



Speaker Carl E. Heastie  
Assembly Rules Committee Chair  
LOB 932  
Albany, NY 12248

Re: AB 1355  
Position: Support

08 June 2021

Honorable Speaker Heastie,

ParentalRights.org is a national organization dedicated to protecting children by empowering parents. On their behalf, I am writing in support of Assembly Bill 1355 to amend the domestic relations law relative to grandparents and the rights to and custody of minor children.

The proposed text of AB 1355 would bring the law of New York more into keeping with the U.S. Supreme Court's consistent historical finding that parents have a fundamental liberty interest in the care, custody, and control of their minor children. See *Troxel v. Granville*, 530 U.S. 57 (2000) at 65:

"The liberty interest at issue in this case—the interest of parents in the care, custody, and control of their children—is perhaps the oldest of the fundamental liberty interests recognized by this Court" (citing no fewer than 9 earlier opinions dating back to 1923).

Further, the bill requires that any consideration of "the best interests of the child should be subject to the strong presumption that the parents' decision is in the child's best interest." This also reflects U.S. Supreme Court precedent, which states,

"The law's concept of the family rests on a presumption that parents possess what a child lacks in maturity, experience, and capacity for judgment required for making life's difficult decisions. More important, historically it has recognized that natural bonds of affection lead parents to act in the best interests of their children." *Parham v. J.R.*, 442 U.S. 584 (1979) at 602.

By incorporating these principles of constitutionally protected parental rights into the legal code of the State of New York, this law would appropriately protect innocent families from the intrusion and trauma of an unwarranted visitation lawsuit in the courts. Yet, this bill does not expand parental rights or put any children in danger. It merely brings the New York code into line with existing jurisprudence.

For the good of the innocent families who will be saved from trauma, as well as for the good of the New York family courts whose resources will be preserved by eliminating unwarranted lawsuits against these families, I strongly encourage you to support AB 1355.

Sincerely,

A handwritten signature in cursive script that reads "Michael T. Ramey". The signature is written in dark ink and is positioned above the printed name.

Michael T. Ramey  
Executive Director