

Haynes and Boone Secures Victory in Pro Bono Enforcement, Custody Case

January 25, 2019 Christina Crozier, Ellen Conley

Haynes Boone Counsel [Christina Crozier](#) and Associates [Ellen Conley](#) and Caitlin Evans recently secured a victory on behalf of a client in a pro bono case involving two young boys in Houston.

Conley originally took the case through the Houston Volunteer Lawyer Program (HVLP) and was later joined by Evans as the case grew in scope over time. The case started as what was purported to be a straightforward enforcement and minor modification of an existing custody order for the boys.

The initial challenge came in finding a cost-effective way to serve the respondent, who evaded service and had a past history of attempting to intimidate and manipulate the client, his own criminal defense attorney, and the Haynes Boone lawyers. Service was eventually obtained in February 2018, but by this time the case had grown to include an investigation of child abuse, application for a protective order, and enforcement of child support. The respondent also obtained new counsel.

In February 2018, Conley and Evans successfully obtained a temporary ex parte protective order following an outcry of physical abuse by the children against their father, prompting an investigation by the Department of Family and Protective Services. In April 2018, the court found the respondent in contempt for failure to pay his child support; his community supervision was revoked and Haynes Boone's client received the full amount of arrears she was owed, plus interest. On May 7, 2018, Evans and Conley obtained a default judgment, which awarded the client all relief requested in her petition, including sole managing conservatorship and supervised visitation only for the respondent.

Almost 90 days after the final judgment was entered, opposing counsel filed an untimely motion to extend post-judgment deadlines in an attempt to undo the default judgment and reinstate the case. On Oct. 24, 2018, the respondent had the default judgment overturned in a void order entered after the court had lost plenary power and without notice of a hearing. On Dec. 10, 2018, Crozier, Conley and Evans successfully motioned the court to set aside the void order, solidifying the original order granting the relief requested by the clients and successfully closing the case.

Haynes Boone has long been committed to providing pro bono legal aid, believing that a meaningful professional career is much more than just handling major business transactions or trying complex lawsuits. The firm's lawyers actively use the law for helping those who need it most but are least able to pay.