Greenbaum Attorneys Obtain Favorable Result Under the Hague Convention

Announcement

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Greenbaum attorneys **Lisa P. Parker** and **Alexander W. Raap** recently obtained a favorable result in a trial held in federal court in a matter decided under the Civil Aspects of International Child Abduction Hague Convention (Hague Convention), a multilateral treaty established to provide civil remedies in cases where a child is alleged to have been wrongfully removed or retained from their country of "habitual residence."

In this matter, Ms. Parker and Mr. Raap were appointed by the United States District Court for the District of New Jersey as pro bono counsel to the respondent, a mother who fled Honduras with her son to the United States. The child's father petitioned the Hague Convention for the immediate return of the child to Honduras, alleging the respondent had abducted the child in violation of the International Child Abduction Remedies Act (ICARA), the U.S. legislation that implements the Hague Convention.

In determining that the U.S. had jurisdiction over the matter, the Honorable John Michael Vazquez, U.S.D.J. ruled in favor of the respondent and declined to return the child to Honduras. The Court found the respondent's "well-settled defense" properly applied to defeat the petitioner's application for the return of the child to Honduras. Respondent's "well-settled defense" was supported by evidence presented at trial of the child's ties to the U.S., including his community involvement, regular participation and academic success in school, and his relationship with U.S.-based family members.

Ms. Parker is a partner in the firm's Family Law Department, where she represents clients in all aspects of matrimonial litigation, child custody, domestic partner disputes, prenuptial and postnuptial agreements, domestic violence matters and post-judgment enforcement and modification applications. Mr. Raap is an associate in the firm's Litigation Department, where he concentrates his practice in the area of commercial litigation.