



Media Release

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Montana Marriage Equality Victory

Federal Judge Rules Montana's Anti-Gay Marriage Amendment Unconstitutional

GREAT FALLS, MT — In a victory for equality across Montana, the U.S. District Court of Montana ruled today in favor of four same-sex couples suing for marriage.

"Calling Tonya my partner, my significant other, my girlfriend, my perpetual fiancée has never done justice to our relationship. Now I can look forward to the day when I can introduce Tonya as my wife," says Angie Rolando, one of the plaintiffs in the case. "Love won today."

District Court Judge Brian Morris ruled that Montana's constitutional amendment limiting marriage to between a man and a woman violates the Equal Protection Clause of the 14th Amendment to the US Constitution. In September, the Ninth Circuit Court ruled in a unanimous opinion that Idaho and Nevada's bans on marriage for same-sex couples are unconstitutional. Montana is part of Ninth Circuit and Judge Morris cited the Circuit Court's opinion in his ruling.

"These families, like all of us, want their children to adventure into the world without fear of violence; to achieve all that their talent and perseverance allows without fear of discrimination; and to love themselves so that they can love others," writes Morris in the decision. "No family wants to deprive its precious children of the chance to marry the loves of their lives. Montana no longer can deprive Plaintiffs and other same-sex couples of the chance to marry their loves."

"This case is about equality and basic fairness," says ACLU of Montana Legal Director Jim Taylor. "The courts have recognized that there is no legitimate basis on which to deny the right to marry to committed same-sex couples. All Montanans have an equal right to the legal protections and respect that marriage brings. This ruling takes that constitutional principle of equal protection and makes it a reality in Montana."

Couples in the ACLU's lawsuit challenging Montana's marriage amendment are Angie and Tonya Rolando of Great Falls, Shauna and Nicole Goubeaux of Billings, Ben Milano and Chase Weinhandl of Bozeman and Sue Hawthorne and Adel Johnson of Helena. Angie and Tonya Rolando are seeking to get married in Montana and the other three couples are seeking to have marriages from other states recognized by Montana.

"Montana is no longer left in the cold. It joins the ranks of states where all committed, loving couples can marry," says Elizabeth Gill, staff attorney with the ACLU Lesbian Gay Bisexual and Transgender Project. "This brings marriage equality to 35 states and counting."

In addition to Taylor and Gill, the couples are represented by Ben Alke and James Goetz of Goetz, Gallik & Baldwin P.C.; and Stuart Plunkett, Ruth Borenstein, Ariel Ruiz, and Emily Regier of the law firm Morrison & Foerster LLP.

"It's a great day for Montana" says ACLU of Montana Executive Director Scott Crichton. "The ACLU has worked for decades to ensure the rights of LGBT people are protected and respected. We're humbled to be part of this history-making moment."

The ACLU of Montana will hold a telephone conference today at 3:30 p.m. to discuss the ruling. Reporters may attend in person at our office on the Third Floor of 7 W. 6th Avenue in Helena, or by telephone at (866) 740-1260, access code 4438591. Attorneys and plaintiffs will be available for questions.

We will also be hosting **celebrations from 8 a.m.-12:30 p.m. Thursday, November 20 at the county courthouses in Billings, Bozeman, Butte, Great Falls, Helena and Missoula.** Please join us as we celebrate this historic event with the first same-sex couples to get marriage licenses in Montana. We will have officiants on hand for those who want to immediately marry.

Additional information about the case can be found at www.aclumontana.org