



Grandparents' Rights Association of the United States of America

Good afternoon Representative Rebimbas,

One of the most important issues with Grandparent rights/visitation issues, is the area of Troxil v. Granville dealing with the concept of "Intact Family". Thanks to that ruling, every state includes a condition saying an intact family is almost impossible to overrule. We actually consider that a good thing for the most part. The problem comes in when an intact family consists of two parents who are both possibly neglecting (or worse) the child(ren) in question. Many cases are borderline and do not actually meet the standard of a child protective case, but the child is still suffering. The grandparents are quite often very involved in these situations and have the welfare of the child at heart, and only want to protect their grandchild until the parents can get their act together. One of the symptoms these parents display is usually aggravation with the grandparents, and accusations of trying to "take over", when all they really wanted was to preserve the family connection with the child. I am sure there is language that could be used in a statute to address this kind of situation, and if someone can pass a bill that would survive Troxil v Granville challenges, it would be a home run for thousands of children all over the Nation.

We, at GRAUSA, are primarily concerned with the rights/ability of the children to know, understand, and have a connection with their extended family and heritage. Sadly, we have a whole generation of young parents who have been brought up in an "environment of entitlement" which has instilled an attitude of believing they have all the answers, and no one could possibly know any better, in spite of many years of life experience. We also understand there really are some grandparents who do want to assume all control, and we recognize there must be provisions to deal with that. The bottom line is, it should always primarily boil down to what is best for the children.

Looking over the PDF file you sent, I can speak to several bills referenced. Because I live in South Carolina, and have firsthand knowledge, I can give you a very good history of that legislation. In 2013, our General Assembly passed the first "Grandparents Rights" bill I was involved with. House bill H-3464 changed the statutes giving "Grandparents, and other relatives of the 1st and 2nd. Degree" the right to ask to be made a party to the case when Child Protective Services removed a child from the parents. I actually wrote the first drafts of that bill, and the reasoning was to allow the Grandparents, or relative to be able to ask for temporary custody, thus keeping the child out of the foster system, and with extended family. Here is the link to that bill:

http://www.scstatehouse.gov/sess120_2013-2014/bills/3464.htm

In 2014, a bill passed that relaxed the conditions grandparents had to prove to win a visitation order (when CPS is not involved). It removed a contradiction in the statute that made it almost impossible to comply with all conditions. Grandparents are no longer required to prove they had a "parent like relationship" with the child. That is something almost no grandparent ever has anyway. Grands actually want the "Grandparent like relationship" which is the normal. GRAUSA backed and heavily promoted passage. Here is the link to that bill:

http://www.scstatehouse.gov/sess120_2013-2014/bills/4348.htm

Just last week, New Jersey's Assembly introduced A-781 which will be a major revamp of the grandparent visitations laws there. The GRAUSA chapter in NJ is the driving force behind that bill. Here is a link:

<https://legiscan.com/NJ/bill/A781/2016>

Last year, Florida passed new grandparent visitation legislation. A few years before, the FL Supreme Court deemed the existing law unconstitutional, so now the Legislature is working to rebuild the statutes in a way that conforms to that same Troxil v Granville ruling.

There are several others. The Oklahoma legislative session just began today. Our GRAUSA state Director in OK is actually visiting the Legislature today attempting to get new bills introduced there, so I have no information at this time on that effort.

As you can see, that "intact family" concept is the highest hurdle, as it should be, but the children still need a way to keep some contact with their heritage. That is our ultimate goal.

Thank you so very much for taking the time to consider these concerns, and we at GRAUSA look forward to working with you and the New Jersey Legislature. Please feel free to contact me at any time. My direct line at GRAUSA is (864) 855-3860, and I will be glad to speak with you any time.

John Schafer – Director

Grandparents Rights Association of the USA

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