

MONTANA SUPREME COURT PUBLIC MEETING MINUTES

Tuesday, February 17, 2026, 1:00 p.m.

Joseph P. Mazurek Justice Building

215 North Sanders, Helena

Attorney's Lounge, 4th Floor | Also Available via Zoom Conference

Chief Justice Swanson called the meeting to order at 1:03 p.m. In attendance were Justices Baker, Gustafson, McKinnon, Bidegaray, Rice, and Shea. Also present were Marguerite Henning and Lindsay Colbert, Law Clerks of the Montana Supreme Court.

Item 1: Approval of the Minutes from the February 3, 2026, Public Meeting

- The Court unanimously approved the minutes from the previous public meeting as amended to reflect the correct spelling of the Honorable Jeffrey Dahood's name.

Item 2: Appointments to the Commission on Criminal Jury Instructions

- Chief Justice Swanson introduced the matter and noted that membership terms for Judge Hayworth, Judge Fehr, Melissa Broch, Alex Pyle, and Professor Andrew King-Ries expired. The Court thanked each member for their service.
- The Chief noted that Judge Hayworth, Judge Fehr, and Professor King-Ries expressed interest in serving another term, and that Lacey Fortin, Deputy County Attorney for Yellowstone County had been recommended to replace Melissa Broch, and Tammy A. Hinderman, Division Administrator for the Appellate Defender Division had been recommended to replace Alex Pyle.
- The Justices unanimously agreed to reappoint Judge Hayworth, Judge Fehr, and Professor King-Ries, and to appoint Lacey Fortin and Tammy A. Hinderman, for terms expiring October 31, 2029.

Item 3: Appointment to the Commission on Character and Fitness

- Chief Justice Swanson introduced the matter, noting that Barabra Howe, LCSW, resigned from her position on the Commission on Character and Fitness. The Court thanked Ms. Howe for her service.
- The Justices unanimously agreed to delay addressing appointment of a replacement until the next public meeting.

Item 4: Appointments to the Commission on Courts of Limited Jurisdiction

- The Chief Justice introduced the matter, noting that the Honorable Steven Bolstad resigned from his position as municipal court judge on the Commission on Courts of Limited Jurisdiction on December 31, 2025. The Court extends its appreciation to Judge Bolstad for his dedicated service to the Commission, the Court, and the people of Montana.

- The Commission recommended the Honorable Colleen Herrington, Bozeman Municipal Court Judge, be appointed to serve the remainder of Judge Bolstad's term, which ends in 2028.
- Justice Rice moved to appoint Judge Herrington, with the consent of the appointee, to the Commission on Courts of Limited Jurisdiction
 - Justice Baker seconded.
 - The motion was approved unanimously.

Item 4: Appointment to the Pretrial Supervision Advisory Committee

- Chief Justice Swanson introduced the matter, noting that all member terms expired February 1, 2026. The Court thanks the Honorable Alex Beal, Senator Barry Usher, County Attorney Scott Twito, Sheriff Leo Dutton, the Honorable Mike Salvagni (ret.), the Honorable Colette Davies, Representative Laura Smith, and Office of the State Public Defender Division Administrator Brian Smith for their service.
- Chief Justice Swanson noted that Representative Laura Smith has been elected to the Senate and Representative Donavon Hawk was recommended as a replacement. The Court further determined that a Supreme Court Justice position shall be added to the Committee.
- Justice Shea moved to reappoint the Honorable Alex Beal, Senator Barry Usher, County Attorney Scott Twito, Sheriff Leo Dutton, Honorable Mike Salvagni (ret.), Honorable Colette Davies, and Division Administrator Brian Smith, and appoint Donavon Hawk to replace Senator Laura Smith, and the Honorable Ingrid Gustafson to the Supreme Court Justice position, for terms expiring January 31, 2028, with Judge Salvagni serving as chair.
 - Justice Baker seconded the motion.
 - The motion was approved unanimously.

Chief Justice Swanson adjourned the meeting at 1:13 p.m.