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Elizabeth Crowley and Charles Hunsinger Provide Pro Bono Representation in International Parental Abduction Case

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Elizabeth Crowley and Charles Hunsinger recently represented a Brazilian father pro bono in a high-stakes international parental abduction case before the 1st U.S. Circuit Court of Appeals. The case, brought under the Hague Convention, involved the father's petition for the return of his 8-year-old son to Brazil after the child was brought to the United States by his mother without the father's consent.

A federal judge initially ruled in favor of returning the child, rejecting the mother's "now-settled" defense. However, the mother appealed, and the 1st Circuit reversed the decision finding that the lower court wrongly applied a rigid balancing test of the factors used to determine whether the child was now settled in the U.S. rather than considering a totality of the circumstances. The case has been remanded to the U.S. District Court, which could still order the child's return on equitable grounds.

Elizabeth and Charles spoke with *Massachusetts Lawyers Weekly* about the ruling.

"We continue to believe the facts and law support the return of the minor child to his father and home country," said Elizabeth. "Our client waits anxiously on the trial court to issue its decision on remand and remains hopeful, as do we, that he will be reunited with his only child soon."

Charles added, "We thought the trial court made the correct decision and were surprised that the 1st Circuit concluded otherwise, given the deferential standard of review."

Read the article "[1st Circuit reverses order that child be returned to father in Brazil](#)" in *Massachusetts Lawyers Weekly* (subscription required).