

Minnesota Mom Sues for Usurpation of Parental Rights
Thomas More Society Charges Docs for Treating Son Without Permission

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(November 16, 2016 – Duluth, MN) Today, a Minnesota mother filed suit against St. Louis County and other agencies for usurping her parental rights over her minor son, who has been receiving transgender services and narcotic drugs without her parental consent. Anmarie Calgaro's child has been handled by the defendants as an emancipated minor despite no court action to that effect. According to her suit, Minnesota law provides Calgaro no recourse to challenge the emancipation status, which is a violation of her rights as guaranteed under the United State Constitution. She is being represented by attorneys from the not-for-profit public interest law firm, the Thomas More Society, along with Mohrman, Kaardal & Erickson, P.A. Named as defendants in Calgaro's lawsuit are St. Louis County, St. Louis County Public Health and Human Services Director, Fairview Health Services, Park Nicollet Health Services, St. Louis County School District, Principal of the Cherry School, and her minor son.

Calgaro, along with attorneys and child advocates, will hold a press conference to address the violations of her rights as a parent in connection to her son.

WHAT: Press conference on illegal actions by St. Louis County Public Health and Human Services, Fairview Health Services, Park Nicollet Health Services and St. Louis County School District

WHEN: Wednesday, November 16, 2016, 10 a.m. (Central)

WHERE: Room 181, State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd. St. Paul, MN, 55155

MAP: [State Office Building, St. Paul, MN](#)

WHO:

- Anmarie Calgaro, parent of non-emancipated minor
- Erick Kaardal, Thomas More Society Special Counsel and partner at Mohrman, Kaardal & Erickson, P.A
- Tom Brejcha, President and Chief Counsel of the Thomas More Society
- Michele Lentz, President, Minnesota Child Protection League

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Calgaro's parental involvement has been repeatedly circumvented as it concerns her 17-year old son. This interference is despite Minnesota's strong legal tradition of protecting parental rights. In June of 2015, Mid-Minnesota Legal Aid Clinic advised the boy that he was emancipated without a court order; however no legal action has been taken to terminate his mother's parental rights.

With the same disregard for parental consent, two medical service providers Park Nicollet Minneapolis Gender Services and Fairview provided the minor child medical treatment for a sex change from male to female and for prescribed narcotics, respectively. The medical services and were paid for through St. Louis County Public Health and Human Services.

The St. Louis County Schools, Independent School District 2142, is also treating the child as an emancipated minor, something he is not. The school district is classifying the boy as an adult with exclusive rights to information and decision-making. They are denying Calgaro access to his educational records or any legal authority to affect his educational decision-making.

Ironically, the boy's application for a name change was denied by the St. Louis County District Court because of the "lack of any adjudication relative to emancipation."

“This is an outrageous abuse of power by multiple agencies,” stated Tom Brejcha, President and Chief Counsel of the Thomas More Society. “To treat a minor child without either parental consent or a court order of emancipation is a violation of the trust placed upon the human service sector and its governmental oversight agencies. To give a parent no recourse to intervene in this situation is an egregious violation of Constitutional rights.”

The filing notes:

- Calgaro’s son is being given unauthorized services and narcotic drugs without either parental consent or a court order of emancipation.
- Minnesota law violates Calgaro’s federal right to due process because she has no ability to challenge the service providers’ actions without either parental consent or a court order of emancipation.
- Calgaro has no path to object to her son’s life-changing operation under Minnesota law.
- Minnesota Courts recognize that a minor child is not emancipated until a Court decides the child is emancipated.
- The son has filed two petitions to establish a female name. Those requests have been denied because he has no court order of emancipation.

Kaardal summarized, “Ms. Calgaro as a Minnesota parent is entitled to notice and hearing when parental rights regarding a minor child are terminated. Regarding emancipation, the courts recognize a common law right for a teenager to petition for emancipation; but, the courts do not recognize a corresponding common law right for a parent to petition to de-emancipate a teenager. Thus, Minnesota statutes constitutionally err by allowing a medical service provider to treat a teenager as emancipated without a court order and without providing parents a post-deprivation process to challenge the medical service provider’s determination of emancipation. Similarly, the County’s and School District’s determinations of the teenager’s emancipation without a court order violate the parent’s right to notice and a hearing; but, unlike the medical service providers, the County and the School District do not have a statute to pin their unconstitutional conduct on.”

Read the Verified Complaint for Declaratory Relief and Injunction filed today in the State of Minnesota District Court, County of St. Louis County Sixth Judicial District on behalf of Anmarie Calgaro here [LINK].

About the Thomas More Society

Thomas More Society is a national not-for-profit public interest law firm dedicated to restoring respect in law for life, family, and religious liberty. Headquartered in Chicago and Omaha, the Society fosters support for these causes by providing high quality *pro bono* legal services from local trial courts all the way up to the United States Supreme Court. Visit thomasmoresociety.org.

About the Minnesota Child Protection League

The Minnesota Child Protection League (MN CPL) is a 501(c)3 that exists to protect children from exploitation, indoctrination and violence. The [Protect Children’s Privacy and Mental Health Fund](#) is an exciting project of MN CPL. It provides support for legal action to block government agencies from exploiting children by adopting policies that violate their privacy, cause emotional and developmental harm, and strip responsible parents of their lawful rights and authority over their children.