

IN THE SUPREME COURT OF THE STATE OF MONTANA  
No. DA 24-0147

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PLANNED PARENTHOOD OF MONTANA and SAMUEL DICKMAN,  
M.D., on behalf of themselves and their patients,

*Plaintiffs & Appellees,*

v.

STATE OF MONTANA, by and through AUSTIN KNUDSEN, in his  
official capacity as Attorney General,

*Defendant & Appellant.*

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**UNOPPOSED MOTION OF AMERICAN COLLEGE OF  
OBSTETRICIANS AND GYNECOLOGISTS, AMERICAN ACADEMY  
OF FAMILY PHYSICIANS, AMERICAN ACADEMY OF NURSING,  
AMERICAN ACADEMY OF PEDIATRICS, AMERICAN COLLEGE OF  
MEDICAL GENETICS AND GENOMICS, AMERICAN COLLEGE OF  
NURSE-MIDWIVES, AMERICAN COLLEGE OF PHYSICIANS,  
AMERICAN GYNECOLOGICAL AND OBSTETRICAL SOCIETY,  
AMERICAN MEDICAL ASSOCIATION, AMERICAN SOCIETY FOR  
REPRODUCTIVE MEDICINE, MONTANA CHAPTER OF THE  
AMERICAN ACADEMY OF PEDIATRICS, NATIONAL ASSOCIATION  
OF NURSE PRACTITIONERS IN WOMEN'S HEALTH, SOCIETY FOR  
MATERNAL-FETAL MEDICINE, AND SOCIETY OF FAMILY  
PLANNING FOR LEAVE TO APPEAR AS *AMICI CURIAE***

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On Appeal from the Montana Thirteenth Judicial District, Yellowstone  
County, Cause No. DV-21-999, Honorable Judge Kurt Krueger

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*Appearances on next page*

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The American College of Obstetricians and Gynecologists, American Academy of Family Physicians, American Academy of Nursing, American Academy of Pediatrics, American College of Medical Genetics and Genomics, American College of Nurse-Midwives, American College of Physicians, American Gynecological and Obstetrical Society, American Medical Association, American Society for Reproductive Medicine, Montana Chapter of the American Academy of Pediatrics, National Association of Nurse Practitioners in Women’s Health, Society for Maternal-Fetal Medicine, and Society of Family Planning (“*Amici*”) respectfully request the Court grant them leave to submit an amicus curiae brief in this matter, pursuant to Mont. R. App. P. 12(7). In support of their motion, *Amici* state as follows:

**I. *Amici’s* interest**

*Amici* are leading medical societies representing physicians and other medical professionals who serve patients in Montana and beyond. Collectively, these groups include hundreds of thousands of medical professionals. Among other things, *Amici* advocate for patients and practitioners, educate the public about reproductive health, and work to advance the ethical practice of medicine.

*Amici* are interested in this matter because the resolution of the issue before the Court impacts the health and safety of Montanans and has the potential to significantly interfere with patient-physician relationships. *Amici's* extensive collective experience uniquely situates them to discuss how House Bill 136 (“HB 136”), House Bill 140 (“HB 140”), and House Bill 171 (“HB 171”) lack any medical justification and harm rural and low-income Montanans.

## **II. Issue on which *Amici* wish to submit an amicus brief**

*Amici* wish to submit an amicus brief regarding the numerous negative impacts to patients and physicians that HB 136, HB 140, and HB 171 will produce.

## **III. Reasons an amicus brief is desirable**

Patients, in consultation with their health care providers, should determine the appropriate course of their medical care based on medical evidence and the patient’s own individualized needs, medical history, and preferences. *Amici* are dedicated to ensuring access to the full spectrum of safe and appropriate health care, and work to preserve the patient-physician relationship. *Amici* oppose HB 136, HB 140, and HB 171, as there is no medical justification for the legislation, and it threatens

pregnant Montanans—both their physical well-being and their ability to make independent health decisions.

HB 136, HB 140, and HB 171 will adversely impact Montana patients and physicians. An amicus brief from *Amici* will provide the Court relevant background information related to the harmful medical impacts pregnant patients will face under the challenged legislation. *Amici's* brief will also inform the Court about the ways HB 136, HB 140, and HB 171 undermine Montana physicians' ability to effectively perform their jobs.

#### **IV. Party whose position *Amici* support**

*Amici* support the position of the Plaintiffs/Appellees, Planned Parenthood of Montana and Samuel Dickman, M.D., in this matter.

#### **V. Parties' positions regarding *Amici's* participation**

The parties have been contacted regarding *Amici's* participation as amicus. Neither the Plaintiffs/Appellees, nor the Defendant/Appellant oppose or object to *Amici's* participation.

#### **VI. Date *Amici's* brief can be filed**

*Amici's* brief is complete and will be filed contemporaneously with the filing of this motion.

Respectfully submitted this 12th day of August, 2024.

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## CERTIFICATE OF SERVICE

I, Mikaela Joan Koski, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 08-12-2024:

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