



JUDICIAL STANDARDS COMMISSION STATE OF MONTANA

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January 22, 2015

Debby Barrett, President of the Senate
Austin Knudsen, Speaker of the House
State of Montana
Sixty-Fourth Legislature
State Capitol
Helena, Montana

Dear President Barrett and Speaker Knudsen:

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 2013 and 2014.

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-fourth legislature (2015 session) showed that 7 complaints were still pending at the close of 2012. Of those pending complaints, 7 were reviewed and dismissed.

As shown in the attached spreadsheet, 70 complaints were filed against judicial officers in calendar year 2013. After consideration and investigation, 52 of those complaints were dismissed, 8 resulted in a public admonition for one judge of the same matter, one resulted in the judge's voluntary resignation, one was voluntarily withdrawn by the complainant, and one resulted in a letter of admonition. There were 7 complaints pending as of December 31, 2013. Of those 7 pending complaints, 7 were dismissed.

For calendar year 2014, 60 complaints were filed against judicial officers. After consideration and investigation, 57 complaints were dismissed, and one was dismissed as a result in the judge's term ending. There were 2 complaints pending as of December 31, 2014.

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Blair Jones", written over a faint circular stamp.

Hon. Blair Jones, Chairman
JUDICIAL STANDARDS COMMISSION

BJ/sn

Attachment

cc: Matthew Rosendale, Senate Majority Leader
Jon Sesso, Senate Minority Leader
Marilyn Miller, Secretary of the Senate
Keith Regier, House Majority Leader
Chuck Hunter, House Minority Leader
Lindsey Grovom, Chief Clerk of the House
Hon. Mike McGrath, Chief Justice of the Supreme Court
Rachel Weiss, Lead Staff, Law and Justice Interim Committee

2012

CASE NO.	DATE FILED	Type of Complaint	DISPOSITION	DATE OF DISPOSITION
12-055	10/12/12	Judicial Opinion	Dismissed	3/26/2013
12-065	11/21/12	Delay	Dismissed	3/26/2013
12-066	11/26/12	Delay	Dismissed	3/26/2013
12-067	12/17/12	Impartiality and Essential Conduct	Dismissed	3/26/2013
12-068	11/29/12	Impartiality and Essential Conduct	Dismissed	3/26/2013
12-069	12/17/12	Impartiality and Essential Conduct	Dismissed	3/26/2013
12-070	12/17/12	Impartiality and Essential Conduct	Dismissed	3/26/2013

2013

CASE NO.	DATE FILED	Type of Complaint	DISPOSITION	DATE OF DISPOSITION
13-001	01/03/13	Judicial Opinion and Impropriety	Dismissed	3/26/2013
13-002	01/22/13	Impartiality	Dismissed	2/1/2013
13-003	02/07/13	Judicial Opinion and Impropriety	Dismissed	3/26/2013
13-004	02/11/13	Impartiality	Dismissed	3/26/2013
13-005	02/12/13	Judicial Opinion	Dismissed	3/26/2013
13-006	02/19/13	Conflict of Interest	Dismissed	5/20/2013
13-007	02/20/13	Judicial Opinion	Dismissed	3/26/2013
13-008	02/25/13	Delay	Withdrew Complaint	5/15/2013
13-009	03/07/13	Impropriety	Dismissed	3/26/2013
13-010	03/18/13	Judicial Opinion	Dismissed	3/26/2013
13-011	03/22/13	Impropriety	Dismissed	5/15/2013
13-012	04/11/13	Impropriety	Dismissed	8/13/2013
13-013	04/11/13	Judicial Opinion	Dismissed	5/15/2013
13-014	04/24/13	Judicial Opinion and Delay	Dismissed	5/15/2013
13-015	05/02/13	Impropriety	Dismissed	5/15/2013
13-016	05/03/13	Impropriety	Dismissed	8/13/2013
13-017	05/13/13	Impropriety and Ex Parte Communication	Dismissed	6/25/2013
13-018	06/05/13	Impropriety	Dismissed	6/25/2013
13-019	06/09/13	Impropriety	Dismissed	9/11/2013
13-020	06/11/13	Impropriety	Dismissed	6/25/2013
13-021	06/17/13	Judicial Opinion	Dismissed	6/25/2013
13-022	06/17/13	Judicial Opinion	Dismissed	6/25/2013
13-023	06/17/13	Judicial Opinion	Dismissed	6/25/2013
13-024	06/17/13	Judicial Opinion	Dismissed	6/25/2013
13-025	06/17/13	Judicial Opinion	Dismissed	6/25/2013
13-026	06/17/13	Judicial Opinion	Dismissed	6/25/2013
13-027	06/17/13	Judicial Opinion	Dismissed	6/25/2013
13-028	06/17/13	Judicial Opinion	Dismissed	6/25/2013
13-029	06/25/13	Communication	Dismissed	8/13/2013
13-030	06/25/13	Impropriety	Dismissed	8/13/2013
13-031	07/08/13	Impropriety and Essential Conduct	Dismissed	8/13/2013
13-032	07/11/13	Impropriety	Dismissed	8/13/2013
13-033	07/18/13	Impropriety	Dismissed	8/13/2013
13-034	07/10/13	PFMA Charge -Resign	Voluntary Resignation	8/13/2013
13-035	07/31/13	Impropriety and Essential Conduct	Dismissed	10/9/2013
13-036	08/05/13	Impropriety	Dismissed	10/9/2013
13-037	08/05/13	Conflict of Interest and Impropriety	Dismissed	8/13/2013
13-038	08/16/13	Essential Conduct	Dismissed	12/10/2013
13-039	08/26/13	Impropriety	Dismissed	10/9/2013
13-040	08/30/13	Impropriety	Dismissed	10/9/2013
13-041	09/04/13	Impropriety	Public Censure	7/22/2014
13-042	09/04/13	Impropriety	Public Censure	7/22/2014
13-043	09/11/13	Impropriety	Public Censure	7/22/2014
13-044	09/11/13	Impropriety	Public Censure	7/22/2014
13-045	09/12/13	Impropriety	Public Censure	7/22/2014
13-046	09/12/13	Impropriety and Ex Parte Communication	Dismissed	10/9/2013
13-047	09/12/13	Judicial Opinion and Impropriety	Dismissed	10/9/2013

CASE NO.	DATE FILED	Type of Complaint	DISPOSITION	DATE OF DISPOSITION
13-048	09/13/13	Essential Conduct	Dismissed	10/9/2013
13-049	09/13/13	Impropriety	Dismissed	10/9/2013
13-050	09/13/13	Impropriety	Dismissed	10/9/2013
13-051	09/19/13	Conflict of Interest and Impropriety	Dismissed	10/9/2013
13-052	09/23/13	Impropriety	Letter of	12/10/2013
13-053	09/23/13	Impropriety	Public Censure	7/22/2014
13-054	09/24/13	Impropriety	Public Censure	7/22/2014
13-055	09/26/13	Essential Conduct	Dismissed	12/10/2013
13-056	10/07/13	Impropriety	Dismissed	12/10/2013
13-057	10/18/13	Delay	Dismissed	12/10/2013
13-058	10/21/13	Conflict of Interest	Dismissed	12/30/2013
13-059	10/24/13	Impropriety	Dismissed	12/10/2013
13-060	10/30/13	Impropriety	Public Censure	7/22/2014
13-061	10/30/13	Judicial Opinion	Dismissed	12/10/2013
13-062	11/04/13	Exparte Communication and Impropriety	Dismissed	12/10/2013
13-063	12/10/13	Impropriety and Essential Conduct	Dismissed	12/10/2013
13-064	12/13/13	Impropriety	Dismissed	2/19/2014
13-065	12/13/13	Impropriety	Dismissed	2/19/2014
13-066	12/13/13	Essential Conduct	Dismissed	2/19/2014
13-067	12/16/13	Judicial Opinion	Dismissed	5/14/2014
13-068	12/16/13	Judicial Opinion	Dismissed	2/19/2014
13-069	12/30/13	Judicial Opinion	Dismissed	2/19/2014
13-070	12/31/13	Judicial Opinion and Impropriety	Dismissed	2/19/2014

CASE NO.	DATE FILED	Type of Complaint	DISPOSITION	DATE OF DISPOSITION
14-001	01/17/14	Impropriety	Dismissed	2/19/2014
14-002	01/23/14	Impropriety and Essential Conduct	Dismissed	2/19/2014
14-003	01/27/14	Impropriety and Essential Conduct	Dismissed	2/19/2014
14-004	01/31/14	Impropriety and Essential Conduct	Dismissed	2/19/2014
14-005	02/03/14	Impropriety	Dismissed	2/19/2014
14-006	02/14/14	Conflict of Interest and Judicial Opinion	Dismissed	2/19/2014
14-007	02/20/14	Impropriety	Pending	
14-008	02/20/14	Impropriety and Ex Parte Communication	Dismissed	5/14/2014
14-009	03/03/14	Judicial Opinion	Dismissed	5/14/2014
14-010	03/03/14	Impropriety and Conflict of Interest	Dismissed	5/14/2014
14-011	03/04/14	Impropriety and Delay	Dismissed	5/14/2014
14-012	03/04/14	Essential Conduct	Dismissed	5/14/2014
14-013	03/24/14	Impropriety	Dismissed	5/14/2014
14-014	04/10/14	Political Endorsements	Dismissed	8/12/2014
14-015	04/14/14	Judicial Opinion	Dismissed	5/14/2014
14-016	04/14/14	Judicial Opinion	Dismissed	5/14/2014
14-017	4/14/2014	Judicial Opinion	Dismissed	5/14/2014
14-018	04/14/14	Impropriety and Essential Conduct	Dismissed	5/14/2014
14-019	04/15/14	Delay	Dismissed	8/12/2014
14-020	04/28/14	Judicial Opinion	Dismissed	5/14/2014
14-021	04/30/14	Impropriety and Judicial Opinion	Dismissed	5/14/2014
14-022	05/02/14	Impropriety	Dismissed	5/14/2014
14-023	05/12/14	Judicial Opinion	Dismissed	8/12/2014
14-024	05/12/14	Judicial Opinion	Dismissed	8/12/2014
14-025	05/12/14	Judicial Opinion	Dismissed	8/12/2014
14-026	05/19/14	Judicial Opinion	Dismissed	8/12/2014
14-027	05/19/14	Judicial Opinion	Dismissed	8/12/2014
14-028	05/19/14	Judicial Opinion	Dismissed	8/12/2014
14-029	05/22/14	Judicial Opinion	Dismissed	8/12/2014
14-030	05/29/14	Political and Campaign Activity	Dismissed	8/12/2014
14-031	06/09/14	Judicial Opinion	Dismissed	8/12/2014
14-032	06/16/14	Ex parte communication	Dismissed - No Longer Judge after 12/31/14	12/29/2014
14-033	06/30/14	Judicial Opinion and Impropriety	Dismissed	8/12/2014
14-034	07/10/14	Judicial Opinion	Dismissed	8/12/2014
14-035	07/28/14	Judicial Opinion	Dismissed	8/12/2014
14-036	08/01/14	Judicial Opinion	Dismissed	8/12/2014
14-037	08/05/14	Judicial Opinion	Dismissed	10/8/2014
14-038	08/07/14	Judicial Opinion	Dismissed	12/9/2014
14-039	08/11/14	Judicial Opinion	Dismissed	10/8/2014
14-040	08/11/14	Judicial Opinion	Dismissed	10/8/2014
14-041	08/21/14	Judicial Opinion	Dismissed	10/8/2014
14-042	09/04/14	Judicial Opinion and Impropriety	Dismissed	10/8/2014
14-043	09/15/14	Judicial Opinion	Dismissed	10/8/2014
14-044	09/16/14	Judicial Opinion	Dismissed	12/9/2014
14-045	09/22/14	Judicial Opinion and Impropriety	Dismissed	10/8/2014

2014

CASE NO.	DATE FILED	Type of Complaint	DISPOSITION	DATE OF DISPOSITION
14-046	10/02/14	Essential Conduct	Dismissed	10/8/2014
14-047	10/02/14	Essential Conduct	Dismissed	10/8/2014
14-048	10/02/14	Essential Conduct	Dismissed	10/8/2014
14-049	10/09/14	Essential Conduct	Dismissed	12/9/2014
14-050	10/14/14	Judicial Opinion	Dismissed	12/9/2014
14-051	10/14/14	Judicial Opinion	Dismissed	12/9/2014
14-052	10/14/14	Impropriety	Dismissed	12/9/2014
14-053	10/14/14	Essential Conduct	Dismissed	12/9/2014
14-054	10/17/14	Impropriety	Dismissed	12/9/2014
14-055	10/30/14	Judicial Opinion	Dismissed	12/9/2014
14-056	11/13/14	Judicial Opinion	Dismissed	12/9/2014
14-057	11/25/14	Judicial Opinion	Dismissed	12/9/2014
14-058	11/25/14	Judicial Opinion	Dismissed	12/9/2014
14-059	12/01/14	Judicial Opinion	Pending	
14-060	12/05/14	Judicial Opinion	Dismissed	12/9/2014