



Press Release

October 15, 2014

CONTACT:

Liz Welch, ACLU of Montana LGBT Advocacy Coordinator
(406) 860-8242 lwelch@aclumontana.org

ACLU Files for Quick Decision in Marriage Equality Case

Ninth Circuit ruling in favor of marriage equality sets precedent for Montana

GREAT FALLS, MT — In one of the last remaining steps for Montana to become a marriage equality state, the ACLU of Montana today filed a motion for the U.S. District Court of Montana to rule in favor of four same-sex couples suing for marriage.

"We don't think there are any material facts in dispute, and so the case can be decided without a trial" says ACLU of Montana Legal Director Jim Taylor. "The ban on same sex marriage in the Montana Constitution is the same as the bans that were ruled unconstitutional in Idaho, and Nevada. The four couples in our case are situated the same as the couples who won in the Idaho and Nevada cases. We are raising the same issues that were raised in the Idaho and Nevada cases, and we are optimistic that the decisions of the Ninth Circuit in those cases will convince the District Court to rule in our favor."

The Ninth Circuit Court ruled in a unanimous opinion last week that Idaho and Nevada's bans on marriage for same-sex couples are unconstitutional as discrimination based on sexual orientation under the federal Equal Protection Clause of the 14th Amendment to the US Constitution. Montana is part of Ninth Circuit and federal district courts here use precedents from that circuit to make rulings.

"With the Ninth Circuit's ruling, there is no reason to delay giving loving, committed same-sex couples in Montana the protections and respect that marriage provides," says Elizabeth Gill, staff attorney with the ACLU Lesbian Gay Bisexual and Transgender Project. "We are looking forward to the day when we can celebrate with them."

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.

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.

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