

BACK IN THE COURTROOM

Jury hears of 'ugly custody fight,' estate battle in opening arguments of civil case pitting Clara Harris and her formerly supportive in-laws

A bitter and deepening divide



DEFENDANT: Clara Harris is being sued by her in-laws for \$5 million in damages in the death of her husband, whom she ran over in July 2002.



PLAINTIFFS: Mildred and Gerald Harris, in court Thursday, say their slain son had promised to take care of them financially as they got older.

By RUTH RENDON
HOUSTON CHRONICLE

Few people were as unwavering in their support of Clara Harris during her sensational murder trial than her in-laws, the parents of the man she killed by repeatedly running over him with her Mercedes-Benz.

Every day they accompanied her to the courthouse and sat in a hallway waiting to testify on her behalf as the sordid details of their son David Harris' death were revealed, how on the night of July 24, 2002, she decided to kill her husband after finding him with his mistress at the Nassau Bay Hilton Hotel.

But during opening statements Thursday, Harris heard firsthand why her in-laws were pursuing a civil case seeking \$5

million in damages from their daughter-in-law for the loss of companionship along with the pain and torment their son's death has caused them.

This time, Gerald and Mildred Harris' attorney turned to the jury and said Clara Harris, 48, had numerous options that fateful night other than running down her husband. She could have sought counseling or a divorce.

"The thing she didn't have the right to do is kill him," attorney Richard Howell, who is representing the parents of David Harris, said in his opening statement.

The relationship between the Harrises, of Pearland, and their daughter-in-law started to sour shortly after the murder trial when Howell said Clara

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CIVIL: In-laws seek admission of guilt

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Harris started to turn on the couple. She no longer wanted the grandparents to raise the children while she served her 20-year prison sentence.

"It was an ugly custody fight," Howell said.

The joint custody agreement between the three was voided by a Brazoria County judge because a court-appointed attorney for the Harris' twin boys, then 4, had not been consulted.

During the ensuing hearing, joint custody was awarded to Clara Harris and her friends and former neighbors, Pat and Ana Jones. The grandparents got visitation rights.

Another instance that continued to tarnish the relationship came when David Harris' estate was being divided in Galveston County.

Howell told jurors that Gerald Harris stood up and objected to the settlement that gave each of David Harris' three children about \$2 million.

"He said, 'You're not giving enough money to the kids,'" Howell told jurors. "Clara got furious about that."

The Galveston County probate court awarded Clara Harris about \$1.2 million in assets that included a palatial Friendswood home appraised at \$725,330.

Clara and David Harris, however, owed \$540,000 on the house.

She also retained a Lake Livingston home valued at \$130,000 and a retirement account. Harris has since sold both homes to pay her legal expenses.

Two sides

Attorney Dean Blumrosen, who is representing Clara Harris, said Gerald and Mildred Harris disagreed with the probate court because "they are furious" that they don't get to manage the twins' estate.

The Harrises filed a wrongful-death lawsuit against their daughter-in-law seeking damages. The couple claims their son promised to provide for them financially in their old age.

"One problem we have is that Clara Harris still has not said, 'I admit I murdered your son,'" Howell said.

He said the Harrises are not looking for jurors' sympathy. "Today, the only thing we can get is justice."

Blumrosen countered Howell's statement by telling jurors in his opening statement that Clara Harris "is legally responsible for the death of her husband."

Gerald and Mildred Harris, ages 77 and 73 respectively, stood beside their daughter-in-law during her 2003 murder trial and even loaned her \$75,000 to pay for her defense. Both testified in the murder trial that they had forgiven her and didn't want any money from Clara Harris, Blumrosen said.

In court Thursday, Clara Harris wore a bright-orange, jail-issued jumpsuit and her now-long hair in a ponytail, a stark contrast from the tailored suits and coifed hairdo she sported at her murder trial.

The murder case gained international attention because among other things a video was shot that prosecutors said showed Clara Harris running over her unfaithful husband. The footage was taken by a private detective hired by Clara Harris. David Harris' teenage daughter from a previous marriage was a front-seat passenger in the car.

Harris is serving her prison sentence at the Mountain View Unit in Gatesville. Her criminal case is under appeal.

The trial in state District Judge David Bernal's court is expected to last about a week.

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