



AMERICAN CIVIL LIBERTIES UNION OF ALASKA
FOUNDATION
1057 W. Fireweed Lane, Suite 207
Anchorage, AK 99503
(907) 258-0044
(907) 258-0288 (fax)
WWW.AKCLU.ORG

NEWS

Three Alaska Same-Sex Couples Challenge Discriminatory Tax Law *Couples File Suit Against State of Alaska and Municipality Of Anchorage*

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CONTACT:

Robyn Shepherd, ACLU National, (212) 519-7829 or (212) 549-2666; media@aclu.org

Jeff Segvich, Davis Wright Tremaine LLP, (503) 778-5460 or (503) 504-2201

Jeffrey Mittman, ACLU of Alaska, (907) 263-2002 or (907) 230-0665

ANCHORAGE, AK — Three Alaska same-sex couples have filed a lawsuit today challenging the State of Alaska’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 to, at most, half of the exemption available to opposite-sex married couples because they are treated as roommates rather than families.

The couples, represented by the American Civil Liberties Union and the law firm Davis Wright Tremaine, are asking that the Alaska courts declare this discriminatory law to be unconstitutional.

“Alaska law is clear that denying committed same-sex couples the same rights as married opposite-sex couples is unconstitutional,” said Tom Stenson of the ACLU of Alaska. “For senior couples and disabled vets, every bit of savings counts. These couples should not have to pay more taxes than other families.”

Julie Schmidt, 67, and Gayle Schuh, 62, have been partners for 33 years. After retiring from careers in education and selling their home in Illinois, they moved to Alaska and now own a home in Eagle River. Their bank accounts and real estate holdings are all jointly owned. “We are disappointed to learn that the senior tax exemption treats homeowners in same-sex partnerships differently and we cannot receive the full benefit of the exemption,” said Schuh.

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. “I was proud to

serve our country and defend our democratic values,” said Vollick. “All we want is the fairness I’ve fought to defend.”

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. “We are proud of our relationship and are happy to stand up to ensure that our long-term commitment is treated fairly,” Traber said.

“After building a life and a home together for many years, it’s unfair that the government does not recognize these committed partners as the families that they are,” said Leslie Cooper, senior staff attorney with the ACLU Lesbian Gay Bisexual and Transgender Project.

Each couple is denied full access to a \$150,000 property tax exemption available to similarly situated opposite-sex married couples. The Alaska Supreme Court has already found that denying equal protection to same-sex couples violates the state constitution. But same-sex couples continue to be subjected to the discriminatory tax assessments.

“We have tried to resolve this issue with the State out of court with no success,” said Roger Leishman of Davis Wright Tremaine. “We’re hopeful that the courts will rule on the side of fairness.”

Attorneys representing the plaintiffs in the matter of *Schmidt v. Alaska* are Leishman, Ryan Derry and Dave Oesting of Davis Wright Tremaine LLP; Leslie Cooper of the ACLU Lesbian Gay Bisexual and Transgender Project; and Stenson of the ACLU of Alaska. A copy of the lawsuit is available at the ACLU website at: www.aclu.org, or the ACLU of Alaska website at: www.akclu.org.

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