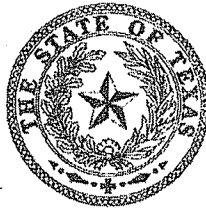


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NOV 27 2018

OPINION COMMITTEE



STATE REPRESENTATIVE
JAMES WHITE

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INTERNATIONAL TRADE &
INTERGOVERNMENTAL AFFAIRS

DISTRICT 19
HARDIN, JASPER
NEWTON, POLK, TYLER

November 27, 2018

RQ-0258-KP

Office of the Attorney General
Attn: Opinion Committee
P.O. Box 12548
Austin, TX 78711-2548

FILE # ML-48465-18

I.D. # 48465

General Paxton,

The rights of parents to raise their children free from government intrusion are generally accepted in Texas. There are substantial protections for parents, both in the law and in federal and state court decisions. To cite one example, in 1944, the United States Supreme Court ruled in *Prince v Massachusetts* that, "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."

However, there are limited instances where the state's rights can also apply and may be in conflict with a parent's rights to raise their children as they see fit.

In such rare instances, what elements, factors, or standards have courts considered or applied when balancing the rights of the state against the fundamental rights of parents to raise their child free from government intrusion?

For God & Texas!

A handwritten signature in black ink, appearing to be "J. White".

James White
State Representative
House District 19