

Cook, Kevin

From: MT Supreme Court,
Sent: Wednesday, November 9, 2016 11:28 AM
To: Cook, Kevin
Subject: Public Comment -- Fitch

From: Pat Knapp [<mailto:sprtdrk@hotmail.com>]
Sent: Tuesday, November 08, 2016 7:13 PM
To: MT Supreme Court,
Subject: Jed Fitch judicial nomination

I would like to take the time to show support in the nomination of Mr. Jed Fitch for district court judge for the 5th Judicial District. I have known Mr. Fitch for approximately 5 years. I have seen Mr. Fitch in the court room and witness in my opinion a very professional and knowledgeable man whom plays no favorites. There is no grey area. I should know because I am a man whom was prosecuted by him. He showed me no mercy and changed my life... for the better. I feel this district needs such a man of Jed's conviction. He will make the right choices while being seated behind that bench. He has proven time and time again throughout his life that he can and will be successful in whatever path he chooses. I think it is in the best interest of this great state to give Mr. Fitch this nomination. Thank you for your time.

Patrick W. Knapp

Doug James
Doug.James@moultonbellingham.com

November 8, 2016

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

Re: Jed C. Fitch

Dear Ms. Menzies:

This letter is written in reference for and recommendation of Jed C. Fitch. It is with great pleasure that I write this letter on behalf of Jed.

I have known Jed for more than 17 years. After Jed graduated from law school, he began his legal career as an associate at Moulton Bellingham PC. From the very beginning, I could tell that I was going to like Jed. He has a quiet confidence, a sense of humor, and a gentle spirit that is both charming and disarming. First impressions are often deceiving, but in this instance they were not. Jed is everything that he appears and more. Over the past years, I have come to know and respect Jed both as a talented attorney and as a friend.

From all of my experiences with Jed, I can tell you that he is an exceptional individual, a talented communicator, and a gifted attorney. He has gained my respect over the years for his commitment, kindness, consideration, wit, charm, and intelligence. Jed is not simply another capable attorney. He is clearly exceptional, the best of the best. Jed has a proven track record that would be difficult to beat under any circumstances. He has proven himself academically, as an active member of our community, and as a talented, gifted attorney. Jed has worked in a private civil practice, as a criminal defense attorney, as a judicial law clerk, as a military attorney, and as a County Attorney. The breadth of his experience makes him exceptionally qualified for the bench.

Although Jed began his legal career at Moulton Bellingham PC, he was pulled away by other interests. It has been a privilege and pleasure for me to watch Jed's legal career unfold. Throughout his career, Jed has demonstrated a heart for public service. More importantly, he has modeled patience and consideration and demonstrated the ethical behavior and temperament to which all attorneys should aspire.

November 8, 2016
Page 2

It is with great pleasure and enthusiasm that I give Jed C. Fitch my highest recommendation. He is a truly remarkable and outstanding attorney and person. He will be an exceptional judge. He will be the kind of judge that will make all Montanans proud.

Sincerely,

MOULTON BELLINGHAM PC

By: 

DOUG JAMES

DJ/jc

4844-6420-4348, v. 1

November 11, 2016

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

To the Judicial Nomination Committee:

I write today in support of the application of Jed C. Fitch for the position of District Court Judge for the 5th District of Montana. I have been fortunate to witness his dedication and passion for the law in my work with him.

In the time I have known Jed, I have witnessed an astute legal mind, a student of the law and a fair litigator. He is a person who has dedicated his professional life to the service of others. I believe his service as an officer in the Marine Corps, as Deputy County Attorney in Custer County, and now serving as the Beaverhead County Attorney, have molded him into the person and attorney that he is today. These are often thankless positions by nature, but Jed inherently sees the value of serving others in life and in our judicial system.

It is vital for a judge to be impartial within court proceedings and in the interactions with prosecution, defense, defendants and more. Jed has the capacity to be impartial and has demonstrated this in discussions where he has explained the law and processes from multiple points of view. It is also important for a judge to be able to relate to and communicate with a variety of people. Jed possesses these skills in spades and all of these qualities will serve him well in his role as a judge.

Jed has always been willing to help others, as allowed within his role. As stated, Jed has a keen legal mind. He can reference case law, code and opinions clearly and articulately. He is also able to explain complex legal processes in ways which are easily understood and his knowledge has been invaluable.

Jed has remained rooted in and committed to Southwest Montana. The 5th District of Montana will benefit from this commitment to the people and the region as well as his steadfastness and passion for the law. Thank you for taking the time to consider my comments. It is a privilege to support the application and nomination of Jed C. Fitch.

Sincerely,

Molly M. Molloy

Cook, Kevin

From: MT Supreme Court,
Sent: Tuesday, November 15, 2016 4:00 PM
To: Cook, Kevin
Subject: Public Comment -- Fitch

From: Q S-H [<mailto:expertvictor16@gmail.com>]
Sent: Sunday, November 13, 2016 9:52 PM
To: MT Supreme Court,
Subject: Jed Fitch's application for 5th Judicial District Judge

13 November 2016

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

To whom it may concern:

My wife and I retired to Dillon 21 years ago, but we continued our consulting business in animal nutrition, nationally and internationally (Pacific Northwest and west central Canada, as well as Rome, Italy, for FAO and Vietnam for US Grains Council), through 2008. Since that time we have both been active in community service, she at the Beaverhead County Museum and I with the American Legion Post #20.

I have known Jed Fitch through our participation in Post #20 American Legion activities for nearly a decade. He has been a regular participant in the firing squad rendering honors at Mountain View Cemetery in Dillon. This activity can require quite a bit of time and preparation, depending upon the circumstances. One always has to "suit up": tie, cover and white shirt, plus winter gear if it is a frosty January.

As a Naval officer in Vietnam I had to depend upon the US Marines for support while doing near-shore hydrographic work (data collection for chart making). More than just sharing stories of our experiences, I have an appreciation for what our background experiences mean in terms of solving problems, meeting challenges for which our military experience translates relatively easily to honest and fair outcomes. Being a good leader/judge requires a goodly amount of empathy and the ability to objectively look at the evidence/data and come to an unbiased conclusion. Time served in the combat zone, in addition to Fitch's other experiences outlined in his application for the judgeship, shows me that he is uniquely qualified for making the tough, yet fair, decisions a judge must make, be they criminal, civil, or other domestic issues requiring thoughtful deliberations.

In my opinion, Jed Fitch is extremely well suited to become our next district court judge. It is my sincere hope that he will be selected for this judgeship.

Sincerely,

Q.D. Stephen-Hassard

P.O. Box 710
Dillon, Montana 59725-0710
(406)683-2261

311 Mary Avenue
Missoula, MT 59801
November 16, 2016

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

Dear Ladies and Gentlemen:

I write to recommend Mr. Jed Fitch for the position of Beaverhead County district court judge. I have personally known Jed since 2007 when he began work as a deputy county attorney in Custer County. At the time, my husband Gary Day was the district court judge in the 16th Judicial District.

Jed is a man of good character and is a person respectful and courteous to others. He has a great sense of humor, is very intelligent and during his lifetime has had many varied experiences leading to a person understanding of human nature. These characteristics will serve the citizens of Beaverhead County who appear before his court. It is my opinion he has the temperament, legal knowledge and experience to be an excellent judge who will serve the community for years to come.

He respects and will uphold the tenets of our constitution and laws. Through his broad criminal and civil legal experience gained as the Beaverhead County Attorney, Jed clearly understands the role of the district court in the judicial process. His application sets forth an excellent analysis of this role.

Jed has contributed through volunteer and civil service to the Dillon community. His past contributions reveal a person invested in the community and interested in bettering the lives of others. I believe Beaverhead County will be well served with Jed Fitch as their district court judge and respectfully submit that he is the most qualified applicant for this position.

Sincerely,


Jo Ridgeway

HOYT & BLEWETT PLLC

ATTORNEYS AT LAW

ALEXANDER (ZANDER) BLEWETT, III
KURT M. JACKSON
JOSEPH P. COSGROVE
DREW BLEWETT
ANDERS BLEWETT
JOHN C. HOYT
1922-2001

501 SECOND AVENUE NORTH
POST OFFICE BOX 2807
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h&b@hoytandblewett.com

November 16, 2016

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

Re: Fifth Judicial District Court Judgeship Vacancy

Dear Members of the Judicial Nomination Commission (Judge Simonton, Jan Bishop, Karl Englund, Elizabeth Halverson, Hal Harper, Lane Larson and Nancy Zadick):

I am writing to voice my support for the appointment of Jed Fitch to the vacancy in the Fifth Judicial District. He has been the County Attorney for Beaverhead County for eight years and has been elected two times in a county-wide race. As County Attorney he has already tried 15 district court jury trials. A vast number of lawyers in the state of Montana have not tried 15 district court jury trials and that is impressive.

During legislative sessions, Mr. Fitch demonstrated his work ethic and commitment to the law by regularly traveling from Dillon to Helena to testify on various bills affecting criminal justice. He also has a diverse background in criminal and civil cases that has prepared him to effectively serve as a judge in the District.

Being a good District Judge requires a lot of work and effort, along with a desire to perform public service. Mr. Fitch has proven he has these attributes.

I would certainly recommend your giving Mr. Fitch strong consideration for this position.
Thank you.

Sincerely yours,



Alexander (Zander) Blewett, III

AB:jj

**THOMAS R. SCOTT
ATTORNEY AT LAW**

22 North Pacific Street
P.O. Box 482
Dillon, Montana 59725

Telephone: 406-683-6151

TELEFAX: 406-683-2282

November 15, 2016

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

Re: Applications For Appointment of Judge for Fifth Judicial District Court

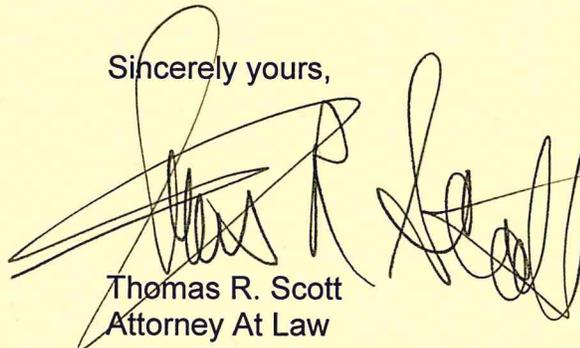
Dear Commission:

I have been an active attorney in Dillon, Beaverhead County, Montana, for almost 37 years. I have known Mr. Jed Fitch since he was first appointed as the Beaverhead County Attorney on May 5th, 2008. I have had the pleasure of working professionally with Jed Fitch since he was appointed as the Beaverhead County Attorney.

From my dealings with Jed Fitch I can say that he has the highest standards for honesty and integrity. Jed Fitch certainly has the knowledge, integrity and ability to act and serve a district court judge. Certainly, serving as a County Attorney means that that person is not impartial, but I believe that Jed Fitch can be impartial in order effectively to serve as a District Court judge. Of utmost importance, I believe that Jed Fitch has always sought to seek justice as the Beaverhead County Attorney. I fully support Jed Fitch in his seeking to be appointed to replace Judge Loren Tucker as the District Court Judge for the Fifth Judicial District Court.

If you have any questions please feel free to contact me. I shall await your reply. Your cooperation is appreciated.

Sincerely yours,



Thomas R. Scott
Attorney At Law

Copy: File

WYATT A. GLADE

3080 Highway 59 south
Miles City, Montana 59301

PHONE: (406) 421-5695

November 21, 2016

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

Ladies and Gentlemen of the Commission;

I am writing in support of appointment of Jed C. Fitch for the vacancy in the 5th Judicial District Court.

I met Jed when he was hired to work in my office as the Deputy Custer County Attorney. We worked together for approximately one year before he was appointed to the position of Beaverhead County Attorney. In that year we became the best of friends, and have remained so ever since. I have a great deal of respect for Jed and I am honored to include him among my closest friends. In fact, I think it nearly impossible to convey my opinion of Jed in a single letter. That being said, here is my attempt.

Jed has an outstanding work ethic. He has a great deal of positive energy, and he focuses it wholly on the tasks before him. He is very honest and conscientious, and he is outright committed to the pursuit of justice. He has the capacity to be fair in even the most difficult circumstances, which is a rare trait indeed. To top it all off, he is one of the most intelligent people that I know.

Jed has an extremely broad range of experiences. He has already dedicated a good portion of his life to public service, from serving our country as a Marine in Iraq to serving the people of Montana as a prosecutor. He has traveled all over the world. He is also the father to two beautiful children. These experiences will enable him to analyze legal issues in a way that very few people can. This particular skill is often overlooked, but perhaps one of the most important attributes of a judge; particularly from the perspective of a member of the public litigating a case before the court.

Jed is firmly committed to the community of the 5th Judicial District, and to the job at hand. He has demonstrated his dedication to the community through his service to the people of Beaverhead County. He will bring that dedication to the bench, if appointed. Furthermore, as evidence of his commitment to position, I believe that Jed intends to run for the position regardless of whether he is appointed.

Jed will be a fair judge, and he will serve the people of the state of Montana well. Please submit his name to Governor Steve Bullock for consideration for appointment as District Judge for the 5th Judicial District.

Sincerely,

A handwritten signature in blue ink, appearing to read "Wyatt A. Glade". The signature is fluid and cursive, with a large initial "W" and "A".

Wyatt A. Glade
Custer County Attorney

November 17, 2016

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

RE: Jed Fitch

Dear Judicial Commission:

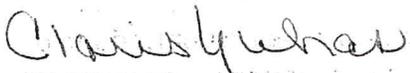
I would like to write a letter of support for Jed Fitch who has applied for the position of district court judge for the Fifth Judicial District which includes Beaverhead, Madison, and Jefferson Counties.

I was employed by the State of Montana for the past twenty years, retiring in December 2015. I was a Probation Officer Technician for twelve years and a Probation Officer for eight years. My area to supervise was Beaverhead, Madison, and the lower part of Jefferson. At the time I became the Probation Officer Jed was our newly elected County Attorney so we were both new to our positions. I am currently the Court Coordinator for the Beaverhead County DUI Accountability Court.

During my time as the Probation Officer I worked with Jed on numerous criminal cases. He was always accessible whenever I needed any information or needed any type of help. Jed has the capacity to listen to all sides and make reasonable decisions. He executes his cases in a timely and professional manner. People in this area seem to be well satisfied with his performance and he is well liked and respected. I believe he is an excellent candidate and has the qualifications to be the next Fifth Judicial District Judge.

As the Court Coordinator for the DUI Accountability Court I look forward to working closely with Jed again.

Sincerely,



Claris Yuhas

Dear Judicial Nomination Commission, and Governor Bullock.

It's my honor to recommend Jed Fitch to replace the Hon. Loren Tucker, as he prepares to retire as Judge from Montana's Fifth Judicial District.

I've known Jed both professionally and personally since 2008. Our children play baseball together, we've worked together on community projects, and I've witnessed firsthand Jed's passion for both the law and public service as we've toiled through legislation together in Helena, he as a member of County Attorneys Assoc. and me as his elected member of the State Assembly.

Jed has a work ethic that is second to none, but more importantly, his integrity and his detail to fairness is equally as impressive. There is no grey area with Jed, he's straight forward, tough when he needs to be, but still has a compassion that sets him apart from many in his field.

Jed is a quiet, confident leader in our community, and that has earned him great respect. He has shown leadership in many volunteer roles, he's also shown leadership when taking a stand as our prosecutor and in representing Beaverhead County residents as lead council to our commissioners as they conduct their business. Jed has withstood the election process as a three term County Attorney, this not only lends itself well to someone who will have run for the position, but it speaks well, as to how his peers feel about him as a person and his service to the public.

Jed is well read, well spoken, and is one of my favorite people to engage in a conversation with both professional, as well as personally. He is always fair minded, with a unique ability to debate and discuss all sides of any issue that we discuss. Jed is also very approachable, and is equally respectful to all people that he encounters. I feel that all these attributes bode well to being both fair and impartial from the bench.

Respectfully,



Current Representative & Senator Elect
Jeff Welborn, Dillon



REPRESENTATIVE JEFF WELBORN
72nd District

Judicial Nomination Commission,

I'm writing this letter in recommendation of Jed Fitch for Judge of the 5th Judicial District of Montana. For eight years, I've not only had the privilege to be a citizen of Beaverhead County being served by Jed as our County Attorney, but also to call Jed a friend. I have been a citizen of Beaverhead County for over 20 years and cannot remember our county being in more capable hands.

Being a District Judge requires some very important traits. Honesty, integrity, self discipline, hard work, and patience to name a few. To take on this prestigious job is taking on a responsibility and commitment few people will ever understand. Being a judge in a district representing small, rural Montana elevates that commitment even further. As you all know, this District Judge will be performing all the same tasks as those in more populated areas but the majority of tasks and or cases will involve someone known to the judge. There will be cases where someone this Judge knows is hurt or killed, horrible divorces with familiar people, family estates and many other instances where emotional control and lack of personal feelings are imperative. Our Judge needs the folks of this district to know he or she has their best interests at heart, and that justice will be served with integrity every time. This job is not for everyone.

Jed Fitch exemplifies every trait needed to serve the people of this district. Jed has been involved in many cases in Beaverhead County. These cases have ranged from what someone could construe as petty or small all the way to murder. Jed handled every case with the same amount of vigor and commitment, never giving the feeling that one was more important than the other. Jed has been involved in some truly heart-breaking, emotional cases dealing with a divided and extremely emotional community. Every time, Jed handled the situation with class and a steady poise, doing his job expertly and fairly. It's for these times of adversity that we need someone with Jed's experience and fortitude. Jed has served his country in the Middle East as a United States Marine. You talk about a commitment. Someone putting their life on the line for their country, living in a very hostile, tough environment for an extended period of time is one heck of a qualification when looking for someone to fill a tough job which requires all the attributes and qualities of a United States Marine. Jed is raising two small children here in Dillon. Jed and his children are very involved in our community, and Jed has managed to make being a father as much a priority as being an excellent attorney.

For all the reasons listed above, I believe Jed Fitch is the best candidate for District Judge. I also believe that the rest of this county feels the same way. I ask you to please appoint Jed Fitch to this position. If I can personally answer any questions concerning Jed, please feel free to contact me any time. Thank you for your time.

Keith Handlos
(406) 925-1814
handloskeith@gmail.com

November 20, 2016

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

Judicial Nomination Commission Members:

We wish to go on record as endorsing Jed Clayton Fitch for the position of District Judge for Montana's 5th Judicial District.

Jed has worked effectively as our Beaverhead County Attorney for 8 years. Jed is an honest, reliable, well spoken and solution oriented person. He brings excellent professional qualifications needed to preside and lead our 5th Judicial District.

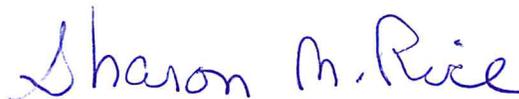
Jed has gained public respect for his selfless volunteer work. He chose to enlist in the United States Marines. Veteran Captain Fitch spoke to the Dillon Middle School students on November 11, 2016 – Veteran's Day. As a father of two, a son and a daughter, they enjoy home life, camping and sporting events. Jed stays active in numerous local service organizations showing his dedication to a good cause.

With this said, we urge the Judicial Nomination Commission to please choose Jed C. Fitch for Montana's 5th Judicial District Judge.

Sincerely,



C. Thomas Rice
2020 Sawmill Rd
Dillon, MT 59725
406-925-0961



Sharon M. Rice
2020 Sawmill Rd
Dillon, MT 59725
406-925-0962



MCKENNA & STARIN
TRIAL ATTORNEYS, PLLC

Sydney E. McKenna • Justin Starin
ATTORNEYS AT LAW

November 23, 2016

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

Dear Judicial Nomination Commission Members:

The purpose of this letter is to recommend that you consider Jed C. Fitch to serve as Judge in the Fifth Judicial District. Jed's extensive experience in the courtroom will allow him to serve the people of Montana as a Judge competently and immediately.

I watched Jed when he worked as a lobbyist for the Montana Trial Lawyers on behalf of injured workers, which was an uphill battle. He was passionate and compelling in his arguments to the members of the legislature. As an attorney and a lifelong resident of Montana, I respectfully submit to you that Jed C. Fitch is qualified and ready to serve. Montana would be lucky to have him as a District Court Judge.

Thank you for your consideration of this letter and your hard work on the commission.

Sincerely yours,

A handwritten signature in black ink that reads "Sydney E. McKenna". The signature is written in a cursive style.

Sydney E. McKenna

SEM/kjd

Alexander Blewett III
SCHOOL OF LAW
UNIVERSITY OF MONTANA



Gregory S. Munro
Professor
32 Campus Drive
Missoula, MT 59812-6552
(406) 243-6745
greg.munro@umontana.edu

November 23, 2016

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

Re: 5th Judicial District Court nominee, Jed Clayton Fitch

Members of the Judicial Nomination Committee:

I am pleased to recommend Jed Clayton Fitch for the judicial position being vacated by Judge Loren Tucker in the 5th Judicial District. I taught Jed in multiple classes during his three-year law school tenure, and have kept in touch at professional legal seminars and social events since he graduated.

From my observations of Jed while he was in law school, I drew conclusions which have been confirmed by his reputation in law practice: Jed is a highly competent professional who has a good understanding of the law and legal processes. He has keen analytical skills, expresses himself well orally and in writing, and is an experienced courtroom advocate.

Jed's classmates at school and his colleagues in the bar like him a lot, in part I believe because he likes and respects people. I think he will work well with staff, judges, lawyers and the public who appear in front of him. Jed is a diligent and hard worker and I think he will be decisive.

When I think of the personal qualities, values and skills necessary to be a successful State District Court judge, Jed Fitch appears to be a fine fit. He exemplifies what we need in good, long term, judges who give the public faith in the judicial system. Consequently, I recommend that you nominate him to Governor Bullock for appointment to the 5th Judicial District bench.

Thank you for considering my input on this important judicial position.

Sincerely,


Gregory S. Munro
Professor Emeritus

603 Monroe Ave.
Dillon, Mt 59725
November 21, 2016

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

Re: Fifth Judicial District Court Judgeship Vacancy

To the Judicial Nomination Committee:

I am writing to you today to voice my support for the appointment of Jed C. Fitch to the vacancy in the Fifth Judicial District. As a Beaverhead County employee I have had the honor of working closely with Jed for over eight years in my position as the Geographical Information Systems (GIS) Coordinator and as the County Fire Warden. Part of my duties as the GIS Coordinator involves research and documentation of all of the county roads within Beaverhead County. County Attorney Fitch has been a great asset in this effort. County roads and public access are very important issues with the general public. Jed has assisted me with a number of legal issues involving county roads. This past year a grassroots effort to create a rural Fire District within parts of three counties was accomplished with his help. This Fire District is the only one in state which encompasses parts of three counties. Jed was always willing to research and answer any question that arose.

It has been my observation, both personally and professionally, that Jed Fitch is a very respectful and courteous person. He is always willing to listen to both sides of an issue and give his best advice based on the facts and the law.

In addition to his work in the County Attorney's Office, Jed has become very involved in the Dillon community and Beaverhead County, serving in several civic organizations such as the American Legion and the Dillon JayCees. He currently serves on the State Coal Board and State Gaming Commission.

I would certainly ask that you give Mr. Jed C. Fitch strong consideration for the position of Fifth Judicial Court Judge. I firmly believe that Jed Fitch would serve the Fifth Judicial District as a respected and fair judge.

Respectfully submitted,



Scott Marsh

Michael J. Gee

626 S. Pacific, Dillon, MT 59725 | 406.865.0110

November 25, 2016

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

Re: Jed C. Fitch

Ladies and Gentlemen of the Commission,

As everyone on this Commission knows, a prosecutor's job is, simply, to do justice. That is simple to say, yet in practice is a very dense thicket to navigate. Too often the pursuit of justice is undercut by fear, laziness, or watered-down by pressure from outside forces. Truly disappointing occurrences that unfortunately lend credence to the public's criticism of our justice system. Our justice system, now more than ever, needs prosecutors and judges who are resistant to such forces. Who can dispatch justice in an earnest, level-headed way. Who don't shrink when faced with having to make difficult unpopular decisions which are just according to the law. Thankfully, here in Beaverhead County, we've been lucky enough to have both; Jed C. Fitch, and the Honorable Loren Tucker. Judge Tucker's time to pass the gavel is now upon us. Thus, this District needs Jed C. Fitch to bring to the bench his seasoning, immense knowledge, and earnest approach to the law.

I've known Jed for almost nine years. I've worked for him in various capacities for five of those years. For the last two and half years, I've been his Deputy. When I wasn't working for him, I was watching him in court as Judge Tucker's Law Clerk. I'm also happy to call him one of my best friends. In all of those years, I've watched Jed do the right thing in the most difficult of circumstances. A man who does the right thing, even when it will make him unpopular to some, is truly a rarity. Especially in a small town. It's been instructive and refreshing to watch his measured, level-headed, passionate, and firm approach to being County Attorney.

As his Deputy, I've hashed out difficult cases with him, and have watched him come down on the side of what's right without exception. Some of those difficult decisions necessarily were unpopular, even affecting prominent members of our small community. I watched him take public criticism (myopic though the criticism was) in stride. It was not easy, but he knew he was doing the right thing. Jed was doing justice. Truly doing justice takes courage, and Jed has courage in spades. That same approach is vital to being a judge.

It is with obvious bias that I write this endorsement. However, whatever measure of bias my position brings, I'll proudly shoulder. That bias exists because Jed has instilled in me qualities that I firmly believe make me a better prosecutor, and a better man. I've had interactions with, and even cases

against, some of the other candidates. While I cannot, and good conscience dictates that I do not, cast aspersions onto them, there simply is no way to get around the immutable fact that Jed is the most qualified and most logical successor to Judge Tucker. Jed exacts confidence in our justice system. We need that now more than ever.

Please submit Mr. Fitch's name to Governor Bullock.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael J. Gee", with a long horizontal flourish extending to the right.

Michael J. Gee
Deputy Beaverhead County Attorney

Cheryl Hren
P.O. Box 948
Dillon, MT 59725

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

RE: Jed C. Fitch

Judicial Nomination Commission:

I am writing this letter to oppose Jed C. Fitch for Judge of the Fifth Judicial District. I have known Mr. Fitch since he moved to Beaverhead County and became County Attorney. My family has been involved in a land dispute in this County and has requested help from Mr. Fitch in his capacity of County Attorney on numerous occasions. Mr. Fitch has declined to be involved when we were threatened with guns, had our property destroyed, stolen and gates left open. Sheriff Reports have been filed but Mr. Fitch has declined to have the County Attorney's Office file charges. He did become involve when a fence was destroyed and a gate put in on our property by the other party. When we re-installed the fence he charged our family with misdemeanors but the other party was not charged with destroying private property or threatening us and a friend with a gun. Mr. Fitch has used the power of the County Attorney's Office to take sides in this land dispute instead of letting the Court clarify a prescriptive easement. What few legal private property rights we have left, Mr. Fitch ignores or twists so that he does not have to enforce them. Mr. Fitch's inaction has emboldened the other party to continue to threaten us and destroy and steal our property because they know that there are no legal ramifications. We have tried to talk to Mr. Fitch but he does not want to hear from us and has made his position perfectly clear.

I have read Mr. Fitch's application and he has correctly identified himself as arrogant. In my case, I believe that he has already made himself judge, jury, perhaps president and deity. There is no need to hear our side or see all the facts because he has already made up his mind. Mr. Fitch in my opinion should not be given the power a District Judge wields because he lacks the maturity, open mindedness, knowledge, impartiality and most importantly compassion for the victim.

I was born and raised in Beaverhead county and have ranched with my parents here for over 80 years. County attorneys have come and gone and we have never had any interaction with them as law abiding and contributing members of our community. Under Mr. Fitch's time in office myself and the two remaining members of my immediate family, after my parents death within the year, have been arrested, and threatened with prosecution. While Mr. Fitch helps the other party he has cost us financially, time and the mental and physical stress associated with our situation. After I completed this letter, I debated on whether to send it to the committee for fear of retaliation by Mr. Fitch but decided it was important for the committee to see a different side of Mr. Fitch. I hope I did not make the wrong decision.

Thank You
Cheryl Hren



Date: November 29, 2016

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

Re: Public Comment Sought on 5th Judicial Judge Applicants

Dear Judicial Nominations Commission,

I understand that the current Beaverhead County Attorney, Jed C. Fitch, has applied for the vacated position through the retirement of the Honorable Judge Loren Tucker in the Fifth Judicial District Court.

My tenure with the Beaverhead County Sheriff's Office presented the ability to work with several District Court Judges. Jed Fitch applied for an opening as a County Attorney here in Beaverhead County on May 5, 2008. He came at a time when law enforcement and the judicial system in the Beaverhead County were backlogged and severely un-productive.

Through my daily interactions with Jed, I found him as well-educated, thoughtful and productive individual. Jed also demonstrated to me as an individual who exhibits integrity, ethics, professionalism and hardworking. Ultimately, Jed developed a very productive County Attorney's Office, by working hard with the Dillon Police Department, Sheriff's Office, Fish and Game, State Authorities, CASA, (Court Appointed Special Advocates) and local Child Protection Team.

On a personal level, Jed made an effort to establish himself in the community, working and participating with the local service entities. Jed also is a devoted and dedicated family man.

I strongly encourage the Commission to nominate Jed C. Fitch to the Fifth Judicial District Court vacancy.

Sincerely,
Sheriff Jay T. Hansen, Retired

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

Judicial Nomination Commission:

I am writing in support of the appointment of Jed C. Fitch for the vacancy in the 5th Judicial Court.

I have known Jed for many years since we are both military veterans and members of American Legion Post #20 in Dillon, MT. We have worked together on American Legion projects and I have witnessed his passion for public service and community projects.

Jed is a leader in our community and has earned the respect of it's citizens. He is a three term Beaverhead County Attorney and has served this community with honor and distinction.

He is very approachable, well spoken, and respectful to people. I believe that he has the personal and professional traits to be an effective District Court Judge.

I strongly recommend the appointment of Jed C. Fitch for the 5th Judicial District Judge position.

Sincerely,


Richard A. Jonasen

MS MCKENNA & STARIN
TRIAL ATTORNEYS, PLLC

Sydney E. McKenna • Justin Starin
ATTORNEYS AT LAW

November 28, 2016

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

Dear Commissioners:

I write this letter to urge you to nominate Jed Fitch to fill the Fifth Judicial District Judgeship vacancy.

Jed and I were law school classmates. Jed has many fine qualities. He is smart, charismatic, and kind. But his most defining quality is his energy. If you need something done, like organizing the PRCA Rodeo in Dillon for example, Jed will do it and revel in the task. He will be the last one cleaning up the fairgrounds after the show. That's the kind of person Jed was in law school and is today.

Jed's energy has enabled him to achieve a broad range of experience – from Law Clerk, to the JAG corps in Iraq, to the Beaver Head County Attorney, with private practice in-between. When Jed settled in Dillon many years ago, I knew southwestern Montana was the place for him. There is no doubt in my mind that Jed will bring his many qualities and boundless energy to serve the community in Montana's Fifth Judicial District. I urge you to nominate him.

Sincerely,



Justin Starin

JS/kjd

November 29, 2016

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

My name is Michael L. Klakken and I am currently the Mayor of the City of Dillon. This letter is not the position of the City but my own personal position. This letter is my personal statement that Mr. Jed Fitch (current Beaverhead County Attorney) would not be a fair and unbiased District Court Judge and should not be nominated nor selected to replace Judge Tucker for the remainder of his term. How I came to this conclusion involves witnessing his professional interactions in several cases and also by my interactions with him personally. Below are examples of his judgment (or lack of, in my opinion) in several cases.

First, the past City Council (circa 2014) most likely committed official misconduct in office (wording from a decision made by Judge Tucker from a recall court case). Mr. Fitch became involved when he “represented” the Council persons being recalled by filing an injunction against the petitioners (the persons that filed the recall) during his representation of the County Election Administrator. It was not necessary for the Councilpersons being recalled to hire an attorney or even enter into the case because Mr. Fitch was presenting their arguments for them. Mr. Fitch’s “representation” made it necessary for the petitioners to hire an attorney to represent their position thus costing them money while the people being recalled spent NOTHING. In my opinion this is totally unethical and just wrong. I believe that the County Attorney should not have taken a position on whether the Councilpersons should be recalled but only that the correct procedures were followed which they were. I believe that Mr. Fitch let his personal opinions enter into his professional duties.

Another example of Mr. Fitch’s improper judgment was when Barrett Hospital wanted to build a new approximately \$38 million hospital. Unlike the old hospital which the County owned, the new hospital would be owned by an outside corporation. One of the requirements for the new hospital was that the old hospital was to not be used as another hospital. The County hospital board wanted to raze the old building even though it had a value of approximately \$1M. Several individuals (myself included) approached the County Commissioners with the idea of allowing this building to be used by non-profit organizations in Beaverhead County who needed office space, storage, and meeting rooms. The individuals presented information which they believed showed that the County did own the old hospital and that only the County Commissioners had final say on whether the building was razed or remodeled, not the hospital board. Mr. Fitch was called into the meeting and proceeded to state several positions such as “hc

doesn't handle civil just criminal" and that the County did not own the building. After listening to Mr. Fitch's remarks, it was clear that he did not want to get involved and was not willing to even research the facts and the law presented to him. The end result was that the building was razed and the non-profit organizations still do not have a single location that they can use for their meetings.

Finally, on the personal side, my wife and her family owns some property near Dillon, Montana. The court gave a 20ft prescriptive easement through their property. The holders of the prescriptive easement are destroying property, leaving gates open, and threatening her family and herself. In the beginning Mr. Fitch refused to help them and kept telling them that "it is a civil matter". They are trying to get some of the confusing language clarified through the court system. Recently, there was a dispute on the location of another gate used for livestock. The holders of the prescriptive easement left the easement, chain sawed the existing fence, and installed a gate. When my wife's family replaced their own fence (careful not to damage the gate and letting the prescriptive right holders to contact their attorney to retrieve the gate) the County charged them with misdemeanor theft and criminal mischief. Mr. Fitch then used these charges to force my wife's family to allow the gate to be installed on their property. The fence owned by her family was cut to pieces with a chain saw with the County Attorney's assistance and encouragement. Mr. Fitch's reasoning (my opinion from the facts that I can gather) is that the prescriptive right holders have a right to do anything they want on private property even outside their allowed easement and that owners have no rights. Without clarification from the courts nor from hearing all the facts, Mr. Fitch has "issued an order" that my wife's family has no property rights because of a prescriptive easement. Since he is already issuing orders as a County Attorney, would he then become a deity if he became District Court Judge?

In closing, my opinion is that Mr. Fitch does not have the maturity, objectivity, judgment, or knowledge to be a District Court Judge. He seems to jump more at personal feelings and emotions rather than listening to the facts and making decisions based on what is presented and what is the law. He seems unwilling to look at all sides of an issue, but determines what he believes is the correct outcome by looking at facts that support only his opinion. From what I understand, Judge Tucker has rebutted him for this fact. I believe that he would make a very bad District Court Judge because everyone has a right to be given a fair and unbiased judgment no matter who you are or who you know and I do not believe that Mr. Fitch could accomplish this feat. Thank you for your time.



Michael L. Klakken

Cook, Kevin

From: MT Supreme Court,
Sent: Tuesday, November 29, 2016 5:58 PM
To: Cook, Kevin
Subject: Public Comment -- Fitch

From: Kurt Steadman [<mailto:kurtsteadman@gmail.com>]
Sent: Tuesday, November 29, 2016 3:29 PM
To: MT Supreme Court,
Subject: Letter of Support for Jed C. Fitch as the next District Court Judge for the 5th Judicial District

My name is Kurt Steadman and I am currently an Associate Professor of Business at the University of Montana Western. I practiced law in Dillon for approximately eight years and handled many cases with Mr. Fitch as the opposing attorney.

I write these comments in support of Jed C. Fitch to become the next District Court Judge for the 5th Judicial District of Montana. I highly recommend that he be appointed to the bench and ask that you consider the following items as you review his qualifications as a candidate:

- Mr. Fitch has served as the Beaverhead County Attorney since May of 2008. He has been reelected 3 times. He has represented the people of this county and the State of Montana very well. He works hard for his constituents and puts the time and effort into getting the job done.
- Mr. Fitch has been very community oriented as I have personally seen him volunteer his time and serve on various boards and in community organizations such as the Dillon Jaycees and the University of Montana Western's University Council. In addition, he has given presentations at various events to help educate and inform the community.
- Through his career, Mr. Fitch has handled many different types of legal cases that encompass various bodies of law. He has vast courtroom experience. I have seen, as both an opposing counsel and as a spectator, Mr. Fitch in all types of court hearings and trials. He does a commendable job handling the fast pace and complex situations that arise in a courtroom setting. He has always been well prepared and presented himself appropriately in court. I believe he is very well suited to handle the rigors and demands that are placed on a District Court Judge.
- When practicing as an opposing counsel I believe I was always treated fairly and honestly by Mr. Fitch even while we were both advocating for our clients' positions. Mr. Fitch is the type of attorney that I could rely on his word. Even months after we had verbally discussed

various aspects of a case and came to an understanding or agreement, Mr. Fitch would stand by what he agreed to. A person of this caliber is who we need as our District Court Judge.

For the above reasons, I urge this Commission to recommend Mr. Fitch to the Governor and I likewise strongly urge the Governor to select Mr. Fitch to be the next District Court Judge of the Montana 5th Judicial District.

I would be happy to answer any questions or concerns that you may have.

Sincerely,

Kurt W. Steadman, JD

John J. Russell
Michael P. Heringer
Guy W. Rogers
Scott G. Gratton
Kelly J.C. Gallinger*
Jeffrey T. McAllister
Jon A. Wilson
Seth M. Cunningham
Shane A. MacIntyre
Adam M. Shaw
Christine M. Cole
Brett C. Jensen*
Davina Attar
Catrina V. Clausen

Retired
Rockwood Brown
John Walker Ross
Margy Bonner

BROWN LAW FIRM, PC

269 W. Front Street | Suite A | Missoula, Montana 59802
Phone: 406.830.3248 | Fax: 406.830.3745

Adam M. Shaw
ashaw@brownfirm.com
Missoula Office 406.830-3248

November 30, 2016

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

Dear Judicial Nomination Commission,

I offer this letter of support for Jed. C. Fitch as District Court judge of the Montana Fifth Judicial District. It is with great pleasure and honor to provide this recommendation for Jed.

I have a unique perspective of the qualifications befitting Jed as a judge from both practicing with and against him. While practicing law in Dillon, Montana for four years, Jed was the County Attorney for Beaverhead County. During that time, I began to know Jed well, personally and professionally. I represented defendants being prosecuted by his office and had the pleasure of representing Beaverhead County in a complicated insurance dispute. In each of the legal settings Jed was involved in he displayed excellent legal acumen. His comprehension of technical legal issues that are somewhat outside his area of practice is uncanny. This quality alone will serve the Fifth Judicial District well.

Although I believe Jed is a talented attorney, his well-rounded background and community involvement are perhaps his greatest attributes. After graduating from the University of Montana School of Law, Jed served in the United States Marine Corps as a Judge Advocate. His disciplined approach to the law reflects such training and the skills he acquired there will allow him to make difficult decisions as a jurist. After his honorable discharge from the Marine Corps, Jed practiced in various legal arenas, including banking and insurance defense, personal injury and plaintiffs' work, criminal defense and finally, criminal prosecution. His exposure to these various legal practices lay a strong foundation which will allow him to make legal determinations with an understanding of the nuanced legal issues facing Montana citizens.

I would challenge anyone in Beaverhead County to identify a person more involved in the community than Jed. He is woven into the fabric of Southwest Montana and has always supported local organizations such as the Dillon Jaycees, Elks, Dillon Rodeo, American Legion, and many others. In fact, it would be challenging to attend an event in

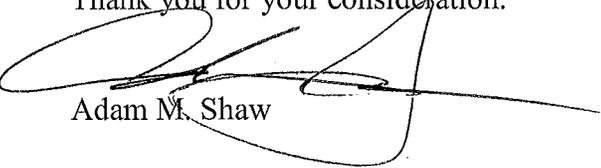
Page 2
November 30, 2016

Beaverhead County benefiting the community and not find Jed lending a helping hand. Jed's approach to helping and giving back to the community is what Montana needs. His exposure in the community raises confidence in the Montana bar and will likewise do the same for our judiciary.

While I no longer reside in Southwest Montana, it is a place dear to me. I can think of no better candidate than Jed to serve as judge in the Montana Fifth Judicial District Court. I strongly urge you to interview Jed and present his name to the Governor for consideration. Montana will be better served for it.

I am always available to answer any questions or provide further detail about Jed.

Thank you for your consideration.



Adam M. Shaw



MCKENNA & STARIN
TRIAL ATTORNEYS, PLLC

Sydney E. McKenna • Justin Starin
ATTORNEYS AT LAW

November 28, 2016

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

Dear Commissioners:

I write this letter to urge you to nominate Jed Fitch to fill the Fifth Judicial District Judgeship vacancy.

Jed and I were law school classmates. Jed has many fine qualities. He is smart, charismatic, and kind. But his most defining quality is his energy. If you need something done, like organizing the PRCA Rodeo in Dillon for example, Jed will do it and revel in the task. He will be the last one cleaning up the fairgrounds after the show. That's the kind of person Jed was in law school and is today.

Jed's energy has enabled him to achieve a broad range of experience – from Law Clerk, to the JAG corps in Iraq, to the Beaver Head County Attorney, with private practice in-between. When Jed settled in Dillon many years ago, I knew southwestern Montana was the place for him. There is no doubt in my mind that Jed will bring his many qualities and boundless energy to serve the community in Montana's Fifth Judicial District. I urge you to nominate him.

Sincerely,

A handwritten signature in blue ink that reads "Justin Starin".

Justin Starin

JS/kjd



*Patrick N. Dringman
County Attorney*

November 29, 2016

Judicial Nominating Committee
c/o Lois Menzies
Office of the Court Administrator
PO Box 203005
Helena, MT 59620-3005

Re: Application of Jed Fitch for Fifth Judicial District Judgeship

Thank you for your consideration of this letter of recommendation for Jed Fitch for the Fifth Judicial District Judge. I am currently the Sweet Grass County Attorney, a position I have held for the past thirteen years. I am also the President of the Montana County Attorney Association.

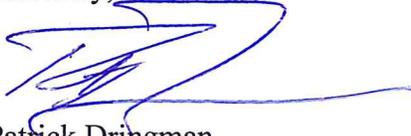
I have know Jed for the better part of the last decade. I have served with Jed on the Montana County Attorney Association Board of Directors for the past several years. I have found Jed to be professional and insightful in all of my dealings with him. Jed has likewise been an invaluable resource to me as a fellow county attorney. Jed has always been free with his time and intellect whenever I have sought his assistance.

Like Jed, I serve as a small-town county attorney. I believe there is often a misconception regarding county attorneys as “career prosecutors” who have little practical experience outside the realm of criminal prosecution. I can tell you, as a small-town county attorney, nothing could be further from the truth. You would be hard pressed to find a legal practice more varied and diverse than being a small-town county attorney. Not only is Jed the chief law enforcement officer for Beaverhead County, he is so much more. Jed is an office manager and supervisor. Jed provides direct and personal legal representation to a variety of boards and commissions covering a wide variety of topics. Jed is the legal counsel to the Beaverhead Board of County Commissioners, wherein he practices employment law, contract law, and land use planning law just to name a few. Jed represents all the other county boards as well, including planning boards and other commissions. The depth and breadth of practice of a small-town county attorney cannot be overstated.

Finally, I have dealt with Jed in various settings while serving as Montana County Attorney Association President and I can say without hesitation that Jed possesses the intellect and temperament to serve as a District Judge. Whether on MCAA board business, in contract negotiations, or while appearing before the Montana Legislature, I have witnessed Jed demonstrate a professional, thoughtful and even-minded temperament that would serve him well as a District Judge.

It is without hesitation that I recommend Jed Finch for nomination as the next District Judge for the Fifth Judicial District. You will not find a more deserving candidate.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Patrick Dringman', with a long horizontal flourish extending to the right.

Patrick Dringman
Sweet Grass County Attorney
President, Montana County Attorney Association

November 30, 2016

VIA ELECTRONIC MAIL ONLY

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

RE: Fifth Judicial District Judgeship Vacancy---Jed C. Fitch

Dear Judicial Nomination Commission Members:

I am writing to support the application of Jed C. Fitch for the Fifth Judicial District Judgeship vacancy. Jed and I were in the same law school class, and met on the first day in August 1996. My observations of him over the past 20 years have included professional interactions, when he was in civil practice and we would discuss issues in the law, and personal, as he has been a close personal friend of my entire family. I can say without hesitation that Jed would be an exceptional judge, with the qualities that we as Montanans deserve, and have come to expect, from our bench.

Jed is intellectually curious and always willing to listen to all sides of a discussion. He respects the views of all people and has the ability to bring consensus to parties who are in dispute. His written and oral advocacy skills are superior, and he has significant courtroom experience. I believe Jed would be a firm and decisive judge, but would also demonstrate compassion and creativity in his job. He has faith in our judicial system, and has a strong respect for trial advocacy and the jury system.

Jed has proven himself to be dedicated to service, through his time in the United States Marine Corps to his work with the Dillon Jaycees and other volunteer organizations in Beaverhead County. When we were in law school, he was a part of student government and participated in many food drives and service days, including cooking and manual work at a local homeless family shelter. Jed has always been compassionate and giving of his time and talent, and is one of the hardest-working people I have ever met.

On a personal level, Jed is kind, respectful, courteous and caring. He takes a genuine interest in other people, and I believe he would be an excellent role model to attorneys in terms of how to conduct oneself in Court and how to treat all parties with respect and dignity. Jed's dedication to his family and his community is inspiring, and it has been a joy to see him so fully devote himself to family life.

In sum, I believe Jed Fitch would be an excellent District Court Judge, and I wholeheartedly support his application for the Fifth Judicial District vacancy.

Very Truly Yours,



Kathleen L. DeSoto
1221 Arthur Avenue
Missoula, MT 59801

November 28, 2016

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

Dear Commission Members,

I am writing in support of Jed Fitch for the 5th Judicial District Court Judge appointment. I have spent many hours in the courts of Madison County including Ennis City Court, Justice Court and District Court. I am Co-Chair and Coordinator of the Madison County DUI Task Force as well as administrating one of the few Court Watch programs in the State of Montana where we collect data in the 5th Judicial District, Madison County Justice Court and Ennis City Court. Due to my involvement in these programs I have had the privilege of seeing first hand many of the candidates. Without a doubt, Jed rises above, I have worked with Jed on a personal level as a victim and professionally as a Court Watch Volunteer and DUI Task Force Volunteer. Jed is very fair and well balanced, he is very considerate and compassionate towards victims. He is very decisive with a strong compelling presence in the courtroom. His prosecution of DUI cases is exemplary. He has worked with our task force helping with data collection and making sure that his clerks are very willing and helpful in regard to the release of public information. He has shown a strong commitment to the citizens of Montana and he would make an outstanding Judge for the 5th Judicial District. It is with my hopes and hopes of many others that there will be no hesitation in making him the Judicial Nomination Commission's appointment.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Lowder", with a stylized, flowing script.

Lynn Lowder
Environmental Prevention Specialist
Madison County DUI Task Force Co-Chair/Coordinator
Court Watch Administrator
P.O. Box 731
Silver Star MT 59751

Valerie and Martin Balukas
5540 Keir Lane
Helena, MT 59602
(406) 475-3439

November 29, 2016

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

Re: Jed C. Fitch

Dear Judicial Nominating Committee:

We enthusiastically recommend Jed C. Fitch for the position of District Judge for the Fifth Judicial District.

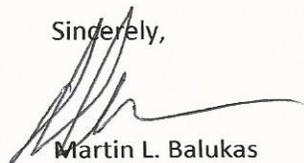
As law school classmates, friends, and colleagues we have known Jed since 1996. We have followed his career with interest and then admiration as he consistently took on the toughest jobs and performed them with skill and grace. We have both experienced the challenge of balancing life, family, service, and professional obligations. Jed has served as a community leader and a great father, as well as a distinguished prosecutor.

Jed has demonstrated empathy and courage in his decisions to prosecute sensitive cases in a small close-knit community. Jed has done this by drawing on a background rich in experience that ranges from boyhood jobs of lambing ewes on the banks of the Salmon River to summer logging jobs under a high lead yarder to serving his country as a Marine Corps JAG officer in Iraq. Diverse experience with all walks of life has left Jed a keen student of the human condition; interested, aware, and sensitive to every member of his community.

As the Fifth Judicial District Judge we are confident that Jed will draw upon all his experiences to mete out justice thoughtfully, efficiently, and fairly.

We strongly recommend Jed C. Fitch for your consideration and appointment as the Fifth Judicial District Judge for the State of Montana

Sincerely,



Martin L. Balukas



Valerie A. Balukas

Timothy M. Dick, P.C.

Attorney at Law
17 South Main
P.O. Box 645
Butte, Montana 59703-0645
Office: (406) 723-2345
Fax: (406) 723-0118

November 28, 2016

Judicial Nomination Commission
c/o Lois Menzies
Office of Court Administrator
P.O. Box 303005
Helena, MT 59620-3005

RE: Jed C. Fitch

Dear Commission Members:

I am writing this letter in support of Jed C. Fitch's application for appointment as the District Judge for Montana's 5th Judicial District Court. I have known Jed for 20 years and can recommend him for this appointment with great confidence. I met Jed as a first year law student at the University of Montana in 1996. We became friends quickly, sharing a common experience of coming from a logging background. His academic capabilities were immediately evident. Jed demonstrated a depth of understanding of each subject and a true desire to learn and apply the law. Throughout our time in law school I came to know Jed as a good and understanding person of great integrity.

Following his acceptance to the Montana Bar in 1999 Jed has a had wide variety of experience and qualities that make him an excellent choice for this position. He worked as a Law Clerk in the 18th Judicial District, served as a Officer and Judge Advocate in the United States Marine Corps completing a tour of duty in Iraq. He has had a solo practice representing a wide variety of clients, worked as a Veteran Liaison for United States Senator Jon Tester and finally as the Beaverhead County Attorney for the past eight plus years.

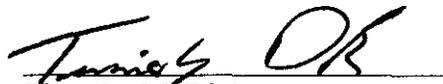
I have had the opportunity to represent clients in both civil and criminal cases in Beaverhead County. Jed always conducts himself professionally and competently in litigation. He is fair, courteous and reasonable. He has exhibited the proper knowledge, temperament and work ethic to preside as a District Judge.

Personally, Jed has two children. He is devoted to his children and is a teacher, role model, and good and loving father. He is a family man, close to his parents and sister. He is also a good friend. Jed is a person who can be counted on to do the right thing and stand for his convictions. These qualities have served him well in all kinds of settings and will also as a District Judge.

Jed's education and background make him a great candidate to be District Judge. He brings the perspective of being a County Attorney, Court Clerk, Sole practitioner, Marine Judge Advocate and Veteran Liaison for a U. S. Senator. He has served his country overseas in a war zone. Jed is a solid person and a leader. He has the personal qualities, intelligence, work ethic and moral code to be a fine Judge.

I am proud to provide this personal recommendation on Jed's behalf. I can do so with great confidence that I am recommending someone who I truly admire and know will be a great District Judge. Please feel free to contact me if I can provide any additional information regarding Jed's qualifications for this position. I can be reached at 723-2345.

Very truly yours,

A handwritten signature in black ink, appearing to read "Timothy M. Dick", written over a horizontal line.

Timothy M. Dick
Attorney at Law

November 30, 2016

Via Email: mtsupremecourt@mt.gov
Judicial Nomination Commission
C/O Lois Menzies
Office of Court Administrator
P.O. Box 203005
Helena, MT 59620-3005

Re: Application of Jed C. Fitch

Dear Judicial Nomination Commission:

I believe that Jed C. Fitch is an excellent candidate and should be selected to replace Judge Tucker in the 5th Judicial District.

I first met Jed in the summer of 2013, when he hired me to become his Deputy County Attorney. I had just finished a one-year clerkship with Justice Morris on the Montana Supreme Court. After working with Jed for a year, I returned to work with Judge Morris in the United States District Court in Great Falls. I am now an associate attorney at Garlington, Lohn and Robinson, PLLP, in Missoula. I have kept in touch with Jed and am excited for the opportunity to support his application for judge of the 5th Judicial District.

When I moved to Dillon, I was impressed with how engaged Jed was in the community. Jed devoted hours to various community activities, including the Jaycees and several veterans groups. After the County Fair, Jed gave me multiple pounds of lamb meat from a 4-H lamb that he had purchased. Jed felt that it was important to support the 4-H students and to ensure they had the money to participate in 4-H again the next year, so he bought the lamb even knowing that his family could not eat all of the meat themselves. Jed has set down deep roots and understands the community well. This background will help him to understand the litigants and the defendants who appear before him if he is appointed judge.

As County Attorney, Jed runs a tight ship. He keeps a close eye on all of his cases and quickly develops a sense of what outcome he believes would be fair. Some defendants need treatment, and he works to ensure that they will be placed in a treatment program to give them the opportunity to reenter society. Other defendants commit horrific crimes or are repeat offenders, and Jed understands that society must be protected from them. Jed also understands that he cannot take every single case to trial, and he has developed a sense for which cases should be taken to trial, and which cases could be effectively dealt with through a plea agreement. As a judge, I expect Jed will continue to demonstrate good judgment as he decides what would constitute a fair sentence to impose on a defendant.

Jed's trial court experience as a prosecutor will be invaluable if he is appointed judge. During trial, judges are forced to make multiple split-second rulings on a variety of objections. An inexperienced judge who is unfamiliar with these objections may make a bad ruling that could substantially prejudice one party's rights, and even result in a mistrial. Unlike most civil lawyers, Jed is quite familiar with trial court proceedings. His experience will help to ensure that he makes proper rulings from his first day on the job.

Jed also has substantial experience in the types of cases that he will preside over if he is appointed as judge. In addition to prosecuting criminal cases, Jed has represented the State in numerous dependency and neglect cases, and he has handled multiple juvenile cases and civil commitment cases. Each of these areas of the law are quite specialized. Jed already understands these intricacies, including the substantial protections Montana law provides for parental rights, for the best interests of the child, and for juveniles.

Finally, I believe that Jed would exhibit the correct balance of authority and empathy as a judge. I expect that he will treat lawyers and litigants with respect and allow them to fully and fairly present their position. At the same time, however, Jed's military background and command voice ensures that he will have full control of his courtroom. As a practicing attorney in Montana, I look forward to appearing before Judge Fitch.

Sincerely,

A handwritten signature in black ink, appearing to read 'E J M', written in a cursive style.

Emma L. Mediak

Garlington, Lohn & Robinson, PLLP
350 Ryman St.
Missoula, MT 59803

Cook, Kevin

From: MT Supreme Court,
Sent: Wednesday, November 30, 2016 8:35 PM
To: Cook, Kevin
Subject: Public Comment -- Fitch

From: Roger & Cyndie Thompson [<mailto:rczchome@hughes.net>]
Sent: Wednesday, November 30, 2016 6:27 PM
To: MT Supreme Court,
Subject: Fwd: Public Comment-Judicial District Nominees

Judicial Nomination Commission,

By no means do you require any input on your difficult task ahead on determining the persons who will fill these upcoming District Court positions. This person directly affects my position as a law enforcement official and the ability to conduct ethical and honest investigations that could lead to their court. We have an ethical court now with Judge Tucker. He and I have a good professional relationship and I respect his decisions, even though we have not always agreed. I am fine with that because of the effort and thought he has always put into his decisions. The bottom line is that I know you and I both want an honest and ethical court system. There are several on the list that would make fine judges and have a high work ethic.

There also exists on the list of applicants several whom concern me because of their ethics and work motives. Given your combined experience, I feel comfortable your selection will be of high quality. I also know that after interviewing hundreds of applicants for law enforcement jobs, interviews do not always show the true person which is ultimately discovered in the background investigation. I am expressing my desire that the background process be clear and convincing and that the right person is selected for the job. I know you do not need my opinion but it is important to me the participation of the public in our government system is needed more than ever.

The one question that has always come to mind when judges have been selected during my career is will the person remain impartial, make the hard decisions, and do what is right under the law for all of the people. I am only offering this perspective because from the gallery of the courtroom, I do not want to see a judge who uses their position to further their own personal agenda. I have seen this occur and the public remains in danger because the defendant becomes the only concern of the court, and the public concern is forgotten. I have also seen where people have been needlessly put through the court system when a better alternative was available. We need judges that have common sense and the integrity to do the difficult job ahead of them.

There are many qualified applicants on your list of choices. Because of my experience with several and because of the reasons I have mentioned above, I would gladly recommend two people on the list of applicants whom I feel would do a good job. They are:

Lori Harshbarger
Jed Fitch

Thank you for your time.

Roger Thompson
Madison County Sheriff

**671 Middle Road
Sheridan, Montana 59749
(406) 842-7983**

SUENRAM & BERGESON

Attorneys at Law

Telephone: (406)683-2391
Facsimile: (406)683-2233

117 South Idaho Street - 2nd Floor
P.O. Box 1366
Dillon, MT 59725

Andrew P. Suenram
Jean Bergeson

December 1, 2016

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

(VIA E-MAIL: mtsupremecourt@mt.gov)

Re: Jed C. Fitch, applicant for 5th Judicial District Judge

Dear Commission Members:

I am pleased to offer this letter of support for appointment of Jed C. Fitch as Judge for the Fifth Judicial District. While I know several of the other applicants, and have great respect for their skills and abilities, I believe that Jed possesses the knowledge, integrity, compassion and strength of character that are some of the critical skills necessary for a Judge.

In reviewing Jed's application, he brings to the table a diverse background and wide range of employment interests that make him uniquely qualified for the role of Judge. Certainly, from a Judge Advocate in the Marines to a solo practitioner, law clerk, lobbyist and a veteran's liaison, he has a track record of professional commitment and compassion. Equally as important, his choices in employment indicate his willingness to take on difficult jobs, requiring analytical skills and the ability to make tough decisions, while always looking toward fair resolution of problems. He has a significant amount of courtroom experience, which will benefit him well should he be selected for this position. In addition, his many contributions to the military, the community, the state and the legal profession, as well as his commitment to public service, are clearly identifiable in his application and some of which I would attest to on a personal basis.

I have known Jed since he moved to Dillon in 2008, in both a professional and personal nature. From the day I met him, when he was here interviewing for the county attorney job, I was immediately struck by his true passion for the law. Clearly he possesses the knowledge of the law needed to excel as a Judge. He and I have been on the opposite sides of at least one matter, in which he was zealously advocating for his position, and I was equally as zealously advocating for my position. Despite that, we were able to discuss our differing opinions, professionally and courteously. While we remained on opposing sides of the table, and the decision was ultimately made by the Judge on the merits of the case, beyond that professional discussion, the matter was not allowed to infiltrate into our friendship.

Jed is not one to waste time or taxpayer money and has the ability to analyze the merits of a complaint, to identify the options and apply the law to those situations. As a case in point, when Jed first arrived in Beaverhead County, one of the cases that had been languishing in the County Attorney's office was a child abuse case, involving a baby sitter of a 2-year old child. While in the sitter's care the child sustained horrendous physical injuries. She was flown to Washington and placed on life support until a decision was made to remove the life support. However, once removed from the tubes and machines thought to be keeping her alive, this beaten and battered child chose life. While she lived, she sustained such traumatic brain injuries that she was unable to walk, talk and required intensive one-on-one care. Rather than let there be no justice for this child, Jed reviewed it, studied the evidence and made a decision regarding what charges could be sustained against the babysitter, given the length of time that had elapsed and the stale evidence of a case too long ignored. He brought the charges and prosecuted the case.

Sitting in the courtroom in support of a friend, the raw emotions of the case were palpable. The dynamics included a devastated family, seasoned EMT's, who had provided emergency care for this child, were in tears, as were other witnesses and people in the courtroom, and in stark contrast, an unemotional defendant. The beautiful victim of the abuse was present in person, uncomprehending of the drama taking place. Three years had elapsed before the case was brought to court. Jed, who had not lived in Dillon when the abuse happened, prosecuted the case and the baby sitter was convicted. To say this was a raw case is an understatement, however, Jed was prepared, efficient, compassionate, and incredibly committed to justice for this child. While some may have thought the sentencing was not nearly punitive enough, given the lifetime disabilities inflicted on this child, the sentence was arrived at through the dictates of Montana statutes, communications and negotiation, and ordered by the Judge.

Jed was involved in investigating and making a determination to charge a person, accused of crimes against a family member of mine. Again, dealing with a family that was devastated by what had happened, he showed great compassion, realizing the need to tread delicately and weigh the consequences of his actions, and the possibility of success if brought to trial. In addition, he absolutely considered the defendant and the consequences of the charges on his life. Jed conveyed his concerns in that regard, indicating his ability to analyze both sides of a dispute, and seek a just outcome. Jed again chose justice for the victim, but sought prosecution through the AG's office.

On the other hand, certainly, there are cases and complaints that Jed has chosen to not prosecute, or, more accurately not charge. Sometimes the circumstances do not support intervention by the county attorney's office, which may be difficult for someone in the throws of an apparent legal dilemma to accept. The efficiency of the judicial system is crucial in making the types of decisions to pursue or not pursue an action demanded. The avenue some may seek is not always available through the county attorney's office. It is also important to not allow abuse of the Court systems by pursuing meritless actions. Jed is faced with making decisions on the viability of a case on a daily basis. I do not believe he has ever declined to prosecute when the case has merit.

Jed has mastered the skill of not wasting resources, which may stem from his Marine

background. The skill of efficiency is not just critical, it is the overarching mandate of the judicial system. Like a county attorney, a Judge must make tough decisions on multiple issues, before, during and after a case. Decisions such as dismissing a case, ruling on a summary judgment, sanctioning a party or attorney, while pushing for timely prosecutions and meeting short deadlines are difficult, but necessary. It is important to ensure access to justice in a timely manner and to avoid a court system clogged with cases, moving along in increments or begging to be finalized.

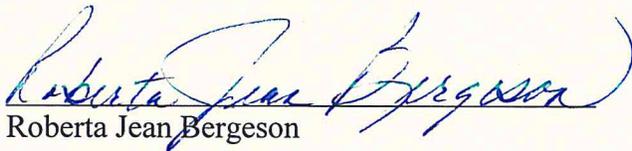
Jed is community minded and has volunteered his time to many civic organizations in Dillon, including the Dillon Jaycees, including serving as president of that organization and giving countless hours in time. In his application Jed quotes a provision from the Jaycee Creed "service to humanity is the best work of life." Knowing Jed professionally and personally as a friend, I believe that Jed strives to live his life on a path parallel to these words. He is the epitome of all that is good about any practitioner of the law whose goal is to ensure that justice is provided to people from all walks of life on a daily basis, while remaining committed to his family, actively engaged in his community, and devoted to his country.

In order to administer fair, equal and timely justice, a Judge must possess an ingrained knowledge of the law, organizational skills, the ability to listen, analyze and rule without hesitancy, and move from one case subject to another with the same amount of professionalism and skill. I believe that Jed possess these abilities and has the experience and the knowledge necessary to make an excellent Judge.

I thank you in advance for the time you are committing to making what will obviously be a difficult choice, given the applicants involved. Your consideration of Jed's application is appreciated, and I believe if he is selected to replace Judge Tucker, your confidence in him will be rewarded.

Sincerely,

SUENRAM & BERGESON


Roberta Jean Bergeson

cc: Jed C. Fitch

SUENRAM & BERGESON

Attorneys at Law

Telephone: (406)683-2391
Facsimile: (406)683-2233

117 South Idaho Street - 2nd Floor
P.O. Box 1366
Dillon, MT 59725

Andrew P. Suenram
Jean Bergeson

December 1, 2016

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

VIA EMAIL: mtsupremecourt@mt.gov

Re: Jed C. Fitch

Dear Commission Members:

I have practiced law in Dillon and the Fifth Judicial District for 28 years; my entire career. Prior to graduating from law school, I was fortunate enough to intern for Loren Tucker when he was the Madison County Attorney. As a long term practitioner in the Fifth, I was pleasantly surprised by the number of applicants for the Judge Tucker's seat. I personally know, have practiced with and against many of the candidates. Some of them are friends of mine. There are several candidates that would make outstanding Judges, either now or in the future. However, based on the criteria the Commission looks at, I believe one candidate stands out - - Jed Fitch. Please allow me to explain why.

Jed's depth and breadth of legal experience is unmatched by the other candidates. From his service to our country as a Marine Judge Advocate in Iraq to his time as a lobbyist, civil practitioner, prosecutor, and yes, even a criminal defense attorney, Jed has packed a tremendous amount of quality legal experience into his career.

Jed has significantly expanded his depth of legal knowledge and experience by teaching the law in a variety of settings. They say if you really want to learn a subject, teach it. Jed is naturally inquisitive and as trite as it sounds, loves the law. This curiosity and quest for learning have led him to take seminars and voluntarily sit in on court proceedings in areas of the law that are unfamiliar to him. Through this process he has worked to develop his knowledge in subjects like Dissatisfied Water User's proceedings and water law; areas of the law that are applied routinely in this District Court.

Jed consistently demonstrates good judicial temperament. Certainly, his military experience bolsters his credentials in this regard. More importantly, in my interactions with him as County Attorney, I have witnessed Jed make hard decisions that have long lasting and dramatic effects. His decisions, even those that have been adverse to my clients, are always well reasoned and sound. Moreover, his decisions are always explained courteously and professionally to many who are not happy to hear what he has to say.

Jed demonstrates good judicial temperament outside the "courthouse" too. I have been in his company when he encounters criminal defendants, victims and folks unhappy with the County Attorney's office for a variety of reasons in social settings. Jed is always courteous and never shows discomfort or takes any action to make others uncomfortable.

Jed has significant support throughout the District as well as in Dillon and is highly electable for this position. Judge Tucker made it clear for a number of years that he was not going to run for another term. Jed has made it equally clear that he is interested in running for the position and has taken affirmative action to position himself accordingly. He has taken the time and made the effort to develop and foster the type of grass roots support throughout the District that will put him well on the path to election in this District. However, even before he decided to run for Judge, Jed has been deeply committed to the community and to his family. His devotion to his family and public service further endear him to the community as a whole.

During my service on the Commission, I always looked for the intangible qualities in an applicant. One of these is common sense. I think it is vitally important for a Judge to retain and exercise common sense on the bench. Jed Fitch comes from a good background but he has had to work hard to get where he is today. Through all his hard work he has retained his core values including his common sense and never forgotten where he is from. A good Judge needs to retain and apply these values daily on the bench.

Being the District Judge in the Fifth Judicial District is a grueling task. The docket is among the busiest in the State. Couple that with long hours of treacherous travel and the job can be overwhelming. The candidates should understand the time, and quite frankly, the physical demands that the District demands. I know Jed understands those demands and is committed to doing the job.

Finally, I would be remiss if I didn't comment on the importance of the Rule of Law in today's society. Courts do not have standing armies, police forces or other mechanisms to enforce their decisions in an increasingly disrespectful society. Courts depend on respect for the Rule of Law for their decisions to be honored. Therefore, it is important that we elect and put a Judge on the bench that makes sound decisions respecting the Rule of Law. Moreover, the Judge needs to command respect for the Rule of Law. Jed Fitch will if he is put on the bench.

Thank you for considering my comments.

Sincerely,

SUENRAM & BERGESON



ANDREW P. SUENRAM

APS/bf

December 01, 2016

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

Judicial Nomination Commission Members:

I wish to go on record as endorsing Jed Fitch for the position of District Judge for Montana's 5th Judicial District.

Through the years I have become acquainted with Jed socially through friends and family. Jed has always been one to acknowledge a person with a smile and conversation.

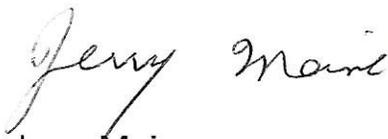
I have also gotten to know Jed through his work as County Attorney. I primarily have dealt with Jed as County Attorney so feel strongly in endorsing and recommending him as a District Court Judge.

While reading the letters endorsing Jed Fitch, I noticed one from Cheryl Hren and one from Michael L. Klakken that oppose Jed Fitch. Due to the many errors and miss-statements made in these letters, I felt some clarification needed to be made.

I believe to fully understand the prescriptive road easement they talk about, one must read the Findings of Fact, Conclusions of Law and Judgment in Cause No. DV-10-13454 in Montana Fifth Judicial District Court, Beaverhead County and the Supreme Court of the State of Montana Case No: DA 14-0136 that affirmed it. Parts of the Judgment were later clarified in Cause No. DV-15-13831 Montana Fifth Judicial District, Beaverhead County. This should give a better understanding of the issues involved and the parties involved.

When dealing with County Attorney Jed Fitch, I was not always in agreement with his decisions but I was always able to have conversation with him and get answers to why he made decisions and what was involved in making the decisions. His knowledge of the law and his professionalism are always evident during my dealings with his office.

It is due to my dealing with Jed Fitch that I feel he is qualified and would make an excellent choice as District Judge.

A handwritten signature in cursive script that reads "Jerry Meine". The signature is written in black ink and is positioned above the printed name.

Jerry Meine

590 Meine Lane

Dillon, MT 59725

406-683-5402

ATTORNEY GENERAL
STATE OF MONTANA

Tim Fox
Attorney General



Department of Justice
Joseph P. Mazurek Justice Bldg.
215 North Sanders
P.O. Box 201401
Helena, MT 59620-1401

November 30, 2016

Judicial Nominating Commission
c/o Lois Menzies, Office of Court
Administrator
P.O. Box 203005
Helena, MT 59620-30051

Re: Recommendation – 5th Judicial District Court Judge

Dear Commission:

I am writing in reference to the opening for a new district court judge in Beaverhead, Jefferson and Madison County to replace Judge Loren Tucker. I served in Great Falls as a deputy county attorney, the justice court judge and as county attorney for 22 years. During the past 8 years, I have practiced across the State as Chief Prosecutor for the Montana Attorney General's Office and have been able to appear in front of most of our state's district court judges. Because of my almost 30 years of experience, I believe I have a clear understanding of what it takes to be an effective and outstanding district court judge.

In looking at the qualities that I admire in a judge, the most important trait I look for is a person who will work hard and put in the enormous hours required to keep up with the huge caseload. A district court judge must show up at every hearing and trial totally prepared and versed on every possible issue that might arise. I want my district court judge to be working nights and weekends if necessary to be prepared.

The second quality that I want to see in my district court judge is an even temperament. Clearly there are times when a judge must control his courtroom and the litigants and times when he/she must be stern in holding defendant's accountable for their actions. However, I feel it is just as important to have a judge who understands that there are times when compassion and understanding are necessary tools to help a defendant better himself and become a productive citizen.

Finally, as a trial attorney, I want my district court judge to allow the attorneys to try their cases and not micromanage the trial. As a prosecutor it is important that I be given the opportunity to put forth my case strategy.

November 30, 2016

Page 2 of 2

I know many of the applicants who want to replace Judge Tucker. Of those applicants it is clear that Jed Fitch is the best candidate. I have known and worked with Jed Fitch for many years and he is an excellent attorney, has trial experience and has strong values. Most importantly, Jed Fitch possesses the work ethic and the temperament that is required to be an outstanding judge. I have no doubt that Jed Fitch would honorably follow in the huge footsteps that Judge Tucker has left. I would deeply appreciate your consideration of Jed Fitch as the next judge in the 5th Judicial District. Thank you.

If you have any questions or concerns, please feel free to call me.

Sincerely,

PROSECUTION SERVICES BUREAU



BRANT S. LIGHT

Chief Prosecutor

Montana Attorney General's Office

bsl/lj

Gerry P. Fagan
Gerry.Fagan@moultonbellingham.com

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27 North 27th Street
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Billings, Montana 59103-2559
Phone (406) 248-7731
Fax (406) 248-7889

December 1, 2016

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

Re: Application of Jed Fitch for Fifth Judicial District Judge

Dear Honored Members of the Commission:

I am writing to you about the application of Jed Fitch for the position of Montana State District Court Judge for Fifth Judicial District. I have litigated for over 18 years in many if not most of the District Courts in Montana, including the Fifth Judicial District, and have become very familiar with the attributes a successful Judge should have. I am writing to highly recommend Jed's application and to urge you to seriously consider him for the position.

I have practiced law primarily as a civil defense litigator. I know Jed well, both professionally and personally. I first met Jed in law school at the University of Montana School of Law. I also worked with Jed when we were both relatively new lawyers at the Moulton Bellingham Firm in Billings. We have been friends and colleagues ever since. Over the years, I have occasionally consulted with Jed on legal issues in order to get his opinions, because I value his opinions, and I have followed his career as prosecutor, too.

Jed is well-suited to become a District Court Judge. Jed is a proven County Attorney, both as a trial litigator and as an administrator. In my opinion, it is very important for a Judge to have his or her own trial experience and understand how a courtroom and a jury function properly. In addition, Jed has proven as a prosecutor that he has a keen legal mind, with the ability to analyze difficult or novel issues, and render a coherent and proper decision. Jed is also a fair and objective person. He would not bring an agenda to the bench.

Jed also has the necessary demeanor to be a great Judge. He treats everyone with professionalism, politeness, and respect. Jed is also a longtime resident of the Dillon area who loves that country. I believe these attributes will allow Jed to relate well to the attorneys and parties who enter his courtroom and to jury members in particular. Not all

December 1, 2016

Page 2

Judges possess or exhibit these attributes, but it would never be an issue if Jed was appointed.

It is without any hesitation whatsoever that I recommend Jed Fitch for the position of State District Court Judge. He would serve the citizens of Montana and the Fifth Judicial District very well. He has the necessary demeanor, intelligence, trial experience, sense of fairness, and ethical underpinnings to be a very effective Judge for the State of Montana. Thank you for considering my opinion.

Sincerely,

MOULTON BELLINGHAM PC

By:  _____
Gerry Fagan

Vice President and Shareholder,
Moulton Bellingham PC

December 1, 2017

Dear Judicial Nominating Commission,

Today is the deadline for submitting a letter of support for Jed C. Fitch, currently serving as the Beaverhead County Attorney, who is seeking the appointment as Judge for the 5th Judicial District.

I have known Jed Fitch for over 10 years. I have known Jed as a neighbor, co-worker, and subordinate. He was a good neighbor. That alone says a lot about him, in my opinion.

For the last several years Jed has been on the Board of Directors of the Montana County Attorneys Association, an organization I have worked for since 2001. In that capacity I have seen him be a leader and a servant. His peers hold Jed in great esteem and affection. When it's time to take charge, Jed can do that. His persona is commanding. He is able to lead people. He is also a good servant. Whenever I've needed help organizing a meeting or unload a van full of meeting materials, or cleaning up after a function, I look for Jed. He is in the Association's leadership track. I'll hate to see him leave if he is appointed District Judge, but I truly believe he can do more good on the judge's bench than as the county attorney.

Beyond that, I've been in many, many meetings with Jed and have seen his direct, common sense approach to the complex and difficult questions that come to the county attorneys. As often as not Jed's perspective has been the basis for a consensus among and between a very diverse, opinionated group of attorneys.

I believe he is passionate about seeing justice done for each and every person he deals with as the Beaverhead County Attorney.

I have read his application for the position he is seeking, and it is truly impressive. I have also read some of the other support letters the Judicial Nominating Commission has received. Most impressive to me was the letter from a person Jed prosecuted. That letter says it all in my opinion. That life was changed for the better due to Jed's efforts, which must have been quite a combination of firmness and compassion. Who knows where that life may have gone without Jed's intervention?

I am pleased to support Jed's application, and am honored to have been asked by him to do so. Sorry for the late arrival. If you have any questions or if I can provide the Commission with additional information, please give me a call.

Kindest Regards,

Jim Smith
406-443-1570
406-949-1002

November 30, 2016

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

To the Judicial Nomination Committee:

I am writing this letter as a recommendation for Jed C. Fitch to fill the position of Judge for the 5th Judicial District of Montana.

I have had the pleasure of knowing Jed on both a professional and personal level since he first came to Beaverhead County in 2008. We first met when Jed joined the Dillon Jaycees and we have been friends ever since. During our time in the Jaycees Jed exemplified what it is to be a leader and showed his commitment to the community that he served. Jed chaired many of the organizations projects including being the President and Chairman of the rodeo and his hard work and dedication proved successful as the Jaycees had their best year to date. Even though Jed exhausted out of the Dillon Jaycees he has continues to be a source of consultation with group decisions which goes to show how much his opinion is respected.

As a friend one could not ask for better and I am honored to call Jed a friend. Our children have grown up together, learned to ski together and played football and baseball together. Considering his busy schedule Jed has always made time for his children. Jed and I have coached our sons in baseball and football and helped them during their time in the little skiers programs.

Recently my family went through a very difficult matter, the details of which I don't wish to discuss but I was very thankful to have Jed as our county attorney. During this matter Jed felt that, due to his professional relationship with the defendant's mother and his friendship with me, he should remove himself as the prosecuting attorney and sent the matter to Assistant Attorney General Joel Thompson. Though Jed removed himself he was there every step of the way supporting my family and me as a friend. It was a very uncertain and frustrating time but Jed continually reassured me that justice would be done and that measures would be put in place to assure that what happened to my daughter would not happen to anyone else.

Jed has been an inspiration for me and I am honored to call him a friend. He is extremely knowledgeable and well spoken. I very much enjoy our discussions and debates and have learned so many things from him to help round out my life and for that I am extremely grateful. Jed is community minded, hardworking, knowledgeable and well rounded. He doesn't play favorites and he knows the law so that being said in my opinion Jed would be the best choice for the position of Judge for the 5th Judicial District of Montana.

Thank you for your time

Jack Bergeson

John W. Parker
24 Missouri Bend
Great Falls, MT 59404

December 1, 2016

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

Re: Fifth Judicial District Court Judgeship

Dear Members of the Judicial Nomination Commission:

I am writing to support the nomination of Jed C. Fitch to serve as the next District Judge in the Fifth Judicial District. Jed is a hard-working, tenacious individual with a sharp legal mind. I know he will do an outstanding job.

I first met Jed when we both started law school in the fall of 1996 and we have been close friends ever since. I also currently serve with Jed on the Board of Directors of the Montana County Attorneys Association. Jed is a strong leader within our organization. We hold him in the highest regard based on his keen intellect, winning personality and his commitment to justice and fairness. He has been remarkably successful in communicating with legislators of both parties about bills promoting public safety.

Jed has demonstrated his commitment to his community in a number of ways, including service as Chairman of the local rodeo in Dillon. Jed believes in public service. He has worked as a Deputy County Attorney and County Attorney and served our county as a United States Marine JAG Officer stationed in Iraq.

Most importantly, Jed believes deeply in the American legal system. He has an unwavering commitment to the principles set forth in the Montana Constitution and the Constitution of the United States. He will take every step to ensure litigants and their counsel are treated fairly in his courtroom, particularly those appearing pro se. He will consistently do what is right without regard to political pressure.

Thank you for your consideration of Jed C. Fitch, Beaverhead County Attorney, for the position of District Court Judge. Please feel free to contact me at (406) 868-3695 if you have any further questions.

John W. Parker
Cascade County Attorney

11/29/2016

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

Dear Judicial Nomination Commission Members and Governor Steve Bullock,

My name is George Warner. I have served as Mayor of Dillon and subsequently on the Dillon City Council. I also represented Governor Martz on the State Aeronautics Commission and Beaverhead County as Chairman of the Airport Board. I have participated in public and personal litigation in the Courts of Limited Jurisdiction, the District Court and have briefed the Montana Supreme Court *Pro se* in that capacity. I offer the following objections, recommendations, information and advice on the Fifth Judicial District Court Judge appointment you seek to fulfill.

I object to the nomination and subsequent appointment of Jed Clayton Fitch to this position, and offer condensed illustrations to inform you of my concern.

The applicants' submittal is deficient as to a complete and honest answer in regard to question #25 of the application: DV-14-13773 Graham v. Scott, WRIT OF MANDAMUS, Hearing on December 23, 2014, and Order issued February 12, 2015. This falls within the questions guidelines and was omitted from the application yet appears to meet the requirement of necessary inclusion. Walter E. Congdon, phone 406-925-1351 was opposing Counsel in this case which was Tried before the Hon. Loren Tucker, phone 683-3745. Although the Order is enlightening in its comprehensive form, my testimony regarding this incident will additionally inform you of my concern.

The facts in the case are summarized as follows: The WRIT OF MANDAMUS was a result of a Petition for Recall of members of the Dillon City Council. It demanded that Scott in her capacity of Clerk and Recorder hold election upon her own certification of Recall which had sufficient electoral signatures to proceed. Scott refused to do so upon advice of Fitch who determined in his capacity of County Attorney to advise Scott to subordinate her duties and act in violation of a defined statutory requirement. Fitch as County Attorney represented Scott at hearing (his personal position) and in effect represented the City Council members' position that a public meeting was not held in violation of Montana law. The Court held in its Order that the Petition was sufficient, that there was evidence that a "Third party" (Fitch) could have prosecuted for Official Misconduct if he so deemed appropriate, and ordered that Scott hold election upon the Recall. The final result entailed the resignation of all accused Council members except one who was subsequently Recalled by special election from office.

My personal involvement in this case resulted from litigation of the underlying issue commonly referred to as the Brenneke/Warner "water meter cases". Two separate yet mostly identical Civil cases were the background cause for the City Council members unlawful acts, the removal of City Attorney Gilbert and subsequent confirmation of City Attorney Dolan by the City Council occurred at a regular Council meeting. The next morning found the President of the Council

11/29/2016

circulating a document requesting action to retain Gilbert who was the attorney of record. The document was drafted by Gilbert but was hand delivered by the President of the Council to Judge Tucker for Judge Tucker's and Judge Larson's consideration. He was promptly informed that communication should and would be through his attorney of record and that filing was denied. As I was a party to this litigation I was informed of the incident and immediately visited County Attorney Fitch as to my concern. I expressed the position that this was official misconduct as an open meeting violation and steered him to MCA 45-7-401 which he reviewed, initially indicating that "official misconduct is not a crime". In disbelief I asked him to identify what the contents heading of Title 45 described, whereupon after further review he stated "**Crimes**". He further expressed that he wasn't going to do anything about it though, as he intended to run for political office in the future and would not pursue this kind of action. Although this statement disturbed me it also disturbed Mr. Walter E. Congdon an additional witness to the statement made by Mr. Fitch. Mr. Congdon became the future Counsel representing the prevailing Party for the Recall Petition.

The poor judgment illustrated by this example has led me to believe that his priorities are personal and political and do not serve the Public in a manner consistent with a standard of care which demonstrates a fair and equitable venue for just decisions. If this were the only example I could pardon it for steep learning curve or just an isolated mistake, however without going into great detail I offer the following as additional conduct defining poor judgment.

A property was confiscated under the provisions of the drug forfeiture laws by his predecessor and an Order issued by Judge Tucker. After Jed Fitch became County Attorney the Sheriff at the time used drug forfeiture funds to pay delinquent County taxes to prevent tax foreclosure as an interest had been purchased from the County Treasurer. Tax payments from the legal owner had been refused and transfer according to the Order had not been perfected to alternate ownership. A public use had been identified by the City (a different jurisdiction) and was being pursued. The Sheriff raised concern as to avoidance of mandated statutory sale provisions. Ultimately a filed private real property lien was discovered and presented to the Court. Judge Tucker overturned his previous ruling. This ruling however was somewhat moot as statutory time of five years to perfect the transfer had been exceeded by the County and their right of Order had expired. How does a County pay taxes off budget to its self without public process? How does the right of a separate public jurisdiction over rule the statutory provision for public sale? Why would an Order awarding property not be perfected by the legal public officials with a duty to do the same?

Airport leased property is requiring "named insured" policies be issued to the County for liability purposes. County Attorney Fitch has issued opinions that the County can require this without legal basis claimed or simply because the Counties insurance carrier requires it. This issue has but two possibilities in current law. Either you own the property through (Incorporeal rights) as defined in the specific statue or you lease/rent the property for the period of the contract. The ninth circuit court of appeals has ruled that renters cannot provide for the liability of the landlord (the property owner), additionally if you own the property rights through the temporary contractual/statutory provisions can you be forced to insure? This criticism is not demanding a clear and concise opinion on a difficult legal issue but illustrates that the public has asked in fairly studied course a fair question which has been largely ignored in response. If a District

11/29/2016

Court Judge answers or Orders in the same manner as this example he would obviously breed public contempt.

As County Attorney the office requires oversight of several Public bodies which include schools and hospital districts. The assets of which are Public and have certain requirements as to their acquisition and disposal. The Statutes are fairly clear as to purchase ability by the school and or hospital as long as they conform within submitted budgetary requirements and this authority is given to the separate boards. Disposal of Public assets however require involvement of the County Commission which is empowered with the ultimate authority to manage the final disposition of the asset. Under the tenure of Jed Fitch as County Attorney improper disposal for various reasons has occurred three times in my opinion. The worst and largest incident involved Barrett Memorial Hospital. I personally questioned Mr. Fitch in a County Commissioners meeting as to this circumstance. His only answer was that the Hospital District Board could do "whatever they want" in regard to this asset. It was demonstrated by example; the appraised value/loss of this asset and also the mandatory statutory requirements which was again repeatedly answered by Mr. Fitch with the previous inadequate response. This action has benefitted a private corporation with questionable benefit to the Public. The other two public properties had similar yet different public entities/concerns but suffice to say the "disposal" was not according to statute nor necessarily in the Public's best interest.

A Dillon City police officer with close to seventeen years' experience questioned County Attorney Fitch on legal concerns regarding the authority to enforce City and State laws upon review of certain documents or the lack thereof. As his superiors were in some way conflicted he felt that his approach to the County Attorney could alleviate his concerns or offer alternative views on his informal investigation. However the response was not to his personal approach but was to the very officials he felt unable to consult for the obvious violations he could determine. The letter stated that the County Attorney questioned whether he could or would ever prosecute an arrest made by the long term officer on the basis that he did not follow protocol or was incompetent in regards to his profession. Therefore an official conducting himself in good faith went to his best available resource for advice only to have him expose his legal concerns to the very offenders he was concerned with. He was not entertained with the meeting he requested or the advice he did seek to appropriately further or finish his investigation.

The examples I have illustrated to you are in no way complete in volume or substance yet indicate a pattern of behavior and a perception of duty which does not represent the public at large. Jed Fitch is a "good old boy", socially I accept him and politically he is capable. But his skills as a Public official to this point in his career lead me to believe he needs more experience and honest productive results to be considered for this position he seeks. I envision a Fitch Court would be a pass through venue for economically disadvantaged individuals finding themselves battling bureaucratic monsters such as the Department of Public Health and Human Services with unlimited resources. Their only defense relegated to a choice consisting of a public defender with limited experience or talent recommending a plea agreement which would alleviate them of any Rights granted through our Constitution or a futile court hearing with a predictable outcome. However I also believe that those of resources and abilities would inundate the Montana Supreme Court with needless appeals resulting in remands or overturned outcomes which I know are not either in the Courts' or Public's best interest.

11/29/2016

In contrast I would like to support Roberta R. Zenker as a nominee based on the legal experience as both a prosecutor and defense attorney. Although I do not personally know Roberta, Public Officials that I deeply respect and others from Madison County have spoken highly of her. I am also aware of federal land use litigation represented successfully by Zenker which benefitted all of us in Montana. I believe from my review of Zenkers' career that anyone would get a fair and equitable hearing in her Court.

Please do not hesitate to contact me for further information, documents, or additional clarification if necessary to make your important recommendation or decision.

Sincerely,

George C. Warner

406-660-5520

Sent via electronic only without signature, call or contact if required

K. MINOR LAW, P.C.
Kaylan Minor, Esquire
P.O. Box 1047
Dillon, MT 59725
406-240-8356
kminorlaw@gmail.com

December 1, 2016

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

VIA E-MAIL
mtsupremecourt@mt.gov

Dear Judicial Nomination Committee,

Thank you for soliciting comments regarding the applicants for the Fifth Judicial District Court Judge. As an attorney practicing law primarily in the Fifth Judicial District, Judge Tucker's retirement evokes in me a feeling of loss and his departure leaves an immense vacancy. My hope is that the next judge will have the same commitment and care for the community and breadth of experience.

I believe that Jed Clayton Fitch is amply suited to serve the Beaverhead, Jefferson, and Madison County communities as the Fifth Judicial District Court Judge. Mr. Fitch may bring the heat to the courtroom in his intense and adept prosecution of cases, but Mr. Fitch is also a caring and nurturing attorney. I can credit Mr. Fitch for helping me get my first job out of law school and from that time to the present he has consistently mentored me and provided professional, constructive feedback on my court appearances. Mr. Fitch has helped me be a better attorney and I am confident that I am not the only attorney that has experienced professional growth through working with Mr. Fitch. In my experience, Mr. Fitch exhibits great respect to his opposing attorneys. With new attorneys, such as myself, he has never taken advantage of the upper hand that a seasoned attorney has in the courtroom when there have been ample opportunities for him to potentially embarrass opposing counsel or highlight their mistakes. I believe that these qualities will serve him well on the bench.

Additionally, Mr. Fitch is well rounded in his legal experience in both civil and criminal cases. He has practiced law in a variety of communities and professional positions. I have no doubt that he will hit the ground running with great competency and that he will serve our legal community and clients well. Please do not hesitate to contact me for further input on this applicant. I am happy to call Mr. Fitch a colleague and support his nomination for District Court Judge.

Sincerely,
/s/ Kaylan Minor
Attorney at Law

Bear Don't Walk Law Office

Eldena N. Bear Don't Walk, Esq., MPA, LLM

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

Re: Jed C. Fitch,

To the members of the Montana Judicial Nomination Commission:

It is my pleasure to recommend Jed C. Fitch for the appointment of District Court Judge of the 5th Judicial District. I have known Jed for almost twenty years, first as students at UM Law and then as Montana practitioners.

Jed has an impressive resume and that alone makes him qualified to sit as a district court judge. But behind his work is a man of great integrity, intelligence and fairness. He is a solid lawyer, a student of the law and a man dedicated to bettering his community. His resume reflects a life filled with service to others. Becoming the 5th Judicial District's sitting judge is a natural progression in that life of service.

I have sat on the bench for several courts for over a decade. In my time in those positions, I have learned that being a judge is more than just understanding and applying the law. Being a judge demands that a person show great restraint to allow the parties to do their jobs. A judge has to look at each case with fresh eyes and impartiality. But a judge, also, has to command his/her courtroom. Judges set the tone for the parties and proceedings. Jed is respectful and diligent and his court room will reflect his dedication. Jed Fitch, without a doubt, will be able to accomplish all of the duties of a district court judge, to the benefit of the judiciary but also, to the benefit of the counties his district serves.

The 5th Judicial District will benefit from Jed Fitch's commitment to service, his knowledge of the law and his deep personal investment in bettering his community.

Sincerely,

Eldena Bear Dont Walk, LLM

Eldena Bear Don't Walk, Esq., MPA, LLM

KRUER LAW FIRM, P.C.
STEPHANIE GEHRES KRUER
ATTORNEY AT LAW

105 MILL STREET - P.O. Box 718
SHERIDAN, MT 59749
TELEPHONE (406) 842-5027 FACSIMILE (406) 842-5127
EMAIL: KRUERLAW@3RIVERS.NET

December 1, 2016

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

VIA EMAIL ONLY
mtsupremecourt@mt.gov

RE: Application for Fifth Judicial District Judge – Jed C. Fitch

Dear Commissioners:

I am writing in support of applicant Jed C. Fitch for the position of Fifth Judicial District Court Judge.

I have been a member of the State Bar of Montana since 2001 and of The Florida Bar since 1987, as well as numerous federal district courts. I also was General Counsel of a government agency in Florida (Department of Community Affairs). In addition to administrative and legislative experience, I have been an active civil and criminal trial attorney, including both prosecution and defense.

I have known Mr. Fitch since he became the Beaverhead County Attorney and prosecutor. In my experience, Jed has been a well-prepared, thoughtful and strident prosecutor and his advice to the County Commissioners has been equally as thorough and reliable.

Ours is a diverse and spread out district. The amount of travel, in addition to the ever-burgeoning caseload, is significant. Jed has the determination and vigor to meet both. Moreover, our district remains primarily rural and agrarian in nature. It is important to both practitioners and residents to have a district judge that knows the land, knows the water and knows the people. Jed Fitch meets those qualifications.

In addition, even though Jed has been an energetic prosecutor with little tolerance for blatant violations of law, he also has a heart. He can relate to people. He is able to see through the veneers that often appear in a court room setting, and apply the law fairly and evenly from his position as prosecutor. While unwavering in his dedication to uphold the law, he never loses sight of the Constitution and the fairness and precision it requires.

Judicial Nomination Commission
December 1, 2016
Page Two

Our district needs even-handedness, constitutional support, efficient civil remedy and awareness of and sensitivity to the needs and aspirations of common people, in both civil and criminal proceedings. This position spans from criminal cases to divorces to real property disputes to mental health commitments to contract disputes, and beyond. The selected candidate needs to demonstrate even-handedness and grace under fire. Knowledge of local areas and conditions will facilitate these attributes.

With the foregoing in mind, I heartily submit my support of Jed C. Fitch for Fifth Judicial District Judge in Madison, Beaverhead and Jefferson Counties. Thank you for your kind consideration.

Sincerely,

KRUER LAW FIRM, P.C.



Stephanie Gehres Krueer
Attorney at Law

SGK/tmn

Max A. Hansen & Associates, P.C.

ATTORNEYS AND COUNSELORS

Max A. Hansen*

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

Re: Jed Fitch
Fifth Judicial District Judge Vacancy

Dear Commission Members:

I have been a practicing attorney in the Fifth Judicial District since 1976. I am a former President of the State Bar of Montana and have also been actively involved in the Fifth Judicial District Bar Association. I am well acquainted with Jed Fitch, one of the applicants for the current vacancy. I believe the Commission has a difficult job in that Jed and two other applicants Lori Harshbarger and Suzanne Nellen are certainly qualified for the appointment. I want to focus on Jed for a few salient reasons.

I have known Jed since he first came to Beaverhead County. At that time the pending workload of the County Attorney's office had been allowed to languish by his predecessor. I was struck by the professional manner in which Jed systematically cleaned up the office and has it running in an efficient and professional manner. Perhaps it is his Marine training but I know that his proven ability in this regard will stand him in good stead when it comes to managing the District Court docket.

I am also very well-acquainted with the other staff in the County Attorney's office and I have observed that they have a good working relationship with Jed. I believe they support Jed and my observation is that majority of the rest of the Courthouse staff, commissioners and other in law enforcement are supportive of Jed. I believe Jed has done an excellent job in providing timely and accurate legal assistance to those in the County Office's.

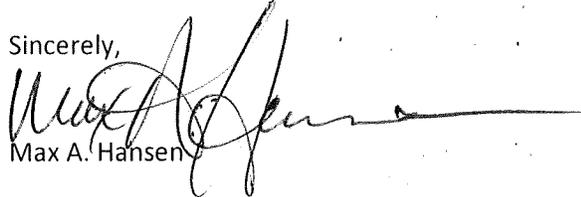
I am also sending this letter since I have seen two letters sent to you by two Beaverhead County residents, Cheryl Hren and her brother-in-law Mike Klakken. I know both of them personally and in Mike's case professionally. I have been asked by at least one other Beaverhead County attorney to respond to the allegations in the two letters. The "land dispute" or "prescriptive easement" matter referred to by Hren and Klakken has been the subject of multiple legal actions by or against the Hren family. They have consistently used the court system to harass the owners of the easement in question and adjoining landowners despite a ruling against them by the District Court and a ruling against them on appeal by the Supreme Court.

The recitations in the two letters regarding the easement matter are gross distortions of the facts in the record. When confronted with continued attempts by the Hren family to prolong litigation and attempt to use the County Attorney's office to push their own personal agenda against the easement owners and adjoining landowners, Jed has consistently taken the correct course in not injecting his office into the pending civil litigation and correctly applying the criminal law as the facts presented to him warranted. He has acted professionally and within the constraints of his office.

As for the two other matters referenced in Mr. Klakken's letter, specifically the City of Dillon recall petition and the old Barrett Hospital Building, I am acquainted with the facts underlying both situations. I believe the facts in each instance warrant the interpretation of the law reached by Jed. Mr. Klakken is certainly entitled to his opinion but I believe he is in error.

I respectfully suggest that Jed Fitch is qualified to appointment as the Judge of the Fifth Judicial District Court. I believe the letters submitted by Hren and Klakken should be disregarded in your deliberations. I make this statement realizing that I may be placing myself at great risk from further action by the Hren family, but so be it.

Sincerely,


Max A. Hansen

Cook, Kevin

From: MT Supreme Court,
Sent: Thursday, December 1, 2016 4:36 PM
To: Cook, Kevin
Subject: Public Comment -- Fitch

From: Linda Meine [<mailto:linda@vec.coop>]
Sent: Thursday, December 01, 2016 1:04 PM
To: MT Supreme Court,
Subject: Judicial Nomination - Support for Jed Clayton Fitch

December 1, 2016

To: Judicial Nomination Commission

We strongly urge you to consider appointing Attorney Jed Clayton Fitch for 5th Judicial District Judge. We feel his experience and knowledge, while presently serving as Beaverhead County Attorney, will be a valuable asset as the District Judge.

Richard L. Meine
Linda K. Meine
Lifelong Residents of Beaverhead County

Cook, Kevin

From: MT Supreme Court,
Sent: Thursday, December 1, 2016 4:35 PM
To: Cook, Kevin
Subject: Public Comment -- Fitch

From: Karen Kane [<mailto:kp.kane@yahoo.com>]
Sent: Thursday, December 01, 2016 10:37 AM
To: MT Supreme Court,
Subject: Jed C. Fitch recommendation

Dear Judicial Nominating Committee:

I strongly recommend Jed Fitch for the Fifth Judicial District Court Judge position.

I have known Jed since we began law school together in 1996. In the time I have known Jed, he has displayed a considerable natural intellectual ability and a formidable work ethic. Raised in Riggins, Idaho, Jed enjoys living and working in a small, western town like Dillon, Montana. His background makes him uniquely capable of understanding the people living in, and the politics governing, the 5th Judicial District region. He has devoted his career to seeking justice for the people of Beaverhead County as lead prosecutor. Jed has also served his country admirably as a Marine Corps Jag officer in Iraq. He has the intellectual ability and legal skills to be a district court judge. Equally importantly, Jed is a caring and conscientious person. He is a family man raising two children who finds time to give back to his community in a variety of ways. Jed is a former committee chair of the Dillon Jaycee Rodeo. He participates in American Legion funerals as part of the firing squad. He is on the board of the Montana County Attorney's Association. He has a big heart and has demonstrated that he has the intellectual chops to excel as a 5th judicial district court judge. It is my sincere hope that this committee nominates Jed Fitch for the 5th judicial district court judge position.

Sincerely,

Karen P. Kane

Assistant Attorney General

Child Protection Unit Supervisor

Cook, Kevin

From: MT Supreme Court,
Sent: Thursday, December 1, 2016 4:34 PM
To: Cook, Kevin
Subject: Public Comment -- Fitch

From: Paul & Jan Craft [<mailto:plcraftmt@charter.net>]
Sent: Thursday, December 01, 2016 6:18 AM
To: MT Supreme Court,
Subject: Appointment to the 5th Judicial District Judge

Judicial Nomination Commission
c/o Lois Menzies
Office of Court Administration
PO Box 203005
Helena, Montana 59620-3005

Re; Support for Jed C. Fitch to fill the upcoming vacancy of the 5th Judicial Judge

Governor Bullock and Committee Member,

This letter is to convey to you my support for Mr. Jed C. Fitch to fill the upcoming vacancy on the bench of the Fifth Judicial Court.

I have known Mr. Fitch since he was chosen to fill the vacancy of Beaverhead County Attorneys office in 2008. One of the first cases that we worked on together was a complicated case involving an injured child. Mr. Fitch pursued this case passion and conviction, bringing it to a conclusion.

It was shortly after that, we worked together with other professionals and established a Multi Disciplinary Team in Beaverhead County. That team is currently active and providing services to victims of Child Abuse. Mr. Fitch is very active in this program and in fact is one of the spokes in the wheel that makes the Team successful.

In 2009 , I was appointed Chief of Police in Dillon and our working relationship has been a strong one. I have the opportunity to meet with Mr. Fitch on a daily basis. Mr. Fitch is not afraid to make difficult decisions, however unpopular they may be, based on the information presented to him.

Just recently, I worked with Mr. Fitch to provide a Victim Advocate that will be working out of the County Attorney's Office. It is his belief that this position will provide efficient and effective services that are needed for Victims.

In closing, I would like to restate my position in support of appointing Mr. Jed C. Fitch to fill the upcoming vacancy as Judge of the Fifth Judicial District Court.

Paul L. Craft

Cook, Kevin

From: MT Supreme Court,
Sent: Thursday, December 1, 2016 8:18 PM
To: Cook, Kevin
Subject: Public Comment -- Fitch

From: Jack Kirkley [<mailto:jackkirkley2@gmail.com>]
Sent: Thursday, December 01, 2016 1:22 AM
To: MT Supreme Court,
Subject: Recommendation of Jed Fitch for District 6 Judge

To: Judicial Nomination Commission

From: Jack Kirkley

Re: Jed Fitch as District 6 Judge

To Whom it May Concern:

I am writing in support of Beaverhead County Attorney, Jed Fitch as a nominee for the position of District 6 Court Judge, to replace retiring Judge Loren Tucker.

I am not a personal friend of Mr. Fitch, nor did I know much about him until I attended a jury trial in which he was the prosecuting attorney last month (October).

My reason for recommending Mr. Fitch to become our next District Court judge is because of the professionalism Mr. Fitch exhibited, which I witnessed when I was present at that 2-day jury trial.... a trial which involved my wife (a state employee/case worker for Child Protective Services) who had been threatened by a fellow who is a meth addict. This out-of-control fellow committed a series of threatening acts that he hoped would intimidate my wife into not doing her job of protecting his kids from the dangerous home environment that he was inflicting upon them. That dangerous individual was subsequently convicted of 3 felonies (two of them for drug possession and solicitation and one for criminal intimidation), plus one misdemeanor (negligent endangerment).

I was highly impressed at the skillful and clear presentation of the evidence by Mr. Fitch, acting as the prosecuting attorney for the state. He was simply outstanding! He was very solid in his presentation of the facts of the case, as he made it clear to the jury how each of the counts against the defendant was supported by the evidence supplied by the testimony of credible witnesses. He really had designed a very strong prosecution that included a highly convincing series of witnesses who added, layer upon layer of corroborating statements, each from a different, independent point of view.... all adding up to the inescapable conclusion about the various acts of wrongdoing committed by this fellow.

Soon after that courtroom experience, I learned that Mr. Fitch would be applying to fill the judgeship vacancy occasioned by the retirement of Judge Tucker. Therefore, I took the time to visit the web site where Mr. Fitch's application is accessible for the public to read. In reviewing Mr. Fitch's statements in his application, I found that his well reasoned statements agreed quite well with the Jed Fitch who I saw in action in that courtroom. From his application, I learned that Jed is a very well rounded, progressive kind of guy whose life experiences have ranged widely from manual labor to military service to a wide array of personal activities and

pursuits. Such a person, who has had such a wide diversity of life experiences is highly preferable, in terms of his ability to relate well to others and to take a practical approach to life and to his professional work.

These are some of the characteristics that I hope you will note in Mr. Fitch's application, and that I trust you will value, as I do, when you consider his suitability for this position.

Although I had never met Mr. Fitch until last month at that trial, I am aware that my wife and others who work closely with Mr. Fitch within the court environment, know him well enough to be confident in his knowledge of the law, and they all speak very highly of him.

Hence, I feel very confident that Jed Fitch would be an excellent, competent person to be appointed to the judgeship within District 6.

My only reluctance about this transition is that we will be losing such an outstanding County Attorney, who is currently doing such a great service in helping to protect the citizens of Beaverhead County.

Thank you for considering my thoughts on this important issue.

Sincerely,
Jack Kirkley
Professor of Biology

206 Legget Ave
Dillon, MT 59725

(406) 683-4140



LAW OFFICE OF EVAN O. MOPPERT, PLLC

303 W. Mendenhall St., Ste. 1
Bozeman, Montana 59715

406 570 6409

moppertlaw@gmail.com

December 1, 2016

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

Judicial Nomination Commission Members:

I am writing to support the application of Jed Fitch as the District Judge of the Montana Fifth Judicial District. I have known Jed since I became an attorney in 2010 and believe Jed to be highly qualified for the position.

I served as Jed's deputy county attorney in Beaverhead County from November 2010 until July 2012. During that time, Jed served as my boss, mentor, and friend. In his role as County Attorney he provided an immense amount of guidance and instruction as I, a newly graduated attorney, became a prosecutor. Jed always had time for any question from me, simple or complex, and always provided just enough instruction to allow me to discover the answer, despite him having known it all along. He also taught me, in the role of prosecutor, that each case, despite often repetitive elements, involves individual people with unique problems and circumstances. He always exhibited fairness, treated everyone with respect, and sought the just result for every case. For a young attorney like myself, he was a great role model and teacher. Even to this day, Jed finds time in his busy schedule to discuss legal issues I have in my solo practice.

The breadth of Jed's legal knowledge, because of his legal career and his devoted interest in all aspects of the law, make him an excellent candidate for District Court Judge. He has been an associate in a law firm, a District Court Judge's law clerk, a criminal defense attorney, a US Marine Corps Judge Advocate, and County Attorney, just to name a few. These experiences give Jed a well-balanced understanding of the law which is certainly a necessary quality of a District Court Judge.

I can think of no one more suited to serve as District Court Judge for Montana's Fifth Judicial District. I would be happy to answer any questions you have about Jed.

Sincerely,

Evan Moppert



DILLON, MONTANA David E. Schuett, DVM | 2955 Carrigan Lane | Dillon, MT 59725 | 406.683.2406

December 1, 2016

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

RE: JED FITCH

Dear Ms. Menzies,

We are writing this letter in recommendation of Jed Fitch for the 5th Judicial District Judge. We've known Jed since his arrival in Dillon in 2008. He has done an excellent job as the Beaverhead County Attorney for the last 8 years. Jed is a very honest and hard-working individual. He does his job with integrity and impartiality. He has been more than fair to individuals of Beaverhead, Madison, and Jefferson Counties.

Jed seems to be very well qualified for the job. He shows great restraint while dealing with some of the area's less than desirable citizens, but treats them fairly and within the scope of the law.

We have no doubts that Jed will do an excellent job as the 5th Judicial District Judge.

Sincerely,

David E Schuett, DVM

Shelli R. Schuett

John J. Russell
Michael P. Heringer
Guy W. Rogers
Scott G. Grattton
Kelly J.C. Gallinger*
Jeffrey T. McAllister
Jon A. Wilson
Seth M. Cunningham
Shane A. MacIntyre
Adam M. Shaw
Christine M. Cole
Brett C. Jensen*
Davina Attar
Catrina V. Clausen

Retired
Rockwood Brown
John Walker Ross
Margy Bonner

BROWN LAW FIRM, PC

269 W. Front Street | Suite A | Missoula, Montana 59802
Phone: 406.830.3248 | Fax: 406.830.3745

Adam M. Shaw
ashaw@brownfirm.com
Missoula Office 406.830-3248

November 30, 2016

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

Dear Judicial Nomination Commission,

I offer this letter of support for Jed. C. Fitch as District Court judge of the Montana Fifth Judicial District. It is with great pleasure and honor to provide this recommendation for Jed.

I have a unique perspective of the qualifications befitting Jed as a judge from both practicing with and against him. While practicing law in Dillon, Montana for four years, Jed was the County Attorney for Beaverhead County. During that time, I began to know Jed well, personally and professionally. I represented defendants being prosecuted by his office and had the pleasure of representing Beaverhead County in a complicated insurance dispute. In each of the legal settings Jed was involved in he displayed excellent legal acumen. His comprehension of technical legal issues that are somewhat outside his area of practice is uncanny. This quality alone will serve the Fifth Judicial District well.

Although I believe Jed is a talented attorney, his well-rounded background and community involvement are perhaps his greatest attributes. After graduating from the University of Montana School of Law, Jed served in the United States Marine Corps as a Judge Advocate. His disciplined approach to the law reflects such training and the skills he acquired there will allow him to make difficult decisions as a jurist. After his honorable discharge from the Marine Corps, Jed practiced in various legal arenas, including banking and insurance defense, personal injury and plaintiffs' work, criminal defense and finally, criminal prosecution. His exposure to these various legal practices lay a strong foundation which will allow him to make legal determinations with an understanding of the nuanced legal issues facing Montana citizens.

I would challenge anyone in Beaverhead County to identify a person more involved in the community than Jed. He is woven into the fabric of Southwest Montana and has always supported local organizations such as the Dillon Jaycees, Elks, Dillon Rodeo, American Legion, and many others. In fact, it would be challenging to attend an event in

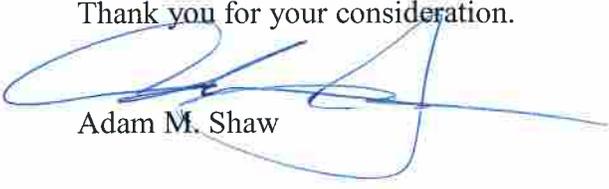
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Beaverhead County benefiting the community and not find Jed lending a helping hand. Jed's approach to helping and giving back to the community is what Montana needs. His exposure in the community raises confidence in the Montana bar and will likewise do the same for our judiciary.

While I no longer reside in Southwest Montana, it is a place dear to me. I can think of no better candidate than Jed to serve as judge in the Montana Fifth Judicial District Court. I strongly urge you to interview Jed and present his name to the Governor for consideration. Montana will be better served for it.

I am always available to answer any questions or provide further detail about Jed.

Thank you for your consideration.


Adam M. Shaw