



NEWS

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Alaska Court Rules In Favor of Lesbian and Gay Families *Excluding Same-Sex Couples from Tax Exemption Benefit Violates Alaska Constitution*

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ANCHORAGE, AK — The Alaska Superior Court today ruled that 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, are unconstitutional. The rules were challenged by the ACLU of Alaska and national American Civil Liberties Union on behalf of three Alaska couples who were denied full access to a \$150,000 property tax exemption. The families are in committed relationships with a same-sex domestic partner, not an opposite-sex spouse, and are thus treated as “roommates” rather than as families. Same-sex couples are excluded from having marriages recognized in Alaska.

“Gayle and I moved, built a home and a life here because we love what Alaska has to offer,” said Julie Schmidt, who has been with her partner Gayle Schuh for 34 years. “It hurt that the state that we value so much treated us like strangers. It is gratifying to finally have our relationship recognized.”

“The Court today again affirmed that it is unfair to treat same-sex couples – who are just as committed to each other as any other family – as second-class citizens,” said Roger Leishman, of Davis Wright Tremaine LLP, who presented oral argument on behalf of the couples. “The Alaska Constitution establishes that no senior citizen or disabled veteran should be unfairly taxed just because they happen to be lesbian or gay.”

Judge Frank A. Pfiffner, of the Superior Court in Anchorage, ruled in favor of Schmidt and Schuh; Julie Vollick and Susan Bernard; and Fred Traber and Larry Snider.

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

A copy of the Decision is available at the ACLU of Alaska and ACLU websites.

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