

# DISTRICT OF MONTANA



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This year was a busy and productive one for Montana. We look forward to the 2018 Ninth Circuit Judicial Conference in Anaheim.

## **District Conference Fairmont Hot Springs Resort, September 6-8, 2017**

The annual District Conference was held at Fairmont Hot Springs Resort in Fairmont, Montana. The District Court continued the tradition of meeting in conjunction with the Bankruptcy Court and the Probation and Pretrial Services Office. The three-day event was also attended by lawyer representatives, presenters from across the country, and other member of the extended court family.

Conference highlights included an enthusiastic speech from Coach Bill Curry - Inspiration: Magnanimitas and The Miracle of Team and Perspiration: “Genius, Power & Magic,” as well as a panel discussion on America’s opiate addiction crisis.

After the reception on the opening night of the conference, court staff were treated to a private viewing of *Charles C. Lovell: A Judicial Portrait*. This judicial video portrait documents the life and career of the Honorable Charles C. Lovell, a Senior District Court Judge in the District of Montana, who has been on the bench for over 30 years.



## **MONTANA JUDICIAL INSTITUTE October 4-6, 2017**

The eighth annual Montana Judicial Institute was held October 4th-6th, at the University of Montana School of Law in Missoula. The Montana Judicial Institute was created in 2008 by Judge Donald W. Molloy to heighten public understanding of the judiciary by providing an in-depth education program for high school and middle school teachers from throughout the district. The fundamental premise of the three-day seminar is to expand teachers' knowledge of the judiciary and its role in our system of government and societal organization as a whole.

This year's Institute was attended by teachers from across Montana, representing schools of all sizes. The curriculum included lectures on The Rule of Law, Anatomy of a Civil Case, Anatomy of a Criminal Case, Tribal Jurisdiction, and Federal and State Appellate Courts. The teachers also attended a change of plea hearing, a sentencing, and a presentation by a former federal defendant. Faculty members this year were: Hon. Dana L. Christensen, Hon. Donald W. Molloy, Hon. Jeremiah C. Lynch, Hon. Brian Morris, Clerk of Court Tyler Gilman; professors Tom Huff, Anthony Johnstone, Maylinn Smith; attorneys Kiely Keane, Katie DeSoto, Karl Englund, Mark Kovacich, Dylan McFarland and John Harrison; Federal Defender Tony Gallagher; Assistant U.S. Attorney Joe Thaggard; DEA Special Agent Kevin Evans; U.S. Probation Officer Tucker Hood. Throughout the Institute, teachers and faculty members discuss a variety of topics, ranging from the practical application of law in the classroom to challenges the judiciary faces in the modern era.

Professor Anthony Johnstone discussed the topic of Federalism and Separation of Powers: The President, the Congress, the State, and Immigration with the teachers on the first night of the Institute.



We were fortunate to have distinguished guest Judge William Young from the District of Massachusetts as our keynote speaker. Judge Young spoke about the importance of jury duty and how it has changed over the course of American history. We were also joined by Chief Judge Watkins, Magistrate Judge Gray Borden, and Clerk of Court Debbie Hackett from the Middle District of Alabama as attendees of this year's Institute. They are hoping to start a Judicial Institute in their District, and their participation, observations, and suggestions were a wonderful addition to our program.



Pictured left to right: Judge Lynch, Judge Molloy, Chief Judge Christensen, Judge William Young (D. of Mass.), Chief Judge Keith Watkins and Magistrate Judge Gray Borden.

# PASSING OF HONORABLE JOHN L. “JACK” PETERSON

**September 11, 1933—September 10, 2017**

The Federal Judiciary in Montana lost one of its most influential figures with the passing of retired Chief Bankruptcy Judge John L. “Jack” Peterson on September 10, 2017. A “Butte guy” through and through, Judge Peterson died at the same Butte hospital where he was born 84 years before. One of Butte’s most prominent citizens, he had a highly successful law practice for 28 years, was active in the business community, and was a civic leader on many fronts.

A lifelong resident of Butte, Judge Peterson attended the University of Montana from 1952 to 1957, earning both his B.A. and law degree. In 1957, he joined the Butte law firm of McCaffery, Rowe, Kiley and Joyce. He became a partner in 1963 and remained with the firm until coming onto the federal bench.

Active in civic affairs, Judge Peterson focused his energies on improving educational opportunities. In addition to serving on the Butte School Board, he was instrumental in developing Montana Tech - now the Butte campus of the University of Montana - and helped to preserve Western Montana College - now the University of Montana Western campus in Dillon. He also was involved in the creation of a higher education fund supported by a coal severance tax.

Judge Peterson began his judicial career as a part-time bankruptcy referee in 1963. When Congress created full-time bankruptcy judgeships, he was selected as Montana’s first full-time bankruptcy judge in 1985. He retired as a full-time judge in 1999, but continued to serve the court on a recall basis. At the time of his full retirement in 2013, he was the nation’s longest-serving bankruptcy judge.

During his tenure on the bench, Judge Peterson’s high standards and commitment to the efficient resolution of proceedings shaped a generation of bankruptcy practitioners. The norms of conduct that he established, which continue to endure among the bankruptcy bar to this day, emphasize thorough preparation, knowledge of the bankruptcy code, respect for all parties, and tempering fierce advocacy with genuine collegiality.



## **MONTANA HIGH SCHOOL PROJECT-2017**

The District of Montana conducted Montana High School Projects at the following schools, which involved where probation officers present in-classroom instruction and later the students are brought into the courtroom to observe sentencing:

Belgrade High School (2 projects)

Billings Senior High School (3 projects)

Custer Schools

Great Falls High School (2 project)

Loyola Sacred Heart High School

Park City High School

Shepard High School

Billings Career Center

Browning Public Schools

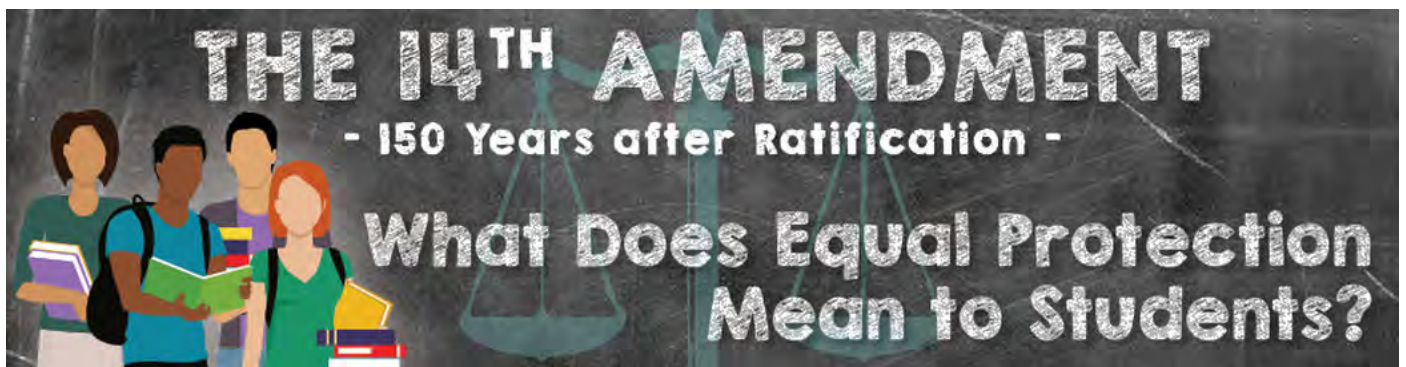
Fairfield High School

Hinsdale High School

Missoula Sentinel High School (4 projects)

Winnett High School

## **NINTH CIRCUIT CIVICS CONTEST---MONTANA**



High school students from around Montana submitted video and essay entries on this year's theme of "The 14<sup>th</sup> Amendment---150 Years after Ratification: What Does Equal Protection Mean to Students?" We had submissions from schools large and small, and the winners were selected by a panel of judges consisting of practicing attorneys and court personnel. The top three entries in each category received cash scholarships donated by local law firms and legal groups and will go on to compete in the Ninth Circuit-wide competition.

This year's winners included students from Skyview High School (Billings), Corvallis High School, Great Falls High School, Fort Benton High School, and Moore High School.