



Senator Jabari Brisport
Senate Children and Families Committee
LOB 932
Albany, NY 12248
Cc: Senator Rachel May, bill sponsor

Re: S2165
Position: Support

08 June 2021

Honorable Senator Brisport,

ParentalRights.org is a national organization dedicated to protecting children by empowering parents. On their behalf, I am writing in support of Senate Bill 2165 to amend the domestic relations law relative to grandparents and the rights to and custody of minor children.

The proposed text of S2165 would bring the law of New York more in line 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.

James R. Mason, President • Shaun Alexander, Vice President

P.O. Box 1090 • Purcellville, VA 20134 • 540.751.1200 • info@parentalrights.org

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 S2165.

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 and title.

Michael T. Ramey
Executive Director