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August 11, 2025

Hon. Kimberly A. Gaab, Judge of the Fresno Superior Court,  
Sitting by Assignment

Hon. Lee Smalley Edmon, Presiding Justice

Hon. Anne H. Egerton, Associate Justice

California Court of Appeal, Second District, Division Three

Ronald Reagan State Building

300 S. Spring Street

2<sup>nd</sup> Floor, North Tower

Los Angeles, CA 90013

RE: *Cynthia Balandran v. Felicia Balandran*  
Court of Appeal Case No. B335531

**REQUEST FOR PUBLICATION OF DECISION**

To the Honorable Judge Gaab, Presiding Justice Edmon, and  
Associate Justice Egerton:

I write on behalf of the Association of Certified Family Law Specialists (ACFLS) to respectfully request that this Court forward this request to publish this Court's opinion in *Balandran v. Balandran* to the California Supreme Court, pursuant to California Rules of Court, rule 8.1120, subdivision (b), so that Court can act on this request for publication. As detailed below, this case meets the legal standards for publication set forth in California Rules of Court, Rule 8.1105, subdivision (c).

The opinion in *Balandran v. Balandran* meets the standards for publication because publication would make it citable as authority for several principles important to trial judges, attorneys, and litigants in the volatile area of grandparent visitation. The opinion explains an existing rule of law in a clear and comprehensive way, making it appropriate for publication under Rule 8.1105(c)(3). It also clarifies the constitutional parameters of grandparent visitation, making it appropriate for publication under Rule 8.1105(c)(4). Finally, and perhaps most importantly, it involves a legal issue of continuing public interest, making it



appropriate for publication under Rule 8.1105(c)(6); that is, it addresses the question of under what circumstances grandparents can obtain visitation orders from a court when their son or daughter has died and they are being allowed some visitation by their child's surviving spouse, but not as much as they believe is appropriate. Given the fraught nature of the cases where these issues arise, having an up-to-date, clear statement of the applicable rules would be of great service to the trial courts and the general public.

This case provides a highly useful, practical roadmap for any attorney, pro se litigant, or judicial officer considering a grandparent visitation case. It is easy to read and understand, including making explicit that actual evidence of detriment must exist before a trial court can override the grandparent visitation decisions of a fit surviving parent, regardless of how strong the feelings of either the litigants or the trial judge might be. Finally, this decision makes it crystal clear that if a fit parent is offering visitation voluntarily, the trial court must have a very good reason for overriding their parental determination of the appropriate scheduling and duration of the visits. By its clarity, this decision can save potential litigants the emotional and financial toll of unnecessarily litigating these extremely stressful cases when the facts don't support judicial intervention.

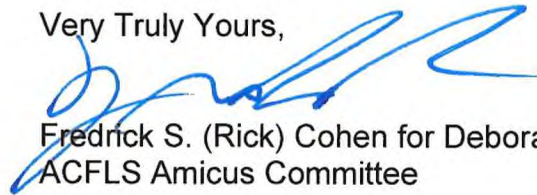
ACFLS is an independent non-profit bar association, comprised of over 600 California certified family law specialists, and dedicated to promoting the high-quality practice of family law. ACFLS members routinely appear in family courts throughout the State of California, frequently including handling matters involving child custody and visitation – including claims to visitation by non-parents. ACFLS also has an active amicus committee which reviews cases and makes recommendations to the Board of Directors when we believe an opinion should be published or depublished, as well as writing letters supporting or opposing Supreme Court review and filing amicus briefs. The ACFLS amicus committee includes every known California attorney holding dual certification as both a certified family law specialist and a certified appellate law specialist.

Many of our members have had cases where relatives of deceased parents have sought visitation, and it continues to be our experience that there is significant confusion in the trial courts, among family law attorneys, and among the general public as to when such claims are appropriate. In particular, the application of the United States Supreme Court decision in *Troxel v. Granville* (2000) 530 U.S. 57 to our grandparent visitation statutes remains a source of confusion. Given the extent of interest in this issue, there is a surprising scarcity of published cases on the topic, including almost none over the past decade. (In this regard, it is noteworthy that the cases cited in the *Balandran* decision date from 2000-2013, with none since.) It would be highly useful to the trial courts, family law practitioners, and the public if *Balandran* were published to provide a

citable source for a clear and concise statement of current law and procedure in this area.

For these reasons, ACFLS requests publication of the decision in *Balandran v. Balandran*.

Very Truly Yours,



Fredrick S. (Rick) Cohen for Deborah H. Wald  
ACFLS Amicus Committee