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) 260130-U

NO. 4-26-0130

IN THE APPELLATE COURT

OF ILLINOIS

FOURTH DISTRICT

FILED
November 5, 2026
Carla Bender
4th District Appellate
Court, IL

JEREMY T.,	)	Appeal from the
Petitioner-Appellant,	)	Circuit Court of
v.	)	Rock Island County
KIMBERLY S.,	)	No. 13F78
Respondent-Appellee.	)	
	)	Honorable
	)	Derek L. Hancks,
	)	Judge Presiding.

JUSTICE GRISCHOW delivered the judgment of the court.
Presiding Justice Steigmann and Justice Knecht concurred in the judgment.

ORDER

¶ 1 *Held*: The appellate court reversed and remanded (1) the trial court's modification of the allocation of parenting time and parental responsibilities, finding the court failed to make any findings pursuant to either section 610.5(a) or 610.5(c) of the Illinois Marriage and Dissolution of Marriage Act (750 ILCS 5/610.5(a), (c) (West 2024)) to warrant consideration of modification of the original agreed parenting plan; (2) the court's decision to deviate downward from the child support guidelines based upon the payor's personal obligations to pay other fees; and (3) the court's decision to order a party to pay half of the guardian *ad litem* fees when a fee waiver had already been granted for that party and the court failed give the party 10 days' notice of a hearing and the specific reasons why the waiver might be reconsidered, in accordance with section 5-105(f-10) of the Code of Civil Procedure (735 ILCS 5/5-105(f-10) (West 2024)).

¶ 2 This appeal involves the following issues: whether the trial court erred in (1) determining it was in the teenage daughter's best interests to modify the allocation of parenting time and parental responsibilities in the original agreed parenting plan without first making any findings that modification was warranted pursuant to either section 610.5(a) or

610.5(c) of the Illinois Marriage and Dissolution of Marriage Act (Marriage Act) (750 ILCS 5/610.5(a), (c) (West 2024)), (2) deviating from the statutory child support guidelines based solely upon its consideration of the payor's personal obligations to pay her attorney fees and a portion of the guardian *ad litem* (GAL) fees, and (3) ordering a parent to pay half of the GAL fees when he had already been granted a waiver of court fees and was not given notice and hearing regarding the specific reasons the waiver might be reconsidered, in accordance with section 5-105(f-10) of the Code of Civil Procedure (Procedure Code) (735 ILCS 5/5-105(f-10) (West 2024)). In addition, a pending motion to supplement the record on appeal was taken with the case. For the reasons that follow, we deny the motion to supplement the record, and we reverse and remand the case with directions.

¶ 3 I. BACKGROUND

¶ 4 A. Original Proceedings and the March 27, 2013, Agreed Order

¶ 5 The parties, respondent, Kimberly S., and petitioner, Jeremy T., are the parents of G.L.T. (born July 2011). Though never married, they lived together in Moline, Illinois, until February 2013, when their relationship ended and Kimberly moved in with her parents in Colona, Illinois. Paternity of G.L.T. was established by consent, and on March 27, 2013, an agreed order regarding parental responsibilities and parenting time was entered. The parties agreed to joint legal custody with shared physical care according to a "3-1-2, 3-2-2 rotating [parenting time] schedule." Rather than setting a specific time for the custody exchanges, the schedule attached to the order, exhibit A, referred to exchanges occurring "after w/s" meaning after work/school. In several paragraphs of the order, the language used referred to parenting time commencing "after work or school." The order also contained a schedule of alternating holidays, shared birthday time, and plans for scheduling vacation time. The parties agreed neither

would pay child support at that time, Jeremy would maintain health insurance for the child through his employer, and they would each pay half of school-related expenses and uncovered medical expenses. Kimberly was granted the right to claim G.L.T. as a dependent for tax purposes.

¶ 6 In 2016, Kimberly filed a petition to modify the March 27, 2013, agreed order, asking for the majority of parenting time and parental responsibilities, for her home to be designated the child's primary address, and for changes to the holiday and vacation schedules. Jeremy filed an emergency motion seeking to enroll G.L.T in kindergarten in the East Moline, Illinois, school district, where she could continue to participate in the daycare program she had been in while in preschool rather than the Geneseo, Illinois, schools preferred by Kimberly. Kimberly's petition to modify was denied by the trial court due to her failure to show a substantial change in circumstances warranting modification of the original order. Further, the court ordered G.L.T. be enrolled in the East Moline School District. During this time, Jeremy and Kimberly signed a document agreeing that G.L.T. would be enrolled in the Geneseo School District, and Jeremy intended to relocate to be closer to those schools. In 2017, Jeremy moved to Colona, Illinois nearer to Kimberly, who lived with her parents (Marsha and Bruce S.) and within the Geneseo School District. The parties continued to operate under these terms for many years until they returned to court in 2024.

¶ 7 B. Subsequent Enforcement and Modification Proceedings

¶ 8 In July 2024, Jeremy filed a *pro se* petition for rule to show cause, contending Kimberly was in violation of the March 27, 2013, agreed order. By this time, G.L.T. was 13 years old. Jeremy claimed Kimberly refused to allow G.L.T. to go to his home on days when he was not working or she was not in school and described several incidents between November

2023 and June 2024. He explained two incidents when he was scheduled to have parenting time on a day when G.L.T. had the day off from school and he was not working. Kimberly refused to allow Jeremy to exercise parenting time with G.L.T. in the morning and instead told him to come back at 3 p.m., the time when school would normally end. He described another occasion when G.L.T. was sick and did not go to school and Kimberly informed him that she would be keeping her another day. On that day, G.L.T. texted Jeremy and asked him to pick her up early. When G.L.T. left the house to go with Jeremy, her grandmother physically tried to stop her, but G.L.T. ran outside. Jeremy also described problems at G.L.T.'s school bus stop when he and G.L.T.'s grandparents would simultaneously be there to pick her up. If Kimberly was at work, she would send the grandparents to the bus stop to pick up G.L.T. and care for her until she got home from work. Jeremy, who was not working at the time, would be there to pick up G.L.T. because the grandparents were not "listed to pick up on her behalf" and he believed the time from bus pick up until Kimberly came home from work was "his time." There were instances when Kimberly filed "report[s] for safe pick up" with the police, which Jeremy characterized as false police reports. An order for rule to show cause was issued against Kimberly.

¶ 9 On July 29, 2024, Kimberly, represented by counsel, filed the following: (1) an "Application for Temporary Restraining Order and Application for Preliminary Injunction," seeking, *inter alia*, to prohibit Jeremy from "manipulating the intent" of the parenting schedule and "unilaterally deciding when his parenting time commences"; (2) a "Motion to Waive Mediation," citing Jeremy's hostility toward her and their inability to effectively communicate as reasons to forgo mediation; and (3) a "Petition to Modify the Allocation of Parental Rights [and] Responsibilities, Parenting Time[,] and Child Support." In the petition, Kimberly sought modification of the March 27, 2013, agreed order, including the

allocation of majority parenting time to her, allocation of sole decision-making responsibility in all areas to her, establishing set exchange times and designation of people allowed to pick up the minor child, establishing more clearly defined holiday breaks, and ordering child support after imputing a reasonable income to Jeremy.

¶ 10 On August 9, 2024, the trial court entered an order granting the waiver of mediation and denying Kimberly's application for a temporary restraining order and preliminary injunction. The court's order also established 9 a.m. exchange times for some upcoming days when G.L.T. would not be in school and allowed each parent to designate a known person to assist in exchanges. At the hearing on the motion, Jeremy explained that on days when Kimberly worked but parenting time switched to her, Jeremy would pick up G.L.T after school and Kimberly would then pick up G.L.T. at his home after work. The disputes began when G.L.T.'s maternal grandparents began arriving at the bus stop to pick up G.L.T. on behalf of Kimberly. Kimberly's attorney argued "it doesn't make sense for—for [G.L.T.] to get dropped off at the bus stop, to go to [Jeremy's] for an hour, hour and a half, whatever it may be, until [Kimberly] gets off of work." G.L.T. expressed she did not want to go with her grandparents but preferred to go with Jeremy. The court ordered any exchange involving Kimberly's parents must occur at the police department and ordered the parties not to discuss the case, or allow any family members to discuss the case, with the minor and appointed Karri Belvel as GAL.

¶ 11 On August 27, 2024, Jeremy filed *pro se* a response to Kimberly's petition to modify the allocation of parenting rights and responsibilities, parenting time, and support. He argued it was in G.L.T.'s best interests that he be awarded full custody, but he was "okay with the minor child expressing her concerns and will listen to the minor child to allow the minor child to stay with [Kimberly] if the minor child" informs him of the dates she would like to visit

her mother. He proposed a schedule providing him all day-to-day parenting time with alternating holidays. He also proposed G.L.T. could choose how to spend time during spring and winter breaks from school, and suggested Kimberly receive two weeks of parenting time for vacation during summer but that G.L.T. could "decide if she wants to go" to Kimberly's home during the offered summer vacation time.

¶ 12 Jeremy also filed a second petition for rule to show cause, alleging Kimberly was in violation of the August 9, 2024, order. A rule to show cause was issued against Kimberly.

¶ 13 C. The Hearing on the Enforcement and Modification Petitions

¶ 14 On September 12, 2024, the trial court entered an order setting all pending matters for hearing. Kimberly was represented by counsel, and Jeremy continued to represent himself. The hearing took place on 10 days over a 10-month period, between January 22, 2025, and October 20, 2025. Volumes of evidence were presented, including numerous body-worn videos from police officers, personal cell phone videos, and 1,571 pages of exhibits. Those exhibits included G.L.T.'s medical records; a voluminous amount of text messages, predominantly between Jeremy and Kimberly, Jeremy and G.L.T., and screenshots of texts between Kimberly and G.L.T; photographs; police incident reports; e-mails; letters from police officers responding to Jeremy's formal complaints; and court transcripts, including the transcripts from the emergency stalking no contact order proceedings against the grandparents.

¶ 15 Kimberly's attorney waived an opening statement and noted to the trial court that Jeremy's petition for rule to show cause was filed before Kimberly's petition for modification, suggesting Jeremy should present evidence first. Jeremy elected to make an opening statement, focusing his comments on (1) the 2016 ruling, wherein the court maintained the status quo under the original March 27, 2013, agreed order, finding Kimberly had failed to prove a substantial

change in circumstances to justify changes to that order and (2) the violations of the March 27, 2013, agreed order, which result from a disagreement about what "after w/s" meant.

¶ 16 1. *In Camera Interview With G.L.*

¶ 17 During an *in camera* interview, the trial court explained to G.L.T. they were trying to figure out if the parenting-time schedule and decision-making authority of her parents should be changed, and that the court was supposed to consider her wishes and the reasons behind them, among other factors. G.L.T. described the parenting-time schedule and acknowledged it was "complicated." She said her parents lived close to one another and the current schedule was "working out fine, but [she] would prefer for [her] dad to have [her] more days." She explained she has more privacy at his home than at her mother's house, where people do not knock before coming into her room or the bathroom, though that had recently improved. G.L.T. stated her bedtime was 7:30 p.m. at her mother's house until it was recently changed to 9:30 p.m. She explained she had become "very irritated" with her grandmother in the past few years because she makes G.L.T. uncomfortable by touching her hair and not respecting her privacy.

¶ 18 G.L.T. explained her father's house is a "more relaxed environment" and her mother's house feels "cramped" because they live with her grandparents. She is allowed to have friends over at her mother's house, but not sleepovers, but she does not like to do so anyway because she does not feel like herself at her mother's house. G.L.T. stated she does not really trust her mother or grandmother, but she does trust her father and stepmother "better." When asked to describe the difference between how she feels at her mother's house versus her father's house, she explained that at her mother's house, they see her as an introverted person, but that is not true. She explained she presents herself "that way kind of in a masking way." She stated she

does not know why she feels the need to do that, but she had done it for a long time.

¶ 19 The trial court asked G.L.T. about her experience seeing a therapist and asked whether she thought attending therapy with her mother would be helpful. G.L.T. stated she did not think it would really change anything, but she would be open to it in the future. She explained that when she has told her mother how she feels, her mother has responded in a "manipulative" way and made her feel guilty. She described her mother's reactions when she shared how she felt, with her mother saying, " 'I won't let my own daughter blackmail me.' " G.L.T. described a conversation when Kimberly expressed, " 'I would like to be there for all your proms and stuff,' " and, " '[D]on't you want me there?' " G.L.T. responded, " 'My opinion is neutral either way if you were there or not,' " and Kimberly retorted, " 'Ouch. Yeah, that stinges—that singes. [*sic*] How could you be so cruel?' " G.L.T. said she was just being honest, but she felt bad afterwards and it was not her intention to hurt her mother. G.L.T. stated she became very upset and began to cry and asked if she could go to her father's house for a couple of hours to relax and calm down. Kimberly told her no and, " 'If I let you go over there, you're not going to want to come back, and you're going to—we're going to get—and the police involved,' or something like that." G.L.T. acknowledged both of her parents were attentive to her performance in school, supportive of her interests, and took care of her. G.L.T. said she loves her stepmother and gets along with her very well.

¶ 20 G.L.T. described two incidents of her mother physically punishing her. One incident was when G.L.T. was six years old and she stuck her tongue out at her mother; her mother made contact with her that caused her tongue to bleed; and according to G.L.T., her mother later told her father that G.L.T. stuck her tongue out in a "FU kind of way." The other incident occurred in the kitchen when G.L.T. was "being bratty" to her grandmother for putting

mushrooms in her omelet when she did not want them. Her mother raised her hand to strike G.L.T., and G.L.T blocked it. Her mother continued to yell at her. G.L.T. stated that at the time of the *in camera* interview, her mother did not raise her voice as much, and they were able to sit down and talk if G.L.T. was in trouble. She stated she usually does not get in trouble over "small things" at her father's house, and she feels "respect that goes both ways" at his home.

¶ 21 The judge asked G.L.T., "[I]f I said to you—and I'm not. Let's say I said this, 'I'm tired. I don't want to mess with this. Just tell me what you want to do, and that's what we'll do.' What would be the schedule you'd want?" G.L.T. responded she would like her father to have full custody, and she would visit or stay at her mother's house maybe once during the week. When asked if she would want to be with her mother every other weekend, G.L.T. responded, "That'd be fine with me, but I just definitely would like to have my dad to have more time." G.L.T. told the judge she was aware that her father's demeanor may be "aggressive and protective, but that's only because he has [her] best interest in mind, and he can't help that," and it "doesn't rub off on [her] in any way." G.L.T. stated she did not feel pressured by either parent to make any statements. She explained she has wanted to spend more time with her father "ever since [she] was little."

¶ 22 G.L.T. described the incident when she was scheduled to go to her father's house after school but did not go to school because she was sick. G.L.T. explained she "did not like that" when her mother told her she would not be going to her father's house if she had a fever, so she texted her father to ask him to pick her up. She described "bolt[ing]" for the door when her father arrived and her grandmother grabbing the hood of her sweatshirt to try to stop her from leaving. G.L.T. described this as "[her] bad" for not telling her grandmother she was leaving, but she knew her grandmother would not let her go. The trial court asked G.L.T. about the

circumstances surrounding the order of protection against her grandparents due to the incidents at the bus stop. G.L.T. explained that both her father and grandparents would show up to pick her up after school, but she did not want her grandparents there, so she would leave with her father.

¶ 23 2. *Police Officers' Testimony and Body-Worn Camera Videos*

¶ 24 Jeremy called multiple police officers who responded to various disputes regarding the parenting-time exchanges. The testimony elicited from the officers and the body-worn camera videos illustrated the animosity between the parties during those exchanges, most notably at the bus stop after school. Jeremy endeavored to establish that the officers showed up to enforce the March 27, 2013, agreed order and the subsequent orders clarifying custody-exchange procedures without having read the orders. The officers explained their role was to keep the peace and document the incidents in reports, and the interpretation of the court orders was a civil matter the parties must handle in court.

¶ 25 Several "personal videos" recorded by Jeremy were admitted into evidence, as well. Those videos, along with the body-worn camera videos, showed the ongoing dispute regarding the interpretation of the "after w/s" language in the March 27, 2013, agreed order, which resulted in many conflicts about parenting-time exchange days and times. In one body-worn camera video, Jeremy, who was not working at the time, arrived in the morning on a nonschool day to pick up G.L.T., but Kimberly refused. He was told he must come back at 3 p.m., the time which Kimberly interpreted as being after school. The officers documented the dispute and stated the court order should be addressed in court. In another body-worn camera video, Kimberly arrived with police for pick up after having informed Jeremy she would be picking up G.L.T. in the morning on a Friday to begin her parenting time and leave for a vacation. Jeremy stated there was no school that day and Kimberly was not working, indicating

she was not following her own interpretation that the pick-up time defaulted to 3 p.m. At other times, Jeremy and the maternal grandparents both arrived at the bus stop to pick up G.L.T. after school. In several personal videos, Jeremy or his wife purported to document the grandparents waiting at the bus stop on days that Jeremy had parenting time with G.L.T. Sometimes they would confront the grandparents, expressing concern that the grandparents were interfering with the court orders and causing distress to G.L.T. In at least one video, Jeremy asserted that because Kimberly was working, G.L.T. should go to his home after school until Kimberly could pick her up *after work*, and the grandparents asserted they were picking up G.L.T *after school* on behalf of Kimberly.

¶ 26 A body-worn camera video dated March 4, 2026, was shown to the trial court, wherein Jeremy reported G.L.T.'s maternal grandmother physically restrained G.L.T. as she was leaving the house to get into his car. He explained Kimberly informed him that G.L.T., who was not in school that day, would not be available for scheduled parenting time with him because she was sick and had a fever. Jeremy stated G.L.T. sent him text messages informing him Kimberly left the house and she did not know why, she was home with her grandparents, and she wanted to go to his house right away instead of waiting until 3 p.m. Jeremy arrived around 1:40 p.m. to pick up G.L.T., and when G.L.T. was exiting Kimberly's home, her grandmother put her hands on G.L.T. in an effort to stop her from leaving. Jeremy told the officer he intended to seek an order of protection on behalf of G.L.T. and wished to pursue criminal charges against Marsha. G.L.T. explained what happened and confirmed that her grandmother tried to pull her back as she was leaving the house. The police went to Kimberly's home to inquire about the incident. Kimberly, who was not home when the incident occurred, stated Jeremy was supposed to pick up G.L.T. at 3 p.m., but she told him she would not allow G.L.T. to go with him if she still had a

fever. Marsha stated she saw Jeremy pull into the driveway, and G.L.T. came running down a hallway toward the door. Marsha stated she put her hand out and said, "No, no" Marsha explained G.L.T. was wearing a hoodie, and she made a hand motion as if she were holding on to it, but then stated, "I didn't touch her." G.L.T. said, "Get off me," and ran out of the house and got into Jeremy's car. She later admitted she grabbed the hood of G.L.T.'s sweatshirt. Kimberly and Marsha laughed when the officer stated Jeremy wanted to pursue criminal charges against Marsha.

¶ 27 Kimberly called Sarah VanHollebeke, formerly a police officer with the Colona Police Department. She testified as to multiple encounters she and Officer Emily Duran had with Jeremy, Kimberly, and the grandparents, all revolving around parenting-time exchanges. Officer VanHollebeke described meeting Kimberly outside Jeremy's residence on Thanksgiving Day in 2023 because Kimberly had arrived to pick up G.L.T., but no one answered the door. According to the incident report, police contacted Jeremy, who informed them he had made arrangements with Kimberly to take G.L.T. out of town for the holiday, so Kimberly was filing a false police report. Officer VanHollebeke confirmed that the March 27, 2013, agreed order provided that if the parent who had Thanksgiving Day parenting time wished to travel out of the area to attend an extended family member's Thanksgiving, that parent would have the entire time from Wednesday until the regular schedule resumed on Sunday evening.

¶ 28 The following week, on December 1, 2023, Officer VanHollebeke had multiple encounters with the parties: (1) at the bus stop when G.L.T. got off the bus and went home with Jeremy instead of her grandparents because Kimberly was still at work, (2) when Kimberly arrived at Jeremy's house to pick up G.L.T. after work, and (3) later that evening when Jeremy requested a welfare check on G.L.T. at Kimberly's home. The body-worn camera video from

each of these incidents is in the record.

¶ 29 Regarding the third incident when Officer VanHollebeke arrived for the welfare check, G.L.T. was upset and crying. Officer VanHollebeke asked G.L.T., in the presence of Kimberly, if she feared for her safety while in the custody of her mother and grandparents. G.L.T. paused and said, "No." She then asked if G.L.T. would like to speak privately, and she said, "Yes."

¶ 30 Officer VanHollebeke assured G.L.T. she was not in trouble and explained her father was concerned, because of the earlier events, G.L.T.'s mother would "take that out" on her. G.L.T. responded that it was true, and she began to cry more and said in a hushed voice that she thought her mother would be mad and yell at her because she left the bus stop with her father instead of her grandparents. Officer VanHollebeke asked G.L.T. if she would yell at her "outside more than like a normal disciplinary situation." G.L.T. responded, "I mean she would yell pretty loud" and was "cussing." When asked if she felt safe with her mother and just did not agree with how she does things, G.L.T. did not respond. G.L.T. then brought up the incident that occurred in the kitchen when Kimberly attempted to slap her for making a comment about the meal, but G.L.T. blocked her hand. Officer VanHollebeke said she assumed G.L.T. did not think her mother was abusing her, and G.L.T. said, "I don't think so." She had a conversation with G.L.T. about the difference between discipline and abuse. G.L.T. did not describe any other incidents but said her mother had tried to smack her a couple of times. Officer VanHollebeke explained, "I'm not a parent who smacks their children okay, so I can't speak to that but what I can tell you unfortunately in the State of Illinois or fortunately—whoever you speak to—corporal punishment is okay—the law says that you can discipline your child that means spank them—that doesn't—there is a fine line between discipline and abuse." G.L.T. replied, "Yeah, so then I

don’t think it would be abuse.”

¶ 31 Officer VanHollebeke suggested to G.L.T. if a conversation with one of her parents gets uncomfortable, she should ask to stop and resume it at another time. She also suggested if G.L.T. ever feels unsafe or something like the “slapping situation” happens, she should say, “Please don’t put your hands on me—and if that doesn’t settle it down then we’ll have to regroup and figure something else out—okay.” She told G.L.T it is not her job to “parent her parents,” and if she needed help, she should ask her counselor or reach out to her parents, grandparents, or the police. Officer VanHollebeke followed up with Jeremy, informing him that G.L.T. was safe and recommending the parties handle these matters through their attorneys, consider meeting at a neutral location for parenting-time exchanges, and seek counseling assistance.

¶ 32 3. *Andrea T.’s Testimony*

¶ 33 Andrea T., Jeremy’s wife, testified that she loves G.L.T. and has a good relationship with her as her stepmother. She stated she noticed G.L.T. was not as happy, her grades had “slipped a bit,” and she was often reluctant to go to Kimberly’s home, all beginning in the summer of 2024. Andrea confirmed she felt safe with Jeremy and denied that he yells a lot. She observed a very strong bond between G.L.T. and Jeremy. Andrea was disappointed she was not interviewed by the GAL but the grandparents were. When G.L.T. enters their home, they hug her, G.L.T. gets a snack, and she starts her homework or unwinds. They watch movies together, and she and Jeremy go places with G.L.T. and her friends. She acknowledged she gave the GAL report to G.L.T. to read. Andera admitted to talking to G.L.T. about her relationship with Kimberly and her grandparents. She stated she has never “talk[ed] bad” about Kimberly to G.L.T., but she has expressed she was “really sorry” about her grandparents “coming to the bus

stop and pressuring [her] into choosing between [Jerremy] and them." Andrea testified she observed Jeremy being "harassed in text messages" by Kimberly; this occurred on Andrea's birthday, when Kimberly had been informed that they had plans.

¶ 34 4. *Bruce's Testimony*

¶ 35 Bruce, G.L.T.'s grandfather, testified about the interactions at G.L.T.'s bus stop, acknowledging he and his wife called the police several times because they believed they "were being verbally harassed and assaulted" by Jeremy. Bruce testified he and his wife went to the bus stop to pick up G.L.T. "day after day" because Kimberly, with approval of counsel, asked them to and they believed they were "acting in her place." Jeremy had asked them not to show up. When asked by the trial court, Bruce explained they had done so approximately nine times, mostly on Tuesdays, on the days where parenting time would transition. G.L.T would always go with Jeremy. Bruce explained that once Jermey obtained a temporary order of protection against them, they did not go to the bus stop while that was in place. When asked his interpretation of "after w/s," Bruce said he was not sure what it meant.

¶ 36 Bruce stated he had not been around Jeremy very often, and when they do attend a function at the same time, they sit on opposites sides, and he acknowledged "it's peacefully." He stated Kimberly does not pay rent, and they have "no intentions for her to move out." He observed Kimberly raise her voice to G.L.T. when she acted inappropriately, but he never witnessed any physical altercation between them or Kimberly yelling or screaming at her. Bruce testified he believed it was in G.L.T.'s best interests that she live in his home with her mother and that G.L.T. had lived with them for her entire life. He stated that he provided a "very stable home," and he, his wife, and Kimberly spend time with G.L.T., "back her education," and "try to help her out socially, too, with her friends, try to get them together as much as we possibly can."

Bruce testified that G.L.T. has seemed happy living with them, and she has never told him she is unhappy with her mother or that she dislikes her grandmother. He stated he believed Kimberly is "wonderful mother." He stated Kimberly, Marsha, and he did not talk negatively about Jeremy in G.L.T.'s presence.

¶ 37 5. *Marsha's Testimony*

¶ 38 Marsha, G.L.T.'s grandmother, testified that when she told the police it was "our time" with G.L.T. while waiting for her at the bus stop, she was referring to herself and her husband because Kimberly was working. She acknowledged she is not mentioned in the March 27, 2013, agreed order, and there is no provision for third-party pick up. Marsha acknowledged that she occasionally touched G.L.T.'s hair and told her it was "greasy." She explained she stopped doing that because G.L.T. said it bothered her. Marsha testified G.L.T. "came to us approximately when she was 18 months old" and has lived with them since. Marsha testified she did not remember telling the police that G.L.T. was scared of her father; she was then shown a video wherein she tells an officer, "I think she's scared of him."

¶ 39 Marsha testified she did not believe G.L.T. was old enough or mature enough to state where she wants to live or where she feels most comfortable. She stated G.L.T. lied to police when she said Kimberly tried to smack her. She also denied telling G.L.T. she and her grandfather were sad when she did not get into their car at the bus stop after school. She testified about providing childcare for G.L.T. over the years and that she was familiar with some of G.L.T.'s friends, but her friends did not come over to their house. Marsha acknowledged waiting at the bus stop for G.L.T. after school many times before the order of protection was put in place. She and Bruce would not get out of the car. Marsha stated she was "very surprised" to hear that G.L.T. has issues being in their home. She acknowledged the parenting-time schedule was

complicated; in the past, she had watched G.L.T. after school until Jeremy got off work on his day for parenting time; and Jeremy and Kimberly sometimes agreed to change their parenting-time days.

¶ 40 Referring to the day when she tried to prevent G.L.T. from leaving with her father when she was sick and home from school, Marsha said G.L.T. was "pretty much" at a "full run" when she grabbed the hood of her sweatshirt. She did not believe she injured G.L.T. by doing so. She stated she was surprised because G.L.T. would not normally bolt out of the house without them knowing she was leaving. Marsha said her "heart started racing" and she thought, "[Jeremy] took her. He drove away with her without being—unannounced. And I thought—like a kidnapping." She said she was "stunned" and thought, "Are we going to see her again?" When asked whether 69 visits to the walk-in clinic between the ages of 3 and 13 years old suggested Kimberly was a hypochondriac, Martha responded, "If a kid is sick, the child is sick." Marsha testified she was surprised when Jeremy asked if Bruce or anyone in their family was a pedophile. She stated they both volunteer at their church working with children and have been subjected to routine background checks for many years.

¶ 41 6. *Jeremy's Testimony*

¶ 42 Jermy testified he stopped working in July 2023 due to an undisclosed disability. His disability claim was denied twice, and he did not know the status of his appeal. He testified over the years, there had been "numerous times where there has been controversy over the understanding of what and when a day starts and ends." He testified he did not want to lose any time with G.L.T., she does not want to live with Kimberly, and she should be allowed to live where she is most comfortable. He testified G.L.T. is "highly respectful, very brilliant," and not a liar. He stated "there has been nothing but trouble" with G.L.T.'s communication with her

mother. He expressed his devotion and love for G.L.T. and stated he was here "to save her, help her, and protect her, as a father should do." Jeremy stated he believed he was "cheated out of time" with his daughter, referring to the times when he was not allowed to have G.L.T. for the two hours from when G.L.T. would get out of school until Kimberly was available after work. Jeremy testified he believed G.L.T. had been subjected to mental and physical abuse in Kimberly's home but stated the Illinois Department of Children and Family Services had never been involved.

¶ 43 When asked if he has talked to G.L.T. about the case, he stated he had answered G.L.T.'s questions "to the best of [his] knowledge and explain[ed] to her that [he is] not an attorney, that she would have to talk to her GAL." He acknowledged he had talked to G.L.T. about the GAL report. He denied ever telling G.L.T. what she should say in speaking with her mother about the case. When discussing the terms of the March 27, 2013, agreed order, he acknowledged exhibit A did not contain the words "and" or "or," but that "standard English" dictated that "after work/school" means, after work and/or school. When referring to Thanksgiving 2023, he testified they visited several different family members, including his mother in Moline, Illinois and his wife's family in Bettendorf, Iowa. He stated the language of the March 27, 2013, agreed order, permitted him to do so, and he gave Kimberly three days' notice of his plans to be "out of the area" for Thanksgiving.

¶ 44 Jeremy testified about a parenting-time exchange during which the parties got into a dispute about whether Andrea's birthday should be considered a "major family event," as contemplated in the March 27, 2013, agreed order. Jeremy also testified that on the day G.L.T. was sick, his intent was to pick up G.L.T. as soon as he could because she did not want to be at Kimberly's house. Jeremy testified about the order of protection he obtained against the

grandparents due to the interactions at the school bus stop. The transcript of the order of protection hearing, wherein G.L.T. testified, was admitted into evidence without objection.

¶ 45 When Jeremy was recalled to testify during Kimberly's case in chief, he stated he had submitted a revised financial affidavit and reported that, in September 2025, he had been deemed eligible for disability benefits as of July 13, 2023, which meant he received back payment of benefits calculated to that date and monthly payments moving forward. G.L.T. also now received disability benefits as his dependent.

¶ 46 7. *Kimberly's Testimony*

¶ 47 Kimberly was on the stand for seven days of this hearing. She stated she has a good relationship with G.L.T. When asked why the GAL report "reflect[ed] something different," she stated she did not know. When asked about the incident when G.L.T. stated she attempted to smack her in the kitchen, Kimberly denied that it happened and stated she had never struck her. She acknowledged she previously admitted, in interrogatories submitted during the 2016 proceedings, to spanking G.L.T. and, on one occasion, using two fingers to tap under G.L.T.'s chin while she was sticking her tongue out, resulting in G.L.T. biting her tongue. She testified she has never forced G.L.T. to leave the door open to the bathroom while she was showering or changing.

¶ 48 Kimberly was subjected to extensive and often acrimonious examination by Jeremy regarding the following: her interactions with G.L.T.; her text messages with G.L.T.; questions about G.L.T.'s statements about their relationship, during which Jeremy suggested Kimberly was calling G.L.T. a liar on numerous occasions; the GAL report, indicating she disagreed with some of the statements attributed to G.L.T. in that report; her financial affidavit and financial situation, including her employment at a jewelry store and the fact that living with

her parents helped her financially; her past romantic relationships; G.L.T.'s medical records dating back many years and showing Kimberly took G.L.T. to a walk-in clinic on numerous occasions; the police reports associated with the parenting-time exchange incidents; the police body-worn camera videos, which were played again; a recent car accident she had where she hit a deer while G.L.T. was in the car, there were no injuries, she was able to drive home, and the car was later assessed a total loss; and her interpretation of the March 27, 2013, agreed order, including her statement that "major" birthdays did not include G.L.T.'s stepmother's birthday. She denied that she was trying to take G.L.T. away from Jeremy. Kimberly admitted to allowing G.L.T., who was 12 years old at the time, to view her Tinder dating profile, explained to her how it worked, and allowed her to "swipe left" on photos of two people she indicated she did not like. She also testified that while on vacation in 2023, G.L.T. was riding on a jet ski with her, and they were thrown off and Kimberly suffered a sprained ankle. They had watched a safety video before riding. G.L.T. was not injured, was not driving, and was wearing all of the proper safety gear. Kimberly denied Jeremy's accusation that they were going 100 miles per hour, stating that would be impossible, and also denied instructing G.L.T. to not tell him about the incident.

¶ 49 When asked about the bus stop incidents, Kimberly explained she sent her parents to pick up G.L.T. on her parenting-time exchange days when she was at work. She acknowledged there was no right of first refusal or third-party pick up agreed upon in the order. She testified that she now picks up G.L.T. after work, which is typically around 6 p.m., from Jeremy's house on her parenting-time days. When asked what was "so bad" about G.L.T. wanting to be with Jeremy when Kimbery was at work, she stated, "It's the fact that she was being picked up on my time." She explained that G.L.T. has "all that she needs when it's [her] time where we live." When asked why she thinks it is better for G.L.T. to be with her

grandmother instead of Jeremy when she is at work, Kimberly explained, "Because it's still on my time, and she's in the safe, loving environment." She reiterated that after work or school on her day is "still [her] time," and G.L.T. "does projects," bakes with her grandmother, and "enjoys herself." Later in her testimony, Kimberly reiterated that she believed G.L.T. should be with her grandparents during her "time."

¶ 50 On the seventh day of the hearing, Jeremy rested his case. Kimberly's testimony continued during her case in chief.

¶ 51 Kimberly testified she believed the current shared physical custody does not work best for G.L.T. because there are "no definitive starts and stops" and "a lot of gray areas." Kimberly acknowledged the parties had shared equal custody of G.L.T. since she was little, but she believed it was in G.L.T.'s best interests that G.L.T. spend "a little bit more time" with her. When referring to things changing, she testified she was referring to Jeremy picking up G.L.T. at the bus stop when he previously was not. She proposed Jeremy would have parenting time with G.L.T. on alternating weekends, beginning on Thursday at 9 a.m. and ending Sunday evening at 6 p.m. On the weeks when G.L.T. would spend the weekend with Kimberly, Jeremy would have G.L.T. overnight on Thursday, beginning at 9 a.m. on Thursday and ending at 9 a.m. on Friday. She acknowledged this reduced the amount of time G.L.T. would spend with her father, but she believed it was in G.L.T.'s best interests.

¶ 52 When asked again about the bus stop situation, Kimberly testified that historically, the parties handled bus pick up without incident, including her parents picking up G.L.T. when she and Jeremy were at work. The routine changed when Jeremy was no longer employed and he started showing up at the bus stop, even on days her parenting time was to begin (referring to days indicating "K after w/s" on exhibit A). Kimberly testified she thinks it is

better for G.L.T. to go to her home after school, even if she is still working, because she can eat, take a shower, do her homework, and "get all that done" by the time Kimberly gets home from work at 6 p.m. If she goes to Jeremy's house instead, it is only a few hours and is "kind of a rat race" rather than just decompressing after school. Kimberly was questioned regarding the agreed order with respect to Mother's Day and Father's Day parenting time. Kimberly acknowledged that the way the order was written, she was scheduled to pick up G.L.T. at noon on Father's Day, whereas on Mother's Day, she would have G.L.T. the entire day and overnight. Kimberly testified she was just "following the order." She testified about one occasion when Jeremy texted to request that G.L.T. stay overnight with him on Father's Day because he had family in town, and she declined but offered to pick up G.L.T. at 5 p.m. to give him a little more time.

¶ 53 Kimberly testified as to the activities she enjoys with G.L.T., and photos were admitted into evidence. She also testified, based on text messages she had seen, Jeremy was sharing information about the court case with G.L.T. and characterizing Kimberly as doing things that were not in G.L.T.'s best interests. She described an incident where the parties argued about whether it was necessary or appropriate for both of them to attend a doctor's appointment for G.L.T. She also described a dispute regarding the parenting-time exchange on Christmas Eve 2024 wherein, after a debate, the parties ultimately agreed to extend the time for the Christmas holiday to 10 p.m. Kimberly observed that G.L.T. is more relaxed and shares more since beginning therapy. She stated she never gave G.L.T. copies of the GAL reports and thought it inappropriate for Andrea to do so. She also testified she held no animosity toward Andrea but did not think Andrea should have input in decisions related to G.L.T.

¶ 54 8. *Belvel's Testimony and Reports*

¶ 55 Jeremy questioned Belvel, who acknowledged she is not a therapist, about her

characterization of him as being aggressive in her office and in court. She denied that her report was biased in any way. She stated she respected Blake Mack's opinion as G.L.T.'s therapist and noted that G.L.T.'s preference regarding where she should reside was only one of many factors considered as part of the best-interests standard. She testified as to her findings in the report. She explained she did not interview Andrea as part of her report because it was not a "comparison between the houses"; rather, the "allegations in the petition to modify and the issues that were presented to [her] were issues that were allegedly occurring at the mother's house." Because there were no specific concerns regarding Andrea, she concluded there was no reason to interview her. She explained, "I was able to gather the information that I needed from [Jeremy] and from [G.L.T.] as far as how [G.L.T.] felt at her mother's house. And I did not feel there was anything that Andrea could add to that." She testified she was concerned that Andrea gave G.L.T. both of her reports and believed it may have been at Jeremy's request.

¶ 56 In her initial report, dated January 15, 2025, Belvel revealed she met individually with G.L.T., Kimberly, Jeremy, and Mack and conducted a phone interview with Bruce and Marsha. She testified it was initially easy to assume G.L.T. was being manipulated or pressured by Jeremy, but she decided this was not true after speaking with G.L.T. and Mack. She was concerned that G.L.T. did not feel like she could discuss things with Kimberly or Marsha or be herself while at their home. She expressed concern Jeremy was modeling defensive and combative behavior for G.L.T., and even though G.L.T. and Mack did not believe it impacted G.L.T., it did create concern about Jeremy's ability to be an effective advocate for her. Belvel recommended G.L.T. be permitted to testify in chambers, though G.L.T. asked to do so in open court, and that the judge consider her thoughts directly before deciding whether the parenting schedule should be modified.

¶ 57 Belvel's supplemental report, dated August 24, 2025, contained additional observations regarding the relationships between the parties and G.L.T. after conducting follow-up interviews with the parents, G.L.T., and Mack. She expressed more concern about Jeremy's behavior, describing him as manipulative and agitated. She expressed concern about Kimberly as well, noting that G.L.T. described her as engaging in " ' emotional manipulation' " and needing to control everything, getting upset, and taking everything personally. She assessed the case based on each of the factors set forth in section 602.7(b) of the Marriage Act (750 ILCS 50/602.7(b) (West 2024)). She recommended that parenting time remain evenly split between the parents, noting that G.L.T. was very used to the schedule. She suggested any ambiguity be removed from the order by setting specific times in place of the after work/school language and specific times and locations for exchanges for holidays. She recommended Kimberly and G.L.T. begin counseling, the parties evenly divide expenses, and Kimberly be given sole decision-making responsibility regarding medical and educational decisions.

¶ 58 *9. Close of Evidence and Pending Motions*

¶ 59 At the close of evidence on October 20, 2025, both parties waived closing arguments. The trial court took the matter under advisement and stated its intention to issue a written ruling as soon as possible. The parties both indicated they had motions for waiver of fees pending regarding the outstanding GAL fees. The court stated, although the parties were not disputing the GAL fees, only seeking a waiver of the remaining fees due to financial hardship, Belvel should be present to address her fees. The court set Belvel's application for fees for hearing, at which time responsibility for the fees would be determined.

¶ 60 A hearing was held on November 19, 2025. Jeremy stated his petition for a waiver of fees had already been granted, and it was his position that the existing waiver should also

cover his portion of any GAL fees. Kimberly's attorney stated she did not have any issue with the GAL fees as stated, but she simply argued Kimberly did not have the funds to pay them due to how prolonged and extensive the litigation in this matter had been. Both parties asked that Rock Island County cover the cost of the GAL fees. The trial court acknowledged both parties had filed financial affidavits and Belvel had explained her retainer fee and hourly rate. The court inquired about the prior ruling on Jeremy's petition for a waiver of fees. Jeremy had filed a standard form petition for waiver of fees on December 10, 2024, after Belvel was appointed. At the time, Jeremy affirmed he had no income, as he had not yet been deemed eligible for disability benefits. The clerk of the court stated there was no written order in the record, only a docket entry on December 12, 2024, indicating the court "grants application for waiver of court fees." The court took the matter under advisement and stated the decision with respect to GAL fees would be part of the final ruling, which would be issued "as quick[ly]" as possible.

¶ 61 D. The Trial Court's Decision

¶ 62 On January 30, 2026, the trial court issued its "Ruling and Parenting Plan" in this case. The court noted:

> "This court finds the aforesaid visitation order to be confusing and ambiguous and in need of modification. Both parties tried to interpret this order in the light most favorable to their respective positions at their daughter's emotional expense. This Court will do its best to prepare a clear and concise parenting plan that it believes will be in the minor's best interests."

The court concluded that because of the "ambiguity and confusion existent in the current visitation order" and the fact that both parties had been guilty of discussing the case with G.L.T., it would not find Kimberly in contempt of court with respect to the rules to show cause issued

against her.

¶ 63 The trial court then turned "its attention to the issues of parenting time and responsibilities." In doing so, the court referred to the best-interests factors set forth in section 602.7 of the Marriage Act (see *id.* (listing factors used for the purpose of allocating parenting time)).

¶ 64 The trial court noted the divergent wishes of both parties with respect to parenting time, as well as G.L.T.'s desire, indicating that "this Court is not about to allow a 14-year-old child to unilaterally make such decisions." The court concluded there is "no doubt or ambiguity" regarding G.L.T.'s wishes, as she "unequivocally and intensely prefers to live with her father." The court indicated it was "very impacted" by the video interaction between Officer VanHollebeke and G.L.T., in which G.L.T. was "obviously frightened and very upset, and only after intense prodding by the officer did G.L.T. finally but reluctantly say she felt safe" in her mother's house. The court stated this factor "overwhelmingly favors dad, but it also raises questions with this Court why G.L.T. feels as strongly as she does."

¶ 65 The trial court went on to consider the amount of time each parent has spent caring for the child, noting the "parties have been following a joint parenting plan, albeit with little success." Despite the problems resulting from confrontations and conflicts regarding the interpretation of the schedule, the court found this factor to "slightly weigh" in Jeremy's favor. The court found the prior agreement has caused "noting but problems, tensions and repeated summoning of law enforcement." With respect to G.L.T.'s relationships with parents and others, the court criticized Andrea's conduct in giving the GAL report to G.L.T. while also finding Kimberly's perception that "her relationship with [G.L.T.] is better than G.L.T., herself, perceives it to be." The court acknowledged there is "no question" that Jeremy and G.L.T. are

close and G.L.T. is more trusting of him. However, the court stated it "cannot help but believe this is due in no small part to [Jeremy's] efforts to make situation and incidents with [Kimberly] and G.L.T. bigger than they need to be," pointing to the car accident and "mishap" while on a jet ski, references to the grandfather as a "pedophile," and describing G.L.T. as being " 'mentally abused by those people.' "

¶ 66 With regard to G.L.T.'s adjustment to home and community, the trial court noted G.L.T. is a good student, though her grades have dropped some, and she "does not appear to have a lot of friends, either, as it was testified to that she has 'never had a sleep-over at her mom's house.' " The court referred to the bus stop incidents as placing G.L.T. "in an embarrassing and tension-filled situation" and noting G.L.T. should never have had to experience being "exposed to police interventions, confrontations at parenting exchanges and being told about legal proceedings."

¶ 67 When considering the mental and physical health of everyone involved, the trial court found there was "not a lot of evidence" about Kimberly's health and found it to not be a concern. The court found Jeremy "apparently had some type of disability," the nature of which was unclear, though the GAL indicated it had no effect on his ability to parent. However, the court stated it was "quite concerned" about Jeremy's mental health. The court observed him throughout the proceedings, where he would "berate and argue with witnesses and litigants," threaten disciplinary reports, and argue with the court. The court concluded this factor weighed heavily in favor of Kimberly.

¶ 68 As for the child's needs, the trial court "compliment[ed]" Jeremy for getting G.L.T. into therapy to address her emotional issues. While the distance between the parents' homes is not a significant concern, the court questioned whether exchanges could be

accomplished in a "quiet and calm manner." The court found no reason to restrict Kimberly's parenting time and found no evidence of physical violence or threat of physical violence in this case. Although the court was "impacted by how shaken [G.L.T.] appeared" in the video interview with Officer VanHollebeke, it concluded it "cannot find any evidence that this child has suffered abuse in her mother's home, or her father's home for that matter." The court found that both parents had "failed" with regard to their willingness to place the needs of the child ahead of their own, noting the ongoing conflicts. The court also found the parties' willingness and ability to facilitate and encourage a relationship with the other parent lacking in this case, noting the parents have engaged in a "vicious tug of war with this child to pursue their own interests, not their daughter's."

¶ 69 The trial court stated it had the "unenviable task of drafting a parenting plan that is in the child's best interests." The court acknowledged G.L.T.'s desire to primarily live with Jeremy but noted that was but one factor to be considered and could not find that "limited contact between G.L.T. and her mother is in her best interests." Thereafter, the court established a new parenting plan with a new allocation of parenting time and parental responsibilities.

¶ 70 The trial court continued a 50/50 division of parenting time with a new schedule of alternating weeks (Sunday to Sunday). The exchanges would be at the police station every Sunday at 6 p.m. Either parent could designate a known person to pick up the child at the parenting-time exchange, but regardless of who attended, no one shall exit their vehicle. The order provided the parents would have reasonable telephone access with the child during the other's parenting time.

¶ 71 The trial court stated any special events or birthdays would be celebrated during the week that the parent has the child. Any vacations or events the parents wish to take the child

on must be done during their week of parenting time. The court established a holiday schedule for Spring Break and Christmas Break 2026, with specific days and times for exchanges and indicated the schedule would alternate each year thereafter. The court then divided the "remaining holidays" with specific exchange times and provided they would alternate the following year. There was no provision addressing Mother's Day or Father's Day parenting time.

¶ 72 The trial court then addressed parenting responsibilities, noting that the factors to be consider in this regard, as set forth in section 602.5(c) of the Marriage Act (750 ILCS 5/602.5(c) (West 2024)) "primarily overlap" with the factors considered in allocating parenting time. The court then ruled as follows: (1) Kimberly was allocated all decision-making responsibility regarding G.L.T.'s education and (2) Jeremy was allocated all decision-making responsibility regarding G.L.T.'s medical needs and religion.

¶ 73 The trial court also issued a child support order. The court determined, under the Illinois Department of Healthcare and Family Services' child support calculator, Kimberly would be required to pay Jeremy the sum of $169.43 per month. However, the court deviated downward from this sum "due to the obligation of [Kimberly] for her attorney fees as well as the upcoming division of [the GAL] fees." Thus, the court ordered Kimberly to pay $150 per month in child support beginning on February 1, 2026.

¶ 74 As a final matter, the trial court addressed the GAL fees, noting that "[b]oth parties have sought 'fee waivers' in an attempt to stick the county with Ms. Belvel's well-earned attorney fees." The court noted the GAL was appointed at the request of the parties and was subject to "legal threats and accusatory cross examination by [Jeremy] for simply doing her job in an ethical and diligent manner." Although Kimberly earns significantly more than Jeremy, the court divided the outstanding fees of $6,457.50 evenly, noting Jeremy's actions in urging Belvel

to supplement her report and justify her opinion by testifying were the primary reasons her fees "grew so large."

¶ 75 This appeal followed.

¶ 76 II. ANALYSIS

¶ 77 A. Preliminary Matters

¶ 78 Before turning to the merits of this appeal, we note that we have issued our decision in this accelerated appeal outside of the 150-day time period specified in Illinois Supreme Court Rule 311(a)(5) (eff. July 1, 2018). Rule 311(a)(5) provides, in pertinent part, "[e]xcept for good cause shown, the appellate court shall issue its decision within 150 days after the filing of the notice of appeal." *Id.* In this case, Jeremy filed his notice of appeal on January 30, 2026, and the 150-day period to issue our decision expired on June 29, 2026. However, we granted numerous motions filed by Jeremy for extensions of time to file the record and to supplement the record, as well as motions by both parties with regard to the briefs in this case. As a result, the case was not completed until August 27, 2026. We find good cause for issuing our decision after the 150-day deadline. See *In re Marriage of Wanstreet*, 364 Ill. App. 3d 729, 732-33 (2006) (noting that granting parties' requests for extensions of time to file their briefs allowed the parties the opportunity to develop and present their positions); *In re H.B.*, 2022 IL App (2d) 210404, ¶¶ 35-39 (noting that motions for extensions of time to file the record and briefs were among the reasons to justify a delay in the appellate court's decision).

¶ 79 We must also address Jeremy's motion to supplement the record on appeal, which we ordered taken with the case. Jeremy asks this court to order the "preparation, certification, and transmission of a supplemental record concerning a May 14, 2025[,] therapist letter authored by Blake Mack, QMHP, of the Robert Young Center, to the extent the circuit-court record

confirms that the letter was tendered, received, possessed, referenced, or otherwise made part of the proceedings below." He further contends his motion is not to be construed as asking this court to consider Mack's letter "unless and until it is determined to have been properly part of the proceedings below."

¶ 80 Illinois Supreme Court Rule 329 (eff. July 1, 2017) provides that a party may supplement the record on appeal to include omissions, correct errors, and settle controversies as to whether the record accurately reflects what occurred in the trial court. See *In re Estate of Albergo*, 275 Ill. App. 3d 439, 444 (1995). "Under the rule, the record may only be supplemented with documents that were actually before the trial court." *Kuykendall v. Schneidewind*, 2017 IL App (5th) 160013, ¶ 29. Jeremy acknowledges Mack's letter is not in the record on appeal. He further has not identified any place in the transcripts of the hearing where such a letter was admitted into evidence. Our review of the record reveals Jeremy sought admission of Mack's letter which remained sealed "in [a] folder specifically from the therapist." Jeremy acknowledged he had not read the letter, but he asked the court to "read a letter from the therapist to the courtroom." This occurred during his direct examination of Kimberly, wherein he asked if Kimberly would be willing to accept whatever recommendations Mack had made in the letter, "like the GAL." Kimberly's attorney objected, and the trial court ruled the letter was hearsay and would not be admitted unless the therapist appeared in court to authenticate it. Jeremy stated he did not subpoena Mack because G.L.T. asked him not to. Although Jeremy stated his intention to do so, Mack was never called to testify in this hearing, and the letter was never admitted into evidence. Thus, Jeremy's motion to supplement the record with this letter is denied.

¶ 81 B. Issues Raised on Appeal

¶ 82 Jeremy enumerates 12 issues on appeal, all of which challenge the trial court's determination that it was in G.L.T.'s best interests that the allocation of parental responsibilities and parenting time be modified. He contends the evidence presented established that G.L.T. "unequivocally desired to reside primarily" with him, he should be granted primary residential parenting time, the decision-making responsibilities regarding educational and extracurricular activities should be reconsidered, and the decision to require parenting-time exchanges to occur at the police station was unnecessary. Jeremy further contends the GAL fees, "proper child support calculations", and "all related financial determinations" should be reconsidered "to ensure they are consistent with the evidence, applicable law, and the interests of justice."

¶ 83 1. *Modification of Allocation of Parenting Time and Parental Responsibilities*

¶ 84 Section 610.5 of the Marriage Act governs "the judicial modification of orders allocating parental decision-making responsibilities, parenting time, parenting plans, and allocation judgments." *Reynolds v. Reynolds*, 2026 IL 132627, ¶ 38; see 750 ILCS 5/610.5 (West 2024). This includes orders involving parents who were never married and where paternity was established under the Illinois Parentage Act of 2015 (750 ILCS 46/802 West (2024)). See *id.* § 46/808 ("Any allocation of parental responsibilities, parenting time, or relocation judgment modification shall be in accordance with the relevant factors specified in the [Marriage Act]."). The statute establishes a two-step framework for a trial court to determine whether modification of an existing order allocating parenting time and/or parental decision-making responsibilities is warranted.

¶ 85 The first step in the analysis requires the trial court to determine the type of modification at issue and apply the appropriate statutory standard to assess whether modification should even be considered. See *Reynolds*, 2026 IL 132627, ¶ 40 (finding the legislature intended

to "treat motions to modify parenting time differently than motions to modify other aspects of allocation judgments and parenting plans" and "provided a different legal standard" for reviewing the two types of motions for modification). If the parent is seeking modification of parenting time, the statute provides: "Parenting time may be modified at any time *** upon a showing of changed circumstances that necessitates modification to serve the best interests of the child." 750 ILCS 5/610.5(a) (West 2024). If the parent seeks modification of other aspects of a parenting plan or allocation judgment, the statute requires a different initial assessment:

> "[T]he court shall modify a parenting plan or allocation judgment when necessary to serve the child's best interests if the court finds, by a preponderance of the evidence, that on the basis of facts that have arisen since the entry of the existing parenting plan or allocation judgment or were no anticipated therein, a substantial change has occurred in the circumstances of the child or of either parent and that a modification is necessary to serve the child's best interests." *Id.* § 610.5(c).

See *Reynolds*, 2026 IL 132627, ¶ 40.

The parent seeking modification under either section 610.5(a) or 610.5(c) bears the burden of proving that circumstances exist to justify its consideration. See *Reynolds*, 2026 IL 132627, ¶ 49 (holding a party seeking to modify parenting time must make a showing of changed circumstances that necessitate modification pursuant to section 610.5(a) of the Marriage Act); *In re Marriage of Gorr*, 2024 IL App (3d) 230412, ¶ 45 (noting, under section 610.5(c) of the Marriage Act, the party seeking modification bears the burden to establish by a preponderance of the evidence that a substantial change in circumstances has occurred since the last allocation judgment). Only after the party seeking modification has met their burden under this first step does the court reach the second part of the analysis, wherein the court must determine whether

modification of the original allocation of parenting time or parental decision-making responsibilities is necessary to serve the child's best interests.

¶ 86 Whether a party seeking modification of a parenting order has met their burden under section 610.5(a) or 610.5(c) is a factual determination, which is reviewed on appeal under the manifest weight of the evidence standard. *In re Marriage of Vickers*, 2022 IL App (5th) 200164, ¶ 45. However, when the issue on appeal is whether the trial court applied the correct legal standard, the appellate court reviews that question *de novo*. *Reynolds*, 2026 IL 132627, ¶ 34.

¶ 87 In this case, Jeremy filed a petition for rule to show cause contending that Kimberly was in violation of the March 27, 2013, agreed order, and thus, seeking enforcement of that order. It was Kimberly who initiated the modification proceedings when she responded by filing a "Petition to Modify the Allocation of Parental Rights [and] Responsibilities, Parenting Time[,] and Child Support." In her petition, Kimberly sought modification of the March 27, 2013, agreed order, including allocation of the majority of parenting time to her, allocation of sole decision-making responsibility in all areas to her, establishing set exchange times and designation of other people who would be allowed to pick up the minor child, establishing more clearly defined holiday breaks, and ordering child support after imputing a reasonable income to Jeremy. Thus, Kimberly, as the moving party, had the burden of proving the existence of changed circumstances to warrant the court's consideration of modification of the original allocation of parenting time and parental responsibilities.

¶ 88 There is nothing in the record establishing the trial court addressed this first statutory step: determining whether Kimberly proved a change in circumstances under subsection (a), necessitating a modification of parenting time and/or a substantial change in

circumstances by a preponderance of the evidence under subsection (c), necessitating modification of other aspects of March 27, 2013, agreed order. The record is devoid of any finding by the court that circumstances warranted consideration of modification. Instead, the record reveals the court expressed its dislike of the original agreed order, overlooked its statutory obligation with regard to that first step in the process, and moved directly to assessing the best interests of the minor child and formulating a new allocation of parenting time, a new framework for vacation time, a new allocation of parental responsibilities, an award of child support, and a new ruling regarding the parents' claiming the minor as a tax dependent.

¶ 89 On the first day of the hearing, the trial court stated, "We had set for final hearing on all pending actions, primarily deal with modification of parental rights and responsibilities as well as parenting time." Kimberly's attorney waived an opening statement and noted to the court that Jeremy's petition for rule to show cause was filed before Kimberly's petition for modification, suggesting he should present evidence first. Jeremy elected to make an opening statement. In doing so, Jeremy commented on the 2016 ruling, wherein the court maintained the status quo under the original March 27, 2013, agreed order, finding Kimberly had failed to prove a substantial change in circumstances to justify changes to that order. Jeremy then addressed the rule to show cause:

> "Your Honor himself has told the courts we are reverting back to this order and that she is to pick her up after work, not after school. The slash is English grammar. A slash means and/or, not or. If anybody looks that up it's English grammar. It's in the order, and I will say not one officer—I have all of the videos—read the order. Because the order is split specifically into sections they never read.

> So my violation—even to this day, [respondent's counsel] has told me it's not my day. If you look at Appendix A, when I'm supposed to pick her up, it's my day. This is my day, right here, 12:00 o'clock midnight. That's when the day starts. And that's what I will prove over and over and over again since 2017."

Although Jeremy set up the issues with respect to his *interpretation* of the provisions of the original parenting time order in the context of alleged violations, it is clear the court began the hearing from the premise that it would be *changing* it.

¶ 90 On day five of the hearing, during his direct examination of Kimberly, Jeremy questioned her about the parenting time schedule in the March 27, 2013, agreed order, comparing the intended "3-1-2, 3-2-2" rotating schedule with exhibit A attached to that order. Kimberly testified she referred to exhibit A as a guide for the parenting-time exchanges. Jeremy stated the point he was making was they "do not match." The trial court interjected, "Well—and I'll be honest. I kind of agree with [Jeremy]. I didn't see in the—any way that Exhibit A matched up with the numbers. But, like I said, I—there's so much in this order I don't like, that one way or the other, that's getting changed". The following day, the court again commented on the parenting time agreement, stating:

> "The Court has noted it doesn't like this order and hopes to change it, clean it up, make it clearer, whatever.
>
> Both parties have testified to what their—how they understand the order to be interpreted. It's open, it's ambiguous; it's open to interpretation. That's why I don't like it."

¶ 91 On several occasions, the trial court noted it had a problem with the Mother's Day and Father's Day parenting-time schedule because Jeremy never ended up receiving the entire

day with G.L.T. on Father's Day. The court indicated this was one of the things it would change in the final order. When the court stated its intention to modify the order so Jeremy would have all day on Father's Day just as Kimberly had enjoyed all day on Mother's Day, Kimberly's attorney indicated she did not object to such a change. It is worth noting the court failed resolve this observed inequity, which it found most troubling, by failing to include any provision for Mother's Day or Father's Day in its final decision.

¶ 92 The trial court's written decision entitled "Ruling and Parenting Plan" also begins with the presumption that the original March 27, 2013, agreed order would be changed. The court acknowledged it "made no secret of its dislike of the visitation order wherein the visitation exchanges were to occur 'after W/S' on certain days" and the parties' interpretation of that phrase led to "chaos and confrontations." The court found the "visitation order to be confusing and ambiguous and in need of modification"; thus, the court stated it would "do its best to prepare a clear and concise parenting plan that it believes will be in the minor's best interest." Nothing in the court's written ruling addresses its statutory obligation to find a change in circumstances to justify modification of the allocation of parenting time in the March 27, 2013, agreed order, let alone a *substantial* change in circumstances by a preponderance of the evidence to warrant modification of the allocation of parental responsibilities.

¶ 93 This court has reviewed the extensive record in this case and acknowledges the animosity between the parties with regard to the parenting-time exchanges; however, the record shows this is not a new development between these parents. For better or worse, these were the conditions the parties agreed to and were operating under since G.L.T. was a young child. During her *in camera* interview, G.L.T. stated the current schedule was "complicated" but was "working out just fine," despite that she would prefer to have more days with her father. When

the trial court asked G.L.T. if the schedule was "taxing" or had "worn [her] out a little bit," G.L.T. reaffirmed that she was "used to it," and had "done this ever since, like, [she] was little."

¶ 94 Likewise, we are not suggesting a change in circumstances or even a substantial change in circumstances could not be found to warrant consideration of modification of the allocation of parenting time and parental responsibilities in this case. However, the trial court abdicated its job by failing to make the required statutory findings of fact. Those findings are not discretionary; they are a statutorily required prerequisite to any modification of a parenting plan or allocation judgment. See *In re Marriage of Gualandi*, 2024 IL App (5th) 240238, ¶ 80 (finding the trial court abdicated its duties in signing an order indicating the parties had agreed to modify the parenting plan when the record showed this was clearly a contested matter on certain issues in the plan, and thus the court should have included a finding that a substantial change in circumstances had occurred and made a determination that it was in the best interest of the children to modify the parenting plan); *In re Marriage of Williams*, 2026 IL App (5th) 241260, ¶ 37 (holding the trial court abused its discretion in imposing additional terms and conditions on the father's parenting time, which "amounted to a restriction and modification" of his parenting time, without adhering to sections 603.10 or 610.5 of the Marriage Act); *Vickers*, 2022 IL App (5th) 200164, ¶ 84 (holding the trial court's *sua sponte* modification of a parenting agreement to grant additional parenting time to one parent despite dismissal of that parent's petition to modify was improper). As a reviewing court, it is not our role to weigh the evidence and make those findings. Consequently, the trial court erred as a matter of law by failing to make the appropriate findings as required by statute to justify consideration of whether modification of the allocation of parenting time and parental responsibilities was in the best interests of G.L.T.

¶ 95 We deem it prudent to point out that the Marriage Act enumerates four

circumstances in which a trial court may modify a parenting plan or allocation judgment without a showing of changed circumstances if the modification is in the child's best interests, including:

> "(1) the modification reflects the actual arrangement under which the child has been receiving care, without parental objection, for the 6 months preceding the filing of the petition for modification, provided that the arrangement is not the result of a parent's acquiescence resulting from circumstances that negated the parent's ability to give meaningful consent;
>
> (2) the modification constitutes a minor modification in the parenting plan or allocation judgment;
>
> (3) the modification is necessary to modify an agreed parenting plan or allocation judgment that the court would not have ordered or approved under Section 602.5 or 602.7 had the court been aware of the circumstances at the time of the order or approval; or
>
> (4) the parties agree to the modification." 750 ILCS 5/610.5(e)(1)-(4) (West 2024).

None of these circumstances exist in this case.

¶ 96 We reverse the trial court's order modifying the March 27, 2013, agreed order and establishing a new allocation of parenting time and parental responsibilities. We remand the matter for the court to consider (1) whether Kimberly demonstrated that a change in circumstances warranted consideration of modification of the allocation of parenting time pursuant to 610.5(a) and/or she demonstrated by a preponderance of the evidence that a substantial change in circumstances occurred that warranted consideration of modification of other aspects of the March 27, 2013, agreed order, pursuant to section 610.5(c) and (2) if so,

whether, in light such a finding, the modifications were necessary to serve G.L.T.'s best interests. We are cognizant of the extensive time, efforts, and expense put into the hearing on this matter, the acrimony exhibited during the proceedings, and the court's well-intended attempt to improve the parenting plan and assist the parties' parenting relationship to avoid further conflict. We hope that any progress the parties may have made toward a meeting of the minds after reflecting on the proceedings and any positive and productive implementation of the provisions of the trial court's ruling pending this appeal will not be lost as a result of this decision. On remand, and always, the best interests of the parties' now 15-year-old daughter must be the priority of all involved.

¶ 97 *2. Child Support Order*

¶ 98 In his brief, Jeremy requests that we order the trial court to reconsider "unresolved child-support issues" and "proper child-support calculations" to "ensure they are consistent with the evidence, applicable law, and the interests of justice." However, Jeremy has failed to support his contentions with argument, relevant citations to the record, or citation to any authority. Illinois Supreme Court Rule 341(h)(7) (eff. Oct. 1, 2020) requires the 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 pages of the record relied on." "[B]are contentions that fail to cite any authority do not merit consideration on appeal." *In re D.S.*, 2025 IL App (1st) 241635, ¶ 49. As such, Jeremy has forfeited this argument. See *id.*

¶ 99 Forfeiture aside, Jeremy's reference to "unresolved back child-support issues" seems to be a reference to a complaint for child support he filed in a separate case in Henry County, Illinois, which was mentioned briefly during the proceedings in this case. Those proceedings are not part of this record and are not subject to appeal in this case. Jeremy's

reference to "proper child-support calculations" appears to be a reference to the trial court's decision to deviate from the child-support guidelines and order Kimberly to pay $150 per month in child support. This is confirmed by more specific references in his reply brief. Under the circumstances, we choose to address this contention. See *Vance v. Joyner*, 2019 IL App (4th) 190136, ¶ 80 (deciding to consider a forfeited issue where the record as to the pertinent portion of the case was short, the inadequacies in the brief did not interfere with the court's ability to understand the argument, and the reply brief clarified the contention).

¶ 100 Pursuant to section 505(a)(3.3) of the Marriage Act, there is a rebuttable presumption that the amount of child support calculated based on the child-support guidelines is the correct amount of child support. 750 ILCS 5/505(a)(3.3) (West 2024). "The court may deviate from the child support guidelines if the application would be inequitable, unjust, or inappropriate." *Id.* § (a)(3.4). If the court deviates from the guidelines, it must make written findings specifying the presumed guideline support calculation and the reasons for deviating from that amount, and those reasons may include:

> "(A) extraordinary medical expenditures necessary to preserve the life or health of a party or a child of either or both parties;
>
> (B) additional expenses incurred for a child subject to the support order who has special medical, physical, or developmental needs; and
>
> (C) any other factor the court determines should be applied upon a finding that the application of the child support guidelines would be inappropriate, after considering the best interest of the child." *Id.*

Child support is a matter within the sound discretion of the trial court. A reviewing court will not disturb the trial court's determination, including the decision to deviate from the child-support

guidelines, absent an abuse of discretion. *In re Marriage of Berberet*, 2012 IL App (4th) 110749, ¶ 37. "On appeal, the relevant inquiry is not whether the appellate court would have come to a different conclusion; it is whether no reasonable person would take the view adopted by the [trial] court." (Internal quotation marks omitted.) *In re Marriage of Juiris*, 2018 IL App (1st) 170545, ¶ 19.

¶ 101 In this case, we conclude the trial court abused its discretion when it, *sua sponte*, decided to deviate from the child-support guideline calculation and decrease Kimberly's support obligation because of her obligation to pay her attorney fees and half of the outstanding GAL fees. The court failed to explain why following the child-support guidelines would have been "inequitable, unjust, or inappropriate" after considering the best interests of G.L.T. Furthermore, "Illinois case law has established that offsets against child support to satisfy a personal debt are not permitted." *In re Marriage of Vanduyne*, 2026 IL App (3d) 250249, ¶ 58; see *Schmitt v. Woods*, 73 Ill. App. 3d 498, 500 (1979) ("As it is the parent's basic responsibility to provide for the support of his or her children [citation], public policy dictates that amounts payable as child support take precedence over and are not subject to and personal obligations between the parents."); *In re Marriage of Stanley*, 279 Ill. App. 3d 1083, 1086-87 (1996) (holding a prior child-support obligation, standing alone, does not justify deviating from the guidelines, particularly when the payor has sufficient income to pay the guideline amount and the prior child-support order constitutes the sole reason for deviating from the guidelines).

¶ 102 Kimberly's personal obligations to pay her attorney fees and her share of the GAL fees in this case were insufficient considerations, standing alone, to justify deviating from the statutory guideline. We, therefore, reverse the trial court's decision and remand with directions to set child support in accordance with the guideline-support calculation.

¶ 103 *3. GAL Fees*

¶ 104 Finally, Jeremy argues the trial court erred in ordering him to pay half of the outstanding GAL fees. In support, he argues the court had already granted him a waiver of fees on December 12, 2024, and thus, the court erred in requiring him to pay the GAL fees in the final judgment in this case.

¶ 105 Section 5-105 of the Procedure Code (735 ILCS 5/5-105 (West 2024)) establishes the procedures by which civil litigants may petition for waiver of court fees, costs, and charges. This includes GAL fees. *Id.* § 5-105(a)(1). If the trial court finds the applicant is an indigent person, "the court shall grant the applicant a full fees, costs, and charges waiver entitling him or her to sue or defend the action without payment of any of the fees, costs, and charges." *Id.* § 5-105(b)(1). If the court finds the applicant establishes his or her income falls within one of three criteria based on the poverty level, "the court shall grant the applicant a partial fees, costs, and charges waiver entitling him or her to sue or defend the action upon payment of the applicable percentage of the assessment of costs, and charges of the action." *Id.* § 5-105(b)(2). In any event, an "order granting a full or partial fees, costs, and charges waiver shall expire after one year," at which time the litigant may file another application for waiver to be considered. *Id.* § 5-105(f). The Procedure Code provides further:

> "If, before or at the time of final disposition of the case, the court obtains information, including information from the court file, suggesting that a person who received a full or partial waiver has experienced a change in financial condition so that he or she is no longer eligible for the waiver, the court may require the person to appear at a court hearing by giving the applicant no less than 10 days' written notice of the hearing and the specific reasons why the waiver

might be reconsidered." *Id.* § 5-105(f-10).

The court's decision to grant or deny an application for a waiver of fees, costs, and charges rests within its sound discretion. *Lucas v. Prisoner Review Board*, 2013 IL App (2d) 110698, ¶ 31 ("Leave to prosecute an action as a poor person is within the sound discretion of the trial court, subject to reversal only when such discretion has been abused.").

¶ 106 Based upon the record before us, we conclude the trial court abused its discretion when it ordered Jeremy to pay half of the GAL fees at the conclusion of this case without following the procedures set forth in section 5-105(f-10) of the Procedure Code. The hearing on Belvel's application for GAL fees was held on November 19, 2025. At that time, the court order granting Jeremy's waiver of court fees was in effect. Jeremy's application for a waiver of court fees was granted on December 12, 2024, and recorded only as a docket entry stating, "Court grants application for waiver of court fees." There being no indication to the contrary, this was a full and unqualified waiver under the statute. As defined in the statute, those fees included GAL fees. See 735 ILCS 5/5-105(a)(1) (West 2024) (enumerating GAL fees among the items listed in the definition of fees, costs, and charges). However, at the hearing on Belvel's application for GAL fees, Jeremy acknowledged, and the court was aware, that Jeremy's financial situation had changed since the waiver of court fees was granted, namely, that he was receiving Social Security disability benefits. As such, the court had the authority to require Jeremy to appear at a hearing for reconsideration of the waiver in accordance with section 5-105(f-10) of the Procedure Code. The court did not do so. Instead, it ordered both parties to pay Belvel's fees, stating it was rejecting the parties' efforts to "stick the county" with the GAL fees because they were the ones who requested the appointment of the GAL in the first place. It was error for the court to summarily ignore the fee waiver in place for Jeremy at the time it considered Belvel's

application for fees. Therefore, we reverse the court's order that Jeremy pay half of the GAL fees and remand the matter for further proceedings, at which time the court may elect to determine whether reconsideration of the waiver was warranted under section 5-105(f-10) of the Procedure Code.

¶ 107 III. CONCLUSION

¶ 108 For the reasons stated, we reverse the trial court's judgment and remand with directions consistent with this decision.

¶ 109 Reversed and remanded with directions.