

Alexis Larson

Professor Petersen

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### Grandparents Rights Laws should be revoked

This essay highlights the argument about the ramifications of grandparents' rights laws, and why those laws should be revoked because victims of abuse may use estrangement to protect themselves, their spouses, or their children. The liberties of Americans are trapped under the pressure of laws stuck in a tradition that goes against inborn rights; and the violation of these rights can lead to extreme consequences.

When defining estrangement Bowen (1978,1982), originally conceived the concept as resolving unresolved relational issues with family members by dramatically minimizing interaction or staying in close contact while retaining detachment from the emotion. Once estrangement occurs, it can last for years and sometimes even lifespans. The conflict between grandparents and grandchildren can also be difficult to handle because of generational differences between grandparents and grandchildren (Kieley and Dolbin- Macnab, 2009).

As more estrangement cases became more popular, state legislators in the 1970s started to pass laws for "grandparent visitation" to protect the rights of grandparents and other caregivers to visit. Currently, all fifty states have implemented some type of visitation law for grandparents. Such laws require grandparents to petition a tribunal to grant them the legal right to preserve their relationship with their children's

offspring. However, State laws that enable grandparents (in-laws) to force relationships with their children & grandchildren infringe upon the rights of an individual to choose whom they will have a relationship with and should be removed from the law books.

Other states protect the right of a parent to decide what is best for the child. They implement “restrictive” visitation statutes, which means that generally only grandparents, not other caregivers, have visitation rights, and these rights can only be pursued if the parents of the child are getting a divorce, one or both parents have died, or the child has been born out of the marriage. In other words, the parents of single households in these states get the last say on whether or not relatives are permitted to come.

The states should abolish the permissive laws concerning visitation rights. The court should not have the final verdict on deciding who gets to visit a child that does not belong to them. All courts in the United States should adopt the restrictive visitation laws that give the child’s parents the authority, assuming they have a stable relationship. Parents should have the last say because most parents know what is best for their children and even if they don’t, they should have the right to figure it out themselves.

For example, during the course of their marriage, Tommie Granville and Brad Troxel conceived two daughters. Following the separation of Tommie and Brad in 1991, Brad went to stay with his parents, Jenifer and Gary Troxel and took his daughters regularly for weekend visits to their parents ' house. Brad committed suicide in May 1993. While the Troxel’s at first wished to frequently see their granddaughters, Tommie told Troxel’s in October 1993 that she had agreed to restrict her contact with her

daughters to one visit per month. The state of Washington has a "permissive" state law, one that requires a judge to order visits if it is in the child's best interest, even over the objections of a parent (TROXEL V. GRANVILLE, 2000).

However, in 1995, an agreement was reached by the trial court in Washington State, permitting more visits than Tommie allowed but fewer than the Troxel family had demanded. Tommie sued, and the case went to the Washington Supreme Court, which found that the state law infringed parents' inherent right to raise their children unconstitutionally (TROXEL V. GRANVILLE, 2000).

Furthermore, parents also have justification to refuse interaction with grandparents who violate the health rules of the parents. For starters, grandparents who move grandchildren without the appropriate auto safety regulations should not be permitted to drive grandchildren anywhere, have a history of injuries, or do not drive safely. The same applies to any other health law set down by the mother, whether or not the grandparents approve. If the violation is not too severe, parents can start letting grandparents see their grandchildren, but only under circumstances that are regulated (Adox, 2019).

For example, in the tragic case of the Powell family where Susan Powell (parent) was affected by the actions of Steve Powell (in-law) (Egan, 2019). This case shows the dangers of having a persistently toxic family member that one cannot escape and the urgency for states to abolish permissive grandparent's right laws.

Visitation laws will protect the parent's right to monitor the child's upbringing, according to Troxel's case (TROXEL V. GRANVILLE, 2000). However, what language judiciary should use to fulfill that constitutional mandate is uncertain. States' laws reacted in a number of ways to this uncertainty. For several states, the legislature changed the existing law of visitation to include specific language that protects parental rights. To grasp how the judiciary views the "best interests" principle, it is important to examine how the judiciary applies the principle to different sets of evidence. The implementation of that principle by the Pennsylvania Supreme Court in Hiller v. Fausey illustrates the meaning of the principle.

In the Hiller case, during the two years leading up to the death of his mother, a boy grew very close to his maternal grandmother. The grandmother handled much of the basic child-care needs during these two years. However, after the death of the mother, the father stopped the visitation of the grandmother with the child only three times in a one-year period. The grandmother applied for expanded visitation, and it was granted by the trial court (Hiller V Fausey, 2006).

This essay analyzes the dangers forced visitation rights have on family members especially grandparents and grandchildren. Although some people may argue that not all grandparents (in-laws) are abusive or act in ways that warrant to be cut off from their family members. They may just want to be involved and connect with people they love and the laws that enable them to sue for rights may be their only recourse.

Individual freedom of association should not be infringed upon and laws enabling extended family members to file lawsuits against that should be revoked. The traditional

family structure in which these laws are based fails because they overlook individual liberty in favor of that tradition. There is already custody, parent rights & emancipation laws in place for navigating the complexities of the immediate family structure as it relates to individual liberties; any further laws delegating mandatory relationships are excessive and reductive to personal choice.

To conclude, grandparent rules of visiting employing the "best interests plus" principle are not specifically designed to advance the better interests of a child. Such statutes can, in fact, hinder the best interests of a child. Typically speaking, spending time with grandparents is a good thing, and the experience will significantly help youngsters.

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