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2012 IL App (4th) 120755-U

Order filed December 11, 2012

NOS. 4-12-0755, 4-12-0756, 4-12-0757 cons.

IN THE APPELLATE COURT

Modified upon denial of  
rehearing January 9, 2013

OF ILLINOIS

FOURTH DISTRICT

In re: Ka. H., a Minor,	)	Appeal from
THE PEOPLE OF THE STATE OF ILLINOIS,	)	Circuit Court of
Petitioner-Appellee,	)	Adams County
v.    (No. 4-12-0755)	)	Nos. 08JA33
VERA WOODS,	)	08JA34
Respondent-Appellant.	)	08JA35
_____	)	
	)	
In re: Ki. H., a Minor,	)	
THE PEOPLE OF THE STATE OF ILLINOIS,	)	
Petitioner-Appellee,	)	
v.    (No. 4-12-0756)	)	
VERA WOODS,	)	
Respondent-Appellant.	)	
_____	)	
	)	
In re: A.B., a Minor,	)	
THE PEOPLE OF THE STATE OF ILLINOIS,	)	
Petitioner-Appellee,	)	
v.    (No. 4-12-0757)	)	Honorable
VERA WOODS,	)	John C. Wooleyhan,
Respondent-Appellant.	)	Judge Presiding.

JUSTICE TURNER delivered the judgment of the court.  
Justices Appleton and Pope concurred in the judgment.

**ORDER**

- ¶ 1 *Held:* Where respondent was unfit and it was in the minors' best interest that respondent's parental rights be terminated, the trial court's decision on termination was not against the manifest weight of the evidence.
- ¶ 2 Although the trial court erred in refusing counsel's request to make an offer of proof, the error was harmless.
- ¶ 3 Where respondent did not object to the proceedings on the petition for order of protection, her arguments on appeal are forfeited.

¶ 4 In October 2007, the State filed petitions for adjudication of wardship with respect to Ka. H., Ki. H., and A.B., the minor children of respondent, Vera Woods. In January 2008, the cause was continued under supervision. In March 2009, the State filed a supplemental petition, alleging respondent violated the order of supervision. In June 2009, the trial court adjudicated the minors wards of the court and placed custody and guardianship with the Illinois Department of Children and Family Services (DCFS). Respondent appealed the dispositional order, and this court affirmed.

¶ 5 In August 2011, the State filed a motion to terminate respondent's parental rights. In May 2012, the trial court found respondent unfit. In July 2012, the court found it in the minors' best interest that respondent's parental rights be terminated. The court also issued an order of protection.

¶ 6 On appeal, respondent argues the trial court (1) erred in terminating her parental rights, (2) abused its discretion by refusing to allow her counsel to make an offer of proof, and (3) abused its discretion by entering an order of protection. We affirm.

¶ 7 I. BACKGROUND

¶ 8 In November 2007, the State's Attorney in Sangamon County filed petitions for adjudication of neglect with respect to A.B., born in December 1999; Ki. H., born in December 2002; and Ka. H., born in January 2005, alleging the minors were neglected 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 2006)). The petitions alleged the minors' environment was injurious to their welfare based on respondent mother's drug use and mental-health issues. In January 2008, respondent admitted the

drug-use allegation. The trial court found it in the minors' best interest to continue the case under supervision until January 2009.

¶ 9 In April 2008, the State filed a petition to revoke, modify, or extend supervision, claiming respondent violated the terms of the trial court's order by failing to cooperate with drug and alcohol treatment. In June 2008, the case was transferred to Adams County. In March 2009, the State filed a supplemental petition, alleging respondent violated her order of supervision. In June 2009, the trial court entered a dispositional order, finding respondent was unfit and adjudicating the minors wards of the court. The court also placed the minors in the custody and guardianship of DCFS. Respondent appealed, and this court affirmed. *In re A.H.*, No. 4-09-0476 (Nov. 16, 2009) (unpublished order under Supreme Court Rule 23).

¶ 10 In January 2012, the State filed an amended motion for termination of respondent's parental rights. The State alleged respondent was unfit because she (1) failed to make reasonable efforts to correct the conditions that were the basis of the removal of the minors from her (count I) (750 ILCS 50/1(D)(m)(i) (West 2010)); (2) failed to make reasonable progress toward the minors' return within the initial nine months after the adjudication of neglect (count II) (750 ILCS 50/1(D)(m)(ii) (West 2010)); (3) failed to make reasonable progress toward the return of the minors during any nine-month period after the end of the initial nine-month period following the adjudication of neglect (count III) (750 ILCS 50/1(D)(m)(iii) (West 2010)); and (4) was unable to discharge her parental responsibilities (count IV) (750 ILCS 50/1(D)(p) (West 2010)). The State alleged the applicable nine-month periods were April 22, 2009, to January 21, 2010; January 22, 2010, to October 21, 2010; October 22, 2010, to July 21, 2011; and July 22, 2011, to April 21, 2012.

¶ 11 In April 2012, the trial court conducted the hearing on unfitness. The court took judicial notice of respondent's 2009 felony conviction, for which she served 2.5 years in prison and a 2009 conviction for driving under the influence of alcohol.

¶ 12 Frank Froman, a clinical psychologist, testified DCFS referred respondent to him in June 2010. Froman reviewed approximately 500 to 600 pages of materials on respondent to determine whether she could parent a child. He administered several psychological tests, which indicated respondent was often despondent, depressed, sad, and dependent. He also stated the results showed the following:

"She has a lot of problems feeling depressed. She feels like a failure, down-hearted much of her life since she was young; feels worthless; has been suicidal; has difficulty with her temper. \*\*\* She tends to avoid people. She tends to feel worn out. She acknowledges, other than her family, having no close friends. She feels crazy or unreal when things go badly in her life. So what she told the test basically was I think a very honest self-portrayal of how difficult life has been for her and how chaotic her life has been. It's really been hard for her."

Froman opined it would be "extremely difficult" for respondent to parent. He also believed it would be "unnecessarily harsh" on the children to live in an environment considering respondent's instability and they "would wind up growing up with very modest intellect, with very modest or limited ability to be able to cope with life, [and] little sense of strengths."

¶ 13 Mark Vander Ley, a therapist, testified he completed an assessment of respon-

dent's mental health in March 2011. Respondent told him she had been diagnosed with attention deficit disorder and bipolar disorder. She also related her history with using cannabis, methamphetamine, and crack cocaine. In stressful situations, she became agitated and had difficulty calming herself. She also had racing thoughts and hypersexuality. Vander Ley diagnosed her with attention deficit hyperactivity disorder (ADHD). Respondent obtained a score of 55 on the Global Assessment Functioning test, and Vander Ley opined one scoring at that level would have difficulty functioning at work, in family relationships, and in relationships in general.

¶ 14 After the completion of the mental-health assessment, Vander Ley and respondent worked to develop an individual treatment plan, which included goals for her to become more calming and nurturing for her children, to address past traumatic experiences, and learn alternative stress-coping skills. In measuring her progress, Vander Ley noted respondent missed appointments on three occasions in April 2011, once in May 2011, once in June 2011, and once in October 2011.

¶ 15 On cross-examination, Vander Lay stated respondent attended most of the appointments with him. He agreed respondent made progress by attending Alcoholics Anonymous (AA). Although Vander Ley believed respondent had "made quite a bit of progress," he stated "there's a lot of work" that needs to be done for her improvement.

¶ 16 Lisa House, a program supervisor for Addus Healthcare, testified she supervised a visit between respondent and the minors on June 12, 2009. Ka. H. started climbing on a table, was told "numerous times to get down," and House had to get him down and discipline him. During visits on March 9, 2010, and April 9, 2011, respondent displayed an inability to parent and discipline the children. During a visit on April 25, 2011, respondent could not find her

cigarettes and had all of the children looking for them. Respondent also discussed visitation in front of the children and stated it was "stupid" that visits had not increased.

¶ 17 Brenda Bent, a family service specialist, testified she supervised visits between respondent and her children. During the May 7, 2011, visit, Bent had to remind respondent to keep Ka. H. out of other people's yards. He also crawled underneath a trailer. Bent stated the children complained about ants being on respondent's table. During the June 30, 2011, visit, Ka. H. had two turkey sandwiches and said he wanted more. Respondent warmed up hot dogs in the microwave, and Ka. H. ate five. Respondent had been told not to overfeed Ka. H. because he would get sick. During the August 2, 2011, visit, Ka. H. mentioned how aggressive he was playing in football, and respondent said he was only being aggressive because he was not at home where he belonged. During the September 2, 2011, visit, A.B. acted out and told respondent she would be glad when the visit was over because respondent was being stupid. During the October 7, 2011, visit, Ka. H. ran up to an unfamiliar dog in the trailer park, but respondent said he would be okay.

¶ 18 Erin Baker, the minors' caseworker, testified respondent's first client service plan dated December 14, 2009, was created and evaluated when respondent was in prison. The third service plan, dated December 1, 2010, included a parenting task. Baker rated that task as satisfactory. A fourth service plan was dated June 22, 2011. Respondent had stopped attending family therapy because she felt like she needed to address her own trauma issues.

¶ 19 During a March 3, 2010, meeting, Baker discussed with respondent the service plan requirement that she attend AA and Narcotics Anonymous (NA) meetings. Respondent had not provided any documentation that she had attended and said her substance-abuse counselor

was not recommending it. During a May 18, 2011, meeting, respondent reported she was being treated for bipolar disorder and depression. During a June 3, 2011, meeting, she reported her psychiatrist had increased her medication for her depression. In July 2011, respondent indicated she was taking hydrocodone. At that time, respondent lived in a trailer in Missouri. Baker stated the floors "had some holes underneath the carpets." At a September 1, 2011, meeting, respondent stated her psychotropic medications had been increased. At an October 6, 2011, meeting, Baker noticed respondent's home was empty. When asked where she was going to move, respondent refused to tell Baker "because she didn't want to jinx it."

¶ 20 At a November 2, 2011, meeting, respondent indicated she was working as a housekeeper in a motel. Baker later learned respondent was living in a motel. In December 2011, respondent went to A.B.'s school to take cupcakes, but Baker stated that was an unsupervised visit because respondent did not have prior approval. At a December 14, 2011, meeting, respondent requested copies of her service plans "and wanted what she needed to do highlighted." When Baker reminded her she received a service plan every six months for the previous two years, respondent stated she did not care before but now did. Baker also questioned respondent about inappropriate phone contact with A.B. Respondent stated she had talked with A.B. over the phone approximately seven to eight times per month for about a year. Baker told her the contacts were not allowed and would be considered unsupervised.

¶ 21 Baker testified to a visit in March 2010 and stated there was no structure to the visit. At a May 2010 visit, Ka. H. wandered over near a busy street while respondent was talking to another minor. Baker was "very concerned" that respondent had no awareness of where Ka. H. was. At a January 2011 visit, respondent apologized to the children about a comment she had

made at a prior visit that she could not wait for the visit to be over so she could smoke a cigarette. Throughout the life of the case, Baker stated the visits "were often very chaotic" and "discipline was inconsistent." Baker was unable to make a recommendation that the minors be returned home because of the concerns with respondent's discipline.

¶ 22 In respondent's case, Nicole Shields, a behavioral health therapist, testified she met with respondent between January and August 2010. She diagnosed respondent with bipolar disorder not otherwise specified, polysubstance dependence (early full remission), and ADHD. Shields provided outpatient therapy and found respondent was "very good" at attending meetings. Respondent also attended AA and NA meetings. Shields found her to be appropriately dressed and groomed. At the close of services, Shields found respondent was "less anxious" and "less irritable," which Shields concluded was "major progress."

¶ 23 Respondent testified she had been clean and sober for three years. She stated she never overfed her children. She stated she attends AA. Any visits she missed were because she was sick, had vehicle problems, or was working. Respondent had not had any suicidal thoughts or mood swings and felt emotionally stable.

¶ 24 The trial court found respondent unfit on the reasonable progress counts (counts II and III). The court found the State failed to prove the other two counts (counts I and IV).

¶ 25 In June 2012, the trial court conducted the best-interest hearing. Kathy Nelson, a therapist, testified A.B. had been diagnosed with sexual abuse of a child as a victim. Nelson recommended A.B. engage in therapy to address the sexual abuse and learn appropriate boundaries with others. Nelson found A.B.'s foster parents provided an appropriate support system. In March 2011, Nelson found A.B. had been making progress and was more accepting of limits

placed by her foster parents.

¶ 26 Nelson stated Ki. H. was referred to therapy for significant behavioral issues, including being aggressive in school and in the foster home. As of March 2011, Nelson found Ki. H. had made significant progress in school and in the foster home. While some issues with aggression remained, they had "greatly decreased." Ki. H. told Nelson she did not feel safe during visits with respondent, but she felt safe in the foster home.

¶ 27 Nelson stated Ka. H. was referred to her because of defiant behavior in the foster home, at school, and during visits with respondent. Ka. H. and his foster mother interacted well together during a therapy session.

¶ 28 At the time of the hearing, Erin Baker testified A.B. was 12 years old, Ki. H. was 9 years old, and Ka. H. was 7 years old and they were placed in the same foster home in June 2009. Baker stated the minors refer to the foster parents as mom and dad. Baker described the minors' demeanor in the foster home as "happy" and "excited." Baker found the children to be "very bonded" with their foster parents.

¶ 29 In July 2012, the trial court entered an order, finding it in the minors' best interest that respondent's parental rights be terminated. The court also issued an order of protection, ordering respondent not to have any contact with the minors.

¶ 30 On August 8, 2012, respondent filed a notice of appeal. This court entered an order dispensing with oral argument on November 19, 2012. Counsel did not object to this order and did not request orals thereafter.

¶ 31

## II. ANALYSIS

¶ 32

### A. Termination of Parental Rights

¶ 33

1. *Unfitness Findings*

¶ 34 Respondent argues the trial court's findings that she was unfit was against the manifest weight of the evidence. We disagree.

¶ 35 In a proceeding to terminate a respondent's parental rights, the State must prove unfitness by clear and convincing evidence. *In re Donald A.G.*, 221 Ill. 2d 234, 244, 850 N.E.2d 172, 177 (2006). " 'A determination of parental unfitness involves factual findings and credibility assessments that the trial court is in the best position to make.' " *In re Richard H.*, 376 Ill. App. 3d 162, 165, 875 N.E.2d 1198, 1201 (2007) (quoting *In re Tiffany M.*, 353 Ill. App. 3d 883, 889-90, 819 N.E.2d 813, 819 (2004)). A reviewing court accords great deference to a trial court's finding of parental unfitness, and such a finding will not be disturbed on appeal unless it is against the manifest weight of the evidence. *In re Veronica J.*, 371 Ill. App. 3d 822, 828, 867 N.E.2d 1134, 1139 (2007).

¶ 36 In the case *sub judice*, the trial court found respondent unfit for failing to make reasonable progress toward the return of the minors within the initial nine months after the adjudication of neglect (750 ILCS 50/1(D)(m)(ii) (West 2010)) and for failing to make reasonable progress toward the return of the minors during any nine-month period after the end of the initial nine-month period following adjudication (750 ILCS 50/1(D)(m)(iii) (West 2010)). The initial nine-month period following the adjudication of neglect ended on January 21, 2010, the second nine-month period ended on October 21, 2010, the third period ended on July 21, 2011, and the fourth period ended on April 21, 2012.

¶ 37 "Reasonable progress" is an objective standard that "may be found when the trial court can conclude the parent's progress is sufficiently demonstrable and of such quality that the

child can be returned to the parent in the near future." *In re Janine M.A.*, 342 Ill. App. 3d 1041, 1051, 796 N.E.2d 1175, 1183 (2003).

"[T]he benchmark for measuring a parent's 'progress toward the return of the child' under section 1(D)(m) of the Adoption Act encompasses the parent's compliance with the service plans and the court's directives, in light of the condition which gave rise to the removal of the child, and in light of other conditions which later become known and which would prevent the court from returning custody of the child to the parent." *In re C.N.*, 196 Ill. 2d 181, 216-17, 752 N.E.2d 1030, 1050 (2001).

"At a minimum, reasonable progress requires measurable or demonstrable movement toward the goal of reunification." *In re Daphnie E.*, 368 Ill. App. 3d 1052, 1067, 859 N.E.2d 123, 137 (2006).

¶ 38 As to the third nine-month period (October 22, 2010, to July 21, 2011), Mark Vander Ley testified respondent told him she had been diagnosed with ADHD and bipolar disorder. She also admitted a history of using cannabis, methamphetamine, and crack cocaine. Respondent failed to appear for numerous appointments and cancelled "frequently." During visits, respondent displayed an inability to parent and discipline the children. None of the visits were able to be unsupervised. During this time period, respondent was living in a trailer in Missouri that had holes underneath the carpets, and she could not drive in Illinois.

¶ 39 As to the fourth nine-month period (July 22, 2011, to April 21, 2012), respondent was still living in the trailer for a time. When Baker met with her and asked why the home was

empty, respondent stated she was going to move but refused to tell Baker where "because she didn't want to jinx it." Respondent eventually moved into a motel. Visits were still chaotic and discipline was inconsistent. As a result, visits could not be unsupervised.

¶ 40 While respondent testified she had been clean and sober and the evidence indicated she was making some progress, such progress cannot be deemed to be reasonable. "The law does not afford a parent an unlimited period of time to make reasonable progress toward regaining custody of the children." *In re Davonte L.*, 298 Ill. App. 3d 905, 921, 699 N.E.2d 1062, 1072 (1998). The evidence indicated respondent had not made reasonable progress that would demonstrate movement toward the goal of reunification with her children. Nothing respondent did indicated the children could be returned to her in the near future. The trial court's findings of unfitness on these two time periods were not against the manifest weight of the evidence. Because the grounds of unfitness are independent, we need not address the remaining dates under the reasonable-progress counts. See *In re H.D.*, 343 Ill. App. 3d 483, 493, 797 N.E.2d 1112, 1120 (2003) ("As the grounds of unfitness are independent, the trial court's judgment may be affirmed if the evidence supports the finding of unfitness on any one of the alleged statutory grounds").

¶ 41 *2. Best-Interest Findings*

¶ 42 Respondent argues the trial court erred in finding it in the minors' best interest that her parental rights be terminated. We disagree.

¶ 43 "Courts will not lightly terminate parental rights because of the fundamental importance inherent in those rights." *Veronica J.*, 371 Ill. App. 3d at 831, 867 N.E.2d at 1142 (citing *In re M.H.*, 196 Ill. 2d 356, 362-63, 751 N.E.2d 1134, 1140 (2001)). Once the trial court

finds the parent unfit, "all considerations must yield to the best interest of the child." *In re I.B.*, 397 Ill. App. 3d 335, 340, 921 N.E.2d 797, 801 (2009). When considering whether termination of parental rights is in a child's best interest, the trial court must consider a number of factors within "the context of the child's age and developmental needs." 705 ILCS 405/1-3(4.05) (West 2010). These include the following:

"(1) the child's physical safety and welfare; (2) the development of the child's identity; (3) the child's familial, cultural[,] and religious background and ties; (4) the child's sense of attachments, including love, security, familiarity, continuity of affection, and the least[-]disruptive placement alternative; (5) the child's wishes and long-term goals; (6) the child's community ties; (7) the child's need for permanence, including the need for stability and continuity of relationships with parent figures and siblings; (8) the uniqueness of every family and child; (9) the risks related to substitute care; and (10) the preferences of the person available to care for the child."

*Daphnie E.*, 368 Ill. App. 3d at 1071-72, 859 N.E.2d at 141.

See also 705 ILCS 405/1-3(4.05)(a) to (4.05)(j) (West 2010).

¶ 44 A trial court's finding that termination of parental rights is in a child's best interest will not be reversed on appeal unless it is against the manifest weight of the evidence. *In re Anaya J.G.*, 403 Ill. App. 3d 875, 883, 932 N.E.2d 1192, 1199 (2010). A decision will be found to be against the manifest weight of the evidence in cases "where the opposite conclusion is clearly evident or where the findings are unreasonable, arbitrary, and not based upon any of the

evidence." *In re Tasha L.-I.*, 383 Ill. App. 3d 45, 52, 890 N.E.2d 573, 579 (2008).

¶ 45 In this case, Baker testified the minors had been in the same foster home since June 2009. They all refer to their foster parents as mom and dad, were bonded with them, and go to them to give and receive affection. The foster parents took the minors to therapy and counseling sessions to address their emotional and psychological issues, and progress was being made despite some struggles. Baker found the minors to be happy in their foster home. Nelson found the foster parents to be an appropriate support system for A.B. Also, Ki. H. and A.B. both indicated they felt safe in the foster home. Ka. H. and his foster mother interacted well during therapy sessions, and she handled his high energy. The minors' foster parents indicated their willingness to adopt each of the minors.

¶ 46 The evidence indicated the minors were being cared for in their foster home and their needs were being met. The children were in a loving home and in need of permanency in their growing years. In contrast, the minors' behavior often worsened during and following visits with respondent. A.B. even told Baker she did not feel safe with respondent and did not trust her. Based on the evidence presented, we find the trial court's order terminating respondent's parental rights was not against the manifest weight of the evidence.

¶ 47 B. Offer of Proof

¶ 48 Respondent argues the trial court abused its discretion in refusing to allow her counsel to make an offer of proof. We find respondent was not prejudiced by the refusal.

¶ 49 "The two primary functions of an offer of proof are to disclose to the trial judge and opposing counsel the nature of the offered evidence, enabling them to take appropriate action, and to provide the reviewing court with a record to determine whether exclusion of the

evidence was erroneous and harmful." *People v. Thompkins*, 181 Ill. 2d 1, 10, 690 N.E.2d 984, 989 (1998). "Trial courts are required to permit counsel to make offers of proof, and a refusal to permit an offer generally is error." *Thompkins*, 181 Ill. 2d at 9, 690 N.E.2d at 988.

¶ 50 In this case, the State alleged respondent was unfit, *inter alia*, based on her inability to discharge her parental responsibilities. During the testimony of Nicole Shields, the behavioral health therapist, respondent's counsel asked Shields whether she had an opinion as to respondent's ability to parent. The State objected, arguing Shields was not qualified to answer. The trial court sustained the objection. Respondent's counsel then asked to make an offer of proof through Shields' testimony, but the court stated counsel could not do it by her testifying or by counsel's own verbal recitation of what that testimony would be. Counsel then moved to a different line of questioning.

¶ 51 Here, the witness was on the stand when respondent's counsel asked to make an offer of proof. The trial court's refusal to allow counsel to make the offer at that time was error. However, we find the error was harmless. The proposed question to Shields centered on respondent's ability to discharge her parental responsibilities, but the court did not find respondent unfit on this allegation of unfitness. Thus, respondent was not prejudiced by the court's refusal to allow the offer of proof. See *In re April C.*, 326 Ill. App. 3d 245, 261-62, 760 N.E.2d 101, 114 (2001) (finding any error in the exclusion of evidence is harmless if there has been no prejudice).

¶ 52 C. Order of Protection

¶ 53 Respondent argues the trial court abused its discretion by entering an order of protection without hearing any evidence in support of the allegations and without offering

respondent the opportunity to present evidence and be heard. We find this issue forfeited.

¶ 54 Section 2-25(1) of the Juvenile Court Act (705 ILCS 405/2-25(1) (West 2010)) allows a trial court to enter an order of protection "based on the health, safety and best interests of the minor."

"An order of protection may be sought at any time during the course of any proceeding conducted pursuant to this Act if such an order is consistent with the health, safety, and best interests of the minor. Any person against whom an order of protection is sought may retain counsel to represent him at a hearing, and has rights to be present at the hearing, to be informed prior to the hearing in writing of the contents of the petition seeking a protective order and of the date, place and time of such hearing, and to cross examine witnesses called by the petitioner and to present witnesses and argument in opposition to the relief sought in the petition." 705 ILCS 405/2-25(5) (West 2010).

¶ 55 On June 14, 2012, the State filed a petition for order of protection pursuant to section 2-25 and on behalf of the minors. The petition alleged respondent had continued to make contact with the minors after being told that visitation would be halted because of the termination proceedings. The State asked the trial court to enter an order of protection prohibiting respondent from having any contact with the minors.

¶ 56 On July 3, 2012, the trial court entered an order continuing the termination proceedings. The order stated the conclusion of the best-interest hearing and a hearing on the

order of protection would take place on July 30, 2012. On that date, the court heard evidence as to best interests and entered the termination order.

¶ 57 At the conclusion of the termination proceedings, the trial court took a recess before returning to the issue of the order of protection. Respondent was present and represented by counsel. No witnesses were called to testify. The court indicated it examined the State's petition and found it had the inherent authority to enter the order. The court then read the contents of the order to respondent and told her she could be found in contempt of court if she violated the order. Respondent indicated she had no questions for the court. The court then asked the attorneys present if they had "anything else on that issue." The attorneys, including respondent's counsel, indicated they did not.

¶ 58 "[A] party must properly preserve an issue for appellate review by objecting to the alleged error at trial." *In re Marriage of Dorfman*, 2011 IL App (3d) 110099, ¶ 58, 956 N.E.2d 1040, 1050. This court has noted "a party cannot complain of error that it induced the court to make or to which it consented." *In re Ch. W.*, 408 Ill. App. 3d 541, 547, 948 N.E.2d 641, 648 (2001).

¶ 59 Here, respondent had notice of the petition for order of protection and appeared at the hearing with counsel. Respondent complains the trial court deprived her of an opportunity to present evidence or be heard. However, no objection was made to the proceedings. Respondent's counsel did not request to call witnesses or present argument in opposition to the relief sought by the State. Counsel's acquiescence in the proceeding without any objection forfeits any claim of error now on appeal. See *In re D.F.*, 208 Ill. 2d 223, 238, 802 N.E.2d 800, 809 (2003).

¶ 60

### III. CONCLUSION

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

¶ 62 Affirmed.