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MONTANA FIRST JUDICIAL DISTRICT COURT, LEWIS AND CLARK COUNTY

MONTANA FEDERATION OF PUBLIC
EMPLOYEES,

Plaintiff,

NORTHERN CHEYENNE TRIBE,
BLACKFEET NATION, CONFEDERATED
SALISH & KOOTENAI TRIBES, FORT
BELKNAP INDIAN COMMUNITY, and
WESTERN NATIVE VOICE,

Plaintiff-Intervenors,

FORWARD MONTANA and MONTANA
PUBLIC INTEREST RESEARCH GROUP
Youth Plaintiff-Intervenors,

v.

STATE OF MONTANA and CHRISTI
JACOBSEN, in her official capacity as
Montana Secretary of State,

Defendants.

Cause No. **ADV-25-2025-0268**

**ORDER GRANTING YOUTH
PLAINTIFFS' MOTION TO
INTERVENE**

Before the Court is Forward Montana and Montana Public Interest Research Group's ("Youth Plaintiffs") *Motion to Intervene* in the case of *Montana Federation of Public Employees v. Jacobsen*. Youth Plaintiffs, Forward Montana and Montana Public Interest Research Group (MPIRG), seek intervention as a matter of right under Montana Rule of Civil Procedure 24(a) or, alternatively, permissive intervention under Rule 24(b). Having reviewed the motion, briefs, and

1 applicable law, the Court finds that Youth Plaintiffs satisfy the criteria for intervention as a
2 matter of right. Alternatively, permissive intervention is appropriate.

3 FINDINGS OF FACT

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- 5 1. **Timeliness:** Youth Plaintiffs filed their motion to intervene early in the litigation process,
6 before substantive issues have been briefed or resolved. This ensures no prejudice to the
7 existing parties and avoids unnecessary delay or duplication of proceedings.¹
- 8 2. **Interest in the Subject Matter:** Youth Plaintiffs have a direct, substantial, and legally
9 protectable interest in the subject matter of this case. Specifically, they challenge Senate
10 Bill 490 (SB 490) and Senate Bill 276 (SB 276), which allegedly disproportionately
11 impact young voters by restricting election-day registration and limiting the use of
12 student IDs for voting.²
- 13 3. **Impairment of Interests:** An adverse ruling in this case would impair Youth Plaintiffs'
14 ability to protect their interests. SB 490 and SB 276 are alleged to uniquely harm young
15 voters, including students, first-time voters, and mobile voters, by reducing access to
16 election-day registration and imposing arbitrary restrictions on acceptable voter
17 identification.³
- 18 4. **Inadequacy of Representation:** While Plaintiff Montana Federation of Public
19 Employees (MFPE) challenges SB 490 and SB 276, MFPE's focus is on public
20 employees, not youth voters. MFPE does not address SB 276's restrictions on student
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22 ¹ See *Sportsmen for I-143 v. Mont. Fifteenth Judicial Dist. Ct.*, 2002 MT 18, ¶ 7, 308 Mont. 189, 40 P.3d 400.

23 ² See *Montana Democratic Party v. Jacobsen*, 2024 MT 66, ¶¶ 63, 116–19, 416 Mont. 44, 545 P.3d 1074.

24 ³ See *Sportsmen*, ¶ 13; *Sagebrush Rebellion, Inc. v. Watt*, 713 F.2d 525, 528 (9th Cir. 1983).

1 IDs, which uniquely harm Youth Plaintiffs and their members. Youth Plaintiffs' distinct
2 interests and arguments may not be adequately represented by MFPE.⁴

- 3 5. **Judicial Economy:** Allowing intervention at this stage prevents the need for separate
4 lawsuits, which would likely be consolidated later. This promotes judicial efficiency and
5 avoids unnecessary duplication of efforts pursuant to Rule 24(b) of Mont. R. Civ. P.⁵

6 CONCLUSIONS OF LAW

- 7 1. **Intervention as of Right:** Under Montana Rule of Civil Procedure 24(a), Youth
8 Plaintiffs are entitled to intervene as a matter of right. Their motion is timely, they have a
9 direct interest in the subject matter, disposition of the case may impair their ability to
10 protect their interests, and their interests may not be adequately represented by the
11 existing parties.⁶

- 12 2. **Permissive Intervention:** Alternatively, Youth Plaintiffs meet the criteria for permissive
13 intervention under Rule 24(b). Their claims share common questions of law and fact with
14 the main action, and intervention will conserve judicial resources by avoiding multiplicity
15 of suits.⁷

- 16 3. **Scope of Intervention:** Youth Plaintiffs' additional claim regarding SB 276's restrictions
17 on student IDs is sufficiently related to the main action to permit adjudication in one suit.

18 Courts have consistently held that intervention should be granted where claims are
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22 ⁴ See *Citizens for Balanced Use v. Mont. Wilderness Ass'n*, 647 F.3d 893, 898 (9th Cir. 2011).

23 ⁵ See *Spangler v. United States*, 415 F.2d 1242, 1245 (9th Cir. 1969).

24 ⁶ See *Sportsmen*, ¶ 7; *City of L.A.*, 288 F.3d 391, 398 (9th Cir. 2002).

25 ⁷ See *Spangler*, 415 F.2d at 1245.

1 intertwined and adjudication in a single forum prevents unnecessary delay and waste of
2 judicial resources.⁸

3 **ORDER**

4 Based on the foregoing, **IT IS HEREBY ORDERED:**

- 5 1. Youth Plaintiffs' Motion to Intervene is **GRANTED** pursuant to Montana Rule of Civil
6 Procedure 24(a).
7
8 2. Alternatively, Youth Plaintiffs are granted permissive intervention under Rule 24(b).
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10 3. Youth Plaintiffs' Complaint in Intervention, attached as Exhibit A to their Motion to
11 Intervene, shall be docketed in this case.
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13 4. The heading of this matter shall be amended accordingly as done in this Order.

14 The Clerk of Court is directed to serve all parties with a copy of this Order.

15 **ELECTRONICALLY SIGNED AND DATED BELOW**

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23 ⁸ See *Safety Syringes, Inc. v. Plastef Investissements*, No. 207CV02307FMCPLAX, 2009 WL 10672568, at *2 (C.D.
24 Cal. Feb. 11, 2009)(“an intervenor with claims similar to those of an existing party should be given the opportunity
25 to pursue its claims.”)