



W Y O M I N G  
**GUARDIANS**  
-AS-  
**PROTECTORS**

Committed to protecting the safety and well-being of the thousands of Wyoming children being raised in guardianship.

## WYOMING'S CORE BELIEFS? Only For Those Who Qualify

*The purpose of this article is to educate the general public...Under Wyoming's current laws, the safety and well-being of 11,000 plus Wyoming children are disregarded, as if they were "property".*

**"All individuals are endowed by their Creator from the moment of conception...with rights of life, liberty and the PURSUIT OF HAPPINESS. The only purpose of government is to PROTECT these rights for ALL."**

**"The traditional family...is the best institution and is the authority on how to provide children with education and training to develop their potential and prepare them to participate in society and government."**

Sadly, while this rhetoric is our great state's proclaimed set of values, it does not apply to "all" Wyoming children: for, thousands of children in Wyoming are NOT raised in "traditional" families. Nearly 11,000 of Wyoming children are raised by family members, primarily grandparents. Why? Because 90 plus % of these young children fall victims to their biological parents' long term drug abuse and related criminal behavior. The courts have formally declared these biological parents "unfit"; thus, the guardianship is granted.

Drug abuse prolifically crosses the social and economic boundaries of families across our nation; Wyoming is no exception. It is well documented that the majority of these Wyoming children are neglected, mistreated by their parents, and abandoned for years at a time, to pursue a lifestyle of drug use...methamphetamines, opioids, and heroin to be factual. So, the grandparents and sometimes other family members step up and become their "guardians", providing the only stable, loving home the children know, becoming their core family...In the absence of the mother and father, a new family design is rooted and established; parent-like child bonding takes place...emotional and psychological attachments are formed.

Currently our Guardianship laws provide NO SAFEGUARDS, no laws---that prevent the return of these children to biological parents who continue to actively engage in heavy drug use, criminal

behaviors, and; mental illness, which is oftentimes a factor which poses an even greater threat to these children who are subjugated to their care. Under our state's current laws, these virtual strangers are allowed to merely show up in court after years of absence, and simply tell the judge they "are now fit", bearing no legal burden to prove their claim. This phenomenon often occurs because substantial welfare benefits are available to a parent only if a child is in the home, and, child support orders can then be evaded; both monetary incentives serve to motivate otherwise delinquent parents to request the termination of the guardianship.

To be clear – The Bill which is being considered has NOTHING to do with 'good parents', absent parents who are deployed, or undergoing medical treatment, etc.... This Bill concerns *only* those children whose parents have been declared "unfit" in a Wyoming court of law – nearly 95% of the 11,000 children are affected.

Under Wyoming's current guardianship laws, even though a parent has been declared in court as "unfit", the judge may NOT consider "what is in the best interest of the child", should the biological parent request to terminate the guardianship. Therefore, the child will likely be returned to the biological parent with no regard for the impact on the child, the irreparable harm that follows as a direct result of being ripped out of the only family the child knows. The inevitable trauma that the child is forced to endure...the pain and loss of his or her 'family', a severing of the existing bond. And now, without safeguards in place, without common sense statutory guidelines, it is likely that the child will be further subjected to an environment where drugs, alcohol, neglect, abuse and criminal activity continues to thrive in the child's estranged biological family. Why would our good state continue to allow the devastation of a child...any child? A great number of these children have been previously exposed to past trauma while in the custody of their biological parents, many exposed to drugs. Children do not heal easily; they are not resilient. The data does not lie! The research does not lie! Who chooses to turn a blind eye? Well, it's clear, and our legislators know, that our current outdated children's laws are flawed. Lacking any reference to the "best interest" of the child, lacking judicial guidance which should focus on a child's safety and well-being, ultimately leaves catastrophic, lifelong consequences, on both the children and society. When our own judges are coming forward...it's time for our legislators to step up!

**We believe strongly** in the fundamental rights of a parent to have custody and control of their children. We also believe that this "presumptive right" to raise our children is intended for those parents who actually can fulfill their "fundamental responsibility" as a parent. Biological parents who abandon their children, to seek a lifestyle and culture of heavy drug use, forfeit this right as an automatic presumption.

The children's best interests --- their physical safety, and emotional and psychological well-being should take precedent! Preventing probable harm and detriment to our children should be the standard by which we shape our laws. In lieu of the drug epidemic, and the documented harm it passes on to our youth, **twenty-four** states have now passed similar laws protecting the child's

best interest, including MT, ID, KS, IN, KY, OK, WV... In each and every state where the law has been challenged, their state's Supreme Court upheld the law. THIS LAW IS CLEARLY CONSTITUTIONAL --- yet, there are those few legislators who continue to argue that passing this common sense law, focusing on a child's right to be safe and protects his or her well-being is "unconstitutional". They claim this law would "violate" the parent's right to have "custody and control of their child"...regardless of the biological parents' choice to abandon their children, their on-going drug addiction, and their criminal histories.

This law is not about grandparent rights.

This law does not terminate parental rights.

Our Wyoming Judiciary Committee was compelled to take this issue up as a "priority" bill for the 2019 session.

Our own Wyoming District Court judges are coming forward...justifying the need for the bill.

***"...JUDGES HAVE TO SEND KIDS HOME WITH PARENTS THAT MAKE THEM SICK TO THEIR STOMACH ALL THE TIME..." Wyoming District Court Judge***

***"I'm 110% behind it...I'm well aware of the situation. Thank you for your hard work and I wish you the best of luck." Wyoming District Court Judge***

***..."the parents with the 'constitutional' rights, can now reclaim that child, are very often horrible parents; they're terrible people..." Wyoming District Court Judge***

***"Please pass this bill..." Wyoming District Court Judge***

***"We judges don't have the 'tools' to protect these children." Wyoming District Court Judge***

The bill draft can be found on our website. <https://www.WyoGuardians.org>

The bill draft was voted to move forward with an 8 to 5 vote.

Here's how our Judiciary Committee members voted:

**Voted YES... - PASS the bill draft which provides protective measures for children in guardianship**

Rep. Charles Pelkey  
Rep. Bill Pownall  
Rep. Dan Kirkbride, Chair  
Rep. Clark Stith

Sen. Liisa Anselmi-Dalton  
Sen. Leland Christensen, Chair  
Sen. Tara Nethercott  
Sen. Larry Hicks

We thank the above Judiciary Committee members for voting to move forward on this vitally important children's bill.

**Voted NO – DO NOT PASS the bill draft which provides protective measures for children in guardianship**

Rep. Mark Jennings  
Rep. Bo Biteman  
Rep. Jared Olsen  
Rep. Nathan Winters  
Rep. Tim Salazar

## **OUR POSITION...**

**WE BELIEVE STATES HAVE A MORAL AND LEGAL OBLIGATION TO PASS LAWS THAT PROTECT CHILDREN FROM HARM**

**WE DO NOT SUPPORT CHILD ENDANGERMENT FOR POLITICAL PURPOSES**

**NOT ONE MORE DEAD CHILD**

**NOT ONE MORE LIFE DESTROYED**

*For more information visit our website*

**WyoGuardians.org**

**HOLD OUR LEGISLATORS RESPONSIBLE!**

**Please call or email our Judiciary Committee members and let them know that you do not want Wyoming children to be randomly and carelessly returned to habitual criminals and hard core drug addicts.**

*Their contact information can be found on our website*