2025 IL App (4th) 250298-U

NOS. 4-25-0298, 4-25-0300, 4-25-0301, 4-25-0302 cons.

IN THE APPELLATE COURT

OF ILLINOIS

FOURTH DISTRICT

FILED
August 4, 2025
Carla Bender
4th District Appellate
Court, IL

In re A.S., a Minor	)	Appeal from the
	)	Circuit Court of
(The People of the State of Illinois,	)	Sangamon County
Petitioner-Appellee,	)	No. 22JA93
v. (No. 4-25-0300)	)	
Julian S.,	)	
Respondent-Appellant).	)	
----------	)	
In re I.P., a Minor	)	No. 22JA94
	)	
(The People of the State of Illinois,	)	
Petitioner-Appellee,	)	
v. (No. 4-25-0301)	)	
Julian S.,	)	
Respondent-Appellant).	)	
----------	)	
In re J.P., a Minor	)	No. 22JA95
	)	
(The People of the State of Illinois,	)	
Petitioner-Appellee,	)	
v. (No. 4-25-0302)	)	
Julian S.,	)	
Respondent-Appellant).	)	
----------	)	
In re S.S., a Minor	)	No. 24JA1
	)	
(The People of the State of Illinois,	)	
Petitioner-Appellee,	)	
v. (No. 4-24-0298)	)	Honorable
Julian S,	)	Dwayne A. Gab,
Respondent-Appellant).	)	Judge Presiding.

JUSTICE KNECHT delivered the judgment of the court.
Justices Doherty and DeArmond concurred in the judgment.

ORDER

¶ 1 *Held*: The appellate court dismissed the appeals, concluding (1) it was without jurisdiction to address respondent's challenges to the permanency review orders and (2) respondent did not pursue challenges to the other orders from which he appealed. The appellate court further ordered respondent's appellate counsel to pay $1,000 as monetary sanctions to the appellate court clerk and ordered the appellate court clerk to send a copy of the court's decision to the Illinois Attorney Registration and Disciplinary Commission, concluding respondent's appellate counsel violated Illinois Supreme Court Rule 375 (eff. Feb. 1, 1994) by citing multiple cases that did not stand for the propositions of law for which they were cited.

¶ 2 Respondent, Julian S., filed *pro se* notices of appeal from various orders entered in Sangamon County case Nos. 24-JA-1, 22-JA-93, 22-JA-94, and 22-JA-95. Thereafter, the trial court appointed Attorney William T. Panichi to represent respondent in his appeals. Respondent's appellate counsel moved to consolidate the appeals, which this court granted, and then filed briefs challenging certain permanency orders entered in case Nos. 22-JA-94 and 22-JA-95. For the reasons that follow, we dismiss the consolidated appeals and order respondent's appellate counsel to pay $1,000 as monetary sanctions to the clerk of the Fourth District Appellate Court. We further order the clerk of the Fourth District Appellate Court to send a copy of this decision to the Illinois Attorney Registration and Disciplinary Commission (ARDC).

¶ 3 I. BACKGROUND

¶ 4 The minors involved in these appeals, A.S., I.P., J.P, and S.S., share the same mother. The minors' mother is not, however, involved in these appeals. During the proceedings below, it was determined respondent was the biological father of the minors named in case Nos. 22-JA-94 and 22-JA-95 but not the biological father of the minors named in case Nos. 24-JA-1 and 22-JA-93. Because respondent is only challenging permanency orders entered in case Nos. 22-JA-94 and 22-JA-95, we limit our background to the pertinent facts of those cases.

¶ 5 In April 2022, the State filed petitions for adjudication of wardship, alleging, in

part, I.P. (born August 2019) (case No. 22-JA-94) and J.P. (born March 2021) (case No. 22-JA-95) were neglected minors in that they were subject to an environment injurious to their welfare (705 ILCS 405/2-3(1)(b) (West 2022)). In July 2022, the trial court adjudicated I.P. and J.P. neglected and then, following an August 2022 dispositional hearing, made them wards of the court and placed guardianship and custody of them with the Illinois Department of Children and Family Services (DCFS).

¶ 6 In April 2024, the State filed motions to terminate respondent's parental rights to I.P. and J.P., which it later amended. In the amended motions, the State alleged respondent was an unfit parent in that he (1) failed to make reasonable efforts to correct the conditions which were the basis for the removal of I.P. and J.P. from his care within certain nine-month periods following the adjudications of neglected (750 ILCS 50/1(D)(m)(i) (West 2024)) and (2) failed to make reasonable progress toward the return of I.P. and J.P. to him within certain nine-month periods following the adjudications of neglected (*id.* § 1(D)(m)(ii)). The State further alleged it was in the best interests of I.P. and J.P. to terminate respondent's parental rights and appoint DCFS as guardian, with the power to consent to adoption.

¶ 7 In May 2024, the trial court held a permanency review hearing concerning both I.P. and J.P. The record on appeal contains no transcripts, bystander's report, or agreed statement of facts from the hearing. At the conclusion of the hearing, the court entered orders changing the permanency goals from return home to substitute care pending court determination. The court then conducted additional permanency review hearings concerning both I.P. and J.P. in September 2024 and March 2025. At the conclusion of those hearings, the court entered orders maintaining the permanency goals of substitute care pending court determination.

¶ 8 In March 2025, respondent filed his *pro se* notices of appeal, and this consolidated

appeal followed.

¶ 9 II. ANALYSIS

¶ 10 On appeal, respondent challenges the May 2024 permanency orders entered in case Nos. 22-JA-94 and 22-JA-95. Specifically, he presents a variety of arguments as to why he believes the permanency goals for I.P. and J.P. should not have changed from return home to substitute care pending court determination. In response, the State argues, amongst other things, this court lacks jurisdiction to consider respondent's challenges to the May 2024 permanency orders.

¶ 11 To begin with, the May 2024 permanency orders, contrary to respondent's assertion in his opening brief, are *not* final and appealable orders under Illinois Supreme Court Rule 301 (eff. Feb. 1, 1994). See *In re K.C.*, 2024 IL App (1st) 231166, ¶ 106 ("[A] permanency order is generally not considered a final order, as it is subject to review and reevaluation at a minimum of every six months."). Indeed, the orders entered neither permanently determined the rights of respondent nor definitively resolved any issues. See *id.* ¶ 107; see also *In re Joseph J.*, 2020 IL App (1st) 190305, ¶¶ 24-25 (finding the permanency order setting the permanency goal at substitute care pending court determination was a nonfinal order).

¶ 12 Furthermore, respondent has not complied with the requirements to appeal an interlocutory order affecting the care and custody of an unemancipated minor under Illinois Supreme Court Rule 306(a)(5) (eff. Oct. 1, 2020). Specifically, respondent did not file petitions for leave to appeal and, even if we construed respondent's *pro se* notices of appeal as said petitions, he did not timely file those petitions. See Ill. S. Ct. R. 306(b)(1) (eff. Oct. 1, 2020) (petitions requesting leave to appeal must be filed within 14 days of the order from which review is sought). Respondent, in addition, has not provided, nor do we find, any grounds by which we could excuse the noncompliance with the rules governing an appeal from an interlocutory order affecting the

care and custody of unemancipated minors.

¶ 13 We conclude we lack jurisdiction to consider respondent's challenges to the May 2024 permanency orders entered in case Nos. 22-JA-94 and 22-JA-95. Respondent, furthermore, does not pursue challenges to the other orders from which he appealed. Accordingly, we find the appeals consolidated herein should be dismissed.

¶ 14 As a final matter, we, in the course of reviewing this consolidated appeal, discovered respondent's appellate counsel, Attorney Panichi, appeared to have cited in the briefs one case that did not exist, "*In re C.M.*, 2015 IL App (3d) 140876," and seven cases, including one nonprecedential order entered pursuant to Illinois Supreme Court Rule 23(b) (eff. Feb. 1, 2023), that existed but did not stand for the propositions of law for which they were cited. As a result, we entered against Attorney Panichi a rule to show cause by way of a written response as to why sanctions should not be entered against him under Illinois Supreme Court Rule 375 (eff. Feb. 1, 1994) for his conduct.

¶ 15 Attorney Panichi filed a written response to the rule to show cause. In his response, Attorney Panichi asserts there was a "typographical error" with respect to the citation to the apparent nonexistent case, contending it was "mis-cited by name" and should have been "*In re Marriage of Perez*." He also asserts the citation to the nonprecedential Rule 23 order was "inadvertent" and "is hereby withdrawn." Attorney Panichi otherwise provides, with the exception of the citation to the Rule 23 order, an explanation as to why each of the cases identified by this court were cited. Attorney Panichi concludes his response by "assur[ing] the Court that all future citations will be verified for accuracy and compliance with applicable rules."

¶ 16 Prior to the filing of the reply brief in this consolidated appeal, which occurred on June 23, 2025, Attorney Panichi personally appeared before this court on June 18, 2025, in an

unrelated case on a rule to show cause concerning the submission of briefing that contained questionable citations. See *In re Baby Boy*, 2025 IL App (4th) 241427, ¶ 44. Attorney Panichi admitted to using artificial intelligence (AI) to prepare the briefing in that case and to not "thorough[ly]" reviewing the work-product therefrom before submitting it to this court. *Id.* ¶ 48. He "informed the court that he did not intend to use AI going forward." *Id.* Ultimately, this court, after a comprehensive discussion of the use of AI and its pitfalls, found Attorney Panichi had violated Rule 375 and, amongst other things, sanctioned him for his conduct. *Id.* ¶¶ 91-132.

¶ 17 Attorney Panichi now, in his response to the rule to show cause in this consolidated appeal, largely maintains the identified citations in the briefing were appropriate. Attorney Panichi's position is untenable. As indicated, he provides, with the exception of the citation to the Rule 23 order, an explanation in response as to why each of the cases identified by this court were cited. A review of the briefing, however, clearly shows the identified cases were not cited for the reasons set forth in the response. For instance, Attorney Panichi cited in the reply brief "*In re C.M.*, 2015 IL App (3d) 140876," which again he contends was simply "mis-cited by name" and should have been "*In re Marriage of Perez*," for the proposition that "DCFS is obligated to tailor services to accommodate a parent's disabilities." Now, in his response, he asserts that case, "though a divorce case, was cited for the legal proposition recognizing the paramount importance of the child's best interest—a concept that is equally applicable across guardianship, adoption, divorce, and juvenile proceedings." As another instance, Attorney Panichi cited *In re D.F.*, 201 Ill. 2d 476 (2002), in (1) the opening brief for the proposition that "courts must consider whether a parent's disabilities affect their ability to comply with service plans," and (2) the reply brief for the proposition that "a parent's disabilities must be factored into determinations regarding compliance with services." Now, in his response, he asserts that case "was cited for its discussion of parental

unfitness and the State's evidentiary burden in termination proceedings."

¶ 18 Even accepting Attorney Panichi's questionable claim he simply miscited a case rather than cited a case that did not exist, our review makes clear he has violated Rule 375 by willfully citing multiple cases that do not stand for the propositions of law for which they are cited. See *Baby Boy*, 2025 IL App (4th) 241427, ¶¶ 107-119. We find it particularly concerning this conduct occurred, at least as it relates to the reply brief, after he personally appeared before this court for similar conduct.

¶ 19 While Attorney Panichi has not admitted to using AI to prepare the briefing in this case, we find that to be a reasonable conclusion based upon our review of the briefing, the response to the rule to show cause, and Attorney Panichi's past conduct. We emphasize it is not the use of AI itself that is concerning; rather, it is the apparent failure to thoroughly review the work-product therefrom before submitting it to this court. See *id.* ¶ 131.

¶ 20 Given his conduct in this consolidated appeal, we find sanctions should be entered against Attorney Panichi under Rule 375 and the ARDC should be informed of Attorney Panichi's conduct. See *id.* ¶¶ 121-132.

¶ 21 III. CONCLUSION

¶ 22 For the reasons stated, we dismiss the appeals consolidated herein and order respondent's appellate counsel to pay $1,000 as monetary sanctions to the clerk of the Fourth District Appellate Court. We further order the clerk of the Fourth District Appellate Court to send a copy of this decision to the ARDC.

¶ 23 Appeals dismissed.