

[Click here for the archive](#) of prior Mongoose newsletters.

[To view properly, please click option to DISPLAY IMAGES!](#)

International Journal on the Reform of Family Courts

The Mongoose



Together, family law attorneys can reform our family courts!
Published by attorney Greg Enos

Issue: No. 31

December 13, 2013

The Enos Law Firm

17207 Feather Craft Lane, Webster, Texas 77598

(281) 333-3030 Fax: (281) 488-7775

E-mail: greg.enoslaw@gmail.com

Web site: www.divorcereality.com

**Please forward this e-mail newsletter
to everyone on your e-mail contact list!**

Greetings!

A grand jury is considering what to do with Judge Denise Pratt, whose new definition of a good day is, "I have not been indicted yet." The *Houston Chronicle* continues to pillory Pratt. [Click here](#) to read the most recent front page story about Pratt that brings shame to our entire family court system. The term of this grand jury expires on December 31, so some decision regarding the criminal investigation of Judge Pratt is expected by the time we gather around our unadorned aluminum *Festivus* poles on December 23 and enjoy feats of strength and the airing of grievances with family and loved ones.

The Pratt story continues to get a lot of coverage by local political bloggers. [Click here](#) to read how Pratt's woes were described in the blog "Off the Kuff." [Click here](#) to read the *Houston Chronicle* blog on "Houston Politics" and how Pratt's problems were explained.

Pratt now faces four opponents in the Republican primary, which is absolutely unheard of for an incumbent judge. Alicia Franklin decided to run against Pratt instead of running for the 247th. Franklin, who has already raised more money than any non-incumbent candidate, gathered the needed petition signatures in just a few days. Donna Detamore has also joined this race, which includes Anthony Magdaleno and Phil Placzek.

The incredibly influential Republican "slate" endorsers have abandoned Pratt and it seems extremely unlikely she can win the primary election even if she is not criminally charged. Gary Polland, a former GOP county Chair, is one of the three big endorsers who decide Republican judicial primaries and a lawyer who has earned at least \$79,000 in fees on appointments from Pratt according to the *Houston Chronicle*. Polland has publicly announced he will not support Pratt and that he is endorsing Alicia Franklin.

In This Edition....

[Races for Harris County Family Courts Set](#)

[Galveston County Goes 100% Republican](#)

[Four Family Courts to Move to Civil Courthouse](#)

[Harris County to Get CPS Court](#)

[Who Will Replace Judge Criss?](#)

[Reconsidering the So-Called "Morality" Clause Injunction](#)



Four Family Courts Will Soon Move to the Civil Courthouse

Construction on the 16th Floor of the Civil Courthouse is supposed to end April 22,

The Judicial Conduct Commission will likely immediately suspend Pratt from office if she is indicted, as they did with Judge Dupuy in Galveston.

Judge Pratt has a simple explanation for these allegations against her: it is a liberal, Democratic smear job. Here is what Pratt said in an e-mail send to Republican precinct chairs:

I'm sure you have heard the rumors that are being spread by the Democrats and the liberal media. I wanted to take this time to let you know that the allegations brought against me by the Democratic faction are false. I am a conservative Judge and because of my principles I am being attacked. I have already filed to run for re-election as judge of the 311th Family District Court, and will not let the underhanded political tactics by the Democrats keep me from doing my job.

This newsletter also goes to the Republican precinct chairs and about another 1,000 Republican political activists and I have tried to inform them about how their "conservative" judge does not show up for work, wastes time, fails to follow the law or common sense and fails to make timely rulings.

Assuming the Pratt story goes away next year, I intend to spend a lot of time in 2014 exploring the appointment of amicus attorneys and mediators as political patronage and I will share the results of my investigations into what some politically connected attorneys appointed to CPS cases are billing for.

I do not expect to win every case. I just want an efficient system in which my client gets a fair hearing before a judge who works hard, knows the law, and does not play favorites. I also expect judges to appoint qualified amicus attorneys who zealously look after children (and actually visit the kids in their homes). Is that asking too much? Stay tuned.

Greg Enos
The Enos Law Firm
(281) 333-3030

[Check our web site and blog!](#)

greg.enoslaw@gmail.com



Merry Christmas and Happy Holidays!

2014 and the courts of Judges Warne, York, Farr and Dean will move over in late May. The "left behind" will be the most junior family court judges: Judge Lombardino and who ever has replaced Judge Pratt by next Spring. Construction will start in May on the 8th floor of the Civil Courthouse and those two family courts are expected to move over by late 2014. By the time the winners of the 2014 general election are sworn in on January 1, 2015, all of the family courts should be in the civil courthouse.

I propose that Harris County raise a lot of money by raffling off the chance to push the button and implode the old Family Law Center. Think how many people have suffered in that hell hole over the decades and how they would love to be the one to destroy that building!

Harris County to Get a New CPS Court

The Legislature would not convert any of our civil courts into family courts so our lawmakers as a concession funded a CPS Associate Judge and Court Coordinator. Assuming County Commissioners approve a little additional funding for this AJ, the job will be posted this month and early next year, the Family District Judges will sort through the applications and select the top candidates. Regional Administrative Judge Olen Underwood will actually appoint this AJ. This CPS court will operate in Bonnie Hellums' old courtroom on the second floor of the Family Law Center through 2014.

Who Will Be Appointed to Replace Judge Susan Criss?

Galveston County District Judge Susan Criss retired and resigned early after 15 years of service in order to run for the State Legislature. Governor Pery will now appoint a replacement.



Judge Susan Criss is leaving the bench after 15 years of service to Galveston County.

Harris County Family Court Races Set

The three highest rated family court judges in Harris County will return for new four year terms because David Farr, Judy Warne, and Roy Moore do not have opponents. Judge Lisa Millard is also unopposed. **It is an amazing tribute to these hard working, fair judges that no lawyer from either party wanted to challenge them.**

Denise Pratt now has more than just a grand jury to worry about because she faces four Republican opponents in the March primary. Evidence of renewed Democratic confidence in Harris County is found in the fact that there will be three contested Democratic primary races for family court benches. Here are the 2014 primary candidates for the Harris County family courts:

Court	Incumbent	Republican Candidates	Democratic Candidates
245th	Roy Moore	Roy Moore	
246th	Jim York - retiring	Charley Prine Angelina Gooden	Julia Maldonado Sandra Peake
247th	Bonnie Hellums - retiring	M L (Meca) Walker Melanie Flowers John Schmude	Clinton "Chip" Wells
257th	Judy Warne	Judy Warne	
280th	Lynn Bradshaw-Hull	Lynn Bradshaw-Hull	Allecia Pottinger Barbara J. Stalder
308th	James Lombardino	James Lombardino	Jim Evans Bruce Steffler
309th	Sheri Dean	Sheri Dean	Kathy Vossler
310th	Lisa Millard	Lisa Millard	
311th	Denise Pratt	Denise Pratt Alicia Franklin Anthony Magdaleno Phil Placzek Donna Detamore	Sherri Cothrun
312th	David Farr	David Farr	



Attorney Greg Enos has been through his own divorce and child custody battle (he won) and understands what his clients are going through. Enos graduated from the University of Texas Law School and was a very successful personal injury attorney in Texas City before he decided his true calling was to help families in divorce and child custody cases. Greg Enos is active in politics and in Clear Lake area charities. He has served as President of the Bay Area Bar Association and President of the Board of Interfaith Caring Ministries.

Galveston County Goes 100% Republican

No Democrat even bothered to file to run for county-wide office in Galveston County, which means every judge in the county will be Republican after the resignation of Judge Susan Criss and the retirement of Judge Janis Yarbrough.

Republican candidates for the 306th Family District Court to replace Judge Yarbrough are Anne Darring, Jennifer Burnett and Wilfried Schmitz.

County Court No. 3 Judge Kerri Foley (appointed to replace the disgraced, indicted, removed and convicted Judge Dupuy) is opposed in the Republican primary by Byron Fulk, Jack Ewing and Donnie Quntanilla.

County Court No. 2 Judge Barbara Roberts (who almost all attorneys agree is doing a really good job) inexplicably drew a Republican opponent, Jonathan Kieschnick.

The race for the 212th District Court to replace retiring Judge Susan Criss has Republicans Patricia Grady, Keith Gross, George Young and Brett Griffin vying for their party's nomination.

District Attorney Jack Roady is opposed by Phillip Morris.



Attorney Greg Enos



District Judge John Ellis and County Court No. 1 Judge John Grady have no opponents. District Clerk John Kinard, County Clerk Dwight Sullivan and Probate Judge Kim Sullivan are also unopposed.

Reconsidering the So-Called "Morality" Clause Injunction

(I am going to keep running this article until you click on the link and read my full paper on this subject)

[Click here](#) to download an article I have written on why family court judges and lawyers need to rethink the so-called "morality" clause, which enjoins a parent or conservator from allowing a boyfriend or girlfriend from spending the night when the parent or conservator has possession of the child.

As of March 2012, when United States Census did a supplemental survey on family living arrangements, 15.3 million unmarried heterosexual individuals were in live-in relationships. That is 6.5% of all U.S. adults 18 and over. The Census Bureau reported that 41% of cohabiting couples have children living with them. The majority of Americans under age 30 now report living together before getting married.

The so-called "morality clause" injunction should usually not be ordered because:

1. The act that is being forbidden is not considered "immoral" by the vast majority of Americans. The "American Values Survey" conducted in 2012 of over 2,000 Americans on behalf of *Atlantic Magazine* and The Aspen Institute found that the great majority (69%) of Americans believe that a heterosexual, unmarried couple living together is morally acceptable.
2. There is usually no evidence that allowing a boyfriend or girlfriend to spend the night when the child is present will harm the child.
3. The so-called "morality" clause is fundamentally wrong because it tries in advance to forbid conduct that is not always harmful to children.
4. The real harm that most judges want to prevent with the so-called "morality" clause can easily happen during the day or with a married parent.
5. The injunction is about the only instance when judges forbid legal parental behavior in advance and try to micro-manage what is done around the child. It is based on an assumption that, regarding this one behavior, a loving parent will not use common sense or protect the child.
6. The injunction ignores the perceptions of children and the realities of many single parents' lives.
7. This injunction unconstitutionally invades the parents' rights of privacy and right to make parental decisions without any evidence of harm to the child.
8. It is very difficult to enforce the so-called "morality clause" injunction.

An injunction against allowing a boyfriend or girlfriend to spend the night should usually only be ordered when there is evidence that a parent has allowed a "revolving door" of lovers to enter their child's life or the child has actually been harmfully exposed to adult sexual activity.

[Click here](#) to download this article on the so-called "morality" clause if you are willing to challenge your preconceived notions about what should usually be done in child custody orders.



Trusted Email from
Constant Contact

Try it FREE today.