

Tyler Steinebach  
PO BOX 673  
Plentywood, MT 59254  
406-489-3086

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

February 24, 2015

RE: 4<sup>th</sup> Judicial District Public Comment

I am writing this statement in unwavering support for fourth Judicial District candidate, Judge Brenda C. Desmond of Missoula, MT.

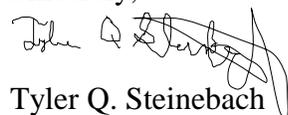
Ms. Desmond is the ideal and most appropriate candidate for this crucial position in our legal system because of her diligent and thoughtful application of the law objectively, considerate of human dignity.

I appeared before Judge Desmond in court several years ago and found myself respecting and honoring the legal system in this State even considering my marked fear for my future in anything I cared about deeply at the time. I did not develop this respect for the system based upon a quick or easy resolution to my wrongdoing, because that was not the circumstance, but based instead upon the instilled confidence in my future in compliance with court rulings and procedures. In short, I trusted this judge with my life and was remarkably passionate about making something of myself after years of wavering morale led me down the dark road I had taken.

After about 6 years since the resolution of my case in Judge Desmond's courtroom, I stand by my position that she saves lives because of her honest and passionate understanding of the law and the balance with dignity of life. I have since become a successful contributor in my chosen profession and I could just as easily have become a distant docket number with no future beyond four walls of a jail cell.

I hope the Commission nominates, and Governor confirms, appointment of the most qualified applicant, Judge Brenda C. Desmond. This candidate holds the best interests of the people of the District.

Sincerely,



Tyler Q. Steinebach

## Cook, Kevin

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**From:** Menzies, Lois  
**Sent:** Tuesday, March 10, 2015 3:32 PM  
**To:** Cook, Kevin  
**Subject:** Desmond -- Public Comment

**From:** [bumgmt@bresnan.net](mailto:bumgmt@bresnan.net) [<mailto:bumgmt@bresnan.net>]  
**Sent:** Tuesday, February 24, 2015 2:05 PM  
**To:** MT Supreme Court,  
**Subject:** A recommendation

I only know one of the judges on the list to fill retiring Judge McClean's spot. However I want to highly recommend the one I know. The court is a place where there is often discord and disagreement and many upset people. Judge Brenda Desmond is one of those rare judges that can inspire the people on both sides in a courtroom to do better and to be better in the midst of difficult situations. I am no lawyer or expert on procedure in the courtroom. However, for me Judge Desmond makes people have more faith in our courts and the justice system just by watching her conduct court business. I am sure all the other candidates are highly qualified but it is this aspect of her positivity in the courtroom that for me raises her above her peers.

Woodford Glen Bumgardner (Glen)  
6205 Saint Thomas Drive  
Missoula, MT 59803

406-251-3764

Sent from Windows Mail

643 South 4<sup>th</sup> West  
Missoula, MT 59801  
406-529-3912  
March 9, 2015

Judicial Nomination Commission:

I am writing to give my support to Brenda Desmond as an excellent candidate to replace Fourth Judicial District Court Judge Ed McLean when he retires in May of this year. I first met Brenda Desmond in 1999 when her son, Ben, was a student in my eighth grade English class. From the very beginning, I was impressed with Brenda's intelligence and sensible approach to life. I soon discovered that Ben was an outstanding student, and it was clear that his mother had nurtured in him an appreciation for the value of a good education along with a strong moral character. In succeeding years, I had her younger son, Erik, in English class for his sixth, seventh, and eighth grade years. He also proved to be a pleasure to work with, and once again I saw Brenda's influence in his strong sense of fairness and understanding of right and wrong. In all my dealings with Brenda, I found her to be mature and realistic in her relationship with her sons as they went through the challenging years of early adolescence. As time went by and our friendship grew, I saw that she consistently provided a steady moral compass for her boys, guiding them to become the excellent men they are today.

Perhaps because I have a background in the field of education, I see a strong correlation between Brenda's mature, steady approach to parenting and her ability to perform well in a judicial setting. First, a judge must have integrity. Brenda was and continues to be a steady force in her sons' lives, modeling honesty, good character, and decency in all the many interactions I have had with her both as her sons' teacher and as her friend. Next, a judge must exhibit a sense of fairness in her/his dealings with others—a kind of compassion and open mindedness that speak of an ability to see an issue from a variety of points of view, combined with strong values that enable this person to decide on a correct course of action. I see these traits strongly in Brenda, and I am confident this attitude is present when she makes judgments from the bench. Also, a sense of fairness is very evident in Brenda's temperament. In the many discussions I have had with her ranging from issues in the classroom to conversations revolving around our wide range of shared interests, Brenda has always demonstrated a willingness to see the importance of treating others equitably and kindly. Finally, it always amazed me to see her calm, patient attitude as she guided her boys through adolescence, arguably some of the more difficult parenting years. These are definitely traits that make her temperamentally suited for the position of district judge.

I hope it is clear from this letter that I admire Brenda Desmond greatly and am confident that her appointment as Fourth Judicial District Court Judge would be an excellent decision. From my years of working with her in the capacity of an educator as well as in our in all of our social dealings, I sincerely believe that she would be an outstanding choice. I know she is a person of fine character, and these qualities would carry over to her professional life, making her a dedicated judge, serving with integrity, fairness, compassion, patience, and a sincere desire to see that justice is available to all. I realize that this recommendation is made from a very personal point of view, but I also know that when you look at her qualifications you will see that her excellent academic training and many years of exemplary service on the bench speak well of her ability to handle this position with competence and distinction. Please feel free to contact me if you have any further questions.

Sincerely,  
Mary Ann Fangsrud

*Thomas J. Lynaugh, Esq.  
3114 Country Club Circle  
Billings, MT 59102  
Telephone: (406) 245-9466  
March 11, 2015*

To the Judicial Nomination Commission:

The purpose of this letter is to recommend Brenda Desmond for the position of state district judge in the Fourth Judicial District. I have known Brenda since 1978 when we both lived in the Hardin area. We have kept up contact throughout the years and I have no hesitation in stating that her strong character, judicial demeanor and extensive experience qualify her for the position of district judge.

Her work over the years with minorities, especially Native Americans, has demonstrated her fair-mindedness towards all litigants, a quality presumed of the judiciary but unfortunately found lacking in some.

Moreover, her experience over the last 20 years as a standing master has made Brenda extremely qualified and experienced for the duties of a district court judge. Unlike other applicants, Brenda has amassed both judicial and practical experience in the courtroom and in the areas of law that a district judge faces every day, especially in Family Law and Criminal Law. More often than not an applicant has practiced either in the area of civil law or criminal law but not both. I believe that the fact that Brenda has experience in both areas make her especially qualified among her peers.

Therefore, I am proud to recommend Brenda Desmond to you for the position of district judge. Thank you for your consideration.

Sincerely Yours,

Thomas J. Lynaugh

Best phone – 406-690-5567

## Cook, Kevin

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**From:** Menzies, Lois  
**Sent:** Thursday, March 12, 2015 5:31 PM  
**To:** Cook, Kevin  
**Subject:** Desmond: Public Comment

**From:** Judith Loring [<mailto:jaloring@gmail.com>]  
**Sent:** Thursday, March 12, 2015 10:35 AM  
**To:** MT Supreme Court,  
**Subject:** comment on judicial candidates

### To Whom It May Concern:

I just wanted to comment on the field of candidates vying for Judge McLean's position in the 4th Judicial District. Of the six attorneys, I support Lisa Kaufman, Barbara Leslie Halligan and Brenda Desmond. I have had cases before both Ms. Halligan and Ms. Desmond and found both to be very knowledgeable, competent and fair. While I do not know Ms. Kaufman personally, I agree with her view that too many of our judges are former prosecutors. Being a defense attorney myself and having also represented parents in abuse/neglect cases, I have always wanted a judge on the bench who has had experience representing criminal defendants and parents rather than judges who have spent their careers prosecuting.

Thank you in advance.

Judith A. Loring  
Attorney at Law  
P.O. Box 4  
Stevensville, Montana 59870



This email is free from viruses and malware because [avast! Antivirus](#) protection is active.

**JOHN W. MANNING**  
Partner; Missoula Office Head  
(406) 721-6025  
FAX (406) 543-0863  
manning.jack@dorsey.com

March 11, 2015

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

Re: Fourth Judicial District Judgeship Vacancy

Dear Commission Members:

I am writing to recommend Brenda C. Desmond for appointment as a District Court Judge in the Fourth Judicial District. I have been a lawyer in Montana since the early 1980's. My practice is primarily business, corporate, securities and transactional work, but I am frequently involved in overseeing litigation for our clients in Montana's state and federal courts. Presently, I am the head of the Missoula office of Dorsey & Whitney. I have known Brenda for many years, and believe I am knowledgeable about her abilities and reputation in the Montana legal community.

Brenda is well-qualified for appointment as a District Court Judge, in my view. She has served as a standing master in Missoula's Fourth Judicial District for more than 20 years. Brenda has built a reputation as impartial and even-tempered, and for faithfully applying the law as written. Her broad experience in criminal, civil, juvenile and family cases would serve her well as a District Court Judge. One of the things I particularly like about Brenda is that she does not come in from either the defense or plaintiffs' side of the bar. As such, I feel she would be better-suited to be more balanced than some candidates may be.

Brenda is known in Missoula for her advocacy on behalf of veterans. She founded the Missoula Co-Occurring Treatment Court and Missoula's Veterans Court. These treatment courts exemplify her approach to justice – giving those whose criminal behavior was influenced by their mental health and substance abuse challenges an opportunity to repay their debt to society while overcoming those obstacles. Through close supervision and accountability, Brenda has helped veterans correct their past mistakes and remain productive members of our community.

Brenda also has strong ties to Montana's Native American communities. At present, she is Chief Justice of the Fort Peck Tribal Court of Appeals. She previously served as an Associate Justice on the Confederated Salish and Kootenai Tribal Court of Appeals, and as the

Judicial Nomination Commission  
March 11, 2015  
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supervising attorney at the University of Montana Law School's Indian Law Clinic. Montana is a place of many cultures, and her experience with tribes and tribal members strengthens her ability to relate to litigants of all backgrounds. This experience is particularly important to me, as I am a tribal member at Fort Peck.

Brenda will make a strong, fair-minded District Court Judge. I urge you to nominate her to Governor Bullock to serve Montana's Fourth Judicial District. Thank you for your consideration and for your service on behalf of the people of Montana.

Very truly yours,



John W. Manning

## Cook, Kevin

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**From:** Menzies, Lois  
**Sent:** Monday, March 16, 2015 3:02 PM  
**To:** Cook, Kevin  
**Subject:** Desmond -- Public Comment

From: Beth Jaffe [<mailto:bethj@csmmail.net>]  
Sent: Saturday, March 14, 2015 10:30 AM  
To: MT Supreme Court,  
Subject: Desmond -- Public Comment

re: 4th Judicial District

To All and especially those on the Judicial Nomination Commission;

My support for Brenda Desmond began when I met her four or five years ago. It is always nice to connect with a fellow former Upstate New Yorker where people are more like Montanans than many assume. Upstate is full of harsh weather and tough people who don't impress easily.

However, Brenda impressed me upon our first meeting. Her enthusiasm and energy regarding her work took me by surprise. She clearly loves listening and getting to the heart of a matter with a fair minded approach that I found refreshing. I mistakenly assumed 20 years in the district courts would have made her harder and more cynical. And while I didn't know her before those 20 years, I can say today she is still positive and extremely committed to Justice.

I was passionate about an issue and looking for friends who might help me change a law related to adoption. Brenda's knowledge of the process and all things legal helped me gain a better perspective than I had before speaking with her. It's been a pleasure getting to know Brenda and to work with her in changing this law. I give her full accolades for our success in getting both the House and Senate Judiciary Committees to vote unanimously in our favor. Brenda's thoughts regarding our legal system have been invaluable to me.

No doubt the other candidates have good reasons to apply for this appointment, but in my opinion, Brenda's reasons are what make her the candidate of choice. She wants to be a judge who works hard and that alone is a statement about what she's seen working in the system all these years. But the most interesting concept is this: Brenda believes we need judges who can hear those without a voice. Often times victims can't speak for themselves and if they can, they generally never do so without getting emotional. Strong emotions can cloud or confuse an issue, especially for people who have never experienced systemic injustice. People of privilege, as judges often are, can't always see the forest for the trees. Victims are rarely able to make solid articulate arguments, the language of class and power. Brenda is well versed in the language of emotional intelligence. Her vision and capacity to see all sides gives her the needed edge to perform well in this important position.

Thank you for your time and thought to this matter.

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\_\_\_\_\_  
Beth Jaffe  
406.880.3052  
CedarMountainSoftware.com

## Cook, Kevin

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**From:** Menzies, Lois  
**Sent:** Monday, March 16, 2015 3:03 PM  
**To:** Cook, Kevin  
**Subject:** Desmond -- Public Comment

**From:** mc [<mailto:maryclark1028@gmail.com>]  
**Sent:** Saturday, March 14, 2015 2:09 PM  
**To:** MT Supreme Court,  
**Subject:** c/o Lois Menzies

Judicial Nomination Commission

c/o Lois Menzies

Office of Court Administrator

P.O. Box 203005

Helena, MT 59620-3005

Dear Judicial Nomination Commission,

Please accept this letter supporting Brenda Desmond for appointment to the Fourth Judicial District Court .

We have had the pleasure of knowing Brenda for nearly 20 years. She has been a very good friend to our family, and our children went to school together. Brenda is very giving towards her friends and community. We have personally experienced her giving and unselfish nature. Brenda is an active member of the community, donates her time to many causes, always with a positive attitude and a smile. Brenda has always presented herself with a high level of Integrity and professionalism. She is fair and compassionate and has a great deal of experience - more than 20 years! We firmly believe that she would be an excellent choice for this appointment.

Sincerely,

Bob and Mary Clark

845 Edith St.

Missoula, MT. 59801

**Danna R. Jackson, Esq.**  
719 Holter St.  
Helena, MT 59601 \* 406.457.5262  
[danna\\_jackson@yahoo.com](mailto:danna_jackson@yahoo.com) or [danna.jackson@usdoj.gov](mailto:danna.jackson@usdoj.gov)

March 17, 2015

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

Dear Members of the Commission:

I enthusiastically support Brenda Desmond's application to be judge for the Fourth Judicial District. I first met Ms. Desmond in 1993 when I was a student and she was the Director of the Indian Law Clinic at the University of Montana School of Law. Since my law school experience, I have kept in touch with Ms. Desmond. I currently serve with her on the Montana Board of Crime Control.

Ms. Desmond is the most qualified candidate. As a Standing Master, Ms. Desmond has a reputation for being fair, thorough, and smart. She is a consummate professional. She is tough but contends with her tasks with good cheer and appropriate judicial demeanor. She is respected and respectful of others.

Ms. Desmond's vast experience with Indian law matters is also a plus. Ms. Desmond has the background that will enable her to appropriately contend with native people and complex Indian Country issues that she may face in her court.

Ms. Desmond is an excellent communicator. I have seen her present many times. She is engaging, clear, and straight forward. She is an exceptional writer.

Letter of Recommendation

March 17, 2015

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Finally, Ms. Desmond has endless energy. She is generous with her expertise and time. She believes in a better Montana and will use this position to make it so.

Should you have any questions regarding this recommendation, do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Danna R. Jackson". The signature is fluid and cursive, with a large initial "D" and "J".

Danna R. Jackson

March 15, 2015

To Whom It May Concern:

I have known Brenda Desmond for the past 20 years. Her sons Ben and Erik were students in my classes and members of my Speech and Debate teams at Loyola Sacred Heart High School. Brenda helped as a volunteer parent for the team and did a magnificent job. As a single mother, she set high standards and expectations for her kids and she was a constant source of stability and discipline for them. It is for these reasons and others that I hope that she is given consideration to replace Ed Mclean as a District Court Judge.

Brenda has a wealth of judicial experience. That alone should make her a solid candidate. However, I have also been impressed with her ability to analyze a situation and follow a logical course of action to produce the best outcome in that situation. I think this would be a valuable trait for a judge to possess. She is level-headed and has high expectations regarding her performance as a professional and as a parent, and as a grandparent! She was a great asset to our Speech and Debate team as a volunteer parent.

It is my hope that Brenda replace Ed Mclean as a District Court Judge. Missoula needs clear thinkers who can find logical solutions to difficult problems. Brenda possesses the fortitude and the character that is necessary for this challenging position.

Sincerely,

Matthew Stergios

To Whom It May Concern:

With the retirement of District Court Judge, Ed Mclean, I believe Brenda Desmond would be a wonderful candidate to fill his position.

I have been the Speech, Debate and Drama tournament director for LSH, managing high school contestants and adult judges at the University of Montana for most of the past 20 years. Brenda has been a well-established volunteer for these events, as well as many others. She was always someone I could count on to do whatever task was needed. Brenda is intelligent, flexible, very capable and willing to learn. She is able to make difficult, sound decisions and balance the facts with a compassionate heart. Brenda is a good communicator, a skill truly needed in this role; I feel she demonstrates all the attributes of a good judge:

Experience, Integrity, Competence, Judicial Temperament and Commitment to Justice for all.

As a long time Missoula resident, I would be honored to have Brenda serve in our district court. I do not believe it is possible to find a better candidate for the position!

Please appoint Brenda as District Court Judge.

Thank you for your attention to this matter.

Feel free to contact me if needed.

Sincerely,

Theresa Stergios

220 Strand Ave

Missoula MT 59801

406-728-7363

FROM THE DESK OF  
**D. MICHAEL EAKIN**  
**ATTORNEY AT LAW**  
**2035 PARKHILL, DR.**  
**BILLINGS, MT 59102**

March 16, 2015

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

Re: Brenda Desmond  
Fourth Judicial District Judge

Dear Commission Members:

I am writing to encourage the commission to recommend the appointment of Brenda Desmond to fill the position of district judge for the Fourth judicial District. I have known Brenda for over 30 years. Brenda will bring a unique skill set to the bench.

Brenda has been serving as a standing master for the Fourth Judicial District for a number of years. She has demonstrated the judicial temperament need to be a district court judge. This gives her both the practical and judicial experience needed for the position. While being a standing master, Brenda has had the opportunity to show how she deals with self-represented litigants. She does so well. This is an important skill for a district judge since large percentage of the family law cases are now filed by unrepresented litigants.

In addition to the standing master position, Brenda has demonstrated a commitment to the legal profession by training new lawyers as a professor at University of Montana Law School. Besides directing the Indian Law Clinic, Brenda also taught Legal Writing and Research. Brenda also has experience in drafting the laws she would be required to interpret. Her experience working for the Legislative Counsel gives her an insight that few have.

I know Brenda best from the time we both sat on the CS&KT Court of Appeals. I remember her concise legal writing. I also remember well the suggestions and editing Brenda provided in reviewing my writing.

Brenda and I already had a good working relationship when we sat on the CS&KT court. That professional relationship developed when we shared the Montana Legal Services office in Hardin. At that time I learned of her commitment to serving those that cannot afford counsel. From various conversations, I know that concern has followed her to her position as standing master.

Whenever a new judge takes the bench, there are always some minor problems in the transition. I have observed those minor inconveniences in Yellowstone County this last year with two new judges. Since Brenda is already working in Fourth Judicial District, the transition would be as seamless as possible. The parties and the lawyers would appreciate that.

Brenda Desmond would be an excellent district judge. Please forward her name to Governor Bullock with the highest recommendations.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Michael Eakin". The signature is fluid and cursive, with a long horizontal stroke at the end.

D. Michael Eakin



March 18, 2015

Dear Commission Members,

It is a great privilege to write this letter of support for Brenda Desmond. From the first time I met her four years ago, I was struck by the energetic and genuine way Brenda goes about her work.

She is an original thinker and has brought the community together around pertinent issues that impact us all. She has brought her 20 years of experience in District Court to bear in presiding over the Co-Occurring Court as well as the Veterans Court with what I see as outstanding results. I am grateful she sees the larger issues associated with those who stand before her and works tirelessly to assure that justice is served for all. She has been able to build a community of resources to support those she serves and is passionately engaged in many community projects.

I believe that Brenda's enthusiasm, integrity and breadth of experience would serve her well in the District Court setting. Her ability to listen and truly hear what is being said and her relentless pursuit of what is just and fair to all is a gift and should not be underestimated. Brenda has a very professional yet approachable demeanor. She is calm in the face of difficult circumstances and has the ability to maintain a level-headed presence.

I sincerely hope the commission chooses Brenda Desmond for this position. She would make an intelligent, fair, experienced and genuinely compassionate addition to the District Court.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kathleen Mangan". The signature is written over a horizontal line that extends across the page.

Kathleen Mangan, MS

Owner

Red Willow Center for Health and Healing

Executive Director of Red Willow Learning Center, Inc

Sheila Hurd

1925 Raymond Ave,

Missoula MT. 59802

406-543-6317

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

March 18, 2015

RE: 4<sup>th</sup> Judicial District Public Comment

I am writing in behalf of Brenda Desmond for the position of Fourth Judicial District Court Judge. I have personally known Brenda for 20 years both personally and professionally. I have worked as an RN case manager for Home Community-Based Services serving the elderly and those with mental and physical disabilities. Our children attended St Joseph and Loyola Sacred Heart School together and she shows the same integrity, work ethic and compassion in her personal commitments as in her professional ones.

Brenda exhibits integrity and works well with culturally diverse groups. She shows a commitment to the marginalized in our community. She was instrumental in launching the Mental Health court and Veterans court. This saves in human suffering, health and criminal justice dollars. She is revered at the National Alliance of Mental Illness (NAMI) group in Missoula and has spoken to this and other civic minded groups when requested. Brenda has a broad resume and experience which includes working with the Native American population and the complexities of tribal law.

She has qualities needed in the judicial position such as integrity, compassion and professionalism. Brenda has a strong commitment to justice and helps people jump through the hoops in the criminal justice system. I know this personally as I have a son who has dual diagnosis and went through the legal system. The mentally ill and those with Dual Diagnosis are overrepresented in prison. She has been a tireless advocate for those marginalized without a voice. This is a public health problem and a criminal justice one. Brenda understands this and works diligently to help the mentally ill maintain a sense of their dignity and become contributing citizens in our community. She strives for excellence and would make a just 4<sup>th</sup> Judicial judge.

Sincerely,



Sheila Hurd RN, BSN

**RECOMMENDATION LETTER  
4TH DISTRICT COURT JUDGE  
re:BRENDA DESMOND**

**Chris Poloynis  
SPARTANS HONOUR INC.  
VETERANS PTSD ORG.  
423 HALF EAST PINE STREET  
Missoula Montana 59802**

**Spartans Honour Inc., whose primary interest is to assist veterans with symptoms of PTSD and other military service related issues, has been in existence since 2008. Since its inception, Spartans Honour could not have been affective if not for the assistance of Brenda Desmond. We have relied on Brenda's understanding of the proper judicial path required in cases of crisis.**

**The excellence and understanding in her application of the Veterans Treatment Court has been immeasurably helpful to us and to all Veteran Organizations as well as to the Veterans Administration of Montana. Brenda has been attentive to every situation, often working on weekends and holidays. Without delay, hers has always been a tremendous helping hand. Her placement in the 4th District Court will only advance what she is capable of accomplishing to help all our Montanans with her compassion and competent legal diversity.**

**Brenda's presence is an invaluable addition to the quality of life for many, both within the military population and to all citizens of our state. Her contributions to the well-being of family matters is yet another variable which makes her most suitable for this highly respected position.**

**Sincerely Submitted  
Chris Poloynis  
President  
Spartans Honour Inc.**

Recommendation Letter

4<sup>th</sup> District Court Judge

Brenda Desmond

Erwin D. Dunbar

Vet to Vet VA Volunteer

1034 Longstaff #1

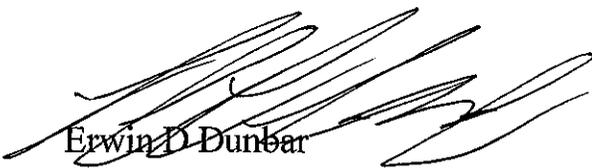
Missoula, MT 59801-3688

[dunbared@bigsky.net](mailto:dunbared@bigsky.net)

I have been involved with Vet to Vet since 2006. I have been aware that some vets seem to have a hard time adjusting back to Civilian Life. Anxiety Disorders and Symptoms of PTSD are hard for some to overcome. Some run into the Court System with behaviors that some do not understand.

The Veterans Treatment Court has been a valuable tool in helping those veterans set up boundaries and set them on a course of recovery. Brenda Desmond has seen this need and has worked hard to help with those Veterans. I have been to the Training and it is well thought out and implemented.

I believe that Brenda Desmond is a good choice and an invaluable addition to any Position she is hired for. Her Thoughtfulness and Contribution to the community cannot be overstated!



Erwin D. Dunbar

Vet to Vet VA Volunteer

March 19, 2015

Judicial Nomination Commission  
Office of the Court Administrator  
P.O. Box 203005  
Helena, MT 59620-3005

Dear Judicial Nomination Commission:

I am writing in support of the application of Brenda Desmond for appointment to the anticipated vacancy in the Fourth Judicial District Court Judge position. I have known Brenda since 1982. I can think of no other person better suited to be a District Court Judge than Brenda. Brenda's experience as a Standing Master for the Fourth Judicial District makes her uniquely qualified to step into the District Judge position for the remainder of the term of office. Brenda is intelligent, hard-working, and personable. I believe that these are qualities that all judges should have. She is respected by not only her colleagues, who admire her legal acumen, but by all of the people who come into contact with her in the legal process and in the community. Brenda has a wide range of legal experience which can only be an asset in the District Court setting. The attributes that really set Brenda apart are her integrity and commitment to justice for all individuals. Brenda has committed extraordinary amounts of time toward the goal of equality of access to and the receipt of justice for all of the citizens of Montana. Her background of working with people in all walks of life and in supporting the less fortunate have demonstrated that she would have an ideal judicial temperament on the bench. Brenda is patient, kind, and extremely competent. She is also a model for integrity in the legal profession. I am honored to be able to support the application of Brenda Desmond for the Fourth Judicial District Judge position. I recommend her to you without reservation.

Sincerely,



Gregory J. Petesch

# BOONE KARLBERG P.C. ATTORNEYS AT LAW

W.T. BOONE (1910-1984)  
KARL R. KARLBERG (1923-1988)  
JAMES J. BENN (1944-1992)  
THOMAS H. BOONE, of Counsel  
WILLIAM L. CROWLEY  
RANDY J. COX  
ROBERT J. SULLIVAN  
DEAN A. STENSLAND  
CYNTHIA K. THIEL  
ROSS D. TILLMAN  
JAMES A. BOWDITCH

MATTHEW B. HAYHURST  
SCOTT M. STEARNS  
NATASHA PRINZING JONES  
THOMAS J. LEONARD  
JULIE R. SIRRS  
TRACEY NEIGHBOR JOHNSON  
CHRISTOPHER L. DECKER  
RANDY J. TANNER  
MARY CILE GLOVER-ROGERS  
ZACHARY A. FRANZ

March 23, 2015

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

Re: Public Comment on behalf of Brenda C. Desmond

Dear Commission Members:

Brenda Desmond's intelligence, maturity, energy, written and verbal communication skills, range of legal experience, and passion for the people and issues of our state combine to make her an excellent candidate to fill the vacancy soon to be created by District Judge Ed McLean's retirement. For these reasons, I write in support of Brenda's application and urge you to recommend her to Governor Bullock for appointment.

Of all the candidates before you, I believe Brenda possesses a unique set of skills and experience that will serve our Judicial District and the State of Montana very well. Brenda alone would bring to the court her experience from the Legislature, her work with the Tribal Courts of this state, her work with law students, her service to our community, and her actual experience working in the District Court—particularly with regard to veterans and those suffering with mental health issues.

I met Brenda in 1985 when she worked as Staff Attorney for the Montana Legislative Council. Since then, she has gone on to hold the positions of faculty at the University of Montana School of Law where she taught Legal Research and Writing and Legislation, associate justice for the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Chief Justice for the Fort Peck Tribal Court of Appeals, and Standing Master for the Fourth Judicial District Court since 1994. Unlike many Standing Masters, Brenda has not been assigned to work with primarily family law cases. Rather, she handles a broad range of civil, criminal, family law, juvenile, and mental health matters. Importantly, she saw the need for and worked to develop in

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Montana Judicial Nomination Commission  
March 23, 2015  
Page 2

our Judicial District a Veteran's Court and Co-Occurring Treatment Court. Because of her work with the court, in particular, there would be little, if any, transition necessary for her to step into the upcoming vacancy.

Brenda clearly has a sound judicial temperament, good old common sense, and incredible integrity. She is one of the most intelligent, hard-working, and fair-minded people I know. She treats everyone with respect and is thoughtful, considerate, and encouraging when rendering often difficult decisions.

In addition to having known Brenda in her various roles over the years, I have worked with Brenda on the Missoula Self-Help Law Center Advisory Board since it opened in 2008. Brenda is a valuable member of the Board. She is a problem solver regardless of the difficulty of the issue facing the Board, is respectful of the diverse opinions of the various Board members, and provides valuable insight as to the role the Center plays amongst the patrons it serves, the Judiciary, and the Clerk's office.

Clearly Brenda's unique set of skills and legal experience would be a valuable asset to the Montana Judiciary and the Montana Fourth Judicial District Court, in particular, and I urge you to include Brenda on the short list of candidates you forward to Governor Bullock for consideration.

Sincerely,



Cynthia K. Thiel

CKT:dac

cc: Ms. Brenda C. Desmond

Karen Ward  
514 Westview Drive  
Missoula, Montana 59803  
406-728-3236

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

March 21, 2015

**RE: 4<sup>th</sup> Judicial District Public Comment**

I strongly recommend Brenda C. Desmond as an excellent candidate for the fourth Judicial District Court.

I have known Ms. Desmond in three different capacities over the past 15 years. First, on a professional level, she was the judge that presided over Missoula County Mental Health Court when my son spiraled out of control with a mental health diagnosis and substance abuse. It is hard to describe what a difference a compassionate yet professional member of the court made. Our family was at its lowest point and feeling quite helpless. Brenda Desmond gave us hope and she gave us good suggestions. More importantly, she treated our son with respect yet held him to standards with natural consequences.

I attended Mental Health Court and observed her compassion with both the families and the consumers. She is bright, thoughtful, exhibits a positive judicial temperament and utmost integrity.

As a member of N.A.M.I. (National Alliance on Mental Illness) I know that Ms. Desmond has received our highest award as a NAMI Hero. She has a statewide reputation as a compassionate judge who goes one step further than necessary to make sure she understands each situation. She was instrumental in getting a Mental Health Court here in Missoula and we see her as an innovator with a commitment to justice.

Finally, I have known Brenda Desmond as a member of Toastmasters for many years. I believe she joined to improve her speaking and leadership skills, as we all do. Wow, has she been successful. In this capacity I have had the special opportunity of getting to know her, from both working with her on committees and from observing her talk about her judicial knowledge in speeches. I have come to highly respect her professional competence and integrity and her rich and diversified background.

I highly recommend you consider Brenda Desmond for the position of District Judge.

Sincerely,

Karen Ward

406-396-3395

# From the Desk of Tyler R. Gernant

P.O. Box 8307  
Missoula, MT 59807

March 22, 2015

*Via Email Transmission Only*

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

## **Re: Recommendation of Brenda Desmond**

Ladies and Gentlemen:

With great pleasure, I write to you in support of Brenda Desmond's application for nomination and appointment to the Montana Fourth Judicial District Court. I first met Brenda during my first run for political office. Brenda's enthusiasm and intelligence was immediately apparent as she quizzed me on a wide range of issues. Since that time, I have come to know Brenda well and my respect for her has only grown with time.

Brenda's compassion and intelligence shines through in every facet of her life. Her relationship with her own family demonstrates an innate ability to be compassionate while being fair and reasonable. Despite being emotionally tied to a situation, Brenda has the ability to divorce her emotions from her decision-making to take a course of action that is both equitable and empathetic.

Although I never had the pleasure of practicing in front of Brenda, I know many attorneys that have. Her reputation as a just and thoughtful jurist is unparalleled. Simply put, Brenda is highly regarded amongst those who practice in front of her. As a judge, there can be no greater compliment than the support of those who must live with your decisions.

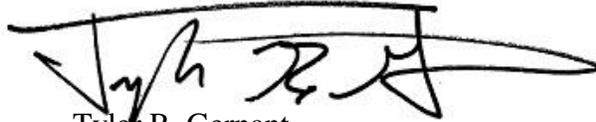
Finally, Brenda is the only candidate for this position to have run for the position in the past. Although Brenda's prior two campaigns for this position did not end as she would have hoped, she has consistently improved her results. As someone who has lost more campaigns than I have won, I firmly believe that we learn more from our losses than our victories. Should Brenda receive this appointment, she has the skills and experience to win the subsequent campaign.

March 22, 2015  
Judicial Nomination Commission  
Page 2 of 2

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I am proud to offer my full recommendation and support to Brenda Desmond for this position. Please also accept my gratitude for your consideration of these comments. Should you need additional information for any reason, do not hesitate to contact me.

Very Truly Yours,  
MISSOULA COUNTY CLERK AND TREASURER

A handwritten signature in black ink, appearing to read 'Tyler R. Gernant', written over a horizontal line.

Tyler R. Gernant



# AMERICAN UNIVERSITY

W A S H I N G T O N , D C

JUSTICE PROGRAMS OFFICE

March 21, 2015

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

Re: Application of Brenda Desmond to fill Fourth Judicial District Court Vacancy

Dear Ms. Menzies:

I am writing in strong support of the application of Brenda Desmond to fill the current judicial vacancy on the Fourth Judicial District Court in Missoula. Although I am not a resident of Montana, I have strong ties to the state, my daughter having lived in Missoula and Helena for five years, and my own work with judicial system officials in the state for the past twenty years in various reform initiatives. (I had the great privilege of receiving a special award from the Supreme Court of Montana in 2012 for my services for the drug court field.)

I am on the Research Faculty of the School of Public Affairs (SPA) at American University and the Director of SPA's Justice Programs Office, which provides technical assistance and training services to state, local and tribal courts and justice agencies throughout the U.S. and abroad. Through these initiatives, I have worked with Ms. Desmond in a variety of contexts –initially, through her involvement with the juvenile drug treatment court, and subsequently through her work with the Mental Health Court and, most recently, with the Veterans Treatment Court, all operating in the Fourth Judicial District and products, in large part, of the collegial efforts and vision she has demonstrated to implement and sustain these critical programs. Her contributions to tribal justice efforts are also well known and respected nationally.

I realize that there are a number of qualified candidates who have applied to fill the District Court judicial vacancy and I therefore want to highlight what I feel are distinguishing features of Ms. Desmond's credentials that are of significant import to the citizens served by the Fourth Judicial District Court:

- her demonstrated commitment to “justice for all” and efforts to promote access to the court system for all citizens of Missoula, including those dealing with special issues relating to youth, those who have served in the military, and those who are suffering from mental health disorders;
- the breadth of her experience, including her 20+ years' experience as a Standing Master with the Fourth Judicial District Court, her judicial appointments with neighboring Tribal Courts, and her previous experience with Montana Legal Services and the Montana Legislative Council; and
- the professional competence and integrity she has demonstrated throughout her career

I feel that the Fourth Judicial District Court would be extremely fortunate to have Brenda Desmond as a member of its bench, whose experience, knowledge of the law, commitment to justice and to the integrity

SCHOOL OF PUBLIC AFFAIRS

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WEB SITE: [WWW.AMERICAN.EDU/JUSTICE](http://WWW.AMERICAN.EDU/JUSTICE)

Judicial Nominations Commission  
March 21, 2015  
Page Two

of the justice system, and genuine understanding of community issues which underlie so much of the Court's caseload would make her an outstanding judge.

Please let me know if I can provide any additional information to support Brenda Desmond's application.

Sincerely,



Caroline S. Cooper  
Research Professor and Director  
Justice Programs Office, School of Public Affairs

CSC/jd

**From:** [Menzies, Lois](#)  
**To:** [Cook, Kevin](#)  
**Subject:** Desmond -- Public Comment  
**Date:** Monday, March 23, 2015 6:24:20 PM

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**From:** willie graham [mailto:willie.graham@yahoo.com]  
**Sent:** Monday, March 23, 2015 3:38 PM  
**To:** MT Supreme Court,  
**Subject:** Judicial Nomination Commission : Letter of Support for Standing Master Brenda Desmond

Willie Graham  
2839 S. 3rd street west  
Missoula, Mt 59804  
406 546-5787

Judicial Nomination Commission

c/o Lois Menzies

Office of Court Administrator

P.O. Box 203005

Helena, MT 59620-3005

To Whom it man concern:

This is the first time I have ever taken time to write a letter of recommendation for anyone, the main reason is the honest fact that I have never felt compelled to do so for anyone. I have always felt doing so is a direct reflection of who you are and what you stand for as a person, this is much to important to stand on the sidelines and not voice, a true and heartfelt support for someone I deeply trust and believe in.

I am a African American, college graduate who moved here from California about 11 years ago. I say this only as a reference to how I felt moving to a place that had very little diversity in my mind, more then a decade ago. I met Brenda through my partner the first week I was here, I remember wondering if I would be I would be able to detect any hesitancy from her, in inviting me into her home and meeting her family.

I am not recommending to choose Brenda, just because she interacts with people of color. I am saying Brenda has some very unique and diverse experiences that would serve her well on the bench. I am saying her experiences with people from all walks of life, makes her the ideal candidate to fill this position.

I have know Brenda from afar for 11 years now, and I have always known her to be a person of very high integrity and character. One could read this e-mail and think I am recommending someone who would be really soft, and not be able to harshly apply the law when needed. Well nothing could be farther from the truth, I feel she will more then meet that challenge of handing down harsh sentences when justice calls.

In closing I truly believe this panel should look very long and hard at the 20 years of experience Brenda has put in being a standing master for Missoula courts, she has truly spent a large portion of her life working and serving the citizens of Montana. What better way to show the people of Montana and the country, that we truly value hard work and dedicated employees who have spent most of their lives serving the community in which they live.

Sincerely,

Willie Graham

**From:** [Menzies, Lois](#)  
**To:** [Cook, Kevin](#)  
**Subject:** Desmond -- Public Comment  
**Date:** Monday, March 23, 2015 6:22:25 PM

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

Dear Ms. Menzies and the Judicial Nomination Commission:

I write to provide my recommendation to Brenda Desmond's appointment as a district court judge of the Fourth Judicial District Court. Brenda's strong character, proven experience overseeing district court-level cases, and commitment to the improvement of the legal profession compel this letter. I have worked with Brenda since my attendance at the University of Montana School of Law and have been impressed with her commitment to her work and to the people who appear before her.

Brenda has established experience in a wide range of legal issues. Because state district courts are courts of general jurisdiction, it is important that those presiding have this experience, as well as the ability to develop their capacity in other areas. As a Standing Master of the Fourth Judicial District since 1994, Brenda has presided over criminal, youth court, treatment court and family law matters.

Family law and criminal matters make up a large percentage of the cases in our district courts. Brenda has developed an intimate knowledge of these areas of law. She approaches her cases with an open mind, an impartial demeanor, and a measured compassion for those appearing in front of her. She has developed advanced knowledge in these areas, and in particular, an important perspective on the impact of violence in family law cases. We know that nearly 1 out of 3 women in our country experience intimate partner violence in their lifetime. Necessarily, issues of family violence impact a percentage of our dissolution and parenting plan cases in Missoula district court. Brenda is experienced in these impacts and ensures that courtroom proceedings are safe and balanced. As a practicing attorney and sometimes mediator in low-income family law matters, I have been impressed with Brenda's thoughtful approach toward family law cases.

As to other legal matters which may arise, Brenda has proven to be an incisive writer and efficient legal researcher. She has experience in courtroom dynamics and presiding over courtrooms where people are angry, confused or need additional assistance. She will have no problem transitioning to handling dispositive matters in the district court. She has extensive experience as a judge, attorney and professor of Indian law, an essential piece to any Montana judge's resume.

Brenda has shown a commitment to improving our legal system to meet the needs of our most vulnerable. Brenda has been essential to the development of Missoula's Co-Occurring Court and Veterans Courts. She has demonstrated the ability to administer court programs. Brenda is working toward solutions to the issues of mental illness and drug addiction. Our court systems must be responsive to the needs of individuals struggling with these issues. Not

only does Brenda believe this, she works every day to support this belief.

Thank you for the opportunity to support Brenda Desmond for nomination to the Fourth Judicial District Court bench.

**Robin M. Turner, Esq.**

P.O. Box 938

Missoula, MT 59806

406/360-2335

**From:** [Menzies, Lois](#)  
**To:** [Cook, Kevin](#)  
**Subject:** Desmond -- Public Comment  
**Date:** Monday, March 23, 2015 6:20:28 PM

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**From:** Suzin Kratina [mailto:[suzinjkratina@gmail.com](mailto:suzinjkratina@gmail.com)]  
**Sent:** Saturday, March 21, 2015 4:45 PM  
**To:** MT Supreme Court,  
**Subject:** Re: 4th Judicial District Court Appointment

March 21, 2015

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

**To Judicial Nomination Commission**

Re: 4<sup>th</sup> Judicial District Court Appointment

I am writing in support of Brenda Desmond to fill the remaining term of Judge Ed Mclean. I have known Standing Master Desmond for the past six years in my capacity as the Director of Planet Kids, the YWCA Missoula's supervised visitation and safe exchange center. Ms. Desmond referred and ordered families to use Planet Kids if there were safety issues for children and/or ex-partners when there was child abuse, domestic violence and other issues where children could not be alone with a parent.

Ms. Desmond's experience as a Standing Master makes her an excellent choice for appointment to the 4<sup>th</sup> Judicial Court. This includes her work with, and unwavering support of, the Missoula Co-Occurring Treatment Court and Missoula Veterans Court. In my experience Ms. Desmond has always demonstrated a commitment to justice for all, including justice for people struggling with mental illness and co-occurring substance abuse problems. My clients felt that Ms. Desmond was respectful of them, helped them, yet held them accountable.

I cannot think of a more professional, competent and committed person to be a Judge in the 4<sup>th</sup> Judicial District. Her breadth of experience makes her the best choice for this appointment.

Sincerely,

Suzin J. Kratina  
406-360-7282  
[suzinjkratina@gmail.com](mailto:suzinjkratina@gmail.com)

--

Suzin J Kratina, MEd  
PO Box 3145  
Missoula, MT 58806

**From:** [Menzies, Lois](#)  
**To:** [Cook, Kevin](#)  
**Subject:** Desmond -- Public Comment  
**Date:** Monday, March 23, 2015 6:35:28 PM

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**From:** COL Samuel Kingsbury Millett (ret.) [mailto:colskm@gmail.com]  
**Sent:** Thursday, March 19, 2015 7:05 PM  
**To:** MT Supreme Court,  
**Subject:** Letter of Recommendation - Brenda Desmond

Greetings,

I would like to offer my unqualified recommendation for Brenda Desmond to serve as District Court Judge. I have known and worked with Judge Desmond for almost four years. I was a member of the original cadre of Veteran's Court Mentors. Judge Desmond has been driving force behind the establishment and continued success of the Veteran's court. Her leadership, vision and hard work has served countless veterans, their families and our community.

Judge Desmond has provided a vehicle to assist troubled veterans in their recovery and reintegration as productive members of society. Additionally, she has recruited, trained and motivated a significant number of veteran mentors. This in itself has allowed me and others to heal after the stress and rigor of several combat tours. After 44 months serving in combat operations, it is encouraging to have someone recognize the sacrifices and assist the veteran's community.

Montana has one of highest number of veterans on a per capita basis and military service has been a calling for generations of Montanans. We owe our young men and women that have answered the calling our best efforts and support. Judge Desmond has been a key leader in these efforts. She epitomizes selfless service and commitment to the community and its veterans. She has been a source of leadership and inspiration to our returning warriors and their families.

Judge Desmond's commitment, experience and service demonstrate her readiness to serve in positions of increased responsibility and authority. She has my support and the support of the veteran's community in Missoula. Please feel free to contact me if you require any additional information.

v/r

Samuel Kingsbury Millett, COL (R), US Army

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cell: 406 241 6305

Katie Carlson  
P.O. Box 8307  
Missoula, MT 59807

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

March 21, 2015

RE: 4<sup>th</sup> Judicial District Public Comment

I am writing to express my full support for Brenda Desmond, Standing Master, for the Fourth Judicial District Judge.

I have known Brenda since working at the Family Law Self-Help Center in 2010. During my time there Brenda was always available to answer any questions regarding pro se litigants. She was always able to guide me toward resources to help clients and myself understand a situation more fully. My experience was that Brenda is both professional and compassionate; she sincerely cared not only about the people I was helping daily but also those that came through her court.

Since my time at the Family Law Self-Help Center, I have been able to get to know Brenda on a personal level. Just as in a professional setting, Brenda is kind, compassionate and always wants to help others. She is an incredible mother and grandmother who strives to do the most just thing in all situations. She cares for and looks out for her sons and granddaughter in a way that can only be described as unconditionally loving, and we should all be lucky to have someone like her in our life.

In closing, I think that Brenda really embodies all the traits we should hope our judges would have; she would be an asset to the Fourth Judicial District. If you have any additional question please feel free to reach out at any point.

Sincerely,

A handwritten signature in black ink, appearing to read 'Katie Carlson', written in a cursive style.

Katie Carlson, Esq.  
Missoula, MT

I would like to share some of my thoughts about Brenda Desmond. I would like to see her appointed to vacant judicial position.

I have known Brenda since I served on the Western service area board. I am an advocate of the Veterans Court. I've received the training for mentors of the Veterans Court. Brenda has come up to Polson and Roman to give presentations on the Veterans Court.

I know she's worked with different tribes, including my tribe on the Flathead reservation. People that know her, speak highly of her. She comes across as very intelligent, sensitive, and a real human being.

I've gone to some of her courts and seen her in action. She is an excellent communicator and seems to work well with different people. Brenda listens to people and seems to know a lot about where they are coming from and also is clear in the messages she sends others.

I have talked to Brenda on a one to one basis at times and believe I've been heard. I am biracial and a tribal member (CS+KT) among other things. I think she's good at seeing people where they are and working with difference, yet not lose track of the legal issues and the requirements of the court. I've worked on three state boards (Mental Health) and like the qualities I see in Judge Brenda Desmond.

Thomas Albert Camel

GLORIA h. ROARK  
10079 Miller Creek Road  
Missoula, Mt. 59803

March 20, 2015

RE: Judge Brenda Desmond

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

To Members of the Judicial Nomination Committee:

I highly recommend Judge Brenda Desmond for the up-coming vacancy in the Fourth Judicial District.

I am a volunteer in Veteran's Court, and have known Judge Desmond for approx. 5 years.

Judge Desmond is very professional, and I know her to be a very disciplined person, showing great compassion, but firmness, in helping Veterans turn their lives around. It is so rewarding for me and others involved, to be a part of and witness miracles happen as Judge Desmond orchestrates this Program. The skills and expectations that she exhibits, guiding wounded individuals to recover to their full potential, is inspiring. There is a ripple effect to this treatment program, as Veterans families become whole, and all the volunteers involved develop more skills and a greater compassion for those people who "stand at the ready," to defend our freedoms. Judge Desmond has the great ability to bring out the very best in individuals.

Judge Desmond is a real asset to this community, and it is an honor to know her, and help in Veterans Court. I, personally, have witnessed the great respect and love for her that the Veterans completing this program are able to communicate to those around them. Brenda has bridged the gap for all those involved.

There is no question in my mind, at all, that Judge Desmond is the most qualified person to be appointed to this position. She will continue to serve Missoula well and with the highest standards in honoring the Law of the land.

Sincerely,

Gloria Roark



Charlotte Beatty  
Senior Staff Attorney  
Standing Master  
Fourth Judicial District  
Department 2



Missoula County Courthouse  
200 West Broadway  
Missoula, MT 59802  
(406) 258-4772  
Fax: (406) 258-4739

March 23, 2015

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

Dear Judicial Nomination Commission,

I am writing in support of the nomination of Brenda C. Desmond to fill the upcoming vacancy of Judge McLean's position as District Judge for Department 1. Amidst the impressive list of candidates, Brenda simply has the most experience, energy, passion and intelligence for this position. For over eight years, I have worked closely with most of the district court judges here in Missoula, including Judge McLean who leaves some pretty big shoes to fill. But given Brenda's relentless commitment to ensuring justice for all, whether it be as a well-regarded Standing Master, through her leadership in mental health court, developing a successful veteran's court, or as a tribal appellate judge, Brenda would easily step into Judge McLean's position without a hitch. And the Fourth Judicial District Court would be better for it.

I can't even begin to say how Brenda has supported me in my work – not only has she been an inspiring editor of challenging legal opinions that I now take great pride in, Brenda gave me the resolve to remain steadfast in my goal of opening the Self-Help Law Center years ago, when support was hard to come by. She and I remain on the Advisory Board together with several other respected attorneys and judges. As a new Standing Master, I have turned to Brenda for her always-sound advice in difficult situations – this has been invaluable. Brenda also has an excellent sense of humor - something that should be in every judge's "skill set."

Personally, I am proud to call Brenda a dear friend who has supported me through tough times and has shown my autistic son nothing but support, kindness and generosity; she really cares about people. I truly hope you will consider recommending Brenda Desmond to Governor Bullock as the best choice for our next District Judge. Given her relentless motivation, professional demeanor and outstanding knowledge of the law, along with an innate sense of what makes people tick, Brenda is clearly the best choice and has long-deserved to be in this position.

Sincerely,

Charlotte Beatty

## Judicial Nomination Commission

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

I met Ms. Desmond briefly and informally in 1992. She was one of the friendliest and kindest people I met my first year in Missoula. Seven years later, in 1999 Ms. Desmond became my supervisor when District Court hired me as the program coordinator for the Missoula Youth Drug Court program (YDC).

The Department of Justice awarded Missoula District Court, a sizable grant to implement one of only a handful of Youth Drug Court programs in the nation. Ms. Desmond wrote the grant, and Judge John Larson presided over this court-directed treatment program. In 1998, Brenda Desmond came to me and asked me if I could provide a literacy component to benefit the participants in Missoula YDC. At the time, I was the director of the Adult Literacy program at the public library. We began working together to formulate a program that would improve the basic, reading, and writing levels of the young people in the YDC program.

With significant input from Ms. Desmond, we decided on an innovative approach that would focus on fun writing activities, reading exciting short stories, and utilizing the skills and personalities of local writers in Missoula to engage YDC participants. At the time, I was impressed that a “Standing Master” of a district court department was inclined to be so *innovative* and *committed* to finding creative ways to improve the literacy skills of local youth—after all what did literacy skills have to do with kids who were in trouble for using illegal substances. During the first round of “literacy programming”, I learned that the majority of the youth involved in YDC, were also failing or close to failing in school. The concept of “treatment” for *basic literacy skills* in a court-directed drug treatment program was as it turns out spot on. I was quite impressed then with Ms. Desmond’s ability to see how these two seemingly separate issues were tied together for the youth in this program. I have continued to be impressed with Ms. Desmond on a regular basis.

Because of this innovative thinking, the Missoula YDC and today, the current treatment court programs under the direction of Standing Master Desmond have a national reputation for taking innovative approaches to the treatment. In the early days of court-directed drug treatment programs, the Dept. of Justice applauded Missoula’s YDC model for using a treatment protocols for youth NOT based on the adult model of drug treatment. Ultimately, the U.S. Dept. of Justice awarded additional grants to Missoula YDC to continue their YDC program and to demonstrate to other grantees in country how to develop an innovative track of drug treatment programs for the youth in their programs.

It was in these early days of developing the YDC that I came to understand not only how kind and friendly Ms. Desmond is but also how incredibly intelligent, talented, and forward thinking Ms. Desmond is.

We need more of this kind of thinking on the bench. It's clear from the other letters of support for Standing Master Desmond that she has a judicial temperament required for the job of Judge. I wholeheartedly agree with those assessments of Standing Master Desmond. As a non-lawyer, I know the importance of a judge who *knows and understand* the law and interprets the law with clarity and accuracy. I believe along with others that Standing Master Desmond has an incredible legal mind. But it as a professional who has been working with people of diverse lifestyles, economic classes, and family backgrounds that I say we need a judge who also "knows people".

Many times, I have sat in court when Brenda is presiding witnessing her ability to "understand" people. She does this first by *listening, carefully*. Standing Master Desmond takes everything she has heard from all parties and expertly assesses what will make a difference in the troubled life (lives) before her. Listening is a skill we hope everyone can learn but in truth, we know the ability to **listen**, assess, interpret the law, dole out required punishments and consider what it will take to turn a person's life around, is a special gift.

In my first year of working with Special Master Desmond, I did learn that a significant number of kids "in trouble" were also kids failing in school. I recognize now the confluence of substance abuse, mental health issues, the lack of education, lack of affordable housing, and sometimes even the lack of food, is often the cause of entanglement with the criminal justice system. My deeper and wider understanding of our court system and the people who populate it is largely due to my opportunity to work with someone as gifted as Ms. Desmond. I am truly thankful for that.

Only one of applicants for this judgeship has taken on the gargantuan task of court-directed treatment programs in Missoula. Only one person in my mind is truly "gifted". Standing Master Desmond has the ability to think, to respond, to obtain funding, and to set the course of solving and mitigating the significant problems that beset many members of our community and do so *with positive outcomes*. She has proved this. She does this every day. She does this humbly, effectively, fairly, with over 20 years experience, and with a **rare gift for listening and understanding**. More times than not, she is able to come up with what may actually help a person turn the tide, and turn their lives around. You cannot ask for more from a judge. We would be lucky to have Ms. Brenda Desmond in this position. Please appoint Special Master Desmond to this judgeship. She has proved herself, it's her turn.

Respectfully Submitted:

*Ellie Greenwood*

Ellie Greenwood

2839 S. Third St. W.

Missoula, Montana, 58904

(406) 396-5628

March 19, 2015

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

Re: BRENDA C. DESMOND

Dear Members of the Judicial Nomination Commission,

This is a letter in support of the application of Brenda Desmond for appointment as district court judge and is written in my personal capacity and on my own time. I have known Brenda on a professional level since 2011, and she was instrumental in the establishment of the Missoula Veterans Court. Brenda is an excellent judge and brings a wealth of experience, integrity, professional competence, judicial temperament, and ***Commitment to Justice for All***.

I am a U.S. Navy Veteran and the DVOP (Disabled Veterans Outreach Program) at the Missoula Job Service. Working as “Grant Funded Staff” for the Department of Labor’s Jobs for Veterans’ State Grants (JVSG) Program Refocusing, I provide intensive services for Veterans with a service connected disabilities and for other Veterans with significant barriers to employment (SBE). Brenda has been instrumental in the Missoula Job Service and DVOP receiving referrals from the Missoula County 4<sup>th</sup> Judicial District Court and Missoula Veterans Court. The Missoula Job Service also has two Employment Specialists that specialize with the Re-entry Program for job seekers with a record, and they have received referrals based on Brenda’s knowledge of the services offered by the Montana Department of Labor.

Brenda is also an active member of the Veteran Service Provider (VSP) network. As the lead agency for the VSP meetings, I have convened a meeting of service providers all over western Montana. These service providers along with other Veteran and civic organizations, community members and volunteers have recently combined the VSP with Joining Community Forces – Missoula Region (JCF). This group is made up of a broad range of persons who work on a wide variety of Veterans' issues, including employment, housing, education, medical care, along with VA and congressional and senatorial staff. Brenda attends the meetings, is an active participant, and has gained the respect of the Veterans Service Providers due to her hard work and dedication to Veterans.

Veterans who have sacrificed for our country and then become involved in the criminal system as part of a struggle with mental health and substance abuse issues are lucky to have Brenda on their side. One example of many is a Special Disabled Army Veteran (Over 30% service connected disability) who had worked with me for career guidance and then enrolled into the VA Vocational Rehabilitation, Chapter 31 Program. He graduated from the Veterans Court in October, and his success has been attributable to Brenda and the services and counseling offered by the Missoula Veterans Court.

Brenda has already made a tremendous contribution to the Montana court system, Missoula Co-Occurring Court and the Missoula Veterans Court. I hope you will allow her to continue to do so.

Sincerely,

*Shannon Noble* ~ Outreach Specialist for Joining Community Forces ~ Missoula Region  
Disabled Veterans Outreach Program / DVOP, Missoula Job Service



DPHHS Network of Care for Veterans - Statewide

[Click Here for the Service Members, Veterans, and Families Online Resource Connection](#)



**From:** [Menzies, Lois](#)  
**To:** [Cook, Kevin](#)  
**Subject:** Desmond -- Public Comment  
**Date:** Wednesday, March 25, 2015 7:35:34 AM

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From: John J. Keefe [<mailto:jjkeefeusmc@charter.net>]  
Sent: Tuesday, March 24, 2015 8:09 PM  
To: MT Supreme Court,  
Cc: bcdesmond@msn.com  
Subject: Letter of Endorsement: Brenda Desmond

Justices of the Supreme Court of Montana,

This is my enthusiastic recommendation for our Standing Master (SM), Brenda Desmond for the position of Judge here in Missoula, Montana.

Brenda Desmond has been the Standing Master of the Veteran's Court since its inception. I have been a mentor since the earliest days as well. I have personally watched her recruit and develop staff, mentors, veteran agencies, and other community resources for the entire process of establishing a functioning court for veterans.

Like other mentors, I am a combat veteran with command experience of decision taking under extreme conditions. The veteran participants in the program automatically respected us in the process of their mentoring. The mentors represented all services and of various lengths of service. Under Ms. Desmond's direction we worked easily together and suggested ideas critical to SM Desmond's success.

During the course of this court, 28 participants were enrolled, three of whom were dropped from the program and returned to the regular justice system, and one participant transferred from this jurisdiction. The success rate of about 80% is remarkable for the men of the age group with whom we worked. Use of the community and other agencies recruited by SM Desmond contributed to success. Alcoholics Anonymous, Vet Center, law enforcement, VA programs in and out of Missoula were recruited, used, and coordinated effectively in her program.

She directed weekly staff training and reviews, monthly mentor training and reviews, and an annual training program for new mentors. Newer and younger veteran mentors are a premium asset for their relationship with younger offenders as candidates for the program.

The program has been viewed and studied by experts and others attempting to start other local veterans courts. The strength of local citizens and agencies is appreciated. Questions of 'how' are often asked, arising from the keen interest in diverting veterans into a more effective program than incarceration, etc.

The veteran to whom I was assigned has serious health problems in addition to alcohol problems. He fought in a distinguished unit, the 199th Infantry Brigade (Light) in Vietnam. The unit, during one short episode, earned one Medal of Honor, two Distinguished Service Crosses, twenty Silver Stars, many more Bronze Stars, and over one hundred Purple Heart Medals. Many of these medals were awarded posthumously. My participant still goes to AA meetings with his enabling wife. I see him frequently still, even though he has 'graduated'. We have become good friends. I know he will come to my funeral and I to his should he precede me.

Finally, SM Desmond realizes the value of and practices fitness. she is an example to the participants and mentors alike. She competes in and completes the local marathons and encourages goals each week in body, mind, and spirit.

Respectfully,  
John J Keefe  
Colonel USMC (Retired)

**From:** [Menzies, Lois](#)  
**To:** [Cook, Kevin](#)  
**Subject:** Desmond -- Public Comment  
**Date:** Wednesday, March 25, 2015 7:36:05 AM

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**From:** Carl Johnson [mailto:carl2j@aol.com]  
**Sent:** Tuesday, March 24, 2015 10:04 PM  
**To:** MT Supreme Court,  
**Subject:** Support Letter for Brenda C. Desmond for Fourth Judicial District Court Judge Appointment

Judicial Nomination Commission  
c/o Lois Menzies

**Letter of Support for the Appointment of Brenda C. Desmond for Fourth  
Judicial District Court Judge**

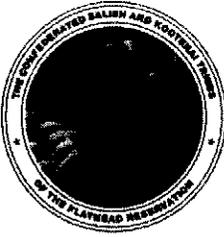
We have known and appreciated Brenda Desmond for many years and fully support her appointment as Judge of the Fourth Judicial District Court. Her extensive legal knowledge and wide experience qualify her as an outstanding candidate. Brenda has practiced law for 38 years in a wide variety of settings, including 20 years in the District Court System, criminal law, family law, alcohol and drug abuse trials, tribal matters, Veteran's court, mental health decisions, legislative council, law education, and legal writing and practices. This breadth of legal experiences has prepared her well to serve as a District Court Judge.

We know Brenda to be a well-balanced, mature, positive, respectful professional with a sense of fairness and concern for each individual person. She highly respects the justice system and her integrity is above question. Throughout her career she has demonstrated the ability to consider each circumstance or case individually and to make impartial decisions, even in difficult situations.

Brenda knows the value of hard work and persistence and is willing and eager to face new challenges. The Judicial Nomination Commission could not find a better qualified or more experienced candidate for the Fourth Judicial District Court Judge Appointment.

Thank you for your respectful consideration of Brenda C. Desmond,

Carl and Cathlyn Johnson  
2763 Ancabide Ln.  
Missoula, MT 59803



# THE CONFEDERATED SALISH AND KOOTENAI TRIBES OF THE FLATHEAD NATION

## TRIBAL DEFENDERS OFFICE

### Managing Attorney

Ann M. Sherwood

### Case Manager

Desiree Fox

### Clinical Psychology Trainee

Ciara Hansen

### Office Manager

Kate McDonald

### Legal Secretary

Marcella Mahseelah

### Criminal Division

James G. Gabriels, Senior Attorney

Michael Wheeler, Attorney

Susette Billedeaux, Advocate

### Civil Division

Justin Kalmbach, Attorney

Claire Charlo, Advocate

March 23, 2015

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

RE: Brenda C. Desmond

Commission Members:

I have known Brenda Desmond for more than twenty years and I cannot think of anyone more capable to serve on the bench in the Fourth Judicial District.

Brenda's experience demonstrates the breadth of knowledge and expertise she would bring to the job. She has been a standing master for twenty-one years, she is an appellate judge, she was a law professor, she is a published author, drafted legislation and obtained funding for and presided over specialty courts. Brenda knows criminal, civil and Indian law. Brenda's expertise in Indian law is unique to the bench and certainly an important aspect to district court practice.

I believe that the special courts Brenda developed in the Fourth Judicial District, particularly the Veteran's Court, are ground-breaking efforts to address issues bringing a growing population of the community into the criminal justice system. Her efforts to effectively address mental health issues and the specific problems facing our veterans are critical now since our criminal justice system in the state is overloaded.

Brenda Desmond is committed to public service and integrity in her practice. She is honest, diligent and brave. Please do not miss the opportunity to put her in this position to serve the people of the Fourth Judicial District.

Sincerely,

A handwritten signature in black ink, appearing to read "Ann Sherwood".

Ann Sherwood

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

RE: 4th Judicial District Public Comment  
March 24, 2015

To the Judicial Nomination Commission: The purpose of this letter is to recommend Brenda Desmond for the position of state district judge in the Fourth Judicial District.

I have known Brenda for the past 35 years. When we met both were involved with work with the Crow Tribe at Crow Agency, Brenda working with the Crow Tribal Court, and myself working as a pediatrician at the Crow Agency Hospital. The work was hard and interesting for both of us, and for Brenda led to work teaching at the UM School of Law in the Indian Law Clinic, and her continuing work with Tribal Courts of several Montana tribes. Over the years I have consistently engaged Brenda in conversations about the ramifications of Native American Treaty Rights and family structure as they affect family law, medical care, and education – areas that have been important to both of us, and in which Brenda has particular expertise.

Our friendship continued when Brenda moved to Helena to work as a staff attorney for the Legislative Council, where she was responsible for drafting legislation and committee hearings. I saw that Brenda always demonstrated a strong work ethic and dedication to principles of fairness, understanding, and listening while weighing opposing viewpoints in legislative debate. She is almost entirely responsible for educating me in the way our Montana system of government works.

Since moving to Missoula, Brenda has continued in her dedication to the principles guiding the ethical practice of law, first as an instructor at the Indian Law Center, and later as Special Master in Missoula's Fourth Judicial District. While on that court, she spearheaded the development of the Missoula Co-Occurring Treatment Court (formerly known as the Missoula Mental Health Court) and then developed the first Veterans Court in Montana. This work is a testament to her dedication to upholding the legal rights of minorities and the poor, based in a strong moral belief in the role of law in addressing basic human rights.

In addition to her acute and active intelligence, Brenda has the energy to support her community and friends, actively engage with her children and grand-daughter, and compete in sporting events. I believe this appointment to the Fourth District Court would fully engage all of Brenda's abilities

Sincerely,  
Elizabeth P Gundersen M.D.  
530 Rodney Ct  
Helena MT 59601  
lizgunmontana@gmail.com

March 25, 2015

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

Re: Fourth Judicial District Judge Position---Brenda Constance Desmond

Dear Judicial Nomination Commission Members:

We have the luxury of having at least three highly qualified candidates to complete the term of Hon. Ed McLean in the Fourth Judicial District. I encourage you to forward the name of Brenda Constance Desmond to Gov. Bullock for his consideration.

Brenda Desmond has committed her life to public service and justice. She has a diverse work history, often using her considerable legal skills and kind heart to help the disenfranchised. Brenda is bright, hard working and consistent, all while being flexible and open-minded. She has established in her many years as a Tribal Court judge and standing master in District Court that she has a sound judicial temperament, and I believe Brenda would make an excellent district judge.

Sincerely,



Dirk A. Williams  
Attorney at Law  
P.O. Box 7099  
Missoula, MT 59807

ALEXANDRA L. VOLKERTS  
339 SOUTH 5TH STREET EAST  
MISSOULA MT 59801  
TELEPHONE 406-542-9395  
Email alexis@matr.net

March 25, 2015

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

Re: Brenda Desmond Nomination for District Court Judge-4th Judicial District

Dear Nominating Committee:

I write to recommend Brenda Desmond for District Court Judge in the Fourth Judicial District to replace Judge McLean, who is retiring.

I am a senior attorney with Disability Rights Montana, where I have worked for over 15 years with people with disabilities, including developmental disabilities, mental illness and PTSD, as well as, physical disabilities. Brenda and I met approximately 10 years ago on the Board of the Western Service Area Authority (WSAA), a group composed of consumers and stakeholders authorized by the legislature to collaborate with the Addictive and Mental Disorders Division of the Dept. Of Public Health and Human Services to improve the public mental health system.

Throughout the last decade, Brenda has been an effective and insightful advocate. Her work as standing master in the 4<sup>th</sup> Judicial District made her aware of the difficulties people with disabilities, particularly people with developmental disabilities or mental illness, encounter when they come in contact with the judicial system. But it was the consequences for people with mental illness who were involved in the criminal justice system that prompted her to see if she could improve the situation.

Brenda is a problem solver. She is creative, and had the initiative and energy to find and implement solutions. Brenda and Judge Larsen worked together to see if there were courts for people with mental illness similar to the Juvenile Drug Court Judge Larsen had created previously in the 4<sup>th</sup> Judicial District. They found numerous examples in other states, then worked to find grants to fund one in Missoula. Brenda wrote grants after collaborating with the WSAA and other mental health advocates to gain their input and support. She worked with the county attorney's office, the public defenders' office, probation, and the Police Department and Sheriff's department to gain their insight and cooperation. Once they obtained the funding to pay for a social worker and other community supports, Brenda became the standing

She has had a very successful track record in reducing recidivism and helping people with mental illness find the supports they need to remain stable in the community. She has kept data to show the effectiveness of this alternative court and has promoted it in other districts.

Over time, Brenda realized that people with mental illness in conflict with the law also often struggled with chemical or alcohol misuse. She worked with her advisory board and other community groups to evolve the mental health court into a Co-Occurring court that could address both the challenges people with mental illness face in obtaining community services but the complicating issues of drug or alcohol misuse. She wrote grants and obtained funding to expand the Mental Health Court's services to include monitoring and supports to help people overcome their alcohol and drug abuse. Her court continues to show positive results in preventing recidivism with one of the most difficult populations to serve.

At the same time Brenda was working on the speciality courts, she was also involved in the community effort to obtain Crisis Intervention Training (CIT) for Missoula Police and Sheriff's deputies. At the time, only two cities in Montana had provided CIT for its officers. Brenda encouraged and supported expanding CIT to Missoula, helped the WSAA and the National Alliance for the Mentally Ill (NAMI) collaborate with the Missoula Police and Sheriff's offices and encouraged law enforcement to adopt CIT by promoting its reduction in injuries and deaths among officers and people with mental illness.

In 2008, NAMI recognized Brenda with their Annual Appreciation Award for her effective problem solving and advocacy for more humane ways to address the needs of people with mental illness in the justice system.

Brenda did not rest on her laurels. Subsequently, she expanded the 4<sup>th</sup> Judicial District speciality courts to include a Veteran's Court that offers to connect Veterans with community services and provides monitoring and peer supports for veterans, some suffering from PTSD, some from other disabling conditions that contribute to their conflicts with the justice system. Again, Brenda organized community groups and county attorneys, public defenders and other judges to support and refer Veterans to the court. She worked with the Veterans' groups and the Veterans' Administration to identify and link existing supports for veterans to the Veterans that came to the Veterans' court. She collected input and ideas for resources and options, worked with veteran organizations to create a pool of peer mentors of successful Veterans who could work individually to support Veterans in the court system. She found funding through grant writing and staff for training the peer veteran mentors. She otherwise did whatever was required to ensure that the Veterans Court would have the ability to provide the monitoring, supports and services to help veterans in conflict with the law avoid future conflicts and remain stable in the community. Again, this court has been successful in stabilizing veteran's community struggles, and reducing recidivism in the justice system.

Nominating Committee

March 25, 2015

Page 3

Brenda's creativity and initiative in seeking solutions to complex problems is unique and extremely valuable, given the complexity of life in the 21<sup>st</sup> Century. Brenda is easy to work with, collaborative in nature, inclusive of many view points, and calm and balanced in her approach to problem solving.

I strongly believe she has the intellect, temperament, wisdom and self mastery to be an excellent district court judge. She has been a standing master for 20 years, where she has demonstrated the ability to problem solve, effectively use legal or equitable solutions to the cases before her, and to create positive, effective changes in evolving judicial responses to society's problems.

Sincerely ,

Alexandra Volkerts

March 25, 2015

Judicial Nomination Commission  
Montana Supreme Court

RE: Brenda Desmond

Dear Commissioners:

I first met Brenda Desmond in 1986 when she supervised the Indian Law clinic and I was a law student. I have maintained contact with Ms. Desmond over the subsequent decades due to our common interests in Indian law and social justice issues. I admire her strong work ethic, willingness to do the right thing and her ability to approach problem solving from a holistic position that looks at both the immediate and long-term needs connected with any given situation.

Special Master Desmond has the broad range of experience associated with the duties of a district court judge; intellectual capabilities to identify and apply applicable laws; the moral compass to be fair and impartial; and the life experiences to understand human interactions result complex situations. Being able to resolve legal problems with compassion, integrity and wisdom will make Brenda Desmond an excellent district court judge. If the purpose of this selection process is to identify and select a person with deep political connection within Montana, than Brenda Desmond is not the best choice. If the purpose is to select the person with a skill set most aligned with the qualifications of associated with an effective trial court judge, then Brenda Desmond is the clear choice.

In her role as special master for the fourth judicial district, Ms. Desmond has been a strong advocate for the development of behavioral modification programs and services that address the multifaceted needs of individuals involved in the state justice system. Over the last twenty years, her efforts in implementing drug court, co-occurring mental health court, and veteran's court models have reflected an approach for addressing criminal justice activities through the lens of healing. By focusing on the conditions contributing to the problematic behavior and coordinating services to facilitate behavior changes, Special Master Desmond has employed rehabilitative measures to problem situations. This humanitarian approach recognizes the value in halting the cycles associated with destructive activities that ripple forward in families, communities and society.

Special Master Desmond was extremely helpful in mediating a dissolution situation with one of my pro bono clients who could not afford the costs associated with a private lawyer mediator. Her willingness to act in this role demonstrated that she understands the dynamics of family law and has the ability to navigate parties to a fair settlement agreement. It also helped met legal needs of a limited means family in Montana.

Of equal importance to my work is Brenda Desmond's deep understanding of the Indian Child Welfare act and her ability to work effectively with Indian people in a state with a significant Indian population. It will be refreshing having a judge that understands the purposes behind the ICWA, has a level of cultural sensitivity far greater than the vast majority of district court judges and is aware of the impact implicit bias has on justice systems. The Montana Supreme Court would certainly never have to comment on her unfortunately selection of words describing tribes when reviewing any of her decisions.

In addition to her extensive work as a special master, Brenda Desmond's judicial experience includes serving as an appellate judge for the Confederated Salish and Kootenai Tribe and as the Chief Judge for the Fort Peck Tribal Court of Appeals. This background gives Ms. Desmond the ability to see matters from a broader perspective than most people working in a justice system. It also makes her aware of the importance of issuing well written decisions as a lower court judge to facilitate any subsequent review.

Brenda Desmond is not politically connect, nor does she broadcast her many talents or achievements. In my many years of interacting with Brenda Desmond I have found her to be compassionate but firm; hardworking and willing to do the research necessary to know the applicable law and articulate her reasons for decisions; acutely aware of the isolation necessary for being a fair and impartial judge; and appreciative of the challenges associated with access to justice issues in Montana. She has the temperament, demeanor, experience and qualifications associated with being a well-respected district judge. I encourage the committee to do the right thing for the fourth judicial district and nominate Brenda Desmond for the district court judge.

Sincerely,



Maylinn Smith, Director  
Margery Hunter Brown Indian Law Clinic  
School of Law  
The University of Montana  
Missoula, MT 59821  
maylinn.smith@umontana.edu

**From:** [Menzies, Lois](#)  
**To:** [Cook, Kevin](#)  
**Subject:** Desmond -- Public Comment  
**Date:** Wednesday, March 25, 2015 8:35:23 PM

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**From:** CLYDE G SHARON G WELLER [mailto:cgsgweller@msn.com]  
**Sent:** Wednesday, March 25, 2015 8:47 AM  
**To:** MT Supreme Court,  
**Subject:** Brenda Desmond Nomination

Judicial Nomination Commission:

I have known Brenda as a friend and fellow church volunteer for the last 20 years. She is very reliable and well-respected in her church and her neighborhood. Brenda has a broad variety of experiences on which to call when she is decision-making.

She is not politically motivated when making judgments. She has spent 20 years working in the district court in Missoula, MT.

I recommend her without reservations to fill the upcoming McLean vacancy.

Sincerely,  
Sharon G. Weller  
2810 Loraine Drive  
Missoula, MT 59803

**From:** [Menzies, Lois](#)  
**To:** [Cook, Kevin](#)  
**Subject:** Desmond -- Public Comment  
**Date:** Wednesday, March 25, 2015 8:38:35 PM

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**From:** Monique Casbeer [mailto:[mcasbeer@centurylink.net](mailto:mcasbeer@centurylink.net)]  
**Sent:** Wednesday, March 25, 2015 3:34 PM  
**To:** MT Supreme Court,  
**Subject:** Recommendation for Brenda Desmond for Fourth Judicial District Court Judge

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

Lois Menzies  
Office of the Court Administrator  
P.O. Box 2030005  
Helena, MT 59620-3005

Dear Judicial Nomination Commission,

I am writing in support of Brenda Desmond for the Fourth Judicial District Court Judge position. I have known Ms. Desmond for over five years through the Montana Mental Health Western Service Area Authority where she has been an active participant on our Board. WSAA collaborates with the Department of Public Health and Human Services (DPHHS) and Mental Health Local Advisory Councils in the planning, implementation and evaluation of a consumer-driven, recovery-oriented and culturally competent public mental health care system for the Western third of the state. Ms. Desmond has counted our election ballots for Officers. She has also served with me on many of the WSAA's sub-committees over the years. During this time I have observed that she has excellent moral character and is free from bias. I also participated in a Veteran's mentor training developed by Ms. Desmond. She treats everyone with courtesy and respect. She is also decisive. What impresses me most is that she treats everyone equally and fairly without discriminating by race, economic level or illness. In my opinion, Brenda Desmond would be an excellent Fourth Judicial District Court Judge due to her experience, integrity, professional competence, temperament, and commitment to justice for all.

Sincerely,

*Monique Casbeer*

Statewide Independent Living Council Vice Chair  
WSAA Board Member  
[mcasbeer@centurylink.net](mailto:mcasbeer@centurylink.net)  
406-721-3947

3602 Stephens Ave. Apt. J7  
Missoula, MT 59801-8544

**From:** [Menzies, Lois](#)  
**To:** [Cook, Kevin](#)  
**Subject:** Desmond -- Public Comment  
**Date:** Wednesday, March 25, 2015 8:39:04 PM

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**From:** Denelle Pappier [mailto:[dpappier@aol.com](mailto:dpappier@aol.com)]  
**Sent:** Wednesday, March 25, 2015 4:46 PM  
**To:** MT Supreme Court,  
**Subject:** Candidate Testimonial – B. Desmond

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

Dear Ms. Menzies:

I am writing in support of Brenda Desmond's candidacy to become a district court judge in the Fourth Judicial District Court. Since, 2005, we have served together on the board of directors for the Western Service Area Authority, an advisory council of volunteers for the Addictions and Mental Disorders Division of the DPHHS. I know how proud we all are of her presiding over the Missoula Co-Occuring Court (as well as the Missoula Veterans Court), that works to give persons with mental illness issues fair and reasonable treatment in the judicial system.

As board secretary, I particularly appreciate that Brenda regularly "steps up" to volunteer for various ad hoc committee work and *always* sees the tasks through to completion in a timely and complete manner. She has a delightful sense of humor and an open mind, which is evident in her considering all perspectives of a situation. The dedication that I have seen demonstrated by Brenda's long association and tireless work on behalf of persons with mental illness, is illustrative of her integrity and commitment to finding best solutions to bringing justice to all people.

I cannot imagine a better person in the position of District Court Judge than Brenda Desmond. Please contact me if more information is needed, as I have numerous examples of her applied experience and competence.

Thank you,

Denelle Pappier  
406.363.1311 / [dpappier@aol.com](mailto:dpappier@aol.com)  
111 Erie Ave., Hamilton, MT 59840

Western Service Area Authority  
Board Member since 2005  
Board Secretary since 2007



**From:** [Menzies, Lois](#)  
**To:** [Cook, Kevin](#)  
**Subject:** Desmond -- Public Comment  
**Date:** Wednesday, March 25, 2015 8:34:49 PM

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**From:** CharlotteMoran [mailto:charlottesweb@blackfoot.net]  
**Sent:** Wednesday, March 25, 2015 8:45 AM  
**To:** MT Supreme Court,  
**Subject:** Brenda Desmond recommend

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

Dear Nomination Commission,

I have observed the work of Ms Desmond over the past 5 years and highly recommend that she be nominated to the position of district court judge to replace retiring Judge Ed McLean.

I am impressed by Brenda's broad range of experience and ability to work for the good of all. Her hard working professional competence has always impressed me. Brenda's work with veterans and those with mental illness has helped our community greatly.

I ask that you consider appointing Ms Desmond to this position.

Sincerely,  
Charlotte Moran  
40 Bear Gulch Road  
Drummond, MT 59832  
[Recovery International MT District Leader](#)  
[406-825-3063](#)

\_\_\_\_\_ Information from ESET NOD32 Antivirus, version of virus signature database 11375 (20150325) \_\_\_\_\_

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

**BELCOURT LAW, P.C.**  
*INDIAN LAW PRACTICE*

DANIEL D. BELCOURT

120 WOODWORTH AVENUE  
MISSOULA, MT 59801  
PHONE: (406) 265-0934  
FAX: (406) 926-1041

March 25, 2015

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

Re: Letter of Support and Recommendation for Brenda Desmond for District Court Judge for the Fourth Judicial District

Dear Honorable Lois Menzies and the Judicial Nomination Commission,

Please consider this letter of support and recommendation for Brenda Desmond for appointment as the District Court Judge for the Fourth Judicial District, to fill the seat to be vacated by the Honorable Judge Ed McLean. Brenda's longstanding judicial service as the Standing Master for the Fourth Judicial District for the last twenty years more than qualifies her for the appointment as the District Court Judge for the Fourth Judicial District. But most importantly, Brenda is a person of unquestionable honesty and commitment in upholding the integrity of the legal profession and judicial fairness.

I have known Brenda since I attend the University of Montana School of Law starting in the fall of 1993. At that time, Brenda served as the Indian Law Clinic Director and without her assistance many of the Native American law students would not have made it through the law school. I was one of those students. With Brenda's help, I was able to navigate through the intimidating parts of law school coming from the Rocky Boy's Reservation. It was Brenda's commitment to working with tribal issues and the Montana/Wyoming Tribal Judges Association that gave me great interest in Indian law. I currently practice Indian law exclusively and for the last 2 years served as an adjunct teaching Indian law at the University of Montana School of Law. I have a lot of praise and thanks for Brenda. I firmly believe, as the District Court Judge for the Fourth Judicial District, Brenda will bring her sense of compassion, respect, and judicial fairness in upholding the integrity of the judiciary. I fully support Brenda's

appointment as the District Court Judge for the Fourth Judicial District to fill the seat to be vacated by the Honorable Judge Ed McLean.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Belcourt', with a long horizontal flourish extending to the right.

Daniel D. Belcourt  
Belcourt Law, P.C.

**JAMES PARK TAYLOR**  
ATTORNEY AT LAW

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MARCH 25, 2015

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

Re: Application of Brenda Desmond for District Judge, Fourth Judicial District

I am writing to the Commission to express my support for Brenda Desmond, and also for Leslie Halligan, in their applications for the position of District Judge in the Fourth Judicial District. I have known both of these attorneys both personally and professionally for more than two decades, and the Montana bench would be well served by either of these excellent individuals.

**Brenda Desmond:** Brenda has worked as an attorney, a law professor, a tribal judge, and finally as a Standing Master in the Fourth Judicial District. Brenda possesses all the characteristics of a good judge, experience, integrity, professional competence, an extremely even and fair judicial temperament, and a sincere commitment to justice. Brenda has previously campaigned for the position of district judge, and also understands what is necessary to win election if she is appointed. Brenda has worked with both the Flathead and Fort Peck Tribes as an appellate judge, and has authored many important opinions in those jurisdictions. I have had the opportunity to interact with Brenda many times on a professional level, and she is an excellent critical thinker and writes extremely well. Her work in Veteran's Court, Treatment Court, the Board of Crime Control, and throughout Indian Country demonstrates that she put her values into action. She would be a judge Montana will be proud of. My family and I are also friends with Brenda and her family, and we have the highest respect for her.

**Leslie Halligan:** Leslie has worked as a prosecutor, and a Standing Master, and has also taught courses at the University of Montana Law School. Leslie also possesses all the characteristics of a good judge, experience, integrity, professional competence, an extremely even and fair judicial temperament, and a sincere commitment to justice. I have also had the opportunity to work with Leslie on a professional basis, and she handles remarkably difficult cases with aplomb. In the work I have done with Leslie, she was working in the Missoula County Attorney's Office as a prosecutor in civil commitments, juvenile delinquency cases, and dependent and neglect cases, while I was on the defense side. Leslie always was fair, and never took the back and forth of the courtroom personally. Leslie, like Brenda, has also done some work in Indian Country. My wife and I also know Leslie and her husband, and we have the highest respect for her as well. Leslie would be a judge Montana will proud of.

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**717 Hiberta Street, Missoula, MT 59804**  
Ph: 406-880-6159  
Email: [jim@jptaylorlaw.com](mailto:jim@jptaylorlaw.com)

**Lois Menzies**  
**Judicial Nomination Commission**  
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You have a great slate of candidates to choose from, and I wish you the best in the selection process. From my perspective, I don't think you could go wrong with either Brenda Desmond or Leslie Halligan. They are both great lawyers, and quality people, and would make excellent judges. Thank you for considering my comments.

Sincerely,

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

James Park Taylor

March 24, 2015

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

Gentlemen,

This is in strongest possible support for the appointment of Brenda Desmond as the replacement Fourth Judicial District Court Judge to fill the vacancy created by the resignation of Judge Ed McLean.

There cannot be any candidate in your pool with deeper or broader experience than Ms. Desmond. She was the staff attorney for the Montana Legal Council 1982-86. She was a professor of law at UM school of law for nine years, teaching Public Land and Resource Law, legal writing, appellate practice, and Indian law. She has been a Standing Master for Missoula's Fourth District for 20 years. She has presided over cases 15-20 times per month for 20 years. Her cases have been almost entirely state and local legal issues covering both civil and criminal cases. Ms. Desmond would not require a learning curve to be an outstanding judge for the Fourth District. She's already demonstrated her abilities in this realm.

I have known Brenda Desmond for 25 years, having met her at the University of Montana when we were both relative new employees. She is consistently one of the hardest working faculty I've ever encountered in the 35 years I spent at UM. Her work with the legal community and the rest of the university was consistently of the highest caliber. She is dependable and rarely takes on new responsibilities even with an already overloaded calendar. I think she does this by sleeping very little.

Brenda Desmond's professional competence is beyond question. She was awarded the George L. Bousliman Professionalism Award in 2008 for establishing a reputation and tradition in the learned art of professional public service. Her work with the Wayne County Missouri Juvenile Drug Court in 2005 also elicited praise and evidence of her professional commitment beyond the boundaries of Montana.

Evidence of Ms. Desmond's judicial temperament is readily apparent. She has spent 20 years as a Standing Master for the Fourth Judicial Court. She has presided over a vast number and variety of cases and has earned exemplary evaluations in this position.

Brenda Desmond has demonstrated throughout her entire legal career her strong commitment to Justice for All. The underserved populations in the pursuit of Justice for All are

the poor; racial, ethnic and social minorities; and young people. Ms. Desmond began her legal career working for Legal Services in both Alaska and Montana. She served as a court advisor to the Crow Tribal Court between 1978 and 1980. She taught at the UM Law school for nine years teaching in a wide array of fields. Her work with the Fort Peck Tribal Court of Appeals is ongoing. She has established the Youth Drug Court for the Fourth District which is remarkably effective in keeping young offenders out of court in the future. Her work with Veterans Court has had the same beneficent impact on veterans who get in trouble after discharge from the military.

There can be no better applicant for this post than Brenda Desmond.

Yours truly,

A handwritten signature in black ink, appearing to read 'Kay Unger', written in a cursive style.

Dr. Kay Unger  
Professor of Economics, emeritus  
University of Montana