



Press Release

FOR IMMEDIATE RELEASE

January 25, 2011

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Montana Same-Sex Couples In Court Seeking Domestic Partnership Recognition

ACLU Appears In Court Asking For Judge To Rule Without Trial In Lawsuit Seeking Equal Protection Under Montana Constitution

HELENA, MT — Six committed same-sex Montana couples and the American Civil Liberties Union of Montana appeared in Montana district court today to request that the judge issue a ruling without a trial in their case seeking domestic partnerships. The lawsuit seeks protection for same-sex couples and their families under the Montana Constitution's rights of privacy, dignity and pursuit of life's basic necessities and its guarantees of equal protection and due process.

"Recognition of domestic partnerships would enable our couples to access important legal protections they need to secure their relationships and families," said Bozeman attorney James Goetz, a cooperating attorney on the case who spoke for the ACLU and its clients in court today.

Because there is a constitutional amendment in Montana barring marriage for same-sex couples, the couples in the lawsuit are seeking the protection of state-recognized domestic partnerships, similar to those in place in several other states. Montana law automatically grants married different-sex couples safeguards upon which they can depend in times of need. But, under Montana law, same-sex couples are excluded from those safeguards.

"Our plaintiffs' stories and the testimony of our expert witnesses show continuing unequal and unjust treatment of gay and lesbian people in Montana as a whole, and same-sex couples in particular," said ACLU of Montana Legal Director Betsy Griffing. "The Montana Constitution demands that all people be granted equal protection under the law, and every Montanan is entitled to the same rights of privacy and dignity."

Plaintiffs in the case *Donaldson and Guggenheim v. State of Montana* are Mary Anne Guggenheim and Jan Donaldson of Helena, Stacey Haugland and Mary Leslie of Bozeman, Mike Long and Rich Parker of Bozeman, MJ Williams and Nancy Owens of Basin, Rick Wagner and Gary Stallings of Butte, and Denise Boettcher and Kellie Gibson of Laurel.

In addition to Goetz and Griffing, the couples are represented by Elizabeth Gill, a staff attorney with the ACLU Lesbian, Gay, Bisexual and Transgender Project; Ben Alke of the Bozeman, MT, law firm Goetz, Gallik & Baldwin P.C.; and Ruth Borenstein and Neil Perry of the California law firm Morrison & Foerster LLP.

Additional information about the case, biographies of the plaintiffs and links to videos of the plaintiffs can be found at www.aclumontana.org and www.aclu.org/mtpartnerships.

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