DATE

\_\_\_\_\_\_\_ Courthouse

\_\_\_\_\_\_\_\_ Street

\_\_\_\_\_\_\_, MN \_\_\_\_\_\_\_\_\_

Re: Declaratory Judgment Action

To Whom it May Concern:

Enclosed for filing please find a Civil Summons, Civil Cover Sheet, Complaint for Declaratory Judgment, Notion of Motion and Motion for *Ex Parte* Temporary Restraining Order, Affidavit in Support of *Ex Parte* Temporary Restraining Order, proposed order, and fee waiver paperwork. (**List any other paperwork filed**).

Please note that this is a request for a Declaratory Judgment under Minnesota Statute 555. A Declaratory Judgment is a request by a party to have a court recognize their legal rights.

Under Minnesota law, an unmarried mother has sole legal and sole physical custody of their children until a court order says otherwise pursuant to Minnesota Statute § 257.541 Subd. 1. An action for a Declaratory Judgment in this context asks the Judge to issue an order acknowledging that an unmarried mother has the right to determine the custody and care of their children. This is not the same as an action asking a court to establish custody and parenting time, but instead is an action asking a court to issue a court order recognizing the existing Minnesota statute.

Due to the existence of an emergency, this filing also includes a request for an *Ex Parte* Temporary Restraining Order under Minnesota Rules of Civil Procedure 65.01.

Please file this matter as a civil action for Declaratory Judgment, not as a family court action. If you have any questions about this filing, please contact me.

Sincerely,