



JUDICIAL STANDARDS COMMISSION

STATE OF MONTANA

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Jeff Essmann, President of the Senate
Mark Blasdel, Speaker of the House
State of Montana
Sixty-Third Legislature
State Capitol
Helena, Montana

February 12, 2013

Dear President Essmann and Speaker Blasdel:

As required by §3-1-1126, MCA, the Montana Judicial Standards Commission (Commission) submits this report to the legislature for the preceding biennium covering calendar years 2011 and 2012.

Article VII, Section 11, of the 1972 Montana Constitution directs the legislature to create a five member Judicial Standards Commission to accept and consider complaints against Montana judicial officers. The 1973 legislature created the Commission and it is attached to the Montana Supreme Court for administrative purposes. The work, investigations, and recommendations of the Commission are independent of the Supreme Court. Access to Commission records is limited to the Commission and staff.

The Commission's report to the sixty-second legislature (2011 session) showed that 27 complaints were still pending at the close of 2010. Of those pending complaints, 22 were reviewed and dismissed, and five were closed with letters of private reprimand.

As shown in the attached spreadsheet, 78 complaints were filed against judicial officers in calendar year 2011. After consideration and investigation, 66 of those complaints were dismissed, one resulted in the judge's voluntary resignation, two were voluntarily withdrawn by the complainant, five resulted in private letters of reprimand, and four resulted in letters of admonition. There were 17 complaints pending as of December 31, 2011.

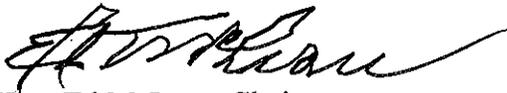
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Of those 17 pending complaints, 13 were dismissed, one complaint was withdrawn by the complainant, one resulted in a letter of admonition, and two resulted in private reprimands.

For calendar year 2012, 70 complaints were filed against judicial officers. After consideration and investigation, 57 complaints were dismissed, three resulted in the judge's voluntary resignation, and three resulted in private reprimands. There were 7 complaints pending as of December 31, 2012.

Should any member of the legislature, or staff, have questions or need additional information, they may contact Susan Parshall, the Commission's executive secretary, or any member of the Commission.

Very truly yours,



Hon. Ed McLean, Chairman
JUDICIAL STANDARDS COMMISSION

EM/sp

Attachment

cc: Art Wittich, Senate Majority Leader
Jon Sesso, Senate Minority Leader
Marilyn Miller, Secretary of the Senate
Gordon Vance, House Majority Leader
Chuck Hunter, House Minority Leader
Lindsey Grovom, Chief Clerk of the House
Hon. Mike McGrath, Chief Justice of the Supreme Court
Sheri Scurr, Lead Staff, Law and Justice Interim Committee