶ 22 B. Dispositional Order

¶ 23 Respondent asserts the trial court erred in making K.S. a ward of the court and ordering him to engage in counseling and parenting classes.

¶ 24 We begin by noting the portion of respondent’s brief addressing this issue does not comply with Illinois Supreme Court Rule 341(h)(7) (eff. Oct. 1, 2020). Rule 341(h)(7) requires an appellant’s brief to include an argument section, “which shall contain the contentions of the appellant and the reasons therefor, with citation of the authorities and the pages of the record relied on.” *Id.* In his brief, respondent supports his argument with a single citation to general authority identifying the relevant standard of review for reviewing the conditions of a dispositional order. “Bare contentions in the absence of argument or citation of authority do not merit consideration on appeal and are deemed [forfeited].” (Internal quotation marks omitted.) *Hollenbeck v. City of Tuscola*, 2017 IL App (4th) 160266, ¶ 27.

¶ 25 Even if we were to excuse his forfeiture, respondent cannot demonstrate the trial court’s dispositional order making K.S. a ward of the court was against the manifest weight of the evidence or that the services ordered by the court were an abuse of discretion.

¶ 26 1. *Wardship Determination*

¶ 27 The paramount consideration at the dispositional hearing is the best interest of the child. *N.B.*, 191 Ill. 2d at 343. “In contrast to the adjudicatory hearing, where the court determines only whether the child is abused or neglected, the wardship determination at the dispositional hearing ‘is based on the best interest to the child when considering the *totality of the circumstances* surrounding the child’s life.’ ” (Emphasis in original.) *In re M.D.*, 2022 IL App (4th) 210288, ¶ 64 (quoting *In re D.S.*, 2018 IL App (3d) 170319, ¶ 15). We will not

overturn a court's wardship determination unless it is against the manifest weight of the evidence. *D.S.*, 2018 IL App (3d) 170319, ¶ 13. A finding is against the manifest weight of the evidence only where the opposite conclusion is clearly apparent. *In re A.R.*, 2025 IL App (4th) 250668, ¶ 66.

¶ 28 Here, the evidence at the dispositional hearing showed, though he was cooperating with the agency and providing a safe and nurturing environment for K.S., respondent was initially resistant to cooperating with investigators at the opening of the case. Respondent and Kelsey were still working with K.S.'s primary care physician to determine if there was a medical condition contributing to K.S.'s bruising. In addition, respondent and Kelsey, who shared custody of K.S., had a chaotic relationship, including a history of filing mutual petitions for orders of protection and an inability to communicate regarding K.S.'s welfare. Significantly, the intact case was opened due to the extensive, unexplained bruising on K.S. Because these issues had not been fully resolved at the time of the dispositional hearing and were directly related to the reason K.S. came into care, we find the trial court's wardship determination was not against the manifest weight of the evidence.

¶ 29 *2. Court-Ordered Services*

¶ 30 Once a child is made a ward of the court, the trial court must “ ‘consider the permanency goal set for the minor, the nature of the service plan for the minor[,] and the services delivered and to be delivered under the plan.’ ” *In re J.W.*, 386 Ill. App. 3d 847, 856 (2008) (quoting 705 ILCS 405/2-22(1) (West 2006)). “Although the conditions of a dispositional order need not relate solely to the grounds for adjudication of wardship, there must be some basis in the evidence for them, and the propriety of the conditions of the dispositional order are reviewed on an abuse of discretion standard.” *In re Chyna B.*, 331 Ill. App. 3d 591, 597-98 (2002).

¶ 31 After reviewing the record, we find the trial court did not abuse its discretion, as there is some evidence in the record supporting the need for respondent to engage in counseling and parenting classes. As stated above, the court found respondent was fit, cooperating with the agency, and caring for K.S. and his unique needs. However, at the time of the dispositional hearing, the exact cause of K.S.'s bruising had not been identified. Moreover, respondent and Kelsey's contentious relationship was characterized by a lack of cooperation and blame-shifting regarding K.S.'s physical injuries. A parenting class could provide respondent with preventative measures to reduce the occurrences of K.S.'s bruising, and counseling could help respondent learn communication skills to improve his coparenting relationship with Kelsey. We cannot say no reasonable person would agree with the court's decision to order respondent to engage in those services.

¶ 32 III. CONCLUSION

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

¶ 34 Affirmed.