



Written by [R. Cort Kirkwood](#) on May 30, 2024

Montana Couple Sues State for Seizing “Trans” Daughter Without Warrant

The legal troubles for a Montana couple thanks to “transgender” ideology continue.

Todd and Krista Kolstad have sued the state’s Department of Child and Family Services/Child Protective Services for seizing their daughter without a warrant in January. Reason for the seizure: She claims to be “transgender,” and the Kolstads would not agree to “gender-affirming care.”

As well, the *Daily Montanan* reported, the couple has issued a cease-and-desist letter to the Treasure State’s GOP lieutenant governor, Kristen Juras. The letter demands that Juras stop smearing the Kolstads.



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State to Kolstads: This Kid Is Ours

As [The New American](#) reported in February, citing Reduxx, the Kolstads’ ordeal began when their 14-year-old daughter, H.K. in court papers, mentioned suicide in school.

The girl told social workers on a home visit that she had tried to commit suicide with a combination of ibuprofen and toilet-bowl cleaner. That fib landed her in the hospital. She never ingested the toxic brew, but did tell doctors that she wanted to “transition.”

Shortly thereafter, [Reduxx reported](#), the Kolstads and Child and Family Services (CFS) agreed to place her in a mental hospital. The authorities wanted to send the girl to a facility in Wyoming, but the Kolstads worried that the state would permit Jennifer to undergo “transition” without parental consent. “Transition” is “trans” code for surgical mutilation and chemical castration with hormones.

Because the Kolstads did not agree to treatment in Wyoming, in August, child protective bureaucrats, backed by cops, seized the girl. The authorities falsely claimed the Kolstads had denied medical care to the girl. Off she went to Wyoming. Though she returned to Montana, the state again seized the child on January 19. Now, she’s in Canada with her birth mother.

“We were told that letting Jennifer transition and live as a boy was in her ‘therapeutic best interest’ and because we aren’t willing to follow that recommendation, the court gave CFS custody of Jennifer for six months,” Krista Kolstad told Reduxx when the state kidnapped H.K. in August. “CFS is now going to place Jennifer in the care of her birth mother in Canada, who has never really been a part of her life. The judge said to us ‘you need to expect that reunification with your family may not be what you are expecting.’”

“Court documents filed [May 20] also allege that the Kolstads had been supportive of finding a hospital bed for H.K., in Montana, and believed the teen would be taken to Billings Clinic,” the [Daily Montanan reported](#):



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However, they said with little notice, the state switched plans, sending H.K., to a psychiatric treatment center in Casper and then forbade contact. The Kolstads also maintain that both the in-patient Wyoming hospital and the youth group home in Billings allowed their child to be addressed by a male name, allowed male clothing and toiletries as well as provided chest binders — all things to which they objected. ...

Attorney Matthew Monforton, who represents the Kolstads, argues in court filings that the child was “not in any danger of serious bodily harm when CPS seized her.” Moreover, according to the doctor’s notes in the court documents, H.K. was “not an active threat” of suicide or harm when moved to Wyoming.

The Kolstads also claim that CPS bureaucrats lied when they testified that H.K. was at “imminent risk of physical harm,” and that CPS said nothing about the Kolstads’ religious beliefs.

[Montana law does not permit](#) authorities to declare child neglect “for the sole reason that a parent or legal guardian, because of religious beliefs, does not provide adequate health care for a child,” the lawsuit continued.

CPS workers also told the parents that “unless they accepted her transgenderism” they would permanently lose custody of the girl, the [newspaper reported](#).

Upshot is, the Kolstads did not object to a rational plan of psychiatric care for their daughter; instead, they objected to her “transitioning.”

The Kolstads argue “that federal law demands parental consent for medical procedures that are essential,” the [newspaper continued](#):

Furthermore ... federal law only provides a narrow exception for seizing children without a warrant, and the burden wasn’t met in the Kolstads’ case.

“Seizing a child without a warrant is excusable only when officials have reasonable cause to believe that the child is likely to experience serious bodily harm in the time that would be required to obtain a warrant,” the complaint said.

According to the case filing, at the time, H.K., was being held on 24-hour, one-on-one observation, making it unlikely it was a warrantless situation.

“(CPS) knew that H.K. was not facing an imminent substantial risk of serious harm when they seized her on Aug. 22,” the filing said. “Defendants’ deceit of the state court made the court’s proceedings against the Kolstads a sham from start to finish.”

Stop Smearing Us

Aside from suing CPS in the U.S. District Court for Montana, the Kolstads attorney, former GOP state legislator Matthew Monforton, fired off the cease-and-desist letter to Juras, the [Daily Montanan reported](#).

Juras became involved when GOP Gov. Greg Gianforte told her to look into the case, the newspaper reported. His administration “has supported proposals to limit youth access to medical care, and has been seen as largely hostile to advancing LGBTQ+ rights.”

After reviewing the case, Juras backed the CPS bureaucrats.



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“You have said that CPS’s seizure of the Kolstads’ daughter was lawful and have repeatedly accused the Kolstads of lying about their daughter’s seizure,” [wrote Monforton](#). “You have it exactly backwards — it is your statements about the Kolstads that are unfounded, malicious and slanderous under Montana law.”

Monforton said Juras has “chosen to slander them for the past several months by calling them ‘liars’ and claiming that CPS was justified in seizing their daughter.” And Juras disseminated the accusations “to individuals across Montana,” Monforton alleged.

The letter demands that Juras not only stop the defamation and apologize publicly, but also preserve all written communications about the Kolstads.

The last demand strongly suggests that the Kolstads are considering a defamation lawsuit against Juras.

H/T: [New York Post](#)



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