

June 29, 2020

PO Box 316
Clyde Park, MT 59018

To: The Judicial Nomination Commission

Re: Candidacy of Peter Ohman for 18th Judicial District Court Judge

I am very pleased to endorse Peter Ohman for the position of 18th Judicial District Court Judge.

I have been acquainted with Peter since he began practicing law in Bozeman in the 1990s when I was the District Court Administrator. I was working with a whole range of lawyers and key professionals as we established the Criminal Justice Coordinating Council and embarked on a major modernization of our criminal justice system.

Peter was a central player when the office of public defenders was created, assuring a smooth transition and an efficient and professional workforce from Day One. He is a hard worker, always organized and prepared, and always agreeable to working with others in an effort to improve the system.

Particularly important for sitting on the bench is Peter's significant trial experience. He is comfortable and effective working with elected officials. And he has held numerous positions with boards and associations that have given him great breadth of experience and perspective.

Most important to me is Peter's intense belief in, and commitment to, the criminal justice system, and his work to ever improve its fairness, its reach, and its justness.

Interestingly, I remember saying to Peter at least a decade ago that I thought he had a great judicial disposition and I hoped he might consider that path someday. I am thrilled he has done exactly that.

Sincerely,
Dorothy Bradley



MONTANA STATE SENATE

SENATOR MARGIE MacDONALD
SENATE DISTRICT 26

HELENA ADDRESS:
STATE CAPITOL
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PHONE: (406) 652-6625
EMAIL: Sen.Margie.MacDonald@mt.gov

10 July 2020

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

Dear Commissioners:

I write to support the appointment of Peter Ohman for the open seat in the Montana 18th Judicial District. As a lawmaker serving on the Senate and House Judiciary Committee, I have had the opportunity to observe and interact with Peter over several sessions and hold him in the highest regard. I also served with Peter on the Sentencing Commission in 2017, and found him to be diligent, conscientious, intelligent and committed to the highest ideals of the U.S. and Montana Constitutions and the Montana judicial and correctional systems. He can always be relied upon to present accurate, well-documented information. He presents with an even, steady tone and temperament which will set a high standard for decorum in his courtroom, and among the professionals with whom he interacts in the Montana judicial system.

Peter is deeply committed to justice for all Montanans, regardless of their political, financial, or social standing. He also brings particular knowledge and skills in the area of our youth who interact with the justice system and an extensive resume of work in this critically important sub-area of law.

His practice in both civil and criminal law in Montana is extensive and impressive. Mr. Ohman will bring an important perspective to the 18th Judicial District, as well as strong work ethic. He also clearly has distinguished himself in the much challenged Office of Public Defender system bringing important administrative and organizational skills which will provide great benefits in the thinly stretched and over-burdened 18th Judicial District, as well.

Montana will be very well served with Peter sitting on its bench.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Margie MacDonald".

Margaret E. MacDonald, Senate District 26

RICHARD E. "FRITZ" GILLESPIE

606 TOUCHSTONE COURT
HELENA, MONTANA 59601

(406) 431-0079

regillespie@outlook.com

July 20, 2020

Judicial Nomination Commission

Office of the Court Administrator

P.O. Box 203005

Helena, MT 59620-3005

mtsupremecourt@mt.gov

Dear Commission Members:

I urge you to nominate Peter Ohman for appointment as the District Court Judge filling the vacancy created by the retiring Honorable Holly Brown.

Listening and, more importantly, hearing the views of others are foremost among Peter's skills. He has seen and represented juveniles and adults in or from undesirable circumstances who lack social skills or don't seem to conform to societal expectations well. He knows the law and will learn its nuances in application to the facts in cases before him. He has practiced the rules of evidence and procedure in courtroom jury trials and knows their application in cases. Parties and lawyers can be confident they will be treated with respect and their cases will be heard and handled in accordance with the rules, evidence, and applicable law without prejudgement or bias. Peter manages his time wisely. Clerks under his guidance likewise will courteously be helpful in managing his calendar efficiently within the budget.

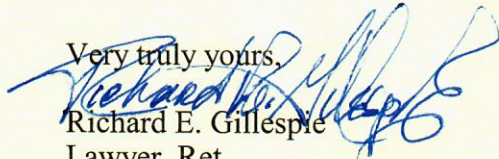
I've known Peter since I began serving on the Public Defender Commission in 2009. Peter stood out among others in the managerial positions by his quiet, attentive demeanor. He listened. He often spoke last. When he did, everyone listened, often nodding agreement.

As time passed as Chair of the Commission I came to know Peter better, often by pouring over multiple reports generated about how the eleven regions across Montana were doing in terms of cases opened, how long the cases were open, cases closed, the kinds of cases, to some extent the outcomes and, of course, the costs and how the money was spent. Peter's Region 8 out of Bozeman consistently accomplished more with less and with fewer complaints from clients. I don't remember a complaint from a court or prosecutor or from staff. He was, is, and will be a good mentor.

I sought Peter's application for the Chief Public Defender position of running the agency for the Commission, similar to the position he holds today, when the original Chief resigned. He declined because his children were younger and he felt being a father with time for them during their younger development took precedence. Not that he shied away from his duties to his job or his commitment to the legal community and the pursuit of justice. His CV demonstrates that. I needn't try embellishing his CV other than speaking about his service on the Montana Commission on Sentencing established by the 2015 Legislature to study sentence reform. As Chair of the Commission I wanted his participation to reflect well on the agency and the criminal defense bar. I shouldn't have concerned myself for all feedback referred to his listening and hearing the views of others; his thoughtful, perceptive insight and far-sightedness; and his articulation of thoughts.

Please nominate Peter.

Very truly yours,


Richard E. Gillespie
Lawyer, Ret.



COK KINZLER_{PLLP}



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July 22, 2020

SENT VIA E-MAIL

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

RE: *Application of Peter Ohman*

Dear Judicial Nomination Commission,

Thank you for your important work on the Judicial Nomination Commission. I write today to recommend the nomination of Peter Ohman for the vacant position in the 18th Judicial District.

Mr. Ohman has the requisite experience as a trial lawyer. He has tried multiple and significant cases and he has been responsible for hundreds of cases as a public defender in Bozeman and statewide. Mr. Ohman also has experience as an administrator, a skill that is often overlooked, but necessary to the proper administration of the judicial office. His experience in the state public defender's office makes him uniquely qualified to administer a local judges office.

Mr. Ohman is a humble and respectful person. These attributes will serve him well as a judge. If selected to fill this position I am sure he will show appropriate respect to the litigants and to counsel.

Mr. Ohman's legal experience and his community service show he has an enduring respect for the rule of law and the fair administration of justice.

Thank you for your consideration.

COK KINZLER PLLP

Michael D. Cok
mikecok@cokkinzlerlaw.com
kb



MONTANA STATE SENATE

Senator Nate McConnell
Senate District 48

DURING THE SESSION
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natefordsd48@gmail.com

July 22, 2020

Judicial Nomination Commission:

I write this letter in support of Peter Ohman for the open judicial vacancy in the Eighteenth Judicial District. I have known Peter in a number of capacities and have found him to be a thoughtful, intelligent public servant.

In 2015, I served as a member of the House Judiciary Committee, where Peter routinely offered testimony. My initial impression of Peter was someone who had done his homework and who had the ability to explain complex legal concepts to a committee largely without a legal background.

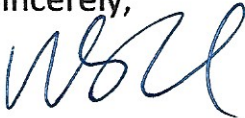
Peter continued to impress over the next two legislative sessions, but his knowledge and persistence with criminal sentencing reform struck me as particularly relevant to the bench. Not only did Peter demonstrate a thorough understanding of criminal law, which comprises the bulk of judicial work, but Peter also saw the effects that sentencing reform could have on individual defendants, victims, and taxpaying Montana citizens. My work with Peter on subsequent boards and oversight commissions has only confirmed my belief that Peter will employ an evenhanded approach to criminal cases.

Peter also serves as an administrator for the Office of the State Public Defender, where I am the Training Coordinator. Peter's knowledge of the bench extends well beyond Gallatin County. Peter has worked diligently to develop relationships with judges across the state, which has benefited the agency in a number of ways. As a member of the bench, I have no doubt that Peter would reach out to other judges for their guidance and support. Peter has also implemented a number of policies and practices within the OPD that have had far-reaching impacts. In just the past year, the OPD has seen recruiting and

retention rise in its most challenging regions, thanks to Peter's work. Peter has also demonstrated leadership by creating and implementing a mentor-type program designed to assist new lawyers in their practice. There is little doubt that the bench's gain will be OPD's loss.

Perhaps most importantly, Peter would take the bench ready to serve on day one. Peter has a diverse background that includes experience in nearly every conceivable issue. Peter's temperament, knowledge, and work ethic make him uniquely qualified for the bench. It helps that Peter is a quality human being, whom I've grown to admire in the years I've known him. I am proud to support Peter Ohman for this position.

Sincerely,

A handwritten signature in blue ink, appearing to read "Nate McConnell", written in a cursive style.

Sen. Nate McConnell

July 20, 2020

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

My name is Courtney Duchin and I am a Licensed Clinical Professional Counselor I am writing to support the appointment of Peter Ohman for the open seat in the Montana 18th Judicial District.

I first met Peter Ohman in 2006 while running the Mental Health Program at the Gallatin Detention Center. Due to the nature of both of our jobs, I have had ample opportunity to work closely with Peter. I don't think that it is overstepping to say that the legal system it is not built to address the nuances of mental health needs of the inmate population. Dealing with mental health in jail can at its best be difficult but extremely rewarding, and at its worst crushing and fatal.

When I met Peter, he was head of the Public Defender's Office for Gallatin County, and even though he was very busy, he was always an important resource for the Mental Health Program. He not only cared about the best interest his individual clients, but also in how the system was addressing the growing local and national problem of mental health. He was always willing to listen and to work within the law to create creative solutions where others would walk away or avoid. He became someone whom I could rely on to do the right thing even when it was inconvenient and seemingly futile.

In 2009, I again had the opportunity to work with him and a small group to create The Virgil Project, Gallatin Counties first Mental Health Diversion Program. As an essential part of this effort, his voice was intelligent and measured and he often created solutions that were representative of the client and instrumental in their recovery and rehabilitation. He is well informed about current events both nationally and locally and always strives to educate himself and those he works with.

I have every confidence that Peter will make an excellent Judge. In fact, whenever an option was available, I have written him in for the position on every ballot since 2006. His knowledge of the law and his ability to use this instrument to think "outside of the box" has been refreshing and admirable.

Sincerely,

A handwritten signature in black ink, appearing to read 'Courtney Duchin', with a large, stylized loop at the end.

Courtney Duchin, LCPC

From: [Menzies, Lois](#)
To: [Cook, Kevin](#)
Subject: Public Comment -- Ohman
Date: Wednesday, July 22, 2020 8:33:24 PM

From: koan mercer <koan_mercer@yahoo.com>
Sent: Wednesday, July 22, 2020 6:51 PM
To: MT Supreme Court,
Subject: [EXTERNAL] Public comment regarding Peter Ohman's application for Eighteenth Judicial District Court

Dear Judicial Nomination Commission:

I am writing in support of Peter Ohman's application for appointment to the Eighteenth Judicial District. I have known Peter as fellow public defender for more than a decade. He is a public servant of supreme energy, principle, and heart. He is always learning, always thinking, always pushing forward.

Peter's appointment would be a great loss to the Office of the Public Defender but a greater gain to Montana's judiciary. Peter's accomplishments as a public defender manifest his continuing legal curiosity, his humility, and his commitment to equal justice under law—everything Montana needs in its next judge.

I wholeheartedly urge the Commission to forward Peter's name to the Governor for consideration.

Sincerely,

Koan Mercer

Timothy J Barnes

July 27, 2020

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

Dear Commissioners –

I write to support the appointment of Peter Ohman for the open seat in the Montana Eighteenth Judicial District. I offer this letter of support in what is likely a different capacity than most you might receive, being I have known Peter since the age of eleven. We have been lifelong friends, and it fills me with pride to advocate on his behalf by composing this communication to the Commission today.

In reading the other submissions to the Commission, I was pleased and not surprised in the least to see the consistent references to Peter's mindful demeanor, persistent calm and contemplative manner, infallible work ethic, and perhaps my favorite in its honest simplicity: Peter being a quality human being. I was truly fortunate to grow up in the same small upstate New York town as Peter, at the foothills of the Adirondacks. I was a regular fixture at the family home and was always welcome to participate in his family's trips, Adirondack excursions to hike, ski, boat, fish and otherwise enjoy the beauty of the region.

The Ohman home was full of books, crafts, outdoor gear, and perhaps most importantly, genuinely thoughtful, interesting people. Peter's mother, a New York City transplant, and his father, a first generation American from Sweden, were always very involved in the community and made sure that "us kids" were regularly reminded to be active as well. Not surprisingly, Peter was an excellent student, an avid reader, an Adirondack "46'er", a member of ski patrol, and a talented saxophonist. In recent years it has been a pleasure to watch Peter imparting his nature and interests upon his two children. Their love of the written word, crafts and outdoor pursuits fondly reminds me of the young man I met so many years ago.

Peter secured his home in Montana at a very young age just after law school, realizing a love for the region that developed visiting his Uncle's ranch over the years. Even with that, Peter possessed a deep desire early on to give back and relocated for a time to Hazard, Kentucky to work for the county's Legal Services team. This move previewed what the coming years and highlights of his career would focus on – making sure everyone has equal access to the law. With the other much more profitable options availed an attorney of Peter's intellect, this passion has always been a beautiful, admirable thing to witness as an observer, confidant, and friend.

In these especially trying times, the people of Montana would be hard-pressed to find someone more effective, fair, and prepared to serve as Judge for the Eighteenth Judicial District. It is with my utmost confidence in him and his abilities that I highly recommend Peter for this appointment.

Kind Regards



Timothy J Barnes

89 McDonough Street · Portsmouth NH 03063 · (603) 204-0074 · barnes.tim@gmail.com

July 28, 2020

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

Re: Peter Ohman

Dear Judicial Nomination Commission,

It is with great pleasure that we write in support of Peter Ohman's application to be appointed a District Court Judge of the Eighteenth Judicial District Court of Gallatin County.

Peter has long been a leader in Gallatin County's legal community. Peter brought a high level of advocacy and representation to Gallatin County's Office of the Public Defender during his tenure. He truly showed his dedication to legal advocacy and the judicial system. While Peter's practice has centered on criminal law, legal intellectual challenges interest him. This interest to understand other areas of law give us confidence that he will serve the court system well on all legal topics.

Peter has extensive courtroom experience, with many jury trials, judge trials, and hearings. Few lawyers have logged more courtroom time than Peter. Peter understands the pressures and stresses on attorneys. More importantly, Peter understands the great impacts that the court system has on parties. His work with individuals navigating the court system and as a statewide administrator will motivate finding better systems to resolve disputes and make Gallatin County's District Court function more efficiently. Peter's representation of individuals, rather than entities, gives him a crucial understanding of the importance that a judge's role has in the lives of people. Peter's temperament is well suited for the judiciary.

Peter is exceptionally dedicated to public service. We are grateful that he is willing to now serve as Judge. We look forward to practicing before Judge Ohman. Thank you for your work on the Judicial Nomination Commission and considering our letter supporting Peter Ohman's application to be Gallatin County's next District Court Judge.

Cordially,

BLACKFORD CARLS P.C.



Hillary P. Carls



Sherine D. Blackford

Harrison J (Harry) Freebourn
P.O. Box 221
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406-479-3889

July 27, 2020

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

Dear Commissioners:

My name is Harry Freebourn and I am the former, now retired, Executive Director of Montana's Office of the State Public Defender (OPD). I urge you to send Peter Ohman's name to the Governor as one of your nominees for the open position of District Court Judge for the Eighteenth Judicial District.

I first met Peter in 2006. Peter was an applicant for a major management position with OPD and I was on the hiring committee. OPD is a state agency that provides legal services to individuals charged with a crime in criminal cases and certain civil cases. This agency operates in every district court, court of limited jurisdiction, and in other specialty courts in the state of Montana. I was very impressed by Peter's education, experiences, his composure, temperament, and demeanor during his interview. Peter was ultimately our successful candidate for the aforementioned position based upon his skill set.

Since his initial hiring, I worked with Peter for over 10-years. During that period of time, Peter's leadership skills allowed him to rise to the top legal position within OPD. Peter manages hundreds of state-hired and contract attorneys. In addition, Peter also manages: paralegals, investigators, administrative staff, legal consultants, mental health advisors, and others that serve thousands of clients in various types of cases in many kinds of courts. During my tenure as executive director with OPD, Peter was more often than not, part of any major decision made by OPD management; including but not limited to, budgetary, legislative, strategic planning, organization design, operation, and he was part of a team that hired any major management position. Needless to say, I could not have done my job well without Peter's guidance and assistance.

During my 10-year plus career with OPD, I got to know many of Montana's district and limited jurisdiction court judges. I often would take note of the qualities possessed by judges I held in high esteem, and I see those same qualities in Peter.

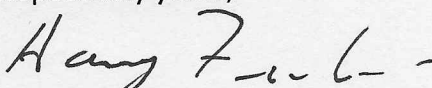
First and foremost, Peter, through education, training and vast experiences, has impeccable skills as a lawyer. He is able to communicate to all engaged in the legal process (judges, other attorneys, consultants, juries and most importantly clients with various levels of education and mental capabilities) in a clear and understandable manner. He understands legal procedure and how to get the job done in a complex legal system.

Secondly, as I mentioned earlier, Peter has a very controlled demeanor and temperament which I think is important in conducting any legal proceeding. Also, a plus is his ability to make well thought out, fact based, timely decisions, while considering the weight of the decisions and those affected by the decision.

Third, besides having a polished legal skillset, Peter also possesses excellent financial and administrative skillsets, which in my experience is a hard to find in one individual. Peter was for a period of time the agency's training director, which was responsible for the annual and periodic training of lawyers, investigators, and others engaged in the legal system. I believe this position required Peter to become one of the most up to date providers of legal services anywhere in our legal system. This position also demanded strict adherence to budgets, setting priorities and the ability to organize, plan and conduct complex trainings.

Finally, I want to mention Peter's devotion to do any job with integrity and honesty. I ask that you nominate Peter for this Judgeship.

Respectively yours,


Harry Freebourn

Joseph Zavatsky
Regional Deputy Public Defender
11 S. 7th St. Ste. 100
Miles City, MT 59301

July 27, 2020

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

Ms. Menizes,

My name is Joseph Zavatsky, I am the Regional Deputy Public Defender in the Miles City office of the Office of State Public Defender. I have known Peter Ohman for nearly seven years through our respective roles with OPD. I support Peter in his quest to become a district court judge in the 18th Judicial District even though it would leave OPD with large shoes to fill.

The two most important aspects to being a judge to me are temperament and the ability to lead. Peter has displayed that he has the knowledge required of being a judge through his experience as a civil attorney at the beginning of his career and a criminal attorney most recently. He has a unique ability in handling juvenile cases and is the most experienced person I know in that field. He has the compassion that serving as a public defender teaches a person when you represent a person facing charges from the government, that a criminal case has far reaching impacts on not only the defendant, but his family, the victim, their family, employers of the defendant and the victim, the officers involved and many more. Peter has the temperament to be a judge. He is kind, compassionate, and understanding, yet expects people to live up to their potential and guides them to do so. I have seen Peter display these qualities as my boss for the last three years. He also has the leadership ability required for being a judge. In normal times, the judge has many different aspects to control to keep court running smoothly. While it may not be likely that we will find ourselves in the middle of a global pandemic again in the near future, the judges throughout the state were required to figure out what works best for their courtrooms with issues including moving cases along in a safe manner, allowing attorneys to appear in unconventional ways, conducting trials or not conducting trials, and other related issues that it takes a person with the ability to make tough decisions while listening to other input from the community. Peter has displayed that ability with OPD and its handling of COVID-19.

In sum, I believe that Peter Ohman would make a wonderful judge in the 18th Judicial District and support his nomination.

Joseph Zavatsky

A. CLIFFORD EDWARDS
A. CHRISTOPHER EDWARDS
JOHN W. EDWARDS
TRIEL D. CULVER *
JACKIE S. SHIELDS **
MICHAEL P. SARABIA

* ALSO ADMITTED IN NORTH DAKOTA

** ALSO ADMITTED IN WYOMING



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

Re: Peter Ohman

Dear Judicial Nomination Commission:

I am writing in support of Peter Ohman for the position of District Court Judge for the Montana Eighteenth Judicial District (Gallatin County). As practicing attorneys of a similar age, I have known Peter for over twenty years and have maintained a friendship and professional relationship with him as a fellow trial attorney. Peter is a well-rounded attorney with a diversity of legal and life experience. Consequently, I have frequently sought his legal advice on jury trials, jury pools, criminal law, and the legal landscape in Montana in general.

Peter has all of the attributes and characteristics that make for a good judge: temperament, intellect, integrity, judgment, common-sense, calm under pressure, a strong work ethic, thoughtfulness, and empathy. Based on his lengthy legal career and his present age, the timing is perfect for him to become a judge. He has seen and experienced much and yet still has the energy, vigor, and sense of purpose to dedicate himself to the bench for the betterment of our community. His background in criminal law will make for a seamless transition and his experience in civil, consumer, and regulatory law from his time at the Montana Department of Commerce and in private practice will serve him well as he handles a civil law caseload. His administrative, supervisory, teaching, and organizational skills he honed as a leader at the Office of the Public Defender will make for an efficient and effective judicial department.

As a community volunteer, a family man, and an individual who has devoted most of his professional career to public service, Peter understands Montana, Gallatin County, and the City of Bozeman and the everyday challenges that confront our community including both individuals and businesses. He is exactly the type of person our community can trust with judicial authority. He presents a great opportunity for the Eighteenth Judicial District and I, along with my law firm, strongly recommend that Peter Ohman be nominated to be the next judge.

Sincerely,

Triel D. Culver

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

Re: Public Comment on 18th Judicial District Judge Opening – Peter Ohman

Dear Judicial Nomination Commission:

I am writing this letter of support in my individual capacity and not in connection with or on behalf of any organization or entity. I have known Peter Ohman for the better part of ten years. I believe Peter possesses the temperament, demeanor and intellect to be an outstanding district court judge. I know Peter to be a relentless advocate for those who are most marginalized by the criminal legal system. In particular, his deep understanding of criminal law means that he is ready to hit the ground running as a district court judge.

Peter also gives freely of his time. He is active with the Montana Association of Criminal Defense Lawyers. And as a young lawyer I recall that Peter regularly offered guidance and mentorship when I needed it most.

In short, the people of Gallatin County would be fortunate to have Peter Ohman as a new district court judge in the 18th Judicial District.

Sincerely,

Alex Rate

Alex Rate

Livingston, Montana

7/22/2020

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

To the Judicial Nomination Commission and to Whom It May Concern:

My wife, Jessica Rabinsky, and I ,Mathew Rabinsky, wish to offer this letter of public comment on Peter Ohman's candidacy for the Eighteenth Judicial District Judgeship.

We have known Peter and his family since we moved into the neighborhood 10 years ago, meeting through mutual friends. Having children of similar ages and living 2 blocks apart, we have spent a lot of time together over the past 10 years and gotten to know each other quite well. In all that time I have found Peter to be the most dedicated legal professional I have ever met. He has always exhibited a caring and empathetic attitude towards those involved in the justice system and is someone who considers all points of view in arguments of legal matters. Peter also does not fail to keep himself current of all changes, or proposed changes, at the local and state levels.

We know Peter Ohman as an intelligent and hard working man who balances his work life with his family life, but also makes sure he takes care of himself through exercise, diet and a general healthy lifestyle. He is a great community member because he is caring, thoughtful, responsible, and willing to help others in need.

When I found out that Peter was seeking out this judgeship, I immediately thought that he would be a huge asset to the justice system, those who work within it as well as those who go through it. His even-keeled, reasonable and fair personality is perfect for this position. Anyone who knows him like I do would certainly feel the same way. That is why we are writing this letter. Please consider Peter Ohman for this judgeship.

Sincerely,

Mathew and Jessica Rabinsky

ANGEL, COIL & BARTLETT
ATTORNEYS AND COUNSELORS AT LAW

125 WEST MENDENHALL ST., STE 201 BOZEMAN, MONTANA 59715-3544 PHONE: 406-586-1926 FACSIMILE: 406-585-7654

July 31, 2020

Judicial Nomination Commission
c/o Lois Menzies
Office of Court Administrator
P.O. Box 203005
Helena, MT 59260-3005

VIA EMAIL: LMenzies@mt.gov

Dear Commission Members:

I am writing to encourage you to recommend the nomination of Peter Ohman for the vacant position in the Eighteenth Judicial District. I have known Peter since August 2006 when, as the regional deputy public defender for Region 8 of the Office of the State Public Defender (OSPD), he hired me as an assistant public defender.

During my time with the OSPD, I observed Peter's impressive skills as a trial attorney and regional manager. Serving as a public defender is considered one of the most rewarding yet physically and mentally taxing endeavors in the practice of law. Peter excelled in his ability to guide his attorneys and staff through this difficult calling all the while effectively advocating for his own clients.

Peter's breadth of experience would be an asset to the judiciary. While he has extensive experience as a litigator and trial attorney, he has also served as the Training Coordinator and the Public Defender Division Administrator for the OSPD. Although he currently serves in an administrative position, he continues to make himself available for consultation and advice to others in the legal community. He is an empathetic and compassionate individual, which are important qualities for a judge, as reflected by the areas of law he has practiced in his 25 year career. I can say, firsthand, that he has the intellect, legal background and life experience necessary to effectively and impartially resolve the complex issues that will be brought before him as a district court judge.

I ask that you take this letter into consideration when making the difficult decision of whom to recommend as judicial nominees to Governor Bullock. It will be challenging to find a more well-rounded, experienced and qualified candidate than Peter.

Sincerely,



Mark J. Luebeck

WILLIAM A. BARTLETT • BRIAN P. FAY • MARK J. LUEBECK • DANIEL P. BUCKLEY • TIMOTHY P. HAMMAR
RYAN D. MCCARTY • ERIC K. GOLDWARG • MICHAEL C. COIL - RETIRED • CHRISTOPHER R. ANGEL - RETIRED

CHARLES F. ANGEL III 1932 - 2005

July 29, 2020

VIA E-MAIL ONLY

Judicial Nomination Commission
c/o Lois Menzies
Office of Court Administrator
P.O. Box 203005
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mtsupremecourt@mt.gov

Dear Commissioners:

I write to support the appointment of Peter Ohman for the open seat in the Montana 18th Judicial District. Peter will be an excellent addition to Montana 18th Judicial District.

Peter has the disposition and temperament that a judge should have. Over the 20 years I have known Peter we have had numerous debates about legal, political, and other issues. Although we don't always agree, Peter always listens respectfully and considers different points of view. When Peter disagrees, he does so in a measured, but determined manner. In these contentious times, such an approach is vitally important to maintaining the rule of law.

Peter has the experience necessary to be a district court judge. Peter has tried tough, lengthy jury trials with his client's life and liberty at stake. He knows the rules of evidence and knows what it's like to be in the trenches. A district court judge needs this type of experience to effectively preside over trials, hearings, and other matters that impact all Montanans.

Finally, and perhaps most importantly, Peter will fairly and evenly apply the law as it is written. Peter respects the law and the Constitution. He will not be a biased, activist judge that puts his personal beliefs above the law. In other words, he will be fair to both sides no matter the dispute; the type of judge we all hope to appear before in our personal or professional lives.

Sincerely,

CROWLEY FLECK PLLP



Ian McIntosh

July 28, 2020

Judicial Nomination Commission
C/o Lois Menzies
Office of the Court Administrator
P.O. Box 203005
Helena, MT 59602-3005
mtsupremecourt@mt.gov

Re: Nomination of Peter Ohman

Dear Judicial Nomination Commission:

Please accept this letter in support of Peter Ohman's appointment for the judicial vacancy in the Eighteenth Judicial District Court. Peter is qualified, capable, and a perfect fit for this job.

I have been a practicing attorney in Gallatin County at the Office of the State Public Defender for the past 11 years. I have worked closely with Peter this entire time. Peter was my direct supervisor when he was the Regional Public Defender up until the end of 2013. I took over his position when he became the training coordinator; I have held this position since. In 2017, Peter again became my direct supervisor when he became the Public Defender Trial Division Administrator.

As a fellow public defender, Peter has demonstrated an ethic of hard work by handling a high case load while understanding and advocating for the unique needs of each of his clients. His legal career has underscored his commitment to public service both with the public defenders' office and with his roles in the Montana Department of Commerce and the Kentucky Defense Fund. This commitment to public service continues in his current role. These two qualities are necessities for a judge in the 18th Judicial District Court.

Peter embraces a philosophy of collaborative leadership. He is not quick to make rash decisions; he will thoroughly research and work through issues to reach a just conclusion – both in legal issues and in management issues. Peter has been a mentor to me as both an attorney and as a supervisor. While it would be a loss to our office and me personally for Peter to become the judge, it would be a gain to Gallatin County.

Peter is an intelligent, experienced, and well-versed attorney. He is respectful and mindful of others. He is committed to fairness and upholding the rule of law. I strongly urge this Commission to forward Peter's name to the Governor for this judicial position.

Sincerely,



Annie DeWolf

Cynthia L. Wolken, Esq.

PO Box 204
Helena, MT 59624
(406) 529-5148

August 1, 2020

Montana Judicial Nomination Committee
c/o Lois Menzies
Office of Court Administrator
PO Box 203005
mtsupremecourt@mt.gov

RE: EIGHTEENTH JUDICIAL DISTRICT JUDGESHIP VACANCY (Gallatin County)

Dear Commission Members,

Please accept this letter in support of Peter Ohman's application to this judicial vacancy. I have had the pleasure of getting to know Peter both personally and professionally over a number of years and his background, skill set, and character make him exceptionally qualified for this position.

Peter's commitment to public service and problem-solving on both substantive and procedural challenges facing the criminal justice system has been a hallmark of his career. As a State Senator and chair of the 2017 Montana Sentencing Commission, I had the privilege of serving with Peter as a member. His insights and contributions were critical in drafting and passing a package of criminal justice reform bills that improved the judicial process, including SB 59, which created the pre-trial supervision program in existence today.

Similarly, Peter's knowledge and advocacy of the public defender system has helped steer the Office of the Public Defender through times of significant change and transition – all with grace and positivity. As I left the Senate and took on a new role as the Deputy Director of the Department of Corrections, I continued to work with Peter on mutual issues of concern, and currently serve with him on the Criminal Justice Oversight Council. Last year, Governor Bullock appointed Peter as Chair of the Montana Board of Crime Control, no doubt in recognition of Peter's significant contributions to public safety and his comprehensive understanding of the criminal justice system from entry to exit.

Peter is a hard worker, meticulous, and as committed to judicial efficiency as anyone I have met. He will hit the ground running with the challenging workload in this district, with a keen

eye toward speedy resolution of civil matters. Peter can immediately rise to the challenge of inter-branch collaboration and continuing to move the ball forward in modernizing the justice system to be safer and fairer, both through policy and procedure. Peter is patient, kind, and embodies the type of temperament that judges should possess.

When I think of Peter's remarkable career and characteristic humility with which he has approached it, I think of Justice Thurgood Marshall's quote, "*Mere access to the courthouse doors does not by itself assure a proper functioning of the adversary process.*" Peter has spent his entire adult life making significant contributions to the sphere of the justice system and we would do well to see him continue his public service on the bench.

Thank you for your consideration.

Regards,

Cynthia L. Wolken, Esq.¹

¹ I am submitting this letter on my own behalf.

August 4, 2020

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

Re: 18th Judicial District Judge Position - Applicant Peter Bengt Ohman

Dear Judicial Nomination Commission:

We recommend Peter Ohman for the 18th Judicial District Judgeship vacancy. We have actively practiced both criminal and civil law in the 18th Judicial District and throughout Montana state and federal courts since 1993, and in New Jersey since 1984.

We have known Peter since he began to practice law in Montana in 1995. We frequently observed his excellent work in the courtroom over the years he worked as a private attorney and when he served as a public defender in Gallatin County. Peter displayed dedication to his indigent clients, a mastery of the issues, and good courtroom skills.

As described in his application, Peter has the broad, diverse litigation experience required to be a good district court judge. He has the intelligence, sharp intellect, and legal skills required of a district court judge.

In his current position where he manages the OPD trial division and serves as the chair of the Montana Board of Crime Control, Peter has demonstrated executive skills including planning, organization, task initiation, goal-setting, decision-making, and problem solving that are requisites of a good district judge.

It is for these reasons that we recommend Peter Ohman to fill the vacancy for the 18th Judicial District Judge position.

Thank you,

Al Avignone
Lisa A. Banick



August 5, 2020

Via e-mail only (mtsupremecourt@mt.gov & lmenzies@mt.gov)

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

Re: Peter Ohman Letter of Support

Dear Judicial Nomination Commission:

I am writing to you in support of Peter Ohman for the Montana 18th Judicial District Court position. I hold Peter in the highest regard. He possesses the skill, experience, energy, and capability for being a judge in a very challenging judicial district. Peter is very passionate about and committed to equal justice.

I met Peter in 2005 when I was starting in private practice and Peter worked for the Gallatin County Public Defenders Office. I was new to being a contract/conflict public defender, and Peter generously and unselfishly took the time to help me learn to navigate the criminal justice system. I was impressed with the patience and skill with which he assisted me and with his knowledge and wisdom. What also struck me were Peter's compassion and the sincerity with which he carried out his work. Tempting as it is when working in the criminal justice system, Peter did not deride those involved in the system—opposing counsel, members of the judiciary, court personnel, county personnel, city personnel, or others. Peter has great respect for the judicial system and is committed to the fair and equal administration of justice.

Peter unquestionably has the experience and work ethic to be a judge in the Eighteenth Judicial District. Peter has extensive trial experience with a mastery of the rules of evidence and procedure. While a great deal of Peter's experience is in criminal justice, he also has civil litigation experience. Living and working in the same proximity as where Peter worked and lived, I witnessed the extra time and effort Peter put into his work. There is an extensive, mutual familiarity between Peter and the Montana judiciary, and he also has deep connections with the local bar. Peter has the experience, work ethic, and earned respect to be able to quickly and effectively take on the role of a judge.

As a person, Peter is pleasant, sincere, and open-minded. Though I no longer am involved in criminal justice and see Peter very infrequently, he greets me with the same warm familiarity and enthusiasm as when he first worked to assist me. Peter sees all people as human beings with real needs and concerns and who deserve to be treated equally and fair.

I strongly encourage the commission to select Peter Ohman as a nominee presented to Governor Bullock for selection as the new judge for the Eighteenth Judicial District. I also submitted a letter of support for another applicant. I sincerely believe selecting Peter as one of the nominees, along with the other applicant whom I support, will ensure the Eighteenth Judicial District will end up with a judge of the highest caliber. Peter would work well with and have the respect of the existing Eighteenth Judicial District Court judges, and the Gallatin County Bar would find Peter to be a fair, respectful, decisive, and efficient judge.

Respectfully,

A handwritten signature in blue ink, appearing to read "Paul Grigsby", is written in a cursive style.

Paul Grigsby

WESTERN JUSTICE ASSOCIATES, PLLC

TRIAL LAWYERS FOR PEOPLE AND THE ENVIRONMENT



303 W. MENDENHALL, SUITE 1 • BOZEMAN, MT 59715

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JORY C. RUGGIERO, ESQ.

MAXWELL E. KIRCHHOFF, ESQ.

DOMENIC A. COSSI, ESQ.

August 5, 2020

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

Dear Commissioners:

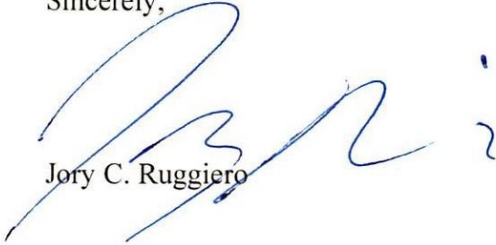
I write to support Peter Ohman as a nominee for the vacancy in Judge Holly Brown's Seat in the Eighteenth Judicial District Court. I have known Mr. Ohman for approximately 10 years. Mr. Ohman has demonstrated a commitment to public interest law and the Bozeman community that makes him a strong candidate to serve as a District Court Judge in Gallatin County.

I cannot over emphasize the importance of Mr. Ohman's experience as a litigating attorney handling both civil and criminal cases. It is critical to have district court judges who have been in the trenches and understand the challenges faced by Montana citizens in negotiating the civil and criminal justice systems. Judges who have not litigated often do not have perspective on issues such as the importance of enforcing fair discovery processes and resolving motions quickly. Mr. Ohman understands that a district court's resolution of these type of issues determines both the quality of justice that litigants receive as well as people's perceptions about the fairness and responsiveness of Montana's justice system.

In addition to his distinguished work as a consumer protection and criminal defense lawyer, Mr. Ohman has a demonstrated ability to manage people. He has built an effective team in the Trial Division of the Office of the State Public Defender where he manages more than 200 employees. Gallatin County has a very busy docket, and it will take an excellent leader to keep the Court functioning at maximum efficiency. Mr. Ohman, like Judge McElyea and Judge John Brown, is a good natured and kind leader who will help maximize the productivity of the Eighteenth Judicial District.

Thank you for your consideration of these comments. Please do not hesitate to contact me, if I may be of assistance in your analysis of Mr. Ohman as a nominee.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jory C. Ruggiero', with a stylized flourish at the end.

Jory C. Ruggiero

July 31, 2020

To: The Judicial Nomination Commission

Re: Candidacy of Peter Ohman for 18th Judicial District Court Judge

I am happy to support Peter Ohman for the position of 18th Judicial District Court Judge. I have known Peter and his wife Francis for over a decade and have watched them both evolve from a pre-kid couple to now parents of Audrey (11) and Gavin (8). I am not in the legal/judicial field, I work in Public Health, however, there is certainly cross over. Peter was working as a Public Defender when we met, and I recall his passion for justice, "innocent until proven guilty" and everyone deserves the right to a fair defense. Peter has worked hard for as long as I've known him, he's found a great work/life balance as a dad and a husband and I have enjoyed our friendship all these years. Peter is always good for an intellectual conversation, he is smart and patient in explaining all things related to law, the legal system, state and federal legislation/regulation which I find very helpful in the work I do.

Peter would make an excellent judge. He is fair, honest, knowledgeable and has the utmost integrity for the job.

Sincerely,

Jessica Wilcox MS, RDN, LN
Community Health Coordinator
Livingston HealthCare



COK KINZLER PLLP



PHYSICAL ADDRESS
CARNEGIE LIBRARY BUILDING
35 NORTH BOZEMAN AVENUE
BOZEMAN, MONTANA 59715-3627

PH: 406.587.4445

WWW.COKKINZLERLAW.COM

MICHAEL D. COK
TRAVIS W. KINZLER
JONATHAN M. COK

MAILING ADDRESS
P.O. Box 1105
BOZEMAN, MONTANA
59771-1105

FX: 406.587.9465

August 5, 2020

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

SENT VIA USPS and EMAIL to:
mtsupremecourt@mt.gov

RE: Montana Eighteenth Judicial District Court Judge

Dear Judicial Nomination Commission:

Please accept this letter of support for Peter Ohman for the position of District Court Judge, Montana Eighteenth Judicial District.

Peter has extensive courtroom experience and has the temperament, work ethic, and thoughtfulness to make him a good District Court Judge. His extensive background in criminal law, and in the jury system, is well-suited for the judiciary. His experience with the Office of the State Public Defender has allowed him to act as an administrator and supervisor, which are both experiences that would help in making him a good judge.

Peter's demeanor and respect for others are also important qualities that would lend themselves to the District Court Judge position. His past work history has given him an understanding of how important it is to treat people with the utmost respect. He has extensive community service involvement which also demonstrates his respect for others.

Thank you for considering Peter Ohman as the next District Court Judge.

Sincerely yours,

COK KINZLER PLLP

Travis W. Kinzler
twkinzler@cokkinzlerlaw.com

kl

CHRISTOPHER D. ABBOTT

811 East Broadway
Helena, Montana 59601

VIA EMAIL

August 5, 2020

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

Members of the Commission;

I am writing to express my unqualified support for Peter Ohman for a seat on the bench of the Eighteenth Judicial District Court.

I came to know Peter well during my ten years as an attorney with the Office of Public Defender (OPD). I worked with him when he was the Regional Deputy supervising the Bozeman office, as Training Coordinator, and later as the Public Defender Division Administrator.

Peter is at once a skilled administrator, a gifted legal mind, and a public servant deeply committed to advocating for those often left behind in society. He has a deep knowledge of criminal law, and he was always one of my first calls when I needed to work through an unusual legal issue, tackle a question of legal strategy, or locate an expert or other resource. Peter has devoted his career to public defense and he has trained a generation of lawyers committed to public service, myself included. He has excellent judgment, a good sense of humor, and an even temperament. Peter is widely respected within and without OPD, and for good reason.

Peter's temperament, legal knowledge, careful analytical reasoning, good judgment, and compassion for all participants in the legal system would be an asset to the bench. I strongly encourage you to nominate him for the Governor's consideration. If you have any question, please do not hesitate to contact me at (406)410-0934.

Regards,

Christopher D. Abbott

August 5, 2020

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

Dear Commissioners,

I am writing as a Gallatin County resident, neighbor, and friend of Peter Ohman in support of his application to fill the Eighteenth Judicial District Judgeship vacancy in Gallatin County, Montana.

My relationship with Pete and his family extends back over a decade, beginning when I lived a few blocks from the Ohmans in Bozeman. I know Pete not professionally but as a member of the community, a family man, a good neighbor, and an outdoor recreation enthusiast in this great State of Montana he chooses to call home. I speak, therefore, of his character when I say that I unreservedly support Peter Ohmans judicial candidacy.

When I think of Pete, words that come to mind are honest, thoughtful, humble yet confident, respectful, intelligent, hard-working, capable, and even-tempered. I've never caught Pete having a bad day - he seems to take life and its challenges in stride, supporting and supported by a wife and two fine children who share Pete's outstanding personal qualities. Together, the Ohmans make one of the tightest-knit and caring families I have had the pleasure to know.

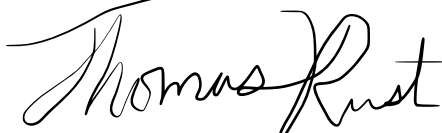
Pete recognizes the importance of physical well being to maintaining mental well being in what is surely at times stressful work environment. As he does when running during his lunch hour, or biking Montana trails, Pete brings energy and stamina to his current position, and will, if appointed, bring his energy to the bench. It is manifest when spending time with Pete on the trails and rivers around Bozeman just how much he cares about the Gallatin Valley and the State of Montana.

Given the myriad options for those with legal training, I have tremendous respect for Pete's choice to serve as State Public Defender in Bozeman. To me, this speaks eloquently to Pete's belief that justice, fairness, and equal protection for all under the law are of fundamental importance.

I once asked Pete off-hand whether he had ever had any “high profile” cases come across his desk. He answered, somberly and without hesitation, that every case is high profile to the people involved. In the context of the moment – a casual question posed one evening on the porch – the seriousness of his response impressed upon me that Pete’s dedication to justice and fairness for those involved with the legal system runs deeper than a necessary professional qualification. His dedication to these principles is foundational to who he is as a person.

Please carefully consider appointing Peter Ohman to fill the Eighteenth Judicial District Judgeship vacancy. Pete has my every confidence.

Sincerely,

A handwritten signature in black ink that reads "Thomas Rust". The signature is fluid and cursive, with the first letter of "Thomas" being a large, stylized capital 'T'.

Thomas Rust, PhD

August 4, 2020

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

Dear Commissioners:

I write in support of nominating Peter Ohman for the appointment to fill the Montana 18th Judicial District vacancy. My family has known Peter and his family since our return to Bozeman in 2014 following my time at the University of Montana, School of Law. During any number of joint family outings, I've had the pleasure of getting to know Peter through our discussions covering virtually every conceivable issue. Peter is a rare mixture of truly broad legal subject matter expertise combined with a insatiable curiosity. Throughout our many conversations, and many more that I have witnessed but was not a party to, his goal has always been to explore and internalize novel information and perspectives regarding any and all potentially relevant topics which he might, in turn, apply to his principal objectives of improving legal practice and the administration of justice. My personal experience is that Peter inherently embodies those qualities required of a good judge – he patiently engages, politely inquires, respectfully counters, deliberatively synthesizes, and then shares a balanced and contextualized opinion. As evidenced by others who know Peter both professionally and personally, my own experience is simply part of a consistent narrative among those of us offering our support to him during this process.

Peter's extensive public service record speaks for itself, as does his ability to successfully manage a large and complex organization dedicated to delivering critical legal services for Montanans. What should also be self-evident, as demonstrated throughout his career, is that Peter's passion for the law has always been fueled by his empathy for the human beings involved and a commitment to ensure the integrity of those institutions that invariably affect all of our lives. Suffice it to say that my support for Peter does not reflect some comfortable preponderance of shared viewpoints; rather, my support flows from the knowledge that where we might disagree, that I, and all others who might appear before him, can rest assured that Peter will fully and fairly consider our positions regardless of our backgrounds, our circumstances, or our resources. I respectfully encourage the Commission to forward Peter's nomination to the Governor for this appointment.

Sincerely,



Quinton King, PhD, JD
Bozeman, MT

BOZEMAN OFFICE

3825 Valley Commons Dr.
Suite 2
Bozeman, MT 59718

BIG SKY OFFICE

11 Lone Peak Drive
Suite 202
P.O. Box 160669
Big Sky, MT 59716-0669

O. 406.414.7640
F. 406.551.7601

MATTHEW A. DODD

August 6, 2020

VIA E-MAIL

Lois Menzies
Judicial Nomination Commission
Office of the Court Administrator
PO Box 203005
Helena, MT 59620-3005
mtsupremecourt@mt.gov

RE: Letter of Support for Peter Ohman

Judicial Nomination Commission Members,

I am writing to provide my wholehearted support for candidate, Peter Ohman. I have known Peter for many years and worked with him during his time as an administrator and training coordinator at the Office of Public Defender.

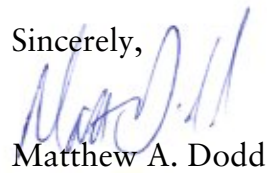
Throughout his life, Peter has served. He served those in underprivileged communities in Appalachia. He served his fellow citizens and the worked to provide for the community good when he moved to Bozeman. And during the last twenty plus years, Peter has served those with the least voice in the justice system. In addition to serving clients of the Office of Public Defender, Peter has served as an administrator for hundreds of OPD attorneys. Gallatin County and its citizens will do well to have Peter continue this record of service as a district court judge.

Throughout his legal career, Peter has stood by those whom few love. Particularly during his time with the Office of Public Defender, Peter has been passionate and mindful about the constitutional protections our founders established. Where we see the erosions of these fundamental constitutional protections throughout the United States, it is essential that Gallatin County's next district court judge protects against this slide. Peter's work throughout his legal career suggests that he will do his best to ensure that everyone—no matter how small their voice or their case—receives the benefit of their constitutional protections and their right to participate in our legal system.

Finally, Peter's temperament and his willingness to listen to others with whom he disagrees will help him during his time as a judge. In a time when the left and right have moved farther away and folks have stopped listening to each other, Peter's patience and willingness to understand and appreciate the issues before him will create fair outcomes for those who appear before him.

Peter's life experience, legal career, and temperament make him an ideal candidate for a district court judge and someone who will continue to act with the public good in mind. He will make a wonderful addition to the bench here in Gallatin County.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matt Dodd", is positioned above the printed name.

Matthew A. Dodd

Ben Refling
benrefling@gmail.com · 406.570.3666

August 6, 2020

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

via email only to: mtsupremecourt@mt.gov

Dear members of the Judicial Nomination Commission,

Gallatin County is fortunate to have several well-qualified candidates for the open District Judge position in the Eighteenth Judicial District Court. Of all the candidates, however, Peter Ohman is particularly well-suited and well-prepared for the role of District Judge.

I have known Peter since the summer of 2012, when I was a law student intern for the Office of State Public Defender in Bozeman. Peter was the Regional Deputy Public Defender and acted as my primary supervisor during my internship.

Peter has served almost two decades as a public defender. His service even predates the existence of the Office of State Public Defender as a state agency. The demands on public defenders are many: The nature of our work is to carry unreasonably heavy caseloads of demanding, high-needs clients. We frequently act as *de facto* social workers and counselors for people who have lived through unimaginable traumas. Most people who undertake this work last only a few years before (understandably) burning out or abandoning ship for more lucrative opportunities in private practice.

Through his long tenure at the Office of State Public Defender, Peter has demonstrated many of the qualities necessary to be a fair and effective judge: He has proven his commitment to public service. He has learned how to effectively manage a demanding caseload without sacrificing the quality of service to his clients. His trial experience and ease with courtroom procedure speak for themselves. In his more recent leadership roles with the Public Defender, Peter has developed the skills of management, administration, and delegation that are critical to the behind-the-scenes work of a judicial office. Perhaps most importantly for those of us who work in the courts on a daily basis, Peter's long experience of working professionally with others, including judges, opposing counsel, demanding clients, and his own supervisees, has shown that Peter will treat everyone who appears in his courtroom with courtesy, dignity, fairness, and respect.

Please submit Peter's name to Governor Bullock for consideration for the Eighteenth Judicial District Judge position.

Sincerely,



Ben Refling

ANGEL, COIL & BARTLETT

ATTORNEYS AND COUNSELORS AT LAW

125 WEST MENDENHALL ST., STE 201 BOZEMAN, MONTANA 59715-3544 PHONE: 406-586-1926 FACSIMILE: 406-585-7654

August 6, 2020

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

RE: Comment re: Peter Ohman's application for District Judge in Montana's
Eighteenth Judicial District

Dear Judicial Nomination Commission:

The purpose of this letter is to provide comment regarding Peter Ohman's application to serve as District Judge in Montana's Eighteenth Judicial District.

I have been a licensed attorney in Montana since 2006 and have been practicing law in Bozeman since that time. I am currently a partner at Angel, Coil & Bartlett in Bozeman. My current areas of focus include criminal defense and personal injury. My prior employment experience includes prosecuting for the City of Bozeman, being a public defender for the Office of the State Public Defender, and working as an associate at Redmon Law Firm.

I first met Peter in late 2007 when I began working at the Public Defender's office in Bozeman. Peter was the Regional Deputy Public Defender at the time and offered me the position. I worked with Peter at OPD in Bozeman for approximately 4 years, and for the majority of that time our offices were in close proximity. I also co-counseled with Peter on an attempted deliberate homicide case that went to jury trial. I got to know Peter much better through the course of working closely on that case together for a over a year. I learned a tremendous amount from Peter during my time at OPD. I always found him to be very level-headed in his decision making in all areas. Peter served as a mentor to a number of younger attorneys in the office at the time, including myself, and I found his advice to be invaluable. I found him to be a very dedicated to both his own clients and employees. I have never seen him cut any corners and he has always acted with the utmost professionalism. I also enjoyed his management style, in that he never micro-managed the attorneys in the office yet was always willing to offer his encouragement or guidance whenever asked.

On a personal level I believe Peter has the perfect temperament to be a district judge. He consistently treats others with respect regardless of their background, race or personal beliefs. He is a devoted family man that always acts appropriately both the professionally and personally. I have no doubt that he has the requisite intellect for the position, as he is able to think quickly on his feet and does not make rash decisions. I am aware that since his time as Regional Deputy Public Defender he has broadened his professional experience through other positions at OPD. In discussing the position with Peter I know that he has a lot of great ideas about how to improve the Court's efficiency. While Peter may not have a considerable amount of experience in civil law, I have zero doubts that he will be a quick study and be able to quickly get up to speed.

I believe Peter would be a fantastic District Judge and I wholeheartedly support his application. While there are a number of qualified candidates that have applied for the position, I feel that the citizens of

WILLIAM A. BARTLETT • BRIAN P. FAY • MARK J. LUEBECK • DANIEL P. BUCKLEY • TIMOTHY P. HAMMAR
RYAN D. MCCARTY • ERIC K. GOLDWARG • MICHAEL C. COIL - RETIRED • CHRISTOPHER R. ANGEL - RETIRED

Gallatin County and Montana would be best served by Peter's appointment. I firmly believe our district would immensely benefit from having Peter on the bench.

Cordially,


Ryan D. McCarty, Attorney at Law

August 5, 2020

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

Re: Nomination of Peter Ohman

Dear Judicial Nomination Commission:

I am writing to encourage you to nominate and appoint Peter Ohman for the position of Eighteenth Judicial Court District Judge. I have encouraged, and even pressured, Mr. Ohman to consider becoming a District Court Judge for some time. I was very pleased to hear he had applied for this position. I believe the job of being a judge is unusual in that the best person for the job is not necessarily the person who most aspires to be a judge, but rather, the person who is most needed by the community. It is my opinion that Peter Ohman has the experience, skills, intelligence, commitment, and common sense that is needed by this community for the District Court position.

I have known Peter since 2007 when I hired as an assistant public defender for the Montana Office of the State Public Defender in Gallatin County. I have worked in this position since that time. Peter was the Chief Public Defender or Regional Deputy in Gallatin County from 2007 to 2104. I have continued to work with Peter since that time in his roles as training coordinator and the head of the Public Defender Trial Division. He has consistently displayed and committed to the qualities most important for a judge. He has a keen legal mind, he is committed to the law and the Constitutional rights guaranteed to all. He is hardworking and devoted. He is fair, level headed, and reasonable. Importantly, he has the breadth and depth of experience necessary for this position.

I am very familiar with this District Court and with the tremendous amount of work and cases the District Court judges are required to handle. I know it is not an easy job. I am confident that Peter Ohman has the experience, temperament, and legal knowledge and skills for this position. I am confident that if the Nomination Commission were to talk to the numerous judges, attorneys, and the many other professionals involved in the justice system, the Commission would find that Peter's integrity, understanding of the law, professionalism, and judgment are respected by all.

I strongly support the nomination of Peter Ohman for appointment to the position of District Court Judge. Feel free to contact me if you would like any additional information.

Sincerely,

Diana Copeland
dcopelandmt@gmail.com

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

August 5, 2020

Shannon Childs
Speech Language Pathologist, Friend
40 Hitching Post Road
Bozeman, Montana 59715

Dear Judicial Nomination Commission,

It is my pleasure to write this letter of support for Peter Ohman to fill the Eighteenth Judicial Judgeship.

Peter and his wife, Frances, became my quick, comfortable friends 15 years ago. I have spent countless nights on their front porch learning how to listen, have hard conversations, look for joy, share pain, and be more curious than defensive, all while seeking moments of togetherness. Peter is always well versed in literature, music, travel, economics and current events making him an easy companion. I think that he is very relatable to others, and over the years I have appreciated his quick wit, sense of humor and ability to see potential in myself and others.

I often refer to the Ohman's as my Montana family. And, this has become more significant as the years go by. These days we spend time raising our children alongside one another, forming traditions that the kids can fall back on. One of my favorite events is their annual Christmas Eve celebration; Peter and Frances consistently integrate Swedish customs. As a father, Peter is compassionate, courteous, patient and open-minded. He is someone that encourages his children to choose what is right over what is fun, fast or easy. All these traits align with the qualities of a respectable judge.

Peter is someone with impeccable self discipline. He places strong emphasis on physical and mental health. He consistently seeks out opportunities for self care including running, biking, skiing, kayaking and camping. Peter reads for pleasure, enjoys healthy eating and incorporates good habits into his daily life.

I have been employed as a speech and language pathologist for 20 years. Courtroom atmospheres, deposition testimony, and cross-examinations have long-standing oral traditions and culture. How does an individual who does not speak participate in such traditions? We have conversed about how SLPs facilitate modifications within the justice system that allow for an appropriate amount of time for persons with severe physical challenges to respond to a rapid series of questions from attorney's or police. Peter shows sensitivity towards individuals with disabilities, which resonates with me personally.

My relationship with Peter Ohman is personal and not professional. I am confident that each applicant for this seat on the Court has a combination of educational and professional qualifications that are suitable for the position, but we expect justices to meet our highest standards. Peter Ohman's combination of character and intelligence suit him perfectly to meet those standards and to serve Montanans.

Sincerely,

Shannon Childs M.S CCC-SLP

schildsmtslp@gmail.com

406-223-4080

GALLIK, BREMER & MOLLOY, P.C.

Attorneys
777 East Main Street
P.O. Box 70
Bozeman, Montana 59771-0070

August 6, 2020

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

By Electronic Mail

mtsupremecourt@mt.gov

RE: *Recommendations for Lawyers for Appointment
as District Judge for the Eighteenth Judicial District*

Dear Judicial Nomination Commission:

Gallatin County is fortunate to have so many qualified applicants to replace the Honorable Holly Brown as District Court Judge. Your task, of recommending several lawyers from these applicants to the Honorable Steve Bullock, will be difficult. However, in my judgment, having practiced in this county for 30 years, two (2) applicants, stand out from the rest of the field and are deserving of your recommendation: Peter Ohman and Eric Kitzmiller. Either would be an excellent judge for this District.

1. Peter Bengt Ohman

I've known and worked with Peter for many years in his capacity as the Chief Public Defender for Gallatin County, both as a practicing attorney and when I was a member of the Montana Public Defender Commission.

Peter is passionate about individual rights and protection of those rights. He and I worked together in defending two (2) individuals in a case where the Supreme Court reconciled prior conflicting opinions and held that under Montana's constitution law enforcement must seek and obtain a search warrant

before sending undercover informants into the home of a suspect to record that conversation for use as evidence. *See, State v. Goetz*, 2008 MT 296, 345 Mont. 421, 191 P.3d 489.

Peter regularly appeared before the Montana Public Defender Commission, where I was a member for several years. In that capacity, he argued for the employees under his supervision, as well as others in districts located in Montana, not just his own. Peter was always well-prepared, knowledgeable and provided invaluable insight into the day-to-day issues confronting public defenders. His testimony helped me, and I know other members of the Commission, in making decisions that we believed were in the best interest of all members of the public defender system and their clients.

While a Public Defender for Gallatin County, I know Peter spent countless hours in the courtroom where he displayed the qualities of patience, respect, while zealously advocating for his clients. He now manages the trial division of the Office of the Public Defender. It is these qualities that I believe make him an excellent district court judge.

I've also been impressed with Peter's dedication to family. He raised his children in this community, where he has lived for nearly 20 years. He often spoke about them during our conversations that began with a legal problem and then, having discussed that issue, steered to family and community.

These traits will serve Peter well as a district court judge, where the case load is filled with family and criminal law cases. He is an asset to the community and I strongly urge you to forward his name to Governor Bullock.

2. Eric Norman Kitzmiller.

I have known Eric since his early days as a prosecutor in the Gallatin County Attorney's office. Our first case against each other was in Justice Court in a high profile case involving the accidental death of several horses on Montana State University's farm. It was a difficult case for all involved, but Eric was a professional throughout the case, including after the trial when the jury returned a verdict in favor of my client, and he went up to my client and shook his hand.

I have had other cases against Eric since that time. At all times he was a strong advocate for the State of Montana but also reflected the qualities of

compassion and understanding recognizing that there often much good in the individuals he was responsible for prosecuting. Those qualities were often apparent during sentencing when he reflected not simply upon the misdeeds of the defendant, but also gave credit when credit was due.

Eric has also been an highly ethical attorney committed to the rule of law and the rights of individuals charged by the State. I knew I could always take Eric at his word.

He, too, has extensive experience in the courtroom which will also serve the district well.

In sum, as I stated at the start of this letter, you have several fine candidates to fill Judge Brown' vacancy. I respectfully submit that while all would do a fine job, the two (2) candidates discussed above should be nominated to Governor Bullock for his consideration to be the next judge in the Montana Eighteenth Judicial District.

Sincerely,

/s/ Brian K. Gallik

Brian K. Gallik

WHIPPLE LAW OFFICES, PLLC
Experienced advocacy. Creative solutions.

Via Email Only: mtsupremecourt@mt.gov

Judicial Nomination Commission
c/o Lois Menzies
Office of Court Administrator
PO Box 23005
Helena, Montana 59620-3005

Re: Montana 18th Judicial District Court Candidate Peter Ohman

Dear Commission Members,

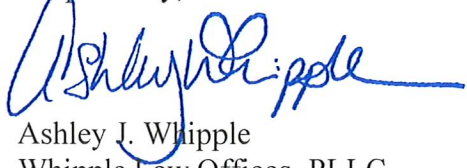
We write to you in support of Peter Ohman's candidacy for the position of District Court Judge for the 18th Judicial District of Montana. We worked with Mr. Ohman for approximately 10 years in our capacity as prosecutors in the Gallatin County Attorney's Office while Mr. Ohman served as Chief Deputy Public Defender for Gallatin County.

In our experience, we've learned that the relationship between defense counsel and the prosecution can quite easily become contentious. When it becomes so, the progress of the case is slowed, if not stalled entirely. As prosecutors for Gallatin County Attorney's Office, whenever we scheduled a meeting with regard to disposition of a particular case, we were always pleased to see Mr. Ohman walk in the door.

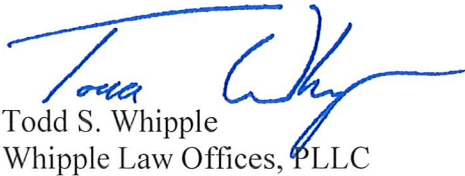
We were pleased because we knew that when Mr. Ohman came into our office we would be getting straight information about his assessment of the case and the factual or legal issues involved. We knew that he came with the intention of fashioning a fair and realistic disposition of the case at issue or proceeding to trial. While Mr. Ohman is an immensely capable attorney and fierce advocate for his clients, he was, and is, a realist. He has always been able to easily assess the merits of the State's case, and the merits of his defense. If a matter needed to proceed to trial we knew that the trial would proceed without trickery or sharp practice. We also knew we would be facing the strongest possible defense. Peter has a presence and temperament that slows things down and re-orientes the parties to the issues at hand. If he has an ego, we cannot detect it. And if he has an agenda, it is solely focused upon producing a just result.

The members of the Bar in this community have been blessed with the professionalism of our Judges. We believe that if Mr. Ohman were to sit the Bench, he would continue in that tradition. Please consider our recommendation as you make this immensely important decision.

Respectfully,

A handwritten signature in blue ink, appearing to read "Ashley J. Whipple".

Ashley J. Whipple
Whipple Law Offices, PLLC

A handwritten signature in blue ink, appearing to read "Todd S. Whipple".

Todd S. Whipple
Whipple Law Offices, PLLC

ELISABETH
MONTTOYA
P L L C

35 North Bozeman Ave. | BOZEMAN, MT
P: 406-585-3300 F: 406-794-0799
EMONTTOYA.LAW@GMAIL.COM

August 6, 2020

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

RE: Application of Peter Ohman

Dear Judicial Nomination Commission,

The Commission is fortunate to have many well qualified candidates. The Commission will have performed a great service to recommend Peter Ohman to the Governor for his consideration.

I first met Peter in 2000 while I was working for a criminal defense attorney prior to attending law school. Once I returned to Montana and eventually started practicing criminal defense, we reconnected. Over the years, Peter has proven to be a level head and a great resource. He has worked in and through the criminal justice system for many years and understands the issues are seldom black and white. Peter is a true believer. He understands the plight of those accused of having committed crimes balanced delicately with the need for public safety, rehabilitation, restitution and punishment. Peter naturally possesses the requisite disposition of a judge to ensure justice is the only outcome.

Very truly yours,



Elisabeth Montoya

**Representative Ryan Lynch
PO Box 934
Butte, MT 59703
(406) 498-6625**

August 3, 2020

**Montana Judicial Nomination Committee
c/o Lois Menzies
Office of Court Administrator
PO Box 203005
mtsupremecourt@mt.gov**

EIGHTEENTH JUDICIAL DISTRICT JUDGESHIP VACANCY

Dear Commission Members,

I wholeheartedly endorse Peter Ohman's application for the 18th Judicial District Judgeship Vacancy. As a four-term legislator serving on numerous public safety committees, including the Joint Budget Subcommittee D on Public Safety, I have had the pleasure of getting to know Peter and his commitment to public service.

Peter has a comprehensive and holistic view of the justice system that is critical to improving outcomes for the justice involved population as well as for civil litigants. Peter understands and appreciates our nation's constitution as well as the unique protections outlined on our Montana constitution. I know Peter will fairly interpret the statutes passed by the legislature in dispatching justice.

As a longtime member of the business community, it is important to me that Peter also understands the necessity of moving the civil docket in a timely manner. He is a very hard worker with a mind toward creating efficiencies.

In sum, Peter will make an exemplary district judge and he has my highest recommendation.

Sincerely,

**Representative Ryan Lynch
Butte, America**

Dr. Nicholas Childs
40 Hitching Post
Bozeman, MT
59715

6 August 2020
Judicial Nomination Commission
Office of Court Administrator
P.O. Box 203005
Helena, MT 59620-3005

Dear Commissioners,

My name is Nicholas Childs and I am an Assistant Professor of Physics and the Radiation Safety Officer at Montana State University. I am writing to support the appointment of Peter Ohman for the open seat for District Court Judge in the Montana 18th Judicial District.

I met Peter in 2006 when I moved to Bozeman through a network of friends with similar outdoor recreational hobbies. Since then we have both created families here, so I have also come to know Peter as a dedicated husband and father over the past eleven years. He is a family man that I have developed a deep respect for due to the relationships that he holds with those around him. As a friend Peter is my best confidant. I rely on him to discuss important issues because I can trust his opinion to be objective, considerate and sincere. I know Peter will tell me what I need to hear even if it is not what I want to hear. I have come to respect that ability greatly in our relationship and I think that it is a critical aspect of a person in this position.

As a resident of Montana Peter Ohman demonstrates the traits that I want from a District Court Judge: composed, level-headed, fair, knowledgeable and compassionate. The length of time he has spent in Bozeman and now in the state is another thing I value as a resident; he knows the people of our great state very well. However the qualification of Peter's I want to emphasize the most, and one I believe will set him apart from other candidates, is that he has always been involved with the defense of Montanans. I want someone in this position that has experience with who the clients before him are and the circumstances that have brought them there. Please take this into great consideration when evaluating Peter for this position.

I urge the commission to nominate Peter Ohman to the position of District Court Judge for the Montana 18th Judicial District.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nicholas Childs', with a stylized flourish at the end.

Nicholas Childs, PhD



Montana State Legislature
MONTANA HOUSE OF REPRESENTATIVES

Representative Zach Brown
House District 63

August 6, 2020

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

Dear Commissioners:

My community, and all of Montana, would be well served by Peter Ohman as a Judge in the 18th Judicial District. I give him my highest endorsement as he seeks this appointment. His even keel, depth of knowledge and experience, and principled commitment to equal access to the justice system give me great faith that he will serve my community with excellence.

Importantly, Mr. Ohman has practiced extensively in both civil and criminal law in Montana. His experiences are diverse and paint the picture of a talented, experienced, and deeply committed attorney. Specifically, his recent work leading the Office of Public Defender system will bring a unique and invaluable perspective to the bench. In his current position, he works with an incredible variety of Montanans: people who are struggling with poverty and addiction; both young and experienced attorneys; judges and court administrators; lawmakers and public agency employees; and local government leaders, just to name a few.

I have come to know Mr. Ohman both as a constituent in my legislative district, and as a trustworthy face in the halls of the Capitol. He works easily with legislators of both parties, communicates confidently but respectfully to legislators and in front of committees, and manages all of these interactions with professionalism, sincerity, and an even keel.

Our community's judicial system is bursting at the seams with a quickly growing docket and relatively static resources, much the same as Montana's Office of Public Defender. In my view, this challenging context demands a successful leader to possess diverse experiences, a nimble mind, a deep and unrelenting worth ethic, a learner's attitude, and a servant's heart. Peter Ohman unequivocally possesses all of these characteristics, and I believe that his service will bring great benefit to our community and state.

Sincerely,

A handwritten signature in blue ink that reads "Zach Brown".

Rep. Zach Brown, House District 63

To Whom it May Concern:

Greetings, my name is Christopher Mahony. I have known Peter Ohman since 1987, where we were dorm mates at an undergraduate college in upstate New York. From the first time I met Peter in the hallways of our dormitory he has always held himself with integrity. Peter was always the most informed, reliable and responsible person in our group of friends.

In fact, it is because of Peter that I have lived in Montana since 2001 since it is he who had connections in the area and as recent undergraduates we decided to travel west. I have trusted Peter to make good decisions, as illustrated by following him to Montana. I have leaned on Peter at various points through the years for his calm commonsense approach as he carries the qualities of someone with years of experience and the wisdom that follows.

I had the honor of marrying Peter and Francis and have watched with joy their relationship grow with the birth of their two children. Peter's empathy towards those with less and for those who do not have a voice has certainly influenced his children, as evidenced by their attention to the plight of a tiny insect or a crying child, which I have witnessed first hand. My own son has spent time with the Ohman's and has always been engaged at multiple levels and motivated to engage physically and mentally with his environment.

I believe Peter is certainly qualified based on experience and education and all that goes into supervising other professionals, however I also believe raising a family with deep values and connections to the community is a quality that elevates Peter. Thank you for your time.

Sincerely,

Christopher Mahony

317 South I st.

Livingston, Mt. 59047

406-220-3092

Cook, Kevin

From: Menzies, Lois
Sent: Friday, August 7, 2020 8:21 AM
To: Cook, Kevin
Subject: Public Comment -- Ohman

From: Domenic Cossi <domenic@westernjusticelaw.com>
Sent: Thursday, August 6, 2020 4:50 PM
To: MT Supreme Court,
Subject: [EXTERNAL] 18th Judicial Vacancy Comment - Peter Ohman

I'm writing regarding Peter Ohman's candidacy for the vacancy in the 18th Judicial District. Mr. Ohman is clearly qualified. He has worked in various legal fields during his career and understands what it takes to run a government legal office. Mr. Ohman's experience and temperament would make him a very good judge.

Domenic A. Cossi

Western Justice Associates, PLLC
Trial Lawyers for People and the Environment
303 W. Mendenhall, Suite 1
Bozeman, Montana 59715
(406) 587-1900
(406) 587-1901 (fax)

This email is for the sole use of the intended recipient(s). This email contains confidential information and/or information protected by attorney client privilege, work product and other legal doctrines. If you are not the intended recipient, notify the sender immediately.

Please be advised that I do not have email on my phone and do not keep my email open at all times of the day. If you need to reach me quickly, please contact my office and they will contact me.

Cook, Kevin

From: Menzies, Lois
Sent: Friday, August 7, 2020 8:20 AM
To: Cook, Kevin
Subject: Public Comment -- Ohman

From: Jennifer Giuttari <jennifer.giuttari@gmail.com>
Sent: Thursday, August 6, 2020 2:27 PM
To: MT Supreme Court,
Subject: [EXTERNAL] Public Comment: 18th Judicial District Judge vacancy (Ohman)

To The Montana Judicial Nomination Commission:

I am writing in response to the Commission's request for public comment on the 18th Judicial District Judge applicants. I am 2007 graduate of The University of Montana School of Law. Over the years, I have had the opportunity to practice in both the public and private sector in State and Federal court. I am now writing to recommend Peter Ohman for the 18th Judicial District Judge vacancy.

I first met Peter in my early days of practice when I was working for the ACLU of Montana and he was the Regional Deputy Public Defender at the Bozeman office. I have gotten to know Peter better in my current position as an Assistant Public Defender. Although Peter specializes in criminal defense, I believe that Peter he would be both fair and impartial as a judge. The depth of his experience, both administratively and practically, gives him a specialized understanding of how to efficiently oversee the judicial process. Additionally, Peter's even and calm temperament would be an excellent fit for the judiciary. I believe both Peter's personal traits and his professional experiences would be great assets to the 18 Judicial District should the Commission nominate him to fill the vacancy.

Please feel free to contact me if you have additional questions regarding my public comment.

Best,
Jen Giuttari

Jennifer A. Giuttari, Attorney-at-Law
Find me on [LinkedIn \[linkedin.com\]](#)

Cook, Kevin

From: Menzies, Lois
Sent: Friday, August 7, 2020 8:19 AM
To: Cook, Kevin
Subject: Public Comment -- Ohman

From: Buddy Rutzke <brutzke@gmail.com>
Sent: Thursday, August 6, 2020 9:30 AM
To: MT Supreme Court,
Subject: [EXTERNAL] 18th Dist. Ct. - Public comment regarding Peter Ohman

To the members of the Judicial Nomination Commission:

We are lucky in this district to have nothing but well qualified candidates whose applications are unlikely to generate any negative comment upon their integrity or competence. I have had the opportunity to practice with or in front of almost all of the candidates and have at least observed them all firsthand in litigation or had personal conversations with them about specific cases and general legal issues. So, I am not surprised to see that they all have friends and family who write in support because they love them, or colleagues and clients who write in support because they respect them.

But these expressions of love and respect do not necessarily provide the Commission with the information necessary to make such a difficult decision. I write in support of Peter Ohman because his depth and breadth of legal expertise, his humility balanced with decisiveness, his mentorship, his administrative skills, and his ability to nurture innovation all help him rise above even this admirable field of candidates.

Basis of my opinion

I am familiar with Peter having worked at the OPD for a little over six years. I began practicing in Helena, where I first became familiar with Peter by name. As a new attorney in an office with high turnover, I ended up with cases ranging from felonies, to juvenile delinquency petitions, to child welfare cases, so I had frequent occasion to reach out for guidance. Peter's name was frequently suggested throughout the state as a person with expertise on any number of topics, whether regarding procedural or substantive law, criminal or civil, or just generally how to manage workload and effectively help difficult clients. Then I met him in person when he was the state training coordinator for OPD. His competence and skill in helping attorneys improve their practice was phenomenal, and he seemed to know every attorney at our trainings by name. I have now been practicing in Bozeman for more than three years, during which time Peter became the statewide director of our trial attorney division. Despite supervising what is likely the largest law firm in the state, Peter still makes time for personalized discussion and mentorship and creates new rewarding challenges for attorneys that continue to foster fulfillment, wellness and practice improvement.

During the three years in Bozeman, I have also gotten to know several of the candidates fairly well, and deeply respect all of them. Mr. Breuner is a fantastic judge and attorney who runs a very fair and efficient court. Mr. Kitzmiller is a highly experienced litigator who advocates strongly but fairly, diligently remembering that his job is to seek justice rather than revenge. Ms. Wambsgans is a former public defender and zealous advocate for her clients. I have seen Ms. Cromwell in action when she guided a legal intern into making a highly impressive, and ultimately successful, argument in defending MSU students through a legal dispute with the city of Bozeman. But even with my respect and admiration for every candidate, for the following reasons I still strongly believe that Peter is the best candidate for the bench.

Expertise

Peter can immediately hit the ground running on any case over which he would preside. His experience with criminal law is obvious, given his nearly two decades of service with the OPD. But as a public defender he handled many types of civil cases as well, from involuntary commitments, juvenile petitions, guardianships, and child welfare cases. Outside the OPD, he has practiced in even broader civil contexts, including as a solo practitioner, as a civil legal aid attorney, and with the Department of Commerce. There is not a case that would hit the bench for which Peter is not already prepared.

Humility and Decisiveness

It seems that perhaps the most vital balance of characteristics for an outstanding judge is a humility to be able to listen and learn and to keep an open mind on every case. On the other hand, justice delayed is often justice denied, and such humility cannot hamper the ability to act decisively. Peter demonstrates this balance on a daily basis in his current administrative role. He must demand and enforce high standards of OPD attorneys while minimizing burnout and turnover. He must make difficult decisions in allocating always limited resources. He must maintain and develop the OPD workforce while also diligently observing his fiscal responsibilities to the taxpayers of Montana. He does so by acting with humility by encouraging healthy debate and actually listening. But he does not delay in making clear decisions, even when there is no easy answer.

Peter also displayed this balance on a daily basis as a line attorney and mentor. It is of course not uncommon for public defenders under stress to give in to the temptation to complain about particularly difficult clients, judicial decisions with which we disagree, or prosecutors' decisions that seem contrary to justice. He never fosters such reactions, but instead encourages approaching issues with humility and empathy. Why is a client lashing out? What are the counterarguments that swayed a judge against your point, and how can you better address those next time? What is the prosecutor trying to accomplish, and why did they believe their actions would achieve that goal?

Peter has the humility to faithfully follow the law, to keep his mind open in each particular case, to seriously consider any challenge to his opinions, and to promulgate clear decisions that will bring just resolutions to any case on his docket.

Mentorship, Administration and Innovation

The members of the Eighteenth Judicial District bench and bar and the public they serve struggle with exploding case numbers, only three district court judges to handle them all, and cramped facilities. Peter is in a unique position to cope with this situation, having served as an administrator, first in this district then for the entire state.

Innovation is, unfairly, not often associated with public servants. But in truth Peter has shown extraordinary innovative skills in guiding a large public agency through a period of institutional maturation, as the OPD is now only roughly fourteen years old. In that time, caseloads have exploded as the Legislature relies upon criminalization to confront social concerns, as law enforcement agencies increase their numbers and arrests, and as the population of the state increases (most rapidly in this district). And now this is all occurring in the context of the COVID-19 pandemic. In the face of these challenges, and throughout this time of agency growth, Peter has demonstrated his excellent work and innovation by being promoted first to a regional and then statewide administrator. He has fostered a culture of great cooperation. He has mentored a number of outstanding attorneys in a way that has improved legal practice not just in the OPD, but in all the other public agencies, private firms, courts and solo practices where attorneys and staff who learned from Peter now work.

Improvements in child welfare practice are just one concrete example of Peter's abilities in this area. Child welfare cases are perhaps the largest area of growth for the OPD in terms of case numbers and consumption of human and monetary resources. Peter has worked with members of the judiciary, consulted with legislators, and delegated to other people in the OPD in order to provide necessary information on legislative solutions, to improve the advocacy of our attorneys, and has identified and secured sources of federal funding. He has managed to

cooperatively innovate in a cost-effective manner that ultimately improves the lives of Montana children and their families.

This is exactly the kind of skill that is so needed in this district at this time. Peter has a proven track record in the area that no other candidate has. Clerks and staff that work for him, and the attorneys that practice in front of him, will be better practitioners. Most importantly, all people personally affected by the cases he will decide will all benefit from his innovative and cooperative approach to legal and administrative problem solving.

Conclusion

Peter's lifelong public service proves that his application is untainted by personal ambition. In his conversations with friends and family about whether to throw his hat in the ring for the bench, his questions or comments are not about whether serving on the bench would be a good move for him personally, but rather whether this is the best way for him to continue to serve the people of Gallatin County and the State of Montana. His decisions will be guided solely by what the law requires and what is just and equitable. The attorneys who practice in front of him will be treated with respect and leave better advocates. He will bring an innovative and collaborative approach that will best serve the people of Gallatin County, even when compared to the other eminent candidates.

Sincerely,
Buddy Rutzke

--

Buddy Rutzke | Esq., MSW