

**DISCRIMINATION REMEDY FLOW CHART
UNDER MONTANA LAW
(CAUSE FINDING - CURRENT PROCESS)**

Person takes action against LGBTQ+ person (Claimant) in housing, employment, public accommodation or government services. Claimant believes action was because of sexual orientation.



LGBTQ+ person (Claimant) files timely sex discrimination claim with Human Rights Bureau (HRB) (120 days for housing claim, versus 180 for other discrimination claims).



After investigation, HRB makes finding that there was reason to believe Claimant experienced discrimination.



Case is assigned to conciliation with HRB conciliator for attempts at settlement; conciliator will include affirmative relief. If conciliation is successful, case ends.



If conciliation does not resolve case, the case is transferred to Office of Administrative Hearings for trial-type hearing.



*If Claimant loses at Hearing level, Claimant can appeal to the HRC for remand at Hearing level. If HRC affirms the denial of award, then Claimant can file appeal of HRC review in District Court.

**If Claimant prevails at Hearing and receives an award, Claimant is likely precluded from obtaining other damages.*

**DISCRIMINATION REMEDY FLOW CHART
UNDER MONTANA LAW
(CAUSE FINDING WITH NDO)**

Person takes action against LGBTQ+ person (Claimant) in housing, employment, public accommodation or government services. Claimant believes action was because of sexual orientation.



LGBTQ+ person (Claimant) files timely sex discrimination claim with Human Rights Bureau (HRB).



After investigation, HRB makes finding that there was reason to believe Claimant experienced discrimination.



Case is assigned to conciliation with HRB conciliator for attempts at settlement; conciliator will include affirmative relief. If conciliation is successful, case ends.



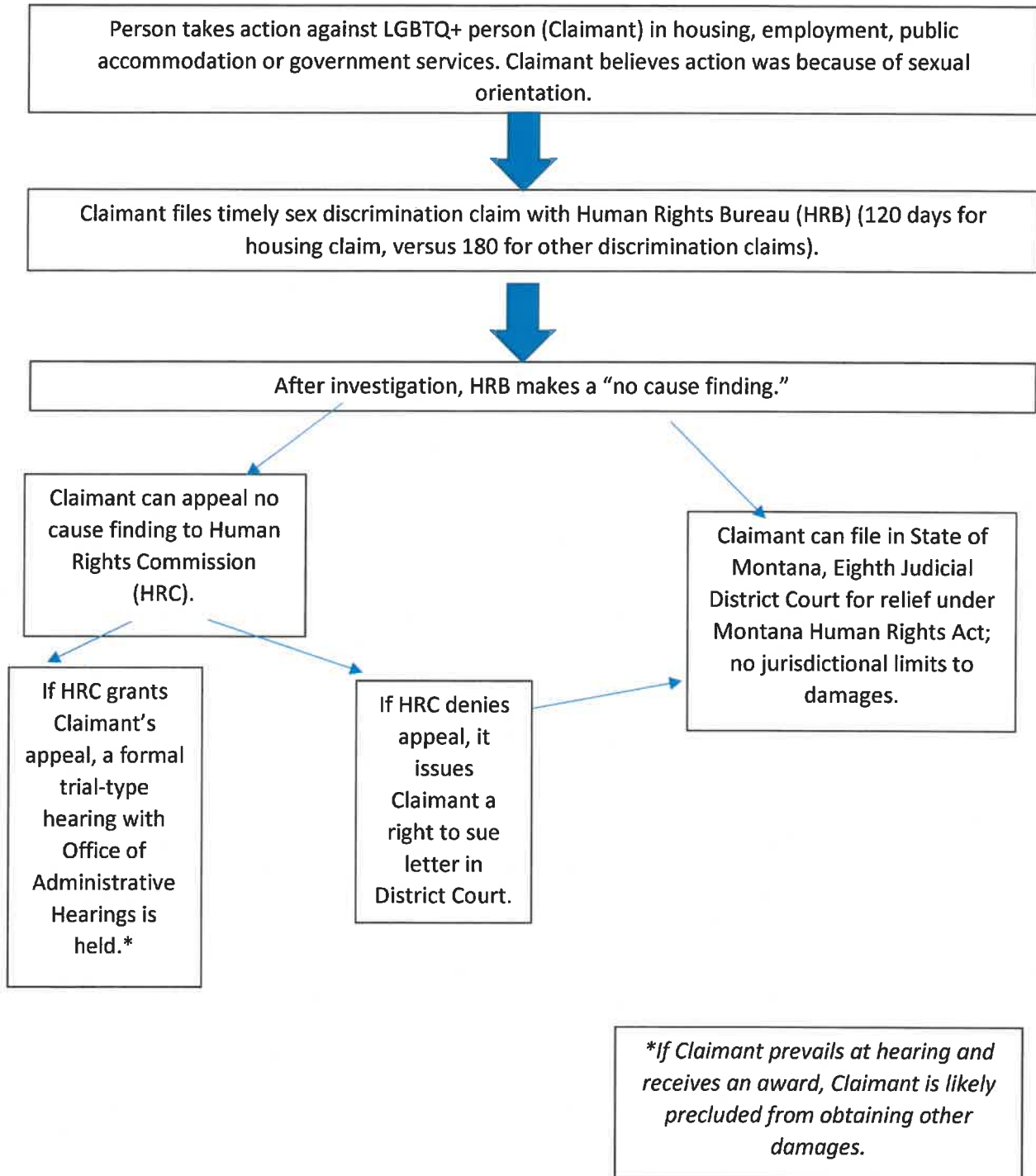
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*If Claimant loses at hearing level, Claimant can appeal to the HRC for remand at Hearing level. If HRC affirms the denial of award, then Claimant can file appeal of HRC review in District Court, or can file in Municipal Court under proposed NDO. **However, *res judicata/collateral estoppel* may preclude Municipal Court action.**

**If Claimant prevails at Hearing or Municipal Court and receives an award, Claimant is likely precluded from obtaining other damages.*

**DISCRIMINATION REMEDY FLOW CHART
UNDER MONTANA LAW
(NO CAUSE FINDING - CURRENT PROCESS)**



DISCRIMINATION REMEDY FLOW CHART UNDER MONTANA LAW (NO CAUSE FINDING WITH NDO)

