



Texas Home School Coalition

ASSOCIATION

Dedicated to Serving and Protecting the Home School Community of Texas

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May 30, 2013

The Honorable Rick Perry
GOVERNOR OF TEXAS
State Capitol
P.O. Box 12428
Austin, Texas 78711

Re: Request for Gubernatorial VETO of SB 429

Dear Governor Perry:

On behalf of the Texas Home School Coalition's more than 150,000 supporters across Texas, we write to you today to urge you to VETO Senate Bill 429.

For numerous reasons, which we detail below, Senate Bill 429 – if allowed to become law – will further erode a parent's right to raise his or her children without the undue interference of government and will undoubtedly destroy the lives and relationships of thousands of innocent Texas families.

We respectfully request the VETO of Senate Bill 429, as it:

1. Allows corrupt judges to remove children from the homes of fit parents, even after said parent has been declared fit by the court.
2. Gives unscrupulous CPS caseworkers leverage to threaten innocent families with the loss of their children.
3. Allows DFPS to violate parental rights.
4. Is another hurdle in restoring innocent families who have already been hurt by the frivolous removal for their children by DFPS.
5. Will create unneeded litigation and expense for families and a greatly increased caseload for already-overcrowded appellate courts.
6. Treats fit parents on the same level as unfit parents, essentially declaring the innocent to be guilty.

Senate Bill 429 only applies in situations where a family that has been investigated by DFPS is declared innocent and the suit to terminate the parent-child relationship filed by DFPS must be dismissed. Section (b) of the bill allows judges to render an order for the conservatorship, possession of, or access to the child that will remain in effect indefinitely, even though the parent is fit and has done nothing wrong.

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While we are sure that most judges have the best of intentions and desire to administer the law correctly, our experience has shown us that Texas has many unscrupulous judges who will not hesitate to abuse their power. One recent example is a widowed, home school father in Tarrant County (Jim Loose; see video here: thsc.org/jim-loose) who lost his 11-year-old daughter for more than three years through a "temporary" order from such a judge.

Jim was a fit parent who had done nothing wrong. He was eventually vindicated by an overwhelming jury trial decision that rejoined him with his daughter. But even after the jury had ruled that Jim was innocent, the judge shocked everyone involved by rendering a decision to make Jim pay \$400,000 in attorney's fees for the losing party.

Governor Perry, bad judges in Texas exist, and we have no doubt that if Senate Bill 429 becomes law, some judges will abuse their discretion and remove children from fit parents, place onerous restrictions on loving families, and more -- all with the approval of the State of Texas.

We would be happy to discuss this matter with your office if additional questions remain and we urge you in the strongest terms possible to please veto Senate Bill 429.

On behalf of Texas home schoolers,

Tim Lambert

A handwritten signature in black ink that reads "Tim Lambert". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

CC: Lieutenant Governor David Dewhurst, House of Representatives Speaker Joe Straus