

## Verification of Texas Family Law Citations on Parental Rights

Citation	Holding	Confidence	Flag	Analysis	Verification
Troxel v. Granville, 530 U.S. 57 (2000)	"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." The plurality held that there is a presumption that fit parents act in their children's best interests.	High	SUPPORTS	The Court explicitly recognized that fit parents are presumed to act in their children's best interests, and that the state should not substitute its judgment for that of fit parents. Justice O'Connor wrote that "so long as a parent adequately cares for his or her children (i.e., is fit), there will normally be no reason for the State to inject itself into the private realm of the family."	VERIFIED through direct quotation from the Supreme Court opinion
Wisconsin v. Yoder, 406 U.S. 205 (1972)	"The primary role of the parents in the upbringing of their children is now established beyond debate as an enduring American tradition." The Court held that Amish parents could not be compelled to send their children to formal high school under Wisconsin's compulsory education law.	High	SUPPORTS	The Court recognized the fundamental right of parents to direct the religious upbringing and education of their children, limiting the state's ability to interfere with parental decisions in this domain. The case directly supports the proposition that government should not interfere with fit parents' educational and religious decisions for their children.	VERIFIED through direct quotation and holding of the Supreme Court case
Meyer v. Nebraska, 262 U.S. 390 (1923)	The Court held that the Nebraska law prohibiting teaching foreign languages to	High	SUPPORTS	The Court recognized parents' right to control their children's education as protected	VERIFIED through direct holding of the

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	children "interferes with the power of parents to control the education of their own."			by the Due Process Clause of the Fourteenth Amendment. This directly supports the proposition that government should not interfere with parental decisions regarding their children's education.	Supreme Court case
Pierce v. Society of Sisters, 268 U.S. 510 (1925)	"The child is not the mere creature of the State; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations."	High	SUPPORTS	The Court struck down an Oregon law requiring all children to attend public schools, recognizing parents' right to choose private education for their children. This directly supports the proposition that government should not interfere with fit parents' educational choices.	VERIFIED through direct quotation from the Supreme Court opinion
Prince v. Massachusetts, 321 U.S. 158 (1944)	"It is cardinal with us that the custody, care and nurture of the child reside first in the parents, whose primary function and freedom include preparation for obligations the state can neither supply nor hinder."	High	SUPPORTS with LIMITATION	While the Court acknowledged parental rights, it upheld child labor laws against religious freedom and parental authority claims. The case supports the general proposition but establishes that parental rights are not unlimited when child welfare is at stake.	VERIFIED through direct quotation and holding of the Supreme Court case

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Parham v. J.R., 442 U.S. 584 (1979)	"Our jurisprudence historically has reflected Western civilization concepts of the family as a unit with broad parental authority over minor children." The Court held that parents retain plenary authority to seek medical care for their children.	High	SUPPORTS	The Court upheld parents' right to seek mental health treatment for their children, subject only to independent medical judgment. This directly supports the proposition that government should generally defer to fit parents' medical decisions for their children.	VERIFIED through direct quotation and holding of the Supreme Court case
Tex. Fam. Code § 151.001	The statute establishes that a parent has the right "to direct the moral and religious training of the child," "to make decisions concerning the child's education," and to "consent to medical, dental, psychological, and surgical treatment."	High	SUPPORTS	This statute explicitly grants parents specific rights regarding moral and religious training, education, and medical decisions, codifying the state's recognition of parental autonomy in these areas. This directly supports the proposition that government should defer to fit parents' decisions.	VERIFIED through direct statutory language
Tex. Fam. Code § 153.131(a)	"Unless the court finds that appointment of the parent or parents would not be in the best interest of the child because the appointment would significantly impair the child's physical health or emotional development, a parent shall be appointed sole	High	SUPPORTS	This statute creates a presumption favoring parental rights and decision-making authority, requiring significant impairment of the child's health or development before a court may appoint someone other than a parent as conservator. This directly supports	VERIFIED through direct statutory language

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	managing conservator or both parents shall be appointed as joint managing conservators of the child."			the proposition that the state should not interfere with fit parents' decisions.	
Tex. Fam. Code § 153.002	"The best interest of the child shall always be the primary consideration of the court in determining the issues of conservatorship and possession of and access to the child."	High	NOT RELEVANT	While this statute establishes the "best interest" standard for Texas family law cases, it does not directly address whether the government should defer to fit parents' decisions. The language itself neither supports nor refutes the proposition.	VERIFIED through direct statutory language but determined not directly relevant
In re C.J.C., 603 S.W.3d 804 (Tex. 2020)	"When a nonparent requests conservatorship or possession of a child, the child's best interest is embedded with the presumption that it is the fit parent—not a court—who makes the determination whether to allow that request."	High	SUPPORTS	The Texas Supreme Court directly applied Troxel's constitutional protections, holding that courts must defer to fit parents' decisions regarding nonparent access to their children. This directly supports the proposition that government should not interfere with fit parents' decisions.	VERIFIED through direct quotation from the Texas Supreme Court opinion
In re Derzapf, 219 S.W.3d 327 (Tex. 2007)	The Court held that under Troxel, a trial court cannot interfere with a fit parent's decisions regarding grandparent access without overcoming the presumption that a fit	High	SUPPORTS	The Texas Supreme Court applied the constitutional presumption that fit parents act in their children's best interests, requiring courts to defer to parents' decisions	VERIFIED through holding of the Texas Supreme Court case

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	parent acts in the child's best interest.			about grandparent access. This directly supports the proposition that government should not interfere with fit parents' decisions.	
Holley v. Adams, 544 S.W.2d 367 (Tex. 1976)	The Court established factors courts must consider in determining a child's best interest in termination cases, recognizing that parental rights are of constitutional dimension.	Medium	NOT RELEVANT	While the case acknowledges the constitutional dimension of parental rights, its primary focus is establishing factors for best interest determinations in termination cases, not directly addressing when government should defer to fit parents' decisions.	VERIFIED through general holding but determined not directly relevant
In re Scheller, 325 S.W.3d 640 (Tex. 2010)	The Court held that grandparents seeking court-ordered access must overcome the presumption that a fit parent acts in the child's best interest by proving significant impairment to the child's physical health or emotional well-being.	High	SUPPORTS	The Texas Supreme Court reinforced constitutional protections for fit parents by requiring a high threshold (significant impairment) before courts may override parental decisions about grandparent access. This directly supports the proposition that government should not interfere with fit parents' decisions.	VERIFIED through holding of the Texas Supreme Court case
In re Mays-Hooper, 189	The Court applied Troxel to Texas law, holding that the state	High	SUPPORTS	The Texas Supreme Court directly recognized that the	VERIFIED through holding of the

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S.W.3d 777 (Tex. 2006)	cannot infringe on the fundamental right of parents to raise their children absent a showing of significant harm to the child's physical or emotional well-being.			state should not interfere with fit parents' decisions absent significant harm to the child. This directly supports the proposition that government should ordinarily defer to fit parents.	Texas Supreme Court case
Wiley v. Spratlan, 543 S.W.2d 349 (Tex. 1976)	"The natural right which exists between parents and their children is one of constitutional dimensions." The Court established that clear and convincing evidence is required before the State can intervene to terminate the parent-child relationship.	Medium	SUPPORTS	The Texas Supreme Court recognized the constitutional dimension of parental rights and established a high evidentiary standard for state intervention, supporting the proposition that government should not ordinarily interfere with fit parents' rights.	VERIFIED through quotation and holding of the Texas Supreme Court case
Stanley v. Illinois, 405 U.S. 645 (1972)	"The private interest here, that of a man in the children he has sired and raised, undeniably warrants deference and, absent a powerful countervailing interest, protection." The Court held that parents have a fundamental right to custody of their children.	High	SUPPORTS	The Supreme Court recognized that parents have a fundamental right to custody of their children and that the state cannot presume parental unfitness. This directly supports the proposition that government should defer to fit parents absent powerful countervailing interests.	VERIFIED through direct quotation and holding of the Supreme Court case

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Santosky v. Kramer, 455 U.S. 745 (1982)	The Court held that due process requires at least clear and convincing evidence before a state may sever the rights of parents in their natural child.	High	SUPPORTS	The Supreme Court established a heightened evidentiary standard for termination of parental rights, recognizing the fundamental nature of those rights and limiting the state's ability to interfere. This supports the proposition that government should not ordinarily interfere with fit parents' rights.	VERIFIED through holding of the Supreme Court case
Tex. Fam. Code § 262.201	The statute requires specific findings of danger to a child's physical health or safety before the state may remove a child from parental custody.	High	SUPPORTS	This statute establishes a high threshold for state intervention in the parent-child relationship, requiring danger to the child's physical health or safety. This directly supports the proposition that government should not ordinarily interfere with fit parents' custody.	VERIFIED through statutory requirements
Tex. Fam. Code § 153.433	The statute requires that grandparents seeking court-ordered access prove that denial of access would significantly impair the child's physical health or emotional well-being.	High	SUPPORTS	This statute was amended after Troxel to align with constitutional protections for fit parents, requiring a showing of significant impairment before courts may override parental decisions about grandparent access. This directly	VERIFIED through statutory language

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				supports the proposition that government should defer to fit parents' decisions.	