



Media Release

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Trial Lawyers Honor ACLU Domestic Partnership Plaintiffs

Seven loving, committed same-sex couples bestowed 2013 Citizens Award

BIG SKY, MT — Seven loving and committed same-sex couples participating in the ACLU of Montana's domestic partnership case were honored Thursday by the Montana Trial Lawyers Association with the 2013 Citizens Award.

The award honors each couple "For Their Demonstrated Selflessness, Integrity, Bravery and Remarkable Character and Dedication to Ensure That All Couples in the State of Montana Are Able to Fully Live Their Lives Under Equal Protection of the Law."

The plaintiffs given the award were 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, Denise Boettcher and Kellie Gibson of Laurel and Peggy Ash and Kelly Hurston of Belgrade. They all are determined to win a legal remedy that will enable loving and committed same-sex couples like themselves to obtain the protections granted opposite couples who are able to marry.

"It was very moving. It reminded me so much that it is us, real people, who must make change for the better," said Haugland. "And the importance of our case was so evident as I watched Denise help Kelly eat, because after her week of seizures Kelly was still a little neurologically scrambled. Her family needs relationship rights."

The ACLU and the plaintiffs moved forward in July with efforts to secure domestic partnership protections by filing an amended complaint in *Donaldson and Guggenheim v. State of Montana*, challenging individual Montana statutes covering financial protections for police officers, worker's compensation benefits, end-of-life decisions, and more.

Peggy Ash and Kelly Hurston of Belgrade are prime examples of how statutory discrimination in Montana can cost same-sex couples financially and in terms of peace of mind. Peggy has served for 19 years as a Bozeman Police officer. She contributes the same amount of money to her retirement pension account as other officers. But should Peggy retire and die before Kelly, Kelly stands to lose hundreds of thousands of dollars in pension benefits other officers' spouses would be eligible to collect because she is not, and cannot be, Peggy's spouse. If an officer dies before his or her spouse, that spouse can continue to receive the officer's monthly pension benefit until death. Beneficiaries who are not spouses, like Kelly, cannot collect that benefit.

Other plaintiffs in the case have similarly been hurt by statutes that treat committed same-sex couples differently than married couples. Mary Leslie of Bozeman lost her home in part because she was ineligible for worker's compensation death benefits when her former partner was killed in a workplace accident. Another plaintiff, Denise Boettcher of Laurel, was denied bereavement leave when her partner Kellie Gibson's father died.

Additional information about the case and the ACLU's work on this issue can be found at www.aclumontana.org and www.FairIsFairMontana.org.