



SENATE SELECT COMMITTEE ON JUDICIAL OVERSIGHT AND REFORM

69th Montana Legislature

SENATE MEMBERS

Mary Ann Dunwell
Janet Ellis
Jason Ellsworth
Daniel Emrich
Steve Fitzpatrick
Chris Friedel
Carl Glimm
Jen Gross
Steve Hinebauch
Tom McGillvray
Wendy McKamey
Shane Morigeau
Mark Noland
Andrea Olsen
Barry Usher

HOUSE MEMBERS

Lyn Hellegaard
Fiona Nave
Sue Vinton

COMMITTEE STAFF

Allison Dunbar - Secretary

PUBLIC MEMBERS

Andrew Billstein
Joan Mell
Jim Ramlow

MINUTES LOG

September 05, 2024
Room 102 and Zoom
Helena, Montana

Please note: This document is a Minutes Log and provides annotation of the time elapsed between the beginning of the meeting and the time at which the item was presented or discussed, a motion was made, or a vote was taken. The narrative presented here is provided only as a guide to the audio or video recording of the meeting. The official discussion, motion, or vote is available on the audio or video archive of this meeting. The Legislature does not prepare a transcript of the meeting activities. The time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

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MEMBERS PRESENT:

Sen. Jason Ellsworth, Chair (R)
Sen. Barry Usher, Vice Chair (R)
Andrew Billstein, Public Member
Sen. Steve Fitzpatrick (R)
Sen. Chris Friedel (R)
Sen. Carl Glimm (R)
Rep. Lyn Hellegaard (R)
Sen. Tom McGillvray (R)
Sen. Wendy McKamey (R)
Joan Mell, Public Member
Rep. Fiona Nave (R)
Jim Ramlow, Public Member
Rep. Sue Vinton (R)

Sen. Steve Hinebaugh
Sen. Daniel Emrich (R)

MEMBERS EXCUSED:

Sen. Steve Fitzpatrick (D)
Sen. McKamey (D)

MEMBERS ABSENT:

Sen. Jen Gross (D)
Sen. Shane Morigeau (D)
Sen. Andrea Olsen (D)
Sen. Mary Ann Dunwell (D)
Sen. Janet Ellis

STAFF PRESENT:

Allison Dunbar, Secretary

AGENDA ([Attachment 1](#))

VISITORS' LIST ([Attachment 2](#))

COMMITTEE ACTION

CALL TO ORDER/ROLL CALL

09:04:50 Presiding Officer Jason Ellsworth called the meeting to order at 9:04 AM. The committee secretary took roll.
09:07:46 Presiding Officer Jason Ellsworth took Public Member Roll Call

PROCESS USED TO PROPOSE REVISIONS TO THE JUDICIAL STANDARDS COMMISSION RULES

09:09:24 Presiding Officer Jason Ellsworth
9:10:03 Todd Everts
[EXHIBIT 1](#)
9:12:48 Presiding Officer Jason Ellsworth
09:18:33 Todd Everts
09:20:22 Presiding Officer Jason Ellsworth
09:21:15 Rodger Webb- Judicial Standards Commission
9:22:49 Presiding Officer Jason Ellsworth
9:25:24 Rodger Webb
9:26:41 Presiding Officer Jason Ellsworth
9:27:20 Rodger Webb

Committee Questions/Discussion

09:29:28 Joan Mell Public Committee Member
09:29:53 Rodger Webb
9:30:12 Joan Mell
9:31:33 Rodger Webb

09:32:33 Presiding Officer Jason Ellsworth
 9:32:41 Rodger Webb
 09:35:25 Joan Mell
 9:33:23 Rodger Webb
 9:35:32 Sen. Daniel Emrich
 09:35:43 Vice Presiding Chair Barry Usher
 9:36:03 Rodger Webb
 09:39:56 Sen. Carl Glimm
 09:40:45 Jameson Walker- Legislative Attorney
 09:42:54 Presiding Officer Jason Ellsworth
 09:43:09 Joan Mell
 9:44:12 Sen. Carl Glimm
 9:44:18 Presiding Officer Jason Ellsworth
 9:44:44 Jameson Walker
 9:45:32 Sen. Carl Glimm
 9:47:32 Rodger Webb
 09:48:15 Sen. Daniel Emrich
 09:49:46 Rodger Webb
 9:50:41 Joan Mell
 9:51:17 Rodger Webb
 09:52:49 Presiding Officer Jason Ellsworth
 09:53:05 Rodger Webb
 9:53:45 Presiding Officer Jason Ellsworth
 09:55:28 Joan Mell
 9:55:50 Rodger Webb
 10:00:46 Presiding Officer Jason Ellsworth
 10:01:52 Seth Berglee- Judicial Standards Commission

PROCESS USED TO PROPOSE REVISIONS TO THE JUDICIAL STANDARDS COMMISSION RULES

10:00:46 Presiding Officer Jason Ellsworth
 10:01:52 Seth Berglee- Judicial Standards Commission

Committee Questions/Discussion

10:06:18 Joan Mell
10:06:30 Seth Berglee
10:18:44 Vice Presiding Officer Barry Usher
10:19:34 Seth Berglee
10:21:39 Joan Mell
10:22:01 Seth Berglee
10:23:22 Vice Presiding Officer Barry Usher
10:23:57 Seth Berglee
10:24:21 Presiding Officer Jason Ellsworth
10:25:37 Seth Berglee
10:26:21 Presiding Officer Jason Ellsworth
10:29:40 Joan Mell
10:30:08 Seth Berglee

Recess

10:34:34 Presiding Officer Jason Ellsworth

Reconvened

10:42:42 Presiding Officer Jason Ellsworth

PROCESS USED TO PROPOSE REVISIONS TO THE JUDICIAL STANDARDS COMMISSION RULES

10:43:09 Presiding Officer Jason Ellsworth
10:43:22 Jill Gerdrum- Sitting Attorney Judicial Standards Commission
10:43:45 Presiding Officer Jason Ellsworth

Committee Questions/Discussion

10:48:58 Joan Mell
10:49:30 Jill Gerdrum
10:58:35 Vice Presiding Officer Barry Usher
10:59:12 Jill Gerdrum
11:04:21 Presiding Officer Jason Ellsworth
11:04:38 Jill Gerdrum
11:04:55 Presiding Officer Jason Ellsworth
11:05:32 Sen. Daniel Emrich
11:06:10 Jill Gerdrum
11:08:08 Presiding Officer Jason Ellsworth
11:08:27 Jill Gerdrum
11:09:42 Joan Mell
11:10:07 Jill Gerdrum
11:11:12 Joan Mell

11:15:53 Presiding Officer Jason Ellsworth
11:16:08 Joan Mell
11:16:31 Jill Gerdrum

Recess

11:21:37 Presiding Officer Jason Ellsworth

Reconvened

11:28:41 Presiding Officer Jason Ellsworth

**PROCESS USED TO PROPOSE REVISIONS TO THE JUDICIAL STANDARDS
COMMISSION RULES**

11:28:58 Presiding Officer Jason Ellsworth

Committee Questions/Discussion

11:29:44 Joan Mell
11:30:14 Jill Gerdrum
11:31:08 Joan Mell
11:31:45 Jill Gerdrum
11:31:54 Joan Mell
11:32:23 Jill Gerdrum
11:32:48 Joan Mell
11:33:25 Jill Gerdrum
11:33:32 Joan Mell
11:36:08 Vice Presiding Officer Barry Usher
11:36:41 Jill Gerdrum
11:37:08 Vice Presiding Officer Barry Usher
11:38:55 Jill Gerdrum
11:40:13 Vice Presiding Officer Barry Usher
11:48:22 Judge Manahan
11:49:28 Presiding Officer Jason Ellsworth
11:51:25 Vice Chair Sen. Barry Usher
11:52:44 Jill Gerdrum
11:54:51 Sen. Daniel Emrich
12:00:17 Joan Mell

Recess

12:02:07 Presiding Officer Jason Ellsworth

Reconvened

13:00:13 Presiding Officer Jason Ellsworth
13:00:31 Vice Presiding Officer Barry Usher

PROCESS USED TO PROPOSE REVISIONS TO THE JUDICIAL STANDARDS COMMISSION RULES

13:00:56 Presiding Officer Jason Ellsworth

Committee Question/Discussion

13:01:16 Joan Mell
13:05:14 Judge Menahan
13:03:07 Joan Mell
13:05:33 Presiding Officer Jason Ellsworth
13:05:58 Judge Menahan
13:07:10 Presiding Officer Jason Ellsworth
13:09:15 Judge Menahan
13:11:35 Sen. Tom McGillvray
13:13:28 Judge Menahan
13:14:36 Sen. Tom McGillvray
13:15:16 Judge Menahan
13:16:58 Sen. Tom McGillvray
13:18:03 Judge Menahan
13:27:46 Presiding Officer Jason Ellsworth
13:29:15 Judge Menahan
13:37:45 Joan Mell
13:46:49 Sen. Daniel Emrich
13:55:44 Vice Chair Sen. Usher
14:04:10 President Sen. Ellsworth
14:08:10 Sen. McGillvray
14:12:16 Joan Mell

DISCUSSION OF PROPOSED REVISIONS TO JUDICIAL STANDARDS COMMISSION RULES (AF 14-0356)

14:29:52 Presiding Officer Jason Ellsworth
14:30:12 Judge Menahan
14:32:37 Vice Presiding Officer Barry Usher
14:34:29 Sen. McGillvray
14:36:04 Presiding Officer Jason Ellsworth
14:36:17 Vice Presiding Officer Barry Usher
14:36:49 Jameson Walker

Motion

14:38:36 Vice Presiding Officer Barry Usher made a motion to extend the report by or before session.

Committee Questions/Discussion

14:39:44 None

Vote

14:39:49 Carried unanimously by voice vote.
([Vote Sheet](#))

DISCUSSION OF PROPOSED REVISIONS TO JUDICIAL STANDARDS COMMISSION RULES (AF 14-0356)

14:40:24 Presiding Officer Jason Ellsworth
14:44:28 Sen. Daniel Emrich
14:45:30 Judge Menahan
14:45:54 Joan Mell
14:49:55 Jameson Walker
14:51:38 Presiding Officer Jason Ellsworth
14:54:17 Vice Presiding Officer Barry Usher

Recess

15:00:39 Presiding Officer Jason Ellsworth

Reconvened

15:11:52 Presiding Officer Jason Ellsworth

DISCUSSION OF PROPOSED REVISIONS TO JUDICIAL STANDARDS COMMISSION RULES (AF 14-0356)

15:12:30 Presiding Officer Jason Ellsworth

Committee Questions/Discussion

15:12:54 Judge Spawlding
15:15:52 Joan Mell
15:20:36 Sen. Mark Noland
15:22:59 Vice Presiding Officer Barry Usher
15:26:17 Sen. Daniel Emrich
15:32:37 Joan Mell
15:38:38 Beth McLaughlin- Supreme Court Administrator
15:40:06 Joan Mell
15:52:42 Sen. Daniel Emrich
15:55:01 Sen. Mark Noland
16:02:10 Presiding Officer Jason Ellsworth
16:05:34 Sen. Daniel Emrich

16:06:41 Joan Mell
16:07:49 Presiding Officer Jason Ellsworth
16:10:57 Sen. Daniel Emrich
16:13:26 Sen. Carl Glimm
16:18:34 Joan Mell

PUBLIC COMMENT

16:23:10 None

Recessed

16:23:48 Presiding Officer Jason Ellsworth

Reconvened

16:41:00 Presiding Officer Jason Ellsworth

COMMITTEE WORK SESSION

16:41:18 Presiding Officer Jason Ellsworth
16:42:42 Sen. Daniel Emrich
16:43:27 Sen. Mark Noland
16:44:12 Rep. Fiona Nave
16:46:44 Vice Presiding Officer Barry Usher
16:48:43 Sen. Daniel Emrich
16:49:50 Vice Presiding Officer Barry Usher
16:50:52 Presiding Officer Jason Ellsworth
16:54:24 Vice Presiding Officer Barry Usher
16:55:06 Presiding Officer Jason Ellsworth

ADJOURNMENT

Adjournment: 16:55:24