



NEWS

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ACLU Asks Court To Rule In Challenge To Tax Law That Treats Gay Families Unfairly

Three Same-Sex Couples Filed Lawsuit Against State Of Alaska And Anchorage Last Year

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ANCHORAGE, AK — The American Civil Liberties Union and the ACLU of Alaska filed a motion for summary judgment in a lawsuit challenging the state's tax-assessment rules, which discriminate against same-sex couples by denying them equal access to a property tax exemption for senior citizens and disabled veterans. Those who qualify and who live with same-sex partners are only permitted, at most, half of the exemption available to opposite-sex married couples because they are treated as roommates rather than as families.

Each of the three couples represented by the ACLU and the law firm Davis Wright Tremaine are denied full access to a \$150,000 property tax exemption available to opposite-sex married couples. The couples are asking that the Alaska Superior Court declare this discriminatory law to be unconstitutional.

"Denying gay seniors and disabled veterans the tax protection for their family homes afforded to heterosexuals serves no purpose other than to treat same-sex couples like second-class citizens," said Tom Stenson, Legal Director of the ACLU of Alaska. "People should not have to pay a higher tax simply for being lesbian or gay."

Julie Vollick and Susan Bernard, who have been together for seven years and are raising four children, jointly purchased their Eagle River home in 2004. Vollick retired from the United States Air Force after 20 years of service, including tours in Kuwait, Saudi Arabia, Afghanistan and Pakistan, and has service-related disabilities.

"After 20 years of fighting for the key American values of freedom, equality and fairness, it's important to us that our children are protected by the principles Julie defended. Discrimination against any Alaska family is wrong," Vollick and Bernard said in a joint statement.

Julie Schmidt, 67, and Gayle Schuh, 62, have been partners for 33 years. After retiring from careers in education in Illinois, they moved to Alaska and own a home in Eagle River. Their bank accounts and real estate holdings are all jointly owned.

Fred Traber, 62, and Larry Snider, 69, have been together for 28 years and have had long careers in Alaska, including small-business ownership and government employment.

Attorneys representing the plaintiffs in the matter of *Schmidt v. Alaska* are Roger Leishman, Dave Oesting, Ryan Derry, Rebecca Francis and Zana Bugaighis of Davis Wright Tremaine LLP; Leslie Cooper of the ACLU Lesbian Gay Bisexual & Transgender Project; and Stenson of the ACLU of Alaska.

A copy of the plaintiffs' brief in support of their motion for summary judgment is available at the ACLU website at: www.aclu.org/lgbt-rights/schmidt-and-schuh-v-alaska-case-profile, and additional information is at the ACLU of Alaska website at: www.akclu.org.

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