

THE SUPREME COURT OF MONTANA

DIRK M. SANDEFUR
JUSTICE

TELEPHONE (406) 444-5573

FAX (406) 444-3274

dsandefur@mt.gov

August 25, 2020



JUSTICE BUILDING
215 NORTH SANDERS
PO BOX 203001
HELENA, MONTANA 59620-3001

Montana Judicial Nomination Commission
c/o Beth McLaughlin, Court Administrator
P.O. Box 203005
Helena, MT 59620-3005

**** Via Email Transmittal -- bmclaughlin@mt.gov ****

Re: Professional Reference (Daniel Guzynski) -- Mont. 1st Jud. Dist. Court Vacancy

Dear Commission Members:

Please consider this correspondence in support of the application of Daniel Guzynski for nomination for appointment as a District Court Judge in the upcoming vacancy in the Montana First Judicial District, Lewis and Clark County. In my various capacities in the legal profession over the years, I have known and observed Dan to be an excellent practicing lawyer in the various capacities in which he has served.

Dan has extensive criminal prosecution experience gained through his prior employment as an intern in the Cascade County Attorney's Office, a Deputy Flathead County Attorney, and his current capacity as an Assistant Attorney General in the Prosecutor Services Bureau of the Montana Department of Justice. He is a tough but fair criminal prosecutor who has represented the State of Montana in a distinguished and exemplary manner in a wide-variety of the most serious felony criminal matters under Montana law. I have observed and reviewed his excellent work in my prior capacity as a state district judge in the Montana Eighth Judicial District and in my current tenure as a Montana Supreme Court Justice. I am confident that Dan can and will easily adapt and similarly handle the wide variety of civil matters that come before Montana district courts. Dan is highly respected around the State by the various judges, lawyers, crime victims, and law enforcement officers before and with whom he has worked over the years. He is similarly well known and respected in the Helena community where he resides.

Dan is an exceptional, highly-competent and experienced lawyer of the utmost personal and professional integrity. He has a proven blend of expertise, wide-ranging experience, integrity, fair and reasoned judgment, balanced demeanor, and professionalism which will well-serve the citizens of the State of Montana as a District Court Judge in the Montana First Judicial District in Lewis and Clark County. I highly recommend him for your consideration for nomination for appointment by the Governor to that position.

Sincerely,

A handwritten signature in blue ink that reads "Dirk M. Sandefur".

Dirk M. Sandefur, Associate Justice
Montana Supreme Court

Cook, Kevin

From: Menzies, Lois
Sent: Sunday, August 30, 2020 7:52 PM
To: Cook, Kevin
Subject: Public Comment -- Guzynski

From: Jimmy W <jimmyweg@yahoo.com>
Sent: Saturday, August 29, 2020 12:50 PM
To: MT Supreme Court,
Subject: [EXTERNAL] District Judge Applicants

I had the pleasure for working with Mary Cochenour, Dan Guzynski, and Ole Olson over a number of years when I served as an Agent for MTDOJ. Each of the candidates served as a prosecutor and legal liaison to the Computer Crime Unit, which I headed for about 17 years. Montanans will be served well by any of these applicants. Their ability to comprehend and address the most technical aspects of computer crime was outstanding, and they presented our cases in court with remarkable clarity.

Equally important was their fairness in evaluating cases. As you know, investigators and prosecutors may have different views on the merits of cases. Over many years, I've had my share of such debates with prosecutors, but these applicants judged my unit's work based on sound reasoning and the standards required by the criminal justice system. It was easy for me to respect their decisions, which impressed me with being correct.

Each of the applicants were well prepared for court. They treated all parties respectfully and presented our cases professionally. It seemed plain to me that district court judges across the state respected the courtroom presentations of these prosecutors. While I can't speak to the civil side of the law, I can say that the briefs and motions that the applicants prepared were well reasoned and expressed the state's positions persuasively.

Having appeared in dozens of courts across the state, I would have no hesitation about participating in a proceeding over which any of these candidates presided. Thanks for considering my views.

Jimmy Weg
Helena, MT

Sent from [Mail \[go.microsoft.com\]](mailto:jimmyweg@yahoo.com) for Windows 10

Melissa A. Schlichting
1030 Cedarwood Drive
Helena, MT 59601
Cell: (406) 475-2891
E-Mail: melischlichting@gmail.com

September 7, 2020

Dear Judicial Nomination Committee:

I am writing in support of Dan Guzynski for the First Judicial District Judgeship vacancy.

I have known Dan for the past seven years as a colleague at the Montana Department of Justice. I currently serve as Dan's supervisor at the Montana Attorney General's Office. Over the past seven years I have watched Dan grow to become the leader of the Prosecution Services Bureau while maintaining a challenging case load. His knowledge and skills, both inside and out of the courtroom, will make him a great Judge.

Dan is a fantastic prosecutor who has vast experience handling challenging cases. He also has compassion and a true heart for victims. Most recently, I saw him excel at prosecuting a very difficult sexual assault case, while ensuring the victim was supported and protected.

As Chief of the Prosecution Services Bureau, Dan has demonstrated leadership through example. Dan's management style encourages collaboration, growth through experience, and strict adherence to the highest legal and ethical standards.

For all these reasons and more, I am honored to support Dan to the Judicial Nomination Committee. Thank you.

Sincerely,

Melissa Schlichting

September 8, 2020

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

Dear Judicial Nomination Commission:

I am writing to register my confidence in Daniel M. Guzynski in his application for the 1st Judicial District Court (Broadwater and Lewis and Clark counties). The chance to have a candidate of his quality for the 1st Judgeship is an opportunity not to be missed. His significant work in the courtroom requires a solid working knowledge of evidence and procedure which is such a bonus when it comes to taking the bench. Civil matters and written motions allow a judge to educate themselves on their own time in chambers. But the pace of a jury trial requires rapid decisions on objections which can compromise the case and create appellate error. Trial experience in the wide ways a case can go sideways in an instant is critical.

My primary knowledge of Mr. Guzynski is based on the cases he has tried and or handled before me. His cases are complex or political because that is what his office takes when requested by the county attorney. One case upon which I sat was a difficult, long, highly contested case. Pretrial motions included 120 motions or sub-motions. Opposing counsel was often rude to everyone in the courtroom but to protect the record and the defendant's rights, I attempted to be even handed, balancing my rulings before the jury to assure the Defendant did not pay for the behavior of his counsel. There were many times I would not have been surprised to have Mr. Guzynski react to the aggravation that was constant. Instead he remained professional, and above the fray. As a former trial lawyer, I know the best results come with good counsel on both sides. It is much more difficult when one side is behaving badly. Having been assisted by Prosecutor Service Bureau when I was the Lake County Attorney in the 90's, they were great to have as backup.

I have watched Mr. Guzynski be a tremendous asset to our state in helping new or overwhelmed county attorneys with difficult, political, or unusual cases. Mr. Guzynski's performance as an attorney and then head of that office is consistent with what I received from his first boss, John Connor when John assisted me with a capital case in my first year as Lake County Attorney.

Mr. Guzynski is the consummate professional. He is grounded in the value system, the truth, the law and the rights of the Defendant regardless of a defendant's counsel's deliberate attempts to derail a trial. In his work he demonstrates the tradition of hard work of his office in a manner of his predecessors, John Connor and Marc Racicot. His commitment to service and quality is unequalled except by his humility and his love for his adopted state of Montana. Those fortunate enough to have made Mr. Guzynski's acquaintance would agree his integrity requires those with whom he deals to search for the best and right resolution in what can be a sea of uncertainty. He is an advocate for truth, justice and respect for all people including both the public and especially the defendants. He brings a calm, professional, thoughtful, grounded, balanced consideration to highly charged circumstances of courtroom drama with an unquestionable air of doing the right thing in a very real sense for all.

I firmly believe that perhaps it is not brilliance, intelligence or skill as much as it is integrity, caring, and constancy that make good judges. After 20 years as a member of the judiciary, I believe you could not pick a better man to handle the specialized skill, experience, decisiveness and sense of law necessary to perform the job of a district court judge. Please feel free to contact me with any questions.

Very truly yours,

Deborah Kim Christopher
District Judge



STATE OF MONTANA BOARD OF PARDONS AND PAROLE

STEVE BULLOCK, GOVERNOR

ANNETTE CARTER, CHAIRMAN

OFFICE: (406) 846-1404

FAX: (406) 846-3512

hopp@mt.gov

1002 Hollenbeck Road

Deer Lodge, MT 59722

September 9, 2020

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

Re: Daniel Guzynski, professional reference (Montana First Judicial District Court vacancy)

Dear Members of the Commission:

I am pleased to offer my support of Dan Guzynski's application for appointment to the vacant District Judge position in the Montana First Judicial District. (In the interest of candor, I am submitting letters of reference on behalf of two of the applicants.)

By way of introduction, I served as Silver Bow County's chief prosecuting attorney from 1987 through 2006 and as a district judge in Silver Bow County from January 2007 through July 2018. I served two terms in the Montana Legislature. I currently serve as a member of the Montana Board of Pardons and Parole. In short, my professional career has been devoted to the core principles of fair treatment to all citizens and equal access to justice. I am proud to say that Dan Guzynski is also committed to those same standards.

My knowledge of and relationship with Dan Guzynski arose during the course of his appearances in my courtroom on behalf of the State of Montana and, more importantly, the victims of crime. Dan likely has tried as many or more cases than any other applicant for the vacant judicial position. Dan's extensive trial experience has provided him with solid understanding of the rules of evidence and procedure governing criminal cases. With his professional knowledge and skill, Dan will easily adapt to presiding over the wide range of civil cases that fall within the jurisdiction of the district court.

Dan Guzynski is an effective legal researcher and writer. He also is a powerful oral communicator. Those abilities are essential to success on the district court bench. A judge's decisions have to be understood to be fully implemented and enforced.

I am confident that Dan will uphold the high ethical standards required of a district judge. He has been a tough prosecutor and strong advocate for his clients while still recognizing and practicing his obligation of fairness to the opposing parties. That professional balance and commitment will serve Dan well on the bench.

During his legal career, Dan Guzynski has appeared in a majority of Montana's judicial districts and before a majority of Montana district judges. That unique experience will be invaluable as he

develops his own judicial philosophy and manner of conducting legal proceedings.

Based on my contact and communication with trial judges, prosecuting attorneys, defense attorneys, law enforcement authorities and victims, Dan is held in high esteem. Such respect is the direct result of his professionalism and integrity.

As a survivor of the district court bench, I am pleased that an attorney of Dan's caliber and ability aspires to that position. Montana citizens, and particularly the residents of Lewis & Clark and Broadwater Counties, will be the beneficiaries of Dan Guzynski's appointment as a district judge.

Dan Guzynski has earned your strong consideration of his application for the vacant trial judge position.

Feel free to contact me if you have any questions about Dan Guzynski's qualifications and my recommendation.

Sincerely,

Brad Newman, Member
Montana Board of Pardons and Parole

CASCADE COUNTY

State of Montana

Telephone: (406) 454-6915 Criminal Department

(406) 454-6904 Civil Department

FAX: (406) 454-6949



Joshua A. Racki

County Attorney

121 Fourth Street North – Suite 2A

Great Falls, Montana 59401

September 8, 2020

Judicial Nomination Commission

c/o Lois Menzies

Office of Court Administrator

P.O. Box 203005

Helena, MT 59620-3005

RE: Daniel Guzynski, 1st Judicial District Application

Dear Judicial Nomination Commission,

I am writing you today on behalf of Daniel Guzynski. Mr. Guzynski has been an attorney for twenty years. In fact, Mr. Guzynski has spent his entire career fighting for justice for victims of crime. I may be a bit biased, but I believe that there is no more noble pursuit, under the law, than to help those who have been victims of criminal offenses.

Mr. Guzynski has an excellent grasp of legal principals, the Rules of Evidence, and the ins and outs of how to conduct a trial. It is fair to say that he is one of the premiere trial attorneys in the state of Montana. If appointed to the bench, he will bring this knowledge and experience to his court. This knowledge and experience will assist him in making the correct decisions and making sure trials are conducted fairly in accordance with the rules of law.

Being a prosecutor is more than just being an advocate for justice and community safety. As a prosecutor, a person is forced to balance the community safety with a violator's rights and the need for rehabilitation. This balance is often difficult to achieve. I have witnessed Mr. Guzynski work very hard to achieve this balance. This experience and wisdom will serve him well as a judge.

Mr. Guzynski has always handled himself with compassion and professionalism when appearing in court and prosecuting cases. It is a great honor that I recommend to the Judicial Nomination Commission Daniel Guzynski for appointment as the new District Court Judge for the 1st Judicial District.

Respectfully,


Joshua A. Racki

Cascade County Attorney

Cook, Kevin

From: Menzies, Lois
Sent: Thursday, September 10, 2020 9:15 PM
To: Cook, Kevin
Subject: Public Comment -- Guzynski

From: Brant Light <bslight@hotmail.com>
Sent: Thursday, September 10, 2020 1:04 PM
To: MT Supreme Court,
Subject: [EXTERNAL] Recommendation of Dan Guzynski

Dear Commission Members:

This is written in support of Dan Guzynski for appointment as a District Court Judge in Lewis and Clark County. I firmly believe that Dan is uniquely qualified to be a District Court Judge.

I worked extensively with Dan, supervising him for over 10 years. I would also note that I worked with Mary Cochenour and Ole Olson at the Montana Attorney General's Office as well. Both Mary and Ole are fine attorneys and tremendous people. Either would make a fine judge.

As Chief of the Prosecution Services Bureau at the Department of Justice I supervised Dan. PSB handles the most complex and difficult cases in Montana. Dan is one of the best and most experienced trial attorneys in Montana, specializing in homicide and child sexual abuse cases. His ability to work with victims of violent crimes is incredible. When I retired in 2018 Dan replaced me as the Chief Prosecutor and he has displayed his leadership qualities on a daily basis in that position.

I tried cases and appeared before almost every district court judge in Montana. In doing so I feel I have a clear understanding of the attributes an attorney must have to be an excellent judge. First is experience. Dan has been trying cases for 20 years. Dan knows the application of the law and most importantly he is an expert in evidentiary matters. He possesses fine research and writing skills. Second is work ethic. District Court caseloads are demanding and require a great work ethic if a judge is to be successful. I observed Dan work nights, weekends and holidays, whatever it took to be prepared for a trial or hearing. Third is judicial demeanor. It's vital that a judge display the proper demeanor in and out of the courtroom. Dan is a gentleman. I have no doubt that he will show great respect for litigants, witnesses, court personnel and all associated with the court process. Dan will allow the parties to try their case. He will be compassionate when called for and tough when required.

Dan is one of the finest people I have ever known. He's a great family man and a good friend to all. He is highly respected across our state. Dan has all the attributes to be an outstanding District Court Judge in Lewis and Clark County. I highly recommend that his name be forwarded to the Governor for appointment to that position.

Respectfully

Brant Light
Former Cascade County Attorney
Former Chief Prosecutor for the Montana Attorney General's Office

Sent from my iPad

STATE OF MONTANA

NINTH JUDICIAL DISTRICT COURT
TOOLE, GLACIER, TETON, PONDERA COUNTIES

ROBERT G. OLSON
DISTRICT JUDGE

(406) 424-8360 OFFICE
(406) 424-8361 FAX



TOOLE COUNTY COURTHOUSE
226 1ST STREET SOUTH
P.O. Box 822
SHELBY, MT 59474

September 8, 2020

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

Re: Letter of Support for Daniel M. Guzynski

Dear Commission members:

It is my pleasure to write this letter in support of Dan Guzynski in his bid to be appointed as a District Judge in the 1st Judicial District. Dan has handled several serious criminal cases in this district. He was lead counsel on a deliberate homicide case in Teton County in January, 2015. The Defendant was convicted, and the conviction was affirmed on appeal.

Dan's trial skills are top-notch. He zealously presents his case, but always showing the utmost respect for the Court and opposing counsel. He has the trial skills, experience, and judicial temperament to be an exceptional District Court Judge. Without hesitation, I give Dan my highest recommendation to fill Judge Reynold's unexpired term.

Should you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert G. Olson", is written over a faint, circular embossed seal.

Robert G. Olson
District Judge

Janet Ellis
P.O. Box 385
Helena, MT 59624
janet.ellis@mtleg.gov
406-431-9157

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

Dear Ms. Menzies,

September 11, 2020

I am writing you in support of Mr. Dan Guzynski of Helena for the appointment to fill the current vacancy for the First Judicial District Judgeship of Broadwater and Lewis & Clark Counties. I highly recommend you consider forwarding Dan's name for the appointment. He is a capable, articulate attorney, with a strong interest in justice.

I've known Dan for approximately four years. During that time, I have come to know him as an individual who cares deeply about our state—and doing the right thing. He's a calm, thoughtful person who is a quick study—characteristics that would be beneficial for a judge to have.

Although I am not an attorney myself—so I can't accurately evaluate how well he would do as a judge—I did talk to several Helena-area attorneys, all of whom agreed that Dan is an excellent lawyer and that he is well-suited to become an excellent judge. As a legislator, we develop a list of individuals who we can trust and rely on for critical information on different topics. For me, Dan has all the qualities of one of those individuals. I also wanted to mention that I learned a lot while reading Dan's responses to the questions asked by the Judicial Nomination Commission: he has dedicated much time and thought to the practice of law, including taking on the new role as a judge.

Thank you for your consideration of Mr. Dan Guzynski for this Judgeship. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Janet H. Ellis". The signature is fluid and cursive, with the first name "Janet" and the last name "Ellis" being the most prominent parts. The middle initial "H." is smaller and less distinct. The signature is written over the printed name "Senator Janet Ellis".

Senator Janet Ellis

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

Dear Judicial Nomination Commissioners:

Recently a victim told me a story about how Dan Guzynski baked her cookies, brought them to a meeting with the defense team, and instead of having a chance to eat the cookies, they watched the defense attorney gobble them all down. This happened a decade ago and despite the horrendous circumstances that brought this victim and Dan together, despite multiple meetings, a trial, and sentencing, this is the memory this victim carries around with her. She, along with the countless other victims Dan has worked with, remember him for his kindness and ability to support them through traumatic, atrocious experiences.

The criminal justice system is an offender centric system that often does not take into account the worries, concerns, and trauma experienced by victims and their families. Dan is the exception in this system. He has left lasting impressions on the hearts of those he has worked with. He has supported and guided people with significant trauma through additional traumatic experiences, through a system that often does not hear their voices. Dan has given victims and families of victim's voices or been their voice in this system.

When I first started with the parole board a little over two years ago, Dan took the time to sit down with me and go over the position and discuss how we could work together. Since that time, I have been fortunate enough to meet with his team at the Prosecutorial Services Bureau and work with him and several others on that team. This collaboration has given victim's voices during parole hearings they may not otherwise have. There have been victims notified that were not registered to be notified. There have been victims supported through the process as Dan and his team sat through parole hearings with them. Dan has gone above and beyond by submitting statements and additional information to the board, enabling them to make the most informed decision. Dan has been a diligent support for victims and their families by sitting and supporting them during parole hearings as they are faced with a trauma similar to testifying at trial or during sentencing. Parole hearings are like ripping open old wounds and setting up victims for a complete change in their lives. Dan and I have talked extensively about this process and the trauma it can cause and the best way we can work together to support the victims of Montana through such a trying time.

Dan's experience, his compassion, his ability to balance offender rehabilitation, public safety, and victim care make him an exceptional candidate for this position. He takes a holistic view and would bring his significant background and balanced moral view to a system that continues to need truly compassionate and good people to bring change.

Tawny Rogers, MACJ | VICTIM LIAISON



1002 Hollenbeck Road
Deer Lodge, MT 59722
Ph. (406) 846-1404
tawny.rogers@mt.gov

September 21, 2020

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

Via Email Transmittal – mtsupremecourt@mt.gov

RE: Nomination of Daniel Guzynski for District Court Judgeship First Judicial District

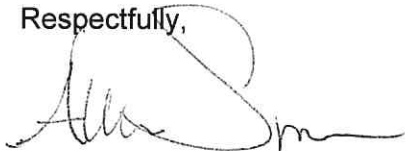
Dear Judicial Nomination Commission Members:

I am writing this letter of support to the Judicial Nomination Commission for Daniel Guzynski for District Court Judgeship in the First Judicial District.

While working with Mr. Guzynski behind the scenes on several post-conviction cases over the last three years, I was able to witness firsthand his passion for victims to be heard and empowered through his advocacy for their rights. His professionalism and high regard to seek justice for victims', was above and beyond any legal professional that I have encountered. He is a prominent member of the community, seeking to enable positive change through collaborative partnerships to bridge gaps in the Montana criminal justice system. Throughout the years, Mr. Guzynski has requested training opportunities for his staff, to better comprehend the complex processes of the Department of Corrections and the Board of Pardons and Parole. His continued collaboration and desire to create a holistic community approach to the justice system, offender rehabilitation and victim sensitivity has fully demonstrated his ability and passion to serve his community.

I highly recommend Daniel Guzynski to this Commission as a candidate for the District Court Judgeship in the First Judicial District. He has exhibited an incredible degree of compassion and empathy as well as consistently surpassing his expected duties to meet the needs of the community. Mr. Guzynski's continued dedication to victim voice, advocacy, and passion for his community make him an excellent candidate. Thank you for the opportunity to provide my comments.

Respectfully,



Allison Smaaladen

VICTIM LIAISON

VICTIM SERVICES | DIRECTOR'S OFFICE

allison.smaaladen@mt.gov

From: [Menzies, Lois](#)
To: [Cook, Kevin](#)
Subject: Public Comment -- Guzynski
Date: Wednesday, September 16, 2020 5:38:55 PM

From: jeffrey sherlock <mookster007@icloud.com>
Sent: Wednesday, September 16, 2020 4:50 PM
To: MT Supreme Court,
Subject: [EXTERNAL] Jim Reynold's replacement

Dear Members of the Judicial Nomination Commission:

I would like to take this opportunity to recommend that you forward Dan Guzynski's name to the governor for consideration to be the next district judge for the First Judicial District. I was a judge in that district for 26 years and have some knowledge of the qualities that make a good Judge. Dan possesses these qualities.

During my tenure, Dan appeared in front of me a good number of times. In my every encounter with him he was courteous to the court and opposing counsel; he was always prepared and knowledgeable about the law; he is an excellent writer and articulate speaker. Dan always impressed me with his tireless work ethic, while maintaining his devotion to his family and community.

As I am sure you are aware, Dan has been in just about every courthouse in the state. He would hit the ground running if appointed to this office. His work has given him wide experience in the law. I believe that Dan has an excellent temperament for the law. My last courtroom experience was a high profile, high conflict, multi-week homicide trial. This trial provided an excellent filter to distill the true character of an advocate. During this ordeal, Dan was unfailingly courteous to all in attendance. Further, he demonstrated an ability to be flexible as the course of trial changed. Even though I ruled against him on a couple of occasions, he handled all rulings with aplomb and grace.

You have a difficult job, in that you have been presented with many good candidates for this position. Know, however, that you would be making the right decision by sending Dan's name to the Governor.

Thanks for your consideration and service.

Best regards,

Jeffrey Sherlock

Sent from my iPad

From: [Menzies, Lois](#)
To: [Cook, Kevin](#)
Subject: Public Comment -- Guzynski
Date: Wednesday, September 16, 2020 5:37:56 PM

From: Wyatt Glade <W.Glade@co.custer.mt.us>
Sent: Wednesday, September 16, 2020 11:19 AM
To: MT Supreme Court,
Subject: [EXTERNAL] letter of support for Dan Guzynski

Hello,

I am writing this message in support of Dan Guzynski. I have known Dan Guzynski for over 15 years. My interactions with him have primarily been through my role as the Custer County Attorney and more recently in my capacity as the president of the Montana County Attorney's Association. I do not intend these comments to be taken as the position of the Montana County Attorney's Association, they are my personal observations.

In my capacity as the Custer County Attorney, my interactions with Dan have primarily been through his assistance to my office in complex cases as a special deputy county attorney. Dan's services to the people of Montana as an Assistant Attorney General have been invaluable. In that role he has assisted local prosecutors on the most heinous and complex cases in the state. Dan and I have worked together on a number of cases. I have personally observed him to be an excellent attorney, possessed not only of great skill, but the highest legal ethics as well. Dan has also demonstrated a great deal of understanding and compassion for victims of crime. It has been a great comfort to me knowing that Dan is available to assist not only myself, but other county attorneys with complex cases.

In my capacity as the president of the Montana County Attorneys' Association I have worked closely with Dan in his role as Chief of the Attorney General's Prosecution Services Bureau. Primarily, we have collaborated on legislation and relations between the Attorney General and the county attorneys of the state. Dan is an excellent speaker, and a great leader. He has shown consistently that his top priority is the safety of the people of Montana.

Dan Guzynski is clearly qualified to serve as a district court judge. I highly recommend that the committee forward his name to the Governor.

Sincerely,

Wyatt Glade

Brenda R. Gilbert
P.O. Box Five
Clyde Park, MT 59018

September 15, 2020

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

Dear Commission Members:

I am writing in support of the application of Dan Guzynski for the District Court position in Lewis and Clark County. In my time on the bench, I have had the opportunity to have Mr. Guzynski appear before me on multiple occasions.

Without exception, Mr. Guzynski has been very well-prepared and professional when appearing before my Court. Though a zealous advocate, Mr. Guzynski is respectful and courteous to the Court, opposing parties, and counsel. He practices law with the mindset of wanting to see justice done, a quality that he has displayed consistently.

Mr. Guzynski is well-versed in the law. He is a deliberate thinker. Mr. Guzynski has the intellect, organizational skills, and energy to serve successfully as a district court judge.

Mr. Guzynski's temperament would be beneficial in his serving as a judge. He is patient and fair, and would, in my opinion, be an even-handed judge. While possessing a high level of intellect, Mr. Guzynski combines this with a great deal of common sense. I believe he is capable of running a district court efficiently and would enter timely decisions.

I respectfully recommend, without reservation, Mr. Guzynski's appointment as District Judge in Lewis and Clark County.

Very truly yours,



Brenda R. Gilbert

September 19, 2020

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

RE: Support for Daniel M. Guzynski

Dear Members of the Judicial Nomination Commission,

I am writing today to support Daniel M. Guzynski for the appointment to fill the judgeship vacated by Judge Reynolds for the 1st District Court. I have had the opportunity to know Dan and his family for many years, and am proud of the work he does for our state.

Dan handles tough cases. He represents victims, many of whom are children and/or minors. While Dan is both modest and humble, I am often in awe of the way he conducts himself and tirelessly advocates to ensure justice for victims. While I am not an attorney and do not serve with Dan in a professional capacity, I have seen both his commitment and deep passion for his work, his family and his community.

As you have likely heard from many others, Dan is the embodiment of integrity, truth, and Montana values. I do not think we can do better than Dan Guzynski when it comes to the skill, education, and leadership that this position requires. We would be very lucky to have him serve and I encourage your strong consideration.

If you have any questions, please feel free to contact me.

Sincerely,

Kali Wicks
Former Helena City Commissioner
Kwicks48@gmail.com
406-459-6384

September 21, 2020

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

Via Email: mtsupremecourt@mt.gov

RE: Reference (Daniel Guzynski) – Montana 1st Judicial District Court Judge vacancy

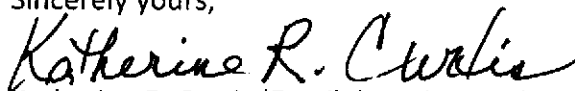
Dear Commission members:

It is our privilege to support the application of Daniel Guzynski for appointment as a District Court Judge in the vacancy in the Montana First Judicial District for Lewis and Clark county. We served a combined over 30 years as District Court judges for the 11th Judicial District, Flathead County, and in that time we had the opportunity to observe and experience Dan as an outstanding prosecutor for the Flathead County Attorney's office.

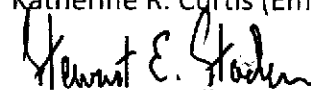
During the years 2001 to 2007, Dan practiced as a deputy county attorney in our courts. He was very well prepared in his presentation of cases in our court, and he always displayed the utmost integrity and respect for the Court. Dan represented the State of Montana in serious felony criminal cases in a fair but firm manner, and worked very effectively with the Court and all its personnel, other attorneys, crime victims and law enforcement officers. Dan was very well liked and respected by all with whom he worked. In addition, we have been aware of Dan's accomplishments and service in the Montana Department of Justice since he left Flathead County and it is not the least bit surprising that he has continued to display and practice all the characteristics and skills for which we held him in such high esteem.

We believe Dan would be an extraordinary District Court Judge and that all citizens of Montana would be very well-served by his appointment. He has consistently displayed an understanding of the law and, above all, the demeanor and temperament that would make him an excellent judge. We most highly recommend Dan for your serious consideration for nomination for appointment by the Governor as District Court Judge in the Montana First Judicial District. Thank you for your service and for your consideration of this recommendation.

Sincerely yours,



Katherine R. Curtis (Email: kcurtis5670@gmail.com)



Stewart E. Stadler

Retired 11th Judicial Court Judges



PARK COUNTY ATTORNEY'S OFFICE

414 East Callender Street • Livingston, MT 59047 • Telephone: (406) 222-4150 • Fax (406) 222-4152

September 21, 2020

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

Re: Nomination of Dan Guzynski – District Court Judge Montana First Judicial District Court

Dear Members of the Commission:

I submit this correspondence in support of the appointment of Dan Guzynski as Judge for the First Judicial District Court.

I met Dan soon after I took office as the Park County Attorney. Almost immediately after I took office, the mother of the victim of a negligent vehicular homicide contacted me, and implored me to refile the case against the individual who allegedly caused her daughter's death. The case had been tried on two previous occasions, each concluding with a hung jury. Because I had only recently made the transition from a private civil practice to the County Attorney position, I sought assistance from the Attorney General's Office.

Dan agreed to review the case and, while we knew litigating it would be difficult given its history, he agreed to try the case with me. Here's what I know about Dan, after working together: Dan is a consummate professional, he has a commanding knowledge of the law, he has an impeccable work ethic and – what stood out to me the most during our collaboration – he treats victims, defendants, and defense counsel with respect.

The mother of the victim in this case, even in her grief, had nothing but praise for Dan and expressed to me, during many conversations, how much she respected his demeanor and his competence. I'm confident that you, as members of the Judicial Nomination Commission, are familiar with the intensity of litigation. While that fact can give rise to a tremendous level of stress, the upside is that, within that environment, one's true character is revealed. After working in that environment with Dan, his character was revealed to be one of honesty, diligence, and empathy. In other words, a character ideal for that of a Judge.

Thank you for your consideration. I urge you, without reservation, to support Dan's application for First Judicial District Court Judge. Please don't hesitate to contact me if you have any further inquiry regarding this correspondence.

Sincerely,

A handwritten signature in blue ink, reading "Kendra Lassiter", with a stylized flourish at the end.

KENDRA K. LASSITER
Park County Attorney



KIRSTEN H. PABST
MISSOULA COUNTY ATTORNEY
200 W. BROADWAY
MISSOULA, MONTANA
59802-4292
(406) 258-4737
kpabst@missoulacounty.us

September 22, 2020

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

RE: Dan Guzynski & the First Judicial District Judgeship Vacancy,

Dear Members of the Judicial Nomination Commission,

I enthusiastically recommend the nomination and appointment of Dan Guzynski as Lewis and Clark County's next district court judge. Dan and I have remained professional colleagues since he began working for me as an intern prosecutor at the Missoula County Attorney's Office twenty years ago. I know Dan and am familiar with his skills as a successful trial attorney and mentor for young prosecutors throughout Montana. Dan's combination of experience, knowledge and even-keeled temperament make him well-suited to join the ranks of Montana's judiciary.

Dan will treat all before him—crime victims, criminal defendants, civil litigants and attorneys—with fairness and respect. While managing an extremely busy state-wide office and carrying his own complex caseload, Dan is always cheerful and helpful to his colleagues, court staff and new attorneys seeking guidance. I recommend him without reservation.

Please let me know if you have questions or need additional information.

Sincerely,

Kirsten H. Pabst
Missoula County Attorney

September 21, 2020

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

Dear Judicial Nomination Commission:

Please accept this letter of personal endorsement for the nomination of Dan Guzynski for District Court Judge in the First Judicial District. I have come to know and respect Dan personally and professionally from working with him at the Montana Attorney General's Office. Dan has earned my respect and support due to his moral principles, keen legal mind, and work ethic.

Dan's legal background, which importantly includes extensive experience in prosecuting complex criminal cases and his position as Prosecution Services Bureau Chief make him well qualified to serve as District Judge. As a member of the Prosecution Services Bureau team I have had the opportunity to serve as Dan's co-counsel on numerous prosecutions and observe not only his legal skills but the professional manner in which he treats the court, opposing counsel, law enforcement, and witnesses. Furthermore, Dan always treats victims with compassion, listens to their input, and does whatever he can to help them through all stages of a criminal prosecution.

Dan's legal skills combined with his demeanor will make him an excellent District Court Judge. The legal community and public would be fortunate to have Dan serve as District Court Judge in the First Judicial District.

Sincerely,



David A. Buchler

SWANDAL LAW PLLC

& Mediation Center

305 East Lewis Street Livingston, MT 59047

WM. NELS SWANDAL | REBECCA R. SWANDAL

September 22, 2020

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

Re: Letter of Recommendation for Dan Guzynski

Dear Ms. Menzies:

I highly recommend Dan's appointment to replace Judge Reynolds as a District Court Judge for the First Judicial Court.

As an attorney, Dan appeared before me many times. He was always prepared, well-organized, and a professional in the courtroom. Dan exhibited an even temperament even in very tough, emotional cases, which will serve him well as a judge. He will serve the people of Lewis & Clark and Broadwater Counties well.

Very truly yours,



Wm. Nels Swandal



Blair Jones
8 River View Road
Park City, Montana 59063
(406) 697-1054
willisblairjones@gmail.com



September 22, 2020

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

Re: Application of Dan Guzynski – First Judicial District Court Judge

Dear Members of the Commission:

I consider it a privilege to provide this letter of recommendation on behalf of Dan Guzynski for the position of District Court Judge of the First Judicial District. As a retired district judge who served the 22nd Judicial District for almost two decades, I know what the job requires and the skills necessary to competently discharge the duties of a district judge. I can assure you without hesitation that Dan Guzynski possesses the requisite skills.

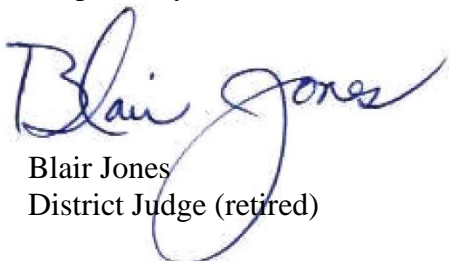
Dan is a highly respected Assistant Attorney General for the State of Montana. He has appeared before me on numerous occasions on behalf of the State, prosecuting high profile criminal cases. Dan was always knowledgeable on the pertinent law, well prepared at hearing, and ably represented the interests of the State of Montana. Moreover, he was invariably respectful to the Court and opposing counsel and always displayed a genuine desire to see justice served.

Dan is an extremely competent and skilled trial litigator, having participated in more than 40 felony trials, many of which were lengthy and complex. Of import, Dan has generously shared his knowledge and expertise with his colleagues as evidenced by Dan's many presentations to other prosecutors on a variety of important topics.

In my judgment, Dan Guzynski has the skills, temperament, and dedication to justice necessary to make an outstanding district judge. I give Dan Guzynski my highest possible recommendation for this important position.

Thank you for considering this recommendation and for the vital work that you do.

Respectfully,



Blair Jones
District Judge (retired)

From: [Menzies, Lois](#)
To: [Cook, Kevin](#)
Subject: Public Comment -- Guzynski
Date: Wednesday, September 23, 2020 2:14:38 PM

From: Spaulding, Randal
Sent: Monday, September 21, 2020 10:21 PM
To: MT Supreme Court,
Cc: Guzynski, Daniel
Subject: Daniel Mark Guzynski, District Judge Applicant Montana First Judicial District

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

Ladies and Gentlemen,

I am the presiding judicial district judge for the Montana Fourteenth Judicial District and current Vice-Chairman of the Montana Judicial Standards Commission. I have been licensed to practice law in Montana state and federal courts since 1994. I am a former private practitioner and the former Musselshell/Golden Valley County Attorney and have been a district judge since 2000.

I have known Dan Guzynski professionally for many years from his time with the State Attorney General's Office. He has appeared before me on several occasions including cases involving violent felonies and child sexual abuse. Dan is and has always been a consummate professional with a keen intellect and a true passion to assist victims in their darkest hours. I have had hundreds of attorneys appear before me in thousands of cases across the state in my 20 years on the bench. I count Dan amongst the finest of them and he is welcome in my court anytime.

Dan has now expressed an interest in serving the citizens of this great state as a district judge. I believe he possesses all of the qualities a good jurist should possess and wholeheartedly recommend him to you and the governor for appointment to fill the vacancy of the Hon. James Reynolds. Should you or the governor wish to speak further regarding Mr. Guzynski, please do not hesitate to call.

Sincerely,

Randal I. Spaulding
District Judge

September 23, 2020

Judicial Nomination Commission

c/o Lois Menzies

Office of Court Administrator

PO Box 203005

Helena, MT 59620-3005

RE: Support for Daniel M. Guzynski

I am writing today to register my support for Daniel M. Guzynski to be appointed to fill the judgeship vacated by Judge Reynolds for the First District Court (Lewis & Clark, Broadwater counties). Mr. Guzynski has overseen several difficult cases in Liberty County during my time as a County Commissioner and I am proud to recommend him for this position.

Dan has shown his ability to work in situations, whether in large or small county settings, to handle crucial felony matters. His knowledge of the law, his understanding of Montana legal practices and his personal integrity make him an excellent choice to serve as District Court Judge in Montana's First Judicial District.

Dan's past service in northcentral and western Montana and now as Assistant Attorney General in the Prosecutor Services Bureau of the Montana Department of Justice provide him with a unique base to serve the people of Montana. As a county commissioner in a rural Montana county I have felt first-hand the positive difference Dan's presence brings to a courtroom.

Thank you for the opportunity to share my input in this serious decision. I encourage you to select Dan Guzynski for the position of the District Court Judge for Montana's First Judicial District.

If you have any questions, please feel free to contact me.

Sincerely,

Maureen "Morb" Wicks

Liberty County Commissioner

morbwicks48@hotmail.com

406-450-1433

ATTORNEY GENERAL

STATE OF MONTANA

Tim Fox
Attorney General

Jon Bennion
Chief Deputy Attorney General



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

September 23, 2020

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

RE: Application of Daniel Mark Guzynski for First Judicial District Court Judge

Dear Members of the Commission:

I write to you today in support of the application of Daniel Mark Guzynski to be appointed to the unexpired term of Judge James Reynolds on the First Judicial District Court. I have practiced law in Montana for 33 years, and have appeared before most of Montana's District Courts.

I know from experience that District Court judges are very busy, and they must have both a passion for public service, and a solid work ethic. I have known Dan for nearly eight years during my time as Attorney General. I know that he loves public service and works hard every day for Montanans. He is a solid legal professional and a team player. I believe him to be an honest family man of great character.

In early 2018, I selected Dan to be the Bureau Chief for the Montana Department of Justice Prosecution Services Bureau. He has done a fine job as Bureau Chief, and the Bureau is in great shape fiscally and with personnel. The workload of the Bureau has grown over the last few years, and Dan has done a great job of making sure the lawyers and support staff in the Bureau all pull their own weight.

Dan is level-headed, articulate, organized and focused. He has got his priorities straight, and I believe he would make a great judge. Dan's courtroom experience in District Courts all across Montana will serve him well because he has tried cases before many great judges. That experience alone is uncommon these days when few cases, particularly civil cases, go to trial and many attorneys have little courtroom experience.

Please feel free to contact me if you have any questions about Dan's application. Thank you for providing this important service to Montana as Commission members. I wish you well in your deliberations.

Sincerely,

TIM FOX
Attorney General

TELEPHONE: (406) 444-2026

FAX: (406) 444-3549

E-MAIL: contactdoj@mt.gov

WEB: mtdoj.gov

MONTANA DEPARTMENT OF JUSTICE

Legal Services Division * Division of Criminal Investigation * Highway Patrol Division * Forensic Science Division
Gambling Control Division * Motor Vehicle Division * Information Technology Services Division * Central Services Division

THE SUPREME COURT OF MONTANA

LAURIE McKINNON
JUSTICE



JUSTICE BUILDING
215 NORTH SANDERS
PO BOX 203001
HELENA, MONTANA 59620-3001
TELEPHONE (406) 444-5570
FAX (406) 444-3274
lmckinnon@mt.gov

Montana Judicial Nomination Commission
c/o Beth McLaughlin, Court Administrator
P.O. Box 203005
Helena, MT 59620-3005

Via Email Transmittal – bmclaughlin@mt.gov

September 24, 2020

Re: Reference for Daniel Guzynski; Judicial Vacancy, Montana First Judicial District

Dear Commission Members,

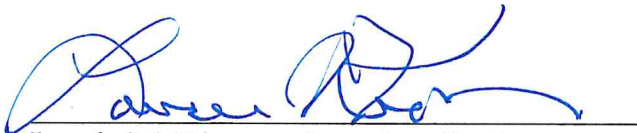
I am writing in support of Dan Guzynski for nomination for appointment as District Court Judge in the Montana First Judicial District, Lewis and Clark County. Dan is fair, balanced, professional, and a highly qualified trial attorney. He would make an excellent judge.

I first met Dan in 2008 when he prosecuted a homicide in Havre that I presided over as a district judge. The trial had some very difficult evidentiary issues, problems with witnesses, and involved the felony-murder doctrine. There were security concerns requiring I take special measures to ensure safety of the jury, witnesses, and court staff. The trial spanned approximately two weeks and provided numerous opportunities for the defense to build in appealable error. It is at these times that a trial judge is very grateful to have a skilled and experienced prosecutor who has common sense and integrity. Dan knew when to make concessions to the defense, without jeopardizing his case before the jury. He was skilled in laying foundations for the admission of evidence; admitting evidence; and examining witnesses. His demeanor was always professional and respectful, to me as well as court staff and the public. During the trial, one of the jurors had his car scratched with a key and believed a member of the defendant's family was responsible. Dan's questions of the juror in chambers regarding the incident were appropriate and ensured the trial could go forward without appealable error. Dan also opted for a jury instruction on the felony-murder doctrine which, while still correct, was less favorable to his case. In doing so, he again avoided building in potential appealable error. Dan's understanding of Montana law and his skillful and reasoned prosecution of the case resulted in the conviction being affirmed on appeal. His expertise saved valuable judicial and court resources and avoided the victim's family from having to go through the ordeal of a retrial.

Since I have been on the Montana Supreme Court, I have also reviewed cases that Dan has prosecuted. In these cases, as well, Dan has demonstrated his knowledge of the law and skillful prosecution. He is a fair and reasoned prosecutor who is highly respected throughout Montana. Like Dan, I also was a prosecutor and I was most comfortable trying criminal cases. However, the trial experience I gained from trying serious felonies and addressing numerous constitutional and evidentiary issues, was excellent preparation for handling the complex civil litigation that came before me as a district judge. Dan's experience in front of a jury and his handling of complex constitutional and evidentiary issues will serve him well as a trial judge and he will have no difficulty picking up any civil matter that comes before the district courts.

Finally, and probably most important, Dan will appreciate the nonpartisan responsibility of being a judge. He is an attorney with a strong commitment to the law and understands the significance of an independent judiciary, the role of the courts, and the difference between being an advocate and a judge. He has been, and will continue to be, a true public servant who willingly offers his legal expertise for the benefit of this State. Dan will represent Montana well and I strongly recommend him for nomination for appointment as District Judge in the Montana First Judicial District, Lewis and Clark County.

Sincerely,



Laurie McKinnon, Associate Justice
Montana Supreme Court

Att: Louise Menzies. Judicial Nominating Committee:

Please consider this a comment/recommendation on the application of Daniel Guzynski for the vacancy on the 1st Judicial District Court just recently vacated.

I have known Mr. Guzynski for over 25 years starting with his tenure as an assistant county attorney in Flathead County and as a prosecutor/manager in various positions for the attorney general's office. I have had opportunities to observe this candidate both inside and outside of the judicial system and the courtroom. I have practiced both civil and criminal law in private practice in Kalispell for 30 years and now for the Office of the State Public Defender in Billings, for 12 years. I have had a unique opportunity to observe this candidate in a number of situations both criminal and civil in nature.

This candidate exhibits at all times, the highest level of professional and personal ethics and responsibility. Having tried a number of cases against him, He has demonstrated to me an extensive depth of knowledge of the law. His knowledge extends not only in the areas of criminal law, as he has been a prosecutor for most of his career, He also has a broad and thorough understanding of civil issues, as well. It has been said in the past that prosecutors are not trained in "all" of the law. In the case of this candidate that statement does not apply.

He possesses the courtroom demeanor and the willingness to insure a fair and even trial for all parties. His view of the big picture as well as a complete understanding of the details of a case are the traits that one is expecting from a presiding judge in any case. He has the drive to put in the time and effort to fully understand the arguments that are and can be raised by either side in a lawsuit. This candidate and I tried a sexual assault case that was headed toward a hung jury. The candidate was able to lay out to the court from both a prosecutor's prospective and then as a defense counsel the impact on the jury that the traditional "dynamite instruction" would have on the jury. He was not held back by the view of a number of prosecutors that is based upon the idea of only arguing what we want the court hear. He presented a fair and full argument for both of us. This kind of preparation, detail, and understanding of important aspect of the law and the willingness to present speaks volumes of the level of professionalism and thoroughness that this candidate has.

Besides his technical skill in the courtroom, this man's honesty and integrity is of the highest level. His concern for and desire to see the law/courtroom to be place where people can come and have confidence that justice can be received is foremost in his professional practice. Most professional persecutors are solely interested in winning and getting convictions. This candidate wants and expects more than that from the system. He strives to be sure that any conviction/any win that he gets is honestly and fairly won.

He is an excellent student of the law. He will spend the time and energy to ensure that when he comes into the courtroom he knows and understands the issues and the law that needs to be applied to them. He also wants to see the law/system grow and meet the needs of this society with an appropriate balance between where the law/ system is now and new and innovated ways and ideas as to how the law/ system can better meet the challenges of the 21st., society.

On top of his excellent professional skills, this candidate is a nice guy who has excellent people skills and a willingness to listen.

This candidate will apply the law fairly, honestly and professionally but not with a deafness to the cause of the litigants that come in front of him. His appreciation for the diversity of this state and the people in it is obvious as when you listen to his closing arguments you see the acceptance of all people without criticism or humiliation of them. The people that I have seen him work with over the years, have never been divided by race, creed, gender, or economic situation. One could say that he has prosecuted everyone, anyone and all of them regardless of any category they may fit in, as listed above.

Given my long experience in the practice of law and that practice having taken me to many parts of the state, I am familiar with most of the names on the candidate list. I cannot think of anyone on that list that would make a better recommendation to the governor than Mr. Guzynski.

Yours truly

Gregory E. Paskell
Attorney at law

September 23, 2020

Montana Judicial Nomination Commission
Beth McLaughlin, Court Administrator
PO Box 203005
Helena, Montana, 59602-3005

Re: Recommendation of Daniel Guzynski

Dear Commission Members:

It is with pleasure, and without reservation, that I recommend Dan Guzynski to you for appointment to the 1st Judicial District Court bench. I have known Dan, professionally and personally, since 2001. Dan's character, intelligence, and work ethic combine to make him an excellent choice for the district court bench.

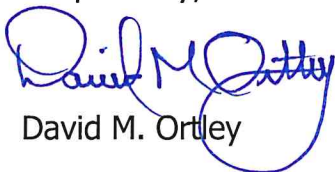
I met Dan in 2001 when, as a deputy county attorney, he appeared before me while I served as Flathead County Justice of the Peace. I was immediately struck by Dan's belief in, and commitment to our system of justice, and the important role played by all participants in providing equal justice. Dan's commitment to that system has continued throughout his legal career.

During the time I have known Dan, I have found him to be of the highest moral and ethical character. While passionate about his role in the system, Dan has not allowed politics or favoritism to affect his moral and ethical compass in his pursuit for justice. I have no doubt that Dan would bring that same commitment to excellence to the district court bench in all matters before him- civil and criminal.

Having served as a district court judge I know first-hand the requirements of the position. Dan is intelligent, well read in the law, and committed to excellence in his work. He is likeable and understands people. Dan is even tempered and thoughtful. Dan's career with the office of the Attorney General makes him particularly well suited for the unique demands of the 1st Judicial District bench.

I urge that you recommend Dan to the Governor for appointment to the bench.

Respectfully,



David M. Ortley

Flathead County Justice of the Peace, retired
District Judge, 11th Judicial District, retired

From: [Menzies, Lois](#)
To: [Cook, Kevin](#)
Subject: Public Comment -- Guzynski
Date: Thursday, September 24, 2020 10:13:21 PM

From: Brent Larson <brentlarson@earthlink.net>
Sent: Thursday, September 24, 2020 12:57 PM
To: MT Supreme Court,
Subject: [EXTERNAL] App. of Daniel Guzynski for the First Judicial District Judge vacancy / Hon. James Reynolds

Dear Commission Members,

I highly recommend Daniel Guzynski for appointment as First Judicial District Court Judge.

I first met Dan in the summer of 2001 when he was a Deputy Flathead County Attorney and I was clerking with the Flathead County Justice Court in Kalispell. Our friendship has continued over the past 19 years, during which Dan joined the Attorney General Office's Prosecution Services Bureau and I began clerking with the Montana Supreme Court here in Helena.

Upon meeting Dan, I immediately was struck by his passion for the law, his respect for the courts, and his commitment to justice. I have observed these qualities in Dan consistently over the years I have known him. In my opinion, Dan exemplifies the sort of prosecutor that the United States Supreme Court described in the oft-cited *Berger* case: "He may prosecute with earnestness and vigor—indeed, he should do so. But, while he may strike hard blows, he is not at liberty to strike foul ones. It is as much his duty to refrain from improper methods calculated to produce a wrongful conviction as it is to use every legitimate means to bring about a just one." Consistent with this principle, Dan's goal has never been about simply tallying up convictions at any cost. Rather, it has been about fairness and justice for all involved—the victim, the community, and the accused. Indeed, I have known Dan, when prosecuting a case, to remain respectful and cognizant of the constitutional rights of the accused. One example of this occurred several years ago when Dan (rather than defense counsel) noted the defendant's absence from an in-chambers discussion and promptly asked that the defendant be brought to chambers before the discussion continued. This is but one example illustrating Dan's commitment to fairness in our legal system, a quality I believe is essential in any good judge.

Dan is quite knowledgeable in multiple areas of law—as I am sure other candidates are as well. But every judge is eventually faced with legal issues with which they have not had previous experience, and what has particularly impressed me about Dan is the determination with which he confronts such issues. Dan and I have discussed the ins and outs of various legal questions over the years—both criminal and civil—and he has never been one to throw up his hands or take the easy way out. Quite the contrary, Dan works through each problem until he has gained a good understanding of the issue, the law, and the correct resolution. I can attribute much of my own knowledge of the law to these discussions. During my nine and a half years clerking with the Montana Supreme Court, I read numerous District Court orders and decisions—some that reflected a great deal of thought and research, and others that did not. I sincerely believe that Dan's orders and decisions would fall in the first category:

reflecting an understanding of the issues, comprehension of the law, and a reasoned judgment. I believe this is another quality that is essential in any good judge.

Finally, I would like to emphasize that Dan is one of the most competent, ethical, fair, and even-tempered persons I know. He is extremely conscientious, attentive to detail, and a capable decision-maker. He treats his family, his friends, his coworkers, and the various individuals he interacts with in the legal system with the utmost respect. These qualities, combined with his commitment to justice and the law, would inspire confidence in our legal system among those who appeared before him—litigants, attorneys, and members of our community.

I believe Dan would make an outstanding judge, and I strongly urge you to forward Dan's name to Governor Bullock for his consideration.

Sincerely,

Brent P. Larson

Kim Kurtz
Court Reporter
100 West Laurel
Plentywood, MT 59254
(406) 765-3454
Fax (406) 765-2602

DAVID CYBULSKI

District Judge
Fifteenth Judicial District
100 West Laurel
Plentywood, MT 59254

(406) 765-3421

Norma Paulson
Judicial Assistant
100 West Laurel
Plentywood, MT 59254
(406) 765-3457
Fax (406) 765-2602

September 24, 2020

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

Ladies and Gentlemen,

For those of you who don't know me, I am the District Judge for the district in far northeast Montana. I have no horse in this race, but I feel I should take this opportunity to comment on one of the applicants, Dan Guzynsky.

I am acquainted with Dan because he has prosecuted a number of difficult, high profile, criminal cases through multi-day trials in front of me in several counties over the years.

My observation is Dan has the personality that would make a fine Judge. He appeared concerned with the truth, fairness and patiently treating people with respect while still following the law. Dan is not one of those lawyers who will stretch the law or facts to win no matter what.

Managing trials where Dan was the prosecutor was easy. Dan was always doing the right thing and I did not have to be vigilant watching for unfair activities the defense attorney might miss, nor did I have to worry about dealing with a potential mistrial from counsel going over the line. Dan was prepared, quiet, patient, meticulously following the spirit and letter of the rules, and always treating people, even defendants, with kindness and respect.

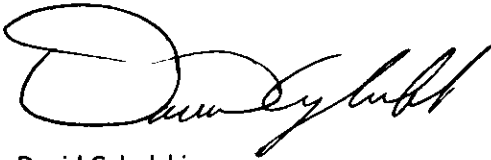
Being a District Judge is often a lot like babysitting. You have squabbling parties, not following the rules, not waiting for their turn, wanting to keep going with the fight to win no matter what, and pouting when they don't get their way. I believe Dan will be able to sort the wheat from the chaff, to efficiently sort out the mess, to get to the right result while following the rules, and to leave the parties feeling, even when they are unhappy with the ruling, that they were treated fairly and the result is also fair.

For Judges and attorneys, litigation is an everyday thing. It takes more than a sharp technical legal mind to be a good judge. The difficulty is making sure people who are not regulars in the system feel they were treated fairly and the law was followed. Conducting the proceedings so you leave people feeling

they were treated fairly, despite the antics of the lawyers, is often difficult and sometimes impossible. My observations lead me to believe Dan will be good at doing that.

I have done this "District Judge" thing for almost 26 years. Because of conflicts and the substitution rule, I have had lots of cases in lots of counties after a new judge was appointed or elected. Consequently, I have seen a lot of new judges in action. In my opinion, and for what it is worth, Dan Guzynski is the type of person who will do well.

Sincerely,

A handwritten signature in black ink, appearing to read "David Cybulski". The signature is fluid and cursive, with a large, stylized initial "D" that loops around the first part of the name.

David Cybulski

James C. Nelson, Montana Supreme Court Justice, (Ret).

841 S. California St., Helena, MT 59601; 406-431-2131; jcnelson44@gmail.com

September 25, 2020

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

Re: Recommendation for Daniel Guzynski—Vacancy, Montana First JD Court

Dear Members of the Commission:

I am writing this letter in support of Daniel Guzynski and urge that he be one of the persons recommended by the Judicial Nomination Commission to Governor Steve Bullock for appointment as a First Judicial District, District Court Judge.

I have known Dan for a number of years, professionally, while serving as a Justice on the Montana Supreme Court. He is an excellent practicing lawyer with strong experience in the practice of criminal law. He served as a deputy Cascade County attorney prosecuting all manner of misdemeanor and felony crimes.

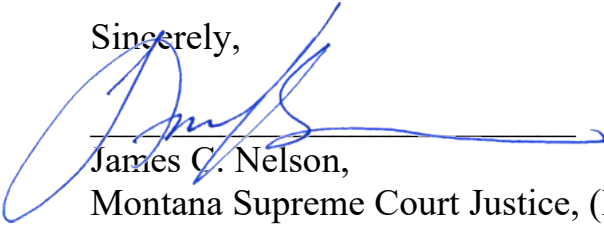
Most recently he is serving as an Assistant Montana Attorney General and Bureau Chief in the County Prosecutor Services Bureau where he is involved in the prosecution of the most serious felonies throughout the State. Dan has a solid reputation as a competent, tough, fair-minded and experienced criminal prosecutor. In this capacity he has also worked closely with various law enforcement officers, judges, lawyers, crime victims and organizations and persons involved in the criminal justice system, including probation officers and the Board of Pardons and Paroles and the Sentence Review Division. Dan also has experience in the civil law, practicing in areas of child abuse and neglect, post-conviction relief, asset forfeiture and mental health commitments. In his present job, Dan supervises attorneys and staff and assists county prosecutors throughout the State. In short, Dan has exactly the sort of experience required of a trial judge.

I know Dan to be a person of unimpeachable character, respected by the bench and bar and by the members of his community. Dan is father, husband and a family man, as well.

I am confident that Dan will be an excellent District Court Judge, and urge his recommendation by the Commission to Governor Bullock, and, ultimately, his appointment to fill the vacancy created by Judge James Reynolds retirement.

Thank you.

Sincerely,



James C. Nelson,
Montana Supreme Court Justice, (Ret.)

Submitted electronically, with hard copy to follow

Cook, Kevin

From: Menzies, Lois
Sent: Saturday, September 26, 2020 12:25 PM
To: Cook, Kevin
Subject: Public Comment -- Guzynski

From: Jim Dormady <ljdormady@gmail.com>
Sent: Friday, September 25, 2020 8:10 PM
To: MT Supreme Court,
Subject: [EXTERNAL] First Judicial District vacancy

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

September 25, 2020

To Whom It May Concern:

I am responding to the solicitation for public comment for the First Judicial District vacancy. I have known Daniel Guzynski personally for nine years and have spent many hours in his company. Dan has many qualities that would make him a good district court judge.

Daniel is an enthusiastic and helpful individual who displays a strong moral character. His involvement in the local community provides an excellent example of his commitment and dedication to helping people. I have enjoyed many conversations with Daniel where he displays strong communication skills, knowledge of current events, and his comprehension of the legal process is clearly evident.

I know Daniel is dependable, responsible, honest, courteous as well as a compassionate human being with praiseworthy perseverance and ambition. I know Daniel will uphold the duties and commitment to this position of public trust.

It is with confidence that I recommend Daniel for district court judge. I have no doubt that he will serve the community and judicial process very well. If you have any questions, please do not hesitate to contact me.

Sincerely,
Jim Dormady

Cook, Kevin

From: Menzies, Lois
Sent: Saturday, September 26, 2020 12:24 PM
To: Cook, Kevin
Subject: Public Comment -- Guzynski

From: Karen Kane <kp.kane@yahoo.com>
Sent: Friday, September 25, 2020 6:53 PM
To: MT Supreme Court,
Subject: [EXTERNAL] Letter of Recommendation for Dan Guzynski (1st Judicial District Court judge applicant)

September 25, 2020

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

Dear Judicial Nomination Commission:

Please accept this letter as my unreserved support for Dan Guzynski's bid to become Helena's newest district court judge. Dan and I have known each other for over 20 years as we attended law school at the University of Montana at the same time. Since then, for the last approximately 8 years, we have worked together at the Prosecution Services Bureau of the Montana Department of Justice. For the last several years, since Dan became Bureau Chief of this Department, he has been my direct supervisor.

As evidenced by Dan's resume, he has dedicated his career to public service as a county attorney, and as an Assistant Attorney General, working tirelessly to seek justice on behalf of Montanans across the State. He is a skilled prosecutor who is very comfortable in a courtroom and exemplifies the ability to remain calm and reasoned under pressure. Dan's depth and breadth of experience in a courtroom underscores the fact that he would be able to easily take on any tasks and challenges presented in his new role as a district court judge, with minimal training. His historical workload has been heavy, and I would anticipate that Dan would also be able to manage the similar large workload of a district court judge.

As my colleague and direct supervisor, I can attest to Dan's affable, yet earnest, character. He has the ability to comport himself with the gravitas required of a district court judge, while also remaining approachable, a skill I think he likely developed and perfected in his many dealings with victims of alleged crimes. Dan acts in a professional manner at all times and has demonstrated an ability to handle and resolve disputes in a reasoned and measured way. For these reasons, I think that Dan's personality is well-suited to a career in the judiciary. On a personal level, Dan is a family man, through and through. He enjoys spending time with his wife and daughters in Montana's outdoors. He is involved in his community. He is a warm and caring friend.

I urge the Commission to forward Dan's name to the Governor for consideration as the next appointed First Judicial District Court Judge. He has the legal acumen, an amiable personality, and a demonstrated devotion to public service that a successful judge requires.

Respectfully,

Karen P. Kane

Cook, Kevin

From: Menzies, Lois
Sent: Saturday, September 26, 2020 12:24 PM
To: Cook, Kevin
Subject: Public Comment -- Guzynski

From: Karen Alley <kalley642@gmail.com>
Sent: Friday, September 25, 2020 4:15 PM
To: MT Supreme Court,
Subject: [EXTERNAL] Public Comment for D. Guzynski

I write in support of Mr. Dan Guzynski.

I worked closely with Dan after being appointed Hill County Attorney. Through and during the period of transition, I found to Dan to be a very thoughtful and caring colleague, understanding that I was taking on a heavy and overwhelming caseload. He and others from his office assisted me in making perfunctory court appearances and handling a few extra cases.

Since that time, I have found Dan to be a great source of knowledge and support. Further, I know him to be thoroughly prepared and to work endlessly on cases. I have observed his interactions with victims and it is apparent that he is very cognizant of a victim's struggles and pain and truly cares about their needs.

I believe Dan would be a well-reasoned, thoughtful judge, who would not forget the substantial impact the court system can have on people's lives. I believe he would be fair, thorough, and analytical and would work to ensure that the best results are reached from the bench.

Thank you,
Karen M Alley
Hill County Attorney

Cook, Kevin

From: Menzies, Lois
Sent: Saturday, September 26, 2020 12:23 PM
To: Cook, Kevin
Subject: Public Comment -- Guzynski

From: Colin Stephens <colin@smithstephens.com>
Sent: Friday, September 25, 2020 3:22 PM
To: MT Supreme Court,
Subject: [EXTERNAL] Dan Guzynski

To the members of the Montana Judicial Nomination Commission:

It is my pleasure to support Dan Guzynski in his pursuit for a seat on the bench of the First Judicial District Court. Frankly, I can't think of anyone more qualified than Dan.

As an appellate attorney, I've long bemoaned seeing the words "Daniel Guzynski appearing for the State" in my trial transcripts. Dan's appearance on a case likely meant that not only did I likely have a loser of an appeal on my hands, but that I'd be hard pressed to even craft arguments with merit.

I first encountered Dan's name in the transcripts of State v. Larry Daniels. Larry was unlucky enough to be the first person tried for homicide after the Legislature changed the burden for justifiable use of force. From my perspective, the change did nothing but favor defendants. Alas, due to Dan's unbelievably skilled lawyering, that change was not to be.

I remember the case most because of Dan's encyclopedic knowledge of the Rules of Evidence. From my perspective, Dan's grasp of the Rules of Evidence is second only to Judge Molloy, a judge for whom I hold the highest respect.

There were several occasions in the Daniels case in which Judge Jones made erroneous evidentiary rulings that favored the State. Much to my chagrin, Dan politely corrected the Judge to ensure the rules were followed and a successful appeal was nipped in the bud. Dan's interests were in justice and fairness, not winning at all costs.

I've had several professional encounters with Dan over the years, although not as many as I would like. He is polite, friendly, and incredibly skilled. He leaves the fight at the courtroom doors and is cordial and professional to everyone he meets even if they are his opponents.

I've also witnessed Dan in a professional capacity. My niece and Dan's daughter play on the same basketball team. I've seen Dan travel across the state to support his daughter and the other girls on the team. There is no doubt in my mind that, if appointed, he would be reelected by the voters of Broadwater and Lewis & Clark counties.

The citizens of the First Judicial District are fortunate enough to have many qualified candidates for this Commission from whom to choose. Were Dan not putting himself forward, I would happily be writing this

recommendation for Mary or Chris. However, Dan is just too well suited for the position for me not support him.

Plain and simple: Dan would be an excellent judge.

If you have questions, please do not hesitate to contact me.

/s/ Colin M. Steph

Colin M. Stephens
SMITH & STEPHENS, P.C.
315 W. Pine, Missoula, MT 59802
(406) 721-0300
<http://www.smithandstephenspc.com> [smithandstephenspc.com]
Sent from my iPad

Cook, Kevin

From: Menzies, Lois
Sent: Saturday, September 26, 2020 12:26 PM
To: Cook, Kevin
Subject: Public Comment -- Guzynski

From: Mark Mattioli <markwmattioli@gmail.com>
Sent: Friday, September 25, 2020 1:17 PM
To: MT Supreme Court,
Subject: [EXTERNAL] Re: First Judicial District Court (Dan Guzynski)

Mark Mattioli
markwmattioli@gmail.com
406-449-0525
Helena, MT.

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

Re: Judicial Vacancy in the First Judicial District Court (Dan Guzynski)

Dear Commission Members:

Please add my name to the impressive list of persons supporting Dan Guzynski's application for the judicial vacancy on Montana's First Judicial District Court.

I have known and worked with Dan for almost 20 years. I first met Dan in connection with my handling of Montana Supreme Court appeals when Dan was a promising young prosecutor in the Flathead County Attorneys Office. Having handled criminal appeals arising from every county in Montana, Dan had already set himself apart as one of the best prosecutors in the State. Thus, I was gratified when Dan joined the prosecution team at the Montana Attorney General's Office.

Dan quickly distinguished himself and when my esteemed colleague, Brant Light, resigned his position as the State's Chief Prosecutor, Dan was the logical person to assume lead responsibility for trying and supervising the most complex, difficult and sensitive criminal prosecutions in Montana. Having worked with Dan in my roles as Appellate Chief and later as Chief Deputy, Dan has been consistently thoughtful, fair-

mindful, extremely hard-working, gracious and even-tempered. He is truly one of the finest persons I have ever known.

Dan has a hard-won reputation as a highly skilled lawyer. But what stands out to me is his humility--a quality often overlooked in judicial candidates. If chosen for this position Dan will not play favorites or prejudge the facts and he will approach the law—and everyone appearing before him—with equanimity and genuine respect. He will get the work done efficiently and well, and his vast trial experience will enable him to move matters along and make evidentiary and other decisions expeditiously, fairly, and thoughtfully.

I recommend Dan to you very highly and without reservation.

Sincerely,

Mark Mattioli

Sent from [Mail \[go.microsoft.com\]](mailto:Mail [go.microsoft.com]) for Windows 10

From: [Menzies, Lois](#)
To: [Cook, Kevin](#)
Subject: Public Comment -- Guzynski
Date: Monday, September 28, 2020 9:06:03 PM

From: Jon Bennion <bennionjw@gmail.com>
Sent: Sunday, September 27, 2020 8:34 PM
To: MT Supreme Court,
Subject: [EXTERNAL] Letter of Support for Dan Guzynski

Dear Commission Members:

It is with great enthusiasm that I write the Judicial Nomination Commission to recommend Dan Guzynski for the open district judge position in the First Judicial District. Dan would be an outstanding, hard-working, and fair judge for all parties who entered his courtroom.

I have known Dan for eight years as a co-worker at the Montana Department of Justice. It didn't take me long to find out he was one of the finest prosecutors I had ever met. He got to that point by working in two county attorney offices and serving in the Attorney General's office as one of our prosecutors who travels to all corners of the state.

When Dan applied to lead our Prosecution Services Bureau a few years ago, I was part of the hiring team that selected him as the bureau chief. It was one of the best management decisions we could have made. Dan has not only been a great leader of our prosecution team, but he has recruited other top-notch attorneys who want to work for him and with him.

I have no doubt Dan can hit the ground running as a judge, make a compelling case to the next Legislature to confirm his appointment, and also, if necessary, retain the seat or make a compelling case to voters in a contested election.

Dan's trial experience, diligence, drive, and demeanor make him an ideal candidate for the appointment. I hope you will pass along his name to Governor Bullock, just as the Commission did a few years ago.

Sincerely,

Jon Bennion

From: [Menzies, Lois](#)
To: [Cook, Kevin](#)
Subject: Public Comment -- Guzynski
Date: Monday, September 28, 2020 9:06:48 PM

From: Kimberly Dudik <kimberly.dudik@gmail.com>
Sent: Monday, September 28, 2020 1:36 PM
To: MT Supreme Court,
Subject: [EXTERNAL] Support for Daniel Guzynski

Judicial Nomination Commission
c/o Lois Menzies
mtsupremecourt@mt.gov

Dear Judicial Nomination Commission Members:

I am writing in support of Daniel Guzynski to fill the vacancy **for District Court Judge** in the First Judicial District.

I have known Mr. Guzynski for over two decades, throughout his career as an attorney in Montana. I had the pleasure of working as a Deputy County Attorney in Gallatin County at the same time Mr. Guzynski worked as a Deputy County Attorney in Flathead County. I later worked with Mr. Guzynski while I was an Assistant Attorney General and he worked in the Prosecution Services Bureau of the Attorney General's Office.

Mr. Guzynski has diverse and comprehensive experience that he would bring to the District Court Judge position, having handled extensive criminal prosecutions. I have always been impressed with his thorough knowledge of the law and ability to handle complex prosecutions in a way that ensures justice for all. Not only has Mr. Guzynski upheld Montana law so that victims are protected, he also treated those charged with crime fairly. Montana would be well-served with Mr. Guzynski as a District Court Judge. If you have any questions or if I could provide additional information, please feel free to reach me at [406-239-5771](tel:406-239-5771).

Thank you for your time,

Kimberly

Kimberly Dudik
House District 94 Representative

P.O. Box 16712
Missoula, MT 59808
facebook: Kimberly Dudik
twitter: @DudikKimberly

From: [Menzies, Lois](#)
To: [Cook, Kevin](#)
Subject: Public Comment -- Guzynski
Date: Monday, September 28, 2020 9:08:20 PM

From: Jenny Eck <jennyeck4mt@gmail.com>
Sent: Monday, September 28, 2020 3:21 PM
To: MT Supreme Court,
Subject: [EXTERNAL] Public Comment: Guzynski

Dear Members of the Judicial Nomination Commission,

Thank you for the opportunity to express my support for Dan Guzynski's nomination and appointment to the First Judicial District Judgeship vacancy. I worked with Dan for three years when I was an employee with the Office of Consumer Protection in the Attorney General's Office at the Montana Department of Justice from 2009-2012. Dan prosecuted crimes against children and I knew him to be a passionate and dedicated defender of crime victims, one who was very committed to his work.

Dan has significant trial experience, which will be important for an incoming judge taking over Judge Reynold's court. Dan understands that judicial impartiality is essential to the judicial institution and that our justice system depends upon fairness for both the defendant and the accused. I believe that if he is appointed to this position, he will ensure that those who enter his courtroom receive a fair hearing.

Thank you for your consideration,

Jenny Eck
563 Third St.
Helena, MT 59601

From: [Menzies, Lois](#)
To: [Cook, Kevin](#)
Subject: Public Comment -- Guzynski
Date: Monday, September 28, 2020 9:10:53 PM

From: VanLuchene, Derek J. <vanluche@fvtc.edu>
Sent: Monday, September 28, 2020 4:03 PM
To: MT Supreme Court,
Subject: [EXTERNAL] Mr Dan Guzynski

Good Afternoon,

I hope this letter finds you well and enjoying the beautiful Montana fall season.

I am writing to give Dan Guzynski my full endorsement and wholehearted support for superseding the Honorable Judge James Reynolds as the next Lewis and Clark County District Court Judge.

I have had the honor of working with Dan for many years, both as a law enforcement officer (Montana Division of Criminal of Investigation) and with my non-profit, Ryan United. My non-profit is dedicated to my little brother Ryan, who at 8 years old was abducted and murdered by a repeat sex offender. I have dedicated my life to helping crime victims. In my current capacity as the founder of Ryan United, I have called on Dan's expertise on reports we receive regarding sexually abused children. Dan is quick to return my calls and get involved. Dan is an unwavering resource in these cases.

From talking to Dan , and keeping up with his impeccable reputation around the state as an Assistant Attorney General, I know that he has built a reputation of being a "go to" resource for many prosecutors around the State of Montana. As a result, Dan has been able to see a wide array of legal proceedings and learn firsthand what it takes to be an impartial officer of the court. His addition to the District Court will be invaluable to the citizens and crime victims of the district.

Thanks to Dan, families like mine can do what we do in terms of helping crime victims.

Please feel free to call or email me with any questions you may have.

Derek VanLuchene

406-439-8748

Derek J. VanLuchene
National Child Abduction Response Team Program Coordinator
Amber Alert Training and Technical Assistance Program
National Criminal Justice Training Center of Fox Valley Tech. College

U.S Department of Justice

406-439-8748

Visit AMBER Alert at <https://www.amberadvocate.org> [[amberadvocate.org](https://www.amberadvocate.org)]

**Find Tribal Child Protection Resources at <https://www.tribaldatabase.org>
[[tribaldatabase.org](https://www.tribaldatabase.org)]**

From: [Menzies, Lois](#)
To: [Cook, Kevin](#)
Subject: Public Comment -- Guzynski
Date: Monday, September 28, 2020 9:12:25 PM

From: Cynthia Wolken <cynthia.wolken@gmail.com>
Sent: Monday, September 28, 2020 4:33 PM
To: Menzies, Lois
Subject: [EXTERNAL] Recommendation of Dan Guzynski

Please accept this recommendation of Dan Guzynski to the First Judicial District Judgeship Vacancy.

Throughout Dan's career, his passion for public service to the state of Montana is evident. For years, he has fought for justice for victims of sexual and violent crimes - hard cases that are often difficult to prosecute. Along the way, he has engaged in public policy with the goal of making the criminal justice system better and fairer. Dan is solutions-oriented and works to bring parties together to find common ground. Dan is also easy to work with, even on issues of controversy, and has a temperament that is well suited for the bench. These strengths would serve him well in the 1st Judicial District.

Thank you for your consideration,

Cynthia

--

Cynthia L. Wolken, Esq.
cynthia.wolken@gmail.com

From: [Menzies, Lois](#)
To: [Cook, Kevin](#)
Subject: Public Comment -- Guzynski
Date: Monday, September 28, 2020 9:12:53 PM

From: Alex Nixon <anixon@carboncomt.com>
Sent: Monday, September 28, 2020 4:59 PM
To: MT Supreme Court,
Subject: [EXTERNAL] Letter in support of Daniel Guzynski / First Judicial District Vacancy

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

Commission Members,

I am writing in support of Dan Guzynski's appointment to fill the First Judicial District Court judge vacancy. As a county attorney in a smaller county, I have had, on occasion, needed assistance from the Attorney General's Prosecution Services Bureau. As a result I have had the opportunity work on several cases with Dan.

Dan is a dedicated, honest, hard working man. I, like many, have come to depend on Dan's insight and guidance. Dan is not only an excellent lawyer and litigator—he has become a good friend.

His reputation as a skilled trial lawyer is well-earned. I have absolutely no doubt he would bring the same dedication and skill to the bench. I sincerely hope Dan is appointed to fill the judicial vacancy.

Sincerely,
Alex Nixon

Alex Nixon
Carbon County Attorney
P.O. Box 810
Red Lodge, Montana 59068
(406)446-3300

GREGORY G. PINSKI
District Judge

Phone (406) 454-6894
FAX (406) 454-6946



Cascade County Courthouse
415 2nd Avenue North, Room 307
Great Falls, Montana 59401

DISTRICT COURT EIGHTH JUDICIAL DISTRICT

September 28, 2020

Montana Judicial Nomination Commission
P.O. Box 203005
Helena, MT 59620-3005

Re: Dan Guzynski / First Judicial District Court vacancy

Dear Judge Brown and Commission Members:

I am honored to recommend Dan Guzynski for appointment to the district judge vacancy in the First Judicial District Court.

Of the hundreds of attorneys appearing before me, Dan is easily the finest trial attorney I've encountered. Dan is a highly skilled advocate, understanding not only procedure and evidence, but more importantly, how to effectively relate to judges and jurors. Dan is always respectful, candid, and prepared whenever he appears in court. The same skills that make Dan successful in the courtroom also appear in his written work product, which is thoroughly researched, organized, and concise.

Dan's command of the courtroom is impressive. I observed Dan as the lead prosecutor in a three week homicide trial. Dan knew the record cold, and there is no way an attorney could be more prepared or organized. Dan skillfully selected a jury in a small town where nearly everyone knew the case. He examined dozens of witnesses and handled hundreds of exhibits, all while navigating myriad legal issues that arise in a lengthy jury trial. Although the jury acquitted the defendant, Dan accepted the verdict with poise and professionalism.

These same qualities that make Dan a successful attorney will make him an exceptional jurist. Dan is smart, hard working, patient, open-minded, courteous, firm, compassionate, and humble. What more could the citizens of Montana want in a district judge? Having observed Dan in the courtroom many times, I know he will deal with people calmly and courteously with the ability to consider all sides of a case.

Dan will bring the same energy and enthusiasm to the bench. Through many conversations, I know Dan is passionate about criminal justice reform, including the implementation of a veterans treatment court in the First Judicial District. Dan truly believes that courts don't exist simply to dispense justice, they exist to make the community a better, safer place. I am confident Dan will work tirelessly to fulfill that principle as a district judge. I proudly and enthusiastically support his nomination.

Yours truly,

A handwritten signature in blue ink, reading "Gregory G. Pinski".

Gregory G. Pinski

SEVENTEENTH JUDICIAL DISTRICT COURT

*Phillips County Courthouse
P.O. Box 470
Malta, MT 59538
(406) 654-1062 Office
(406) 654-2363 Fax*

Yvonne Laird
District Judge

Kathy King
Court Administrator

Kelley A. Barstad
Court Reporter

Phillips County - Malta
Blaine County - Chinook
Valley County - Glasgow

September 28, 2020

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

RE: Daniel Mark Guzynski – First Judicial District Judge Applicant

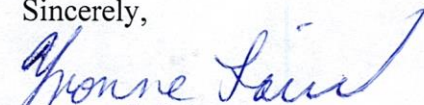
Dear Commission Members:

Please accept my letter of support for Daniel Mark Guzynski's appointment as a District Court Judge in the First Judicial District. Mr. Guzynski is uniquely qualified to serve as a District Court Judge. During Mr. Guzynski's professional career he has practiced in many different District Courts all around the State of Montana, before many different District Court Judges. This breadth of experience has allowed him insight into the "best practices" of a presiding district court judge. He will be able to pull together all of the positive judicial practices he has observed and enhance them with his own insights. This will allow him to run an orderly and judicially sound court. Given the volume of cases handled in the First Judicial District, this will be a necessary skill.

Mr. Guzynski has a keen legal mind and exceptional litigation skills. Despite his nimbleness of mind and legal skill, Mr. Guzynski does not lose sight of the fact the cases he is handling involve real people and his actions or inactions make life-long impacts on the lives of all persons affected by those cases. Such true empathy and compassion are rare gifts in our current society and are traits that a District Court Judge needs to possess to be effective.

I unhesitatingly urge you to forward Mr. Guzynski's application to the Governor for appointment as a District Court Judge in the First Judicial District.

Sincerely,


Yvonne Laird

OFFICE OF THE COUNTY ATTORNEY

Anaconda - Deer Lodge County
800 Main Street
Anaconda, Montana 59711
Phone # (406) 563-4019
Fax # (406) 563-5018

BEN KRAKOWKA
County Attorney

MICHELLE SIEVERS
Deputy County Attorney

Sandy Sullivan
Paralegal

Lori Just
Legal Secretary



9/29/2020

Judicial Nomination Commission
C/O Beth McLaughlin, Court Administrator
P.O. Box 203005
Helena, MT 59620 - 3005

RE: Daniel Guzynski (Letter of Support)

Dear Commission Members:

Please consider this letter of support for Daniel Guzynski for the appointment of the vacancy in the First Judicial District in Lewis and Clark County. I have known Mr. Guzynski for over ten years. Prior to being elected to the position of County Attorney in Anaconda-Deer Lodge County, I had the opportunity to sit opposite of Mr. Guzynski as a Public Defender. Since I have become the County Attorney for Anaconda-Deer Lodge County I have spoken and collaborated with Mr. Guzynski regularly.

Through my interaction with Mr. Guzynski I have found him to be a source I have depended upon for years in regard to ethical questions, criminal law, and the application of the rules of evidence in varied and often somewhat odd situations. Without a doubt I can say he is one of the most well versed and effective attorneys I have ever practiced against or collaborated with. I also know that Mr. Guzynski is known across the State for his exceptional knowledge and application of that knowledge in the cases he handles as well as his ethical integrity.

I would urge you to strongly consider a recommendation of the appointment of Mr. Guzynski to fill the vacancy for the 1st Judicial District. I believe that his extensive trial experience and practical application of the law over his long and distinguished career will be beneficial to the respect and trust our lawyers and our citizens place in the bench when we must appear before the Court.

Sincerely,

Ben Krakowka
County Attorney

August 28, 2020

Judicial Nomination Commission
301 South Park Avenue, Suite 328
PO Box 203005
Helena, MT 59620-3005

Dear Commission Members,

I would like to take this opportunity to support the nomination of Mr. Dan Guzynski for the position of District Court Judge for Montana's 1st Judicial District.

I have been fortunate to know Dan for many years and have found him to be a highly competent attorney with an extensive understanding of the criminal justice system. As a criminal prosecutor, Dan has worked hard to enforce the criminal code while at the same time ensuring that the rights and liberties afforded by the constitution are extended to all defendants. Dan is very compassionate about victim's rights and always takes the extra steps necessary to keep victims informed and involved in every step of a criminal prosecution.

From 2015 through 2017 Dan served on the Commission on Sentencing. His wealth of knowledge in regard to prosecuting crimes and the workings of the court system provided the Commission with valuable insight as to not only how the system currently works, but also what changes could be made to improve the effectiveness and efficiency of an overburdened criminal justice system.

Through your examination of a pool of highly competent attorneys, Dan's character and values will be clearly displayed.

I am proud to recommend Dan for the position of District Court Judge.

Respectfully,

Kevin Olson

Kevin Olson

FAURE HOLDEN
attorneys at law pc

Jean E. Faure • Jason T. Holden • Katie R. Ranta

September 28, 2020

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

Re: Daniel Mark Guzynski

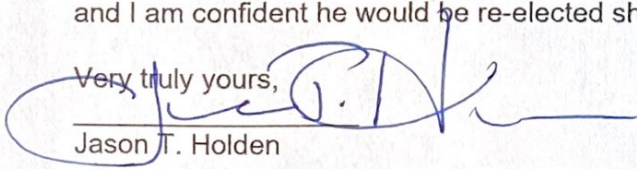
Dear Judicial Nomination Commission:

I have spent roughly the last year and a half litigating against Daniel (Dan) Guzynski. As Montana lawyers we fight hard for our respective "clients" and understand that justice can be achieved by a variety of outcomes. Dan understands this better than perhaps any other lawyer I have ever practiced against. He doesn't need a "verdict" to accomplish his goals, or a "plea" to achieve justice. He is open minded enough to reveal his truth, so that the goals of the case can be achieved.

What is it that we long-for in a Judge? Is it experience? Is it integrity? It is a commitment to the community as a public servant? All of these are true of any Judge, and Dan possesses all of these qualities. But I think there is more. Dan has represented victims of the worst crimes, he has prosecuted the most serious of cases – and he has done so with a tenacity that is frankly unrivaled. It is that tenacity that we long-for in a Judge – not for a cause, but for justice. I am confident that Dan will turn his tenacity for seeking justice for those he has fought for into a tenacity for justice for all those that come before him. He will know when to yield, when to strike, and when to answer justice's call for fairness.

Dan's desire to be a judge does not surprise me. When you see him try a case to a Montana jury you understand his deep commitment to the people of Montana. He speaks with a clear understanding and reveals himself in the process. He would be an appropriate name to move-forward to the Governor and I am confident he would be re-elected should he be appointed.

Very truly yours,


Jason T. Holden

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MIKE GEE

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September 28, 2020

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

RE: Support for Dan Guzynski, Ole Olson, Mary Cochenour, & Chad Parker

Dear Members of the Judicial Nomination Commission:

I am honored to write this letter of support for my colleagues who have thrown their names in the hat to fill Judge Reynolds' seat in the First Judicial District. Dan, Ole, Mary and Chad comport themselves with honesty, integrity, thoughtfulness, and an even-keeled temperament. Those qualities are vital in the pursuit of justice. Those qualities absolutely transfer to being a Judge.

I would rather be labeled a suck-up than let an opportunity to support my colleagues whom I care about very much go by without comment. The truth is each of them have helped shaped my view of what it takes to do justice and frankly, how to live life. My view is each would bring their individual strengths to the bench and be an asset to the judiciary.

Our criminal justice system is under fire. Fair-minded men and women are needed now more than ever to temper the criticism and instill confidence. Not for nothing, but my opinion is the current Judges in the First Judicial District are already doing just that. If one of the four of my colleagues are selected, they will immediately be able to join that pursuit.

Sincerely,

A handwritten signature in black ink, appearing to be 'Mike Gee', with a stylized, flowing script.

Mike Gee
Assistant Attorney General
Prosecution Services Bureau