
JUDICIAL NOMINATION COMMISSION
Meeting Minutes
Monday, October 12, 2020

The Judicial Nomination Commission convened through videoconferencing at 9 a.m. on Monday, October 12, 2020. All members were present: Judge John C. Brown (Chair), Janice Bishop, Karl Englund, Elizabeth Halverson, Hal Harper, Lane Larson, and Nancy Zadick. Kevin Cook and Lois Menzies provided staff services. The purpose of the meeting was to nominate applicants to fill a judicial vacancy in the 1st Judicial District (Broadwater and Lewis and Clark Counties).

Applicant interviews were scheduled as follows:

9:00 a.m.	Christopher David Abbott
9:40 a.m.	Gregory Lee Bonilla
10:20 a.m.	Mary Elizabeth Cochenour
11:15 a.m.	Daniel Mark Guzynski
11:55 a.m.	David Ole Olson
12:35 p.m.	Chad Garrett Parker

Judge Brown opened the interview session by providing an overview of the judicial nomination process. Questions from the Commission followed. Topics addressed during applicant interviews included biases and prejudices brought to the bench; how the 1st Judicial District differs from other districts in the state; plans for ensuring Senate confirmation; difficulties in implementing a treatment court; necessary changes in the 1st Judicial District; characteristics of judicial patience; ability to render criminal sentences; plans for running an effective campaign if appointed; addressing discovery disputes; handling an endorsement by a political party; people or events that have most influenced the applicant; strategies in garnering public support; plans for resolving the backlog of cases; interest in using fast-track procedures or expedited processes

(rocket docket) in civil cases; addressing the imbalance between plaintiffs and defendants in some civil discovery disputes; addressing weaknesses in experience; whether independence exerted by district court judges hampers efficiencies and best practices in the courts; reasons for seeking the judgeship; whether justice can be done when there is an acquittal in a case; opinion on cash bail and binding plea agreements; whether applicant will run for the position if not appointed; views on appointment vs. election of judges; and humor as a tool to use in the courtroom. Some applicants were asked to clarify or expand upon their responses to certain application questions.

Applicants concluded their interviews by making closing statements.

The Commission began deliberations following the last interview. The concurrence of at least four Commissioners is needed to nominate an applicant for the Governor's consideration. The Commission decided as follows:

- Christopher Abbott was nominated by six Commissioners (Brown, Bishop, Englund, Halverson, Harper, and Larson). His name will be forwarded to the Governor.
- Gregory Bonilla was not nominated by any Commissioner.
- Mary Cochenour was nominated by five Commissioners (Brown, Bishop, Englund, Halverson, and Harper). Her name will be forwarded to the Governor.
- Daniel Guzynski was nominated by two commissioners (Harper and Larson).
- Ole Olson was nominated by all seven Commissioners (Brown, Bishop, Englund, Halverson, Harper, Larson, and Zadick). His name will be forwarded to the Governor.
- Chad Parker was not nominated by any Commissioner.

The reasons for nominating Mr. Abbott, Ms. Cochenour, and Mr. Olson are contained in the certificate and report submitted to the Governor, which are incorporated into these minutes and attached to them.

The Commission adjourned at approximately 2:10 p.m.

CERTIFICATE

The Judicial Nomination Commission of the State of Montana hereby certifies to the Honorable Steve Bullock, Governor of the State of Montana that it has agreed and approved the qualifications of the following lawyers for appointment as District Court Judge for the First Judicial District.

All of these we now certify are qualified for appointment under the laws of the State of Montana. We hereby certify the same to you, as required by law, and list them in alphabetical order:

Christopher David Abbott

Mary Elizabeth Cochenour

David Ole Olson

REPORT

Pursuant to Section 3-1-1010, MCA, the Judicial Nomination Commission provides the following report:

On October 12, 2020, the members of the Judicial Nomination Commission participated in applicant interviews and deliberations through videoconferencing. The applications of and public comments regarding the above-listed nominees are attached to this certificate and also may be reviewed at: <http://www.courts.mt.gov>.

Christopher David Abbott received six affirmative votes to recommend his appointment. The Commission's reasons for recommending this nominee are that Mr. Abbott:

1. meets the minimum qualifications for the position of district court judge;
2. appears to be electable to the position within the judicial district;
3. has a depth and breadth of legal experience;
4. demonstrates judicial temperament; and
5. has significant support within the community for serving in the position of district court judge.

Mary Elizabeth Cochenour received five affirmative votes to recommend her appointment. The Commission's reasons for recommending this nominee are that Ms. Cochenour:

1. meets the minimum qualifications for the position of district court judge;
2. appears to be electable to the position within the judicial district;
3. has a depth and breadth of legal experience;
4. demonstrates judicial temperament; and
5. has significant support within the community for serving in the position of district court judge.

David Ole Olson received seven affirmative votes (unanimous) to recommend his appointment. The Commission's reasons for recommending this nominee are that Mr. Olson:

1. meets the minimum qualifications for the position of district court judge;
2. appears to be electable to the position within the judicial district;
3. has a depth and breadth of legal experience;
4. demonstrates judicial temperament; and
5. has significant support within the community for serving in the position of district court judge.

Done by videoconferencing on the 12th day of October, 2020.

Hon. John C. Brown, Chair

Elizabeth Halverson, Secretary

Janice Bishop

Karl Englund

Hal Harper

Lane Larson

Nancy Zadick