

News

APPELLATE TEAM SECURES HAGUE CONVENTION PRO BONO WIN

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A BCLP team of appellate attorneys recently achieved a significant pro bono victory in a Hague Convention case, successfully reuniting a German mother with her child who had been wrongfully retained for more than a year.

The Hague Convention on the Civil Aspects of International Child Abduction is a multilateral treaty that seeks to return children to their native country to allow child custody proceedings to take place in that country. In this case, the child's father had been keeping the child in Chicago since July 2023 in violation of the mother's custody rights under German law. The mother won an order from the United States District Court for the Northern District of Illinois requiring that the child be returned to her in Germany, but the father obtained a stay of the order and appealed.

BCLP attorneys eagerly stepped in to represent the mother on appeal. The team, led by Partner Barbara Smith, drafted the mother's response brief on an expedited briefing schedule, and Associate Sam Hofmeier argued the case in front of the United States Court of Appeals for the Seventh Circuit. Associate Adam Steinhilber assisted in drafting the brief and preparing for argument, as well as managing the numerous other motions made by opposing counsel. The team also handled ancillary issues in the district court, including securing parenting time for the mother and preventing the child from leaving the district court's jurisdiction. Just weeks after oral argument, the Seventh Circuit issued a lengthy, published opinion – *Baz v. Patterson*, 100 F.4th 854 (7th Cir. 2024) – in which it affirmed that the child must return to Germany with the mother.

The BCLP team subsequently obtained and enforced an updated return order for the mother, who was reunited with her child in July 2024.

"Right from the start, I felt in really good hands. My attorneys Barbara, Sam, and Adam made me feel like my case mattered to them – they were always available for any questions and guided me through all my legal options," the mother commented. "They were professional and empathic and kind humans at the same time, a rare combination. I am so very grateful they agreed to take my case pro bono and gave me my life back. My child was returned to me and I can live in peace again."

In addition to Barbara, Sam and Adam, the team's additional assistance was provided by Partner Logan Rutherford, Associates Geoff Pipoly and Mike Montoya, Summer Associate Taylor Todd, Paralegals Tiffany Johnson and Ann Woepfel, and Secretaries Molly Forge, Anita Lodahl and Mary Kay Vining (retired). Geoff Pipoly and Callie Kutasi are continuing the fight for the mother in district court, as she works to obtain fees incurred by her trial counsel before BCLP stepped in.

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