



Yetter
Coleman
Trials | Appeals

Pro Bono Update

2023-2024
Report

Letter from Amy Farish



Partner and Firm Pro Bono Chair

Pro bono has been an integral part of Yetter Coleman since long before I joined in 2019. If I had been pro bono chair five years ago, I would have described our pro bono program as one focused on **impact** and **integrity**. Although the firm was smaller then, we had a formidable and deep bench of seasoned attorneys dedicating hundreds of hours on the Texas Foster Care Reform case that is highlighted in this inaugural pro bono spotlight.

Fast forward to 2021: as we emerged from quarantine, I saw an opportunity to enhance our long-standing commitment to pro bono service. This was accomplished by encouraging increased engagement in local cases that help underserved members of the community with legal matters that affect their daily life. While Yetter Coleman will always take on thorny cases to defend the most vulnerable of our community, we also encourage lifelong service with a culture of consistency. Given the pervasive nature of poverty, our commitment to service must be equally enduring. I started forwarding lists of available cases from Houston Volunteer Lawyers, reminding associates they could receive billable hour credit and valuable legal training by taking on pro bono work, and impressing upon new recruits that pro bono service is a core value at Yetter Coleman. Young associates are encouraged to take on pro bono cases, see them through to resolution, then roll to the next challenge with a message that their docket is incomplete without an ongoing or prospective pro bono project to keep their skills sharp.

Yetter Coleman is experiencing an exciting season of **growth**, and our pro bono program is flourishing as well. In 2023, we reached 100% pro bono participation among our associates, and I'm thrilled to announce that we've already matched this achievement in 2024, even as our associate ranks continue to expand. Our current pro bono docket is thriving, encompassing a diverse mix of work including HVL cases, immigration matters, death penalty representation, amici curiae participation, and the long-running fight to reform the Texas foster care system.

We've also strengthened our coordination team with the addition of attorneys Casey Downing, Alishan Alibhai, and paralegal manager Courtney Smith, who join me on the firm's inaugural Pro Bono Committee. Our goals are clear: to maintain the impact, integrity, and **consistency** of our pro bono work while continuing our growth trajectory. With our attorneys fully engaged, we look forward to focusing our expansion on new partnerships with local organizations.

In the meantime, please take a moment to review this short summary of several cases our firm has had the privilege to work on in 2023-2024. We look forward to annually sharing updates with you on the impact litigation that defines our legacy, the individual cases that touch so many lives, and the appellate work that amplifies voices in the highest courts of Texas and beyond.

Warm regards,

A handwritten signature in blue ink, appearing to read 'Amy Farish'.

Texas Foster Care Reform

Our most extensive work protects Texas children. For the past 13 years, Yetter Coleman has relentlessly pursued statewide reform of a foster care system that the federal courts have found to be “broken” and dangerous. For decades, the State had been operating a system plagued by pervasive physical, sexual, and emotional abuse and other dangers, violating foster children’s constitutional rights.

So far, we have dedicated 18,000 pro bono hours to this reform, targeting systemic issues like rampant abuse and neglect of the children, chronic over-medication, crushing caseworker caseloads, and placements in motels and other unsuitable facilities that are magnets for sex trafficking. After a 2014 trial on the merits and multiple appeals, the Fifth Circuit affirmed a comprehensive set of remedial orders, which the district judge has been implementing since 2019.

We are in the sixth year of enforcing these remedial orders. Under the federal court’s supervision, important progress has been made, but egregious deficiencies persist. Change has been grudging and halting, as state executives chafe at being ordered by federal courts to do their job protecting these children.



The lives and futures of some 9,000 children in state custody are at stake.

Most recently, court-appointed monitors identified grave shortcomings in investigations into outcries of abuse and neglect of children with disabilities. Texas was taking a year or more to complete investigations, many of them incomplete or poorly done, while vulnerable children languish in unsafe placements. This conduct violated the remedial orders, and we moved for contempt. The federal court held a three-day evidentiary hearing during which we presented powerful testimony and documentary evidence proving the State's noncompliance and its effects on these children.

The federal court granted our contempt motion and imposed sanctions until the State certifies compliance. Rather than focus on protection of children, Texas appealed and convinced the Fifth Circuit to vacate the contempt order and reassign the case to a different judge. Yetter Coleman is appealing the decision to defend the contempt order and oppose reassignment. It is vital that the State comply with orders intended to safeguard children, as it was ordered to do by a seasoned judge with irreplaceable institutional knowledge. The objective is simple: a safe system for all children in the State's care.



Paul Yetter

Partner



Christian Ward

Senior Counsel



Jane Ray

Senior Counsel



Karla Maradiaga

Associate



Delonda Dean

Paralegal



Lisa Prince

Paralegal



Courtney Smith

Paralegal



Tracey Ebdon

e-Discovery Project
Manager

Steven Thomas Habeas Corpus Petition

In 2014, Mr. Steven Thomas was sentenced to death for the more-than-thirty-year-old murder of Mrs. Mildred McKinney. Between the murder in 1980 and the trial in 2014, during which time two men confessed to the crime, the State lost most of the evidence it had collected.

So, to bolster its case, the State knowingly elicited false testimony from the jailhouse informant that he had received no promises in return for his testimony, in the process violating the Due Process clause. The State also failed to disclose the informant's full agreement with the prosecution to the defense, which included a reduction in his maximum sentence and relocation to be near his ailing mother, another violation of the Due Process clause. The State then misrepresented the certainty of the source of some DNA evidence, eliciting testimony to convince the jury the sample was more reliable than it actually was, a third violation.

Mr. Thomas's trial counsel was ineffective; among other failures, they failed to retain a DNA expert to review and assess the State's DNA evidence and develop their own assessment of the DNA evidence. Mr. Thomas was convicted in Williamson County district court of capital murder.





The Office of Capital and Forensic Writs in Austin handled Mr. Thomas's state habeas application. After it was rejected by the Texas Court of Criminal Appeals, University of Texas School of Law professor Lee Kovarsky referred it to Yetter Coleman for pro bono representation. Jim Zucker, Kay Dannenmaier, and Andrew Ingram became counsel for Mr. Thomas and, in 2023, filed a petition for habeas corpus on his behalf in the United States District Court for the Western District of Texas, asking the Court to grant him habeas relief from his unconstitutional conviction and sentence. In September 2024, the team filed a Reply in support of the motion and started discovery.



Jim Zucker
Partner



**Kay
Dannenmaier**
Associate



Andrew Ingram
Associate



Samantha Richey
Paralegal

United States v. Rahimi

Houston Area Women’s Center (“HAWC”) supports survivors of domestic violence, sexual assault, and sex trafficking. It provides crisis response services and a continuum of care to its clients, offering a residential emergency shelter, longer-term housing, counseling, and career and financial services. Over the past 40 years, HAWC has actively advocated for policy at local and state levels, focusing particularly on legislation concerning domestic violence.

In 2024, the Fifth Circuit issued an opinion holding that a decades-old statute prohibiting the possession of firearms by persons subject to domestic violence restraining orders was unconstitutional. The Supreme Court of the United States granted certiorari to consider the ruling in *United States v. Rahimi*, 144 S. Ct. 1889 (2024).

In the Houston area, 73% of deaths caused by intimate partners from 2019-2022 involved guns. Given these devastating statistics, and the compounding effect of the Fifth Circuit’s ruling, HAWC asked Yetter Coleman to draft an amicus brief on its behalf urging the Supreme Court to uphold the law and prevent persons subject to domestic violence restraining orders from possessing firearms. The brief, drafted by Connie Pfeiffer, Lily Hann, and Elizabeth Wyman (a former HAWC board member), argued that in domestic violence cases, defense of the home requires protection from firearms. It also gave survivors a voice, sharing their stories to emphasize the stakes of the case. Ultimately, the Supreme Court reversed the Fifth Circuit 8-1 and upheld the law.

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Yetter Coleman's work advanced HAWC's mission to defend and protect survivors of domestic abuse—often by helping them seek and obtain protective orders that prevent their abusers from having access to guns. Since then, the same group of Yetter Coleman attorneys who drafted the brief have co-chaired HAWC's 2024 Leadership Campaign to help the organization raise the money it needs to continue its essential work.



Connie Pfeiffer
Partner



Elizabeth Wyman
Senior Counsel



Lily Hann
Associate



Delonda Dean
Paralegal

Celebrating Pro Bono Excellence

At Yetter Coleman, we take great pride in our unwavering commitment to giving back to the community. Over the past 12 months, our dedication has been recognized by both the State Bar and by a national non-profit organization. And in 2023, we continued our tradition of honoring our attorneys and staff for their strong commitment to pro bono work through our annual awards, which included reaching significant milestones of 100% Associate participation and over 3,000 contributed hours. These achievements reflect our collective belief in the importance of providing legal services to those in need and making a lasting impact on the communities where we live and work.

Impact Award

This award is presented to an attorney or team who is doing pro bono work that will have an impact beyond a single case.

Client: Houston Area Women's Center

Case: *U.S. v. Rahimi*

YC Team: Connie Pfeiffer, Elizabeth Wyman, Lily Hann, Delonda Dean

Guardian Award

This award is presented to a team that has worked on a true David v. Goliath case.

Client: Steven Thomas

Case: *Steven Thomas v. Texas Department of Criminal Justice*

YC Team: Jim Zucker, Kay Dannenmaier, Andrew Ingram, Samantha Richey

National and State Recognition



Recipient of the 2024 Beacon of Justice Award Presented by the National Legal Aid & Defender Association.



Recognized in 2024 as an "Equal Access to Justice Champion" by Houston Volunteer Lawyers, pro bono legal aid arm of the Houston Bar Association, for fulfilling our annual pro bono case commitment.

Pro Bono Leaders

This award recognizes attorneys and staff who donate at least 20 hours a year on pro bono matters.

200 Hours or More

Christian Ward, Senior Counsel + 300 hours

Matt Zorn, Partner + 200 hours

100 Hours or More

Kay Dannenmaier, Associate

Delonda Dean, Paralegal

David Gutierrez, Associate

Andrew Ingram, Associate

Karla Maradiaga, Associate

Lisa Prince, Paralegal

Shayna Goldblatt Proler, Associate

Jane Ray, Senior Counsel

Luke Schamel, Associate

Elizabeth Wyman, Senior Counsel

50 Hours or More

Susanna Allen, Partner

Lily Hann, Associate

Connie Pfeiffer, Partner

20 Hours or More

Alex Ades, Associate

Jeff Andrews, Partner

Amy Farish, Partner

Chris Johnson, Senior Counsel

Chuck Matula, Associate

Katie Tipper-McWhorter, Senior Counsel

Samantha Richey, Paralegal

Autry Ross, Of Counsel

Jim Zucker, Partner



Together, We Make an Impact

Learn more about Yetter Coleman's pro bono efforts [here](#)

Yetter Coleman Pro Bono Committee



Amy Farish
Partner
Committee Member



Casey Downing
Associate
Committee Member



Alishan Alibhai
Associate
Committee Member



Courtney Smith
Paralegal
Committee Member