

SUPREME COURT OF THE STATE OF MONTANA

Donaldson v. State of Montana

2012 MT 288 (2012) · No. DA 11-0451 · Decided December 17, 2012

SUMMARY

The Montana Supreme Court considered a challenge by same-sex couples seeking access to relationship and family protections associated with marriage, without seeking the right to marry or the designation of marriage. The Court held that the plaintiffs’ broad request for a declaration and injunction concerning an unspecified statutory scheme was not justiciable and exceeded the proper scope of declaratory relief. It affirmed in part, reversed in part, and remanded to allow the plaintiffs an opportunity to amend their complaint and identify specific statutes and constitutional claims.

CASE DETAILS

COURT	Supreme Court of the State of Montana
WRITING FOR THE COURT	Chief Justice Mike McGrath; Mike McGrath; Beth Baker; Brian Morris; Jim Rice
JURISDICTION	Montana
DECIDED	December 17, 2012
DOCKET	DA 11-0451
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Plaintiffs in committed same-sex relationships appealed dismissal of their constitutional action. The district court denied plaintiffs' summary-judgment motion, granted the State's motion to dismiss under Montana Rule of Civil Procedure 12(b)(6), and denied plaintiffs' motion to alter or amend the judgment.
STANDARD OF REVIEW	The court reviews a district court's determination that declaratory relief is not necessary or proper for abuse of discretion and reviews its interpretation of law for correctness.
PRECEDENTIAL VALUE	published precedential Montana Supreme Court opinion
PARTIES	Jan Donaldson, Mary Anne Guggenheim, Mary Leslie, Stacey Haugland, Gary Stallings, Rick Wagner, Kellie Gibson, Denise Boettcher, John Michael Long, Richard Parker, Nancy Owens, MJ Williams v. State of Montana

TOPICS

family law procedure marriage equal protection declaratory judgment injunctions

PRACTICE AREAS

family law constitutional law civil procedure civil rights remedies

QUESTIONS PRESENTED

1. Whether plaintiffs' request for a broad declaration of constitutional rights and an injunction requiring the State to provide a legal status and statutory structure equivalent to marriage presented a justiciable controversy.
2. Whether the district court properly dismissed the action when plaintiffs had not identified and specifically challenged particular statutes.
3. Whether plaintiffs should be permitted to amend their complaint to identify specific statutes and refine their constitutional challenges.

HOLDINGS

1. A request for a broad declaration and injunction directed at an unspecified statutory scheme is not appropriate where it would not terminate the uncertainty or controversy and would lead to confusion and further litigation.
2. The action should not have been dismissed permanently because plaintiffs were entitled to an opportunity to amend their complaint to identify specific statutes and refine their constitutional challenges.

KEY QUOTATIONS

"It is the opinion of this Court that the broad injunction and declaratory judgment sought by Plaintiffs would not terminate the uncertainty or controversy giving rise to this proceeding. Instead, a broad injunction and declaration not specifically directed at any particular statute would lead to confusion and further litigation." (¶ 9)

"Broadly determining the constitutionality of a 'statutory scheme' that may, according to Plaintiffs, involve hundreds of separate statutes, is contrary to established jurisprudence." (¶ 10)

"If they do amend they will need to choose what statute or statutes to put in issue and upon what legal grounds." (¶ 13)

FACTUAL BACKGROUND

Plaintiffs were twelve individuals in six committed same-sex relationships who alleged that Montana law denied them protections and benefits available to different-sex couples who marry. They did not seek the right to marry or the designation of marriage, but sought equal access to the statutory benefits, protections, obligations, and responsibilities associated with marriage. The complaint challenged a broad, unspecified statutory structure rather than particular statutes.

PROCEDURAL HISTORY

Plaintiffs sought declaratory and injunctive relief establishing access to a statutory structure of benefits and obligations available to different-sex married couples, while expressly declining to challenge Montana's restriction of marriage to heterosexual couples or seeking marriage status. The district court dismissed the action, reasoning that the requested broad relief would improperly direct the Legislature to enact a statutory scheme and would implicate separation-of-powers concerns. The Montana Supreme Court affirmed the refusal to grant the requested broad declaratory relief, but reversed the dismissal to permit plaintiffs to amend their complaint and identify specific statutes and constitutional challenges.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The district court must allow plaintiffs the opportunity, if they elect to do so, to amend their complaint and specify the statutes being challenged, the constitutional grounds for each challenge, and the relevant factual and legal arguments. The district court is to determine the schedule for further proceedings.

CASES CITED

- Miller v. State Farm, 2007 MT 85, 337 Mont. 67, 155 P.3d 1278
- Northfield Insurance v. Montana Association of Counties, 2000 MT 256, 301 Mont. 472, 10 P.3d 813
- Helena Elementary School District No. 1 v. State, 236 Mont. 44, 769 P.2d 864 (1989)
- Snetsinger v. Montana University System, 2004 MT 390, 325 Mont. 148, 104 P.3d 445
- Gryczan v. State, 283 Mont. 433, 942 P.2d 112 (1997)
- Montana Department of Natural Resources & Conservation v. Intake Water Co., 171 Mont. 416, 558 P.2d 1110 (1976)
- Weidow v. Uninsured Employers' Fund, 2010 MT 292, 359 Mont. 77, 246 P.3d 704
- Oberson v. U.S. Forest Service, 2007 MT 293, 339 Mont. 519, 171 P.3d 715
- Hobble-Diamond Cattle Co. v. Triangle Irrigation Co., 249 Mont. 322, 815 P.2d 1153 (1991)
- Aldrich & Co. v. Ellis, 2002 MT 177, 311 Mont. 1, 52 P.3d 388
- Kudloff v. City of Billings, 260 Mont. 371, 860 P.2d 140 (1993)
- Stundal v. Stundal, 2000 MT 21, 298 Mont. 141, 995 P.2d 420
- Hickey v. Baker School District No. 12, 2002 MT 322, 313 Mont. 162, 60 P.3d 966
- State v. Guill, 2011 MT 32, 359 Mont. 225, 248 P.3d 826
- Turner v. Safley, 482 U.S. 78 (1987)
- Zablocki v. Redhail, 434 U.S. 374 (1978)
- Loving v. Virginia, 388 U.S. 1 (1967)
- Baker v. Nelson, 191 N.W.2d 185 (Minn. 1971), appeal dismissed, 409 U.S. 810 (1972)
- Conaway v. Deane, 932 A.2d 571 (Md. 2007)

- Citizens for Equal Protection v. Bruning, 455 F.3d 859 (8th Cir. 2006)
- Lawrence v. Texas, 539 U.S. 558 (2003)
- Bowers v. Hardwick, 478 U.S. 186 (1986)
- Snetsinger v. Montana University System, 2004 MT 390, 325 Mont. 148, 104 P.3d 445

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