



## Model Fundamental Parental Rights Statute

Section 1. The liberty interest of a parent in the nurture, education, care, custody, and control<sup>1</sup> of the parent's child is a fundamental right *recognized by the United States Constitution and the Constitution of the State of \_\_\_\_\_*<sup>2</sup>.

Section 2. No agency or officer of this state nor any agency or officer of any subdivision of this state shall infringe fundamental parental rights except as provided by law narrowly tailored to meet a compelling governmental interest by the least restrictive means.

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<sup>1</sup> *Troxel v Granville*, 530 US 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” (bolding added).

<sup>2</sup> Phrases in *italics* may be included or omitted on a state-by-state basis.

