

R. Kayle Jackson  
Attorney at Law

546 E. Kagy Boulevard, Bozeman, Montana 59715 (406) 586-5551  
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September 18, 2016

Judicial Nomination Commission  
c/o Lois Menzies  
Office of Court Administrator  
P.O. Box 203005  
Helena, Montana 59620-3005

Re: Eighteenth Judicial District application of Magdalena Cain Bowen

Dear Commissioners:

I cannot think of any attorney, in any jurisdiction, who is better qualified than Magdalena Bowen is to become district judge, particularly district judge in Bozeman's 18<sup>th</sup> Judicial District.

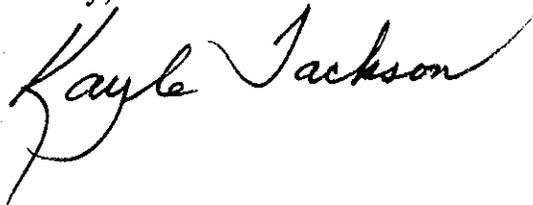
I am in active practice doing primarily criminal defense, primarily in courts in Gallatin County, but also in various other courts throughout Montana. I have been doing this since 1995. I sometimes substitute as judge in a couple of courts of lesser jurisdiction, and I drafted the legislation that created the Judicial Nomination Commission shortly after Montana's Constitutional Convention. I know and respect a number of the applicants for the judgeship being vacated by Judge Salvagni, and it is heartening to see such a number of well-qualified applicants. You can guess, I am reluctant to favor one fine attorney, one friend and colleague, over another.

However, Ms. Bowen is not simply very qualified: in my opinion she is uniquely gifted to bring the best our profession has to offer to this position. She is well-known here for her hard work and excellent legal mind. Perhaps even more importantly, she has the kind of temperament that puts people before the legal system at ease during what can be some of the most trying times of their lives. And she does this without sacrificing court efficiency and decorum.

I have known Ms. Bowen for many years. She has experience in both criminal and civil law. She has "paid her dues" by taking on the Standing Master position in the 18<sup>th</sup> JD, meaning primarily adjudication of family law and orders of protection. This is not "fun" law; it is dedicated public service. This experience, helping families while working with our district court judges, makes her uniquely qualified: she will hit the ground running, do so with the respect of the other judges, with the respect of her colleagues, and with a widespread respect of hundreds of families in Bozeman she has helped through their problems in the kindest way possible. Additionally, her many, many years of public service throughout Gallatin County are well-known and respected throughout the community.

Thank you for your work and consideration of all the applicants. As someone who was raised in Bozeman, I know how important this judgeship is to our county, and I appreciate your work.

Sincerely,

A handwritten signature in cursive script that reads "Kayle Jackson". The signature is written in black ink and is positioned below the word "Sincerely,".

September 27, 2016

Judicial Nomination Commission  
Office of Court Administer  
Attn: Lois Menzies  
P.O. Box 203005  
Helena, MT 59620

Carolyn S. Parker  
PO BOX 1945  
Bozeman, MT 59771

Re: Magdalena C. Bowen  
Candidate for District Court Judge Position

Dear Commissioners:

As former law partner with Magdalena C. Bowen, practicing as Bowen & Parker Law Firm, I strongly recommend Standing Master Bowen for the position of District Court Judge, Gallatin County, based on the following information.

Ms. Bowen and I practiced law together in Bozeman for over 15 years. Although we came from very different backgrounds and had diverse paths in life, we found compatibility, friendship, and respect in practice, and in our personal lives together.

Our practice included criminal law, family law, administrative law and general civil practice. We held one half of the public defender contract with Justice Court for over 10 years, along with the law firm of Schraudner & Hillier. We were successful in managing our criminal case loads along with our other private work, and streamlined the criminal process, saving the court's time and the county's finances. When the contract ended with state control of the public defender work, comments from the bench indicated the system we put in place was far more efficient and successful than the new more cumbersome and expensive system implemented. We had a smooth and amicable working relationship with those involved with the court system and the county attorney's office, while we vigorously maintained and protected the rights of defendants charged with misdemeanor crimes.

In our busy and prosperous law practice we balanced each other. Ms. Bowen emphasized and enjoyed her role as litigator in contested matters, while I preferred the legal routes of settlement, mediation and transactional work. We both trained as legal mediators, however, Ms. Bowen had a successful and extensive trial practice. We discussed our cases together, and both of us benefitted from the views of the other; I especially appreciated her broad legal experience, extensive education and familiarity with the court system and procedures. We both represented some clients who had no other representation. They were those who would have been left out of the legal system without our help, usually due to lack of financial resources.

Page 2.

I have appeared before numerous judges in Montana, as well as worked for a federal bankruptcy judge. In my experience, the qualities I admired and respected in those judges Ms. Bowen brings with her to this position. Her keen intellect is evident in all she has accomplished related to the law, to her service to the court, and in her service to our community. Ms. Bowen possesses the highest integrity, competence, self discipline, attention to detail and legal ability. Her energy and enthusiasm are infectious. She is hard working, patient in her consideration of cases, and has the requisite deep understanding of the law to seek justice for all those who appear before her bench.

Thank you for your consideration of Magdalena C. Bowen, Standing Master, for the position of District Court Judge.

Sincerely,

A handwritten signature in cursive script, reading "Carolyn S. Parker".

Carolyn S. Parker

***Sophie H Pirie***  
***Bozeman, MT 59715***  
***Consultant: Strategic Planning & Organizational Development***

6 October 2016

Judicial Nomination Commission  
c/o Lois Menzies  
Office of Court Administrator  
P.O. Box 203005  
Helena, MT 59620-3005

RE: Eighteenth Judicial District Application of Magdalena C. Bowen

Dear Commissioners:

Should you appoint Magdalena Bowen to the District Court position being vacated by Judge Salvagni, not only would you ensure that the position continues to be held by someone whose judicial opinions and administration are highly respected by members of the bench, the bar and the public, but you would also ensure that the position will be held by someone of the highest integrity, great intellect, an over the top work ethic, superior efficiency, a deep commitment to justice, and a passion for the community.

As you know, Bowen brings many and immediate strengths to the position: She made the transition from the bar to the bench six years ago, when she assumed the position of Special Master, and since then has presided over an enormous case load involving complex and often lengthy cases and a wide variety of procedural and legal issues with great competence. She is already very familiar with the specific workings of the Eighteenth Judicial District and has long standing working relationships with the other members of the District Court and its staff. In addition, as both a former practicing member of the local bar and in her position as Special Master, she has earned high professional regard from other attorneys in the community.

As someone who grew up in Bozeman and chose to return here after law school to practice and raise her family, even though she could have written herself a lucrative ticket to most anywhere, Bowen's life commitment to Gallatin County is proven. As her extensive public record and her judicial opinions manifest, she seeks the betterment of this community for everyone, regardless of age, financial means or other factors. Her involvement in the community, not just as a lawyer

and Special Master, but also as a parent and competitive skier among other roles, gives her the deep local knowledge so often necessary at the trial stage of litigation, where factual nuance and an understanding of customary practices and norms often determine outcomes.

As a former professor at Stanford Law School, I have had the great fortune to discuss both law and life with some of the most highly regarded intellects in this country. I assure you that Magdalena Bowen could more than hold her own in any Stanford classroom or faculty meeting, and would do so with both elan and great regard, not just for her colleagues, but also for her clients. But unlike many academics, Bowen does not shy away from dealing with the facts and the laws as they are, not just as she – or we – might wish them to be. Nor does she ever shirk the roll up your sleeves work of often quite mundane legal research that is part of practicing law and judging, work that, for the past 6 years she has been doing without the assistance of any kind of law clerk or research assistant. While she might not be setting out to advance the law, I fully expect that she will if you appoint her to fill Judge Salvagni's position. I also expect that, on a day to day basis, she will deserve to have her law review moniker "Workhorse of the Year" updated to "Workhorse of the Bench."

Having seen her presiding in her courtroom, Bowen's ability to give "space" to each party while also funneling the process toward thoughtful, practical and rigorous outcomes is notable. While my time in private legal practice may have been transactional and regulatory in Silicon Valley and in Europe during the post Cold War period, even there the ability to locate action or decision in the instant case within the larger arc of evolving justice, as Bowen always seeks, is fundamentally what practicing law, whether as an attorney or as a judge, is about. Or, as I learned daily while handling refugee cases during the Central American wars of the mid 1980's, adjudication requires that one integrate, not just juggle, efficiency and efficacy. I only wish that the Immigration and Naturalization Service administrative judges I appeared before had handled that integration task even half as well as Bowen does in her courtroom.

The main reason, though, why I am writing this letter encouraging you to appoint Magdalena Bowen to serve as District Court Judge, is because I believe that she epitomizes the kind of judging that The Hon. John T Noonan of the 9<sup>th</sup> Circuit Court of Appeals, wrote about and argued for as the highest form of judging in his book, *Persons and Masks of the Law*. Reading that book caused me, not just to write on empathy and the law, but also to clerk for Judge Noonan, and it shaped what and how I taught when I moved back to the United States. As Noonan argues, good judging requires that one always remember that these are real people with real life stories that are being judged, not legal entities upon whom rules can be blithely administered. In his book, he takes to task some of the great names of American jurisprudence for hiding behind "masks of the law". As a judge he always made his clerks research the back story to each person involved (including counsel!), so that we and he were not limited in our thinking by the framing of the law, the lower court judge and the lawyers. He wanted us to always feel – as human beings even more than as legal professionals -- the impact of the process

and the outcome on the particular people whose lives were involved. Magdalena Bowen, I believe, will never hide behind her robes or legal fictions, but will always remember that those she is judging are also her community, even as she uses those robes and respect for the courtroom to create a process and a space to assist them with their conflicts, challenges, and even aspirations with each other and with the law.

Respectfully,

Sophie H Pirie

October 14, 2016  
Frieda Johnson  
3038 Candy Lane  
Bozeman, Mt 59715

Judicial Nomination Commission  
Office of Court Administrator  
Attn: Lois Menzies  
P.O. Box 203005  
Helena, MT 59620

RE: Magdalena C. Bowen  
Candidate for District Court Judge Position

Dear Commissioners:

I have been a friend of Magdalena since 1975, having participated in many triathlons as team members and also gone on many ski trips and hikes with her during that time. I also know her family and the dedication she has shown taking care of her Mom and family while still engaged in a full time job, training and keeping in shape for the events and races she has been involved with.

As a friend, she always has a pleasant personality and is easy to be a great friend and mentor in times of crisis or achievements or in time of need.

She Has the experience of being a lawyer and now a Standing Judge and takes her work seriously looking at all sides before making decisions. She is very smart knowing the law and has the disposition to handle all kinds of cases that are presented to her.

After looking at all her qualifications and past experience as a lawyer and Standing Judge, I would like you to consider Magdalena C. Bowen for the position of District Court Judge as she would be fair in any cases she would handle.

Sincerely, Frieda Johnson

A handwritten signature in cursive script that reads "Frieda Johnson". The signature is written in black ink and is positioned below the typed name.

KASTING, KAUFFMAN & MERSEN, P.C.

A T T O R N E Y S A T L A W

JOHN M. KAUFFMAN  
JANE MERSEN  
DENNIS L. MUNSON  
LILIA N. TYRRELL

716 SOUTH 20th AVENUE, SUITE 101  
BOZEMAN, MONTANA 59718  
TEL: (406) 586-4383 FAX: (406) 587-7871  
E-MAIL: kkm@kkmlaw.net

*Of Counsel*  
KENT M. KASTING  
WILLIAM B. HANSON

October 19, 2016

**Via Email and U.S. Mail**

mtsupremecourt@mt.gov

Judicial Nominating Commission  
c/o Lois Menzies  
Office of Court Administrator  
P.O. Box 203005  
Helena, MT 59620-3005

Re: Magdalena Bowen

Dear Commission:

This letter serves as my endorsement that Standing Master Magdalena Bowen be recommended to Governor Bullock for consideration to fill the vacancy in the Eighteenth Judicial District as a result of Judge Salvagni's retirement.

I believe that Standing Master Bowen possesses all the qualities necessary to be a successful judge. I believe this because I have seen it in practice during the many times I have appeared before her. She is smart and works hard, and despite having to move between various courtrooms several times daily, often transporting files herself, she has always displayed patience, grace, and a great temperament. She is unflappable despite the incredibly high volume of cases which she handles.

The litigants and attorneys who appear before her are treated fairly and with respect, and I believe they leave her courtroom feeling that they had the opportunity to present their case, and that someone who cared listened to what they had to say. In my opinion, her decisions are thoughtful and well-reasoned. Standing Master Bowen would make a great judge, and I hope you will strongly consider her application and forward her name to Governor Bullock.

Sincerely,



Dennis L. Munson

## **Cook, Kevin**

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**From:** MT Supreme Court,  
**Sent:** Wednesday, October 19, 2016 5:27 PM  
**To:** Cook, Kevin  
**Subject:** Public Comment -- Bowen

**From:** Phyllis Bock [<mailto:phyllis.bock@gmail.com>]  
**Sent:** Monday, October 17, 2016 12:56 PM  
**To:** MT Supreme Court,  
**Subject:** Magdalena Bowen

**From 1982 to 2014, I was the director and only staff attorney for Montana State University Student Legal Services. This provided me with an opportunity to become acquainted with Magdalena "Mitzi" Bowen and her practice of law in Bozeman, Montana.**

**For the past six(6) years, she has been doing the job of a judge as the 18th Judicial District Standing Master for domestic relations cases. In that position she has shown that she is fair, ethical and impartial as she strives and succeeds in bringing litigants and their attorneys, if they have one, together to reach solutions to their legal issues.**

**Her striving to fulfill the reminder on her desk, which is "Try to see the humanity in every person you meet." says it all! This is a quality I see in her and we should want to see in all our judges.**

**Magdalena Bowen has the experience and judicial temperament that is needed for the next 18th Judicial District Court Judge. I highly recommend her to be one of candidates whose names are sent to Governor Bullock for appointment to be the next 18th Judicial District Court Judge.**

**Phyllis A. Bock  
retired Attorney at Law**



PAMELA G. POON, PLLC  
MEDIATOR • ATTORNEY AT LAW

P.O. Box 665, Bozeman, MT 59771-0665  
406-539-2474 | [pamela.poon12@gmail.com](mailto:pamela.poon12@gmail.com)  
[middlegroundssolutions.com](http://middlegroundssolutions.com)

October 17, 2016

Judicial Nomination Commission  
c/o Lois Menzies  
Office of the Court Administrator  
P.O. Box 203005  
Helena, MT 59620-3005  
[mtsupremecourt@mt.gov](mailto:mtsupremecourt@mt.gov)

Dear Ms. Menzies:

I believe I am uniquely positioned to give my unqualified support to Standing Master Magdalena “Mitzi” Bowen in her application for District Court Judge. Since 1998, I have practiced law in Montana in multiple capacities and have had professional relationships with several of the other candidates, yet I believe Mitzi Bowen is by far the best candidate to replace Judge Mike Salvagni based on her personal character, her experience and her ability to work well with others in the justice system.

In approximately 2000, attorneys Mitzi Bowen and Carolyn Parker invited me to share office space with them and I did so for 9 years. We had to end our professional relationship in 2010 when I left Bozeman to accompany my husband on an overseas assignment. Before I worked with Mitzi Bowen and Carolyn Parker, I had been a Deputy County Attorney, practiced personal injury law and was sole proprietor of my own firm primarily focusing on family law and mediation. I have been a private mediator since 2012 and am coordinator of our local bar’s pro bono family law clinic.

In my experience, it is unusual in Gallatin County for attorneys to continue to remain friends after they have ended their professional relationship and I am proud to say that I have remained close friends with Mitzi Bowen (as well as Carolyn Parker) since I returned to Montana in late 2012. One of Mitzi Bowen’s enduring characteristics is her ability to maintain strong professional and personal relationships even when undergoing the high levels of stress that come with a private law practice and a heavy caseload as a standing master. Mitzi’s other qualities include a solid work ethic and deep compassion for clients and parties in the legal system, rounding out her personal qualifications as a district court judge.

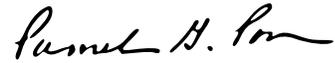
Given their caseload, it is crucial that our district court judges have deep experience in both criminal and family law and Mitzi has acquired both from her years of criminal and family law practice and her years as a family law Standing Master. In addition, I know that Mitzi has a reputation among attorneys and parties appearing before her as a fair and compassionate judge. *Pro se* mediation clients have told me they appreciated her fairness and kindness when they appeared in her court, even when her decisions were not in their favor. In addition, new attorneys

assisting with the pro bono law clinic say they have appreciated Mitzi's guidance and compassion as they learned in her court how to practice the law they had learned about in law school.

Standing Master Mitzi Bowen's character, experience and collaborative work ethic uniquely qualify her to be a district court judge in the 18<sup>th</sup> Judicial District. You are welcome to contact me if you have questions about my recommendation.

Thank you for the opportunity to comment.

Sincerely yours,

A handwritten signature in cursive script that reads "Pamela G. Poon".

Pamela G. Poon, Esq.

Judicial Nomination Commission  
Office of Court Administrator  
c/o Lois Menzies  
P.O. Box 203005  
Helena, MT 59620-3005

[mtsupremecourt@mt.gov](mailto:mtsupremecourt@mt.gov)

October 17, 2016

Letter of Support for Magdalena Cain Bower

Joan and I have known Magdalena Bowen since 1972. We watched her grow and mature as a family friend in 7<sup>th</sup> grade; as a top level junior, then collegiate and national level Nordic ski racer; as a university and professional school student; as a member of a nuclear family; as a family practice lawyer in Bozeman; and in her present position as the Standing Master for the 18th Judicial District Court. Throughout these times, Ms. Bowen has demonstrated her appreciation of growing up here in the Gallatin Valley. After finishing law school and starting her family, she returned to her home base to reconnect with community and establish her profession. She has displayed creativity, ingenuity, steadfastness, and compassion in her quest to support families and their individual members in circumstances where the law provides, or compels, progress towards equitable outcomes.

Magdalena has the courage and integrity to fairly weigh situations and make decisions according to accepted legal frameworks and practices. She has honed her skill in mediating opposing viewpoints, knowing how to make people aware that they have been fairly heard, but without prejudice or bias. She is always open to improving the myriad of processes one is subject to when engaged in the law and justice system. With Ms. Bowen as Eighteenth Judicial District Judge, we citizens can expect a fair and impartial court process where citizens, both accused and accusers, are respected and heard as members of our greater community. We can expect a courtroom administered with a mix of efficiency and humanity, where people are treated as people, where all are subject to the same standards of behavior, and where outcomes seek to provide win-win solutions within accepted legal and societal standards.

Sincerely,

Handwritten signature of Joan and Clifford Montagne in black ink, written in a cursive style.

Joan and Clifford Montagne  
1105 S. Tracy  
Bozeman, MT

## Cook, Kevin

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**From:** MT Supreme Court,  
**Sent:** Sunday, October 23, 2016 6:32 PM  
**To:** Cook, Kevin  
**Subject:** Public Comment -- Bowen

**From:** Paula [<mailto:kevinandpaula@earthlink.net>]  
**Sent:** Sunday, October 23, 2016 2:41 PM  
**To:** MT Supreme Court,  
**Subject:** Recommendation of M.C. Bowen for Judgeship

October 23, 2016

Judicial Nomination Commission  
c/o Ms. Lois Menzies  
Office of Court Administrator  
P.O. Box 203005  
Helena MT 59620-3005  
VIA EMAIL: [mtsupremecourt@mt.gov](mailto:mtsupremecourt@mt.gov)

RE: Magdalena C. Bowen  
Candidate for District Court Judge position in 18th Judicial District Court

Dear Commissioners:

I am writing you today with my support of Magdalena Bowen for the open judgeship in the 18th Judicial District Court.

I worked as the Managing Supervisor Deputy Clerk in the Gallatin County Clerk of District Court's Office from October, 2007 through September, 2016 so I was there when the Standing Master position was created and Ms. Bowen was appointed the position in 2010.

Standing Master Bowen has impressed me from the moment we met with her energy and passion for law and for her position. She is tireless and always positive.

Standing Master Bowen always made it a point to regularly come into the Clerk's office and talk with all of the deputies and make each one feel a vital part of an important team. She brought energy, communication and humor into our office. She showed a genuine interest in each person.

As the Managing Supervisor, I covered court proceedings in the absence of a courtroom clerk, so I sat in on many of the Standing Master's hearings. I have always observed her to be professional, extremely knowledgeable on all areas of the law, kind and patient. Many times both parties before her were *pro se* and in what they felt were threatening situations, such as facing a domestic partner in a divorce or parenting plan action, guardianship, etc. Standing Master Bowen always made each person before her feel important and that they would be heard equally. This mitigated a lot of tension. Her patience is tireless as she made sure each party understood the proceedings. I have only observed the same respect shown to attorneys.

Standing Master Bowen has already made the transition from community attorney to the bench, and has proven to be not only capable, but exemplary, in handling the courtroom proceedings in often difficult situations. She has proven she can get the job done and manage a very large case load, all with a part-time judicial assistant and no law clerk.. And, with all of this, she still finds time to be an active, positive, and contributing member of our community, as you can see by her application.

It is my strong opinion that there could be no better choice than Magdalena Bowen for the position of District Court Judge. Her experience and vast knowledge of the law, her commitment to access of justice, her tireless energy, her intelligence, her professionalism, and her dedication to the people of her community and throughout Montana are just some of the examples of why that is true.

Sincerely,  
Paula L. Cox  
Business Analyst  
Department of Justice  
2005 Gilkerson Ste 5





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BOZEMAN, MT 59718

406-577-2723

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www.bradleybowenlaw.com

Judicial Nomination Commission  
c/o Lois Menzies  
Office of Court Administration  
P.O. Box 203005  
Helena, MT 59620-3005  
lmenzies@mt.gov

October 24, 2016

**Re: Letter of Support for Magdalena C. Bowen – Eighteenth  
Judicial District**

To the Judicial Nomination Commission:

I am delighted to write this letter in support of my Mother and acting Standing Master in the Eighteenth Judicial District, Magdalena Bowen. By way of background, I am writing this letter both in my capacity as her son, and as an attorney licensed in both Montana and Washington state.

I have the greatest admiration for Magdalena: as a mother, as an attorney, and as a public servant. With her boundless energy and enthusiasm, she spends countless hours, both work and personal time, helping others. She is a woman who does not seek out the prestige associated with “public service”, but serves others because it is simply a part of who she is. Her application to serve the Eighteenth Judicial District as a District Court Judge is not for personal recognition, but because of a commitment to help her community to the fullest extent of her capabilities.

Early on, Magdalena embraced the challenge of balancing a career and being a mother. Some of my earliest memories as a child are of spending time with her in the law library, while she studied for law school exams. As a young associate in civil practice, she worked long hours, but always made our family a priority. When I was a teenager, I looked up to her as she worked as a public defender, serving those most in need in our Bozeman community. The course of my mother’s career has given me valuable insight into the unique challenges that women often face in the legal profession, and yet she has excelled in every position in which she has served. With her commitment to doing good work, she inspired me to pursue a career in the law. Every day, I aspire to do good work like her.

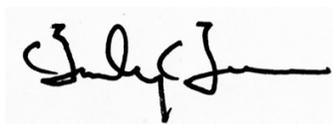
Since graduating from law school in 2009 and launching my own legal career, I am acutely aware of the challenges that new lawyers often face. Magdalena also understands those challenges, and recognizes

that the judiciary is often at its best when it acts as an educator. She talks regularly about how in her role as Standing Master she is able to be positive and encourage new attorneys to hold themselves to the highest possible standards: to encourage them to be ethical, thorough, and prepared.

My only hesitation in recommending Magdalena to the position of District Court Judge is purely selfish: that because she is my mother, conflict rules would prevent me the opportunity of appearing in front of her as a litigant.

Because Magdalena has the experience, the temperament, the judgment, and the demonstrated experience to serve as District Court Judge for the Eighteenth Judicial Court District, I urge the Judicial Nomination Committee to select Magdalena for a recommendation to the Governor for appointment.

Sincerely,

A handwritten signature in black ink, appearing to read "Bradley Bowen", written in a cursive style.

Bradley David Bowen

10/20/16

Dear Governor Bullock,

Please, please - DO NOT

consider MITZI BOWEN

to be the next Gallatin

County District Judge!

She does NOT deserve to

be a judge, let alone a

Co. District Judge.

Her lawyer tactics in

a divorce case a few

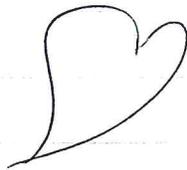
years back - with children

involved was horrible!

Please - NO! - Someone  
else deserves the position.

Thank you,  
Betsy Alford

Oh! And Good Luck on  
the election, Gov. Bullock!



October 24, 2016

Judicial Nomination Commission  
c/o Ms. Lois Menzies  
Office of Court Administrator  
P.O. Box 203005  
Helena, MT 59620-3005  
Email: [mtsupremecourt@mt.gov](mailto:mtsupremecourt@mt.gov)

RE: Magdalena Cain Bowen

Dear Members of the Judicial Nomination Committee:

I am writing this letter to express my support for Magdalena Cain Bowen to fill the judgeship vacancy in the Eighteenth Judicial District Court due to the retirement of the Honorable Mike Salvagni. I am currently employed as the Judicial Assistant for Standing Master Bowen. What initially impressed me about Mrs. Bowen was her electrifying, contagious and positive passion for her work. However, as the days turned into weeks, then months and now two years later, I am humbled and honored to work with a person with such an amazing character.

On a daily basis I am fortunate to witness the kindness, fairness, and dedication with which the Standing Master approaches every case. The dignity of the human person beyond the pages of the Court files matters to her. For example, when determining the calculations for support for one party, Mrs. Bowen is ever cognizant to be sure that the opposing party is not taken advantage of. When adjudicating Orders of Protection, the Standing Master is fair to both the Petitioner and the Respondent. Anyone that appears before her in Court is allowed fair opportunity to present their case, regardless of legal representation, or their lack of familiarity with the legal process.

Magdalena Bowen's legal expertise extends far beyond the Family Law arena. She has many years of litigation experience in a wide range of practice areas from Banking and Business to Human Rights and Public School Law just to name a few. Mrs. Bowen's education, vast and varied areas of practice and her current experience as the Standing Master make her more than qualified to execute the position as a Judge in the Eighteenth Judicial District. It is my belief that Mrs. Bowen's commitment for fairness and justice, her ability to reprimand in a way that does not devalue a person, and her ability to encourage positive change are only a few of the honorable character traits that make Standing Master Bowen the perfect choice as the next person to fulfill the judgeship vacancy in the Eighteenth Judicial District Court.

Sincerely,  
Teresa M. Pearson  
Judicial Assistant to Standing Master Magdalena C. Bowen  
Eighteenth Judicial District  
615 South 16th, Room 200  
Bozeman, MT 59715

KASTING, KAUFFMAN & MERSEN, P.C.  
A T T O R N E Y S A T L A W

JOHN M. KAUFFMAN  
JANE MERSEN  
DENNIS L. MUNSON  
LILIA N. TYRRELL

716 SOUTH 20th AVENUE, SUITE 101  
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E-MAIL: kkm@kkmlaw.net

*Of Counsel*  
KENT M. KASTING  
WILLIAM B. HANSON

October 24, 2016

**Via Email and U.S. Mail**

mtsupremecourt@mt.gov

Judicial Nominating Commission  
c/o Lois Menzies  
Office of Court Administrator  
P.O. Box 203005  
Helena, MT 59620-3005

RE: 18<sup>th</sup> Judicial District Judge Vacancy

Dear Committee Members,

I write you this letter to provide my thoughts on who would be most qualified to be appointed District Judge in Gallatin County.

As a family law lawyer for the past 43 years; a past president of the Utah State, Salt Lake County, and Gallatin County Bars; a Fellow in the American Academy of Matrimonial Lawyers; and a member of the Montana State Bar Ethics Committee since 1997, I believe I have the experience and insight to provide my opinion as to who would be most qualified to serve as our next District Court Judge.

I think the most important attributes any judge should have are:

1. Humility;
2. A good temperament;
3. A reasonably good knowledge of the law;
4. A strong work ethic; and
5. A desire to serve the public fairly.

I have reviewed the background and credentials of the individuals who have applied for this position and have concluded that some do not possess the above-described attributes to the extent necessary to be a good judge.

However, they say, "Cream rises to the top" and in this case, three of the

applicants, in my opinion, do have the necessary quantity and quality of the traits itemized above, to be considered for the position.

I would respectfully recommend that you send the names of:

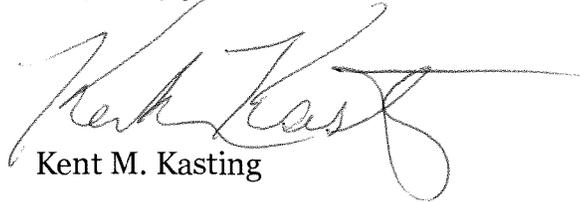
Magdalena Bowen;  
Rienne McElyea; and  
James McKenna  
(Listed alphabetically not preferentially.)

to Governor Bullock for his consideration.

I have practiced law in the same community with each of these fine lawyers for the last 26 years and think any one of them has what it takes to dispense justice fairly, be kind, and respectful to those appearing in front of them and respect the role of lawyers as an integral part of our judicial system.

Thank you in advance for considering my thoughts and volunteer service. I know your deliberations will be thoughtful and thorough.

Very truly yours.



Kent M. Kasting

KMK/bas

## Cook, Kevin

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**From:** MT Supreme Court,  
**Sent:** Monday, October 24, 2016 7:57 PM  
**To:** Cook, Kevin  
**Subject:** Public Comment -- Bowen

**From:** Doug Rains [<mailto:dougrains79@yahoo.com>]  
**Sent:** Sunday, October 23, 2016 9:45 PM  
**To:** MT Supreme Court,  
**Subject:** Judicial nomination comment for the 18th Judicial District Judge

To: The Judicial Nomination Commission  
re: 18th Judicial District Judge Applicant  
Ms. Magdalena C. Bowen

From: Dr. Douglas C. Rains  
33 Sundance Trail  
Bozeman, MT, 59718

Dear Madams and Sirs,

My calling and pursuit has been dedicated to attending to the health and welfare of animals throughout my life as a Veterinarian. I have done my best to provide diagnostics and appropriate therapies in the cure or comfort of my patients. When practicing production medicine, I witnessed (and experienced as a kid on the farm) the hard work, stressors, and razor thin edge of keeping a ranch or farm in the black. I feel privileged to practice my calling.

I know, and have met, a few of the applicants for the 18th Judicial District Judge's position. They are individuals who have attributes that would contribute to the security of my community and state. However, one has exemplified the character of a person of knowledge, experience, and integrity.

Ms. Bowen has accepted the responsibility of the care and protection of life, and has ensured the charge of those responsibilities for individuals who have those lives in their keeping. I have shared some confounding situations with her and she has contributed to the direction and progress of my decisions.

I have experienced her compassionate care of animals, and it is most admirable. In addition to this character trait, her dedication for a person's safety and development is beyond reproach. I know this to be true because of the assistance she has given me with the care and concerns for my daughter. Both my daughter and myself have developed into better individuals because of her analysis and advise. She encourages and educates for the improvement of contributing to your life and to all those around you. This is her calling. Ms. Bowen's tenent of never rewarding bad behavior is a bedrock of an unwavering foundation.

I recognize the gravity of the decision your Commission is undertaking. It is with this understanding that I encourage you to nominate Ms. Bowen to the Governor of the Great State of Montana for appointment to the 18th Judicial District Judge. Her courage of conviction, empathy,

justice, and integrity is second to none. I know she would justly enforce the constitution of this great state.

Respectfully submitted,

Douglas C. Rains, DVM