

STATE OF MINNESOTA
COUNTY OF CARVER

DISTRICT COURT
FIRST JUDICIAL DISTRICT
PROBATE DIVISION
Case Type: Special Administration

In the Matter of:

Estate of Prince Rogers Nelson,
Decedent,

Court File No. 10-PR-16-46

**REQUEST OF BRIANNA NELSON AND
V.N. TO CLOSE PROCEEDINGS
PURSUANT TO MINN. STAT. § 257.70
AND OBJECTION TO PHOTOGRAPHY
OR VIDEO RECORDING OF
PROCEEDINGS**

Brianna Nelson and minor V.N., through her guardian Jeannine Halloran, jointly move the Court for an Order closing the courtroom to the public for the June 27, 2016 hearing to the extent the hearing will address facts or issues relating to V.N.'s claim of heirship under the Minnesota Parentage Act and hereby jointly object to the requests for still photography, video recording, and audio recording of the June 27, 2016 hearing.

On May 18, 2016, the Court entered an Order Regarding Claims Pursuant to the Parentage Act and the Probate Code ("Parentage Act Order"). In the Parentage Act Order, the Court sets forth the procedure pursuant to the Parentage Act, Minn. Stat. §§ 257.51 to 257.74, to govern the lodging of claims by alleged heirs of the decedent.¹ The Parentage Act Order also set a hearing for June 27, 2016, at which motions or objections arising from the Special

¹ By Order dated June 6, the Court approved the Special Administrator Proposed Protocol Prior to Genetic Testing (the "Protocol"), which sets forth additional steps that are to be followed by persons claiming a genetic relationship to the Decedent.

Administrator's implementation of the Parentage Act Order and/or Protocol will be heard ("Parentage Act Hearing").

Numerous members of the media have filed Notices of Audio/Video Coverage Requests pursuant to Minn. Gen. R. Prac. 4.03(a). The media has asked for permission to attend, film, and record the Parentage Act Hearing.

Brianna and V.N. ask that the Parentage Act Hearing be closed and the media excluded to the extent that sensitive and confidential information concerning the parentage of minor child V.N. and her relationship to the Decedent may be discussed. Under Minnesota law, hearings held under the Parentage Act are to be held in closed court with only the interested parties in attendance:

Notwithstanding any other law concerning public hearings and records, any hearing or trial held under sections 257.50 to 257.74 *shall be held in closed court without admittance of any person other than those necessary to the action or proceeding.* All papers and records, other than the final judgment, pertaining to the action or proceeding, whether part of the permanent record of the court or of a file in the state Department of Human Services or elsewhere, are subject to inspection only upon consent of the court and all interested persons, or in exceptional cases only upon an order of the court for good cause shown.

Minn. Stat. § 257.70(a) (emphasis added). The Parentage Act includes several provisions safeguarding the private nature and confidentiality concerns implicated by proceedings held pursuant to the Parentage Act. *See e.g.*, Minn. Stat. § 257.61 (providing that the public "*shall be barred*" from any pretrial hearings where an action to declare the existence or nonexistence of the father and child relationship has been brought under the Parentage Act) (emphasis added); Minn. Stat. § 257.73 (providing that where a father/child relationship has been established pursuant to the Parentage Act, the evidence upon which the replacement birth certificate was made as well as the original birth certificate "*shall be kept in a sealed and confidential file* and

be subject to inspection only upon consent of the court and all interested persons, or in exceptional cases upon an order of the court for good cause shown.") (emphasis added).

For the above-stated reasons, Brianna Nelson and Jeannine Halloran respectfully request that the courtroom be closed to the public pursuant to Minn. Stat. § 257.70(a) and that no audio or visual coverage be allowed pursuant to Minn. Gen. R. Prac. 4.02(c) to the extent that confidential and sensitive information concerning the Parentage Act and minor child V.N. will be discussed.

Respectfully submitted,



Counsel for Brianna Nelson and V.N.

Dated: June 17, 2016

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