

IN THE CIRCUIT COURT OF THE 18TH JUDICIAL CIRCUIT
DU PAGE COUNTY, ILLINOIS

IN RE THE MARRIAGE OF:)

THOMAS NEAL,)

Petitioner,)

and)

MARIO NEAL,)

Respondent.)

No. 22 DC 915
HEARING

REPORT OF PROCEEDINGS had at the hearing of
the above-entitled cause, before the Honorable LOUIS B.
ARANDA, Judge of said court, recorded on the DuPage
County Computer Based Digital Recording System, DuPage
County, Illinois, and transcribed by SUZANNE AUSTIN,
Certified Shorthand Official Court Reporter, commencing
on the 13th day of February, A.D. 2024.

Suzanne Austin, CSR
Official Court Reporter
CSR License No. 084-004839

1 PRESENT:

2 MR. CHUCK ROBERTS and
3 MR. RICK ROBERTS,

4 appeared on behalf of Petitioner;

5 MR. MARIO CRUZ NEAL,

6 appeared pro se on his own behalf;

7 MS. WENDY MUSIELAK,

8 Guardian ad Litem on behalf of the
9 minor children;.

10 MR. WILLIAM CHERNY,

11 appeared on his own motion.
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1 THE COURT: All right. Neal. You can step
2 forward, please.

3 Good morning, everyone. Let the record
4 reflect that this is -- Ma'am Clerk.

5 THE CLERK: 22 DV 915, Thomas Neal and Mario Neal.

6 THE COURT: Good morning, everyone. Would you be
7 so kind as to introduce yourselves and who you
8 represent.

9 MR. C. ROBERTS: Chuck Roberts for Tom Neal.

10 MR. R. ROBERTS: Good morning, Judge.
11 Rick Roberts also for Tom Neal.

12 MR. C. ROBERTS: Mr. Tom Neal is in the courtroom,
13 Judge.

14 THE COURT: Thank you. Mr. Mario Neal.

15 MR. M. NEAL: Mario Neal, representing myself.

16 THE COURT: Thank you, sir.

17 MR. CHERNY: Good morning, your Honor.
18 Bill Cherny on my own motion.

19 THE COURT: Thank you.

20 MS. MUSIELAK: Good morning, your Honor.
21 Wendy Musielak, guardian ad litem.

22 THE COURT: Thank you. Good morning to you all.
23 Again, thank you for your patience to have this be set
24 over to now. I just wanted to afford the time that's

1 needed rather than trying to shorten up the time
2 because of others that were in the courtroom.

3 MR. M. NEAL: Thank you.

4 THE COURT: You're very welcome, sir.

5 The matter comes before the Court for status
6 on the 604.10(c) report by Dr. Hatcher on Dr. Shapiro's
7 Rule 215 report, status on the supervised parenting
8 time for the respondent at the Family Center, and
9 presentation of Mr. Cherny's motion for default or in
10 the alternative setting hearing date on petition for
11 final fees and entry of temporary restraining order and
12 permanent injunction against Mario Neal.

13 Mr. Mario Neal, are you in receipt of a copy
14 of that motion?

15 MR. M. NEAL: Yes, your Honor.

16 THE COURT: And are you seeking time to respond,
17 sir?

18 MR. M. NEAL: Yes, 21 days.

19 THE COURT: 21 days. All right. One second.

20 So Mr. Mario Neal shall have 21 days to
21 respond.

22 MR. CHERNY: Your Honor, and that would be on the
23 original motion for fees and costs?

24 THE COURT: Correct. And as you recall and did so

1 appropriately in your motion, the Court had set over
2 your fee petition to after the disposition of the
3 matter.

4 MR. CHERNY: I understand, your Honor.

5 THE COURT: Yeah. So you have filed the petition
6 in the alternative seeking a temporary restraining
7 order. And do you wish to set that for hearing after
8 the 21 days?

9 MR. CHERNY: That would be fine, your Honor.
10 Although in the alternative, if your Honor would
11 indulge me to set a hearing date on the case sooner
12 than the end of the case, I would be most grateful.

13 THE COURT: And I understand. Unfortunately,
14 since this is pre-decree, the Court has to make a
15 disposition of attorney's fees in the -- in the
16 underlying decree matter, and that's why the pre-decree
17 fee petitions aren't set until after the underlying
18 decree happens.

19 But let's take a look at the hearing date on
20 the TR0 -- the petition for TR0. 21 days. Let me just
21 make sure I haven't given this date away. March 12th
22 at 11:00 o'clock.

23 MR. M. NEAL: What day of the week is that?

24 THE COURT: That is ...

1 MS. MUSIELAK: A Wednesday.

2 THE COURT: A Wednesday.

3 MR. M. NEAL: Do you have anything -- you
4 understand, your Honor, I am a teacher. I work until
5 3:00, and I have taken too many days off without pay
6 and so -- you know, especially since we've been having
7 to come to court and have court hearings. So I would
8 like to make sure, if possible, to make it, you know,
9 the later -- the latest possible so that I could make
10 take a half day or half the school. I mean, I do not
11 want to put my job in jeopardy as I have already given
12 what has already happened in this case.

13 THE COURT: Sure. If you're saying you wish to
14 just take a half day, we would be done by noon. So it
15 wouldn't spill over to the afternoon.

16 MR. M. NEAL: But I would prefer the afternoon
17 because mornings are pretty busy at school. I mean,
18 that's when most of the instruction happens.

19 THE COURT: All right. How about March 19th at
20 1:30. Mr. Cherny, is that an available date for you,
21 sir?

22 MR. CHERNY: That is, your Honor.

23 THE COURT: All right. March 19th, 1:30 for
24 hearing on Mr. Cherny's motion.

1 MR. CHERNY: And that's for the fees or for the
2 restraining order?

3 THE COURT: For the temporary restraining order,
4 sir.

5 MR. CHERNY: Okay. Your Honor, if it would be
6 okay I can submit an order electronically. I have to
7 be at a hearing.

8 THE COURT: Yes, sir. That's fine.

9 (Whereupon Mr. Cherny exited the
10 courtroom.)

11 THE COURT: Okay. The matter otherwise comes
12 before the Court for status on the 604.10(c) report by
13 Dr. Hatcher on Dr. Shapiro's on Rule 215 report, status
14 on parenting time for the respondent for Family Center,
15 and Mr. Mario Neal had forwarded an emergency motion.
16 He set it on the 9:25 call. That's not the emergency
17 time period, 10:30 is, but we are certainly past 10:30
18 now. And Ms. Musielak, what can you report relative to
19 the reports of Dr. Hatcher and Dr. Shapiro?

20 MS. MUSIELAK: Judge, the last I have heard
21 through Mr. Roberts is that they were still waiting for
22 Mr. Mario Neal to finish his participation and they had
23 not started with Dr. Shapiro. Regarding the
24 Family Center visits, the order inadvertently left

1 Gus's initials off of it, and so they did not include
2 him in the first two visits. I did speak to the
3 Family Center when I got back in town. Gus is going to
4 be added to there, but I think we should put it in the
5 order to make clear that he's part of it. And we
6 talked about possibly giving Gus like a little portion
7 that would be one-on-one with dad -- with Papa and the
8 supervisor so that he gets a little bit of make up for
9 being left out on those two visits because it's
10 obviously very hard on Gus.

11 MR. M. NEAL: Can I ask, your Honor.

12 THE COURT: Yes.

13 MR. M. NEAL: So Gus was -- you know, reported
14 that he was physically assaulted by Mr. Neal, and he
15 stated that at my house a week before this happened.
16 And so Gus was --

17 THE COURT: Before we get to the crux of maybe
18 what's in your emergency motion, sir --

19 MR. M. NEAL: Yeah.

20 THE COURT: -- do you have something to state
21 relative to what the guardian ad litem just mentioned?

22 MR. M. NEAL: Well, she did say in regards to
23 Roger Hatcher he said that he already -- well,
24 Dr. Hatcher is under investigation under Illinois

1 Department of Financial Professional Regulations for
2 unethical behavior and potentially in the matters -- so
3 I, you know -- I also filed a motion to have him
4 removed from the Court and it hasn't happened yet. So
5 I would like to wait until the criminal and the
6 Illinois Department finishes -- you know, finishes
7 their investigation because in my opinion, I feel that
8 Dr. Hatcher made some claims that were not, you know,
9 ethically correct. And so -- you know, and before we
10 come in to determine what has happened in terms of me
11 seeing him, I would like for the investigations through
12 these agencies to be completed. And, you know, I have
13 copies of the, you know, the Illinois Department of
14 Financial Professional Services investigation and
15 others for, you know, the State Police, FBI, and so
16 forth they're investigating him. So I would think
17 that, you know, given what has been transpiring, I do
18 not feel comfortable seeing him, especially given the
19 concerns I expressed.

20 MR. C. ROBERTS: The bottom line, Judge, is that
21 Mario Neal has not done anything in terms of comply
22 with your many prior orders or participate in the
23 604.10(b) with Dr. Hatcher. He has not contacted
24 Dr. Shapiro in order to schedule the 215 mental health

1 exam which was also ordered. So the case, I guess, is
2 going to sit idle as Mario Neal continues to look for
3 other agencies to try to involve in what should be a
4 very straightforward process.

5 MR. M. NEAL: So, your Honor, in terms of
6 Dr. Shapiro, I did file a motion for appeal especially
7 given that there was no legal foundation for me to be
8 evaluated since there is no credible evidence that one
9 is needed. So I was waiting for the appeal for that to
10 happen.

11 MR. C. ROBERTS: That's happened, Judge. The
12 Court on its own motion threw it out.

13 MR. M. NEAL: And just -- they just said that they
14 wanted to wait until their (indiscernible) date before
15 they could take the case.

16 THE COURT: Right. So several things. The Court
17 has mentioned to you, Mr. Neal -- Mario Neal, on
18 several occasions. The Court noted previously on
19 previous status dates that you filed five motions.

20 MR. M. NEAL: Right.

21 THE COURT: None of which you filed and served
22 notices of motion. I had mentioned to you that the
23 only way to bring those before the Court -- I know you
24 know how to do that because --

1 MR. M. NEAL: I just did it first time.

2 THE COURT: Exactly. You did a notice of motion
3 on the emergency motion.

4 MR. M. NEAL: And you know I --

5 THE COURT: So I'm going to speak first, and then
6 I will let you retort. Okay?

7 So I know you know how to do that. So to
8 state that the Court hasn't dealt with any of these
9 motions that you filed -- and just so that we're clear,
10 what those motions are, you filed a motion to exclude
11 Dr. Hatcher's testimony and prohibit future testimony,
12 you filed an emergency motion for reconsideration of
13 Court requiring mental health examination, a motion to
14 investigate attorney Chuck Roberts for threatening
15 conduct, an emergency motion for immediate protective
16 measures, case number -- then you just put the case
17 number.

18 So you filed all of those motions. To say
19 the Court hasn't dealt with those is to beget the
20 question, I'm not sure why you've not filed notices of
21 motion and served those to bring those before the
22 Court. The Court, as I mentioned before, believes
23 every motion that's filed is important and will
24 appropriately deal with those, but I cannot and will

1 not deal with those unless they're presented
2 appropriately. So --

3 MR. M. NEAL: Okay.

4 THE COURT: So if that's correct, then to repeat
5 to the Court as part of the status these motions have
6 yet to be dealt with, the only person that has the
7 ability to bring those before the Court so that the
8 Court can deal with those is you. Other than that --
9 other than that, you have been apprised and ordered
10 that you must comply with the Rule 215 examination and
11 you must comply with meeting with Dr. Hatcher and
12 completing his investigation and -- as a 6042
13 evaluator.

14 Ultimately what happens, sir, is when you
15 violate a court order, then a petition for rule to show
16 cause is brought before the Court why you should not be
17 held in contempt of Court. If that rule issues, a
18 contempt hearing happens, and if the contempt hearing
19 is found that you don't have just cause --
20 justification why you're not complying with the court
21 orders, then the Court must enter a coercive order. A
22 coercive order is to ensure that you do comply and that
23 could include incarceration until you agree that you
24 will comply with these Court's orders.

1 MR. M. NEAL: Understood.

2 THE COURT: All right. You are correct. The
3 Third District Appellate Court dismissed your appeal on
4 the Rule 215 examination ruling of this Court and so
5 you must comply. You must meet with Dr. Shapiro. You
6 must complete your involvement and cooperation with
7 Dr. Hatcher. I don't wish that you be up against a
8 petition for rule to show cause.

9 MR. M. NEAL: I'm sorry.

10 THE COURT: I wish for you to comply.

11 MR. M. NEAL: No, I will do that.

12 THE COURT: All right. Thank you, sir.

13 With regard to the guardian ad litem's --

14 MR. M. NEAL: Sir, can you set a date to enforce
15 all these motions -- can you set a date to -- schedule
16 a date for those hearings.

17 THE COURT: The answer is no. I told you why just
18 now. Do you remember why I told you that I can't do
19 that? Because you have not --

20 MR. M. NEAL: I'm sorry, but I set a rule for --

21 THE COURT: No, because --

22 MR. M. NEAL: -- notice of motion.

23 THE COURT: Exactly.

24 MR. M. NEAL: Yeah.

1 THE COURT: So you need to do that first. We
2 can't put the cart before the horse.

3 MR. M. NEAL: Got it.

4 THE COURT: Can you imagine --

5 MR. M. NEAL: No, I understand.

6 THE COURT: -- if Mr. Roberts just simply brought
7 up a motion and said can we set it for hearing without
8 ever presenting it before you -- before me and allowing
9 you the time to respond. You would feel that that's
10 inappropriate. I can't do that the other way around
11 either.

12 MR. M. NEAL: No, no. I understand.

13 THE COURT: Okay. With regard to the supervised
14 visitation. I did receive the reports.

15 Mr. Roberts, anything for you, sir, to add?

16 MR. C. ROBERTS: No, Judge. I agree with the
17 guardian ad litem. We need to include Gus in an order.
18 We want to make sure that it's really clear for the
19 family. So it's okay to have the three kids. Whatever
20 Ms. Musielak thinks it's appropriate in terms of a
21 little separate time for Gus, we're absolutely fine
22 with.

23 THE COURT: All right. So Mr. Mario Neal, sir.
24 So the -- the previously entered order of December 22,

1 2023, providing you with the sessions at the
2 Family Center for one hour visitations with the
3 children, that didn't exclude the son. I'm not saying
4 his name for a reason to keep it private. Your son.

5 MR. M. NEAL: Yeah.

6 THE COURT: And so there really wasn't an order
7 that -- that said your son couldn't participate. There
8 was some confusion with regard to this December 22nd,
9 2023, order and the execution of it by the
10 Family Center and the separate report or the separate
11 order that entered. So we're going to make sure that
12 your son is equally involved with the visitation with
13 you, sir.

14 MR. M. NEAL: And just to interrupt on that just
15 to say again, you know, I was not aware that I had that
16 in person, and I attempted for 30 minutes again. So I
17 wasn't even present. I couldn't be there. I couldn't
18 prepare myself to build a case against me that was
19 built against me on that date. So I didn't know any of
20 what's going on because even the week before I was
21 asked to come here. Now before a court hearing, I have
22 to take the day off work and I had to miss another day
23 so then I was, you know, wanting to make sure that --
24 that I was going to be on Zoom in case something

1 happened I could still be at work. So that day I was
2 not even here, and yet I was -- it was a rule on that
3 day that I was found unfit and that I could not see my
4 children in the midst of him being investigated by
5 DCFS. And so I -- I do find it very -- very, you know,
6 hurtful and sad that my kids have never heard any of
7 allegations of abuse. I have no history and yet they
8 were removed from me that day. And so -- and without
9 me even being present to build a case.

10 MR. C. ROBERTS: Judge, I would interpose an
11 objection at this point. I don't know what this has to
12 do with anything. I thought that we were going to give
13 the son an opportunity to see his dad.

14 THE COURT: And so we will leave the Family Center
15 order to be clarified by order today that all three
16 children are to participate in the visitation with you,
17 Mr. Neal.

18 MR. M. NEAL: So that order remains?

19 THE COURT: Yes, it's the standing order of this
20 Court.

21 MR. M. NEAL: I thought it was going to expire
22 today for a hearing.

23 THE COURT: No, it was set for status today. What
24 was set for presentment today, which you did do by

1 notice of motion, is your emergency motion for custody
2 and child support. So the Court will address that
3 motion. I wanted to get through some of the
4 preliminary stuff first. So the Family Center
5 visitation to continue, today's order to confirm all
6 three children to participate.

7 All right. So now we will turn to the -- to
8 the presentment of Mr. Mario Neal's emergency motion
9 for custody and child support. And Mr. Roberts, sir,
10 are you in receipt of a copy for that?

11 MR. C. ROBERTS: It came into my office at
12 8:33 last night. Yes, sir.

13 THE COURT: All right. And the Court first needs
14 to make a determination as to whether this is properly
15 brought as an emergency and without getting into the
16 merits of the matter, Mr. Mario Neal --

17 MR. M. NEAL: Yes.

18 THE COURT: -- pursuant to local court rule, what
19 can you apprise the Court is your belief that this is
20 properly brought before the Court as an emergency under
21 local court rules?

22 MR. M. NEAL: So the reason why I have it here as
23 an emergency is because my children currently are in
24 danger, and they are in danger of our current situation

1 that is unsafe for them. Given the history of views
2 and allegations of sexual abuse, of different types of
3 investigations going forward, the children are now
4 being placed in the custody -- the sole custody of
5 Mr. Thomas Neal. In addition to that, the school I had
6 inquired regarding the social worker was --

7 THE COURT: So, sir, you before you get into the
8 merits of the case.

9 MR. M. NEAL: My children are currently right now
10 in a place that is unsafe, and they need to be put in a
11 situation where they can be properly taken care of and
12 that's safe and protected and they will be put first.

13 THE COURT: Thank you Mr. Mario Neal.

14 And Mr. Roberts, any reason you believe this
15 is not properly brought before the Court as an
16 emergency motion?

17 MR. C. ROBERTS: It is not properly here as an
18 emergency. Number one, there is no affidavit furnished
19 in support of the affidavit which is in direct
20 contravention of the local rule which specifically
21 requires an affidavit as to the emergency circumstances
22 which justified proceeding on a matter that was brought
23 to my attention at 8:33 just before the matter was up
24 in Court.

1 Number two, Mr. Mario Neal waited either five
2 or six weeks before he contacted the Family Center to
3 schedule his intake process to get his parenting time
4 underway. Mario Neal originally claimed that the
5 Family Center was part of some grand conspiracy which
6 he asserts exists, and as a result, he is not going to
7 participate at the Family Center. At some point in
8 time he changed his mind and ultimately went through
9 the intake process. And so here we are halfway through
10 February after having only two visits conducted when
11 actually we should probably be done with the first six
12 which the Court had wanted. So all of that adds up to
13 it's not an emergency.

14 We keep hearing about a new DCFS
15 investigation. I understand that Mario Neal made
16 another hotline call.

17 MR. M. NEAL: It was not me.

18 MR. C. ROBERTS: It was investigated, and the DCFS
19 field agent has indicated it's coming back unfounded.
20 And, in fact, as a result of what happened, they have
21 now flagged Mario Neal as someone who deserves special
22 attention the next time that he makes a report of some
23 kind of child abuse. So there is no emergency motion.

24 MR. M. NEAL: So, your Honor, I did not make a

1 call to DCFS. It was not me. So it was not me who
2 made that call. In addition to the Family Center, I
3 did call, and they gave me a place where I guess I
4 needed to go first and do an intake and so forth and so
5 forth. So I was working for that date that works.

6 In addition to that, your Honor, I was going
7 to see whether -- how I can feel that given the
8 seriousness of what was happening given that was not
9 present for the hearing. So I was looking at ways to
10 make sure that I can first try to keep the kids safe by
11 being back home, but I was in contact with that
12 organization. I think we finally came up with that
13 date that happened. So I had first go, and then they
14 had to call him to set up another date. So it wasn't
15 more like me trying to avoid it, but rather it was just
16 the technical, you know, issues that were happening
17 with it.

18 I did end up finally making it work, but by
19 that time, it was a week for me to see them. So I
20 did -- I did comply with all those requirements to be
21 there. Of course I needed to see my children. I was
22 not aware that Gus was not included. He was outside
23 crying and devastated. So I --

24 THE COURT: I did read that.

1 MR. M. NEAL: So I just -- there's no, you know --
2 you know, sort of me trying to avoid or stop or any of
3 that. I have done everything that I -- you know, that
4 I have to do.

5 THE COURT: We are getting into the merits of the
6 matter. The Court first needs to rule that this is
7 properly brought as an emergency. Local Rule 6.08
8 requires that an emergency motion attach an affidavit
9 in support stating the reason the requested relief is
10 necessary on an emergency basis. It does not attach an
11 emergency -- I'm sorry, an affidavit to the emergency
12 motion. Second, it needs to allege an inability to
13 obtain an assignment on a regularly scheduled call
14 within a reasonable time given the circumstances.
15 Under local court rules 15.10. The Court finds that
16 the emergency motion does not comply with local court
17 rules and cannot be heard as an emergency.

18 Mr. Mario Neal, you're welcome to bring your
19 motion on the regularly scheduled call by -- just as
20 the Court has mentioned, certainly a notice of motion
21 and filing a notice of motion to place it on the
22 regularly scheduled call. Okay, sir?

23 All right. So the -- the matter needs to be
24 given another status date again. The Court's rulings

1 relative to the Rule 215 exam with Dr. Shapiro stands.
2 The appeal was dismissed and never heard. And with
3 regard to the 604.10(c) evaluation by Dr. Hatcher, that
4 order stands. The Respondent is to comply with those
5 orders to proceed and understand, sir, that the Court
6 believes that -- that is it is important that the Court
7 is informed in as many ways as possible to make the
8 appropriate rulings on behalf of the children.

9 MR. M. NEAL: So my only question in regards to
10 the current order. What evidence -- like, what
11 evidence has been presented that my children are in
12 danger or they're in the presence of danger. I'm an
13 educator; right? So any allegations that I maintain
14 from the children puts my child at risk. And if
15 there's no evidence or there's no history of abuse on
16 my end and they're taken away but yet there is on that
17 side. It just doesn't make sense.

18 So I do not agree that this order should
19 stand on the basis there's no evidence that I possess a
20 danger to the children. No evidence. There's a
21 history -- The Supreme Court of Illinois has stated a
22 high bar for removal of the children from the parent,
23 and -- and the fact that there's no history of abuse,
24 there's no allegation from the children, there's

1 nothing makes me very sad for my children and now
2 they're in a situation where there are allegations of
3 abuse from the other parent. So to me it is an
4 injustice and it is unfair for my children to be
5 continually put in a situation of danger when I have
6 done nothing.

7 MR. C. ROBERTS: Judge, you already ruled, Judge.

8 MR. M. NEAL: So I have --

9 THE COURT: Sir, let me say this. Let me say
10 this.

11 MR. M. NEAL: Okay.

12 THE COURT: The reason the Court isn't proceeding
13 with getting down to the bottom as to whether there's
14 anyone that is creating harm to his children is because
15 we're staycated [sic]. We're not proceeding with the
16 604.10(c) evaluation and with the 215 evaluation. If
17 we proceeded with that and have reporting then
18 ultimately the Court would have that in order to
19 determine whether there is a concern for these
20 children.

21 MR. M. NEAL: You're correct.

22 THE COURT: But we need to proceed in that regard.

23 MR. M. NEAL: I understand, but I -- you know, I
24 started -- right at the beginning, I stated what my

1 point is. I did everything that I was supposed to do,
2 but then I noticed that there were some very serious --

3 MR. C. ROBERTS: Judge, I will object again.

4 MR. M. NEAL: -- with Dr. Hatcher so it made me
5 question --

6 (Indiscernible due to simultaneous
7 crosstalk.)

8 MR. M. NEAL: -- so how can I trust him.

9 THE COURT: Mr. Neal, you have been ordered to
10 comply --

11 MR. M. NEAL: Okay.

12 THE COURT: -- with the 604.10(c) evaluation and
13 the 215 evaluation. Those orders stand. We will give
14 it a future date for a status on those and that can be
15 used as a presentment date if we're not advancing.

16 MR. M. NEAL: And then I will set the proper rule
17 for the emergency motion and for the motions for when
18 to investigate Chuck for potential fraudulent behavior.

19 THE COURT: And, sir, you can set those for
20 presentment.

21 And Ms. Musielak, any idea -- and you may
22 not --

23 MS. MUSIELAK: So the Family Center visits should
24 be done -- the last Wednesday would be March 6th.

1 THE COURT: Got it. And so let's try to get in --
2 I'm going to try to set it the week after the last of
3 the visitations so that there isn't a lapse of time for
4 you to see your children. So I'm setting it for --

5 MR. M. NEAL: So can you -- I mean, are you -- you
6 know, it is very sad because the children would always
7 come to me and address any allegations of abuse, and
8 now my daughter when she --

9 MR. C. ROBERTS: Objection, Judge.

10 MR. M. NEAL: -- came to talk to me and she can't
11 because I'm being supervised.

12 THE COURT: All right. So --

13 MR. M. NEAL: So it is a clear attempt to try to
14 stop my children from reporting the abuse. I do not
15 want it to be supervised. I want my children to talk
16 to me freely and to be able to express themselves. At
17 this point, they can't given that they are now being
18 forced to sit with someone sitting three feet way from
19 me as I hold my children, and my children are scared.

20 THE COURT: How about March 11th. March 11th at
21 9:25. That's the first Monday following the March 6th.

22 MS. MUSIELAK: That works with me, Judge.

23 MR. C. ROBERTS: That's good, Judge.

24 THE COURT: All right. Is that good for you as

1 well, Mr. Mario Neal?

2 MR. M. NEAL: So we had a -- can we set the bail
3 motion on that day too so I don't request -- like,
4 maybe because I have -- I have March 19th; right? Just
5 to -- regarding to the recent order from Mr. Cherny.

6 THE COURT: Hold on. Yes, we can. That's just
7 another week later that you might not see your
8 children.

9 MR. M. NEAL: No, they will come on the 19th.

10 THE COURT: Well, I can't -- he's already gone.
11 And I believe we had -- we have looked for an afternoon
12 because you asked for an afternoon, sir.

13 MR. M. NEAL: Yeah.

14 THE COURT: I don't -- I don't have the afternoons
15 for hearing on either the 11th or 12th.

16 MR. M. NEAL: I mean, I will -- I have no choice
17 so I will come in the morning on March 11th. So then
18 is it possible to then now I reach out to an attorney
19 to see whether that time works for both --

20 THE COURT: You can't. And the reason why we
21 can't, sir, is you specifically asked for an afternoon.
22 I don't have a morning hearing time period on
23 March 11th. So we can't move a hearing that you wanted
24 in the afternoon.

1 MR. M. NEAL: I understand. So I was just trying
2 to find a way to ensure that I don't miss work and you
3 know ...

4 THE COURT: And we can certainly set the status,
5 if it's okay with everyone else, for the first five
6 minutes at 1:30 on the 19th but that, understand,
7 sir --

8 MR. M. NEAL: No, it's okay. I will just see what
9 I can do.

10 THE COURT: Okay.

11 MR. M. NEAL: So March on what date?

12 THE COURT: 9/25, sir, for status on Respondent's
13 Family Center visitation.

14 MR. M. NEAL: And I still -- I'm still very
15 concerned that my children were taken away without --

16 MR. C. ROBERTS: Judge, the other issue that's
17 still lingering out there is the Court's in camera
18 review of the Child Advocacy Center. They were
19 furnished to your Honor by the State at some point in
20 the past. I know the Court was going to take an
21 opportunity to review those, and if not -- I never
22 followed up with your Honor on that issue. I would
23 like to get those records, and I think they would
24 probably be helpful for both Dr. Shapiro and

1 Dr. Hatcher.

2 THE COURT: And that's fine. The Court will note
3 that March 11th at 9:25 we will rule upon that as well.

4 MR. C. ROBERTS: That's great. Thank you.

5 THE COURT: What I had mentioned is I just wanted
6 to see if Mr. Mario Neal was going to be
7 self-represented or have an attorney represent him.
8 He's self-represented. That's perfectly fine.

9 MR. M. NEAL: Spend all my money; right?

10 THE COURT: So ruling on --

11 MR. M. NEAL: It's so unjust. This is a legal
12 kidnapping.

13 THE COURT: So Mr. Mario Neal, I will ensure that
14 everyone acts in a civil fashion before the Court.

15 MR. M. NEAL: I'm just acting for --

16 THE COURT: Mr. -- Mr. Mario Neal, understand
17 this. Disparaging comments shouldn't be made against
18 you; correct, Mr. Mario Neal?

19 MR. M. NEAL: I have been treated so unfairly.

20 THE COURT: Mr. Mario Neal.

21 MR. M. NEAL: Okay.

22 THE COURT: I want to set a standard here now,
23 here and now, that when we're in Court, everyone acts
24 civilly which means that I will not tolerate either

1 party disparaging the other or anyone else involved in
2 the matter in the same fashion that you would not want
3 the Court to allow people to say disparaging comments
4 about you when we're here before the Court on status.
5 The same thing applies the other direction. I cannot
6 allow you to make disparaging comments about others
7 when trying to maintain civility in this court. So I
8 want to make it clear. When we're done, we're done,
9 and when we're in session, we will have civility.

10 We will see everyone back March 11th.

11 MR. C. ROBERTS: Thanks for your time, Judge.

12 MR. R. ROBERTS: Thank you.

13 (Which were all of the proceedings had
14 in the above-entitled matter.)
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I, SUZANNE AUSTIN, hereby certify the foregoing to be a true and accurate transcript of the computer based digitally recorded proceedings of the above-entitled cause to the best of my ability to hear and understand, based upon the quality of the audio recording, pursuant to Local Rule 1.03(c).

Official Court Reporter
Eighteenth Judicial Circuit of Illinois
DuPage County